AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, July 29, 2025
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI, AYDIN, TÜRKIYE

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

*To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1601268556 To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 126 8556.** To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

Preliminary Matters

Roll Call:

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

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

1. Adjourn in memory of Dan Siegel, Local Activist

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

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

In-person attendees wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to the moment that the Presiding Officer calls for public comment on non-agenda items. Remote attendees must raise their hand in the videoconference application when the Presiding Officer calls for non-agenda speakers. The first five raised hands on the videoconference application will be selected to speak and the first five cards drawn at the meeting will be selected to speak. The number of in-person and remote speakers selected may be adjusted by the Presiding Officer if fewer than five speakers from either format are identified.

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

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

Consent Calendar

The Council will first determine whether to move items on the agenda for "Action" or "Information" to the "Consent Calendar", or move "Consent Calendar" items to "Action." Three members of the City Council must agree to pull an item from the Consent Calendar or Information Calendar for it to move to Action. Items that remain on the "Consent Calendar" are voted on in one motion as a group. "Information" items are not discussed or acted upon at the Council meeting unless they are moved to "Action" or "Consent".

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

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

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

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

1. Minutes for Approval
From: City Manager
Recommendation: Approve the minutes for the Council meetings of June 3, 2025 (closed and regular), June 9, 2025 (closed), June 17, 2025 (regular), June 24, 2025 (special and regular), June 26, 2025 (special), and June 30, 2025 (closed).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900

2. Amending the City Council's Policy for the General Fund Reserves
From: City Manager
Recommendation: Adopt a Resolution amending the City Council's Policy for the General Fund Reserves and rescind Resolution No. 69,440-N.S.
Financial Implications: see report
Contact: David White, City Manager's Office, (510) 981-7000, Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

3. Contract No 32400009 Amendment: Stella Courier, LLC. for Mail Services and Mail Room Coverage
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No: 32400009 with Stella Courier, LLC., to provide mail services to the City's satellite locations, and as-needed mail room coverage, increasing the amount by $180,000 for an amended total amount not to exceed $360,000 over an additional two-year period starting August 1, 2025 through July 31, 2027.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 29, 2025
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

5. Contract: InfoSend for Bill Printing and Mailing Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments which align with the City of Brawley's existing contract and any amendments, with InfoSend to provide Bill Printing and Mailing Services from July 30, 2025 until June 30, 2026 in an amount not to exceed $150,000 with an option to renew in increments of two (2) years, in alignment with the City of Brawley contract for an additional $100,000. The total contract value through September 2028 is not to exceed $250,000.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

6. Designate the Line of Succession for the Director of Emergency Services
From: City Manager
Recommendation: Adopt a Resolution approving the designated line of succession to the position of Director of Emergency Services in the event of an emergency, and rescinding Resolution No. 70,729-N.S.
Financial Implications: None
Contact: David Sprague, Fire, (510) 981-3473

Consent Calendar

7. Contract with Wildfire Defense to Serve as the Alameda County Coordinator
From: City Manager
Recommendation: Adopt a Resolution:
1. Authorizing the City Manager or designee to execute a contract with Wildfire Defense to serve as the Alameda County Coordinator for coordination with local agencies, fire safe councils, and wildfire mitigation community groups for the initial period August 1, 2025, through June 30, 2026, in an amount not to exceed $155,500, and to apply for and receive future grant funding in collaboration with Berkeley Fire Department staff to maintain the position through 2028; and
2. Authorizing the City Manager or designee to execute any amendments for not more than $225,000 per year in Fiscal Year (FY) 25, FY26, and FY27, upon receiving additional California Fire Safe Council (CFSC) grants to continue contracting Wildfire Defense to serve Alameda County communities, provide resources and education on wildfire safety, promote collaboration, assist local groups with funding opportunities, and aid multi-jurisdictional planning.
Financial Implications: None
Contact: David Sprague, Fire, (510) 981-3473

8. Submitting Application for Permanent Local Housing Allocation Program
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to apply for and accept funds from the State of California's Permanent Local Housing Allocation Program, in an amount not to exceed $849,945.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

9. Mental Health Services Act Fiscal Year 2026 Annual Update
From: City Manager
Recommendation: Adopt a Resolution approving the Mental Health Services Act (MHSA) Fiscal Year 2026 Annual Update, which identifies uses of funds for mental health programming, and forwarding the Annual Update to appropriate State officials.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

10. Adopt Resolution Approving Publicly Available Pay Schedule
From: City Manager
Recommendation: Adopt a Resolution approving a publicly available pay schedule effective July 29, 2025, pursuant to the Public Employee’s Retirement Law (PERL), Public Employees’ Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR).
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800

Consent Calendar

11. Contract: Infobond Inc. Leveraging the Omnia Partners Cooperative Contract for Information Technology Security Products, Licenses, and Support
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Infobond, Inc. ("Infobond") for the purchase of information technology security products, licenses, support and services utilizing the Omnia Partners contract #01-154 for a total not to exceed value of $1,000,000 commencing on July 1, 2025 through June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500

12. Contract No. 32300096 Amendment: SCS Engineers for Landfill Post-Closure Maintenance and Monitoring Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300096 with SCS Engineers for maintenance, monitoring, and compliance services related to the closed landfill at Cesar Chavez Park, increasing the contract amount by $1,834,000 for a total not to exceed amount of $4,078,022.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

13. Trillium Compressed Natural Gas (CNG) 5-year Sole Source License and Operating Agreement
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a 5-year sole source license and operating agreement for compressed natural gas with Trillium CNG for the five-year period between FY2026 and FY2031, for a not-to-exceed amount of $250,000.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

14. Contract Amendment No. 32100070: Urban Ore, Inc. for Salvage Operations at the City of Berkeley Transfer Station
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment No. 32100070 with Urban Ore, Inc. for salvage operations of reusable materials at the City's Transfer Station, increasing the contract by $75,000 from $189,848 to $264,848, for a new not to exceed amount of $264,848 and extending the term through June 30, 2027.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

15. Authorization to Apply for CalRecycle Waste Reduction, Reuse, Recycling, and Composting Grants and Payment Programs
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit grant applications, accept grant funds, and execute any resulting grant agreements, amendments and expenditure reports with the Department of Resource Recycling and Recovery (CalRecycle) for grant and payment programs related to waste reduction, reuse, recycling, and composting.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

16. Contract: Environmental Logistics, Inc. and Advanced Chemical Transport, LLC for On-Call Hazardous Waste Management
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to:
1.Execute a three-year contract and any amendments with Environmental Logistics, Inc. to provide on-call hazardous waste disposal at various City facilities and locations for a total not to exceed of $200,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions, for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the terms of the agreement.
2.Execute a three-year contract and any amendment with Advanced Chemical Transport, LLC to provide on-call hazardous waste disposal at various City facilities and locations for a total not to exceed of $150,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions, for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the terms of the agreement.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

17. Approval and Levy of 2018 Clean Stormwater Fee in FY 2026
From: City Manager
Recommendation: Adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2026.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

18. Contracts: Matrix HG Inc. and Prime Mechanical Service for Heating, Ventilation, and Air Conditioning (HVAC) Maintenance and Repair
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to:
1.Execute a contract with any amendments with Matrix HG Inc. to provide HVAC repairs and maintenance services for a three-year period from September 1, 2025 to August 31, 2028, in an amount not to exceed $150,000, with an option to extend for two additional one-year terms.
2.Execute a contract with any amendments with Prime Mechanical Service to provide HVAC repairs and maintenance services for a three-year period from September 1, 2025 to August 31, 2028, in an amount not to exceed $150,000, with an option to extend for two additional one-year terms.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

19. Updated Sewer System Management Plan
From: City Manager
Recommendation: Adopt a Resolution approving the update of the Sewer System Management Plan, as mandated by the State Water Resources Control Board.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

20. Project Implementation Staffing for Measure FF, the SAFE STREETS Initiative
From: City Manager
Recommendation: Adopt a Resolution to amend the FY 2026 budget to authorizing the City Manager to add three permanent full-time employees, expending $932,630.73, to support the implementation of prioritized projects associated with Measure FF, the SAFE STREETS Initiative.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

21. Contract: Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. for On-Call Environmental Consulting
From: City Manager
Recommendation: Adopt four Resolutions authorizing the City Manager to:
1. Execute a three-year contract and any amendments with Aurora Environmental Services Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $50,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
2. Execute a three-year contract and any amendments with GSI Environmental Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $50,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
3. Execute a three-year contract and any amendments with Northgate Environmental Management Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $75,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
4. Execute a three-year contract and any amendments with WSP Global Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed of $325,000 for an initial three-year term from August 1, 2026, to August 1, 2029, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
Financial Implications: See report.
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

22. Contracts: Dream Ride Elevator and Metro Elevator for Maintenance, Repairs and Emergency Response Services for Citywide Elevators
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to:
1. Execute a contract with any amendments with Dream Ride Elevator to provide maintenance, repairs, and emergency response services for citywide elevators for a three-year period from September 1, 2025, to August 31, 2028, in an amount not to exceed $175,000, with an option to extend for two additional one-year terms. Rates will be adjusted annually in accordance with the Consumer Price Index (CPI) per the terms of the RFO and the contractor's responses.
2. Execute a contract with any amendments with Metro Elevator to provide maintenance, repairs and emergency response services for citywide elevators for a three-year period from September 1, 2025, to August 31, 2028, in an amount not to exceed $175,000, with an option to extend for two additional one-year terms. Rates will be adjusted annually in accordance with the Consumer Price Index (CPI) per the terms of the RFO and the contractor's responses.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

23a. City Compliance with Web Content Accessibility Guidelines (WCAG)
From: Commission on Disability
Recommendation: The Berkeley City Council shall refer to the City Attorney the requirement to include a clause in all relevant City of Berkeley contracts that obligates City vendors to supply digital content, intended for or likely to be posted to the City website, that is compliant with the Web Content Accessibility Guidelines (WCAG) standard mandated by the U.S. Department of Justice. WCAG defines web content technical standards that, when implemented, meet legal requirements of the Americans with Disabilities Act (ADA).
In addition, relevant City staff should be informed of WCAG requirements, and systems put in place to ensure that documents available on the City of Berkeley website, whether submitted by vendors or created by City staff, meet current WCAG standards. When the City is informed that documents posted to its website do not meet current WCAG standards, remediation is recommended to be made within 30 days.
Financial Implications: See report
Contact: Thomas Gregory, Commission Secretary, (510) 981-6300

Consent Calendar

23b. Companion Report: City Compliance with Web Content Accessibility Guidelines (WCAG)
From: City Manager
Recommendation: The City Manager recommends that Council refrain from referring the Commission on Disability's report recommendation from the report titled, "City Compliance with Web Content Accessibility Guidelines (WCAG)," to the City Attorney's Office at this time to give staff and the Commission on Disability additional time to develop a mutually agreeable path forward.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Council Consent Items

24. Berkeley Nightlife Council *(Reviewed by the Land Use, Housing & Economic Development Committee)*
From: Councilmember Taplin (Author)
Recommendation: Adopt a Resolution to form the Berkeley City Council Nightlife Sub-Committee, convened by the District 2 council office to return recommendations for the formation, structure, and scope of operation of a Berkeley Nightlife Council (Night Council) to support nighttime economic activity, cultural programming, and community safety in city commercial districts.
Policy Committee recommendation: Send the item to the City Council with a qualified positive recommendation that Council adopt the item with the caveat that the City Attorney's Office review the ad-hoc committee for Brown Act implications.
Financial Implications: None
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Council Consent Items

25. Berkeley Green New Deal: Workforce Development *(Reviewed by the Land Use, Housing, & Economic Development Committee)*
From: Councilmember Taplin (Author), Councilmember Lunaparra (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Councilmember Tregub (Co-Sponsor)
Recommendation: Refer to the City Manager a feasibility analysis and request for recommendations for possible models to either establish a green workforce development board within the City of Berkeley or strengthen the alignment between City of Berkeley and community partner programs and the Alameda County Workforce development board to create pathways to gainful employment in green industries and accelerate the transition to a fossil-free local economy.
Policy Committee Recommendation: Send the item to the City Council with a qualified positive recommendation that Council adopt the item and that the item be revised to include a referral to the budget process, clarify and make explicit that the full-time employee ("FTE") is either an in-house City of Berkeley employee or is a privately funded employee not on the City's payroll, and include a privately funded alternative to a full-time City employee when creating the budget referral.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

26. Resolution in Support of California Senate Bill 627 (Wiener, Arreguín, Pérez), the No Secret Police Act, to Prohibit Non-Essential Face Covering for Law Enforcement and Require Officer Identification During Operations
From: Councilmember Tregub(Author), Councilmember Humbert (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor)
Recommendation: Adopt a Resolution in support of California State Senate Bill (SB) 627 (Wiener, Arreguín, Pérez), the No Secret Police Act, which would prohibit law enforcement officers from covering their faces during operations (with exceptions for medical and fire-related protection), and require visible identification on uniforms in the state of California; and distribute copies to the California Governor Gavin Newsom, Senators Scott Wiener, Jesse Arreguín, and Sasha Renée Pérez, Assemblymember Buffy Wicks, California Senate President pro tempore Mike McGuire, and California Assembly Speaker Robert Rivas to advocate for its passage.
Financial Implications: See report
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

Council Consent Items

27. Berkeley's First Sun Day Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Councilmember Humbert (Author)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember including $500 from Councilmember Humbert to the Berkeley Rotary Club for the purpose of covering costs associated with hosting Berkeley's inaugural "Sun Day" renewable energy festival on Sunday, September 21, 2025 with funds relinquished to the City's General Fund for this purpose from the discretionary Council Office Budgets of Councilmember Humbert and any other Councilmembers who would like to contribute.
Financial Implications: See report
Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180

Action Calendar

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

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

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

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

Action Calendar – Public Hearings

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

If ten or fewer persons are interested in speaking during a public hearing, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

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

Action Calendar – Public Hearings

28. Accessory Dwelling Units (ADUs): Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs, and Amendments to Title 23 (Zoning) to Comply with State Law and Encourage ADU Development
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion, adopt the first reading of an Ordinance to 1) amend Title 21 (Subdivisions Ordinance) to implement Assembly Bill (AB) 1033 by establishing local regulations for the separate sale of ADUs as condominiums; and 2) amend Title 23 (Zoning) to bring the City's ADU regulations into compliance with recent changes to State law, to incorporate feedback from the California Department of Housing and Community Development (HCD), and encourage ADU development.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

29. Ordinance Vacating a Portion of Carleton Street from Westerly Terminus Extending 381.23 Feet Easterly
From: City Manager
Recommendation: 1. Conduct a public hearing and upon conclusion, adopt the second reading of the Ordinance voted upon at the July 22, 2025 City Council meeting vacating a 381.23-linear-foot (27,449 square foot) portion of the public right-of-way on Carleton Street, located at the westerly terminus of Carleton Street. 2. Upon adoption of the second reading of the Ordinance, authorize the City Manager to execute a deed quit claiming that portion of the right-of-way of Carleton Street and conveying to the adjacent property owner, Bayer Healthcare LLC ("Bayer").
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Information Reports

30. Status Report - Berkeley's Financial Condition (FY 2012 – FY 2021): Pension Liabilities and Infrastructure Need Attention
From: City Manager
Contact: David White, City Manager's Office, (510) 981-7000, Henry Oyekanmi, Finance, (510) 981-7300

31. Commission on Labor Fiscal Year 2026 Work Plan
From: Commission on Labor
Contact: Emily Rose, Commission Secretary, (510) 981-5400

32. Annual Report on Landmarks Preservation Commission Actions
From: Landmarks Preservation Commission
Contact: Anne Hersch, Commission Secretary, (510) 981-7400

Information Reports

33. Zero Waste Commission Fiscal Year 2025-26 Work Plan
From: Zero Waste Commission
Contact: Julia Heath, Commission Secretary, (510) 981-6300

Public Comment – Items Not Listed on the Agenda

Adjournment

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

Archived indexed video streams are available at:
https://berkeleyca.gov/your-government/city-council/city-council-agendas.
Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service to the City Clerk Department at 2180 Milvia Street. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

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

Agendas, agenda reports, and revised/supplemental material may be accessed via the online agenda for this meeting at:
https://berkeleyca.gov/your-government/city-council/city-council-agendas
and may be accessed at reference desks at the following locations:

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

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

COMMUNICATION ACCESS INFORMATION:
This meeting is being held in a wheelchair accessible location.
To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at ada@berkeleyca.gov, (510) 981-6418 (V), or

(510) 981-6347 (TDD) at least three business days before the meeting date.

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

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

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

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I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 17, 2025.

Mark Numainville, City Clerk

Communications

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

Ingram Letter
1. Richard Pettler

EMBER
2. Susanne Kalter DeWitt

E-Scooters
3. Robert Borghese (2)

Plaque Project
4. Sharon Entwistle

Lineage Repair Work
5. Eric Friedman
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Ohlone Greenway Park

6. Transition Berkeley Members of the Board: Sylvia Soriano, Linda Currie, Bonnie Borucki, Pierre Thiry, Lori Hines, Ben Rosenthal, Jenifer Azulay, Ginny Hanger
7. Lucia Hammond (4)
8. Peter Radu
9. Lj Cranmer
10. Erik Dreher
11. Seth Kimball
12. Allison Bond
13. Melanie Lawrence

Public Resource for Honey Bee Swarm

14. Mateo Kaiser

Brown Act

15. Jennifer Knight
16. Chris Goldin
17. Micky Duxbury
18. Michael Tompkins

Cyclist Concerns

19. Stephanie Allan

Public Comeback

20. Steve Tracy

Pest Treatment

21. Alex Merenkov
22. Alesia Williams
23. Building & Safety Division, Rental Housing Safety Program

Missing Middle

24. Dylan Miley (2)
25. Olivia Burger (2)

MLK and Virginia Street

26. Sunny

Parking Spot Near School Concern

27. Jordan Pierson

Claremont Ave Pedestrian

28. Ben Gerhardstein on behalf of Walk Bike Berkeley
29. Elise Proulx

Soft Story Ordinance
30. Todd Andrew (2)

“Help the Decent People”
31. Tajai Calip

Middle East Conflict
32. Nikki Kofsky

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

- **Supplemental Communications and Reports 1**
  Available by 5:00 p.m. five days prior to the meeting.

- **Supplemental Communications and Reports 2**
  Available by 5:00 p.m. the day before the meeting.

- **Supplemental Communications and Reports 3**
  Available by 5:00 p.m. two days following the meeting.

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Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of June 3, 2025 (closed and regular), June 9, 2025 (closed), June 17, 2025 (regular), June 24, 2025 (special and regular), June 26, 2025 (special), and June 30, 2025 (closed).

CONTACT PERSON

Mark Numainville, City Clerk, (510) 981-6900

Attachments:
1. June 3, 2025 – Special Closed City Council Meeting
2. June 3, 2025 – Regular City Council Meeting
3. June 9, 2025 – Special Closed City Council Meeting
4. June 17, 2025 – Regular City Council Meeting
5. June 24, 2025 – Special City Council Meeting
6. June 24, 2025 – Regular City Council Meeting
7. June 26, 2025 – Special City Council Meeting
8. June 30, 2025 – Special Closed City Council Meeting

Attachment 1

BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES

TUESDAY, JUNE 3, 2025

5:00 P.M.

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 117 FORT EVANS RD NE, LEESBURG, VA 20176
TELECONFERENCE LOCATION - 1868 MASSACHUSETTS AVE, CAMBRIDGE, MA 02140

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation.

*To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1605031522. To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter Meeting ID: **160 503 1522**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

Preliminary Matters

Roll Call: 5:09 p.m.

Present: Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii

Absent: Kesarwani, Taplin

Councilmember Taplin present at 5:12 p.m.

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

CLOSED SESSION:

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

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

   a. *RealPage, Inc. v. City of Berkeley, et al.,* No. 3:25-CV-03004-JSC (N.D. Cal.)

   Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

Action: M/S/C (Taplin/Lunaparra) to adjourn the meeting.
Vote: Ayes – Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani.

Adjourned at 5:39 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on June 3, 2025.

_____
Mark Numainville, City Clerk

MINUTES

BERKELEY CITY COUNCIL MEETING

Tuesday, June 3, 2025
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 117 FORT EVANS RD NE, LEESBURG, VA 20176
TELECONFERENCE LOCATION - 1868 MASSACHUSETTS AVE, CAMBRIDGE, MA 02140

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call: 6:06 p.m.

Present: Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii

Absent: Kesarwani

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

Ceremonial Matters:

1. Adjourn in memory of Robert Sheppard, Berkeley Resident
2. Adjourn in memory of Bill de Carion, Berkeley Business Owner
3. Recognition of Maw Shein Win, Berkeley Poetry Festival Lifetime Achievement Award Winner
4. Recognition of Christina Murphy Day in Berkeley, June 3, 2025
5. Recognition of Berkeley Pride Day, August 16, 2025

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Public Comment by Employee Unions: 0 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 5 speakers.

Action: M/S/C (Bartlett/Humbert) to add an urgent item to the agenda pursuant to Government Code Section 54954.2(b)(2) related to an excused absence for Councilmember Kesarwani.
Vote: Ayes – Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani, Taplin.

Consent Calendar

Action: M/S/C (Tregub/Humbert) to adopt the Consent Calendar in one motion except as indicated.
Vote: Ayes – Taplin, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

Urgent Item: Excused Absence for Councilmember Rashi Kesarwani
From: Councilmember Kesarwani (Author)
Recommendation: Pursuant to the City Charter, Article V, § 19, the City Council must approve an absence by a Councilmember from a meeting in order for that absence to be considered excused. Specifically, it states: "If the Mayor or any member of the Council is absent from one or more regular meetings of the Council during any calendar month, unless excused by the Council in order to attend to official business of the City, or unless excused by the Council as a result of their own illness or the illness or death of a "close family member" as defined in the City's bereavement policy from attending no more than two regular meetings in any calendar year, they shall be paid for each regular meeting attended during such months in an amount equal to the monthly remuneration divided by the number of regular meetings held during such month." Councilmember Kesarwani has just recently become sick and is unable to attend the June 3, 2025 Council meeting.
Financial Implications: None
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: Approved recommendation.

1. **Amendment: FY 2025 Annual Appropriations Ordinance**
   From: City Manager
   Recommendation: Adopt second reading of Ordinance No. 7,961-N.S. amending the FY 2025 Annual Appropriations Ordinance No. 7,940–N.S. for fiscal year 2025 based upon recommended re-appropriation of committed FY 2024 funding and other adjustments in the amount of $85,720,135 (gross) and $58,279,646 (net).
   First Reading Vote: Ayes – Kesarwani, Taplin, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Bartlett.
   Financial Implications: See report
   Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
   Action: Adopted second reading of Ordinance No. 7,961–N.S.

2. **Police Accountability Board – Appointment of New Member**
   From: City Manager
   Recommendation: Adopt a Resolution appointing a new member to the Police Accountability Board (PAB) nominated by Councilmember Kesarwani.
   Financial Implications: See report
   Contact: Mark Numainville, City Clerk, (510) 981-6900
   Action: Adopted Resolution No. 71,786–N.S. revised to correct the name of the appointee in the title of the resolution.

Consent Calendar

3. Grant Application: California Arts Council Grant ($30,000), for the Civic Arts Grant Program General Operating Support Category
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or their designee to submit a grant application to the California Arts Council (CAC) to receive up to $30,000 for the Civic Arts grants program ("General Operating Support" category), to accept the grant if awarded; and to execute any resulting grant agreements. If received, the funds would be regranted to Berkeley-based nonprofit and fiscally sponsored arts organizations for general operational support starting in Fiscal Year 2027 (FY27).
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 71,787–N.S.

4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 3, 2025
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

5. Notice of Appropriations Limit for Fiscal Year 2026
From: City Manager
Recommendation: Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2026 at its meeting of June 24, 2025; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk's Office on or before June 9, 2025.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 71,788–N.S.

6. Appointment of Public Health Officer – Dr. Noemi C. Doohan
From: City Manager
Recommendation: Adopt a Resolution to appoint Noemi C. Doohan, M.D., PhD, MPH, as the Public Health Officer for the City of Berkeley.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,789–N.S.

Consent Calendar

7. Contract: SEP Technology Consulting, LLC for Environmental Health Database Migration to Accela Cloud
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to execute a contract and any amendments or extensions with SEP Technology Consulting, LLC. for the Environmental Health Division's database migration from Envision Connect to Accela Cloud, in an amount not to exceed $325,000 for the period June 1, 2025, through June 30, 2026.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,790–N.S.

8. Revenue Grant Agreement: Funding Support from Essential Access Health to Conduct Public Health Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to submit a grant application to Essential Access Health, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct public health promotion, protection, and prevention services for the Essential Access Health revenue agreement in the projected amount of $120,000 for April 1, 2025, to March 30, 2026.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,791–N.S.

9. AHEAD, Inc ("AHEAD"): Using the California Department of General Services Software Licensing Program ("CDGS SLP") for Software License Purchases
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to increase spending authority with AHEAD, a qualified reseller for the purchase of Varonis subscription software licenses, utilizing pricing and contracts, amendments, and extensions from the CDGS SLP, increasing the amount by $971,784.00 for a total amount not-to-exceed $1,945,589.00 during the period beginning January 31, 2023 through June 30, 2028.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,792–N.S.

Consent Calendar

10. Contract No. 112798-1 Amendment: Geographic Technologies Group for Geographic Information System Professional Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 112798-1 with Geographic Technologies Group ("GTG") for Geographic Information System ("GIS") professional services, increasing the amount by $600,000 for a total contract value of $1,149,411 from September 14, 2016 to June 30, 2027.
Financial Implications: $600,000 - IT Cost Allocation Plan Fund.
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,793–N.S.

11. Contract No. 32000281 Amendment: ConvergeOne for Avaya Administration, Maintenance and Support
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32000281 to increase the spending authority with ConvergeOne (previously named Integration Partners) for Avaya telephone system administration, maintenance and support services increasing the amount by $920,000 for a total not-to-exceed amount of $2,638,633 from July 1, 2025 to June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,794–N.S.

12. Contract No. 32400095 Amendment: Superion, LLC for AS400 Software Maintenance and Support
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to contract No. 32400095 with Superion, LLC ("Superion") for software maintenance and support of the City of Berkeley ("City") Public Sector System ("FUND$") hosted on an AS400 platform, increasing the amount by $309,000 for a total not-to-exceed amount $592,500.00 from July 1, 2023 through June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,795–N.S.

13. Contract: CompuCom Systems, Inc. ("CompuCom") for Professional Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to execute a contract with CompuCom for professional services for an amount not to exceed $1,051,000 through June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,796–N.S.

Consent Calendar

14. Contract 31900042 Amendment: CivicPlus for an Online Recreation Registration and Reservation System (CivicRec)
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 31900042 with CivicPlus, Inc. to provide an online recreation registration and reservation system (CivicRec) by increasing the contract amount by $28,000, for a total not to exceed amount of $181,756, and extending the expiration date from November 30, 2025 to November 30, 2026.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,797–N.S.

15. Contract: BayGreen, Inc. for Mobile Pumpout and Related Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to execute a contract and any amendments with BayGreen, Inc. for mobile vessel pumpout and related services at the Berkeley Marina in an amount not to exceed $195,898 for a period of three years, with an option to renew for an additional two years not to exceed $150,725, for a total contract amount not to exceed $346,623.
Financial Implications: Marina Fund - $346,623
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,798–N.S.

16. Contract: Cazadero Performing Arts Camp (CPAC) for Erosion Control Improvements
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to execute a contract and any amendments with Cazadero Performing Arts Camp (CPAC) for creek erosion repair in an amount not to exceed $200,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,799–N.S.

Consent Calendar

17. Contract: E.F. Brett & Company, Inc. for MLK Jr. Youth Services Center/Y.A.P Seismic Retrofit and Renovation Project
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving the plans and specifications for the MLK Jr. Youth Services Center/Y.A.P. Seismic Retrofit and Renovation project, Specification No. 25-11695-C; 2. Rejecting the bid protest of W.E. Lyons Construction Co., the second lowest bidder; 3. Accepting the bid of the lowest responsive and responsible bidder, E.F. Brett & Company, Inc.; and 4. Authorizing the City Manager or their designee to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with E.F. Brett & Company, Inc. for the MLK Jr. Youth Services Center/Y.A.P. Seismic Retrofit and Renovation Project at 1730 Oregon Street, in an amount not to exceed $11,859,100 which includes a contract amount consisting of the base bid and bid alternates 1, 4 and 5 of $10,781,000 and a 10% contingency in the amount of $1,078,100.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,800–N.S.

18. Contract No. 32500009 Amendment: Dixon Resources Unlimited
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32500009 and any necessary future amendments with Dixon Resources Unlimited for the Police Department, to include contract implementation support while increasing the contract amount by $50,000 for a total not to exceed amount of $100,000, and a contract extension date to January 31, 2027.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 71,801–N.S.

Council Consent Items

19. Berkeley Humane 11th Annual Pints for Paws Fundraiser: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds
From: Councilmember Taplin (Author), Mayor Ishii (Co-Sponsor), Councilmember Tregub (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember, including $500 from Councilmember Taplin, to support the Berkeley Humane 11th Annual Pints for Paws Fundraiser.
Financial Implications: $500 - Councilmember Discretionary Fund.
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Adopted Resolution No. 71,802–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Humbert - $500; Councilmember Blackaby - $250; Councilmember Tregub - $150; Councilmember Bartlett - $250; Councilmember O'Keefe - $250.

Council Consent Items

20. Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to Taste of Downtown Berkeley 2025 Event
From: Councilmember Tregub (Author), Councilmember O'Keefe (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Mayor Ishii (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember from the D13 Discretionary Accounts of members of the Berkeley City Council, including contributions of $500 from Mayor Ishii and Councilmembers Tregub and Taplin and $200 from Councilmember O'Keefe, and inviting other members of the City Council to contribute to the Berkeley Rotary Endowment to support the Third Annual Taste of Downtown Berkeley 2025 with funds relinquished to the City's general fund. The relinquished funds will help the Berkeley Rotary Endowment to host an event featuring and increasing visibility for local business and raise funds for their RotaCare Health Clinic, 4-year Collegiate Scholarship program, and Supportive Housing hygiene kit programs. This year's event will be held on Sunday, June 8, 2025, starting at the Downtown Berkeley Plaza.
Financial Implications: See report
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Adopted Resolution No. 71,803–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Blackaby - $250; Councilmember Bartlett - $200; Councilmember Lunaparra - $100.

21. Resolution in Opposition to California Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs
From: Councilmember Tregub (Author), Councilmember Blackaby (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor)
Recommendation: Adopt a Resolution in opposition to California State Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs, and distribute copies to California Governor Gavin Newsom, Senator Jesse Arreguín, Assemblymember Buffy Wicks, California Senate President pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas to oppose its passage.
Financial Implications: Limited staff time
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Councilmember O'Keefe added as a co-sponsor. Adopted Resolution No. 71,804–N.S.

Council Consent Items

22. Resolution Opposing the Removal of USPS Mailboxes at the Berkeley Main Post Office
From: Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)
Recommendation: Adopt a Resolution opposing the removal of public mailboxes from the Berkeley Main Post Office on Allston Way and urging immediate engagement with United States Postal Service (USPS) leadership to restore these essential public services and send the Resolution to the attention of US Congresswoman Lateefah Simon and US Postmaster.
Financial Implications: Staff time
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Approved recommendation as revised in Supplemental Communications Packet #2 by Councilmember Tregub to send a letter instead of adopting a resolution and making other amendments.

23. Resolution in Support of the Polluters Pay Climate Superfund Act Legislative Package – AB 1243 and SB 684
From: Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)
Recommendation: Adopt a Resolution in strong support of the Polluters Pay Climate Superfund Act Legislative Package (Assembly Bill (AB) 1243 (Addis, et al) and Senate Bill (SB) 684 (Menjivar, et al), which would hold fossil fuel corporations accountable for their fair share of the damages caused by climate change in California, and transmit the Council's support to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).
Financial Implications: None
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Councilmembers Blackaby and Bartlett added as co-sponsors. Adopted Resolution No. 71,805–N.S.

Council Consent Items

24. Referral: Oxford for All *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
From: Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)
Recommendation:
1. Refer to the City Manager to design and construct a quick-build class IV bicycle facility on the east side of Oxford Street and Fulton Street between Bancroft Way and Hearst Avenue and implement pedestrian safety improvements on the corridor, potentially through quick-build planning and construction methods.
2. Refer $400,000 to the June budget process (FY26 Mid-Biennial Update) to provide the City of Berkeley Public Works Department with necessary funds to support design, engineering, and construction costs for the project.
3. Refer to the City Manager and to The City/UC/Student Relations "4x6" Committee to explore opportunities to leverage existing and establish new financial partnerships with UC Berkeley on safety projects along Oxford Street and adjacent areas, including the Oxford and Bancroft volleyball courts project and similar initiatives.
Policy Committee Recommendation: To send the item to City Council with a positive recommendation.
Financial Implications: See report
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Approved revised recommendation from Councilmember Tregub in to add Councilmember Humbert as a co-sponsor and revise the recommendation to read as below.

1. Provide direction to City Manager and staff to implement city-adopted 2017 Bike Plan, the 2021 UC Berkeley Oxford St./Fulton St. Multimodal Mobility and Urban Design Study and the 2025 Bike Plan Update recommendations on Oxford Street and Fulton Street from Bancroft Way to Hearst Avenue alongside upcoming repaving.

2. Beforehand and until such permanent capital improvements are feasible, refer to the City Manager to design and construct a an interim "quick build" project if deemed feasible, prudent, and non-disruptive to permanent improvements. Improvements implemented should, at minimum, include Class IV protected bike lanes and pedestrian safety facilities. Pedestrian facilities may include daylighting, high-visibility crosswalks, curb extensions, and other improvements that increase safety for pedestrians on the corridor, informed by the above-mentioned plans.

3. Refer to the City Manager to seek funding in the amount of $400,000 from all available sources including, but not limited to the Street and Open Space Improvement Fund (SOSIP), Measure FF (2024), Long Range Development Plan (LRDP) and refer to the June budget process (FY26 Mid-Biennial Update) to provide the City of Berkeley Public Works Department with funds to support design, engineering, and construction costs for the quick build and permanent components of the project.

4. Refer to the City Manager and to The City/UC/Student Relations "4x6" Committee to explore opportunities to leverage existing and establish new financial partnerships with UC Berkeley on safety projects along Oxford Street and adjacent areas, including the Oxford and Bancroft volleyball courts project and similar initiatives.

Council Consent Items

25. The Berkeley Baby Book Project: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds
From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $250 per Councilmember, including $250 from Councilmember Blackaby, the Mayor and Councilmembers Humbert and Taplin, to support the Berkeley Baby Book Project, a non-profit, with funds relinquished to the City's general fund. The relinquishment of funds from Councilmember Blackaby and all other Councilmembers who would like to contribute, will provide books to Berkeley children aged 0-5 years. The books are delivered by USPS and addressed to the child who owns them at no cost to their family.
Financial Implications: None
Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160
Action: Adopted Resolution No. 71,806–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Tregub - $250; Councilmember Bartlett - $200; Councilmember O'Keefe - $250; Councilmember Lunaparra - $100.

Action Calendar – New Business

26. Re-Establishment - Berkeley Tourism Business Improvement District (Public Meeting)
From: City Manager
Recommendation: Conduct a public meeting to review and discuss the intention to renew the Berkeley Tourism Business Improvement District (BTBID) for ten (10) years starting July 1, 2025 (hereafter, "BTBID", "Tourism BID", "BID" or "the District"). On May 6, 2025 Council adopted Resolution No. 71,749–N.S., which states the intention to renew the Tourism BID and directed the City Clerk to schedule a public meeting on June 3, 2025, and a public hearing on June 24, 2025 to consider the renewal of the District. Per state law, a public meeting is required at which local officials allow public testimony regarding the proposed new assessment in addition to the noticed public hearing at which the legislative body proposes to enact the assessment.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: 2 speakers. Public meeting held.

Action Calendar – Public Hearings

27. Conduct a Public Hearing in Compliance with Assembly Bill 2561 / Government Code § 3502.3 Regarding Vacancies, Recruitment, and Retention Efforts
From: City Manager
Recommendation: Conduct a public hearing in compliance with Assembly Bill 2561 (AB 2561) / Government Code § 3502.3 (GC § 3502.3) regarding vacancies, recruitment, and retention efforts.
Financial Implications: See report
Contact: Monica Walker, Human Resources, (510) 981-6800

Public Testimony: The Mayor opened the public hearing. 2 speakers.
M/S/C (Humbert/Taplin) to close the public hearing.
Vote: Ayes – Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani.

Action: Presentation made and discussion held. Report received, including material in Supplemental Communications Packet #1 from the City Manager.

28. Zoning Adjustments Board Appeal: 1950-1998 Shattuck Avenue, Use Permit #ZP2023-0040
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution denying the appeal and affirming the Zoning Adjustments Board (ZAB) decision approving Use Permit ZP#2023-0040.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Humbert/Taplin) to close the public hearing.
Vote: Ayes – Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani.

Action: M/S/C (Lunaparra/Taplin) to adopt Resolution No. 71,807–N.S. to adopt a Resolution denying the appeal and affirming the Zoning Adjustments Board (ZAB) decision approving Use Permit ZP#2023-0040 with an amendment to Condition of Approval #82 to extend post entitlement deadlines.
Vote: Ayes – Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani.

Information Reports

29. Section 115 Trust Investment Report from Inception to Period Ended June 30, 2024
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 1 speaker.

Adjournment

Action: M/S/C (Taplin/Humbert) to adjourn the meeting.
Vote: Ayes – Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani.

Adjourned at 8:22 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on June 3, 2025.

_____
Mark Numainville, City Clerk

Communications

Item #23: Resolution in Support of the Polluters Pay Climate Superfund Act Legislative Package – AB 1243 and SB 684
1. Ashley E. McClure

Encampments and Homelessness
2. Kimberly Cohn
3. Alastair MacDowell
4. Rosemary Hardy
5. Patricia Itamoto
6. Helga Recke
7. Kasaia Luckel
8. Loren Passmore
9. Peter Radu
10. David Lerman
11. A concerned Berkeley resident
12. Lillie Brum
13. Cecelia Mautner
14. Eric Larsen
15. Cris Arguedas
16. Nicholas Alexander
17. Russbumper
18. Elsa Tranter (2)
19. Rebecca Braun
20. Ben Buettner
21. Daniel Jurnove
22. Patty Lipinska
23. Shelly Chaiken
24. Judy Stamps
25. David Freeling (3)

26. Daniela

Marina Security
27. Marco Falcioni
28. Robert Ofsevit
29. Melanie E. Beasley
30. Jay Karimi
31. Peter Kuhn
32. Catherine

Buildings Emissions Saving Ordinance (BESO)
33. Nora Coyle (9)
34. Lenora ONeill (9)
35. Isla Peters (9)

Missing Middle and Zoning Density
36. Emily Rader
37. Barbara Gilbert
38. Hal Leventhal
39. David Lerman (3)

Scooter and Bicycle Parking and Sidewalk Accessibility
40. Sean McMahon
41. Robert Byler
42. Sashafutran
43. Laurie McWhorter
44. Robert Borghese (13)

Middle East Conflict
45. Cheryl Davila (2)
46. Crustyrusty
47. Russbumper (2)
48. Richard Makdisi
49. Cynthia Papermaster

Mutual Aid Agreement with U.S. Citizenship and Immigration Services (USCIS)
50. Hansel Aguilar, on behalf of the Police Accountability Board
51. Office of the Director of Police Accountability

Facilities to Exercise Dogs
52. Colin Brauns (2)

Carl Martineau Documentary
53. Inetjalopy (2)

ADUs and Condo Conversion
54. Toni Mester
55. Matt Taecker

People's Park
56. Russbumper

Bicycle Plan and Bicycle Safety

57. Meryl Siegal
58. Wahid Amiri
59. Donna DeDiemar, on behalf of Friends of Hopkins Street (2)

Ohlone Greenway Plant Garden
60. Bonnie Borucki

Demolition of UA Theater
61. Annamarta Dostourian

Power Upgrade, PG&E Letter
62. Leah Isaacson

Grant Application for Restore Strawberry Creek
63. Samantha Kanofsky

Fire Safety and Use of Water
64. Nenelle Bunnin

Recognition of Herbivorous Animals
65. RSW

Floating Bus Stops
66. Daveed Mandell (2)

Censorship Incident
67. David Ojakian

Frances Albrier Renovations
68. Cian Menzel-Jones

Jewish American Heritage Month
69. Dorothea Dorenz

University and San Pablo Avenue Intersection
70. Nicola Spence

Parking Citations Concerns
71. Avery Ryan

Water Transportation Pier Ferry Project
72. Camille Antinori, on behalf of the Berkeley Waterfront Community Coalition

Support Funding for Rail Safety and Grade Crossings
73. Nate Kaplan, on behalf of GoRail

Funding for Small Sites Program
74. Ellen Wu, on behalf of Urban Habitat

Housing Application Concerns
75. Ahmed Elghiyati (2)
76. Sophie Hahn

Proposal to Make Derby Street One-Way
77. Manu Seth

Tribal Identity Misrepresentation

78. Gabriel Duncan, on behalf of Alameda Native History Project

1048 Keith Avenue, Use Permit #ZP-2024-0014
79. Bahram Gangei

Organizational Oversight
80. Eid Abdallah (2)

Legislative Aide Recruitment
81. Alec Chavez

Turtle Island Monument Fountain
82. John Curl

Historical Plaque
83. Pil Orbison (3)

Supplemental Communications and Reports 1

Item #23: Resolution in Support of the Polluters Pay Climate Superfund Act Legislative Package – AB 1243 and SB 684
84. Deborah Moore

Item #27: Conduct a Public Hearing in Compliance with Assembly Bill 2561 / Government Code § 3502.3 Regarding Vacancies, Recruitment, and Retention Efforts
85. Supplemental agenda material submitted by the Human Resources Department

Supplemental Communications and Reports 2

Item #21: Resolution in Opposition to California Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs
86. Ariella Granett
87. Andrea Yankowski
88. Igor Tregub
89. Michael Katz

Item #22: Resolution Opposing the Removal of USPS Mailboxes at the Berkeley Main Post Office
90. Revised agenda material submitted by Councilmember Igor Tregub

Item #23: Resolution in Support of the Polluters Pay Climate Superfund Act Legislative Package – AB 1243 and SB 684
91. Ariella Granett

Item #24: Referral: Oxford for All *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*
92. Revised agenda material submitted by Councilmember Igor Tregub
93. Rachel Bradley

Item #28: Zoning Adjustments Board Appeal: 1950-1998 Shattuck Avenue, Use Permit #ZP2023-0040
94. Clifford Fred
95. James Hendry

96. Mark Rhoades

Supplemental Communications and Reports 3

Urgent Item: Excused Absence for Councilmember Rashi Kesarwani

97. Submitted by Councilmember Rashi Kesarwani

Action Calendar

Item #27: Conduct a Public Hearing in Compliance with Assembly Bill 2561 / Government Code § 3502.3 Regarding Vacancies, Recruitment, and Retention Efforts

98. Presentation submitted by the Human Resources Department

Item #28: Zoning Adjustments Board Appeal: 1950-1998 Shattuck Avenue, Use Permit #ZP2023-0040

99. Presentation submitted by the Planning Department
100. James M. Lloyd on behalf of The California Housing Defense Fund (2)
101. James Hendry (6)
102. Mark Rhoades

Miscellaneous

103. Steve Tracy

Attachment 3

MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
MONDAY, JUNE 9, 2025
4:30 P.M.

2180 MILVIA STREET, BERKELEY, CA 94704 – REDWOOD ROOM

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation.

*To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1616589877. To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 658 9877**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

Preliminary Matters

Roll Call: 4:34 p.m.

Present: Blackaby, Humbert, Lunaparra, O'Keefe, Taplin, Tregub, Ishii

Absent: Bartlett, Kesarwani

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

CLOSED SESSION:

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

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

   Negotiators: Paul Buddenhagen, City Manager, David White, Deputy City Manager, Shana Amenaghawon, Interim Budget Manager, Janelle Rodrigues, Human Resources Director, Monica Walker, Human Resources Manager, Chaka Young, Employee Relations Manager

   Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Chief Fire Officers Association Local 1227 I.A.F.F., Berkeley Fire EMS Professionals Association, Berkeley Police Association; SEIU 1021 Community Services and Part-Time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, IBEW Local 1245, Public Employee Union Local 1, Unrepresented Employees

Action: No reportable action taken.

OPEN SESSION:

Public Reports of actions taken pursuant to Government Code section 54957.1.

No reportable action taken.

Adjournment

Action: M/S/C (Humbert/Tregub) to adjourn the meeting.
Vote: Ayes – Taplin, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

Adjourned at 5:10 p.m.

I hereby certify that the forgoing is a true and correct record of the special closed meeting of June 9, 2025 as approved by the Berkeley City Council.

_____
Rose Thomsen, Deputy City Clerk

Attachment 4

MINUTES

BERKELEY CITY COUNCIL MEETING

Tuesday, June 17, 2025
6:00 PM

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

TELECONFERENCE LOCATION - KIAHUNA PLANTATION UNIT 34, 2253 POIPU RD., POIPU, HI 96756

TELECONFERENCE LOCATION - 1027D BANCROFT WAY, BERKELEY CA 94710

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

*To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1600617992. To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 061 7992**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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Preliminary Matters

Roll Call: 6:02 p.m.

Present: Taplin, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii

Absent: Kesarwani, Bartlett

Councilmember Kesarwani present at 6:08 p.m.

Councilmember Bartlett present at 6:12 p.m.

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

Ceremonial Matters: None

City Manager Comments: None

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Ishii/Tregub) to open the public hearing and continue the hearing to June 24, 2025 at 4:00pm at 1231 Addison Street for the following items: Item 33 Fire Permit and Inspection Fee Schedule; Item 37 Selected Marina Fee Increases; Item 40 New Fee Schedule for Carry Concealed Weapon Permits; Item 41 Changes to Select Public Works Transportation Permit Fees.
Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 5 speakers.

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

Consent Calendar

1. **Assessments: Downtown Berkeley Property Based Business Improvement District**
   From: City Manager
   Recommendation: Adopt a Resolution approving the Downtown Berkeley Property Based Business Improvement District (DPBID) Annual Report of Fiscal Year (FY) 2025 and proposed budget for FY 2026 and declaring Council's intention to levy an annual assessment for the DPBID for FY 2026.
   Financial Implications: See report
   Contact: Eleanor Hollander, Economic Development, (510) 981-7530
   Action: Adopted Resolution No. 71,808–N.S.

2. **Assessments: North Shattuck Property Based Business Improvement District**
   From: City Manager
   Recommendation: Adopt a Resolution approving the North Shattuck Property Based Business Improvement District (NSBID) Annual Report of Fiscal Year (FY) 2025 and proposed budget for FY 2026 and declaring Council's intention to levy an annual assessment for the NSBID for FY 2026.
   Financial Implications: See report
   Contact: Eleanor Hollander, Economic Development, (510) 981-7530
   Action: Adopted Resolution No. 71,809–N.S.

3. **Assessments: Telegraph Property Based Business Improvement District**
   From: City Manager
   Recommendation: Adopt a Resolution approving the Telegraph Property Based Business Improvement District (TBID) Annual Report of Fiscal Year (FY) 2025 and proposed FY26 budget and declaring Council's intention to levy an annual assessment for the TBID for FY 2026.
   Financial Implications: See report.
   Contact: Eleanor Hollander, Economic Development, (510) 981-7530
   Action: Adopted Resolution No. 71,810–N.S.

4. **Contract: Fine Art Service Provider - Chandra Cerrito/Art Advisors LLC - for Public Art Curation & Project Management Services**
   From: City Manager
   Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Chandra Cerrito/Art Advisors LLC for an amount not to exceed $100,000 for Public Art Curation and Project Management services for the City of Berkeley's Public Art Collection for a term of July 1, 2025, through June 30, 2028.
   Financial Implications: $100,000 - Cultural Trust Fund
   Contact: Eleanor Hollander, Economic Development, (510) 981-7530
   Action: Adopted Resolution No. 71,811–N.S.

Consent Calendar

5. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 17, 2025
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: General Fund - $250,000
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.

6. Temporary Appropriations FY 2026
From: City Manager
Recommendation: Adopt a Resolution authorizing a temporary appropriation in the sum of $60,000,000 to cover payroll and other expenses from July 1, 2025, until the effective date of the FY 2026 Annual Appropriations Ordinance.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 71,812–N.S.

7. FY 2026 Tax Rate: Business License Tax on Large Non-Profits
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for Business License Tax on large non-profits at $0.8736 (87.36 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,962–N.S. Second reading scheduled for June 24, 2025.

8. FY 2026 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0050%.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,963–N.S. Second reading scheduled for June 24, 2025.

Consent Calendar

9. FY 2026 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0090%.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,964–N.S. Second reading scheduled for June 24, 2025.

10. FY 2026 Tax Rate: Fund the Provision of Emergency Medical Services (Paramedic Tax)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding the provision of emergency medical services to Berkeley residents at $0.0474 (4.74 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,965–N.S. Second reading scheduled for June 24, 2025.

11. FY 2026 Tax Rate: Fund Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) (Measure FF)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS), otherwise known as Measure FF, at an annual rate of $0.17 per square foot of dwelling unit improvements and $0.25 per square foot for industrial, commercial, and institutional improvements for the 18-month period from January 1, 2025 to June 30, 2026.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Terrance Davis, Public Works, (510) 981-6300
Action: Adopted first reading of Ordinance No. 7,966–N.S. Second reading scheduled for June 24, 2025.

Consent Calendar

12. FY 2026 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at $0.2652 (26.52 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,967–N.S. Second reading scheduled for June 24, 2025.

13. FY 2026 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0200%.
Financial Implications: See Report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,968–N.S. Second reading scheduled for June 24, 2025.

14. FY 2026 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0110%.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,969–N.S. Second reading scheduled for June 24, 2025.

15. FY 2026 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0040%.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,970–N.S. Second reading scheduled for June 24, 2025.

Consent Calendar

16. FY 2026 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding the provision of emergency services for the disabled at $0.02229 (2.229 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,971–N.S. Second reading scheduled for June 24, 2025.

17. FY 2026 Special Tax Rate: Fund the Provision of Library Relief Act
From: City Manager
Recommendation: Adopt first reading of an ordinance setting the FY 2026 tax rate for the Library Relief Act of 2024, approved by Berkeley voters in the November 2024 election, for funding the provision of Library Services in the City of Berkeley at $0.06 (6.00 cents) per square foot for dwelling units and $0.09 (9.00 cents) per square foot for industrial, commercial, and institutional buildings.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Tess Mayer, Library, (510) 981-6100
Action: Adopted first reading of Ordinance No. 7,972–N.S. Second reading scheduled for June 24, 2025.

18. FY 2026 Special Tax Rate: Fund the Provision of Library Services
From: City Manager
Recommendation: Adopt first reading of an ordinance setting the FY 2026 tax rate for funding the provision of Library Services in the City of Berkeley at $0.2980 (29.80 cents) per square foot for dwelling units and $0.4506 (45.06 cents) per square foot for industrial, commercial, and institutional buildings.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Tess Mayer, Library, (510) 981-6100
Action: Adopted first reading of Ordinance No. 7,973–N.S. Second reading scheduled for June 24, 2025.

19. Cooperative Agreement: Downtown Berkeley Bike Station
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to renew the Cooperative Agreement, expiring on June 30, 2026, with the Bay Area Rapid Transit District (BART) for the continued operation of the Downtown Berkeley Bike Station in its Center Street Garage location, provide funding for FY26 and past due funding for FY24 and FY25, for a total not to exceed amount of $255,000.
Financial Implications: See report.
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,813–N.S.

Consent Calendar

20. Approving Proposed Projects Anticipated to be paid for by the State's Road Maintenance and Rehabilitation Account Funds for FY 2025-26
From: City Manager
Recommendation: Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California's Road Maintenance and Rehabilitation Account (RMRA) and authorize the City Manager to submit the proposed list to the California Transportation Commission.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,814–N.S.

21. Civic Arts Commission General Fund Request for Continuation of Poet Laureate Program in FY26 & FY27
From: Civic Arts Commission
Recommendation: The Civic Arts Commission requests that the City Council allocate a total of $25,000 in the annual budget of the General Fund over two fiscal years to support the continuation of the City of Berkeley's Poet Laureate Program:
- FY26: $20,000 for Selection Process (including staff time) and Poet Laureate Stipend in Year One
- FY27: $5,000 for Poet Laureate Stipend in Year Two
Financial Implications: See report.
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Approved recommendation.

22. Civic Arts Commission Funding Request - Additional $41,685 from the General Fund in FY26 for Festival Grants
From: Civic Arts Commission
Recommendation: Refer to the City's Budget process an increased budget allocation of $41,685 of general fund monies to bring the total allocation for Festival Grants to $200,000 in FY26.
Financial Implications: $41,685 - General Fund
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Approved recommendation.

23a. Cesar Chavez Park Nature and Recreation-Based Conceptual Plan
From: Parks and Waterfront Commission
Recommendation: Request that City Council approve Parks Recreation and Waterfront Commission process and direct Councilmembers Kesarwani and Taplin to appoint members of the César Chávez Park ReVision Team.
Financial Implications: See report
Contact: Roger Miller, Commission Secretary, (510) 981-6700
Action: See action for Item 23b.

Consent Calendar

23b. Companion Report: Cesar Chavez Park Nature and Recreation-Based Conceptual Plan
From: City Manager
Recommendation: The City Manager recommends that Council take no action on the Parks, Recreation, and Waterfront Commission recommendation that City Council approve the Parks, Recreation, and Waterfront Commission process and direct Councilmembers Kesarwani and Taplin to appoint members of the César Chávez Park ReVision Team.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Approved recommendation in Item 23b and take no action on Item 23.a.

Consent Calendar

24. Grant Allocation: Approve Healthy Berkeley Funding Recommendations for Programs to Reduce Consumption of Sugar-Sweetened Beverages (SSBs) for FY 2026 and FY 2027 Grant Cycle

From: Sugar Sweetened Beverage Product Panel of Experts

Recommendation: Approve the SSBPPE Commission's recommendations and adopt eight (8) Resolutions authorizing the City Manager or designee to enter into contracts with the Berkeley Unified School District (BUSD) and the Community-Based Organizations (CBOs) listed below to distribute a total of $1,810,584 for FY 2026 and FY 2027according to the following schedule:

1. $905,292 total grant to Berkeley Unified School District to implement the Gardening and Cooking Program and to be disbursed as follows: $452,646 in FY 2026 and $452,646 in FY 2027.
2. $75,000 total grant to Berkeley Food Network to implement the Connecting the Community to Wellness program and to be disbursed as follows: $37,500 in FY 2026 and $37,500 in FY 2027.
3. $108,660 total grant to Berkeley Youth Alternatives to implement the Team Nutrition Program and to be disbursed as follows: $54,330 in FY 2026 and $54,330 in FY 2027.
4. $140,750 total grant to Ecology Center to implement the For Thirst, Water First! program and to be disbursed as follows: $70,375 in FY 2026 and $70,375 in FY 2027.
5. $204,316 total grant to Healthy Black Families to implement the Thirsty for Change! (T4C) program and to be disbursed as follows: $102,158 in FY 2026 and $102,158 in FY 2027.
6. $178,658 total grant to LifeLong Medical Care to implement the LifeLong's Chronic Disease and Oral Health Prevention Project and to be disbursed as follows: $89,329 in FY 2026 and $89,329 in FY 2027.
7. $90,000 total grant to Multicultural Institute to implement the Life Skills/Day Laborer and Domestic Workers Program Health Activities program and to be disbursed as follows: $45,000 in FY 2026 and $45,000 in FY 2027.
8. $107,908 total grant to YMCA of the East Bay to implement the YMCA Healthy Me! Program and to be disbursed as follows: $53,954 in FY 2026 and $53,954 in FY 2027.
9. The Commission recommends that indirect or administrative expenses not exceed 10% of the program budget for any entity and that the funds awarded not be used to supplant any other source of funding.
10. The Commission recommends that City Council authorize the City Manager to authorize advances for BUSD and the selected community agencies receiving funds in FY 2026 and FY 2027. The advances are to be equivalent to 25% of the agency's allocation.

Financial Implications: See report

Contact: Roberto Terrones, Commission Secretary, (510) 981-5400

Action: Adopted Resolution No. 71,815–N.S. (Berkeley Unified School District); Resolution No. 71,816–N.S. (Berkeley Food Network); Resolution No. 71,817–N.S. (Berkeley Youth Alternatives); Resolution No. 71,818–N.S. (Ecology Center); Resolution No. 71,819–N.S. (Healthy Black Families); Resolution No. 71,820–N.S. (LifeLong Medical Care); Resolution No. 71,821–N.S. (Multicultural Institute); Resolution No. 71,822–N.S. (YMCA); and approved recommendation.

Council Consent Items

25. Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to the Poet Laureate Program for FY 2026
From: Mayor Ishii (Author), Councilmember O'Keefe (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Taplin (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember, including $500 from Mayor Ishii, to the Poet Laureate Program for FY 2026 with funds relinquished to the City's General Fund for this purpose from the discretionary Council Office Budgets of Mayor Ishii and any other Councilmembers who would like to contribute.
Financial Implications: See report
Contact: Adena Ishii, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,823–N.S. amended to include contributions from the following Councilmembers up to amounts listed: Councilmember Tregub - $500; Councilmember Humbert - $250; Councilmember Blackaby - $250; Councilmember Lunaparra - $250; Councilmember O'Keefe - $250; Councilmember Taplin - $500; Councilmember Bartlett - $200; Councilmember Kesarwani - $100.

26. Resolution Reaffirming Our Commitment to Vision Zero and Transportation-Related Plans and Policies
From: Mayor Ishii (Author), Councilmember Lunaparra (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation: Adopt a Resolution reaffirming the City of Berkeley's Commitment to Vision Zero and Transportation-related plans and policies.
Financial Implications: None.
Contact: Adena Ishii, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,824–N.S. amended to delete the first Resolved clause.

27. Parking Business Improvement District (BID) Formation Update, Lorin and Gilman Commercial Districts
From: Mayor Ishii (Author), Councilmember Kesarwani (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Adopt a resolution enabling the City Manager to reallocate the dedicated funds for Parking Business Improvement District (BID) formation activities in the Lorin and Gilman commercial districts to grants that will be disbursed directly to the Lorin and Gilman commercial district merchant associations. The grants will be disbursed in annual amounts, and phased as follows: $10,000 each for years one and two, and $5,000 in year three for a total amount not to exceed $25,000 per district over three years.
This approach will continue to advance the initiative's original goal to support both the Lorin and Gilman Districts by funding supplemental commercial district improvements, such as enhanced infrastructure and expanded programing, including the production of district-wide marketing efforts and events.
Financial Implications: See report.
Contact: Adena Ishii, Mayor, (510) 981-7100
Action: Adopted Resolution No. 71,825–N.S.

Council Consent Items

28. Fire Facility Revenue Measures *(Reviewed by the Budget & Finance Committee)*
From: Councilmember Taplin (Author), Mayor Ishii (Co-Sponsor), Councilmember Blackaby (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation: Refer to the City Manager the assessment of potential 2026 revenue ballot measures to support capital improvements to fire department facilities and return recommendations for council adoption.
Policy Committee Recommendation: Forward the item to Council with a positive recommendation.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Approved recommendation as recommended by the Budget & Finance Committee.

29. Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to the Downtown Berkeley Association's 6th Annual Pride on the Plaza Variety Show, in partnership with Om Nom Nom Productions
From: Councilmember Tregub (Author)
Recommendation: Adopt a Resolution authorizing the expenditure of up to $500 per Councilmember from each of their D13 Discretionary Accounts including $500 from Mayor Ishii, and Councilmembers Tregub and Taplin, and $200 from Councilmember Lunaparra, and inviting other members of the City Council to contribute to the 2025 Downtown Berkeley Association's Pride Variety Show, in partnership with Om Nom Nom Productions with funds relinquished to the City's general fund.
The relinquished funds from the respective discretionary Council Office Budgets of such members of the Berkeley City Council who wish to contribute will support the Downtown Berkeley Association to host a successful event.
Financial Implications: See report
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Adopted Resolution No. 71,826–N.S. as revised Supplemental Communications Packet #1 from Councilmember Tregub, and amended to include contributions from the following Councilmembers up to amounts listed: Councilmember Humbert - $250; Councilmember Blackaby - $250; Councilmember Lunaparra - $200; Councilmember O'Keefe - $250; Councilmember Bartlett - $200; Councilmember Kesarwani - $100; Mayor Ishii - $500.

Council Consent Items

30. Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to the Historical Plaque Project of the Berkeley Historical Society & Museum
From: Councilmember Tregub (Author)
Recommendation: Adopt a Resolution authorizing the expenditure of up to $500 per Councilmember from the D13 Discretionary Accounts of members of the Berkeley City Council, including $500 from Councilmember Tregub, and inviting other members of the City Council to contribute to the Historical Plaque Project of the Berkeley Historical Society & Museum, with funds relinquished to the City's general fund.
The relinquished funds from the respective discretionary Council Office Budgets of such members of the Berkeley City Council who wish to contribute will support this impactful organization, to preserve cultural knowledge, and celebrate Berkeley's rich and diverse history.
Financial Implications: See report
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Adopted Resolution No. 71,827–N.S. amended to include contributions from the following Councilmembers up to amounts listed: Councilmember Humbert - $250; Councilmember Blackaby - $250; Councilmember O'Keefe - $250; Councilmember Bartlett - $200; Councilmember Kesarwani - $100; Mayor Ishii - $250.

31. Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to Berkeley's First Pride Fair hosted by Pacific Center for Human Growth
From: Councilmember Tregub (Author), Councilmember Taplin (Co-Sponsor), Mayor Ishii (Co-Sponsor)
Recommendation: Adopting a Resolution authorizing the expenditure of up to $500 per Councilmember from each of their D13 Discretionary Accounts including $500 from Mayor Ishii, and $500 from Councilmembers Taplin, Tregub, and inviting other members of the City Council to contribute to Berkeley's first Pride Fair hosted by Pacific Center for Human Growth with funds relinquished to the City's general fund.
The relinquished funds from the respective discretionary Council Office Budgets of such members of the Berkeley City Council who wish to contribute will support Pacific Center in its endeavor to host a successful event that will set the precedent for Berkeley to continue hosting large-scale Pride celebrations for years to come.
Financial Implications: See report
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Adopted Resolution No. 71,828–N.S. as revised in Supplemental Communications Packet #1 from Councilmember Tregub and amended to include contributions from the following Councilmembers up to amounts listed: Councilmember Humbert - $250; Councilmember Blackaby - $500; Councilmember Lunaparra - $150; Councilmember O'Keefe - $250; Councilmember Bartlett - $200; Councilmember Kesarwani - $100.

Action Calendar – Public Hearing

32. Ambulance Transport and First Responder Fee Increase
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution adjusting the Ambulance User Fee to match Alameda County's approved ambulance user fee schedule made effective July 1, 2025, for the Cities of Alameda, Albany, Berkeley, and Piedmont and to adjust the First Responder Fee. The increase would be included as an updated addendum to the Ambulance Provider Agreement, and rescinding Resolution 71,512–N.S. effective July 1, 2025.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Humbert/Bartlett) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Humbert/Blackaby) to adopt Resolution No. 71,829–N.S.
Vote: All Ayes.

33. Fire Permit and Inspection Fee Schedule
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution: 1. Approving a revised Fire Department fee schedule which incorporates an increase in fire permitting and fire inspection fees from $392.00 to $500.00 per hour; and 2. Adding fees to construction and operational permit fees that were new permits from the California Fire Code (CFC) in years 2016, 2019, and 2022, which were adopted with no fee assigned; and 3. Adding a fee amount to the operational permit for Class IIIB Combustible Liquids; and 4. Rescinding Resolution 70,612–N.S.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Item 33 continued to June 24, 2025 special meeting at 4:00 p.m.

Action Calendar – Public Hearing

34. Fees: Public Health: Berkeley High School Health Center Services
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion, adopt a Resolution establishing a new fee schedule and any annual fee adjustments through June 2028 based on changes in market rates (so long as such fee adjustments do not exceed the City's cost to provide the services) for Public Health Clinic services effective July 1, 2025, and rescinding Resolution No. 68,449-N.S. At the end of Fiscal Year 2028, the fee schedule will remain in effect until another cost analysis is conducted.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Public Testimony: The Mayor opened the public hearing. 0 speakers.
M/S/C (Blackaby/Lunaparra) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Tregub/Humbert) to adopt Resolution No. 71,830–N.S.
Vote: All Ayes.

35. Housing Trust Fund and Small Sites Program Fees
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution establishing the following new fees for the Housing Trust Fund (HTF) and Small Sites Programs: - Origination fee equal to 1% of the total loan for new construction; - Subordination fee of $600 per request; - Assumption fee of $600 per request; - Loan modification fee of $3,000 per request; - Hourly rate of $130 for project management of HTF projects not subject to the origination fee during predevelopment and development.
Financial Implications: See report.
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Public Testimony: The Mayor opened the public hearing. 0 speakers.
M/S/C (Humbert/Blackaby) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Tregub/Blackaby) to adopt Resolution No. 71,831–N.S.
Vote: All Ayes.

Action Calendar – Public Hearing

36. Affordable Housing Compliance Review Fee
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution establishing a Department of Health, Housing, and Community Services (HHCS) fee of $130 per hour to review and approve the compliance of new construction projects with the City's affordable housing regulations.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Humbert/Blackaby) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Blackaby/Humbert) to adopt Resolution No. 71,832–N.S.
Vote: All Ayes.

37. Selected Marina Fee Increases
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving new fees and increasing current fees for select Marina fees; and rescinding Resolution No. 70,868-N.S. and all amendatory resolutions.
Financial Implications: See report.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Item 37 continued to June 24, 2025 special meeting at 4:00 p.m.

38. Changes to Selected Recreation Facilities and Camps Program Fees
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving new fees and increasing current fees for select recreation programs and facility rentals; and rescinding Resolution No. 71,657 N.S. and all amendatory resolutions.
Financial Implications: See report.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Humbert/Tregub) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Blackaby/Humbert) to adopt Resolution No. 71,833–N.S.
Vote: All Ayes.

Action Calendar – Public Hearing

39. Changes to the Planning & Development Fee Schedule
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution: 1. Approving revisions to the fee schedule for the Planning and Development Department effective July 1, 2025, to increase fees for base building permit applications and permit fees based on project valuations, to create permit fees for new types of solar and energy storage systems, to increase fees for certain appeals of Land Use decisions, to increase fees for Zoning Certificate for Short-Term Rentals, to update fees for compliance with new Building Emissions Savings Ordinance (BESO) requirements, to increase the Public Works Department Engineering and Transportation Division fees which reside in the Planning fee schedule, and to make minor clarifications to language in the existing fee schedule; and 2. Rescinding Resolution No. 71,357-N.S. effective July 1, 2025.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Blackaby/Lunaparra) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Blackaby/Humbert) to adopt Resolution No. 71,834–N.S.
Vote: All Ayes.

40. New Fee Schedule for Carry Concealed Weapon Permits
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution establishing a new fee schedule (effective July 1, 2025) to support application processing, background investigations, and license issuance for Carry Concealed Weapon Permits.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Item 40 continued to June 24, 2025 special meeting at 4:00 p.m.

41. Changes to Select Public Works Transportation Permit Fees
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution increasing fees for parking permits, rescinding Resolution No. 68,344-N.S.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Item 41 continued to June 24, 2025 special meeting at 4:00 p.m.

Action Calendar – Public Hearing

42. Levy and Collection of Fiscal Year 2026 Street Lighting Assessments
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion adopt two Resolutions confirming the assessments for the Berkeley Street Lighting Assessment District No. 1982-1 and the Street Lighting Assessment District 2018, approving the Engineer's Reports, and authorizing the levying and collection of assessments in Fiscal Year 2026.
Financial Implications: See report.
Contact: Terrance Davis, Public Works, (510) 981-6300

Public Testimony: The Mayor opened the public hearing. 1 speaker.
M/S/C (Blackaby/Lunaparra) to close the public hearing.
Vote: Ayes – Kesarwani, Taplin, Bartlett, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent - Tregub.

Action: M/S/C (Humbert/Blackaby) to adopt Resolution No. 71,835–N.S. (District No. 1982-1); and Resolution No. 71,836–N.S. (District 2018).
Vote: All Ayes.

Action Calendar – Public Hearing

43a. Modification and Adoption of Berkeley Fire Code Local Amendments
(Continued from May 6, 2025)
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion, adopt the second reading of Ordinance No. 7,959-N.S. which proposes to amend certain portions of Section 19.48.020 of the Berkeley Municipal Code ("Amendments to the California Fire Code").
First Reading Vote: All Ayes.
Financial Implications: Staff time
Contact: David Sprague, Fire, (510) 981-3473

Public Testimony: The Mayor opened the public hearing. 69 speakers.
M/S/C (Humbert/Blackaby) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Humbert/Taplin) to suspend the rules and extend the meeting to 11:30 p.m.
Vote: All Ayes.

Action: M/S/C (Blackaby/Lunaparra) to:
1) Adopt the second reading of Ordinance No. 7,959–N.S. in Item 43.a. including material in Supplemental Communications Packet #2 from the City Attorney's Office, and further amended at the meeting by the Fire Chief to make minor wording changes in paragraph (b) of the supplemental materials.

2) Adopt second reading of Ordinance No. 7,958-N.S. in Item 43.b. to designate Fire Hazard Severity Zones (FHSZ) within the Local Responsibility Area as recommended by the California Department of Forestry and Fire Protection (CALFIRE) pursuant to Government Code Section 51178.

3) Adopt the recommendations in Item 43.c. including materials in Supplemental Communications Packet #2 from Councilmember Blackaby to: 1. Refer to the City Manager to develop a comprehensive roll-out and implementation plan for EMBER; then return to City Council before September 9, 2025; 2. Refer to the City Manager to create a working group of Berkeley residents and stakeholders to review the vegetation management portion of the Fire Code to ensure that it is clear, reflects unique local conditions, and incorporates the best available fire science (inclusive of any more conservative code adopted by the California Board of Forestry); then return with additional amendments to the City Council before December 31, 2025 as part of the Fire Department's Triennial Fire Code Update Process; and 3. Refer to the City Manager to incorporate additional clarifying language listed in this report; then return amendments to the City Council before December 31, 2025 as part of the Fire Department's Triennial Fire Code Update Process.
Vote: All Ayes.

Action Calendar – Old Business

43b. Adoption of CALFIRE Map and Additional Areas Designated as the City of Berkeley Fire Hazard Severity Zones *(Continued from May 6, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,958-N.S. to designate Fire Hazard Severity Zones (FHSZ) within the Local Responsibility Area as recommended by the California Department of Forestry and Fire Protection (CALFIRE) pursuant to Government Code Section 51178.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: See the action listed under Item 43.a.

Council Action Items

43c. EMBER Implementation Plan, Vegetation Management Working Group, and Clarifying Fire Code Language
From: Councilmember Blackaby (Author), Councilmember O'Keefe (Co-Sponsor)
Recommendation:
1. Refer to the City Manager to develop a comprehensive roll-out and implementation plan for EMBER; then return to City Council before September 9, 2025
2. Refer to the City Manager to create a working group of Berkeley residents and stakeholders to review the vegetation management portion of the Fire Code to ensure that it is clear, reflects unique local conditions, and incorporates the best available fire science (inclusive of any more conservative code adopted by the California Board of Forestry); then return with additional amendments to the City Council before December 31, 2025 as part of the Fire Department's Triennial Fire Code Update Process
3. Refer to the City Manager to incorporate additional clarifying language listed in this report; then return amendments to the City Council before December 31, 2025 as part of the Fire Department's Triennial Fire Code Update Process
Financial Implications: None.
Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160
Action: See the action listed under Item 43.a.

Information Reports

44. Landmarks Preservation Ordinance Notice of Decision: 2845 Woolsey Street/#LMIN2025-0001
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.

Information Reports

45. Landmarks Preservation Ordinance Notice of Decision: 1947 Center Street/#LMSAP2025-0007
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.

46. goBerkeley Parking Management Program - Recommended Adjustments for July 20, 2025
From: City Manager
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 0 speakers.

Adjournment

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

Adjourned at 11:09 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on June 17, 2025.

_____
Mark Numainville, City Clerk

Communications

Item #37: Selected Marina Fee Increases
1. Rachel Bradley
2. Wisteria
3. Irene Jung-Huang
4. Paul Kamen
5. Sarah Elzea (2)
6. Gordon Stout
7. Robert Ofsevit
8. Joyce Freedman
9. Edward Schlesinger
10. Catherine
11. Deborah Scott
12. Jeff Malmuth and Daniela Calciolari (2)
13. Camille Antinori
14. Stefani Berger (2)
15. Kathy Gee

Item #43a: Modification and Adoption of Berkeley Fire Code Local Amendments *(Continued from May 6, 2025)*

Item #43b: Adoption of CALFIRE Map and Additional Areas Designated as the City of Berkeley Fire Hazard Severity Zones *(Continued from May 6, 2025)*

Item #43c: EMBER Implementation Plan, Vegetation Management Working Group, and Clarifying Fire Code Language

16. Zoe Glynn
17. Nenelle Bunnin (4)
18. Laurie McWhorter (2)
19. Barbara Freeman (5)
20. Janice Dost (3)
21. Ellen Gold
22. Bob Flasher (2)
23. Dorit Hochbaum
24. Martina Reaves
25. Alfred Twu
26. Monica, Scott, and Sammy Smith
27. Sanne DeWitt (2)
28. Colin Arnold
29. Rhonda Gruska
30. Margaret Cullen
31. Mike and Gretchen Schnitzer
32. Portia Pirnia (4)
33. David Sprague
34. Mary Lee Noonan
35. Tony Howlett
36. Jeff White
37. Meg Sedlak
38. John and Donna Schneider
39. Karen Eisenstadt
40. Steven Castleberry
41. John Joisce
42. Robyn Brooke
43. Izzy Nance
44. David Drubin
45. Bryan Michaels
46. Anthony Buckland
47. Michael Buckland
48. Scott Lancaster
49. Seamus Kelly
50. Carol Maga
51. Craig Peterson
52. Jon Kaufman
53. Margot Murtaugh (3)
54. Sarah Clayton
55. Michael J Gollner (2)

56. Joel Ben Izzy
57. Irene Brydon
58. Bernadette Powell
59. Zohra Kalinkowitz (2)
60. Chris Cullander
61. Margit Roos-Collins
62. Michael Stokes
63. Mardi Sicular-Mertens
64. Kevin Burke
65. Harris Brody
66. Hanna Wodjae (33)
67. Mary-Louise Hansen (2)
68. Lezlie Kinyon
69. Debra Savate
70. Anand Varma
71. Phoebe Dedlow
72. Zoe Glass
73. Jeremie Diagana
74. Tai Tachibana
75. Janice Thomas (2)
76. Patrick Golier
77. Mary McGann
78. Abhi Bhat
79. Susan Nunes Fadley
80. Christina M Gillis
81. Michel Thouati
82. Jim Hynes
83. Corwin and Margaret Booth
84. Todd Jersey
85. Maxwell Davis
86. Shivaom
87. Barbara Freeman
88. Keith May
89. Alliance for Practical Fire Solutions
90. Matt Barrio
91. Cindy Larson

Ohlone Park

92. Annika Rogers
93. Daniel Jurnove (2)
94. James Smith
95. Jason Dearborn
96. Patricia Itamoto
97. Diana Jensen
98. Nicholas Alexander
99. Peter Radu

100. Yael Galinson
101. Eric Friedman
102. Eric Larsen (2)
103. Aaron He
104. Vicki Sommer
105. Erika Shore
106. Judy Stamps
107. Rocky Offner
108. Susan Burt (2)
109. Phoebe and Zoe
110. Cynthia Papermaster
111. Andrea Voinot
112. Audrey Bree Tse
113. Toby Salk
114. Allison Bond (2)
115. Lj Cranmer
116. Rainbow Rubin
117. Adam Leive
118. Bernadette Powell
119. Alice Green

Ashby Beach
120. Gordon Meyer

Request
121. Fran Haselsteiner

Housing Concerns
122. John J. Parman
123. Tobey Wiebe
124. Kori Saika Chen
125. David Freeling

Air Raid Alarm Concerns
126. Crystal Hoffman-Kenney

Cell Phone Tower at North Berkeley Library
127. Theodore Small
128. Ms. Fowles
129. Phoebe Thomas Sorgen
130. Tiffany Baer

Affordable Housing Month
131. Betsy Morris and Carol Crooks

Marina Safety Monitors

132. Sarah Alessi

EBMUD Question
133. Nenelle Bunnin

Pickleball Courts
134. Ambrish Chitnis

E-Scooters
135. Robert Borghese (5)

BUSD Buses
136. Valerie McDermott

Berkeley 311 App
137. Daniel Jurnove

Parking Stickers
138. Liz Arenas
139. Wahid Amiri

Thank You
140. Cheryl Davila

Bancroft Rail Crossing
141. Nicholas Rishel

Grievance Concern
142. Margot Ernst

Neighborhood Safety Concerns
143. Stephani Bouvet

California Climate Superfood Act
144. Mary Anne Morgan

Rides for Seniors
145. Mary Nash
146. Phoenix Vie

Buena Vista Way
147. Russ Mitchell

Daylighting
148. Shirley Kirsten

Berkeley Permit Center
149. Alice Yoon

1048 Use Permit #ZP2024-0014
150. Bahram Gangei

Resolution Request
151. Dorothea Dorenz

ADU Ordinance
152. James M. Lloyd

City Care
153. Sheryl Drinkwater

Small Sites
154. Gail McGuire

Sale of Beef
155. Remfan1994

Breach of Privacy Concern
156. Malka Weitman

Encampment Concerns
157. Steve Tracy
158. Peter Radu

Pedestrian Safety
159. David Lerman
160. Shirley Kirsten (2)

Budget
161. Eric Friedman

Middle East Conflict
162. Cynthia Papermaster
163. Cheryl Davila
164. Sky

Forwards
165. Russbumper

URL's
166. Russbumper (14)

Supplemental Communications and Reports 1

Item #29: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to the Downtown Berkeley Association's 6th Annual Pride on the Plaza Variety Show, in partnership with Om Nom Nom Productions

167. Revised agenda material submitted by Councilmember Igor Tregub

Item #31: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to Berkeley's First Pride Fair hosted by Pacific Center for Human Growth

168. Revised agenda material submitted by Councilmember Igor Tregub

Item #37: Selected Marina Fee Increases

169. Siegfried Zerweckh and Mimi Brubeck
170. Win Williams
171. Camille Antinori
172. James Mason

Item #43a: Modification and Adoption of Berkeley Fire Code Local Amendments *(Continued from May 6, 2025)*

Item #43b: Adoption of CALFIRE Map and Additional Areas Designated as the City of Berkeley Fire Hazard Severity Zones *(Continued from May 6, 2025)*

Item #43c: EMBER Implementation Plan, Vegetation Management Working Group, and Clarifying Fire Code Language

173. Michael Brown
174. Frederica Drotos
175. Krishen Laetsch, Alec Dara-Abrams, Annie Johnson, Daphne O'Regan, and Michael Scott
176. Margaret Cullen (2)
177. Cindy Larson
178. David Sprague
179. Rick Wiles
180. Kandea Mosley Gandhi on behalf of the League of Women Voters of Berkeley, Albany, Emeryville
181. Chuck Cornwall
182. Anne Weinberger
183. Melissa Weaver
184. Pam Tellew
185. Barbara Freeman (3)
186. I-Kuan Lin
187. Victoria Frede-Montemayor
188. The Alliance for Practical Fire Solutions

Supplemental Communications and Reports 2

Item #37: Selected Marina Fee Increases

189. Tanya Brown
190. Sally Nelson

191. Heike Helmer
192. Patricia Kaplan
193. Irene Nickels
194. Judi Sui
195. Mike Zelinski
196. Karen Walton
197. Julia Collins
198. Eric Lee
199. Ellen Hahn
200. Cindy Shamban
201. Anne Weinberger
202. Monica Rees
203. Ariana Thompson-Lastad
204. Cece Littlepage
205. Dr. David Schneider
206. Louise Rosenkrantz
207. James St Jonh Ferguson
208. Claire Kahane
209. Racquel Watson
210. Stephen Sperber
211. Dan Eckard
212. Gopal Narayan
213. Mason G.
214. David Fawcett
215. John Burritt McArthur
216. Elsa Tranter
217. Kelly Henderson
218. Erika St John
219. Jean Royson
220. Daniel Korson
221. Jan Ruchlis
222. Jeff Goldstein
223. Laura Schiller
224. George Domingo and Lillian Lerman
225. Elizabeth Scarboro
226. Arlene Marcus
227. Kathleen Lane
228. G. Barry Wagner
229. Brian Foley (2)
230. Renni Lyn Burge
231. Harriet and Robert Johnson
232. C. Mitchell
233. Helena Tiainen
234. Mike Vandeman
235. Ann Rawley
236. Naveen Gattu

237. Ginger Parnes
238. Mary Barlow
239. Holly Scheider
240. Carol Brighton
241. Irene Heller
242. Nancy Rader
243. John “Eric” Arens
244. Erik Ferry
245. Seth Du Pont
246. Jonathan Reinis
247. Helane Zeiger
248. Elizabeth Shaughnessy
249. Jeanne M. Brenna
250. Farah Entezami
251. Pam Johnson
252. Suzanne Pettigrew
253. David Rice
254. Stuart Sugden
255. Dechen Tsering
256. Anne Bernstein
257. Dona Boatright
258. John Allen
259. Carl Hoard
260. John Trumbo
261. Karen Olsen Bruhns
262. JEB
263. James Cline
264. Kenneth Yip
265. Pat Brooks
266. Fredda and Andrew Cassidy
267. Mary Lee Noonan
268. Kristine Samuelson
269. Basil Kent Jones
270. Michael P Aschoff Jr.
271. Neal MacDonald
272. Barry Snyder
273. Mimi Moungovan
274. Yen Trac
275. Elizabeth Exter
276. Sasha Futran
277. George Brooks
278. Alexandra Crisafulli
279. Dr. Natalie Nussbaum
280. Jan Volz-Kelly
281. Patricia Sullivan
282. Janet Stromberg

283. Leonard Pitt
284. Melanie O'Hare
285. Jim McGrath (2)
286. Katherine Hansen
287. Dick Mallory
288. Thea Davison
289. Molly Reno
290. Deborah Lesser
291. Lisa Fruchtman
292. Kenneth Jackson
293. Kenneth Washburn
294. Jill Nephew
295. Kay Englund
296. Linda Spatz
297. Mark Yampanis
298. Jan Lecklikner
299. Robin Sease
300. Jaimee McKinley
301. Brenna Aune Michener
302. Ruggero Balteri
303. Fernando Augusto
304. Hannah Karpilow
305. Steven Tupper
306. Donald Tarahonich
307. Chas Halpern
308. Ellen Rodin
309. Sylvie
310. Frances Christie
311. Gene
312. Alan Berheimer and Melissa Riley
313. Charles King
314. Karen Jacobs
315. Miranda Dunlop
316. Sean Flanagan
317. Jenny Strauss
318. Vivian Resnick
319. Anastasia Kotylo
320. Erik Pearson
321. Dr. Alexey Drobizhev
322. Sarah Markus
323. Eugenia McCauley
324. 192 Similarly worded form letters "I am opposed…"

Item #43a: Modification and Adoption of Berkeley Fire Code Local Amendments *(Continued from May 6, 2025)*

325. Supplemental agenda material submitted by the City Attorney's Office

Item #43b: Adoption of CALFIRE Map and Additional Areas Designated as the City of Berkeley Fire Hazard Severity Zones *(Continued from May 6, 2025)*

Item #43c: EMBER Implementation Plan, Vegetation Management Working Group, and Clarifying Fire Code Language

326. Supplemental agenda material submitted by Councilmember Brent Blackaby, Councilmember Shoshana O'Keefe, and Mayor Adena Ishii
327. Joseph Heil
328. Ruth Ehrenkrantz
329. Barbara Freeman
330. Elizabeth Addison & Gregory Ward
331. Eric S. Robinson
332. Shabnam Merchant
333. Rachel Biale
334. Richard Illgen (2)
335. Laura Cornwall
336. Dr. G.N. Gartenberg
337. Jil Geller
338. Sara Sanderson
339. Allison and Doug Kidder
340. Mardawn and Eric Wendt
341. Noga Ravid
342. Rebecca Mills
343. Nancy Riddle
344. Gary Croner
345. Alison Keene
346. Frederique Wynberg and Tom Hutcheson
347. Sylvie Erb
348. Susan McCutchan
349. Saima Jamshed
350. Christy Cheung
351. Charles, Jessie, and Caty Ruppert
352. Mary Pat Farrell
353. Yen Trac
354. Colleen Busch
355. Stephanie Wade on behalf of Parks Hills Homes Association
356. Jason McGatlin
357. Scott Murray and Sarah Clayton
358. Dan Lieberman
359. Alliance for Practical Solutions
360. George Perezvelez, Rhonda Gruska, David Ritsher, Margaret Cullen, Stephanie Goren on behalf of the Alliance for Practical Solutions (2)

Supplemental Communications and Reports 3

Item #21: Civic Arts Commission General Fund Request for Continuation of Poet Laureate Program in FY26 & FY27

361. Cameron Woo

Item #26: Resolution Reaffirming Our Commitment to Vision Zero and Transportation-Related Plans and Policies

362. Joel Myerson

Action Calendar

Item #35: Housing Trust Fund and Small Sites Program Fees

363. Courtney Pal

Item #36: Affordable Housing Compliance Review Fee

364. Janice Murota (2)

Item #43a: Modification and Adoption of Berkeley Fire Code Local Amendments *(Continued from May 6, 2025)*

365. Presentation submitted by the Fire Department

Item #43b: Adoption of CALFIRE Map and Additional Areas Designated as the City of Berkeley Fire Hazard Severity Zones *(Continued from May 6, 2025)*

Item #43c: EMBER Implementation Plan, Vegetation Management Working Group, and Clarifying Fire Code Language

366. Gloria Polanski
367. Colleen Lye
368. Joan E. Sarnat
369. Sharon Tyson
370. Robin Alley
371. Jan Murota
372. Janice Murota (2)
373. Terry Helbush
374. Jenny Wenk
375. Kamala Visweswaran
376. John J. Parman
377. Isabelle Gaston
378. Jeanette and Jeffrey Wallin
379. Maria T Hannigan
380. Douglas Booth
381. Monica McCarthy
382. Joan Heifetz Hollinger
383. Alex Gerulaitis (2)
384. Bronya Feldmann
385. Patricia and Michael Henry
386. Lisa and Jeff Zahn
387. Ruth Langridge (2)
388. Robert Rogers on behalf of County Supervisor John Gioia and the East Bay Wildfire Coalition of Governments
389. Fred Bamber (2)
390. Susan Aumiller
391. Larry Ruth
392. Katie Johnson

393. Pete Bailey
394. Victoria J. R. deMara
395. Benjamin Lipshitz
396. Kathy Aschheim
397. Kaelan Thouati de Tazoult
398. Alicia D Telford
399. Carol Reitan
400. Caroline Winnett
401. Schuyler Bailey
402. James Evans
403. Pat Rogers
404. Michel G. Thouati
405. Judy Dale
406. Bart Selden
407. Brian Gilbane
408. Susan Bailey
409. Alfred Twu
410. George Perezvelez
411. Richard Illgen

Attachment 5

MINUTES
SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

Tuesday, June 24, 2025
4:00 PM

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

TELECONFERENCE LOCATION - 18315 RAY'S RD - CABIN 5, PHILO, CA 95466

TELECONFERENCE LOCATION - 1032 BANCROFT WAY, BERKELEY, CA 94710

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

*To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1605843840 To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 584 3840.** To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

Preliminary Matters

Roll Call: 4:09 p.m.

Present: Taplin, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii

Absent: Kesarwani, Bartlett

Councilmember Kesarwani present at 4:13 p.m.

Councilmember Bartlett present at 4:41 p.m.

Action Calendar – Public Hearings

1. **Fire Permit and Inspection Fee Schedule** *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution: 1. Approving a revised Fire Department fee schedule which incorporates an increase in fire permitting and fire inspection fees from $392.00 to $500.00 per hour; and 2. Adding fees to construction and operational permit fees that were new permits from the California Fire Code (CFC) in years 2016, 2019, and 2022, which were adopted with no fee assigned; and 3. Adding a fee amount to the operational permit for Class IIIB Combustible Liquids; and 4. Rescinding Resolution 70,612–N.S.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473

Public Testimony: 2 speakers.
M/S/C (Tregub/Lunaparra) to close the public hearing that was previously opened at the June 17, 2025 Council meeting.
Vote: All Ayes.

Action: M/S/C (Tregub/Lunaparra) to adopt Resolution No. 71,837–N.S.
Vote: All Ayes.

Action Calendar – Public Hearings

2. New Fee Schedule for Carry Concealed Weapon Permits *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution establishing a new fee schedule (effective July 1, 2025) to support application processing, background investigations, and license issuance for Carry Concealed Weapon Permits.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900

Public Testimony: 0 speakers.
M/S/C (Taplin/Blackaby) to close the public hearing that was previously opened at the June 17, 2025 Council meeting.
Vote: All Ayes.

Action: M/S/C (Blackaby/Humbert) to adopt Resolution No. 71,838–N.S.
Vote: All Ayes.

3. Changes to Select Public Works Transportation Permit Fees *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution increasing fees for parking permits, rescinding Resolution No. 68,344-N.S.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Public Testimony: 4 speakers.
M/S/C (Tregub/Taplin) to close the public hearing that was previously opened at the June 17, 2025 Council meeting.
Vote: All Ayes.

Action: M/S/C (Tregub/Kesarwani) to adopt Resolution No. 71,839–N.S.
Vote: All Ayes.

Action Calendar – Public Hearings

4. Selected Marina Fee Increases *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution approving new fees and increasing current fees for select Marina fees; and rescinding Resolution No. 70,868-N.S. and all amendatory resolutions.
Financial Implications: See report.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Public Testimony: 29 speakers.
M/S/C (Taplin/Lunaparra) to close the public hearing that was previously opened at the June 17, 2025 Council meeting.
Vote: All Ayes.

Action: M/S/C (Taplin/Kesarwani) to adopt Resolution No. 71,840–N.S.
Vote: All Ayes.

Adjournment

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

Adjourned at 6:40 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on June 24, 2025.

_____
Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #4: Selected Marina Fee Increases

1. Chris Stratton
2. David Hermele (2)
3. James Peroulas
4. Chuck Siegel on behalf of Walk Bike Berkeley
5. Oren Cheyette
6. Sandy Oliver on behalf of The Berkeley Racing Canoe Center
7. Cindy Cheong

8. Roger Miller on behalf of the Parks, Recreation, and Waterfront Commission
9. Thomas Eusterbrock
10. PJ Podesta (2)
11. Josie Gerst
12. Catherine A
13. Richard Buss
14. Pat Charley and Mark Balkan
15. Krystyna Montauk
16. Robert Ofsevit
17. Meryl Siegal
18. Ryan Gregory
19. Victoria Bowen
20. Bruce Miller
21. Mark Yampanis
22. Abigail Surasky
23. Elana Auerbach
24. Susan Brooks
25. Alyssa Lichtenstein
26. Sloane and Nick Morgan
27. Sima Navaie
28. Usha and Dorji Lama
29. Carla Woodworth
30. Nicholas Marion
31. Randi Shapiro
32. Susan M Black
33. Lexie Price
34. Aviv Nitsan
35. Juana Alicia
36. Craig Malam
37. Mike Graham
38. Amanda Hickman
39. Rev. Mary C. Breland
40. Jane Baraz
41. James Codega
42. Doug Yamamoto
43. Alice Meyers
44. Gordon Stout (2)
45. Jennifer Chou
46. Tracy Wilks
47. Bernard Marszalek
48. Gregory Sweriduk
49. Charissa Hogeboom
50. Dr. Alexey Drobizhev
51. Brad Smith
52. Richard Rollins
53. Andrea Cassidy
54. Wynd Kaufmyn
55. Eric Friedman
56. Ariella Seidenberg
57. Donna DeDiemar

58. Gail Stewart
59. Ginger Parnes
60. Marilyn Sagna
61. Deb Todd
62. Wigbert Siekhaus
63. Corey Busay
64. Loek Ten
65. Sheila Goldmacher
66. Richard Arakelian
67. Steve Fick
68. Annette Herskovits
69. Jeb Evans
70. Scott Walters
71. Alyssa Lichtenstein
72. Lena N
73. Roberta Wyn on behalf of Citizens for East Shores Parks
74. Michele Adamson
75. Shantee Baker
76. Norah Bower
77. Noah Sudarsky
78. Preston Thomas
79. Jeffrey Skoller
80. 6 Similarly worded form letters “I urge you…”
81. 40 Similarly worded form letters “I am opposed…”

Supplemental Communications and Reports 3

Item #4: Selected Marina Fee Increases

82. Presentation submitted by the Parks, Recreation, and Waterfront Department
83. Tom Bickley
84. Scott Scheffler
85. Gail Stempler Lake
86. Nancy Bartell
87. Vida Bateau (2)
88. Elizabeth and Nestor
89. Denisia Wash (2)
90. Zm Jurami
91. Mary Law
92. Michelle Piffero
93. Claire Broome
94. Peter Rasmussen
95. Malu Lujan
96. Jamuel Starkey
97. Charles Siegal
98. Cece Littlepage
99. Lauren Parsons
100. Kelly Hammargren
101. Lea Barrow
102. Susan DeMersseman
103. Theresa Gensler
104. Lisa and Tim Goodman

105. Sarah Levin
106. Elliot Abrams
107. Ana Maria Carbonell
108. Julie Searle
109. Lynne-Rachel Altman
110. Arlene Marcus
111. Joseph Brulenski
112. Mary Risala Laird
113. Mateo Hadeshian
114. Anne Fulmer
115. Leni Siegel
116. Colin McRae
117. Phyllis Rothman
118. Lisa Bruce
119. Julie Guilfoy
120. Claudia Kawczynska (2)
121. Elizabeth Kowal
122. Sofiane Boudjedaimi
123. Judy Merrill
124. Leah Kaizer and Family
125. Lenore Thompson
126. Mariya Ryazanseva and Nicholas Waton on behalf of the Cal Sailing Club
127. Rachel Bradley
128. Thea Davison
129. Mariya and Ryan Alder
130. Leslie Mikkelsen
131. Chris Stratton
132. Jose RaulRamirez
133. Stephanie Hicks
134. Robert Ofsevit
135. Belle Adler
136. Jason Martens
137. Maria Saxton
138. Baruch Golden
139. Jean Fitz
140. Janice Ruchlis
141. Cynthia Augsjoost
142. Elana Auerbach
143. Sam Shen
144. Sharon Entwistle
145. June Hunt
146. Erin Diehm
147. Edward
148. Maryclare McCauley
149. Eric Friedman
150. David Fielder
151. 5 Similarly worded form letters “I am opposed…”
152. 15 Similarly worded form letters “I urge you to reject…”

Attachment 6

MINUTES

BERKELEY CITY COUNCIL MEETING

Tuesday, June 24, 2025
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 18315 RAY'S RD - CABIN 5, PHILO, CA 95466
TELECONFERENCE LOCATION - 1032 BANCROFT WAY, BERKELEY, CA 94710

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1605843840 To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial ***1-669-254-5252 or 1-833-568-8864 (Toll Free)*** *and enter* ***Meeting ID: 160 584 3840.*** *To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

Preliminary Matters

Roll Call: 7:06 p.m.

Present: Kesarwani, Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii

Absent: None

Report from Closed Session:

The City Council met in closed session on May 27, 2025 and voted to create an ad hoc committee comprised of Mayor Ishii, Councilmember Humbert, and Councilmember Lunaparra to oversee the evaluation process of the non-elected Charter Officers: City Manager, City Attorney, Director of Police Accountability.

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

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

1. Adjourn in memory of Marie Gunter, Sustainability Advocate
2. Adjourn in memory of John George Leitmann, UC Berkeley Professor

City Manager Comments:

The City Manager noted corrections for Item 3 and Item 13.

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Tregub/Bartlett) to accept an urgency item for the Consent Calendar from Councilmember Tregub pursuant to Government Code Section 54954.2(b)(2) entitled A resolution calling for the protection of healthcare workers' rights and delaying UCSF Health's integration plan at Children's Hospital Oakland pending legal resolution.
Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 14 speakers.

Consent Calendar

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

Consent Calendar – Continued Business

A. FY 2026 Tax Rate: Business License Tax on Large Non-Profits *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,962–N.S. setting the FY 2026 tax rate for Business License Tax on large non-profits at $0.8736 (87.36 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,962–N.S.

B. FY 2026 Tax Rate: Fund the Debt Service on the Street and Watershed Improvements General Obligation Bonds (Measure M, November 2012 Election) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,963–N.S. setting the FY 2026 tax rate funding the debt service on the Street and Integrated Watershed Improvements General Obligation Bonds (Measure M, November 2012) at 0.0050%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,963–N.S.

C. FY 2026 Tax Rate: Fund Debt Service on 2015 Refunding General Obligation Bonds (Measures G, S & I) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,964–N.S. setting the FY 2026 tax rate funding the debt service on the 2015 consolidation of Measures G, S and I (General Obligation Bonds - Elections of 1992, 1996 and 2002) at 0.0090%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,964–N.S.

Consent Calendar – Continued Business

D. FY 2026 Tax Rate: Fund the Provision of Emergency Medical Services (Paramedic Tax) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,965–N.S. setting the FY 2026 tax rate for funding the provision of emergency medical services to Berkeley residents at $0.0474 (4.74 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,965–N.S.

E. FY 2026 Tax Rate: Fund Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) (Measure FF) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,966–N.S. setting the FY 2026 tax rate for funding Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS), otherwise known as Measure FF, at an annual rate of $0.17 per square foot of dwelling unit improvements and $0.25 per square foot for industrial, commercial, and institutional improvements for the 18-month period from January 1, 2025 to June 30, 2026.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Terrance Davis, Public Works, (510) 981-6300
Action: Adopted second reading of Ordinance No. 7,966–N.S.

F. FY 2026 Tax Rate: Fund the Maintenance of Parks, City Trees and Landscaping *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,967–N.S. setting the FY 2026 tax rate for funding all improvements for the maintenance of parks, City trees, and landscaping in the City of Berkeley at $0.2652 (26.52 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,967–N.S.

Consent Calendar – Continued Business

G. FY 2026 Tax Rate: Fund the Debt Service on the Affordable Housing General Obligation Bonds (Measure O, November 2018 Election) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,968–N.S. setting the FY 2026 tax rate funding the debt service on the Affordable Housing General Obligation Bonds (Measure O, November 2018) at 0.0200%.
First Reading Vote: All Ayes.
Financial Implications: See Report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,968–N.S.

H. FY 2026 Tax Rate: Fund the Debt Service on the Infrastructure and Facilities General Obligation Bonds (Measure T1, November 2016 Election) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,969–N.S. the FY 2026 tax rate funding the debt service on the Infrastructure and Facilities Improvements General Obligation Bonds (Measure T1, November 2016) at 0.0110%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,969–N.S.

I. FY 2026 Tax Rate: Fund Debt Service on Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,970–N.S. setting the FY 2026 tax rate for funding the debt service on the Neighborhood Branch Library Improvements Project General Obligation Bonds (Measure FF, November 2008 Election) at 0.0040%.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,970–N.S.

Consent Calendar – Continued Business

J. FY 2026 Tax Rate: Fund Emergency Services for the Severely Disabled (Measure E) *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,971–N.S. setting the FY 2026 tax rate for funding the provision of emergency services for the disabled at $0.02229 (2.229 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted second reading of Ordinance No. 7,971–N.S.

K. FY 2026 Special Tax Rate: Fund the Provision of Library Relief Act *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,972–N.S. setting the FY 2026 tax rate for the Library Relief Act of 2024, approved by Berkeley voters in the November 2024 election, for funding the provision of Library Services in the City of Berkeley at $0.06 (6.00 cents) per square foot for dwelling units and $0.09 (9.00 cents) per square foot for industrial, commercial, and institutional buildings.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Tess Mayer, Library, (510) 981-6100
Action: Adopted second reading of Ordinance No. 7,972–N.S.

L. FY 2026 Special Tax Rate: Fund the Provision of Library Services *(Continued from June 17, 2025)*
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,973–N.S. setting the FY 2026 tax rate for funding the provision of Library Services in the City of Berkeley at $0.2980 (29.80 cents) per square foot for dwelling units and $0.4506 (45.06 cents) per square foot for industrial, commercial, and institutional buildings.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300, Tess Mayer, Library, (510) 981-6100
Action: Adopted second reading of Ordinance No. 7,973–N.S.

Consent Calendar

Urgent Item: A resolution calling for the protection of healthcare workers' rights and delaying UCSF Health's integration plan at Children's Hospital Oakland pending legal resolution
From: Councilmember Igor Tregub (Author), Mayor Adena Ishii (Author), Councilmember Ben Bartlett (Author), and Councilmember Terry Taplin (Author)
Recommendation:
1. Adopt a Resolution calling on the University of California of San Francisco (UCSF) Health, the University of California, and the University of California (UC) Board of Regents to delay implementation of the proposed July 6, 2025 "integration plan" at UCSF Benioff Children's Hospital Oakland until all legal proceedings are resolved and the rights and protections of East Bay healthcare workers are fully upheld; and, in addition,
2. Refer any further potential informational discussions on the above-referenced matter to the Berkeley City Council Health, Life Enrichment, Equity & Community Committee.
Financial Implications: Staff time.
Contact: Councilmember Igor Tregub, Council District 4, 510-981-7140
Action: Adopted Resolution No. 71,841–N.S. and approved recommendation.

1. **Amendments to Ordinance Prohibiting the Sale or Use of Coordinated Pricing Algorithms (BMC 13.63) to Suspend Effective Date Until March 2026**
From: City Manager
Recommendation: Amend the Ordinance Prohibiting the Sale or Use of Coordinated Pricing Algorithms (BMC 13.63) to suspend the effective date until March 1, 2026.
Financial Implications: See report
Contact: Farimah Brown, City Attorney, (510) 981-6998
Action: Adopted first reading of Ordinance No. 7,974–N.S. Second reading scheduled for July 8, 2025.

2. **Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of May 5, 2025 (special closed), May 6, 2025 (special and regular), May 13, 2025 (special closed), May 20, 2025 (special and regular), May 21, 2025 (special closed), and May 27, 2025 (special closed).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved the minutes as submitted.

Consent Calendar

3. Recommendations for County Measure W Funding
From: City Manager
Recommendation: Send a letter to the Alameda County Board of Supervisors outlining the City Council's priorities for initial rounds of funding from Measure W, a half-cent sales tax increase passed by Alameda County voters in November 2020.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Approved recommendation with additional materials included in Supplemental Communications Packet #2 and the technical corrections noted at the meeting by the City Manager to clarify that the address of the Capri Motel is 1512 University Ave, and not 1619 University Ave.

4. Contract: Cultural Planning Group, LLC for a Plan for a Resilient Arts & Culture Sector in Berkeley
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Cultural Planning Group, LLC for an amount not to exceed $149,980 for the development of a comprehensive plan to support and maintain a Resilient Arts & Culture Sector in Berkeley. The term of the contract will be 18 months.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 71,842–N.S.

5. FY 2026 Reaffirming the Investment Policy and Designation of Investment Authority
From: City Manager
Recommendation: Adopt a Resolution reaffirming the Investment Policy (no revisions are recommended) and to confirm the delegation of investment authority to the Director of Finance to make investments for FY 2026.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 71,843–N.S.

6. Appropriations Limit for FY 2026
From: City Manager
Recommendation: Adopt a Resolution establishing the appropriations limit at $407,546,513 for FY 2026 pursuant to Article XIIIB of the Constitution of the State of California based on the calculations for the appropriations limit.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 71,844–N.S.

Consent Calendar

7. FY 2026 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of $0.06695 (6.695 cents) per square foot of improvements for dwelling units and setting the rate for all other property at $0.10132 (10.132 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,975–N.S. Second reading scheduled for July 8, 2025.

8. FY 2026 Tax Rate: Fund Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF)
From: City Manager
Recommendation: Adopt first reading of an Ordinance setting the FY 2026 tax rate for funding Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF) in the City of Berkeley at the annual tax rate of $0.1299 (12.99 cents) per square foot of improvements.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted first reading of Ordinance No. 7,976–N.S. Second reading scheduled for July 8, 2025.

9. Funding Reservation for Resources for Community Development's Maudelle Miller Shirek Community Project
From: City Manager
Recommendation: Adopt a Resolution: (1) Reserving an additional $500,000 for Resources for Community Development's (RCD) Maudelle Miller Shirek Community project from the FY25 available Small Sites Program fund balance. (2) Conditioning the funding on RCD providing information to tenants on City rental assistance programs with any nonpayment eviction notices issued at the project. (3) Authorizing the City Manager or designee to execute all original or amended documents or agreements to effectuate this action.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,845–N.S. as revised in Supplemental Communications Packet #2 from the City Manager.

Consent Calendar

10. 2024 Housing Trust Fund Request for Proposals - Funding Reservations
From: City Manager
Recommendation: Adopt a Resolution to: 1. Reserve $2,990,000 in funding for Resources for Community Development's Adeline Street Apartments (3224 Adeline Street); 2. Reserve $2,868,571 in funding for Satellite Affordable Housing Associates' Ashby Lofts (2909 Ninth Street); 3. Authorize the City Manager to refinance existing HTF loans for each project into new loans with terms consistent with the HTF Guidelines; 4. Waive Section IV.C.1 of the Housing Trust Fund Guidelines for projects receiving funds through this Request for Proposals process; 5. Condition the funding on the respective housing developers providing information to tenants on City rental assistance programs with any nonpayment eviction notices issued at these properties; 6. Approve multi-year operating funding contracts for Resources for Community Development and Satellite Affordable Housing Associates, starting Fiscal Year (FY)2025-2026 and ending in FY2029-2030, estimated at up to $30,000 per organization per year; 7. Authorize City Manager or designee to determine the amount of funding to be awarded to Resources for Community Development and Satellite Affordable Housing Associates annually from FY2026 to FY2030, based on the amount of the City's annual allocation of HOME funds and availability of General Fund match; and 8. Authorize the City Manager or designee to execute all original or amended documents or agreements to effectuate this action.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,846–N.S.

11. Fiscal Year 2025 - Donations for the Berkeley Meals on Wheels Program
From: City Manager
Recommendation: Adopt a Resolution authorizing the City to accept donations totaling $8,000 or the Berkeley Meals on Wheels program for fiscal year 2025.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,847–N.S.

Consent Calendar

12. Shelter Plus Care Program Renewal Grants
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to receive up to the maximum grant award for the following two Shelter Plus Care grants and to execute any resultant agreements and amendments. a. Alameda County Shelter Plus Care grant in a not-to-exceed amount of $1,022,704 to provide tenant-based rental assistance to individuals who are chronically homeless and disabled from March 1, 2025, through February 28, 2026; and b. U.S. Department of Housing and Urban Development (HUD) Shelter Plus Care grant in the amount of $7,305,893 for Supportive Housing Collaborative Project (SHC) for the period September 1, 2025, through August 31, 2026.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,848–N.S.

13. Contract: HR Acuity, LLC for Case Management and Employee Relations Software
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32100046 with HR Acuity, LLC for case management and employee relations software, for a total amount not to exceed $189,000 and extending the contract term to June 30, 2028.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,849–N.S. revised to correct the not-to-exceed dollar amount to $377,700.

14. Contract: Innovative Claim Solutions for Third Party Claims Administration of City's Workers' Compensation Program
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute and implement a contract and any amendments with Innovative Claim Solutions, Inc. (ICS), to provide workers' compensation third-party administrative services in an amount not to exceed $1,888,570 for the period July 1, 2025, through June 30, 2028.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,850–N.S.

Consent Calendar

15. Contract: Downtown Berkeley YMCA Fitness Center Memberships for City Employees
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with the Downtown Berkeley YMCA in the amount of $179,136 for fitness center memberships for City employees for the period July 1, 2025, through June 30, 2026.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,851–N.S.

16. Contract No. 32500005 Amendment: Accela, Inc. for Environmental Health Software
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32500005 with Accela, Inc. (“Accela”) to increase spending authority by $90,200 for Environmental Health (“EH”) software for a total amount not to exceed $1,414,393 for the period of July 1, 2024 to June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,852–N.S.

17. Contract No. 31900174 Amendment: Carahsoft Technology Corporation Using General Services Administration (“GSA”) Schedule for Website Hosting, Software, and Related Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900174 to increase spending authority with Carahsoft Technology Corporation (“Carahsoft”) for website hosting services, core infrastructure software, and related services utilizing pricing established by the GSA, for $700,000 for a total not to exceed amount of $2,378,953 for the period May 15, 2019 to June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,853–N.S.

18. Contract No. 32300210 Amendment: Pacific Site Management for On-Call Vegetation and Reduction Services
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend contract No. 32500210 with Pacific Site Management for as-needed vegetation management, increasing the amount by $300,000 for an amended total amount not to exceed $900,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,854–N.S.

Consent Calendar

19. Authorize the City Manager to Accept Metropolitan Transportation Commission Transit Oriented Communities (TOC) Planning Grant
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to accept the Metropolitan Transportation Commission Transit Oriented Communities (MTC TOC) grant in the amount of $400,000 for the Ashby BART Station Access Plan.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted Resolution No. 71,855–N.S.

20. Authorization for Additional Civic Arts Commission Meeting in 2025
From: Civic Arts Commission
Recommendation: Adopt a Resolution for one additional meeting of the Civic Arts Commission in 2025.
Financial Implications: None
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Adopted Resolution No. 71,856–N.S.

21. Re-Appointment of Glenn Turner to the Mental Health Commission for the City of Berkeley
From: Mental Health Commission
Recommendation: Adopt a Resolution re-appointing: Glenn Turner as a representative of the Special Public Interest Category - Family member, to complete her second 3-year term beginning June 25, 2025, and ending June 24, 2028.
Financial Implications: None
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400
Action: Adopted Resolution No. 71,857–N.S.

Council Consent Items

22. Berkeley High School All Class Reunion: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds
From: Councilmember O'Keefe (Author), Mayor Ishii (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember – including $500 from Mayor Ishii, $250 from Councilmember O'Keefe, $250 from Councilmember Taplin, and $250 from Councilmember Bartlett – to support the Berkeley High School All Class Reunion Committee (BHS ACRC) by way of its fiscal sponsor, the Berkeley Public Schools Fund, with funds relinquished to the City's general fund for this purpose.
Financial Implications: See report
Contact: Shoshana O'Keefe, Councilmember, District 5, (510) 981-7150
Action: Adopted Resolution No. 71,858–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Humbert - $250; Councilmember Tregub - $100; Councilmember Blackaby - $250; Councilmember Kesarwani - $100; Councilmember Lunaparra - $150.

Action Calendar – Public Hearings

23. Re-Establishment of the Berkeley Tourism Business Improvement District
From: City Manager
Recommendation:
1. Conduct a public hearing on the renewal of the Berkeley Tourism Business Improvement District (BTBID) for 10 years starting July 1, 2025.
2. Conduct a public hearing on the modification of the existing BTBID to end on June 30, 2025, shortening the existing BTBID's term from ten (10) years to eight (8) years thus modifying the existing BTBID Management District Plan.
Upon conclusion, declare results of the majority protest proceedings and adopt a Resolution to Re-Establish (renew) the Berkeley Tourism Business Improvement District (BTBID) for a term of ten (10) years, and adopt a Resolution to modify the term of the existing BTBID to coincide with the renewal/reestablishment of the BTBID.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Public Testimony: The Mayor opened the public hearing. 4 speakers.
M/S/C (Taplin/Blackaby) to close the public hearing.
Vote: Ayes – Taplin, Bartlett, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani.

Action: M/S/C (Tregub/Taplin) to adopt Resolution No. 71,859–N.S. (Re-Establish) and Resolution No. 71,860–N.S. (Modify).
Vote: All Ayes.

24. FY 2026 Proposed Budget Update Adoption
From: City Manager
Recommendation: Conduct a public hearing and upon conclusion adopt a Resolution adopting the FY 2026 Proposed Budget Update ("FY 26 Proposed Budget") as presented to Council on May 20, 2025, and as amended by subsequent Council action.
Financial Implications: See report
Contact: Shana Amenaghawon, City Manager's Office, (510) 981-7000

Action: M/S/C (Tregub/Kesarwani) to accept revised material from the City Manager's Office for consideration.
Vote: All Ayes.

Action: M/S/C (Lunaparra/Tregub) to suspend the rules and extend the meeting to 12:00 a.m.
Vote: All Ayes.

Action: M/S/C (Blackaby/Lunaparra) to suspend the rules and extend the meeting to 12:30 a.m.
Vote: All Ayes.

Action Calendar – Public Hearings

Public Testimony: The Mayor opened the public hearing. 19 speakers.
M/S/C (Tregub/Humbert) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Kesarwani/Humbert) to adopt Resolution No. 71,861–N.S. adopting the FY 2026 Proposed Budget Update as revised in the supplemental materials provided by the City Manager and including the revisions and allocations proposed by Mayor Ishii in Supplemental Communications Packet #2 and further revised at the meeting by Council action as noted below*:*

- *A total of $2.5 million was allocated to the small sites program. This consists of $1.4M in FY 25 (carryforward) and $1.1M in FY 26 resources. Remaining FY 26 resources previously allocated to the small sites program revert back to the Housing Trust Fund and are not assigned to the small sites program.*
- *Resources for deportation defense are augmented as noted in the table below.*
- *F&G Docks – $250,000 in General Fund and $250,000 in T1 funds.*

Sources of Funds	**City Council Adopted**	**Fund**
Risk Manager (Freeze first 6 months of FY 26)	$129,484	General Fund
ODPA Analyst (Freeze position in FY 26)	$172,848	General Fund
ODPA Investigator (Freeze position in FY 26)	$203,444	General Fund
District 1 & District 8 Office Funds (FY 25)	$60,000	General Fund
District 3 Office Funds (FY 25)	$7,000	General Fund
Savings from City Auditor's Office (FY 25)	$193,000	General Fund
Round Park Council Referral Reallocation	$100,000	General Fund
Total	**$865,776**	

FY 26 Uses of Funds		
Speed Bump at Martin Luther King Jr Way & Russell St.	$7,000	Traffic Calming
F&G Docks Repair Project	$250,000	Marina Fund
Youthworks allocation	$120,000	General Fund
Adventure Playground (defer admission fee)	$25,000	Marina Fund
Elmwood Music Festival	$7,000	General Fund
Address Remaining Marina Deficit	$126,374	Marina Fund
Homeless Response Team Staff Position	$175,000	General Fund
Deportation Defense	$70,516	General Fund
Additional Marina Fund allocation	$84,886	Marina Fund
Total	**$865,776**	

Vote: Ayes – Kesarwani, Taplin, Bartlett, Blackaby, Humbert; Noes – O'Keefe, Lunaparra, Ishii; Abstain – Tregub.

Action: M/S/C (Blackaby/Taplin) to suspend the rules and extend to 1:00 a.m.
Vote: All Ayes.

Action Calendar – New Business

25. FY 2026 Annual Appropriations Ordinance
From: City Manager
Recommendation: Adopt first reading of an Ordinance adopting the FY 2026 Annual Appropriations Ordinance (AAO) in the amount of $781,761,995 (gross appropriations) and $670,920,315 (net appropriations).
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager, (510) 981-7000
Action: 0 speakers. M/S/C (Blackaby/Taplin) to adopt first reading of Ordinance No. 7,977–N.S. as revised in Supplemental Communications Packet #2 by the City Manager and further amended by actions adopted at the meeting by the City Council with a gross appropriations amount of $829,213,359. Second reading scheduled for July 8, 2025.
Vote: All Ayes.

26. Borrowing of Funds and the Sale and Issuance of FY 2025-26 Tax and Revenue Anticipation Notes
From: City Manager
Recommendation: Adopt a Resolution approving the borrowing of Not to Exceed (NTE) $61,000,000 and the sale and issuance of Fiscal Year 2025-26 Tax and Revenue Anticipation Notes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: 0 speakers. M/S/C (Tregub/Blackaby) to adopt Resolution No. 71,862–N.S.
Vote: All Ayes.

Information Reports

27. Voluntary Time Off Program for Fiscal Year 2026
From: City Manager
Contact: David White, City Manager's Office, (510) 981-7000
Action: Received and filed.

28. FY 2025 Third Quarter Investment Report: Ended March 31, 2025
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed.

29. FY 2025 Second Quarter Investment Report: Ended December 31, 2024
From: City Manager
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Received and filed.

Information Reports

30. State of Public Health in Berkeley Summary Report
From: City Manager
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 0 speakers.

Adjournment

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

Adjourned at 12:26 a.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on June 24, 2025.

_____
Mark Numainville, City Clerk

Communications

Unhoused Concern
1. Heike Helmer
2. Summer Brenner
3. Leonard Pitt

Encampments
4. Nigel
5. Tom Parrish
6. Susie Medak
7. M B
8. Beth Roessner
9. Julie Rodrigues Widholm
10. Marc Steyer
11. JJ Noire
12. Sylvia
13. James Mcfadden
14. Elana Auerbach

10th and Harrison
15. Gael Alcock (2)

Lithium Ion Batteries
16. Cindy Larson

Parking Restriction Concerns
17. Leah Mazel-Gee

Violence Concern
18. Allen Mayer
19. Helane Wahbeh
20. Irene Chung
21. Noura Khouri
22. Vish Soroushian

Green Waste Bags
23. Judy Gonzalez-Massih

SafeBears Mission
24. Lisa McSeveney

Convenience Fee
25. Peter Goldreyer

1048 Use Permit #ZP2024-0014
26. Bahram Gangei

Town Hall Type of Debate
27. Fredda Cassidy

Safe Amtrak Boarding Platform
28. Tracy Rosenberg

Ohlone Park
29. Daniel Cutter
30. Chris Hall
31. Matan Gilbert
32. Rinda Wardle
33. Stephen Sperber
34. Margaret Rowland
35. Barbara Fisher
36. Mat Glaser

E-Scooters
37. Robert Borghese (3)
38. Stephanie Landry (2)

Middle East Conflict
39. Helene B

Thank You for the Statement
40. Stefanie and William Guyunn
41. Dorothea Dorenz
42. Vicki Sommer
43. Susanne (Sanne) DeWitt
44. Yael Galinson

Oxford for All
45. Michael Frantz

URL's
46. Russbumper

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Urgency Item: A resolution calling for the protection of healthcare workers' rights and delaying UCSF Health's integration plan at Children's Hospital Oakland pending legal resolution
47. Submitted by Councilmember Igor Tregub, Mayor Adena Ishii, Councilmember Ben Bartlett, and Councilmember Terry Taplin

Item #3: Recommendations for County Measure W Funding
48. Revised agenda material submitted by the City Manager's Office

Item #9: Funding Reservation for Resources for Community Development's Maudelle Miller Shirek Community Project
49. Revised agenda material submitted by Health, Housing, and Community Services

Item #23: Re-Establishment of the Berkeley Tourism Business Improvement District
50. Fern Solomon on behalf of Fern's Garden

Item #24: FY 2026 Proposed Budget Update Adoption
51. Supplemental agenda material submitted by Mayor Adena Ishii
52. Revised agenda material submitted by Councilmember Rashi Kesarwani and Councilmember Mark Humbert
53. Revised agenda material submitted by the City Manager's Office
54. Corey Busay
55. Board Members of Transition Berkeley: Sylvia Soriano, Linda Currie, Bonnie Borucki, Pierre Thiry, Lori Hines, Ben Rosenthal, Jenifer Azulay, Ginny Hanger
56. Kate Day
57. Suzeth & Bernard Warmsley
58. Arianne Senten
59. Ben Gerhardstein on behalf of Walk Bike Berkeley
60. Dustin Tranberg
61. Seth Kimball
62. Amanda Chang

63. Josh Jacobs on behalf of the Homeless Services Panel of Experts (2)

Item #25: FY 2026 Annual Appropriations Ordinance
64. Revised agenda material submitted by the City Manager's Office

Supplemental Communications and Reports 3

Urgency Item: A resolution calling for the protection of healthcare workers' rights and delaying UCSF Health's integration plan at Children's Hospital Oakland pending legal resolution
65. Unknown

Item #3: Recommendations for County Measure W Funding
66. Linda Maio

Item #23: Re-Establishment of the Berkeley Tourism Business Improvement District
67. Presentation submitted by the Office of Economic Development
68. Emily Sarlette
69. Jared Brandt
70. Jeffrey Church

Item #24: FY 2026 Proposed Budget Update Adoption
71. Farimah Brown, City Attorney
72. Supplemental agenda material submitted by the City Manager's Office
73. Presentation submitted by the City Manager's Office
74. Jon Shibata
75. Lindsey Newbold
76. Beth Roessner
77. John Caner
78. Rick Lewis
79. Paula Sanenghoi
80. Jocelyn Zorn
81. Ronisha Fuller
82. April King
83. Erik Ferry
84. Anne Weinberger

Attachment 7

MINUTES
SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

Thursday, June 26, 2025
6:00 PM

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

TELECONFERENCE LOCATION - 1032 BANCROFT WAY, BERKELEY, CA 94710

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

*To access the meeting remotely use this URL: https://cityofberkeley-info.zoomgov.com/j/1612354681. To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 235 4681.**To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

Preliminary Matters

Roll Call: 6:11 p.m.

Present: Kesarwani, Taplin, Tregub, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii

Absent: Bartlett

Councilmember Bartlett present at 6:13 p.m.

Action Calendar – Public Hearings

1. Zoning Ordinance and General Plan Amendments Relating to Middle Housing
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion:
1. Adopt first reading of an ordinance amending Berkeley Municipal Code Title 23 (Zoning Ordinance) and the Zoning Map, for the purposes of encouraging development of "middle housing" in areas currently zoned R-1, R-1A, R-2, R-2A and MU-R ("low-density residential districts"), with an effective date of November 1, 2025; and
2. Adopt a Resolution amending the General Plan for the same purpose.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Recess 7:42 p.m. – 7:56 p.m.

Recess 9:53 p.m. – 10:02 p.m.

Action: M/S/C (Kesarwani/O'Keefe) to suspend the rules and extend the meeting to 11:45 p.m.
Vote: All Ayes.

Action: M/S/C (Tregub/Kesarwani) to suspend the rules and extend the meeting to 12:15 a.m.
Vote: All Ayes.

Public Testimony: The Mayor opened the public hearing. 128 speakers.
M/S/C (Tregub/Taplin) to close the public hearing.
Vote: All Ayes.

Action: M/S/C (Kesarwani/Bartlett) to:
1. Adopt first reading of Ordinance No. 7,978–N.S. as proposed in the item from the City Manager including further changes in the supplemental material from Councilmember Kesarwani in Supplemental Communications Packet #2 with the following amendments:

- Establish a limit of 70 dwelling units per acre in all applicable zones: R-1, R-2, R-2A, and M-UR.

Action Calendar – Public Hearings

- Incorporate the request from Councilmember Tregub to consider results from other comparable jurisdictions in the annual report from the Planning Department.

- Incorporate Councilmember Humbert's amendment to direct Planning Staff to return to the City Council by April 1, 2026 and annually thereafter with a simple, quantitative report listing for the present year and all previous years, beginning in 2025: 1) The number of middle housing project applications; 2) The total number of units proposed within those middle housing project applications; 3) The number of middle housing projects/units granted building permits, and 4) The number of middle housing projects/units granted certificates of occupancy.

- Modify the direction on the equity report to remove the fixed date and direct staff to return to Council with the equity report within 12 months of the City reaching the threshold of 25 middle housing project applications being received by the Planning Department or two years (whichever comes first).

- Incorporate the following request from Councilmember Tregub's supplemental item: To the extent feasible, the objective design standards referral should consider loss of open or permeable yard space, solar access, privacy, tree canopy, biodiversity, and opportunities for stormwater runoff mitigations with consideration of costs and not reducing the development potential of the ordinance as proposed.

- Further, to make corresponding edits to the General Plan to reflect the amended density standard. And direct that the second reading be scheduled for July 8, 2025 regular meeting agenda.

2. Adopt Resolution No. 71,863–N.S. amending the General Plan for the same purpose.

Vote: All Ayes.

Adjournment

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

Adjourned at 11:50 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on June 26, 2025.

_____
Mark Numainville, City Clerk

Communications

Item #1: Zoning Ordinance and General Plan Amendments Relating to Middle Housing

1. Jennifer Fisher
2. Anne Weinberger
3. Lisa Friedlander
4. Leni Siegel
5. Aubrey Grove
6. Jane Martin
7. Lauren Parsons
8. Wade Skeels
9. Carol Hirth (2)
10. Lisa Bruce
11. Colleen Whitney
12. Virginia Browning
13. Eva Herzer and Dechen Tsering
14. Daniel Borgstrom
15. John Oram
16. Neelam Patil
17. Leah Kaizer
18. Bill Kristy
19. T.M. Scruggs
20. Jane Freeman
21. Kathy Stuart
22. Marissa Moss
23. Janice Murota
24. Kori Kody
25. Silvia Turchin
26. Lynn Sherrell
27. Micky Duxbury (4)
28. Julie Lamont
29. Matt Wickland
30. Julie Kramer
31. Merle Lustig
32. Julie Weeks
33. Barbara Erickson
34. Susan Brooks
35. Toni Mester
36. Janice Schroeder
37. Fred Krieger
38. Gael Alcock
39. Christopher Hamilton
40. Darlene Bronson
41. Chris Hudson
42. Jed Harris
43. Lance Williams
44. Kenneth Laws
45. Katherine de Runtz
46. Joan Garvin

47. Alison de Runtz
48. Berkeley Neighborhoods Council Executive Committee
49. Toni Casal
50. Laura Klein
51. Mimi Moungovan
52. David Whipple
53. Elsie Martinez
54. Stephanie Lim
55. Dr. Bruce Feingold
56. Lisa Vogel
57. Robert Riemer
58. Summer Brenner
59. Cindy Shamban
60. Helen Guerrant Toy
61. Dr. A. Boersma
62. Virginia Warheit
63. 36 Similarly worded form letters “I’m writing to urge you to pass…”
64. 95 Similarly worded form letters “Please DO NOT PASS…”

Supplemental Communications and Reports 1

65. Jacqueline Wish
66. Michael Tompkins
67. Gael Alcock (2)
68. Desiree Oliver on behalf of the Berkeley Rent Stabilization Board Chair and Commissioners
69. Cindy Shamban
70. Morgan Maxwell
71. Michael John Weber
72. Rachel Katz
73. Walter Wood
74. Tamara Birdsall
75. David Meyer
76. John Coveney
77. Felix Brenner
78. Rob Kirby
79. Leonard Pitt (2)
80. Vicki Sommer
81. John Hagopian
82. Marvin Snow
83. Margret Leventhal
84. Michael Frantz
85. Shirley Kirsten
86. Paul Valenstein
87. Laura Klein
88. Summer Brenner
89. Bruce Bagnell
90. Kenneth Yip (2)
91. Jaime Perkins
92. Tony Corman
93. Clifford Fred

94. Sharon Entwistle (3)
95. Damien Curry
96. Alma Prins
97. Teal Major
98. Helen Stroud
99. Brad Gibson and Nina Zolotow
100. Micky Duxbury
101. Farah Entezami
102. Liz Ozol
103. Tashi Namling
104. Bernard
105. Usha Lama & Dorji Lama
106. Ross Bernet
107. Anuja Mendiratta (2)
108. Kera Binns
109. Jai Jai Noire
110. Mary Claire Heffron
111. Sam Greenberg on behalf of East Bay for Everyone and East Bay YIMBY
112. Charlie Koven
113. Phoebe Thomas Sorgen
114. Mary Wrenn
115. Councilmember Rashi Kesarwani
116. Dietmar Lorenz
117. Bonnie Mattison
118. Corey Busay
119. T. Michai Freeman
120. Zipporah Collins
121. Susan Henderson
122. Cheryl Fippen
123. Evelyn Strickland (2)
124. Lori Pepe-Lunche
125. Brianna Morales on behalf of the Housing Action Coalition
126. Molly Miller
127. Mathison Ott
128. Paola Laverde
129. Peggy Radel
130. Grace Munakata
131. Wade Skeels
132. Jennifer Kelly-DeWitt
133. Veronika S. Fukson
134. Louise Rosenkrantz
135. Glen Hauer
136. 18 Similarly worded form letters “I urge you…”
137. 38 Similarly worded form letters “I support…”
138. 75 Similarly worded form letters “Please DO NOT PASS…”

Supplemental Communications and Reports 2

Item #1: Zoning Ordinance and General Plan Amendments Relating to Middle Housing

139. Revised agenda material submitted by Councilmember Rashi Kesarwani, Councilmember Ben Bartlett, Councilmember Cecilia Lunaparra and Mayor Adena Ishii
140. Revised agenda material submitted by Councilmember Igor Tregub
141. Supplemental agenda material submitted by the Planning and Development Department
142. Victor Ichioka
143. Amy Leventhal
144. Teresa Clarke (2)
145. Sallie Hanna-Rhyne
146. Jeanne Clinton
147. Chris Hudson
148. Toni Mester
149. Bernard Marszalek
150. Oren Cheyette
151. Bruce Alexander
152. Steve Robey
153. Sally Hughes
154. Jennifer Cole, Gordon Glasgow, Eve Papajak, Cees-Bart Breunesse, Rodriguez Family, Anuja mendiratta, Moni Gangopadhyay, and Davinder Gabhi
155. Laura Spiekerman
156. Alfred Twu
157. Ben Paulos
158. Nico Calavita
159. Steve Wertheim on behalf of Assemblymember Buffy Wicks
160. Larry Orman
161. Jane Diamond
162. Build a Better Berkeley
163. Joel Myerson
164. Michelle Haner
165. Debbie S.
166. Karen Fiene
167. Karen Chapple
168. Christopher Kroll on behalf of Berkeley Neighborhoods Council
169. Robin Rudy
170. Jacqueline Beth
171. Yes Duffy
172. Matthew Ostrowski
173. Jack Kurzweil (2)
174. Farah
175. Kathryn Jordan
176. Stephen Menendian
177. Mary Siegal and Aimee Baldwin
178. Christina Vecchiato
179. Amy Hill
180. Anne Weinberger
181. Charlene M. Woodcock

182. Elana Auerbach
183. Lisa Park
184. Dan Kammen
185. Esther Lerman
186. Kate Stillwell
187. Sofia Zander
188. T Anne Richards
189. Aimee Baldwin
190. J. Ruth Gendler
191. Judy Bertelsen
192. Grace Munakata
193. Kathy Stuart (2)
194. Olga Bolotina
195. Virginia Warheit
196. Zelda Bronstein
197. Mary Claire Heffron
198. Kurtis Bonano
199. Margaret Leventhal
200. Theo Posselt, Alden Mudge, Ben Gould, Jeff Baker, and Libby Lee-Egan
201. Joan Sprinson
202. Veronika Fukson
203. Serena Hu
204. Mariah Wood
205. Collin Barnwell
206. Virginia Browning
207. Ryan O'Connell
208. Nancy Rader
209. Stephen Bedrick
210. Barbara Hadenfeldt
211. Nancy Carleton
212. Zelda Bronstein
213. Peg Bogle
214. David Brandon
215. Gabriel Abud
216. Anne Sturbaum
217. Emily McAfee
218. Donna DeDiemar
219. Isaac Warshauer
220. 36 Similarly worded form letters "As a committed supporter…"
221. 44 Similarly worded form letters "Please DO NOT PASS…"
222. 28 Similarly worded form letters "I support…"

Supplemental Communications and Reports 3

Item #1: Zoning Ordinance and General Plan Amendments Relating to Middle Housing

223. Presentation, submitting by Planning and Development Department
224. Oskar Cross
225. Leonard Pitt
226. Nico Calavita (3)
227. Dean Metzger, Claremont Elmwood Neighborhood Association

228. Andrew Fox
229. Maria Kolakowska
230. Rosamond Smith
231. Kelly Hammargren
232. Gael Alcock
233. Rachel Fishman and Adam Lieber
234. Nina F. Ichikawa
235. Yassine Hamdouni Alami
236. Sarah Bell (2)
237. Zach Franklin
238. Juli Dickey
239. Ben Gerhardstein and Charles Siegel for Walk Bike Berkeley (2)
240. Mary Tatmon and Yvette Tatmon
241. Diana Maria Rossi (2)
242. Mary Jo Huetteman and William Huber
243. Barbara Rydlander
244. Ava Mohsenin
245. David Mayer
246. Sean Kennedy
247. Justin Quimby
248. Gale Garcia
249. Lisa Park
250. Carol Hirth
251. Candace Hyde-Wang
252. Hal Leventhal
253. Susan Hunter
254. Dietmar Lorenz
255. Julian Kraus-Polk
256. Alexander Stec
257. Mike Dunham
258. Christine Cosgrove
259. Sheila Moran
260. Chuck Cornwall
261. Chrissy Hoffman
262. Jeanne Schuman and William Pollock
263. Bonnie Borucki
264. Pam Zelnik
265. Nola Burger
266. Pamela Rudd
267. Ed Weiss
268. Madeleine Nicoloff
269. Ross Bernet
270. Cees Breunesse
271. Sharon Richey
272. Kamala Visweswaran
273. Cielo Rios
274. David Lerman
275. Wm Di Napoli
276. Winthrop Eliot Jordan
277. Andres Douzoglou

278. Stephanie Thomas
279. Elana Auerbach
280. Moni Law (2)
281. Philip Soffer
282. Masha Lifshin
283. Virginia Warheit
284. Donna DeDiemar
285. 5 Similarly worded form letters “As a committed supporter…”
286. 7 Similarly worded form letters “I support…”
287. 8 Similarly worded form letters “Please DO NOT PASS…”

Attachment 8

BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES

MONDAY, JUNE 30, 2025

4:00 P.M.

2180 MILVIA STREET, BERKELEY, CA 94704 – REDWOOD ROOM

TELECONFERENCE LOCATION – 1619 EDITH STREET, BERKELEY, CA 94703

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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

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

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

Preliminary Matters

Roll Call: 4:08 p.m.

Present: Tregub, O'Keefe, Lunaparra, Humbert, Ishii

Absent: Kesarwani, Taplin, Bartlett, Blackaby

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

CLOSED SESSION:

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

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

   Negotiators: Paul Buddenhagen, City Manager, David White, Deputy City Manager, Shana Amenaghawon, Interim Budget Manager, Janelle Rodrigues, Human Resources Director, Monica Walker, Human Resources Manager, Chaka Young, Employee Relations Manager

   Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Chief Fire Officers Association Local 1227 I.A.F.F., Berkeley Fire EMS Professionals Association, Berkeley Police Association; SEIU 1021 Community Services and Part-Time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, IBEW Local 1245, Public Employee Union Local 1, Unrepresented Employees

   Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

Action: M/S/C (Tregub/Humbert) to adjourn the meeting.
Vote: Ayes – Tregub, O'Keefe, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani, Taplin, Bartlett, Blackaby.

Adjourned at 4:34 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on June 30, 2025.

_____
Mark Numainville, City Clerk

02

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Henry Oyekanmi, Director of Finance
David White, Deputy City Manager

Subject: Amending the City Council's Policy for the General Fund Reserves

RECOMMENDATION
Adopt a Resolution amending the City Council's Policy for the General Fund Reserves and rescind Resolution No. 69,440-N.S.

FISCAL IMPACTS OF RECOMMENDATION
There is no direct fiscal impact related to amending the policy. However, the policy is intended to provide guidelines for ensuring an adequate reserve policy to assist the City in mitigating current and future financial risks resulting from economic instability or catastrophic loss.

BACKGROUND
A general fund reserve, or "rainy day fund," ensures a government's ability to maintain vital services to the community during times of economic uncertainty and to help mitigate the negative impacts of extraordinary risk such as earthquakes, fires and floods. The City's current policy includes two elements of the General Fund Reserves:

(1) A Stability Reserve is maintained to mitigate loss of service delivery and financial risks associated with unexpected revenue shortfalls during a single fiscal year or during a prolonged recessionary period. The purpose of the Stability Reserve is to provide fiscal stability in response to unexpected downturns or revenue shortfalls, and not to serve as a funding source for new programs or projects.

(2) A Catastrophic Reserve is maintained for the purpose of sustaining General Fund operations in the case of a public emergency such as a natural disaster or other catastrophic event. The Catastrophic Reserve will be used to respond to extreme, onetime events, such as earthquakes, fires, floods, civil unrest, terrorist attacks, public health emergencies and pandemics. The Catastrophic Reserve will not be accessed to meet operational shortfalls or to fund new programs or projects.

On December 13, 2016, the City Council received a report to amend the General Fund Reserve Policy as the previous policy set the target at 8 percent of General Fund revenues, which was less than half the minimum 16.7 percent reserve level recommended by the Government Finance Officers Association (GFOA). In order to determine an appropriate target General Fund Reserve level for the City of Berkeley, staff conducted a risk assessment. Based on the outcome of the risk assessment, it was recommended that the appropriate reserve level for the City should be at least 30 percent of the Adopted General Fund revenues by Fiscal Year 2027.

On June 16, 2020, Council adopted Resolution No. 69-440-N.S. to amend the General Fund Reserves Policy. As specified within the Policy, "based on a risk assessment (according to best practices), to be updated at least every five years, the Council may consider increasing or lowering the General Fund Reserves level." In accordance with the Policy, City staff engaged the GFOA to complete a report entitled "A Risk-Based Analysis and Stress Test of General Fund Reserve Requirements for the City of Berkeley, California." The report was presented to the City's Budget and Finance Policy Committee on February 13, 2025 and on March 13, 2025. The Committee acted M/S/C (Ishii/Kesarwani) to forward the item to Council with a qualified positive recommendation to change the General Fund Reserve Policy to reflect a target range of between 20 to 30 percent of revenue and maintain revenue as the baseline.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
The report identified the potential impacts of natural disasters on the reserves.

RATIONALE FOR RECOMMENDATION
Based on the risk assessment performed by GFOA, it was determined that General Fund reserves should be a range between 20% to 30% of revenue. This should provide the City with a reasonable level of reserves to manage the various risks (i.e., wildfires, recessions and revenue volatility, earthquakes, high winds, tsunamis, pensions) analyzed. It is important to note that the higher the level of reserves, the higher the probability that the City will be able to maintain needed services during an emergency or economic downturn.

ALTERNATIVE ACTIONS CONSIDERED
The Committee considered not changing the existing policy.

CONTACT PERSON
David White, Deputy City Manager, (510) 981-7000
Henry Oyekanmi, Director of Finance, (510) 981-7200

Attachments:
1: Resolution
Exhibit A: City of Berkeley General Fund Reserves Policy

2: City of Berkeley General Fund Reserves Policy (track changes)
3: A Risk-Based Analysis and Stress Test of General Fund Reserve Requirements for the City of Berkeley, California prepared by the Government Finance Officers Association
4. General Fund Reserve Balance and Percentages To Reach Target Goal

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

AMENDING THE CITY COUNCIL'S POLICY FOR THE GENERAL FUND RESERVES

WHEREAS, the General Fund Reserves ensures the City's ability to maintain vital services to the community during times of economic uncertainty; and

WHEREAS, the City is committed to achieving long-term fiscal stability as well as mitigating the negative impacts of extraordinary risk such as earthquakes, fires, floods, public health emergencies and pandemics; and

WHEREAS, specific portions of the reserves should be designated for catastrophic and stabilization purposes and should be reported separately from the General Fund Balance; and

WHEREAS, when using the General Fund Reserves the City should specify the purpose for the use of reserve funds, the time frame in which the reserve funds can be used, and how much will be used during that time frame; and

WHEREAS, the General Fund Reserves ensures the City's ability to maintain vital services to the community during times of economic uncertainty; and

WHEREAS, the City is committed to achieving long-term fiscal stability as well as mitigating the negative impacts of extraordinary risk such as earthquakes, fires, floods, public health emergencies and pandemics; and

WHEREAS, Council adopted Resolution No. 69,440-N.S. on June 16, 2020 that included a long-term goal of Reserves of a minimum of 30% of General Fund Revenues, to be achieved within no more than 10 years (Fiscal Year 2027); and

WHEREAS, the Policy states that, “based on a risk assessment (according to best practices), to be updated at least every five years, the Council may consider increasing or lowering the General Fund Reserves level”; and

WHEREAS, the Government Finance Officers Association prepared a report entitled “A Risk-Based Analysis and Stress Test of General Fund Reserve Requirements for the City of Berkeley, California” that was presented to the Budget and Finance Policy Committee; and

WHEREAS, the Budget and Finance Policy Committee voted on March 13, 2025 to forward the item to Council with a qualified positive recommendation to change the policy to reflect a target range of 20 to 30 percent of revenue and maintain revenue as a baseline

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it rescinds Resolution No. 69,440-N.S. and adopts the amended City Council Policy for the General Fund Reserves, attached as Exhibit A.

Exhibits
A: City of Berkeley General Fund Reserves Policy

City of Berkeley
General Fund Reserves Policy

Policy

The General Fund is the City's primary operating fund. It is not connected to any one revenue source and may be used at the City's discretion. The General Fund is the operation fund that pays for general services provided by the City as well as public safety and capital improvements. The General Fund accounts for all general revenues and expenditures of the City related to the delivery of the City's general services not specifically collected or levied for other City funds.

The City of Berkeley is committed to achieving long-term fiscal stability as well as mitigating the negative impacts of extraordinary risk such as earthquakes, fires, floods, public health emergencies, pandemics, and economic volatility. A key attribute of a financially stable organization is appropriate reserves. Strong reserves position an organization to weather significant economic downturns more effectively, manage the consequences of outside agency actions that may result in revenue reductions, and address unexpected emergencies such as natural disasters and other catastrophic events. Establishing an adequate General Fund Reserves policy allows the City to mitigate current and future financial risks resulting from economic instability or catastrophic loss.

Functions of Reserves: Stability and Catastrophic

The City of Berkeley will establish and maintain adequate General Fund Reserves ("Reserves") to prepare for the impact of economic cycles and catastrophic events and assure fluctuations in revenue do not impede the City's ability to meet expenditure obligations. When revenues fail to meet the City's normal operating requirements, or the need for disbursements temporarily exceeds receipts, General Fund Reserves, upon a two-thirds vote of the City Council, may be used in accordance with the standards set forth herein.

The Reserves shall be comprised of two elements: a Stability Reserve and a Catastrophic Reserve. The Reserves shall not be used for ongoing or new programs or services.

A **Stability Reserve** will be maintained to mitigate loss of service delivery and financial risks associated with unexpected revenue shortfalls during a single fiscal year or during a prolonged recessionary period. The purpose of the Stability Reserve is to provide fiscal stability in response to unexpected downturns or revenue shortfalls, and not to serve as a funding source for new programs or projects.

A **Catastrophic Reserve** will be maintained for the purpose of sustaining General Fund operations in the case of a public emergency such as a natural disaster or other catastrophic event. The Catastrophic Reserve will be used to respond to extreme, onetime events, such as earthquakes, fires, floods, civil unrest, terrorist attacks, public health emergencies and pandemics. The Catastrophic Reserve will not be accessed to meet operational shortfalls or to fund new programs or projects.

Funding and Functions that are NOT Part of the General Fund Reserves
Not included in the General Fund Reserves are funds that are set aside for a specific purpose. This would include restricted, committed, and assigned funds.

- The restricted fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation.
- The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action by the City Council.
- Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed.

Target Reserves Levels
The General Fund Reserves consists of the total of the Stability Reserve and the Catastrophic Reserve. 55% of the Reserves shall be allocated to the Stability Reserve and 45% to the Catastrophic Reserve.

Effective immediately, the target level for the Reserves shall be a minimum of 13.8% of 2017 Adopted General Fund Revenues with an Intermediate Goal of a minimum of 16.7% by the end of Fiscal Year 2020, if financially feasible. The Council hereby adopts a long-term goal of Reserves of a range of between 20 to 30 percent of General Fund Revenues, to be achieved within no more than 10 years. Based on a risk assessment (according to best practices), to be updated at least every five years, the Council may consider increasing or lowering the General Fund Reserves level.

Starting in Fiscal Year 2018, to achieve the City's intermediate and long-term Reserves Goals, 50% of Excess Equity above the first $1 M shall be allocated to Reserves. Additional Excess Equity may be allocated to Reserves by a majority vote of the City Council.

Methodology to Meet Reserve Levels
The General Fund Reserves are separate from the General Fund Balance. The sum of the Stability Reserve and the Catastrophic Reserve and the amount determined to be Excess Equity is deemed to be General Fund Unassigned Fund Balance. Unassigned Fund Balance is the residual classification for the City's General Fund and includes all spendable amounts not contained in the other classifications.

Excess Equity is most commonly a non-recurring source of revenue and shall only be used for one-time, non-recurring expenditure needs of the City. Excess Equity should be reported separately from the General Fund Reserves.

Attaining the long-term goal of General Fund Reserves of a minimum of 30% of General Fund Revenues is important to the long-term financial health and stability of the City.

Draw-down of the General Fund Reserves
For any draw-down from General Fund Reserves, Council shall adopt a plan that includes the following:

- The specific purpose for the use of General Fund Reserves,
- The amount of General Fund Reserves that are needed based upon long-term revenue volatility and long-term economic need; and
- To the extent practicable, a timeframe in which General Fund Reserves will be repaid.

Recognizing that the length of the pandemic and that the length of the economic emergency is unknown, expenditures from the Catastrophic and Stability Reserves shall not exceed one-third (1/3) of each reserve level per incident.

Replenishment of the General Fund Reserves
The City Manager shall recommend a replenishment schedule for all monies proposed for appropriation from the General Fund Reserves. The replenishment schedule shall be adopted simultaneous with the appropriation to withdraw Reserve funds or, if infeasible due to emergency circumstances, no more than 3 months from the date of the withdrawal appropriation. Repayment shall begin no more than 5 years from the date of withdrawal and be completed within 10 years from the date of withdrawal. While staff envisions that, in most cases, repayment will start as soon as possible, the repayment guidelines are meant to reflect a commitment to maintain a sufficient Reserve, while also recognizing that a use of Reserve funds may occur during an economic downturn and it may be necessary to postpone repayment while the economy improves.

Usage of the General Fund Stability Reserve
The General Fund Stability Reserve shall only be drawn upon if all of the following criteria are met:

1. City revenues are insufficient to meet normal operating expenses.
2. A hiring freeze has been implemented, with exceptions only for designated positions as appropriate to maintain essential and core services to the public that support public health, safety, and welfare. Essential services will be determined at the time of fiscal emergency with a recommendation from the City Manager to be approved by City Council.
3. User fees and services charges are being fully utilized for those services for which they were collected.
4. A declaration of fiscal emergency is made by ordinance before drawing on

the reserves. Fiscal emergency is defined as the following:

a. When General Fund revenues increase less than 3% from the prior fiscal year.
b. When the City needs to mitigate State or Federal budget actions that may reduce revenue or increase expenditures.
c. When the City must absorb liability settlements in in excess of available resources in the City's litigation designation.

The General Fund Stability Reserve shall only be used in the following manner:

1. Stability Reserve funds shall be prioritized to preserve essential services and necessary staffing levels determined at the time of the fiscal emergency with a recommendation from the City Manager to be approved by the City Council.
2. All other reasonable and available expenditure reduction measures shall have been taken by the City Manager and the City Council before using one-time funding to support operational positions.
3. Operational positions shall not receive Stability Reserve funds for longer than two years except in extreme conditions.

City of Berkeley
General Fund Reserves Policy

Policy

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2. All other reasonable and available expenditure reduction measures shall have been taken by the City Manager and the City Council before using one-time funding to support operational positions.
3. Operational positions shall not receive Stability Reserve funds for longer than two years except in extreme conditions.

Public

A Risk-Based Analysis and Stress Test of General Fund Reserve Requirements for the City of Berkeley, California

2025

Produced by:

The Government Finance Officers Association

Public

Table of Contents

Section 1 - Executive Summary 3
Section 2 - Introduction 17
Section 3 - The Approach to Uncertainty 19
Section 4 - General Fund Revenue Volatility and Pension Risk 23
Section 5 - Extreme Events 29
Section 6 - Secondary Risks and Comparable Analysis 49
Section 7 - Putting it All Together 55
Appendix 1 – Limitations of GFOA's Analysis 71

Section 1 - Executive Summary

A local government's "reserves" are the portion of fund balance which serves as a hedge against risk. The City of Berkeley ("the City" or "Berkeley") has asked the questions: "what is the right amount of general fund reserves for us?" and "how resilient would any potential reserve target be to losses?" The Government Finance Officers Association (GFOA) has helped the City answer this question by examining the risks that it is subject to.

Though reserves are a subset of fund balance, fund balance also matters. Bond rating agencies use total fund balance as one factor when assigning bond ratings. The City desires to maintain a AAA rating and our analysis provides insights into the chances of maintaining a fund balance level associated with a AAA rating.

GFOA's methodology is intended to evaluate potential risks and their cost to the City's general fund. Our methodology is not intended to predict Berkeley's future. The GFOA Risk Model provides the option for Berkeley to adjust variables when future conditions change. Our model and this report also describe the assumptions behind our analysis and recommendations.

First, we identified the risks that posed the most clear and present danger to the City. The major risks are:

- Revenue loss from recessions
- Increased pensions costs that are unaffordable under the City's other available funding mechanisms (primarily the annual budget, but also including the pension trust fund)
- Wildfires, earthquakes, and tsunamis are the leading potential catastrophic natural disaster risks the City faces. In discussions with City staff, these disasters represent the greatest risk of catastrophic loss and received the most analytical attention.
- Other natural hazard exposures included in the Risk Model are high winds, severe storms and landslides.
- The Risk Model made provisions for "other risks", not named above. This represents the "unknown" risks we can't anticipate.

Next, for each risk, we calculated the probability that the City would experience the risk over a ten-year period and, if an event were to occur, what the magnitude of the loss would be for the City's general fund. To calculate the probability and magnitude of events, we did the following:

- **Analyzed Berkeley's own experience and the experiences of other municipalities.** For example, a recession would have similar impacts in other California municipalities because the economic and legal environment would be similar (e.g., state aid would be impacted similarly).
- **Reviewed research produced by other agencies.** For instance, the Federal Emergency Management Agency (FEMA) has data on costs that natural disasters have caused.
- **Drew from the expertise of City staff.** City staff work every day on preparing the City for the risks it faces. Staff provided their expertise to help us estimate risks. For example, City staff helped us understand the nuances of natural disaster risks and revenue instability risks in Berkeley. The City's hazard mitigation plan was also a valuable resource.

We modeled each risk individually and then combined each individual risk into a ten-year model of the City's fund balance and reserves. The model is intended to answer the primary question: what amount of reserves will give the City of Berkeley sufficient confidence that it will be able to cover the losses from the

risks GFOA has analyzed? Secondarily, it answers the question: was is the chance total fund balance stays above the amount associated with a AAA bond rating?

We combined all the information described above to create a ten-year probabilistic model. The City's goal for this analysis was to find an amount that can give the City sufficient comfort that its reserves will cover its risks. The following pages present a series of graphics based on this model.

We combined all the information described above to create a ten-year probabilistic model. The City's goal for this analysis was to find an amount that can give the City sufficient comfort that its fund balance and reserves will be sufficient. We next present a series of graphics based on this model.

Exhibit 1.1 compares fund balances and reserves to thresholds that the City is concerned about.

For fund balance, the threshold is the amount of fund balance associated with Aaa bond rating, according to the bond rating agency Moody's: an amount equal to at least 35% of general fund revenue. An important caveat must be noted, however. *Moody's evaluates fund balance across the entire local government, while our analysis is just for the general fund.* Thus, our analysis is really asking about the chance that the general fund can carry its "fair share" of the load of meeting rating agency expectations and not if the City, overall, will be able to meet rating agency expectations.

For reserves, the threshold is zero. Zero represents the "self-insurance" aspect of the City's reserves running out.

In Exhibit 1.1, we see there is a very high chance, approaching 90% (or 9 in 10) that the City's fund balance will go below the amount associated with a Aaa bond rating. Again, we should draw attention to our caveat that a bond rating is based on the entire City government, while our analysis covers only the general fund. As of this writing, the position of the City's other funds is *currently* strong enough to keep the entire City in Aaa territory, but our analysis says nothing about the chances of this continuing. Another important caveat is that fund balance is just one of several criteria that bond rating agencies consider, so a decline in fund balance below the Aaa threshold does not necessarily mean that the City will be downgraded – perhaps other aspects of the City' financial condition could balance out a declining fund balance.[1]

Exhibit 1.1 also addresses reserves, where there is just over a 20% chance that that the reserve will reach zero at the end of ten years. This is a greater chance than GFOA has observed most municipalities are comfortable with.

It is important to note that, generally, the bars in presentations like 1.1 will get higher the further in the future we look because more bad things can happen. That said, we should also note that a very important cause of the rising height of the bars is the assumption that the City will have a tough time generating budget surpluses in the next few years, as per City staff long-term forecasts. For example, if we were to change the most likely outcome of our surplus-or-deficit simulation to just "zero" or break-even, the chance of the City's fund balance being below Aaa in year ten improves by around 15 percentage points

[1] GFOA did a separate analysis on bond rating for the City which goes into the factors Moody's considers and the City's relative position on each.

(about a 75% chance). The impact in the near term is even greater: 5 years out the chances improve by 25 percentage points (from a 65% to 40% chance of going below the critical threshold). The pension risk described in Section 4 of this report also adds a persistent drag on the City's finances, including its fund balances and reserves.

Exhibit 1.1 – Chance Fund Balance + Reserves is Less than Bond Rating Aaa and Chance Reserve is Less than Zero.

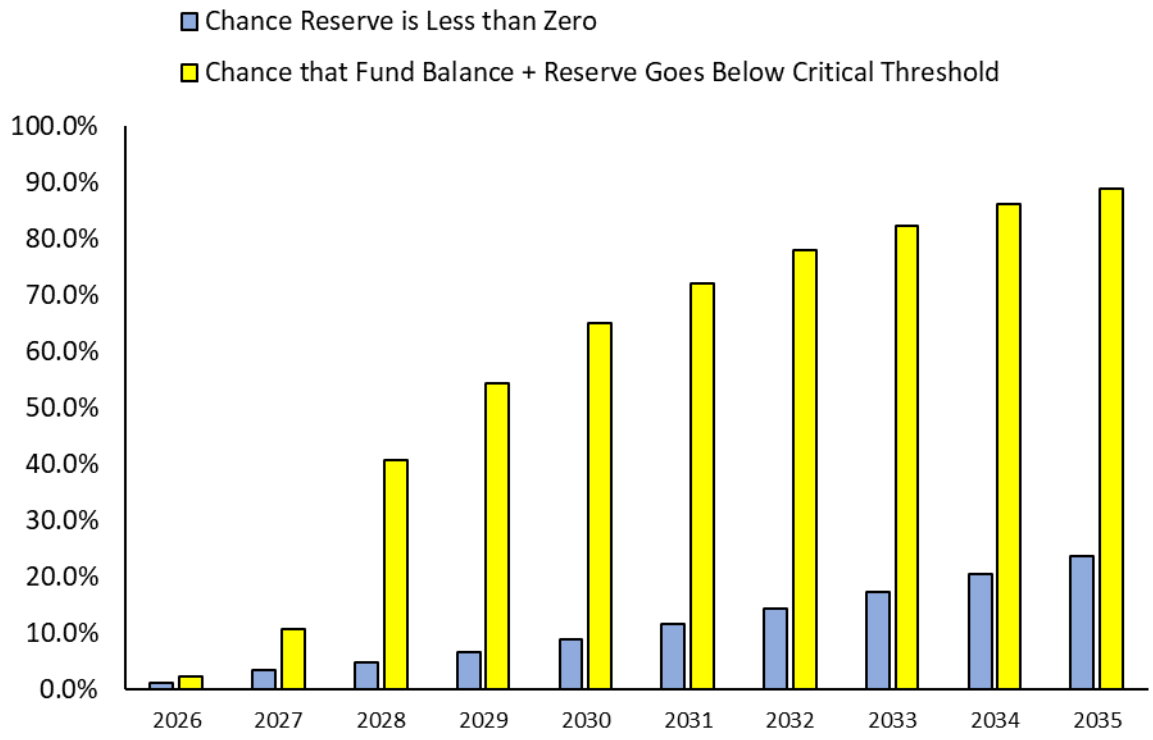

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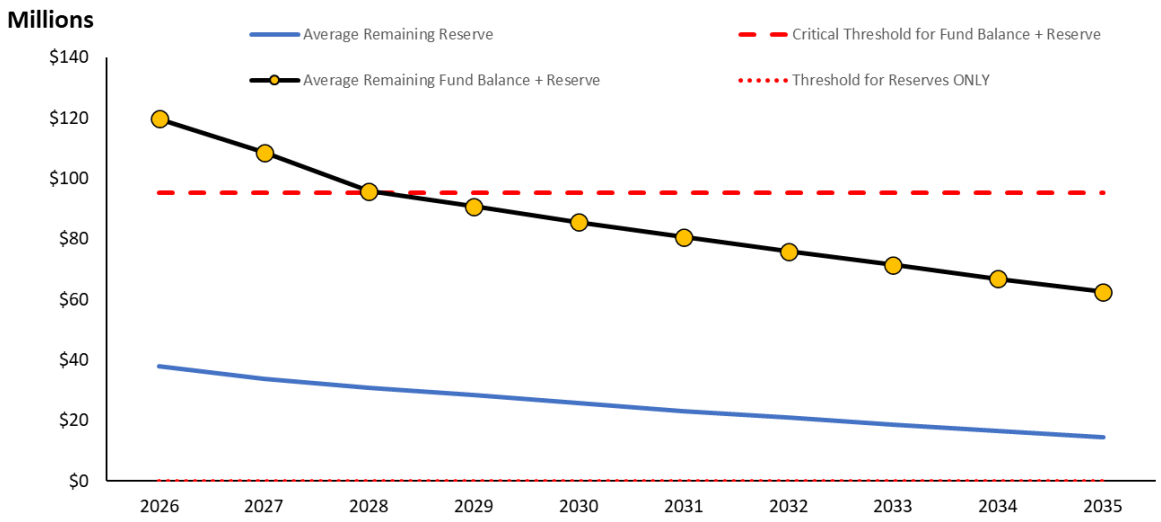
Exhibit 1.2 shows the average remaining fund balance and reserves each year. Perhaps unsurprising given the rising bars in Exhibit 1.1, Exhibit 1.2 shows the lines on a downward trajectory. It shows that the City's fund balance falls below the Aaa threshold, on average, in the fourth year of the analysis. On average, reserves stay above zero each year. Note that the threshold for reserves is set to zero, so the dotted red line that represents this threshold may be difficult to see because it overlaps the black line border that is also at the zero position.

Exhibit 1.2 – Simulated Remaining Fund Balance and Reserve each Year



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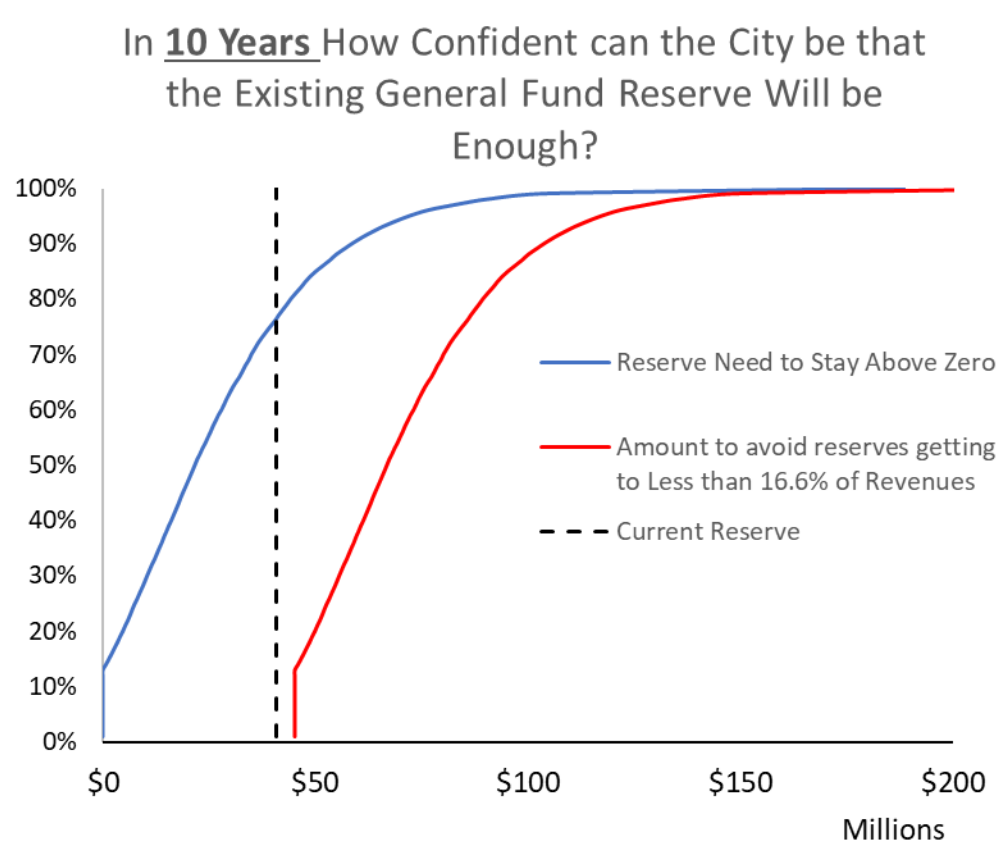
Finally, below is Exhibit 1.3. This is a cumulative probability chart. It shows the confidence available from varying levels of reserves. Berkeley's existing reserve intersects the blue line at about 80% confidence, which means there is an 80% chance that the City will have an amount of reserves greater than zero in the tenth year of the analysis. This is the other side of our earlier conclusion that there is about a 20% chance of the reserves being less than zero in year ten. This graphic adds an element for GFOA's rule-of-thumb on the minimum amount of fund balance a City should maintain, which is equal to at least 2 months (16.6%) of revenues.[2] Currently, the City is just short of that amount if we focus just on the City's reserves. Exhibit 1.3 shows the amount of money that would be needed in the reserve in year 1 to have a given level of confidence that reserves would remain above zero or 16.6% of revenues in year 10.

A key takeaway is that reserves have a diminishing return at a certain point because the flatter the line gets, the less confidence an additional dollar of reserve "buys" you. This is because the further to the right you go on the graph, the more extreme the events are that must be covered by reserves. This graphic shows that the City would still get a good "bang for the buck" from higher reserves than it has today. This City would not be as well served by accumulating reserves past the point where the line starts to flatten.

Exhibit 1.3 – Cumulative Probability Chart



[T]The GFOA rule of thumb concerns unrestricted fund balance of which reserves are typically a subset.

The City can use the results of this report to optimize the range of general fund reserves it would like to hold. GFOA recommends the City establish a floor and a ceiling amount of reserves. The ceiling is an amount of reserves the City will try not to exceed and a floor is an amount that the City will try not to go below and will try to replenish the reserves quickly if they do go below the floor.

City officials will also want to think about other factors to finalize the reserve target range. This is because Exhibit 1.3 cannot account for every possible factor that should go into deciding how much Berkeley should keep in its reserve. The numbers shown in the exhibit are what is needed to protect the City from just the risks described in this report and to keep the reserve above zero (and fund balance within Aaa territory). Usually, municipal governments have other concerns they expect their reserves to address. Here are examples of such concerns:

- There are risks that are sometimes called "unknown unknowns." These are risks that are totally unanticipated. Our risk model does include an "other hazards" simulation which should go a long way towards addressing unknown unknowns.
- Our Risk Model is based largely on historical data, which, by definition, does not capture the potential future impacts of climate change. It is impossible to say what the future impacts of climate change will be. This might suggest a more "risk averse" approach to reserves (i.e., maintaining more, rather than less).
- The City might wish to use fund balances for purposes other than mitigating risks – for example, building a capital project using cash financing. The Risk Model gives the City the ability to estimate the cost of potential projects to see the financial impact of redirecting reserves to other uses.[3] More broadly, City officials should consider opportunity costs of holding reserves: what are alternative uses of the funds and how do those benefits compare to self-insuring against the risks described in this report?

The considerations above could be addressed by choosing a robust floor and ceiling level for reserves. Different floors and ceilings can be "stress tested" by changing thresholds that the model measures against. GFOA's discussions with the City staff suggested a threshold of zero for reserves is useful for assessing the risk of exhausting the "self-insurance" capacity of its fund balance. The City could choose to vary this critical threshold, which would then change the total amount of reserves the City would need to maintain to achieve a given degree of confidence that reserves would stay above the threshold. For example, perhaps the City selects a threshold of 5% or 10% of revenues to provide a buffer against going all the way to zero.

Here are some other conclusions we can draw from the graphics presented on the previous pages:

- The City's ability to generate surpluses has a significant impact on the chances that fund balance and reserves go below thresholds. Later we recommend a "structurally balanced budget policy" to help the City more consistently generate balanced budgets, if not surpluses.
- If the City does generate surpluses, it must then choose to direct those surpluses towards building the reserves. A one-time or volatile revenue policy, discussed in the recommendations later, could help in this regard.

[3] Note that the City has historically done some level of cash financing of projects. The model already accounts for "normal" spending that takes place in the City's annual budget, so this feature of the Risk Model would be used for larger projects that exceed what might be considered "typical."

- The City should remain mindful of the potential for extreme consequence events. A large earthquake could impair the taxbase. In Exhibit 1.3 the reader will notice that the red line extends very far to the right, past $200 million. This tells us that there is a small chance of some very extreme outcomes, due to the City's vulnerability to earthquakes and tax base impairment. Later in this report, we discuss parametric insurance as an alternative to reserves to protect the City against these extreme cases.

GFOA discussed all the factors above with the City staff and the conclusion of this discussion was that the City of Berkely would be well served by a policy that calls for *general fund reserves* equal to between 20% and 30% of the City's revenues. This gives the City between about 87% and 97% confidence of being able to handle the risks included in our analysis while also keeping the reserve above zero.

We could also compare the policy range to the City chances of staying above 17% of revenues, which is the equivalent of two months of revenues.[4] This amount of reserves is a long-standing rule of thumb in public finance. Reserves equal to 20% to 30% of revenue provide between a 26% and 73% chance of handling the risks included in our analysis while also keeping reserves above 17% of revenues. The tables below summarize what we just described.

GENERAL FUND RESERVE SUGGESTIONS RELATIVE TO STAYING ABOVE THE CRITICAL THRESHOLD		
CRITICAL THRESHOLD = 16.7% of Revenues or $44M		
A Reserve Policy typically expresses reserve targets as a percent of expenditures or revenues. Below we have converted the dollar figures to a percent of revenues.		
Dollars		Percent of General Fund Revenues
$53.5 Million	26% confident of staying above critical threshold over ten years	20%
$83.0 Million	73% confident of staying above critical threshold over ten years	30%

GENERAL FUND RESERVE SUGGESTIONS RELATIVE TO STAYING ABOVE ZERO		
A Reserve Policy typically expresses reserve targets as a percent of expenditures or revenues. Below we have converted the dollar figures to a percent of revenues.		
Dollars		Percent of General Fund Revenues
$53.5 Million	87% confident of staying above zero over ten years	20%
$83.0 Million	97% confident of staying above zero over ten years	30%

On the next page, we will discuss the context and rationale for this recommendation.

[4] 2 months of 12 months is the same as is 1 in 6. 1 in 6 is 16.67%, which rounded up is 17%.

For context, let's first recall that the City's reason for undertaking this study is to update its reserve policy in order ensure that its reserve targets are appropriate given the risks that the City faces. These recommendations provide that update.

Next, we are suggesting that the City think of its reserves as a range (a ceiling and floor) that it wishes to remain within. This contrasts with identifying a single target for reserves. The dynamic environment the City is within makes it very difficult to hit and maintain a single target number. It is more practical to manage within a range or boundary. The suggested floor is reserves equivalent to 20% of revenues and the ceiling is 30%.

As for rationale, first, the suggested range gives the City a very good chance of staying above zero reserves – an 87% chance, on the low end. As for staying above the two-month rule of thumb (reserves equal 17% of revenues), the chance is substantially less, but we believe this is acceptable for two important reasons. First, the two-month rule of thumb is loosely based on bond rating agency expectations. As we discussed earlier, the risk model addresses bond rating agency expectations directly. Hence, we'd suggest that the City keep its eye on the chances of missing bond rating agency expectations directly, instead of monitoring them indirectly via this rule of thumb. Secondly, the rule of thumb assumes the user has no additional knowledge of the exposure to risk. As this report has shown, we have a great deal of knowledge about the City's exposure to risk. Therefore, the City probably does not need the entire margin against risk that staying above the rule of thumb would provide.

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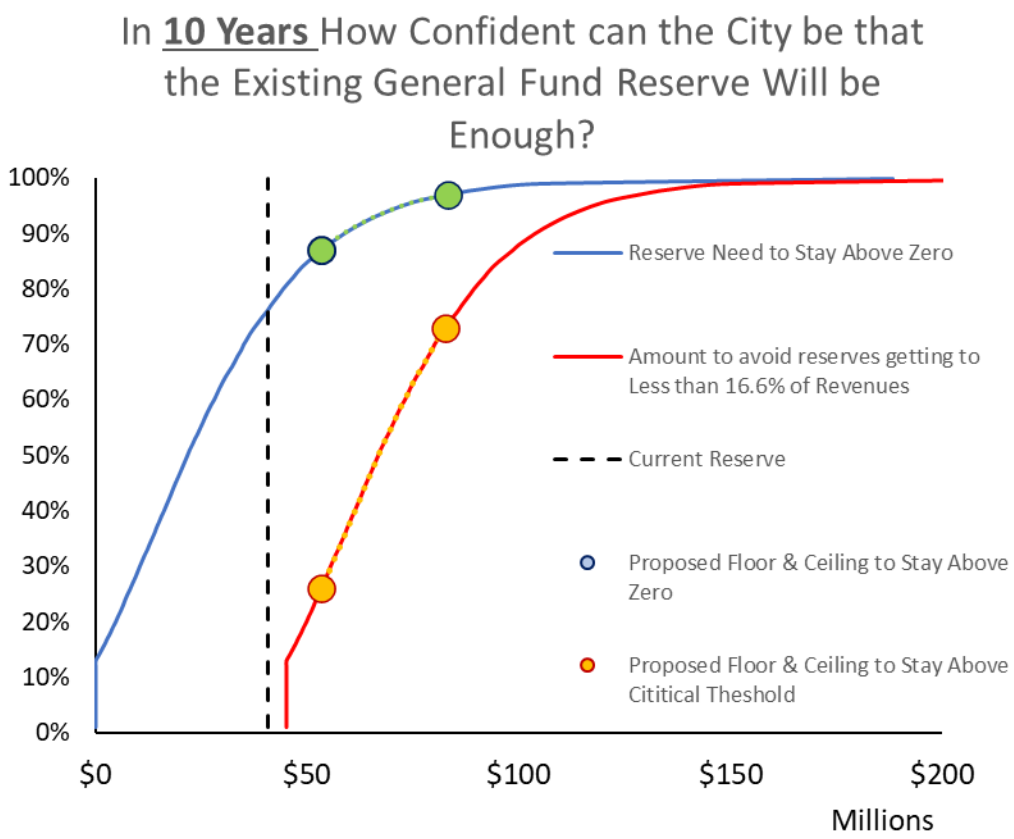
The other important rationale is the cost-effectiveness of this choice. The reader may recall Exhibit 1.3, which spoke to the cost-effectiveness of various levels of reserves. Exhibit 1.4 reproduces the same presentation but adds the recommended range of reserves to the curves. When the curve starts to flatten out, we have reached the point of diminishing returns on the benefit of building reserves. In Exhibit 1.4, the colored dot that is furthest to the right on each curve is the ceiling and the leftmost dot is the floor. The ceiling-dots and floor-dots represent the same dollar amount on both curves – the ceilings and floors are at same points on the horizontal axis.

We see that we are starting to reach the flat portion of the blue curve (the reserve needed to stay above zero) but still have plenty of room on the red curve (the reserve needed to stay above 17%). This is a cost-effective range for the City because the City is avoiding the flattest part of the blue curve, while also staying on the steepest points of the red curve. As implied earlier, the red curve likely represents a more conservative standard, so it would be cost ineffective to reach the flat part of the red curve. Conversely, the blue curve is a less conservative standard, so even though the proposed reserve is not on the steepest part of the curve, the marginal benefit of additional reserves is still positive.

Exhibit 1.4 – Cumulative Probability Chart with Proposed Range of Reserves



To complement the reserve analysis, we offer the following additional recommendations:

The City should update its robust reserves policy. GFOA has conducted extensive research into what it takes for a local government to be financially sustainable. We call this body of work "Financial Foundations for Thriving Communities" (Financial Foundations). This research has shown that local governments require clear decision-making boundaries. A policy on the target level of reserves that the City should maintain, and the acceptable use of those reserves provides clear decision-making boundaries for reserves. This City has a robust policy in place to govern reserves. The most important potential refinement to the policy is that, as was discussed earlier, the policy could identify both a floor and ceiling for reserves, rather than just a single target number, as in the case with the current policy. Having a range defines the acceptable tolerances the reserves should stay within.

Another possible refinement is to combine the Stability Reserve and Catastrophic Reserve into a single reserve. The Risk Model treats all risks as part of the same City risk profile, so produces an analysis result that speaks to this comprehensive risk profile. Combining reserves is a form of risk pooling. Risk pooling works when you combine uncorrelated risks. Recessions and natural catastrophes are not highly correlated,[5] so the City should be able to realize efficiencies by combining those risks into a single reserve.

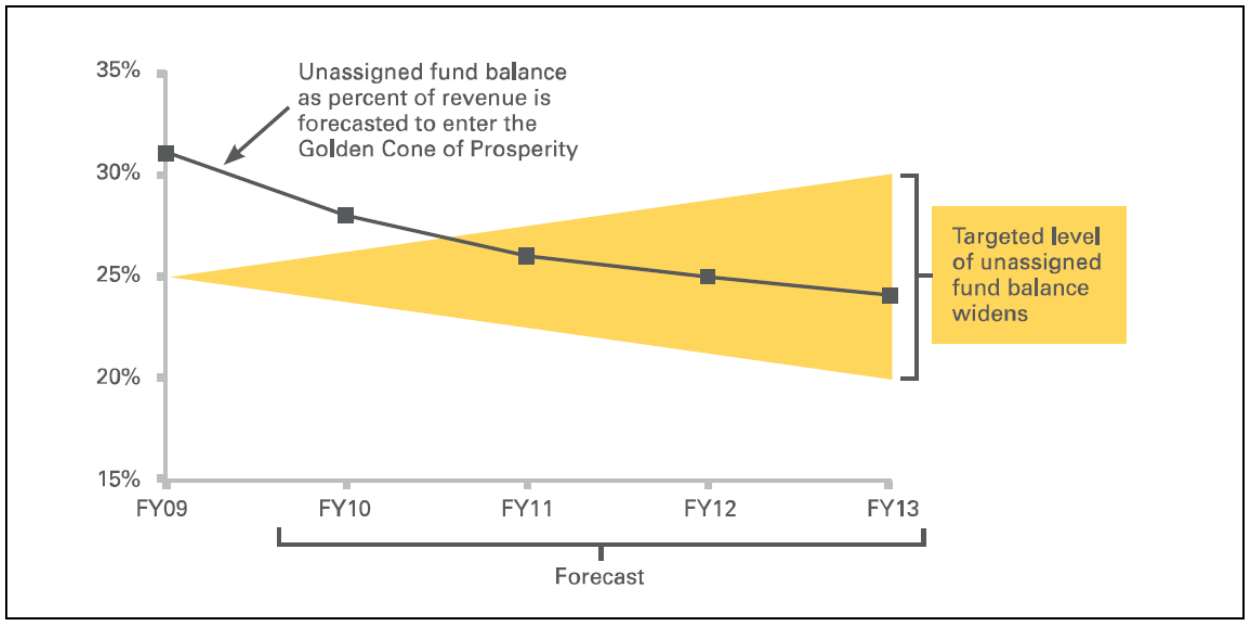
The City should adopt a mechanism to monitor its own compliance with the policy. GFOA's Financial Foundations research suggests that boundaries (e.g., financial policies) must be monitored to be fully effective.

The City of Tempe, Arizona provides a good example of how a reserve policy can be monitored. Tempe's policy is to maintain the general fund reserve equal to between 20% and 30% of general fund revenues. The general fund reserve policy is combined with Tempe's five-year financial forecast, where the goal is to keep reserves within the 20% to 30% boundary during the five-year forecast period. This approach originated in 2009 when Tempe had a policy to maintain reserves equal to 25% of general fund revenues. However, Tempe had been maintaining fund balances above 30%, which was causing some to question why Tempe was not in alignment with the policy and whether Tempe had a fund balance that was too large. The City Council and staff agreed to change the policy to set a goal for the reserves to be between 20% and 30% of revenues. This range would provide more discretion, but it would also create clear bounds for what Tempe would consider acceptable maximum and minimum reserves.

Tempe staff developed a presentation of Tempe's revenue forecast in the context of this new arrangement and informally called it the "Golden Cone of Prosperity." Exhibit 1.5 shows the presentation as it was in 2009, where the yellow cone representing the range of desired fund balance widens over the forecast horizon as the new policy is phased in and the black line representing actual fund balance gradually enters the cone.

[5] We stop short of saying uncorrelated because a big earthquake could impair the tax base, which might be like a hyperlocal "recession". The Risk Model accounts for this possibility.

Exhibit 1.5 —Tempe's Golden Cone of Prosperity in 2009



The meaning of the Golden Cone of Prosperity is straightforward, and its design and name give it a memorable character. As of 2020, Tempe staff still present the Golden Cone twice per year to help public officials to understand the big picture and to show whether Tempe is staying within agreed-upon boundaries. This is a testament to the communicative power of the Golden Cone. Berkeley could develop a similar presentation to help make sure the City stays within its agreed upon financial boundaries.

Adopt a policy of objective forecasting and conservative budgeting. The City is projected to run deficits for the next few years. This places a stress on reserves. So, the question becomes: how can services be expanded without putting the City's finances at excessive risk? There are several budget policies and practices the City could adopt to support good public services while safeguarding its financial position at the same time.

- **Understand the risk of increasing on-going expenditures.** The risk of adding more services to the City budget is that it makes it more likely the City will run a deficit and need to cut back . So, the balance the City needs to find is: how much can expenditures be increased without incurring unacceptable risk? The City can adopt forecasting methods that highlight the risk of the City budget getting out of balance. The City can also adopt a range of policies to protect against this risk, as outlined below.
- **One-time revenue policy.** Limit the use of one-time, non-recurring revenues to one-time, non-recurring expenditures or to pay down liabilities (e.g., catching up on deferred asset maintenance, like a park, road, etc., or making additional discretionary payments to CalPERS to reduce unfunded actuarial pension liability). An example of a one-time, non-recurring revenue would be proceeds from a lawsuit or the sale of an asset.
- **Volatile revenue policy.** Some revenues, like sales taxes, are recurring, but they can go up and down substantially from year to year. A volatile revenue policy would treat extraordinarily high annual revenues from a volatile source as a one-time revenue. The bulk of the revenue income would be treated like a recurring revenue – it is just the extraordinary amount that would have

more limited uses. This protects the City from using peak revenues to over-invest in programs that must be supported for many years. The City already has a policy like this for its transfers tax. We are suggesting that such a policy be extended to cover other volatile revenues as well. This would serve to help the City maintain a stable, dependable set of on-going services over the long-term because it would help the City avoid over-expanding services beyond what is truly affordable.

- **Adopt a structurally balanced budget.** Cities are required to adopt a balanced budget by law. However, this just means financial sources must equal uses. So, for instance, City Hall could be sold off (a non-recurring revenue) and the proceeds used to hire more firefighters (a recurring expenditure). This would, of course, be a bad idea. A structurally balanced budget policy commits the City to balancing its recurring revenues and recurring expenditures and balancing its non-recurring revenues and expenditures, separately.
- **Adopt a phased schedule of spending on non-recurring expenditures and condition spending on forecasts being met**. As part of its budget, the City could adopt a prioritized list of one-time expenditures, in addition to its regular on-going expenditures. The total of the one-time and on-going expenditures would be equal to or less than the City's projected revenue. The one-time expenditures would then be made throughout the year, in priority order, and conditioned on revenues coming in as projected. If revenues underperform the City's forecasts, then the lower priority expenditures would not be made.
- **Adopt flexible strategies for providing on-going services.** It is unlikely that all the City's service goals can be met through one-time expenditures. New on-going services may be needed. The City could look for opportunities to adopt flexible service models, where costs can be scaled up or down. Contracted services often can provide flexibility that in-house staff cannot. This is not to say that in-house staffing is undesirable. There may be situations where in-house staffing is better, but there may also be opportunities where contracts can provide financial flexibility.
- **Affirmative reauthorization of spending.** The conventional approach to budgeting is that once a new service is authorized it is "baked in" to the budget and is funded year after year. This can lead to financial distress when new services are layered on top of old services. An alternative is to require affirmative reauthorization for a new service. This could be especially useful where a new service is intended to achieve some clear public policy goal. At the end of some set period, the City Council could be required to explicitly reauthorize funding based on whether the program is achieving its stated goals.

The City should consider further investments in cybersecurity. Cybersecurity is an emerging and growing threat for local governments. As we described earlier, available data suggests several sobering points:

- Local governments are an attractive target for cybercriminals and ransomware attacks against local governments are common.
- The amount of damage from an attack appears to only be weakly correlated to the size of the government. Data suggests that the average attack costs around $100,000 but attacks can and have cost local governments many millions of dollars. Even though Berkeley is not as large as cities that have made headlines for multi-million-dollar losses incurred by an attack, Berkeley could still suffer a substantial loss – perhaps more than its policy limits.
- Cyber insurance policies can get expensive and hard to come by when insurance markets harden.

Given the points above, the City might consider the following recommendations that have implication for the City's reserves:

- Continue planning for enhanced security and make cost-effective investments in cybersecurity controls that both: A) reduce the likelihood of a successful attack; and B) reduce the potential damages, if an attack succeeds. Because reserves are ultimately a form of self-insurance there could be a strong case for using some of the City's reserves to strengthen its cybersecurity. This is because a dollar invested in prevention is usually going to be more effective than a dollar invested in remediation.
- Be prepared to retain more risk on a cyber insurance policy. If policies get substantially more expensive (or, worst case, unavailable), Berkely could lower the cost by retaining more risk. This could be accounted for in the reserve amount. As we stated above, there is a plausible risk of a cyberattack costing the city more than $1 million. Therefore, "retention" of risk is not just the insurance deductible, but also includes the risk of a catastrophic attack that costs more than the policy limit.

For natural hazards consider "parametric" insurance in addition to traditional indemnity insurance. Indemnity insurance is the type of insurance that most governments have traditionally purchased, where the insurance corresponds to the value of the assets being insured and reimbursement is paid out after a certain deductible has been met. The advantage of traditional indemnity insurance is that there is a known damage threshold past which the City is covered.

Parametric insurance is a newer type of insurance for providing coverage for extreme events, having increased in popularity in the last 15 years or so in the public sector but has been in use in the private sector for decades. Parametric coverage provides the policyholder (the City) with a payment amount that is defined ahead of time, should a defined event come to pass (an earthquake of a certain magnitude). Parametric insurance could be more useful for providing an injection of liquidity because the policyholder receives the defined payment immediately upon verification by a third-party that the given event occurred, which usually would be within a matter of days. As a simple illustration, a parametric policy might provide the City of Berkeley with $5 million upon the occurrence of an earthquake of some given magnitude, after magnitude is verified by a third-party, such as the USGS. This feature of parametric insurance also eliminates much of the administrative hassle that would be associated with a traditional indemnity policy (e.g., working with claims adjusters). A final advantage is that the proceeds from the policy payout are completely fungible – the City could use them to fund whatever service it deems necessary or to counteract revenue loss from tax base impairment, whereas indemnity policies might require the policyholder to use the funds to repair or replace the asset that was insured. Parametric policies are not without their drawbacks, though, and are not a substitute for traditional insurance. The City can learn more about parametric policies in the publicly available GFOA research report "Parametric Insurance: An Emerging Tool for Financial Risk Management."[6]

A robust insurance strategy could make use of both traditional indemnity and parametric insurance. For example, traditional indemnity insurance could be used to protect against loss of the City's assets, while parametric insurance could be used to compensate the City for the losses in tax revenue it would experience from an impaired tax base, for instance.

[6] Available at: https://www.gfoa.org/parametric-insurance/.

The City could consider a robust internal borrowing policy. There will always be some chance that Berkeley could find that it needs access to more financial resources than are available in its reserves. GFOA's research suggests that interfund borrowing could be a practical "last line of defense" in emergency circumstances. Some other funds might be able to make short-term loans to the general fund in case of an emergency. The City could develop policies to provide the flexibility to use these borrowing tools while also providing the necessary guidelines and limitations to ensure that borrowing occurs in a fiscally prudent manner.

Berkeley might consider if a policy could recognize internal borrowing's role as a supplementary risk management tool. A policy would "pre-position" the City to better respond to an extreme financial catastrophe. A policy could address the following points:

- The rationale for using internal borrowing (reserves may not be able to handle every possible contingency).
- When internal borrowing may be used (if reserves are ever exhausted by an extreme event).
- Differentiate between short-term (to be paid back within the same fiscal year) and long-term borrowing.
- How the interest on the borrowing will be calculated (can have multiple alternatives to be determined on a case-by-case basis); and
- General repayment terms (e.g., interest only, fully amortized, duration, etc.).

GFOA's analysis has its limits. It is impossible for any risk analysis to be completely comprehensive of all considerations facing the City. Appendix 1 to this report lists the important limitations of this analysis.

Section 2 - Introduction

"Reserves" are the portion of a local government's fund balance that are available to respond to the unexpected. Reserves are the cornerstone of financial flexibility, sustainability, and continuity of existing service levels. Reserves provide a government with options to respond to emergencies and provide a buffer against shocks and other forms of risk. Managing reserves, though, can be a challenge. Foremost is the question of how much money to maintain in a general fund reserve. How much is enough and when does a reserve become too much?

The City of Berkeley has been considering the implication that various types of extreme events, like natural disasters, could have on the City government's financial condition, particularly its reserve levels for the general fund. The City engaged the GFOA to produce a recommendation to help it decide the appropriate reserve level for the general fund, given the risks from extreme events. GFOA is a non-profit association of more than 21,000 state and local government finance professionals and elected officials from across North America. A key part of GFOA's mission is to promote best practices in public finance, including reserve policies. The analysis by GFOA also shed light on the potential broader economic losses to the community, not just City government.

GFOA's approach to reserves does not suppose "one-size-fits-all." Ideally, a local government's reserve strategy will be customized to the risk that the local government faces. For example, GFOA's "Best Practice" on general fund reserves recommends that general-purpose governments maintain reserves of no less than two months of regular operating revenues or regular operating expenditures (i.e., reserves equal to about 16.7 percent of revenues or expenditures), but that local governments should determine a reserve target that is most appropriate for their circumstances.[7] Therefore, GFOA worked with the City to conduct an analysis of the risks influencing the need for reserves as a hedge against uncertainty and loss.

A "risk" is defined as the probability and magnitude of a loss, disaster, or other undesirable event.[8] The GFOA's framework of risk assessment is based on the risk management cycle: identify risk; assess risk; identify risk mitigation approaches; assess expected risk reduction; and select and implement mitigation methods. Our analysis focuses primarily on risk retention, or using reserves, to manage risk. However, our analysis also encourages the City to think about how other risk management methods might alleviate the need to hold larger reserves. In other words, can the City manage its risks in some other way besides holding reserves? For example, could insurance or borrowing strategies complement the City's reserve strategy? A thorough examination of the risk factors should lead to a range of desired reserves and improve the City's understanding of its overall risk profile. A risk-aware analysis helps the City *stress test* its reserve strategy.

[7] GFOA Best Practice. "Appropriate Level of Unrestricted Fund Balance in the General Fund." GFOA. 2009.

[8] Definition of risk taken from: Douglas W. Hubbard. *The Failure of Risk Management: Why It's Broken and How to Fix It.* John Wiley and Sons, Inc. Hoboken, New Jersey. 2009.

As a first step to this project, GFOA conducted a review of the risk factors influencing the amount of reserves a municipal government should hold.[9] This review identified the risks on Exhibit 2.1 as the most salient risks to Berkeley's general fund reserve.

Exhibit 2.1 – Primary Risk Factors that Influence Reserve Levels for Berkeley
Revenue source stability, particularly as it relates to the potential for revenue decline from an economic downturn
Vulnerability to extreme events and public safety concerns, with emphasis on: • Wildfires • Recessions and revenue volatility • Earthquakes • High winds • Tsunamis • Pensions • Other hazards, such as infectious disease

The next section gives an overview of how we analyze these risks and what you can expect to see in the rest of this report.

[9] The risk factors and basic review method were developed and published in the GFOA publication: Shayne C. Kavanagh. *Financial Policies*. (Government Finance Officers Association: Chicago, IL) 2012.

Section 3 - The Approach to Uncertainty

The accomplished forecasting scientist, Spyros Makridakis, suggests a "Triple-A" approach for dealing with highly uncertain phenomena.[10]

1. **Accept.** First, we must accept that we are subject to uncertainty. For example, the severity and timing of an earthquake is unpredictable. Berkeley could go years without experiencing a serious earthquake or one could occur next month!
2. **Assess.** Next, we must assess the potential impact of the uncertainty, with history providing a useful reference point. The experiences of other local governments are also a good reference point. For example, we used the historical experiences of Berkeley and other relevant municipalities to estimate the potential impact of future extreme events. However, historical experiences are not perfectly predictive of the future. That leads us to the next point…
3. **Augment.** The range of uncertainty we face will almost always be greater than what we initially assess it to be. Therefore, we must augment our understanding of risk beyond what our historical experiences show us. For example, very few people saw the 2008 Great Recession coming or thought it could be as bad as it was. They were unprepared for this historically unprecedented recession. We can augment our understanding of risk using a technique called "Probability Management."[11] Probability Management is an application of modern information processing technology that allows us to simulate thousands of potential events (e.g., floods, recessions, etc.) so that we can observe the probability of events of various magnitudes coming to pass. The statistical technique that Probability Management is based on is called "Monte Carlo analysis." This technique was established in the late 1940s, but until very recently required special computers and software to use. Modern information technology has made Monte Carlo analysis accessible to anyone with a personal computer.

To use Probability Management, we express any given type of extreme event as a range of possibilities that the City might experience. This range is called a "distribution." A distribution is a shape that signifies how frequently the City might expect to experience a certain type of event and/or how severe the event might be.

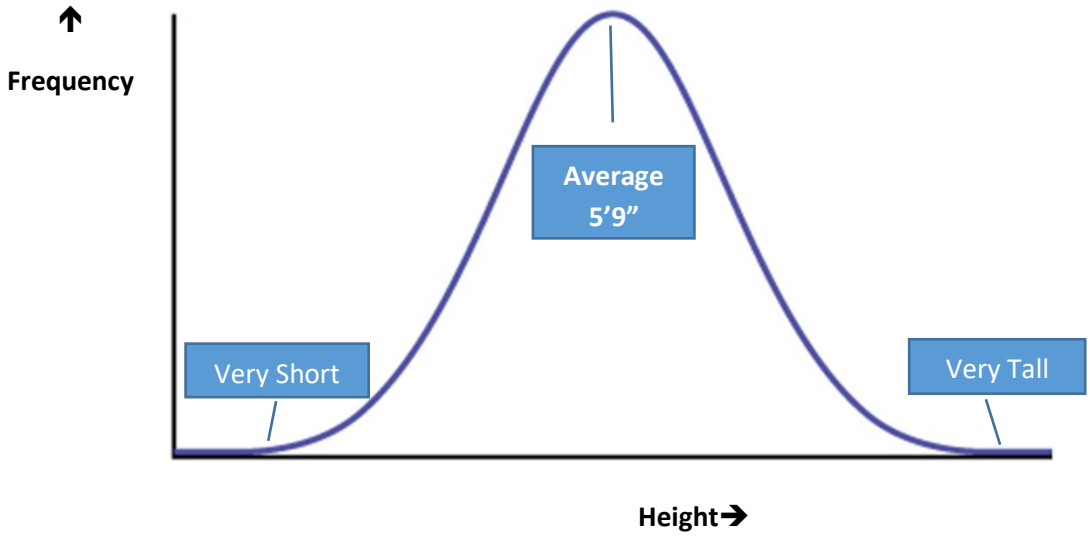
The most common type of distribution is called the "normal distribution," more popularly known as the "bell curve." Many phenomena fit a bell curve. To help us understand how to read a distribution, we can start with an example that is related to everyday life: the height of American men.

[10] See: Spyros Makridakis, Robin Hogarth, and Anil Gaba. *Dance with Chance: Making Luck Work for You*. (Oneworld Publications: Oxford, England). 2009.

[11] The discipline of "Probability Management" was developed by Dr. Sam Savage, author of *The Flaw of Averages*. You can learn more about Probability Management at probabilitymanagement.org.

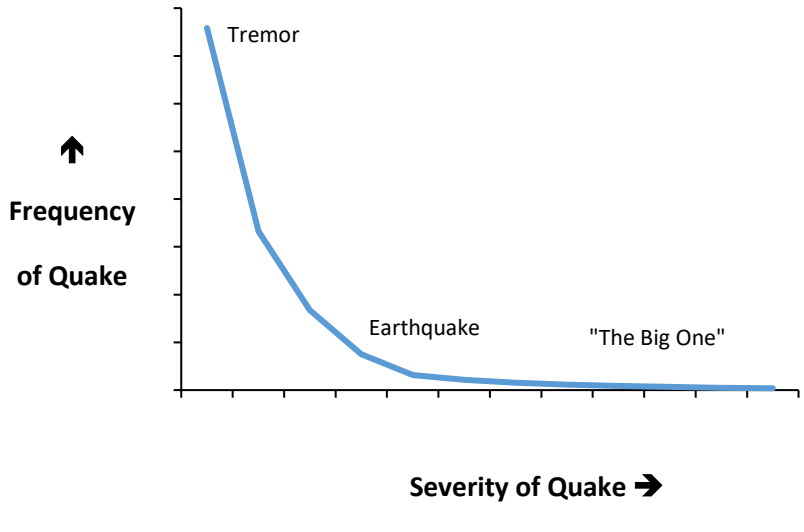
Exhibit 3.1 shows a bell curve for the height of American men. The horizontal axis of Exhibit 3.1 represents height. The vertical axis represents frequency. The most common height is 5'9", so it is shown at the top of the curve. Much taller men, like NBA centers, would be found on the right-hand side of the curve. Very short men would be found on the left.

Exhibit 3.1 – The Normal Distribution for American Men



The normal distribution can help analyze risk. To illustrate, the severity of an economic downturn is roughly normally distributed. A few downturns are slight, a few are severe, but most are closer to average.

Exhibit 3.2 – Sample Asymmetrical Distribution



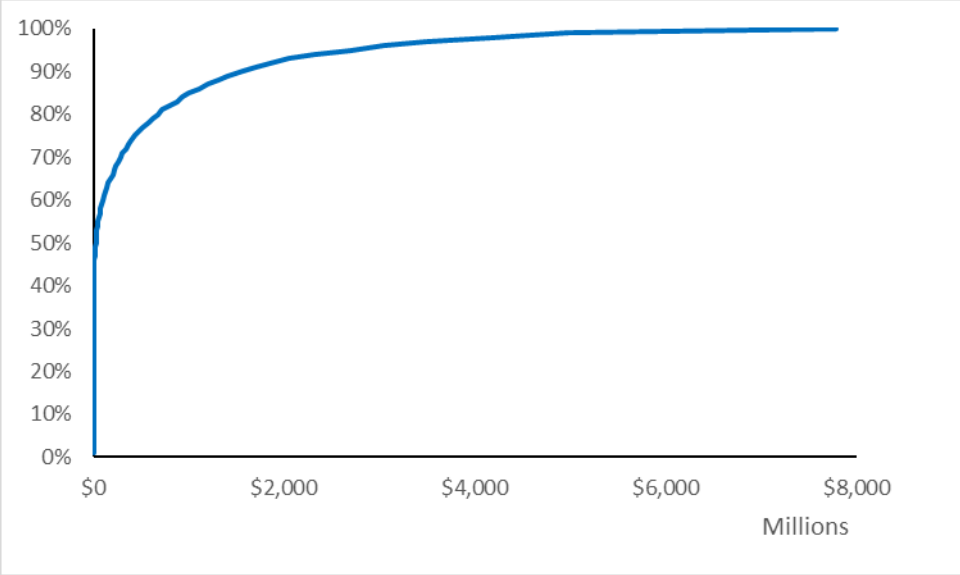
Another type of distribution we use in our analysis is an asymmetrical distribution, shown in Exhibit 3.2. Earthquakes fit an asymmetrical distribution. Exhibit 3.2 shows that tremors are the most common. Full-fledged earthquakes are relatively rare. The distribution is "asymmetrical" because the frequency with which we will experience these events are not evenly distributed around the middle of the distribution. Put another way, there are far more tremors that are smaller than the "average" earthquake. Yet, there are far fewer earthquakes ("the big one") that are larger than the average earthquake.

Expressing Berkeley's vulnerability as distributions allows us to calculate the probability that an event of a given magnitude will come to pass. When we associate a dollar amount with that event, we can estimate the probability or chance that Berkeley will need to have a given amount of money on-hand to respond.

Exhibit 3.3 is not a distribution but is a type of graphic we will use in this report. It is called a "cumulative probability chart." It shows the economic losses to the entire Berkeley community from earthquakes over the course of 10 years. Earthquakes are rare events, so over a ten-year period there is a chance that there will be no earthquakes at all. Hence, the blue line intersects the vertical axis at about 50% (there is about a 50% chance of no earthquake). We then see the blue line go up and to the right from the vertical axis. This means that the chance of larger and larger losses becomes increasingly remote. To illustrate, the blue line intersects 70% at about $300 million. This means there is a 70% chance that total economic losses are $300 million or less (or a 30% chance that losses will be more). The blue line insects 80% at $670 million, which means there is an 80% chance that losses will be less than that (or a 20% chance that losses will be more).

Exhibit 3.3 – Cumulative Chance of Economic Losses to Berkeley Community from Earthquakes over 10 Years

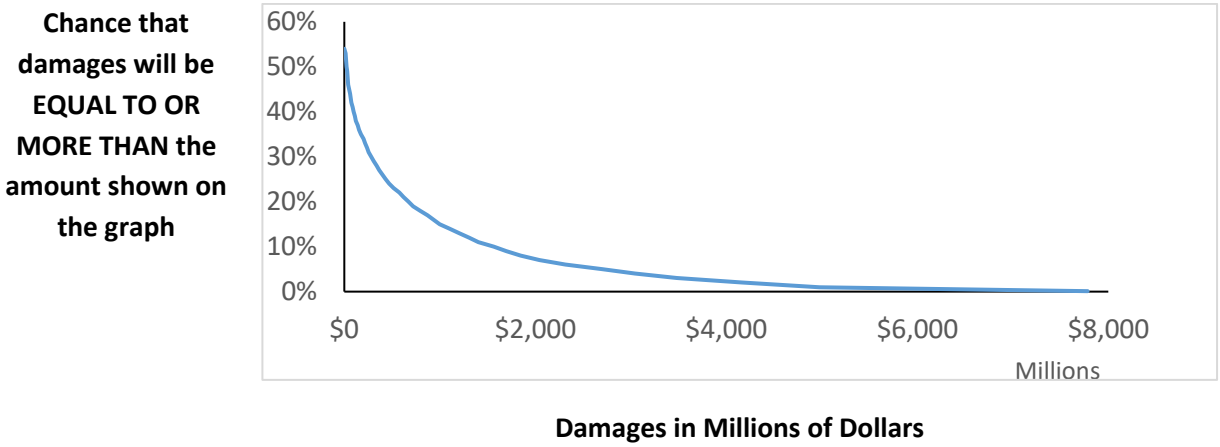
Chance that damages will be EQUAL TO OR LOWER THAN the amount shown on the graph



Damages in Millions of Dollars

Another type of chart we will show is a loss exceedance curve. It is another way of looking at the same concept as we saw in Exhibit 3.3. Exhibit 3.4 shows the loss exceedance curve for the same earthquake data. It just presents it in an inverse way. So, the 20% point in the vertical axis is $670 million because there is a 20% chance that damages will be more than. Exhibit 3.4 showed there was an 80% of damages being less.

Exhibit 3.4 Loss Exceedance Curve for of Economic Losses to Berkeley Community from Earthquakes over 10 Years



Both cumulative probability charts and loss exceedance curves are commonly used when quantifying risk.

It is important for the reader of this report to understand that **there is never one single, objectively best amount of reserves to hold**. The amount of reserves the City will want to hold will partially be a function of the City's willingness to take on risk. If City officials are willing to take on risk, they might opt for lower reserves and spending more money on current services. If officials are more risk averse, they might opt for higher reserves. GFOA's recommendations are informed by where reserves appear to provide the best value or "bang for the buck." The spot on a cumulative probability chart, like Exhibit 3.3, before where the line begins to flatten out is usually where the best bang for the buck lies.

In Section 4, we cover revenue instability owing to economic downturns. In Section 5 of this report, we will review the City's primary risks posed by extreme events, including wildfires, earthquakes, tsunamis, and more. Section 6 reviews secondary risk factors that have less weighty implications for the City's reserve strategy. We include Section 6 to highlight the full range of risks that were considered, even if some of them did not seem to present as clear and present a threat to the City's general fund reserve.

After we analyze the individual risks, in Section 7, we will consider the risks holistically. This section will:

- Consider the risks over a ten-year period. This provides a more complete perspective on potential vulnerability and how to use reserves. For example, the numbers shown in Exhibit 3.3 pertain just to one year. The potential losses are much greater over a ten-year period.
- Consider the potential occurrence of any of the risks we analyzed to occur at the same time. Obviously, if they did occur at the same time, the stress on the City's reserves would be compounded.

Section 4 - General Fund Revenue Volatility and Pension Risk

An important risk for any local government is revenue volatility owing to downturns in the economy. Reserves can be used to help a local government make a "soft landing" in the event of a revenue downturn. In this section of the report, we will analyze the City's vulnerability to revenue downturns.

For the purposes of our analysis, we divided the City's revenues into the categories shown in Exhibit 4.1. Property taxes are the most important single source, as you can see in Exhibit 4.1. Immediately following Exhibit 4.1, we will analyze the risk the City faces in each category.

Exhibit 4.1 – Relative Importance of City Revenues, based on 2023 Estimated Actuals

Revenue	% of Total
Taxes	
Property Tax	38%
Sales Taxes	7%
Real Property Transfer Tax	12%
Business License Tax	10%
Utility Users Fee	7%
All Other Taxes	3%
All other revenue	22%
TOTAL	***100%***

Before we examine each individual revenue source, let's make a note of Berkeley's historical population growth. The City grew from 103,000 people in 2000 to 119,000 people as of the 2020 US Census, which is about a 15% increase over the period. The increase appears to steady over this period, as the 2010 population was 113,000. Our analysis starts in 1999 to capture the impact of two recessions: the 2001 "dot.bomb recession" and 2008 "Great Recession." The City appears to have experienced a small bump in population growth right around the time of the Great Recession. It could be that the bump in growth offset at least some of the revenues losses the City would have otherwise experienced from the 2008 Great Recession. Therefore, we converted all historical revenues to per-capita figures for our analysis and all figures presented are per capita unless otherwise noted. Note that we do not consider the COVID-19 recession to be as useful an analogue as the two recessions mentioned above. This is because that recession was not a result of conventional economic causes and behaved much differently than past recessions. For example, the COVID recession featured a record decline followed by record recovery). This does not mean we ignored COVID. Risk from unconventional sources, like a pandemic, is addressed in a later section of this report.

Below we will briefly review key, relevant features about the volatility of each revenue shown in Exhibit 4.1. The purpose of this section is to be clear about the assumptions that go into our simulation of the City's revenue volatility in the face of recessions. Before we dive into the details, we should note that the year-over-year percent changes we describe below are not necessarily the chance from one fiscal year to the next. Rather, we examined monthly data to find the worst 12 month decline in each revenue. The reason is that the City's fiscal year is an arbitrary period that is not related to the performance of the

economy. This might obscure the full impact of a recession on revenue. For example, imagine there is recession lasting 12 months. It starts 6 months into a fiscal year and ends six months into the next fiscal year. Each fiscal year would only reflect half of the recession, thereby obscuring the total magnitude of the revenue loss.

Property Taxes

Property taxes are a stable revenue for Berkeley. They have exhibited consistent year-over-year growth since 1999. Of course, the 2008 recession featured a popping property price bubble that was felt across much of the world. Even so, during the entire length of the Great Recession Berkeley's property tax growth merely slowed down for three years – around 3% annual growth, compared an average of 7% annual growth for all other years, 1999 to 2018. That said, we should not discount the possibility that future recessions could result in declining property values and property tax revenues. In fact, GFOA's examination of recessions before 1999 shows that housing prices have declined during some of these recessions.

So, to model risk we looked at the decline during the Great Recession and found that the single worst continuous 12-month performance was a 5% decline in property tax revenue. We took this as emblematic of the possibility of future severe recessions. During the 2001 recession, property taxes grew for Berkeley. This represents the possibility that during a relatively mild recession, like 2001's, property tax revenue could go up. The 2008 recession is the worst recession, in terms of GDP[12] decline since World War II whereas the 2001 recession was one of the mildest. Hence, we can use these two recessions rough "boundaries" on the possibilities for future recessions.[13] In our simulation we did account for the fact that the 2008 recession was unusually weighted towards losses in real estate. This was done to avoid overestimating the vulnerability of property taxes to recessions. We looked at how much property values declined, nationally, during a past, more "average" recession and compared that to what happened in 2001 and 2008. This "average" price decline was not exactly in between 2001 and 2008 but was skewed closer to 2001. We included this skew in our simulation.

Finally, it is worth noting that Berkeley does not have a material risk from concentration of the tax base in one or few taxpayers. An example of this risk would be if a small municipality has a large industrial property, where that property makes up a large portion of the tax base – if the factory were to close, then it would have a big impact on the tax base. Fortunately, Berkeley does not appear to have such a risk. The taxpayer with the highest assessed value is 742 Grayson Owver LLC, whose property comprises less than 1% of the City's assessed value.

Sales Taxes

Sales taxes have a reputation for being more responsive to economic downturns than property tax and this is true in Berkeley. Sales taxes declined by 7% during the 2001 recession and the worst year-over-year decline during the 2008 recession was 12%. When it comes to COVID-19, the federal government provided

[12] Gross domestic product, a standard measure of national economic activity.

[13] Our simulation method does not treat these as firm boundaries. Rather there were about ten recessions since World War II, the Great Recession was the worst, the 2001 recession the mildest which puts them at the 10th and 90th percentile. This leaves room for even worse or even milder recessions than these two in our simulations.

financial aid to individual citizens during the pandemic, beyond what is normal for an economic downturn. Hence, we should not take 2019 and the subsequent COVID-19 experience as representative of future possible downturns. We used the 2001 and 2008 recessions as our boundaries for the analysis.

Real Property Transfer Tax

The real property transfer tax has proven a volatile revenue for Berkeley. It declined around 7%, year-over-year, during the 2001 recession, which was not that much different from other revenues. However, during the Great Recession, the revenue dropped an astounding 44% year-over-year. That said, the 2008 recession was uniquely driven by difficulties in the property market. Hence, the 44% decline might represent a particularly bad outcome. For this reason, we adjusted the model for potential skew, like we did for the property tax.

Business License Tax

The business license tax's vulnerability to recessions is not as clear cut as the other revenues we have examined. Revenue from the tax is largely based on gross receipts of local businesses, which suggests that there should be some vulnerability to recessions. However, when we examine the 2001 recession there was only a 2% decline in the early part of the recession. The 2008 Great Recession is more complicated because, according to the City's 2008 financial report, a correction to a miscoding in City revenues resulted in about $800,000 in increased annual revenues. Presumably, this would have offset at least some of the decreases we might have otherwise observed during the recession. However, even backing out this additional revenue, it does not appear that there was a large decline in this revenue during the Great Recession.

To provide an additional perspective, we also looked at what happened to this revenue during COVID-19. Though COVID was not a conventional recession in the way that we are defining it in this analysis (non-conventional risks, like COVID, are addressed later in this report), it does demonstrate what an economic dislocation could do to this revenue. In 2021, the revenue declined about 15% year over year from 2020. Because COVID was the sharpest economic decline since World War 2 and the fastest recovery, it does not seem wise to use a 15% decline as an analogue for future recessions. Nevertheless, this experience does suggest that declines are possible. To make better use of the COVID experience we might consider that the largest annual quarter to quarter decline **in national GDP** during COVID was 9.5%. This compares to the worst quarterly decline **in GDP** during the Great Recession of 8.4%. The worst total annual loss in GDP during COVID and during the Great Recession was somewhat similar. These two data points suggest that because GDP loss was somewhat less severe during the Great Recession that assuming a tax loss somewhat less than the COVID experience could be a reasonable assumption. We used a 10% decline to avoid the risk of projecting too much of the COVID experience onto a conventional recession. The worst decline we could find for the City during the Great Recession was 6.5%.

Utility Users Fees

Perhaps unsurprisingly, utility users fees are a stable revenue source because demand for utility services does not change much during a recession. The total decline was close to 6% in each recession.

All Other Taxes

When we look at all remaining City taxes (i.e., hotel tax plus a host of much smaller taxes), we see year-over-year declines of about 15% during both the 2001 and Great Recessions.

All Other (Non-Tax) Revenues

When we look at all other non-tax revenues, we saw relatively little decline during the Great Recession (3% year over year decline), but a larger decline during the 2001 recession (12%). This may be due to the mixed bag of sources that make up other revenues and their potential for idiosyncratic behavior. Let's take, for example, intergovernmental revenue. It declined quite a bit during the 2001 recession but almost not all during the 2008 recession. The explanation may be that intergovernmental revenues, unlike the tax revenues we have described above, are primarily dependent on the whims of state policy makers. Local taxes are primarily dependent on economic activity (property transfers, retail sales, etc.). To simulate this, our model uses the declines from the recessions as the parameter for other revenues but makes the impact independent from what happens to taxes. For example, if the model simulates a "bad" recession that results in a sharp decline for taxes, we do not assume that necessarily means a sharp decline in other revenues.

Analyzing Revenue Volatility Risk

To analyze the risk that the City is subject to we used the information presented above to inform our Risk Model. In addition to this information, we also used the following information:

- We used data on how often recessions have occurred and how long those recessions have lasted from 1950 onwards to simulate the frequency and duration of future recessions.
- We examined the timing of each revenue's decline relative to the others. Meaning, not all revenues declined at the same time. For example, both property transfer tax and non-tax revenues appeared to decline well before most other revenues during both the recessions we examined. Thus, the Risk Model shows these two revenues decline immediately upon a recession while there is a one-year lag for all other revenues.
- The model does not include any assumptions about what the City might do in response to a recession like cutting expenditures or adding new revenues. However, the model does not ignore these possibilities either. The user of the model has the option to define the City's assumed response to recessions and see how that impacts the City's financial position. This is discussed in more detail in Section 7 of this report.

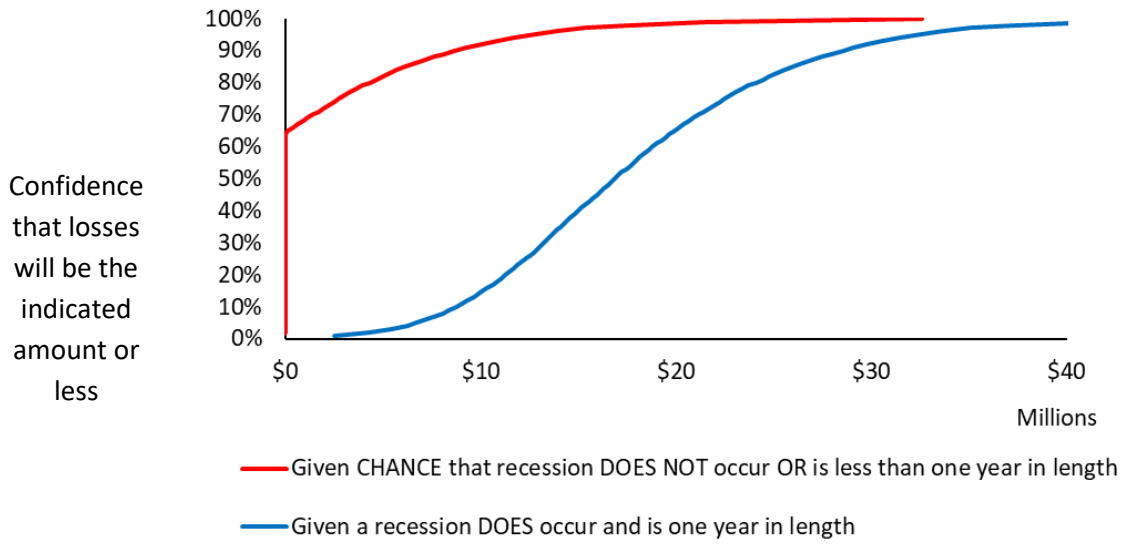
Exhibit 4.2 below shows the cumulative probability curve for a single year loss, accounting for all the information described in this section. The blue line shows the losses if recession DOES occur, and it lasts the entire year. The red line shows the losses given the chance a recession does OR does not occur. This accounts for the fact that a recession could not occur at all or last less than the entire year. Note that although the lines in Exhibit 4.2 are limited to what could happen in a single year, our simulation also allows for the possibility that a recession could span multiple years. We will discuss the multi-year perspective on all the of the City's risks that we analyzed in Section 7.

In Exhibit 4.2, we can see the red line remains at zero about 70% of the time, which means that 70% of the time the City is simulated to *not* be in a period of revenue downturns. The blue line approaches zero as well because the very mildest of recessions could have negligible financial impact.

Both lines slope up and to the right, which means that as we move to the right the potential losses get higher, but we also get higher and higher confidence that the losses would be less than the indicated amount. We see that on an annual basis, losses around $4 million to $9 million might be considered a plausible, not just possible, risk. For example, on the red line, we can be 85% confident that losses will be less than $6.2 million in any given year, and 15% confident that losses will be more. We can be 90% confident that losses would be less than $9.2 million.

Both lines flatten out at the right end. This shows that extreme annual losses, over $20 million, are possible, but are also highly unlikely. This is because the corresponding values on the vertical axis are above 95%, which means we can be 95%, or more, confident that the losses during a given year will be less than these extreme amounts.

Exhibit 4.2 – Cumulative Probability Chart for Annual Recession Losses (total, not per capita)



Checkpoints

- ✓ Property tax is an important source of revenue for the City and is also very stable.
- ✓ Sales tax and property transfer taxes are important revenue sources but are responsive to economic conditions.
- ✓ Historical data does not show much of a decline in business license taxes during past recessions, but there is reason to believe that the revenue could exhibit a larger decline in future recessions.

These reasons include an anomalous event in 2008 that resulted in an increase in revenues and the fact that this revenue did decline markedly during the COVID downturn.

- ✓ There is also potential for instability in other City revenues, though these revenues constitute a relatively small portion of total revenue, compared to those above.
- ✓ In a given year, there is about a 70% chance that there would be no impact at all from a recession. There is a 90% chance that losses in a given year would be less than $10 million.
- ✓ The analysis presented in this section does not take account of any willingness on the part of the City to cut its budget in response to a recession. That is addressed in Section 7.

Pension Risk

Like many cities throughout the country, Berkeley has a substantial liability for employee pensions. This is potentially a risk for the general fund because if the pension plan investments consistently perform below expectations, then the City will need to make up the difference. This potential unplanned, unavoidable expenditure places additional pressure on the City finances.

The GFOA Risk Model examines the vulnerability of the City's pension situation under different scenarios. We worked with Foster and Foster to develop a range of different possible outcomes that are consistent with different long-term return assumptions from CalPERS. Of particular relevance to the questions being posed by this report is the possibility of underperformance of CalPERS investments. Foster and Foster provided the range of possible outcomes, informed by assumptions from CalPERS about the expected range of possible performance of its investment strategies.[14] We then correlated these ranges with the GFOA recession model, so that, generally, in scenarios reflecting poor economic performance, generally, there would be poor CalPERS performance as well.

The model does not assume that any and all underperformance by the pension will translate directly into an impact on the reserve. There are several filters pension costs must pass before impacting reserves in the risk model.

First, CalPERS itself takes steps to shield participating local governments from the effects of year-to-year changes in investment performance. The scope of our contract did not accommodate duplicating CalPERS' pension cost smoothing algorithms, but we did develop a model that balances out under-performing years with over-performing years such that the City would see greater additional burden when under-performing years outweigh the over performing years across all ten years of the simulation.

Second, the City has proven willing to accommodate pension cost increases in its budget. Hence, the model includes a user-defined variable for how much pension costs would need to increase before the City becomes unwilling to absorb the full cost in its budget. We assume the City is willing to absorb up to a 15% annual increase in pensions, based on past experiences of the City. You can think of this variable as the amount the City would find a way to accommodate in its normal budget planning for pensions.

[14] To be more precise, the range took the form of a distribution with a median value and favorable and unfavorable results distributed around the median.

Third, the City has a pension trust fund. The model includes the pension trust fund as an alternative to reserves for covering excess pension costs that the budget cannot absorb. In essence, the simulation splits any excess pension costs evenly between the reserves and the pension trust. The model also accounts for interest earned on the pension trust balance.

With these assumptions applied the model shows:

- There is about a 50**%** chance that the general fund reserve and pension trust fund, together, will need to absorb, at most, an additional **$10 million** in costs over a ten-year period.
- About a **75%** chance that the general fund reserve and pension trust fund, together, will need to absorb, at most, an additional **$15 million** in costs over a ten-year period.
- About a **90%** chance that the general fund reserve and pension trust fund, together, will need to absorb, at most, an additional **$19 million** in costs over a ten-year period.

To see just the burden on the reserve, simply divide the dollars in the points above in half.

Checkpoints

- ✓ Pensions are an important risk for the City not only because of the size of the liability but because poor performance of the pension investment will likely be correlated with poor performance of the City's revenues. That means the general fund reserves will be under pressure from both revenue losses and pension losses at the same time, if the economy performs poorly.
- ✓ There is about a 25% chance that the general fund reserve will need to absorb $7.5 million or more over a ten-year period due to pension under-performance and a 10% chance of need to absorb more than $9.5 million.

Section 5 - Extreme Events

Although Berkeley can receive reimbursement from insurance and public agencies for natural disasters and some human-caused extreme events, having adequate reserves in place is important to respond to extreme events quickly and decisively. For example, FEMA reimbursement will not cover all the costs the City incurs, and it could take months, if not years, to receive reimbursement. Wildfires, earthquakes, and tsunamis are the leading potential catastrophic natural disaster risks the City faces. In discussions with City staff, these disasters represent the greatest risk of catastrophic loss and will be the focus of this section of the analysis. Other exposures included in the Risk Model and discussed in

FEMA, CalOES, and Reserves

The U.S. Federal Emergency Management Agency (FEMA) reimburses local governments for monies spent in response to a federally-declared disaster. FEMA reimbursement is only partial (typically 75 percent) and is often not immediate. Therefore, local governments must have the financial capacity to respond quickly and decisively, independent of FEMA assistance. In California, CalOES (California Office of Emergency Services) provides additional assistance to supplement FEMA. Our simulation includes FEMA and CalOES assistance but also simulates the time lag to get the assistance. Note when we refer to "FEMA assistance" we are also referring to CalOES since our model treats assistance from both agencies in essentially the same way.

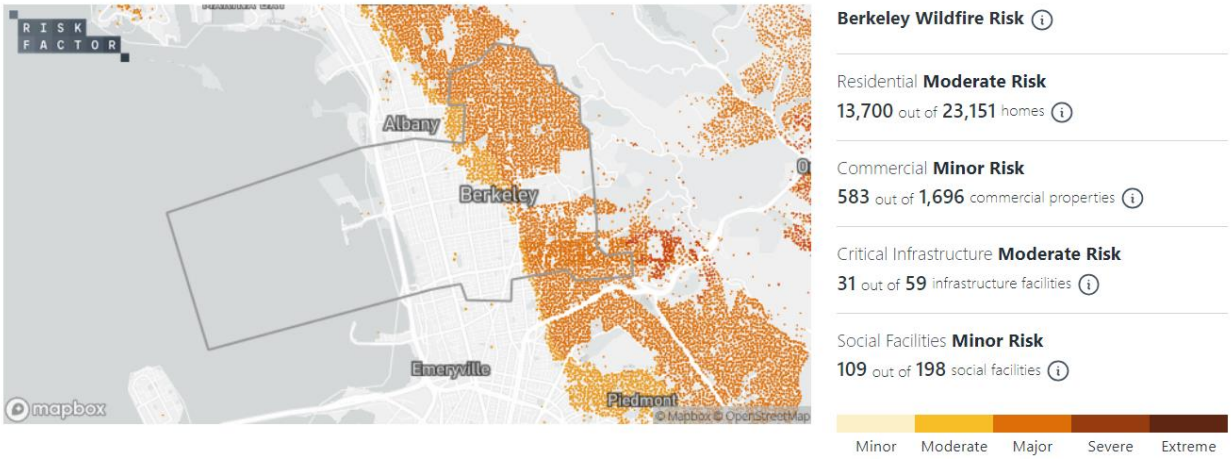
this section are high winds, severe storms and landslides. This section will also discuss the provisions made in the model for other risks, not named above.

The following sub-sections will explore the potential economic and budgetary implications that these hazards have for the Berkely community and City government. These sections will explain any notable features of the data sets we used and discuss the range of potential damage the City could experience, as suggested by the data we gathered.

A. Wildfires

According to the First Street Foundation,[15] "there are 15,085 properties in Berkeley that have some risk of being affected by wildfire over the next 30 years. This represents 57% of all properties in Berkeley." Exhibit 5.A.1 shows a wildfire risk map from First Street. That said, we should also note that the overall risk to Berkeley is considered "moderate" by FirstStreet, which is the second lowest risk level on their scale (the scale can be seen in the bottom right corner of Exhibit 5.A.1).

Exhibit 5.A.1 – Wildfire Risk in Berkeley (according to the First Street Foundation)



Though the First Street data does help illuminate the potential for wildfires in the City of Berkeley, it does not address consequences of nearby fires, like smoke heavy enough severely impede daily life in Berkeley. Therefore, we should recognize that the total risk to Berkeley from fires is more than might be implied in the map above. However, for the purposes of this analysis we are focused on the more narrowly defined risk of losses to the City government due to unplanned, unavoidable expenditures from a large fire.

To analyze wildfire risk, we divided the risk into two parts.

First are very large wildfires – including those large enough to be historically unprecedented in the region. We obtained simulated fires from a company called Pyrologix, which specializes in simulating fires. Pyrologix's customers include the US Forest Service. Pyrologix's data set focused only on very large fires and showed which geographic areas of the City burned.

[15] The mission of First Street Foundation is to make climate risk accessible, easy to understand and actionable for individuals, governments, and industry.

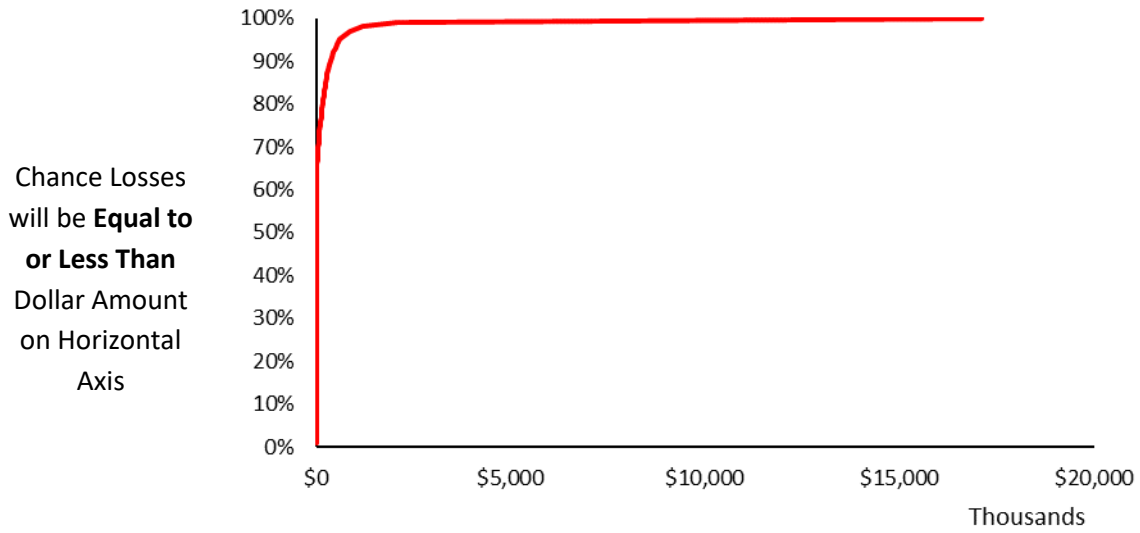
Second are wildfires that are less intense, which we will call "medium" fires – even though the fires simulated here are still often large enough to be eligible for FEMA assistance. These medium fires are simulated to occur 4 times more frequently than the large fires. For medium fires, we used historical data from across California to see how often wildfires directly impact urbanized areas to the point where city governments incur material costs, and we used those historical costs to simulate the impact on Berkeley.

We simulated both kinds of fires and then combined the results into a single model. The result was the cumulative probability chart shown in Exhibit 5.A.2.

We can see that, like Exhibit 5.B.1, there is a small chance of any losses at all – the red line is equal to zero up until about the 60% mark, which means that 6 out of 10 times when we look at a ten-year period the losses will be zero. The line also goes vertical (up) very sharply after it diverges from the zero axis. This means that most wildfires the City might experience are simulated to not cause a drastic amount of losses. This would be consistent with the actual experiences of cities at "moderate" wildfire risk in our FEMA database (where "moderate" is as defined by FirstStreet). The line does extend out quite some distance to the right, which represents the fact that there is a very small chance of some very large losses over a ten-year period. The long-tail is the result of the very larger wildfire simulation we discussed earlier.

Note that the losses shown in Exhibit 5.A.2 ***do not*** reflect reimbursement from FEMA to the City government. The impact FEMA reimbursement and other mitigating factors will be included in Section 7 of this report, "Putting it All Together".

Exhibit 5.A.2 – Cumulative Probability Chart of Losses to the City Government from Wildfires Over a Ten-Year Period (millions of dollars)



Our data does not factor in the impact of climate change, so the 10-year losses may be understated.[16] However, there are other assumptions in our model that cause the model to simulate greater losses. This might offset the absence of a climate change assumption. These assumptions are:

- The model does not assume that a fire in one year reduces the chance of a fire in the next year. In reality, if a fire occurs it often burns the fuel that could otherwise feed a fire in the future. In our model, the chance of a fire in a given year is not reduced if a fire had occurred the prior year. Put another way, the chance of fire is the same every year.
- When gathering losses from other cities to use as analogues from Berkely we looked across the entire state of California for cities that are roughly comparable size to Berkeley.[17] Perhaps unsurprisingly, only a handful of cities that have actually experienced material losses from a fire are at "moderate" risk (by the FirstStreet scale). Most are at "major" risk or worse. Also, the average per capita losses experienced by the "major" risk cities was materially higher than those experienced by the "moderate" risk cities. Nevertheless, we included most of the "major" risk cities as analogues for Berkeley when simulating potential damages.[18] This means our model may be biased towards overstating the damage from a fire.

Checkpoints

- ✓ According to the First Street Foundation's analysis, Berkeley's risk from wildfire is "moderate".
- ✓ We used data from the fire simulation firm Pyrologix to simulate very large wildfires.
- ✓ We used historical data from FEMA to help simulate more moderate wildfires, coupled with information from First Street on relative risk of cities in California. This helped us pick analogues for Berkeley.
- ✓ The results show that over a ten-year period there is about a 6 in 10 chance that damage from wildfire is zero.
- ✓ There is a chance of larger damage over a ten-year period. For example, there is a 1 in 10 chance damages could exceed $350,000. There is small chance of extreme multi-million-dollar losses (about 1 in 50 chance).

B. Tsunamis

Berkeley is at some risk from Tsunamis. The worst tsunami that researchers have mostly contemplated is the 1-in-900-year tsunami. This represents a tsunami so large that we would expect to see one that large only once in 900 years. Exhibit 5.B.1 shows a map of the area of the City we could expect to be impacted by such a tsunami. A tsunami of this size is expected to impact about 1,400 residents, a daytime population of 6,800, and 448 buildings. The damage of less intensive tsunamis is substantially less. A tsunami of

[16] Wildfire is, perhaps, the most difficult type of natural catastrophe to model because there is a smaller base of experience to draw upon, compared to more well-studied risks like hurricanes, and because the physics of wildfires are more complicated, compared risks like flooding. Though many researchers are working on improving wildfire models, we could not obtain data that included climate change effects.

[17] Our research has shown that very small cities tend to have higher per capita losses from fires, so we don't use small cities as analogues for cities that are not small.

[18] We dropped cities much larger than Berkeley and outliers that experienced extreme damages far beyond anything experienced by the moderate risk cities in the data set.

sufficient intensity to occur only once every 475 years is only estimated to impact 125 residents, 1,100 daytime population, and 14 businesses.

Exhibit 5.B.1 – Area Impacted by a 1-in-900 Year Tsunami

Unfortunately, researchers have not produced nearly as much information on projected economic losses from a tsunami as has been produced for other types of disasters. To arrive at an estimate, we used a joint report from the United States Geological Survey and California Geological Survey that modeled a large, plausible tsunami.[19] We will refer to this as the "SAFR report" (Science Application for Risk Reduction report). The tsunami contemplated by the SAFR report appears to be the rough equivalent of the 475-year tsunami described above.[20] The SAFR report does not estimate losses for Berkeley but does for all Alameda County: $184 million. We derived a share of this for Berkeley by looking at Berkeley's share of the Alameda coastline, which equates to about 7% or about $13 million. Our estimate of 7% is somewhat conservative (overestimates Berkeley's share) because we excluded a portion of the coast that the SAFR report appears to project will not be significantly impacted by a tsunami and because we used straight

[19] The main report is: "The SAFRR (Science Application for Risk Reduction) Tsunami Scenario", Stephanie Ross and Lucile Jones, Editors. The specific sub-report we used was: "The SAFRR Tsunami Scenario—Physical Damage in California" By Keith Porter, William Byers, David Dykstra, Amy Lim, Patrick Lynett, Jamie Ratliff, Charles Scawthorn, Anne Wein, and Rick Wilson Open-File Report 2013–1170–E California Geological Survey Special Report 229
U.S. Department of the Interior, U.S. Geological Survey

[20] The report does not give a recurrence interval for the tsunami the report describes, but it does give wave amplitudes which we compared to projected wave amplitudes for different tsunami scenarios in Berkeley. The 475-year scenario appears to be the closest match.

line estimates,[21] which discounts inlets, coves, islands, etc. We then were able to scale the estimated damages from a 475-year tsunami ($13 million in economic losses to the community) to tsunamis of other recurrence intervals but using estimates of the number of people impacted by different sizes of tsunamis in Berkely.[22]

The next step is to estimate the potential loss to the City government. Again, because there is not much research available on the projected financial impacts of tsunamis, we had to make some assumptions. We started with the estimate of total economic losses, as per above. We then examined data we had available for earthquakes and wildfires and found damages to public entities (e.g., local governments) typically range between 11% and 32% of the economic losses.[23] This resulted in the cumulative probability chart shown in Exhibit 5.B.1.

We can see that, like in Exhibit 5.B.1, there is a relatively small chance of any losses at all – the red line is equal to zero up until about the 90% mark, which means that 9 out of 10 times when we look at a ten-year period the losses will be zero. The line does extend out quite some distance to the right, which represents the fact that there is a very small chance of some very large losses over a ten-year period. It should also be noted that estimates from the tsunami unit of the California Geological Survey show that a very small number of people (less than 25) and households (less than 10) would be impacted by a 200-year tsunami. This means that many of the tsunamis that the risk model simulates will have very little financial impact.

Note that the losses shown in Exhibit 5.B.1 ***do not*** reflect reimbursement from FEMA to the City government. The impact FEMA reimbursement and other mitigating factors will be included in Section 7 of this report, “Putting it All Together”.

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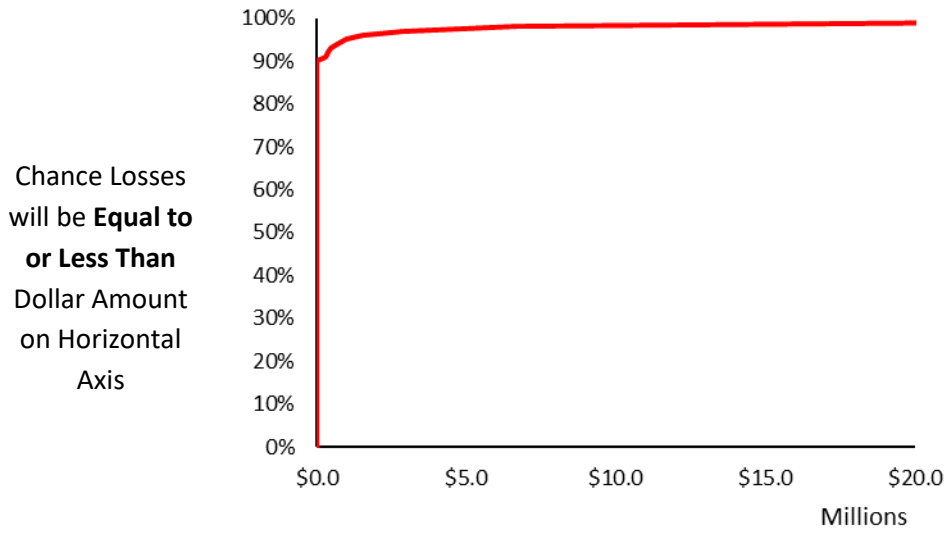
[21] By this, we mean we drew straight lines on a map of the county coast and measured the distances of those lines.
[22] Estimates produced using ESRI software, by the tsunami unit of the California Geological Survey.
[23] Based on estimates from Aon. Aon’s data shows projected public assistance provided by FEMA. Knowing that FEMA reimburses 75% of local cost allowed us to simulate total costs to city government.

Exhibit 5.B.1 – Cumulative Probability Chart of Losses to the City Government from Tsunamis Over a Ten-Year Period (million of dollars)



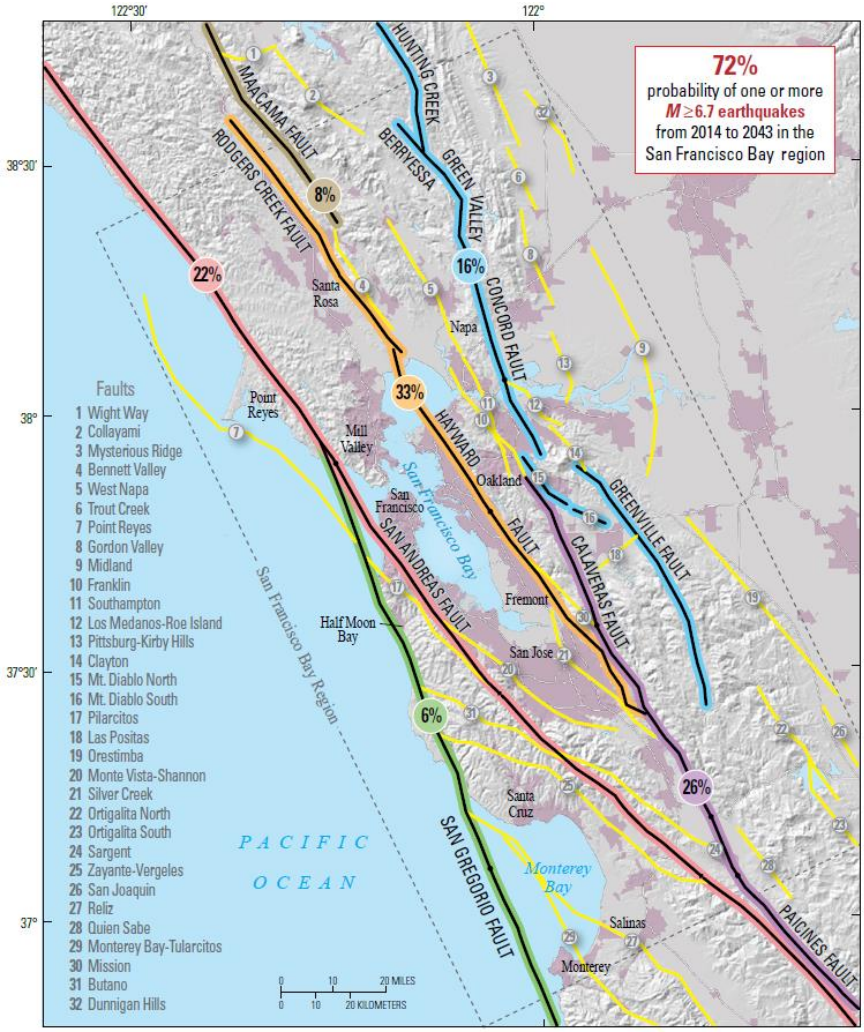
Checkpoints

- ✓ Tsunami experts believe that a tsunami large enough to do a great deal of damage to Berkeley is a very rare event – we might expect such a tsunami once every 900 years.
- ✓ Though less severe tsunamis are quite possible, the damage a less severe tsunami would do is estimated to be far less though certainly not inconsequential.
- ✓ The simulation shows that over a ten-year period there is a 90% chance the City of Berkely would have zero financial losses from tsunamis. There is a very small chance, though, of experiencing very large losses.

C. Earthquakes

Berkeley is susceptible to earthquake risk. Exhibit 5.C.1 provides a map of major fault lines in the region.

Exhibit 5.C.1 – Map of Known Active Geologic Faults[24]

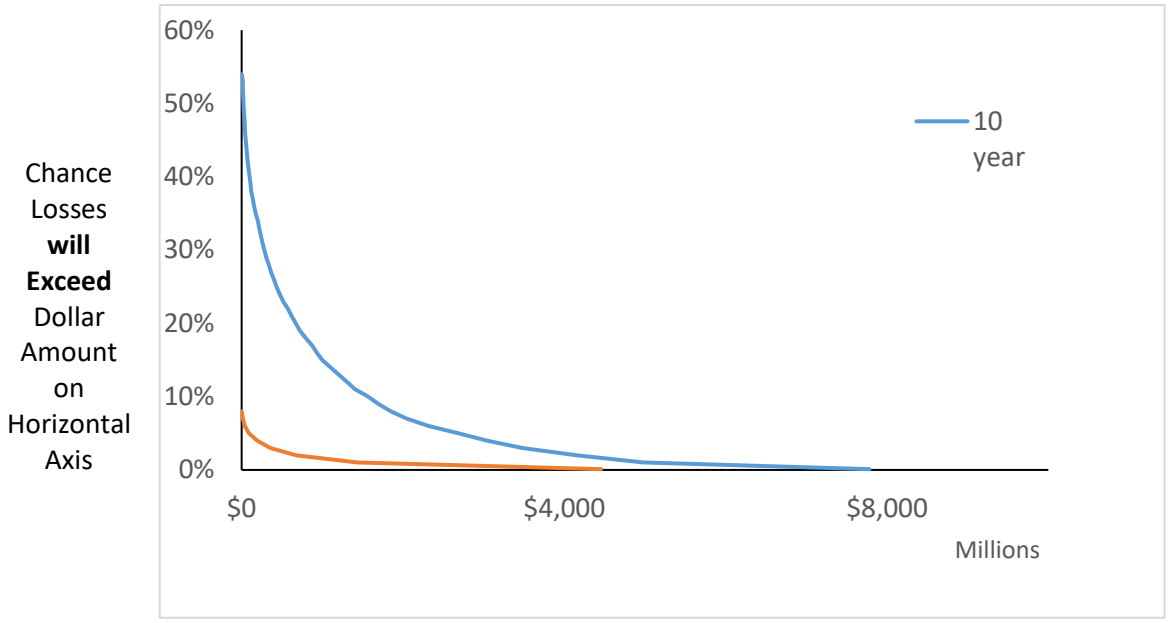


To address earthquakes, we obtained a data set of simulated earthquakes from Aon for the Contra Costa and Alameda County area.[25] The simulation includes projected economic losses for earthquakes. We then scaled these losses to Berkeley by comparing Berkeley's share of total property value to the rest of the two-county area. Berkeley comprises about 4% of the total property value, so we assumed Berkeley would experience about 4% of the economic losses from a given quake. We also set a limit in our model to only address quakes above 6.0 in magnitude. In the USGS report that Exhibit 5.C.1 came from describes the potential damage of a 6.0 quake as "light" so earthquakes below the limit might not cause a material amount of economic loss. That said, our model does provide the ability to manually adjust the threshold downward to include other quakes.

[24] From: "The HayWired Earthquake Scenario—Earthquake Hazards" published by the US Geological Survey.
[25] Aon is global insurance and data analytics firm.

5.C.2 provides a loss exceedance curve for ten years and 1 year, showing total economic losses Berkeley.

Exhibit 5.C.2 – Loss Exceedance Curve for Economic Losses from Earthquakes, Over 10 Years and 1 Year



We next converted the earthquake simulation into losses for the City of Berkeley general fund. First, we converted economic losses to total public assistance provided by FEMA to governmental agencies in the two-county area. Next, we estimated the share of losses to the governments that serve Berkely (city, county, school, etc), using measures of the total capital assets owned by each government.[26] We then identified the City of Berkeley's general fund share by looking at the percent of Berkeley's capital assets attributable to governmental funds versus those not owned by governmental funds. Finally, we compared the results of the simulation to actual losses of California municipal governments from three historical earthquakes. The results of the simulation were consistent with these historical experiences. The results are shown in Exhibit 5.C.3.

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[26] This includes adjusting for the community of Berkeley's "share" of each government's assets. For example, community's share of the school district's assets is 100%, but the share of the transit district's assets is much less. We also included an allocation for state government and quasi-governmental agencies, based on these entities share of earthquake losses in historical quakes.

Exhibit 5.C.3 - Cumulative Probability Chart of Losses to the City Government General Fund from Earthquakes Over a Ten-Year Period (millions of dollars)

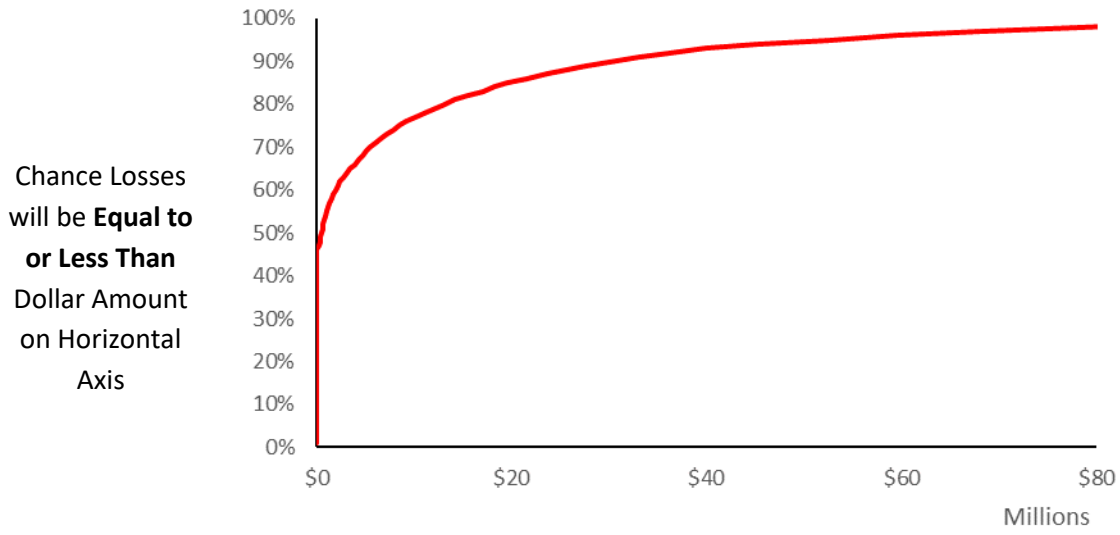


Exhibit 5.C.2 shows that there is about 50% chance of no losses at all. But there is also a chance of large losses. There is an 80% chance that losses are less than $13 million over a 10-year period, which means there is 20% chance losses could be more. Note that Exhibit 5.C.2 does not include the FEMA assistance that the City would receive. This chart also does not address the possibility that a very severe quake could impair the City's tax base. Both of these issues will be addressed in Section 7.

Finally, we should address the fact that a powerful earthquake (e.g., 7.0 or greater) could impair the City's taxbase. Uninhabitable retail buildings could not make sales. Uninhabitable residential buildings would not make purchases. Both would result in lower sales taxes, for example. An impaired tax base would result in lower revenues for the City over a multi-year period, which would not be recoverable through FEMA or by property insurance.

The risk model accounted for tax base impairment. If the model simulates a 7.0 or greater magnitude quake, then a tax base impairment simulation is activated. The assumptions for this simulation were largely taken from a body of work by the United States Geological Survey called the "HayWired Earthquake Scenario" which investigates the potential societal impacts of a 7.0 earthquake in the region.[27] The information in the report was supplemented with estimates from relevant subject matter experts, such as City staff. We also used estimates for earthquake recovery timelines developed as part of another project with Salt Lake City, Utah. Examples of variables that the tax base impairment model addresses include:

[27] Within this body of work, we relied on the report: "The HayWired Earthquake Scenario—Engineering Implications" Scientific Investigations Report 2017-5013-I-Q, Version 1.1, April 2022. Edited by Shane T. Detweiler and Anne M. Wein, U.S. Department of the Interior, U.S. Geological Survey

- Berkeley's share of buildings stock within Alameda County. The HayWired scenario only provides county-level estimates.
- The degree of damage to buildings that might be expected from a 7.0 quake.
- The range of economic losses that could be expected to buildings that are damaged to one degree or another.
- The estimated time to rebuild damaged buildings.
- Short and long-term impacts of tax base impairment and the fact that lost tax revenue is not covered by FEMA assistance. Later in this report (Section 7) we discuss parametric insurance as one way to provide coverage for lost tax revenues, in addition to reserves.
- Offsetting increases in sales tax revenue from construction activity to rebuild, including cost of buildings that are materials, percent of materials that are purchased inside Berkeley, and the additional cost necessary to rebuild a home vs building new.

The analysis shows the losses to the general fund could be material, approaching 5% of general fund revenues in the first year, before much rebuilding has taken place. The model assumes it would take around 8 years to completely replace all the lost buildings.[28]

Checkpoints

- ✓ Earthquakes are an important risk for the City of Berkeley. There are multiple active fault lines in the region.
- ✓ There is about a 50% chance of no losses at all over a ten-year period.
- ✓ Earthquakes can produce substantial losses. For example, there is a 20% chance that losses to the City government could be more than $13 million.
- ✓ A large earthquake (e.g., magnitude 7.0) could impair the City's tax base by a material amount – approaching 5% of general fund revenue in the first year.

D. Rainfall Triggered Major Landslides

Heavy rainfalls can trigger landslides in Berkeley. A search of historical records indicates that there have been 3 major, damaging landslides,[29] triggered by rain, in Berkeley since 1982. We used this as the basis for the potential frequency of landslides in the future: 3 landslides in 41 years implies a 7% annual chance of a landslide.

For potential damages landslides might cause we looked at two sources:

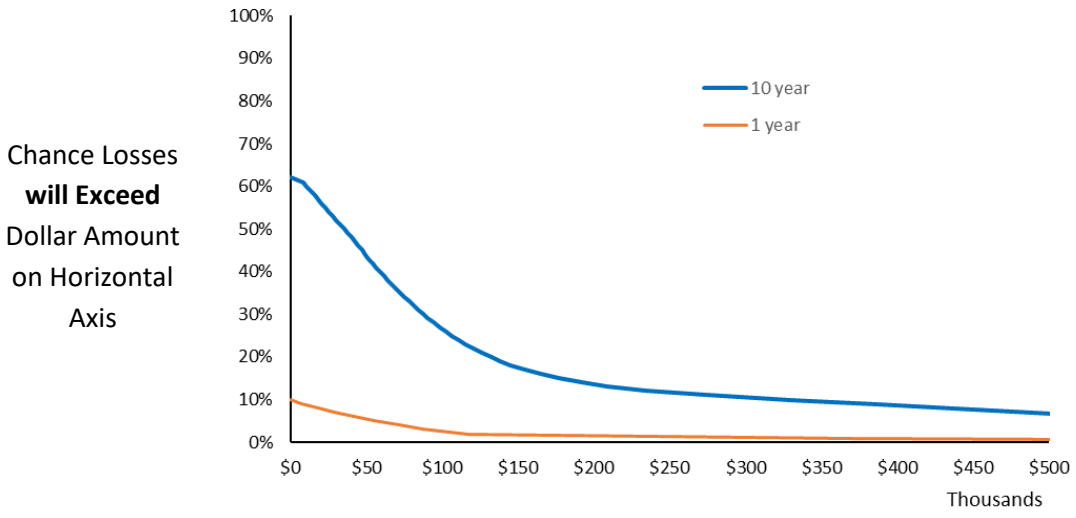
[28] This is based on discussions with building officials in Salt Lake City. We worked with Salt Lake City to build this model and then transferred it to Berkeley. We changed all the assumptions that were specific to Salt Lake City. The time required to rebuild buildings is the only variable that wasn't changed, however, it can be changed quite easily, if needed.

[29] By "major and damaging" we simply mean that the damage was large enough to require intervention by City government and cause City government a significant cost.

- FEMA estimates of total exposure to landslides in each census tract in Berkeley and estimated loss ratios. This provided a starting point for what losses might be from a landslide.
- Historical records of losses from landslides in the region. This provided a sense of the variation that can take place.

We put all these pieces of data together to develop a range of possible landslide outcomes. This resulted in the potential community economic losses shown in Exhibit 5.D.1.

Exhibit 5.D.1 – Loss Exceedance Curve for Landslides, 10 Year and 1 Year Risks (millions of dollars)



The next step is to estimate the potential loss to the City government. There is not much research available on the projected financial impacts of landslides or much historical data to draw upon, so we had to make some assumptions. We started with the estimate of total economic losses, as per above. We then examined data we had available for earthquakes and wildfires and found damages to public entities (e.g., local governments) typically range between 11% and 32% of the economic losses.[30] This resulted in the cumulative probability chart shown in Exhibit 5.D.2.

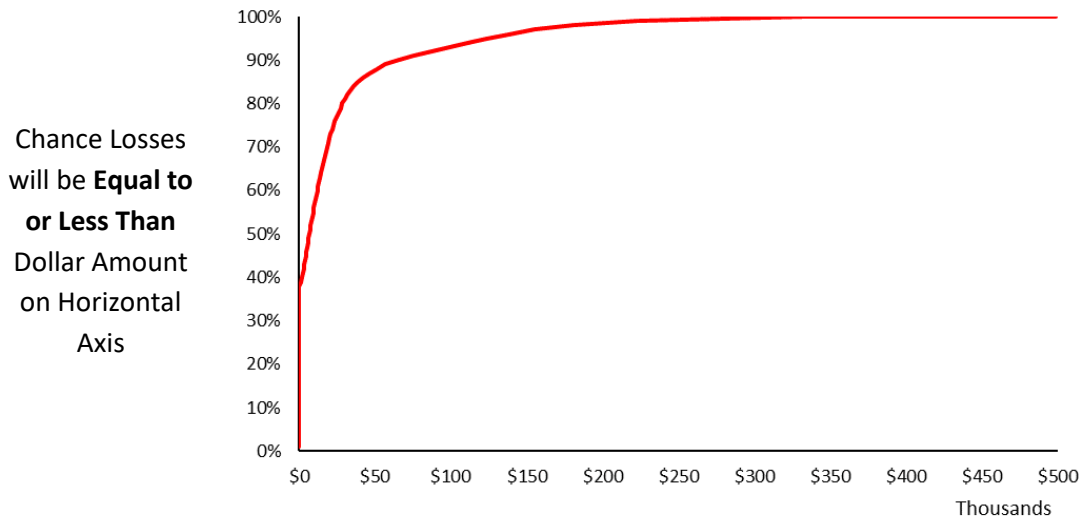
We can see that there is about a 50% chance of no losses at all – the red line is equal to zero up until about the 50% mark, which means that 5 out of 10 times when we look at a ten-year period the losses will be zero. The line does extend out to about $500 thousand, which represents the high-end of losses produced by the simulation.

We should note that there is no instance, in the FEMA records we had access to, of FEMA reimbursing a California municipality for landslides. Therefore, nowhere in our model do we assume FEMA reimbursement for landslides costs. Also, the simulation resulted in many landslides of marginal cost to

[30] Based on estimates from Aon. Aon's data shows projected public assistance provided by FEMA. Knowing that FEMA reimburses 75% of local cost allowed us to simulate total costs to city government.

City government. We might reasonably assume that these minor landslides will be absorbed by the regular City budget, rather than the general fund reserve. This will be reflected in Section 7 of this report, "Putting it All Together".

Exhibit 5.D.2 – Cumulative Probability Chart of Losses to the City Government from Landslides Over a Ten-Year Period (thousands of dollars)



Checkpoints

- ✓ Berkeley has experienced three damaging landslides since 1982.
- ✓ We used FEMA data on potential losses from landslides plus historical data from other landslides in the region to simulate potential costs to the City government.
- ✓ The simulation shows that over a ten-year period there is a 50% chance the City of Berkely would have zero financial losses from landslides. The simulation showed that losses could reach about $500 thousand, if the City is unlucky.

E. High Winds

High winds can cause damage in the community and occur relatively frequently. For example, data from the National Weather Service indicates that there have been 118 wind events in the entire San Francisco Bay Shoreline zone since 2011, with an average speed of 43 miles per hour. Of course, not every wind event in this zone will impact Berkeley. An examination of wind data from a local weather station for the last 24 months showed that the average windspeed of the 10 sustained wind events was about 30 mph. For comparison, FEMA regards 67 mph as a very strong wind event that would be likely to cause significant damage. During the same 24-month period, the San Francisco Bay Shoreline Zone experienced three

events over 40 mph. The biggest was on April 11, 2002. On that day in Berkeley, the maximum sustained wind period was around 40 mph. It should be noted that sustained winds (customarily measured over ten minutes[31]) are not as strong as unsustained wind gusts that can happen during the same wind event. For example, during a recent two-year period[32] the top speed of a wind gust was an average of 4.7 mph greater than the speed measured for the associated sustained wind event.

If we compare the 24 months of local weather station data to the same period from the National Weather Service data, we find that the wind events for the San Fransico Bay Shoreline zone were fully felt in Berkeley in four out of eleven cases (36%). Hence, we applied that some portion to entire 12-year period of history to arrive at an assumption that there will be an average of 3.5 wind events per year, on average.

We assumed that there was a 3% chance of a wind event with sustained winds of 67 mph or greater, which is equivalent to assumptions from FEMA's estimates of losses for Berkeley. 50% of wind events were assumed to be 45 mph or less, which is consistent with historical data. To estimate damage, we started with estimates from FEMA for damages from a very strong wind event (67 mph), based on total exposed value and expected rates of loss, which was $43,200 per event. We then scaled that loss down to expected damage from a 45-mph event. According to the Beaufort Wind Scale[33] winds at 45 mph result in damages such as twigs and small branches broken from trees. Hence, we assumed that damage was minimal at winds of this speed. This resulted in the loss exceedance curve shown in Exhibit 5.F.1.

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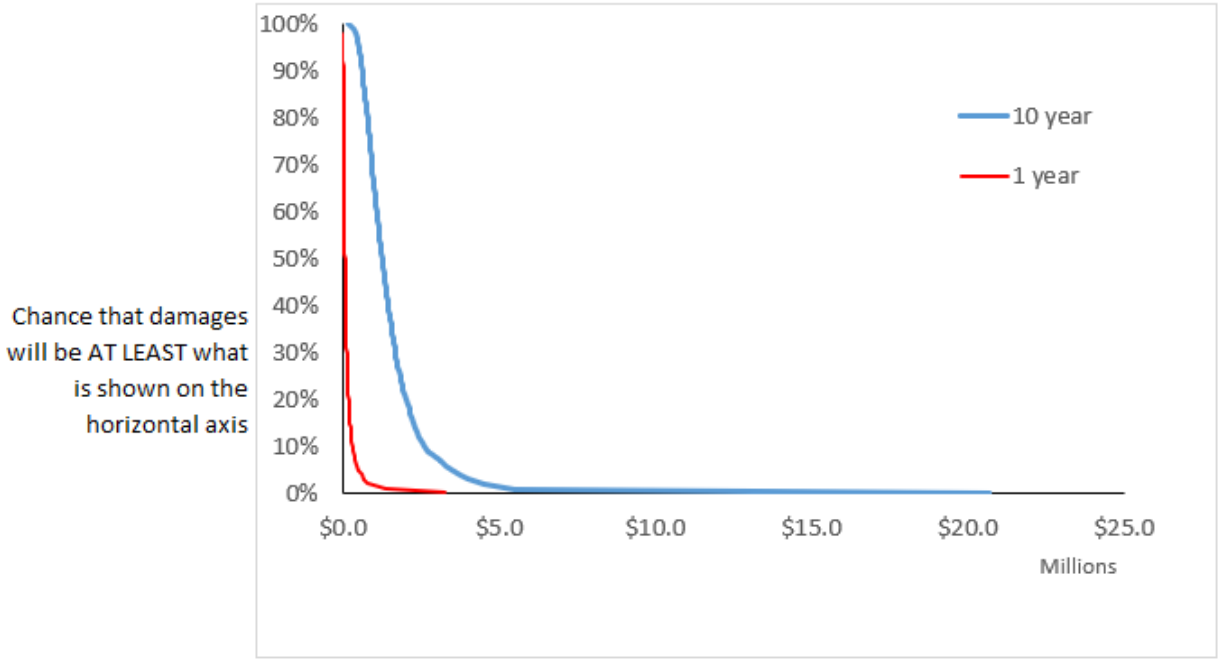
[31] https://www.rmets.org/metmatters/beaufort-wind-scale

[32] September 2023 to September 2021

[33] You can see the full scale at: https://www.weather.gov/mfl/beaufort. The scale is typically used to measure mean speeds, usually averaged over 10 minutes by convention, and do not capture the speed of wind gusts.

Exhibit 5.F.1 – Loss Exceedance Curve for Strong Winds, 10 Year and 1 Year Risks (Millions of Dollars)



10 Year Average	$	1,528,838	1 Year Average	$	137,226
10 Year Median	$	1,259,749	1 Year Median	$	64,149

The next step is to estimate the potential loss to the City government. There is not much research available on the projected financial impacts of high winds or much historical data to draw upon, so we had to make some assumptions. We started with the estimate of total economic losses, as per above. We then examined data we had available for earthquakes and wildfires and found damages to public entities (e.g., local governments) typically range between 11% and 32% of the economic losses.[34] This resulted in the cumulative probability chart shown in Exhibit 5.F.2.

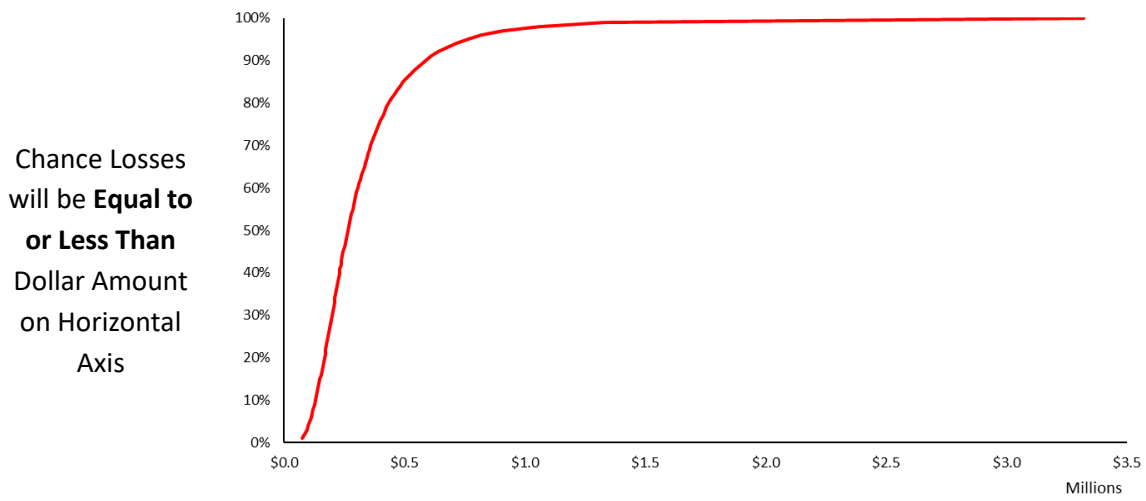
We can see that there is about an 85% chance of total losses over 10 years less than $500,000 – the red line is equal to $500,000 up until about the 85% mark. The line does extend out to about $3.3 million which means our simulation did show that large costs are possible, even if the chances a very remote. For example, there is only a 3% chance that total losses over ten years would be more than $1 million.

Note that we are considering this risk to be different from a severe storm, which might include lightning and heavy rain. The high winds risk only relates to winds that may or not be accompanied by storm conditions. Because this risk is limited to more "routine" winds, which fall short of a "natural catastrophe", we do not assume FEMA would get involved. However, we also assume that many wind events will only result in marginal damage, which could be absorbed in the City budget, rather than the general fund

[34] Based on estimates from Aon. Aon's data shows projected public assistance provided by FEMA. Knowing that FEMA reimburses 75% of local cost allowed us to simulate total costs to city government.

reserve. This will be reflected in Section 7 of this report, "Putting it All Together". We also have another section of this report on severe storms.

Exhibit 5.F.2 – Cumulative Probability Chart of Losses to the City Government from High Winds Over a Ten-Year Period (thousands of dollars)



Checkpoints

- ✓ High winds occur regularly in the bay areas and sometimes reach high enough speed that they could cause a material amount of damage to the community.
- ✓ There could also be costs to the City government. Most of these costs could probably be absorbed by the City budget, but it is possible that extraordinary costs would require the use of the reserve.
- ✓ Our simulation shows that there is about an 85% chance of total losses over 10 years less than $500,000. There is only a 3% chance that total losses over ten years would be more than $1 million.

F. Severe Storms

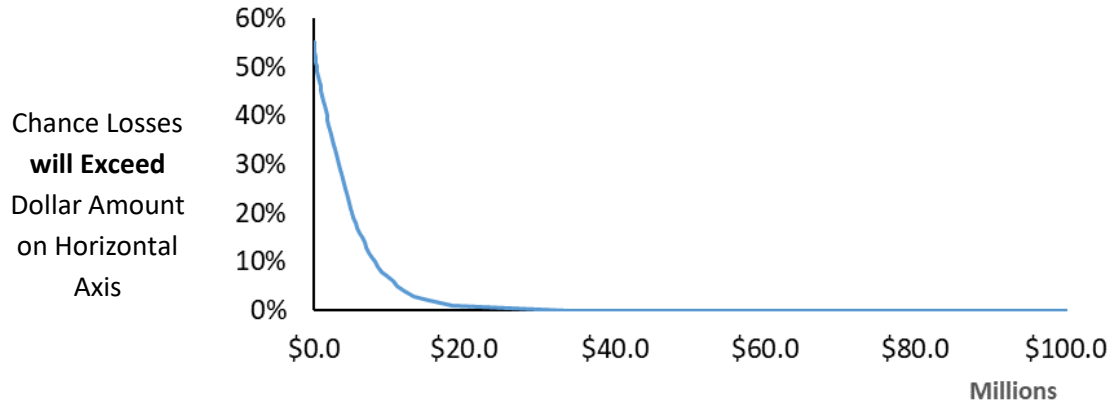
A prior section of this report addressed high winds, which focused on winds in the range of around 35 to 67 mph, where many simulated wind events cause marginal or no damage. That section did not address severe storms which could include not only high winds, but also violent precipitation. In 2006, Berkeley, along with 16 other cities in Alameda and Contra Costa counties experienced a storm that was severe enough to receive assistance from FEMA. We used this storm as a starting point to simulate future storms. There was also a severe storm in 2023, but not enough data from that storm is available to be able to fully include in the risk model (but it still partially informs the model).

Let's start simulating the frequency of storms. There have been three severe storms in Alameda and Contra Costa counties that were bad enough to receive FEMA support since 1998.[3] Berkeley was only impacted by two of the storms. Hence, we simulated an 12% annual chance of storms,[4] with a 66% chance that Berkeley would be impacted by any given storm.[5]

To simulate damages, we looked a per capita damage from each of the cities impacted by the 2006 storms.[35] That provided a range of potential losses. We used this range to simulate Berkeley's potential losses from future storms: both economic losses to the community at large and financial losses to the City government.

Exhibit 5.G.1 shows the loss exceedance curve for the economic losses to the entire community from severe storms. We see that some very large losses seem possible, even if highly unlikely.

Exhibit 5.G.1 - Loss Exceedance Curve for Tsunamis for Berkeley Community, 10 Year Risk (millions of dollars)



Section 6 -

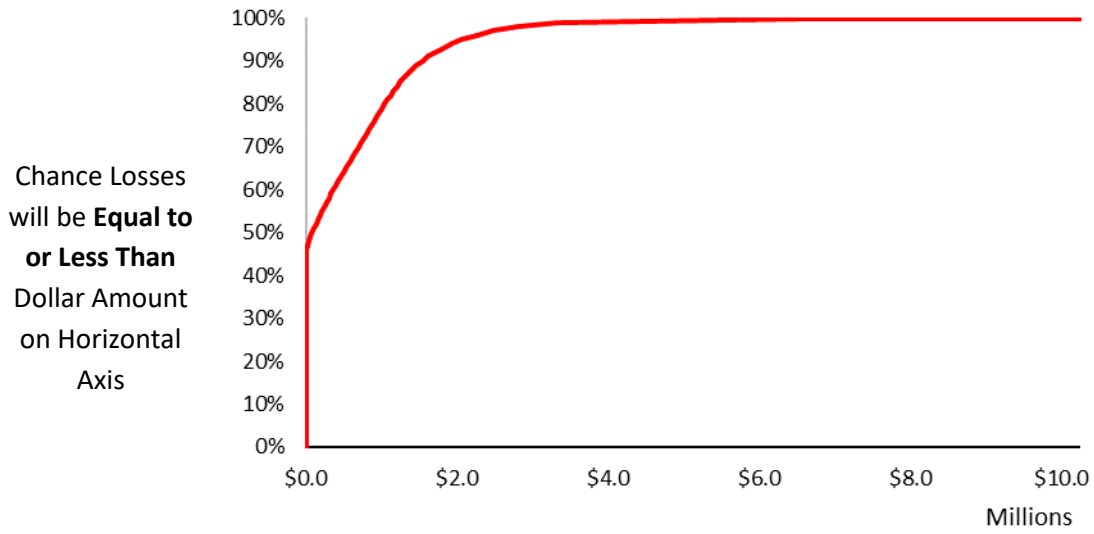
	Chance that Economic Losses Will Exceed Dollar Amounts (Millions) Indicated Below			
Time Horizon	5%	10%	50%	90%
1-Year	$1.1M	$0	$0	$0
10-Year	$10.5M	$8M	$0.4M	$0

Exhibit 5.G.2 shows the cumulative probability chart for direct losses to the City government from severe storms. Similar to 5.G.1, we see that very large losses are possible, though highly unlikely. The cumulative

[3] This is as far back as we can obtain records from FEMA
[4] 3 storms in 25 years is 3/25 or 0.12
[5] Berkeley was impacted by 2 of 3 storms, or .66.
[35] 2023 data is not available as of this writing

probability chart does not include FEMA reimbursement. That will be addressed in Section 7 of this report, "Putting it All Together".

Exhibit 5.G.2 – Cumulative Probability Chart of Losses to the City Government from Severe Storms Over a Ten-Year Period (millions of dollars)



Checkpoints

- ✓ Severe storms present a greater amount of possible damage than just high winds.
- ✓ Severe storms powerful enough to cause material amounts of damage are rare, but the amount of potential damage could be quite large.
- ✓ That said the chance of very large damage is remote. There is a 7-in-10 chance of zero losses to City government over 10 years and a 9-in-10 ten chance of losses less than $1 million.

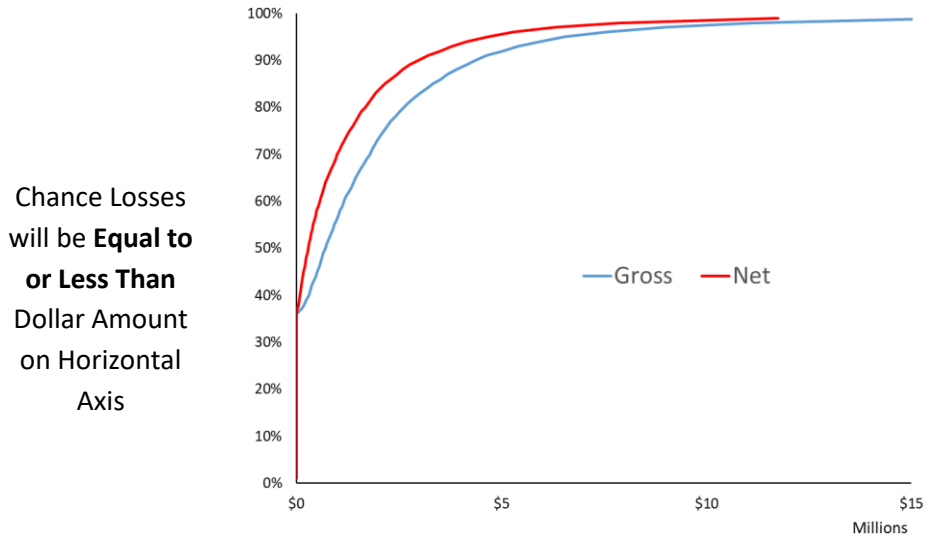
H. Pandemics / Infectious Disease and Other Risks

COVID-19 has made people more aware of the risks posed by pandemics. We included pandemics in the Risk Model by developing a "miscellaneous risks" simulation to account for pandemics as well as other unusual events that don't fit into the categories above, but that have the potential to require the City to use reserves. Another example of such an event occurred in 2013. A wildfire in the Tahoe region caused extensive damage to property owned by the City of Berkeley, requiring a large outlay from the general fund (on top of reimbursements from insurance) to mediate. Other events might not cause much damage. For example, civil unrest in 2019 created overtime costs for public safety personnel, but the total cost was relatively modest. Note that by limiting the scope of this simulation to events that might impact reserves we are excluding insurable losses.

The simulation provides for a small annual chance that an unusual event might occur. The annual chance is aligned with how frequently such events have happened to Berkeley in the past. If an event is simulated to occur, the potential damages are also aligned with the damages for events Berkeley has experienced in the past. Something on the scale of the damage from COVID would be very rare. Finally, the model simulates reimbursement by outside entities. The chances of reimbursement are also aligned with Berkeley's experience. Also, GFOA's experience with building similar models for other local governments allowed us to draw on the experience of other local governments to provide more data points to base the model on.

Exhibit 5.H.1 shows a cumulative probability chart of simulated losses over a ten-year period. Because reimbursements were customized for the miscellaneous simulation, we included lines for gross losses and losses net of reimbursement.

Exhibit 5.H.1 – Cumulative Probability Chart of Losses to the City Government from Miscellaneous Risks Over a Ten-Year Period (millions of dollars)



We see Berkeley has a 33% chance of zero losses. Even if losses do occur, they are relatively mild most of the time (compared to some other hazards we have discussed in this report). For example, there is 70% chance net losses will be less than $1 million in a ten-year period. Nevertheless, larger losses are possible. There is a 5% chance net losses could exceed $5 million in a ten-year period.

Section 7 of this report shows how miscellaneous risks impact the City's reserves, along with the other risks we analyzed.

Checkpoints

- ✓ The City could be impacted by other, unexpected hazards; besides those we've described in other sections of this report. Pandemics are the most recent example of a hazard that was not top of mind for many local governments until recently.
- ✓ We used the experience with COVID-19 as well as other unusual events the City has experienced to simulate the exposure of the City's reserve to other hazards. We also drew upon GFOA's experience building similar models for other cities to broaden the data available.
- ✓ The simulation suggests that very large losses, net of reimbursement from other entities, from miscellaneous risks is unlikely. There is a 70% chance net losses will be less than $1 million in a ten-year period. Larger losses are possible. There is a 5% chance net losses could exceed $5 million in a ten-year period.

Section 6 - Secondary Risks and Comparable Analysis

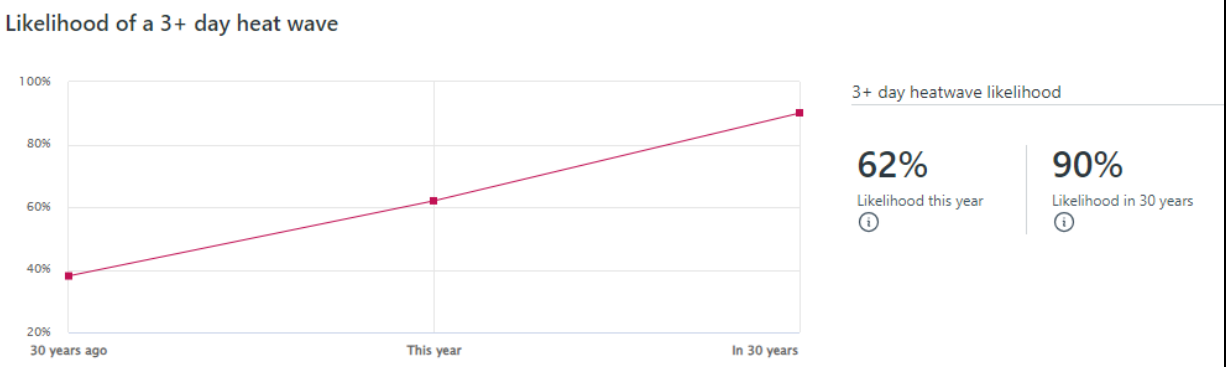
Prior sections of this report reviewed the risks of the greatest financial consequence to Berkeley. In this section we briefly review other risks that we considered, but that did not appear to be as important to Berkeley's general fund reserve as the other risks we examined. This is not to say that Berkeley should not prepare for these risks or that they are not important. It is only to say that these events were not included in the scope of our analysis because of the low potential impact on the general fund reserve. Finally, we should note that the primary risk section of this report includes an "other hazards" model which is intended to capture the possibility of losses from unexpected sources. For example, we will see later in this section although the City has solid cyber insurance, like every other city, there are exceptions in the policy for acts of war. One could imagine a scenario in which a cyber-attack by state-sponsored actors is not covered by the policy, requiring the city self-fund the recovery. These kinds of "unconventional" scenario are the purpose of the "other hazards" model.

Also, in this section we examine how Berkely compares to other cities in terms of indebtedness and the amount of fund balance maintained.

A. High Heat

According to the First Street Foundation's Risk Factor tool, Berkeley has a "moderate" risk for heat. This is, first, because "feels like" temperatures have been rising. Exhibit 5.G.1 shows First Street's rising expectations for heat waves in the future. We see that it is going up, where a hot day is defined as temperatures above 83 degrees Fahrenheit.

Exhibit 6.A.1 – First Street's Estimation of the Chance of a 3+ Day Heat Wave



First Street also posits that homes in Berkley have moderate vulnerabilities to heat based on factors like shade and proximity to bodies of water.

We used data from First Street to simulate the number of heat days along the following thresholds, where the indicated temperature is the "feels like" temperature, so includes humidity (which increases the

perceived temperature).[36] First Street provided an estimate of the average number of days between 80 and 90 degrees and above 90 degrees for the next 30 years. We focused on the next ten years. Historically, we looked at the difference between what First Street's algorithm would have predicted for past years and compared it to what actually happened to estimate the potential variation between what First Street's algorithm predicts for the future and what actually happens.

Unfortunately, not much useful research exists on economic impacts of high heat at the local level – research seems to focus on aggregated losses at the national or international level. Further, by speaking with a CFO of a large city in the Phoenix area (which has a much larger risk of high heat days than Berkeley) we learned that high heat days don't seem to have much potential impact on general fund reserves. Therefore, we did not quantify this risk. Instead, Exhibit 5.G.2 provides summaries of the simulation results for 10 years in the future.

Exhibit 6.A.2 – Summary of Simulation Results for Number of High Heat Days

"Feel Like" Temperature	Annual Average Now	Annual Average in 10 Years	Annual 90th Percentile Now	Annual 90th Percentile in 10 Years
80-85 Degree Days	17	18	25	26
85-90 Degree Days	8	10	13	16
90-100 Degree Days	6	7	11	12
100+ Degree Days	0	1	2	2

B. Cyber Risk

Local governments are at high risk for cyberattack, particularly ransomware attacks. In fact, studies have shown that local governments are one of the most popular ransomware targets for cybercriminals.[37]

The City currently has coverage under "Alliant Insurance Services, Inc. Alliant Property Insurance Program (APIP) Cyber Insurance Evidence Attachment." GFOA is not an insurance analyst, and a comprehensive review of all policy details was outside the scope of our project, but we can offer the following observations from our review of the policy as it relates to the City's reserve strategy.

The insurance has a $2 million limit aggregate limit of liability. There are also several sublimits for different kinds of coverages. For example, there is a $500,000 limit for "Breach Response Costs". It is conceivable that a particularly bad attack could exceed one or more of these sublimits. Research suggests that the potential damages from and attack and size of the government are only weakly correlated. This means that even small governments can be on the receiving end of large attacks – and Berkeley is not a small government. Losses over these sublimits might be covered using the City's reserves. It is also worth noting that there is a $40 million aggregate limit for all members of the policy. Presumably, this refers to the governments that participate in the Bay Cities Joint Powers Insurance Authority. In most cases, this joint

[36] The "Feels Like" temperature relies on environmental data including the ambient air temperature, relative humidity, and wind speed to determine how weather conditions feel to bare skin.
[37] The GFOA report "Cyber Risk Savvy" describes multiple such sources. It is available at gfoa.org.

limit would not be much of a concern but could be an issue in the case of widespread attack that impacts many jurisdictions at the same time.

There is also a retention (deductible).[38] The policy describes a sliding scale of retentions, depending on the insured's size. The scale ranges from $50,000 to $250,000. Presumably, the City would be on the upper half of this scale, however it is also ***very important*** to understand how retentions work in cyber policies. There are two basic approaches single retention and multiple retention. A cyber-attack could trigger multiple types of coverage within the policy. The City's policy has around twenty different types of coverage. An important question is: if a claim occurs would the City pay a separate retention for each type of coverage that is triggered ("multiple retention") or one retention amount for the entire cyber-attack event ("single retention")? This is not a trivial issue because the deductible amount the City would face could be multiple times larger under a multiple retention policy compared to a single retention policy. GFOA could not discern whether the policy is single or multiple retention from the documents provided. The City may wish to inquire with its insurance provider on this point.

The policy provides coverage on a "claims made and reported basis." According to the International Risk Management Institute (IRMI), a claims-made and reported policy is a type of policy in which a claim must be both made against the insured and reported to the insurer during the policy period for coverage to apply. Further, IRMI states: ***claims-made and reported policies are unfavorable from the insured's standpoint because it is sometimes difficult to report a claim to an insurer during a policy period if the claim is made late in that policy period***. This is particularly important when it comes to cyber risk. For example, imagine malicious software infiltrated the City's network months ago but the City finds out about it after the policy period is over. How would the policy cover that situation?

Cyberattacks can cause many types of losses. As mentioned above, the City's policy includes several coverages to address different losses. Nevertheless, cyber policies are rarely, if ever, comprehensive of every cost that could arise from every cyberattack scenario. Here are examples of uncovered losses from the City's policy:

- The policy excludes acts-of-war, but this is a common exclusion in insurance policies. Many ransomware attacks are thought to be perpetrated by state or quasi-state actors. If interpreted as an "act of war" the City may not have coverage. The policy goes even further by excluding "Governmental Actions," which may be intended to exclude the actions of state-sponsored cybercriminal when those actions do not rise to the level of "an act of war."
- The policy excludes property damage. For example, if a computer virus sabotages physical equipment besides computer hardware, the City may not be covered. Many types of equipment, from vehicles to smart infrastructure, rely on computer systems. Sabotage of the computer system could result in physical damage to the asset.
- Betterment Coverage. This is coverage for expenses incurred to update, restore, or improve computer systems to a level beyond what existed before the attack. This might be important, for example, if the old system posed particular security vulnerabilities that could only be eliminated via a substantial

[38] Retentions and deductibles not synonyms, but they are close. Retentions can include any source of loss not commercially insured – it is the risk retained by the holder of the policy. In the part of the policy this paragraph refers to, "retentions" are being used in a way that most people understand insurance deductibles.

upgrade in the system. Note that the policy does not use the term "betterment coverage," but rather spells out the concept as an exclusion.

That said, GFOA is ***not*** suggesting the City should have insurance coverage for ***all*** risks that could arise from a cyberattack. Such a policy might be cost prohibitive or even completely unobtainable. The City, though, should be cognizant of what risks the City is not commercially insuring because those risks are then being, de facto, self-insured.

Finally, some municipal governments have found cyber policies to be increasingly expensive or hard to get at all in recent years. Insurance companies are becoming more rigorous in their underwriting practices and are increasingly requiring that policyholders have risk-mitigating practices in place, like multi-factor identification and more. This has two implications for the City:

- The City should continue to stay up to date with nationally recognized cybersecurity standards.
- The City may need to be prepared to take on higher retentions for cyber policies in the future.

Given the points above, the City might consider the following recommendations that have implication for the City's reserves:

- The City should remain open to investing in additional cost-effective cyber controls to help mitigate future risks. This is because a dollar invested in prevention is usually going to be more effective than a dollar invested in remediation.
- Be prepared to retain more risk on a cyber insurance policy. If policies were to become substantially more expensive (or, worst case, unavailable), the City could lower the cost by retaining more risk. This could be accounted for in the City's reserve amount. As we stated above, it is conceivable that a cyberattack could cost the City's more than the sublimits outlined in the policy. Therefore, "retention" of risk is not just the insurance deductible, but also includes the risk of a catastrophic attack that costs more than the policy limit or that causes damages that are not covered under the policy.

Because the costs of cyber risk are variable it is hard to estimate an amount to hold for a reserve with the available data. Hence, cyber-attacks ***are not*** part of the probabilistic risk model GFOA has developed. The City's current policy does cover many kinds of cyber risks. The City's "retained" risks appear to be:

- The deductible costs, especially if the City is responsible for covering multiple deductibles that could arise from a single attack.
- Damages in excess of the sublimits under any of the individual coverages.
- Uncovered risks, which should be remote relative to the risks that are covered.

GFOA has observed that $1 million is a common limit on cyber policies (the City already has an aggregate limit of $2 million). Given that most risks are covered, a conservative approach might be to add $1 million (or a lesser amount, such as $250,000 which is the high end of the deductibles listed in the policy) to the City's "critical threshold" for reserves. That has the impact of raising the desired "floor" on reserves. A higher floor provides more flexibility to address risks that are not factored into

the model. A less conservative approach would be to rely exclusively on the City's commercial insurance and a strong preventative posture and not hold additional reserves for cyber risk.

C. Manmade Risks like Hazmat and Terrorism

GFOA's experience with cities that have a substantial presence of hazardous materials in the community is that risk to the general fund reserve is remote. According to City of Berkeley's Local Hazard Mitigation Plan "over the last 25 years, Berkeley has seen a more than 90 percent reduction in the number of facilities with extremely hazardous materials". This means that hazmat risk is even more remote for the City of Berkeley.

With respect to terrorism, the Hazard Mitigation Plan says, "it is not possible to estimate the probability of a terrorist attack".

For these reasons, we did not quantify hazmat or terrorism risk, specifically. However, the risk model does include the other hazards model, which provides accommodation for losses from unexpected sources, which could include hazmat releases or terrorism.

D. Comparable Analysis

This section compares Berkeley to an outside standard for ***fund balance***. This information provides context for the City in selecting its own ***reserve*** levels. Reserves are a subset of fund balance. Unfortunately, publicly available financial records often do not distinguish between a government's fund balance and what they are holding in a reserve for the purposes of self-insurance. Therefore, we will look at the entirety of fund balance and compare it to the standards used by Moody's bond rating agency for assigning credit scores. The scores range from Aaa (the best) to Ca (the worst). The measure Moody's uses are "Available Fund Balance Ratio", which compares fund balance to revenues. It is important to note that Moody's considers fund balance across the entire government, not just general fund. The rationale is that, if it came down to it, a government would use fund balance from anywhere across its holdings to make a debt payment, rather than default. Moody's assesses creditworthiness based on the likelihood of repayment of debt. Moody's basic formula for Available Fund Balance Ratio is:[39]

Available Fund Balance Ratio: (Available Fund Balance + Net Current Assets) / Revenue

The table below shows a summary of the calculations of this Ratio for Berkeley, as the end of fiscal year 2023. The details behind the summary were reviewed with City staff. We can see at the bottom of the table that the ratio across all of City government is 75%. Moody's standard for a Aaa rating is anything over 35%. So, by that measure, Berkeley is doing quite well. We see in the table that if we limited our scope to just the governmental funds, then Berkeley would be above the standard for Aaa, though not nearly as much. Our table doesn't show general fund balances in isolation, but the general fund balance is not much different from governmental funds as a group (52% of revenue).

[39] Moody's documentation describes nuances to calculate this formula, which we have included in our calculations.

We should emphasize that the Moody's rating system considers the whole government, so the governmental funds' lower ratio should not impact the City's rating, under Moody's standards. Also, fund balances are one of several criteria that Moody's and other rating agencies consider. This means a local government is not guaranteed a AAA bond rating by virtue of high fund balances alone. GFOA provided a separate report to Berkeley that provides an analysis of the other criteria that go into a bond rating.

We should also emphasize that the table below is a snapshot in time (end of fiscal year 2023). The risk model what we built for Berkely simulates the general fund over a future ten-year period. But the table below does show us that the City's fund balances are, as of now, in a good position compared to the standard used by Moody's bond rating agency.

Calculation of Fund Balance Ratio as per Moody's Metholodogy	
Step 1 - Get Total UNRESTRICTED Governmental Fund Balance	
Total from ACFR	222,914,865
Total Unrestricted Governmental Fund Balance	**222,914,865**
Step 2 - Get Total Net Current Assets from Proprietary Funds	
Total Net Current Assets from ACFR	207,329,840
Total Net Current Assets	**207,329,840**
Step 3 - Get Total Revenues	
Total Governmental Fund Revenues	451,986,361
Total Proprietary Fund Operating & Non-Operarting Revenues (excludes Internal Service Operating)	125,081,787
Total Revenues	**577,068,148**
Step 4 - Get Fund Balance Ratios	
Governmental Funds	49%
Proprietary Funds	166%
Total	**75%**

To close this section, let's summarize:

- ✓ Moody's ratio is not a perfect proxy for what we are measuring in the GFOA analysis: we are measuring self-insurance capacity of the general fund, while Moody's is measuring ability to repay bonds.
- ✓ Nevertheless, the Moody's ratio and its associated benchmarks for bond ratings provide a clue: both reserves and Moody's ratio are a product of the City' fund balance.
- ✓ We can see that Berkeley's level of fund balance is healthy when considering all of City government, when compared to rating agency expectations. Even if we limit our scope to governmental funds (of which the general fund is part), Berkeley still does well.
- ✓ This analysis is a snapshot in time (the end of fiscal year 2023). Our risk model simulates the 54performance of the general fund over a ten-year period. The next section puts together all the previous parts of this report to present the conclusions from the simulation.

Section 7- Putting it All Together

In Sections 4 and 5 we examined individual risks such as recessions, fires, earthquakes, and more. We examined each of these risks individually in order to best understand the nature of each risk and the financial implications. However, to arrive at a final reserve strategy for the City, we need to consider these risks as a group. Considering the risks as a group has important advantages.

The first advantage is that considering risks as a group recognizes the diversity in the risks that the City faces. This diversity actually is an advantage for City finances! Diversity in risks means we should not simply add together a reserve for each individual risk. This may overstate the amount of reserves that the City really needs. This is because it is unlikely, for example, that the City will experience a deep recession, a severe earthquake, and severe fire all within a short time period.

The second advantage of considering all of the risks together is that not all of the risks have an equal chance of occurring over a given time period. Recessions are more common than a 7.0 magnitude earthquake. The reserve analysis should reflect this fact. We can use relative chance of each of the major risks occurring over a ten-year period to build a model of risks over a long-term time horizon.

The final advantage of considering all the risks together is that we can consider "risk interdependencies." This simply means that the occurrence of one risk could impact the probability and/or magnitude of a related risk. In Berkeley's case, a good example an interdependency is revenue performance and pension burden. The worse the economic performance is over a ten-year period, the worse the implications are both for Berkeley's revenue income and pension burden. There are also interdependencies between revenues during a recession. Some revenues decline right away while others take longer to decline. Other than that, there does not appear to be any critical interdependencies. It is not unusual for local governments GFOA has worked with to not have many interdependencies.

To realize the advantages described above, we built a model that considers the City's risks over a ten-year time horizon. The GFOA Risk Model runs ten thousand simulations of possible futures for Berkeley. Below are the key assumptions behind the model. Some of these assumptions are user-definable so that the City can explore alternative scenarios to those described in the report. Below, we have italicized user definable variables and described the default values included in the model.

- **Probability of an undesirable event.** The probability of any undesirable event occurring is consistent with the assumptions described in Sections 4 and 5 of this report.
- **Magnitude of an undesirable event.** Should a simulation show that an undesirable event occurs each year, the magnitude is generated randomly in a manner identical to how we described for the risks earlier in this report.
- **FEMA / CalOES reimbursement.** The City could recoup some of its losses from extreme events, such as floods, fires, and earthquakes from reimbursements from FEMA and CalOES. The model assumes the reimbursements are received *two years after the event occurs*.[40] The model assumes all large natural catastrophes would be assisted by FEMA. Small ones may not. CalOES would supplement FEMA in all the cases above. We also assume the City will be reimbursed at the

[40] Our research shows that FEMA reimbursements are completed 18 months after the disaster occurs, on average. So, this is a conservative assumption.

customary *rate of 75% of incurred costs* by FEMA. We *assume 18.75% reimbursement* from CalOES. We also assume there is some amount of losses that do not fit into FEMA reimbursement (beyond the 25% local share) that the City will need to bear. The amount varies by type of disaster but ranges from 35% to 10%.[41]

- **The City does cut some spending to help offset the impact of a recession or an extreme event.** At least some of the losses from a recession or extreme event could be absorbed by cutting back on the City's regular spending. The Risk Model provides the user with the ability to set the amount of spending the City is willing to cut and pick between various cost cutting strategies. For the purposes of the discussion in this report, we worked with City staff to select a set of strategies that amounted to about a 4.5% reduction in the annual budget. We strove to be consistent with past experiences the City has had in balancing its budget. The user of the model can easily select a different set of strategies.
- **The City will have a tough time generating budget surpluses in years when there is not a recession.** In the past, the City has usually generated surpluses in years when there is not a recession. However, forecasts by the City staff project deficits for the next few years and continued, though less acute, challenges in balancing the budget for a few years after that. Hence, the risk model simulates continued deficits as the most likely future outcome for the next few years (but not a certain outcome – the model still provides a small chance of surpluses) and then a break-even budget for the next few years, and finally a small surplus for the last few years. There is possible variation built into the simulation so that any year is capable of generating a surplus or deficit (just like in real life), but the most likely outcome is as described above.
- **Critical threshold.** *This is the amount that the City does not want **fund balance or reserves** to go below*. For the purposes of this report, we set the critical threshold for **general fund balance** at the amount Moody's bond rating agency looks for in a Aaa credit: 35% of revenues. For reserves, we set the threshold at zero. This would be the point at which the City's "self-insurance" capacity provided within fund balance is exhausted. The model simulates the interaction between fund balance and reserves as well. So, if reserves are exhausted, then fund balance picks up the slack.
- **Pension trust fund**. The City has a pension trust fund. The pension trust fund is in the model and helps absorb excess pension costs. The pension risk model and the role of the pension trust fund was described in detail in Section 4 of this report.
- **City's starting fund balance and reserve**. The starting reserves are $130.7 million. Reserves are a subset of fund balance and are equal to $40.7 million to start. As per conversations with City staff, this is the amount the City has been considering the "reserve" amount within fund balance.

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[41] A recent high wind event in the City produced costs that were not reimbursable by FEMA in an amount equal to about 50% of the costs that were. Hence, 50% is not an unrealistic upper limit.

We combined all the information described above to create a ten-year probabilistic model. The City's goal for this analysis was to find an amount that can give the City sufficient comfort that its fund balance and reserves will be sufficient. We next present a series of graphics based on this model.

Exhibit 7.1 compares fund balances and reserves to thresholds that the City is concerned about.

For fund balance, the threshold is the amount of fund balance associated with Aaa bond rating, according to the bond rating agency Moody's: an amount equal to at least 35% of general fund revenue. An important caveat must be noted, however. *Moody's evaluates fund balance across the entire local government, while our analysis is just for the general fund.* Thus, our analysis is really asking about the chance that the general fund can carry its "fair share" of the load of meeting rating agency expectations and not if the City, overall, will be able to meet rating agency expectations.

For reserves, the threshold is zero. Zero represents the "self-insurance" aspect of the City's reserves running out.

In Exhibit 7.1, we see there is a very high chance, approaching 90% (or 9 in 10) that the City's fund balance will go below the amount associated with a Aaa bond rating. Again, we should draw attention to our caveat that a bond rating is based on the entire City government, while our analysis covers only the general fund. As of this writing, the position of the City's other funds is *currently* strong enough to keep the entire City is Aaa territory, but our analysis says nothing about the chances of this continuing. Another important caveat is that fund balance is just one of several criteria that bond rating agencies consider, so a decline in fund balance below the Aaa threshold does not necessarily mean that the City will be downgraded – perhaps other aspects of the City' financial condition could balance out a declining fund balance.[42]

Exhibit 7.1 also addresses reserves, where there is just over a 20% chance that that the reserve will reach zero at the end of ten years. This is a greater chance than GFOA has observed most municipalities are comfortable with.

It is important to note that, generally, the bars in presentations like 7.1 will get higher the further in the future we look because more bad things can happen. That said, we should also note that a very important cause of the rising height of the bars is the assumption we described earlier about the City having a "tough time generating budget surpluses" in the next few years. For example, if we were to change the most likely outcome of our surplus-or-deficit simulation to just "zero" or break-even, the chance of the City's fund balance being below Aaa in year ten improves by around 15 percentage points (about a 75% chance). The impact in the near term is even greater: 5 years out the chances improve by 25 percentage points (from a 65% to 40% chance of going below the critical threshold). The pension risk described in Section 4 of this report also adds a persistent drag on the City's finances, including its fund balances and reserves.

[42] GFOA did a separate analysis on bond rating for the City which goes into the factors Moody's considers and the City' relative position on each.

Exhibit 7.1 – Chance Fund Balance + Reserves is Less than Bond Rating Aaa and Chance Reserve is Less than Zero.

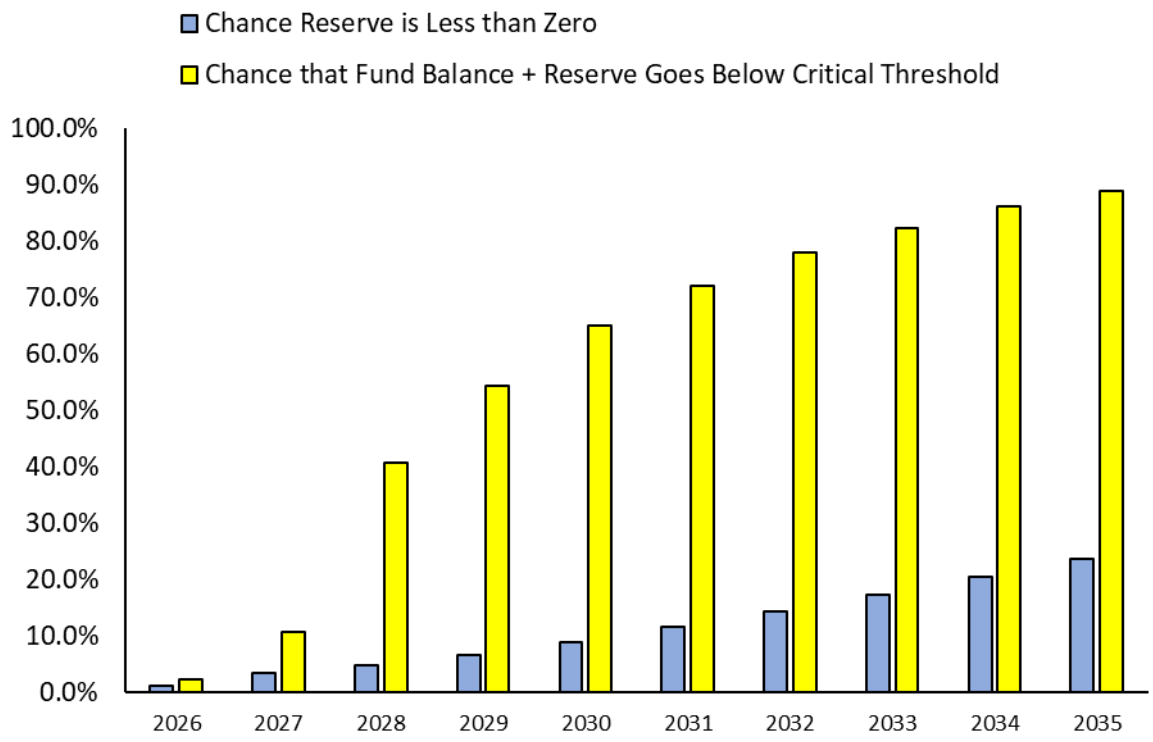

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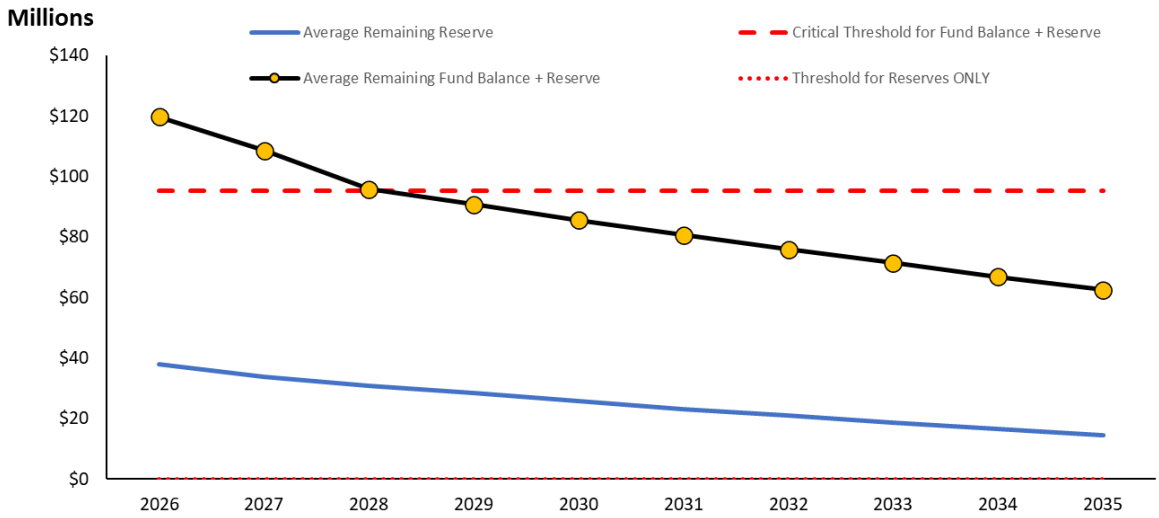
Exhibit 7.2 shows the average remaining fund balance and reserves each year. Perhaps unsurprising given the rising bars in Exhibit 7.1, Exhibit 7.2 shows the lines on a downward trajectory. It shows that the City's fund balance falls below the Aaa threshold, on average, in the fourth year of the analysis. On average, reserves stay above zero each year. Note that the threshold for reserves is set to zero, so the dotted red line that represents this threshold may be difficult to see because it overlaps the black line border that is also at the zero position.

Exhibit 7.2 – Simulated Remaining Fund Balance and Reserve each Year



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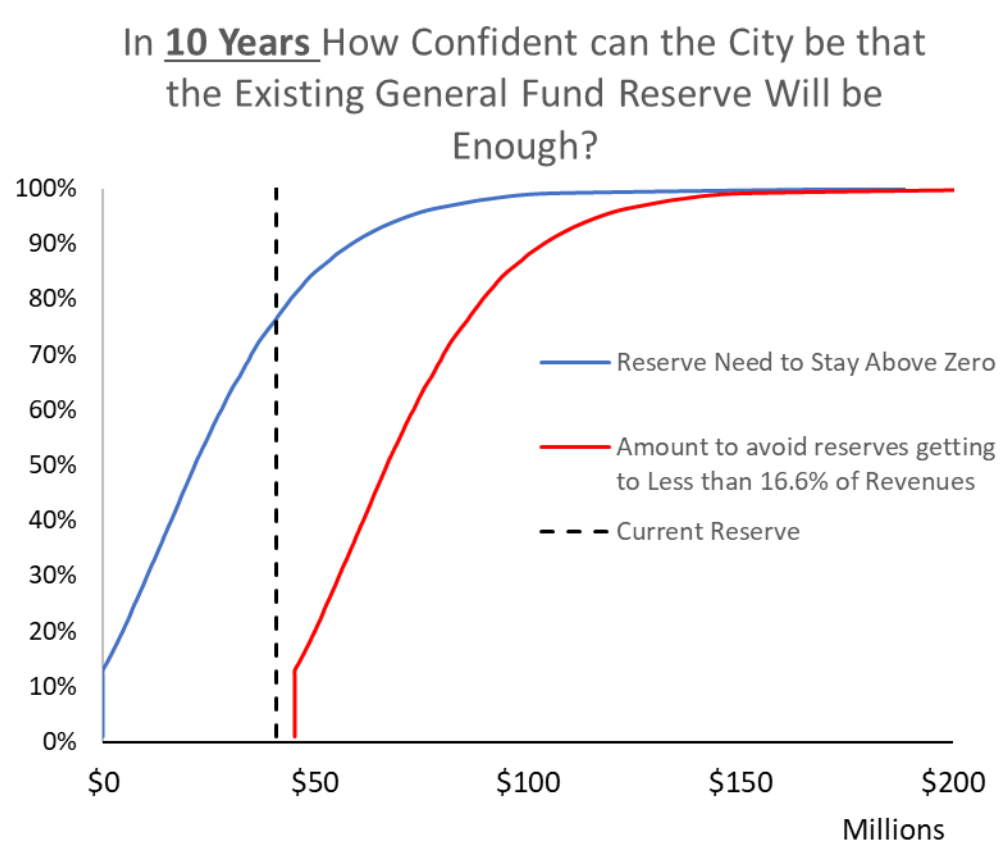
Finally, below is Exhibit 7.3. This is a cumulative probability chart. It shows the confidence available from varying levels of reserves. Berkeley's existing reserve intersects the blue line at about 80% confidence, which means there is an 80% chance that the City will have an amount of reserves greater than zero in the tenth year of the analysis. This is the other side of our earlier conclusion that there is about a 20% chance of the reserves being less than zero in year ten. This graphic adds an element for GFOA's rule-of-thumb on the minimum amount of fund balance a City should maintain, which is equal to at least 2 months (16.6%) of revenues.[43] Currently, the City is just short of that amount if we focus just on the City's reserves. Exhibit 7.3 shows the amount of money that would be needed in the reserve in year 1 to have a given level of confidence that reserves would remain above zero or 16.6% of revenues in year 10.

A key takeaway is that reserves have a diminishing return at a certain point because the flatter the line gets, the less confidence an additional dollar of reserve "buys" you. This is because the further to the right you go on the graph, the more extreme the events are that must be covered by reserves. This graphic shows that the City would still get a good "bang for the buck" from higher reserves than it has today. This City would not be as well served by accumulating reserves past the point where the line starts to flatten.

Exhibit 7.3 – Cumulative Probability Chart



[T]The GFOA rule of thumb concerns unrestricted fund balance of which reserves are typically a subset.

The implication of the line going flat is that not all points on the line are equally cost effective. Let's examine Exhibit 7.3 to illustrate. According to the graph, to be 90% confident of staying above the zero threshold requires a reserve of $58.7 million. To be 95% confident requires a reserve of $72.2 million, a difference of about $13.5 million from 90% confidence. To be 99% confident requires $104.9 million, which is about $32.7 million more than the amount required to be 95% confident. Thus, it is almost three times as much to "buy" a similar increase in confidence. This is the point where the line in Exhibit 7.3 goes flat, and it is not efficient to build reserves.

The City can use the results of this report to optimize the range of general fund reserves it would like to hold. GFOA recommends the City establish a floor and a ceiling amount of reserves. The ceiling is an amount of reserves the City will try not to exceed and a floor is an amount that the City will try not to go below and will try to replenish the reserves quickly if they do go below the floor. GFOA cannot recommend a precise amount of reserves the City should maintain, but our analysis does provide a clear general direction, and our risk model provides the ability to "stress test" different reserve strategies. The reason we cannot make a precise recommendation is that a big part of determining a desirable reserve amount is the "risk appetite" of City officials. Officials who are risk averse may prefer more reserves. Those who are less averse and perhaps more sensitive to the opportunity costs of holding reserves may prefer less.

City officials will also want to think about other factors to finalize the reserve target range. This is because Exhibit 7.3 cannot account for every possible factor that should go into deciding how much Berkeley should keep in its reserve. The numbers shown in the exhibit are what is needed to protect the City from just the risks described in this report and to keep the reserve above zero (and fund balance within Aaa territory). Usually, municipal governments have other concerns they expect their reserves to address. Here are examples of such concerns:

- There are risks that are sometimes called "unknown unknowns." These are risks that are totally unanticipated. Our risk model does include an "other hazards" simulation which should go a long way towards addressing unknown unknowns.
- Our Risk Model is based largely on historical data, which, by definition, does not capture the potential future impacts of climate change. It is impossible to say what the future impacts of climate change will be. This might suggest a more "risk averse" approach to reserves (i.e., maintaining more, rather than less).
- The City might wish to use fund balances for purposes other than mitigating risks – for example, building a capital project using cash financing. The Risk Model gives the City the ability to estimate the cost of potential projects to see the financial impact of redirecting reserves to other uses.[44] More broadly, City officials should consider opportunity costs of holding reserves: what are alternative uses of the funds and how do those benefits compare to self-insuring against the risks described in this report?

[44] Note that the City has historically done some level of cash financing of projects. The model already accounts for "normal" spending that takes place in the City's annual budget, so this feature of the Risk Model would be used for larger projects that exceed what might be considered "typical."

The considerations above could be addressed by choosing a robust floor and ceiling level for reserves. Different floors and ceilings can be "stress tested" by changing thresholds that the model measures against. GFOA's discussions with the City staff suggested a threshold of zero for reserves is useful for assessing the risk of exhausting the "self-insurance" capacity of its fund balance. We have used the zero threshold the Exhibits show in Section 7 of the report. The City could choose to vary this critical threshold, which would then change the total amount of reserves the City would need to maintain to achieve a given degree of confidence that reserves would stay above the threshold. For example, perhaps the City selects a threshold of 5% or 10% of revenues to provide a buffer against going all the way to zero.

Here are some other conclusions we can draw from the graphics presented on the previous pages:

- The City's ability to generate surpluses has a significant impact on the chances that fund balance and reserves go below thresholds. Later in the report we recommend a "structurally balanced budget policy" to help the City more consistently generate balanced budgets, if not surpluses.
- If the City does generate surpluses, it must then choose to direct those surpluses towards building the reserves. A one-time or volatile revenue policy, discussed in the recommendations later, could help in this regard.
- The City should remain mindful of the potential for extreme consequence events. A large earthquake could impair the taxbase. GFOA found that this caused the City's risk model to produce some extreme results. In Exhibit 7.3 the reader will notice that the red line extends very far to the right, past $200 million. This tells us that there is a small chance of some very extreme outcomes, due to the City's vulnerability to earthquakes and tax base impairment. Later in this document, we will discuss parametric insurance as an alternative to reserves to protect the City against these extreme cases.

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GFOA discussed all the factors above with the City staff and the conclusion of this discussion was that <u>the City of Berkely would be well served by a policy that calls for *general fund reserves* equal to between 20% and 30% of the City's revenues.</u> This gives the City between about 87% and 97% confidence of being able to handle the risks included in our analysis while also keeping the reserve above zero.

We could also compare the policy range to the City chances of staying above 17% of revenues, which is the equivalent of two months of revenues.[45] This amount of reserves is a long-standing rule of thumb in public finance. Reserves equal to 20% to 30% of revenue provide between a 26% and 73% chance of handling the risks included in our analysis while also keeping reserves above 17% of revenues. The tables below summarize what we just described.

GENERAL FUND RESERVE SUGGESTIONS RELATIVE TO STAYING ABOVE THE CRITICAL THRESHOLD		
CRITICAL THRESHOLD = 16.7% of Revenues or $44M		
A Reserve Policy typically expresses reserve targets as a percent of expenditures or revenues. Below we have converted the dollar figures to a percent of revenues.		
Dollars		Percent of General Fund Revenues
$53.5 Million	26% confident of staying above critical threshold over ten years	20%
$83.0 Million	73% confident of staying above critical threshold over ten years	30%

GENERAL FUND RESERVE SUGGESTIONS RELATIVE TO STAYING ABOVE ZERO		
A Reserve Policy typically expresses reserve targets as a percent of expenditures or revenues. Below we have converted the dollar figures to a percent of revenues.		
Dollars		Percent of General Fund Revenues
$53.5 Million	87% confident of staying above zero over ten years	20%
$83.0 Million	97% confident of staying above zero over ten years	30%

On the next page, we will discuss the context and rationale for this recommendation.

[45] 2 months of 12 months is the same as is 1 in 6. 1 in 6 is 16.67%, which rounded up is 17%.

For context, let's first recall that the City's reason for undertaking this study is to update its reserve policy in order ensure that its reserve targets are appropriate given the risks that the City faces. These recommendations provide that update.

Next, we are suggesting that the City think of its reserves as a range (a ceiling and floor) that it wishes to remain within. This contrasts with identifying a single target for reserves. The dynamic environment the City is within makes it very difficult to hit and maintain a single target number. It is more practical to manage within a range or boundary. The suggested floor is reserves equivalent to 20% of revenues and the ceiling is 30%.

As for rationale, first, the suggested range gives the City a very good chance of staying above zero reserves – an 87% chance, on the low end. As for staying above the two-month rule of thumb (reserves equal 17% of revenues), the chance is substantially less, but we believe this is acceptable for two important reasons. First, the two-month rule of thumb is loosely based on bond rating agency expectations. As we discussed earlier, the risk model addresses bond rating agency expectations directly. Hence, we'd suggest that the City keep its eye on the chances of missing bond rating agency expectations directly, instead of monitoring them indirectly via this rule of thumb. Secondly, the rule of thumb assumes the user has no additional knowledge of the exposure to risk. As this report has shown, we have a great deal of knowledge about the City's exposure to risk. Therefore, the City probably does not need the entire margin against risk that staying above the rule of thumb would provide.

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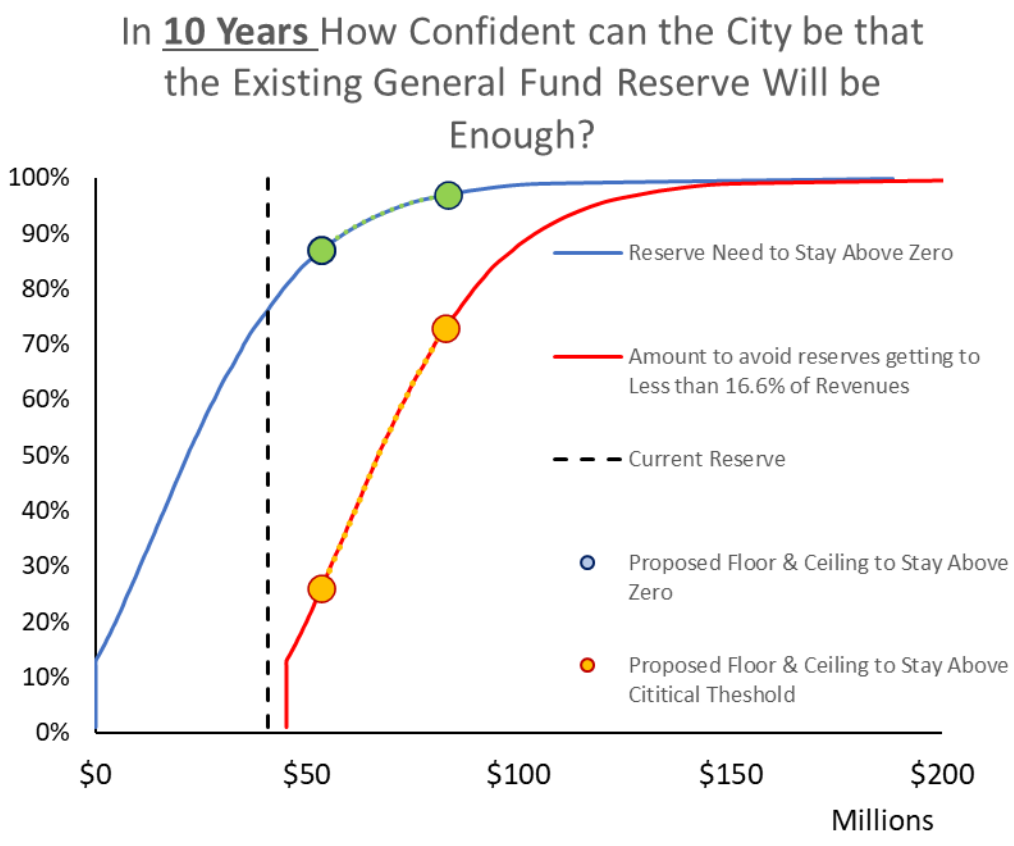
The other important rationale is the cost-effectiveness of this choice. The reader may recall Exhibit 7.3, which spoke to the cost-effectiveness of various levels of reserves. Exhibit 7.4 reproduces the same presentation but adds the recommended range of reserves to the curves. The reader may recall that when the curve starts to flatten out, we have reached the point of diminishing returns on the benefit of building reserves. In Exhibit 7.4, the colored dot that is furthest to the right on each curve is the ceiling and the leftmost dot is the floor. The ceiling dots and floor dots represent the same dollar amount on both curves – the ceilings and floors are at same points on the horizontal axis.

We see that we are starting to reach the flat portion of the blue curve (the reserve needed to stay above zero) but still have plenty of room on the red curve (the reserve needed to stay above 17%). This is a cost-effective range for the City because the City is avoiding the flattest part of the blue curve, while also staying on the steepest points of the red curve. As implied earlier, the red curve likely represents a more conservative standard, so it would be cost ineffective to reach the flat part of the red curve. Conversely, the blue curve is a less conservative standard, so even though the proposed reserve is not on the steepest part of the curve, the marginal benefit of additional reserves is still positive.

Exhibit 7.4 – Cumulative Probability Chart with Proposed Range of Reserves



To complement the reserve analysis, we offer the following additional recommendations:

The City should update its robust reserves policy. GFOA has conducted extensive research into what it takes for a local government to be financially sustainable. We call this body of work "Financial Foundations for Thriving Communities" (Financial Foundations). This research has shown that local governments require clear decision-making boundaries. A policy on the target level of reserves that the City should maintain, and the acceptable use of those reserves provides clear decision-making boundaries for reserves. This City has a robust policy in place to govern reserves. The most important potential refinement to the policy is that, as was discussed earlier, the policy could identify both a floor and ceiling for reserves, rather than just a single target number, as in the case with the current policy. Having a range defines the acceptable tolerances the reserves should stay within.

Another possible refinement is to combine the Stability Reserve and Catastrophic Reserve into a single reserve. The Risk Model treats all risks as part of the same City risk profile, so produces an analysis result that speaks to this comprehensive risk profile. Combining reserves is a form of risk pooling. Risk pooling works when you combine uncorrelated risks. Recessions and natural catastrophes are not highly correlated,[46] so the City should be able to realize efficiencies by combining those risks into a single reserve.

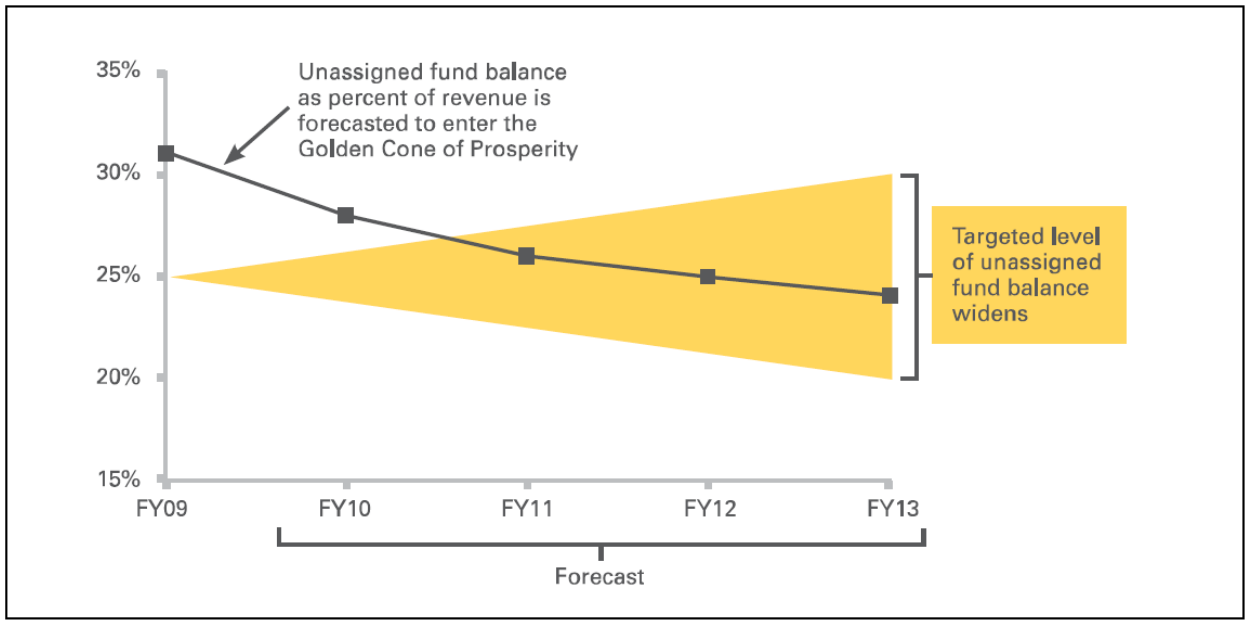
The City should adopt a mechanism to monitor its own compliance with the policy. GFOA's Financial Foundations research suggests that boundaries (e.g., financial policies) must be monitored to be fully effective.

The City of Tempe, Arizona provides a good example of how a reserve policy can be monitored. Tempe's policy is to maintain the general fund reserve equal to between 20% and 30% of general fund revenues. The general fund reserve policy is combined with Tempe's five-year financial forecast, where the goal is to keep reserves within the 20% to 30% boundary during the five-year forecast period. This approach originated in 2009 when Tempe had a policy to maintain reserves equal to 25% of general fund revenues. However, Tempe had been maintaining fund balances above 30%, which was causing some to question why Tempe was not in alignment with the policy and whether Tempe had a fund balance that was too large. The City Council and staff agreed to change the policy to set a goal for the reserves to be between 20% and 30% of revenues. This range would provide more discretion, but it would also create clear bounds for what Tempe would consider acceptable maximum and minimum reserves.

Tempe staff developed a presentation of Tempe's revenue forecast in the context of this new arrangement and informally called it the "Golden Cone of Prosperity." Exhibit 7.5 shows the presentation as it was in 2009, where the yellow cone representing the range of desired fund balance widens over the forecast horizon as the new policy is phased in and the black line representing actual fund balance gradually enters the cone.

[46] We stop short of saying uncorrelated because a big earthquake could impair the tax base, which might be like a hyperlocal "recession". The Risk Model accounts for this possibility.

Exhibit 7.5 —Tempe's Golden Cone of Prosperity in 2009



The meaning of the Golden Cone of Prosperity is straightforward, and its design and name give it a memorable character. As of 2020, Tempe staff still present the Golden Cone twice per year to help public officials understand the big picture and to show whether Tempe is staying within agreed-upon boundaries. This is a testament to the communicative power of the Golden Cone. Berkeley could develop a similar presentation to help make sure the City stays within its agreed upon financial boundaries.

Adopt a policy of objective forecasting and conservative budgeting. The City is projected to run deficits for the next few years. This places a stress on reserves. So, the question becomes: how can services be expanded without putting the City's finances at excessive risk? There are several budget policies and practices the City could adopt to support good public services while safeguarding its financial position at the same time.

- **Understand the risk of increasing on-going expenditures.** The risk of adding more services to the City budget is that it makes it more likely the City will run a deficit and need to cut back . So, the balance the City needs to find is: how much can expenditures be increased without incurring unacceptable risk? The City can adopt forecasting methods that highlight the risk of the City budget getting out of balance. The City can also adopt a range of policies to protect against this risk, as outlined below.
- **One-time revenue policy.** Limit the use of one-time, non-recurring revenues to one-time, non-recurring expenditures or to pay down liabilities (e.g., catching up on deferred asset maintenance, like a park, road, etc., or making additional discretionary payments to CalPERS to reduce unfunded actuarial pension liability). An example of a one-time, non-recurring revenue would be proceeds from a lawsuit or the sale of an asset.
- **Volatile revenue policy.** Some revenues, like sales taxes, are recurring, but they can go up and down substantially from year to year. A volatile revenue policy would treat extraordinarily high annual revenues from a volatile source as a one-time revenue. The bulk of the revenue income would be treated like a recurring revenue – it is just the extraordinary amount that would have

more limited uses. This protects the City from using peak revenues to over-invest in programs that must be supported for many years. The City already has a policy like this for its transfers tax. We are suggesting that such a policy be extended to cover other volatile revenues as well. This would serve to help the City maintain a stable, dependable set of on-going services over the long-term because it would help the City avoid over-expanding services beyond what is truly affordable.

- **Adopt a structurally balanced budget.** Cities are required to adopt a balanced budget by law. However, this just means financial sources must equal uses. So, for instance, City Hall could be sold off (a non-recurring revenue) and the proceeds used to hire more firefighters (a recurring expenditure). This would, of course, be a bad idea. A structurally balanced budget policy commits the City to balancing its recurring revenues and recurring expenditures and balancing its non-recurring revenues and expenditures, separately.
- **Adopt a phased schedule of spending on non-recurring expenditures and condition spending on forecasts being met**. As part of its budget, the City could adopt a prioritized list of one-time expenditures, in addition to its regular on-going expenditures. The total of the one-time and on-going expenditures would be equal to or less than the City's projected revenue. The one-time expenditures would then be made throughout the year, in priority order, and conditioned on revenues coming in as projected. If revenues underperform the City's forecasts, then the lower priority expenditures would not be made.
- **Adopt flexible strategies for providing on-going services.** It is unlikely that all the City's service goals can be met through one-time expenditures. New on-going services may be needed. The City could look for opportunities to adopt flexible service models, where costs can be scaled up or down. Contracted services often can provide flexibility that in-house staff cannot. This is not to say that in-house staffing is undesirable. There may be situations where in-house staffing is better, but there may also be opportunities where contracts can provide financial flexibility.
- **Affirmative reauthorization of spending.** The conventional approach to budgeting is that once a new service is authorized it is "baked in" to the budget and is funded year after year. This can lead to financial distress when new services are layered on top of old services. An alternative is to require affirmative reauthorization for a new service. This could be especially useful where a new service is intended to achieve some clear public policy goal. At the end of some set period, the City Council could be required to explicitly reauthorize funding based on whether the program is achieving its stated goals.

The City should consider further investments in cybersecurity. Cybersecurity is an emerging and growing threat for local governments. As we described earlier, available data suggests several sobering points:

- Local governments are an attractive target for cybercriminals and ransomware attacks against local governments are common.
- The amount of damage from an attack appears to only be weakly correlated to the size of the government. Data suggests that the average attack costs around $100,000 but attacks can and have cost local governments many millions of dollars. Even though Berkeley is not as large as cities that have made headlines for multi-million-dollar losses incurred by an attack, Berkeley could still suffer a substantial loss – perhaps more than its policy limits.
- Cyber insurance policies can get expensive and hard to come by when insurance markets harden.

Given the points above, the City might consider the following recommendations that have implication for the City's reserves:

- Continue planning for enhanced security and make cost-effective investments in cybersecurity controls that both: A) reduce the likelihood of a successful attack; and B) reduce the potential damages, if an attack succeeds. Because reserves are ultimately a form of self-insurance there could be a strong case for using some of the City's reserves to strengthen its cybersecurity. This is because a dollar invested in prevention is usually going to be more effective than a dollar invested in remediation.
- Be prepared to retain more risk on a cyber insurance policy. If policies get substantially more expensive (or, worst case, unavailable), Berkely could lower the cost by retaining more risk. This could be accounted for in the reserve amount. As we stated above, there is a plausible risk of a cyberattack costing the city more than $1 million. Therefore, "retention" of risk is not just the insurance deductible, but also includes the risk of a catastrophic attack that costs more than the policy limit.

For natural hazards consider "parametric" insurance in addition to traditional indemnity insurance. Indemnity insurance is the type of insurance that most governments have traditionally purchased, where the insurance corresponds to the value of the assets being insured and reimbursement is paid out after a certain deductible has been met. The advantage of traditional indemnity insurance is that there is a known damage threshold past which the City is covered.

Parametric insurance is a newer type of insurance for providing coverage for extreme events, having increased in popularity in the last 15 years or so in the public sector but has been in use in the private sector for decades. Parametric coverage provides the policyholder (the City) with a payment amount that is defined ahead of time, should a defined event come to pass (an earthquake of a certain magnitude). Parametric insurance could be more useful for providing an injection of liquidity because the policyholder receives the defined payment immediately upon verification by a third-party that the given event occurred, which usually would be within a matter of days. As a simple illustration, a parametric policy might provide the City of Berkeley with $5 million upon the occurrence of an earthquake of some given magnitude, after magnitude is verified by a third-party, such as the USGS. This feature of parametric insurance also eliminates much of the administrative hassle that would be associated with a traditional indemnity policy (e.g., working with claims adjusters). A final advantage is that the proceeds from the policy payout are completely fungible – the City could use them to fund whatever service it deems necessary or to counteract revenue loss from tax base impairment, whereas indemnity policies might require the policyholder to use the funds to repair or replace the asset that was insured. Parametric policies are not without their drawbacks, though, and are not a substitute for traditional insurance. The City can learn more about parametric policies in the publicly available GFOA research report "Parametric Insurance: An Emerging Tool for Financial Risk Management."[47]

A robust insurance strategy could make use of both traditional indemnity and parametric insurance. For example, traditional indemnity insurance could be used to protect against loss of the City's assets, while parametric insurance could be used to compensate the City for the losses in tax revenue it would experience from an impaired tax base, for instance.

[47] Available at: https://www.gfoa.org/parametric-insurance/.

The City could consider a robust internal borrowing policy. There will always be some chance that Berkeley could find that it needs access to more financial resources than are available in its reserves. GFOA's research suggests that interfund borrowing could be a practical "last line of defense" in emergency circumstances. Some other funds might be able to make short-term loans to the general fund in case of an emergency. The City could develop policies to provide the flexibility to use these borrowing tools while also providing the necessary guidelines and limitations to ensure that borrowing occurs in a fiscally prudent manner.

Berkeley might consider if a policy could recognize internal borrowing's role as a supplementary risk management tool. A policy would "pre-position" the City to better respond to an extreme financial catastrophe. A policy could address the following points:

- The rationale for using internal borrowing (reserves may not be able to handle every possible contingency).
- When internal borrowing may be used (if reserves are ever exhausted by an extreme event).
- Differentiate between short-term (to be paid back within the same fiscal year) and long-term borrowing.
- How the interest on the borrowing will be calculated (can have multiple alternatives to be determined on a case-by-case basis); and
- General repayment terms (e.g., interest only, fully amortized, duration, etc.).

GFOA's analysis has its limits. It is impossible for any risk analysis to be completely comprehensive of all considerations facing the City. Appendix 1 to this report lists the important limitations of this analysis.

Appendix 1 – Limitations of GFOA's Analysis

This section highlights the most important limitations of our analysis.

Our analysis is not predictive. GFOA does not forecast future recessions, natural disasters, or other extreme events. Rather, our model generates hundreds or even thousands of different scenarios to show how the future could unfold. This helps the City think more broadly about risk so that it can be more prepared for whatever future event does eventually come to pass. Finally, it is important to note that low probability events are still possible events. Hence, even if our model says an event has a low probability, then that does not mean it won't occur.

GFOA is not a risk management consultant. We worked with the City to find out which risks the City believes are most salient and then modeled those risks quantitatively to judge the potential financial impact. We are not risk managers and it is not our role to tell the City which risks it should be more concerned about or less concerned about or what the best way is to manage those risks.

Our analysis is based on historical records. Historical data is often a good way to model potential future outcomes. However, historical data may not be perfect. For example, global climate change could increase the City's vulnerability to naturally occurring extreme events.[48] This means that historical data could underestimate the likelihood and/or severity of extreme events in the future. Unfortunately, no one can say precisely what the impact of climate change will be. Hence, GFOA can't speculate if an upward adjustment to the reserves is necessary and, if so, by how much. However, this does mean that there could be a case for reserving a higher amount than the efficient range described in our report (or pursuing other risk management strategies). Also, GFOA's Microsoft Excel Risk Model provides the City with the ability to adjust the likelihood and/or magnitude of many types of natural catastrophes. This feature could be used to test different scenarios, including ones where climate change is assumed to increase the likelihood and/or magnitude of extreme events.

Our analysis is not inclusive of every risk the City could possibly face. We examined the City's history and worked with City staff to identify the risks that posed the most clear and present danger to the City. However, it is possible that the City could experience a shock that no one was expecting. Hence, there is a case for reserving more than our analysis suggest is efficient. This could provide additional protection against risks that no one can foresee. Being prepared for these "unknowable" events is part of the value of the "red line" or critical threshold that our reserve analysis considered. Our model also includes an "other hazards" simulation to account for completely unanticipated risks. However, this does not mean that the City doesn't need to prepare for risks that aren't specifically included in our model.

[48] According to the Fourth National Climate Assessment created by the U.S. Global Change Research Program (USGCRP) and released in November 2018: "more frequent and extreme weather and climate-related events, as well as changes in average climate conditions, are expected to continue to damage infrastructure, ecosystems, and social systems." The report cites climate-related risks to communities "from adverse weather and climate related events such as extreme storms or wildfires." https://nca2018.globalchange.gov/chapter/1/.

Our model is focused on general fund reserves as a risk mitigation tool. Other mitigation tools, such as insurance, can provide additional resources to respond to an extreme event. We did not judge the adequacy of the City's insurance program.

Good decisions do not always lead to good outcomes. Excel simulation tools can enhances one's perception and understanding of uncertainty and risk.[49] However, when dealing with uncertainty, even the best decision may not lead to a good outcome, if luck goes against you.[50] To illustrate, imagine an insurance company was willing to sell Berkeley an insurance policy against being hit by a meteor for $50 million. A meteor strike is an extremely remote risk, so spending $50 million on an insurance policy would not be a wise decision. Imagine Berkeley does then get hit by a meteor that causes $100 million in damage. Should you criticize the decision not to buy insurance? No, because the decision was reasonable given the information available at the time and there was no way to predict a meteor hitting the City. Similarly, our model may show that a given amount of reserves is reasonable under most conditions, but Berkeley could encounter a confluence of undesirable events that the reserves are insufficient to address.

[49] To survive in an increasingly unpredictable world, we need to train our brains to embrace uncertainty, Emre Soyer, Quartz Magazine, January 9, 2017 https://qz.com/879162/to-survive-in-an-increasingly-unpredictable-world-we-need-to-train-our-brains-to-embrace-uncertainty/.

[50] This is one of the primary lessons in: Annie Duke. *Thinking in Bets: Making Smarter Decisions When You Don't Have All the Facts*. Portfolio. 2019.

Date	Transaction Descriptions	GF-Stabilization Reserves Amount	GF-Stabilization Reserves Balance as of 6/30	GF-Catastrophic Reserves Amount	GF-Catastrophic Reserves Balance as of 6/30	Combined Reserve Balance as of 6/30	GF Revenues	Combined Reserve Balance as Percentage of GF Revenues	Contributions needed for the year
7/1/2016			-						
5/4/2017	Transfer in from GF	12,421,507		10,163,051					
6/30/2017			12,421,507		10,163,051	22,584,558	191,835,406	11.77%	
10/1/2017	Transfer in from GF	2,001,415		1,879,430					
6/30/2018			14,422,922		12,042,481	26,465,403	198,942,336	13.30%	
12/30/2018	Transfer in from GF	5,600,000		4,580,000					
6/30/2019			20,022,922		16,622,481	36,645,403	211,942,253	17.29%	
12/30/2019	Transfer in from GF	640,000		520,000					
6/30/2020			20,662,922		17,142,481	37,805,403	223,687,645	16.90%	
7/18/2020	Transfer out to GF	(6,900,000)		(4,500,000)					
1/29/2021	Transfer in from GF	1,836,309		1,502,434					
6/30/2021			15,599,231		14,144,915	29,744,146	232,028,202	12.82%	
7/28/2021	Transfer in from GF	1,375,000		1,125,000					
1/31/2022	Transfer out to Playground Camp (ERMA 125)			(2,700,000)					
1/31/2022	Transfer in from GF	2,261,005		1,849,913					
6/30/2022			19,235,236		14,419,828	33,655,064	286,618,657	11.74%	
7/29/2022	Transfer in from GF	3,025,000		2,475,000					
6/21/2023	Transfer in from GF	837,341		685,098					
6/30/2023			23,097,577		17,579,926	40,677,503	276,337,325	14.72%	
6/12/2024	Transfer in from GF	7,486,574		6,125,380					
6/30/2024			30,584,151		23,705,306	54,289,457	273,301,176	19.86%	
Projected Revenues and Contributions needed (20%)									
6/30/2025						54,680,820	273,404,100	20.00%	391,363
6/30/2026						58,316,670	291,583,351	20.00%	3,635,850
6/30/2027						59,436,284	297,181,421	20.00%	1,119,614
6/30/2028						60,468,779	302,343,897	20.00%	1,032,495
6/30/2029						61,549,314	307,746,569	20.00%	1,080,534
Projected Revenues and Contributions needed (30%)									
6/30/2025						82,021,230	273,404,100	30.00%	27,731,773
6/30/2026						87,475,005	291,583,351	30.00%	5,453,775
6/30/2027						89,154,426	297,181,421	30.00%	1,679,421
6/30/2028						90,703,169	302,343,897	30.00%	1,548,743
6/30/2029						92,323,971	307,746,569	30.00%	1,620,802

03

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Henry Oyekanmi, Director, Finance

Subject: Contract No 32400009 Amendment: Stella Courier, LLC. for Mail Services and Mail Room Coverage

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No: 32400009 with Stella Courier, LLC., to provide mail services to the City's satellite locations, and as-needed mail room coverage, increasing the amount by $180,000 for an amended total amount not to exceed $360,000 over an additional two-year period starting August 1, 2025 through July 31, 2027.

FISCAL IMPACTS OF RECOMMENDATION

Mail delivery and mail room back up services are funded through the mail services internal services fund, budget code 674-33-325-347-0000-000-472-612990. Commission packet delivery is funded in 621-53-584-622-0000-000-474-639130. Costs for the services vary based on actual monthly mail volume and service requests, and are not-to-exceed the amended amount of $360,000.

CURRENT SITUATION AND ITS EFFECTS

The City still has a need for these specific, specialized, services. As such, the City released Request for Proposals #23-11568-C on January 25, 2023.

Staff evaluated the proposal from Stella Courier to provide human-propelled courier and mail services. Stella Courier meets all the RFP requirements, including social responsibility criteria, and has the demonstrated capability to perform the scope of services in the same environmentally friendly manner as the previous firm.

BACKGROUND

The City has historically utilized a contractor to make delivery and pick-up of city mail at satellite office locations, provide mail room coverage, sorting, and internal department mail delivery, in addition to providing needed courier service. The services are still required, and it has been required that the scope of work be completed using bicycles only in order to minimize the City's carbon footprint while still providing satellite mail services.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
Servicing central City locations, satellite locations, and delivery of commission packets is performed *without* utilizing a gas-powered vehicle, thus reducing the City's carbon footprint in the execution of these contracted services compared to performing these services using a gas-powered vehicle while making multiple short trips throughout the City. This supports the City Council Strategic Plan Goal for being a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

RATIONALE FOR RECOMMENDATION
Stella Courier was the only respondent to a Request for Proposals issued by the City. Stella has offered fair rates. There is an ongoing need for mail services to the satellite locations, and for ensuring back-up staffing for the central mail room.

ALTERNATIVE ACTIONS CONSIDERED
Utilizing part-time staffing was previously explored and determined to be cost-prohibitive and difficult to arrange due to the unscheduled nature of the work.

CONTACT PERSON
Henry Oyekanmi, Director of Finance 510-981-7324

ATTACHMENTS:
1: Resolution

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

CONTRACT NO 32400009 AMENDMENT: STELLA COURIER, LLC. FOR HUMAN-PROPELLED COURIER AND MAIL SERVICES

WHEREAS, one of the City Council Strategic Plan Goals is to be a global leader in addressing climate change, advancing environmental justice, and protecting the environment; and

WHEREAS, use of a human-propelled courier service to provide these services supports that goal by having less of a carbon impact than using a gas-powered vehicle; and

WHEREAS, City departments require ongoing and uninterrupted mail services at central and satellite locations, and for commission packet delivery; and

WHEREAS, the mail room requires fully-trained, on-call, as-needed coverage in the case of vacation/sick/jury, or other leave by staff; and

WHEREAS, Stella Courier, LLC., responded to City of Berkeley RFP 23-11568-C with fair and reasonable pricing; and

WHEREAS, Stella Courier is fully-capable of providing the required scope of services, and is knowledgeable in mail room and postage machine operations.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a two-year contract amendment with Stella Courier for the provision of human-propelled courier, mail room coverage, and related mail services, increasing the amount by $180,000 for an amended contract total that is not-to-exceed $360,000.

04

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Henry Oyekanmi, Director, Finance

Subject: Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 29, 2025

RECOMMENDATION

Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

FISCAL IMPACTS OF RECOMMENDATION

Total estimated cost of items included in this report is **$4,673,159**

PROJECT	Fund	Source	Amount
Ohlone Greenway Modernization and Safety Project	307	Capital Grants – Local	$4,020,159
	134	Measure BB – Local Streets and Roads	$353,000
Transfer Station Scales Maintenance & Repairs	601	Zero Waste	$300,000
Total:			**$4,673,159**

CURRENT SITUATION AND ITS EFFECTS

On May 6, 2008, Council adopted Ordinance No. 7,035-N.S. effective June 6, 2008, which increased the City Manager's purchasing authority for services to $50,000. As a result, this required report submitted by the City Manager to Council is now for those purchases in excess of $100,000 for goods; and $200,000 for playgrounds and construction; and $50,000 for services. If Council does not object to these items being sent out for bid or proposal within one week of them appearing on the agenda, and upon final notice to proceed from the requesting department, the IFB (Invitation for Bid) or RFP (Request for Proposal) may be released to the public and notices sent to the potential bidder/respondent list.

BACKGROUND
On May 6, 2008, Council adopted Ordinance No. 7,035-N.S., amending the City Manager's purchasing authority for services

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
The Finance Department reviews all formal bid and proposal solicitations to ensure that they include provisions for compliance with the City's environmental policies. For each contract that is subject to City Council authorization, staff will address environmental sustainability considerations in the associated staff report to City Council.

RATIONALE FOR RECOMMENDATION
Need for the goods and/or services.

ALTERNATIVE ACTIONS CONSIDERED
None.

CONTACT PERSON
Roopreet Walia-Soorma, Senior Buyer, Finance, 510-981-7311

Attachments:
1: Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 29, 2025

a. Ohlone Greenway Modernization and Safety Project
b. Transfer Station Scales Maintenance & Repairs

Note: Original of this attachment with live signature of authorizing personnel is on file in General Services.

SPECIFICATION NO.	DESCRIPTION OF GOODS / SERVICES BEING PURCHASED	APPROX. RELEASE DATE	APPROX. BID OPENING DATE	INTENDED USE	ESTIMATED COST	BUDGET CODE TO BE CHARGED	DEPT. / DIVISION	CONTACT NAME & PHONE
26-11748-C	Ohlone Greenway Modernization and Safety Project	7/30/25	8/29/2025	Construction to enhance Ohlone Greenway including: pathway widening; Updated lightening along the greenway; Intersection safety enhancements (RRFBs, raised crossings, median islands, curb extension, lightening); updated signing & striping	$4,373,159 (includes 10% contingency) $4,020,159 $353,000	307-54-622-668-0000-000-431-665110 (PWTRBP2204) 134-54-622-668-0000-000-431-665110 (PWTRBP2204)	Public Works / Transportation	Jesse Peoples 510-981-6449
26-11749-C	Transfer Station Scales Maintenance & Repairs	7/30/25	8/29/2025	Maintenance and repairs of inbound and outbound Transfer Station scales	$300,000 Three year contract with a two optional 1-year extension	601-54-627-734-3023-000-474-624110-	Public Works / Zero Waste	Keith Morin 510-981-6354
Dept Total								
TOTAL					**$4,673,159**			

Internal

05

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Henry Oyekanmi, Director, Finance Department

Subject: Contract: InfoSend for Bill Printing and Mailing Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a piggyback contract and any amendments with InfoSend in an amount not to exceed $450,000 for bill printing and mailing services from July 30, 2025 through July 30, 2028.

FISCAL IMPACTS OF RECOMMENDATION

The cost will be $150,000 per year over 3 years for a total contract amount NTE $450,000 and will be funded by the General Fund and the Zero Waste Fund. The year one funds are available in the FY2026 budget.

CURRENT SITUATION AND ITS EFFECTS

The Revenue Collection Division is responsible for maintaining customer accounts as well as printing and mailing thousands of bills on a regular basis to a wide range of City customers. Currently, many of these bills—including those for Zero Waste, Environmental Health, the Marina, and the Rental Housing Safety Program—are processed by an outside vendor. In addition, tens of thousands of business license tax forms are mailed to customers annually.

The Finance Department researched vendors that could perform the scope after receiving no adequate response from a formal solicitation. It was determined that InfoSend had numerous contracts with many municipalities that was competitively bid with competitive pricing.

BACKGROUND

The City of Brawley conducted a competitive Request for Proposal (RFP) process that solicited bids for a vendor to provide “Utility Bill Printing & Mailing Services”, which opened on November 1, 2022, and closed on December 2, 2022. InfoSend was selected as the most responsive vendor and was awarded a base contract period that runs from February 7, 2023, through June 30, 2026 with automatic renewals for successive two (2) year

periods unless either Client or InfoSend provides the other party with at least sixty (60) days' written notice prior to the end of the current term.

RATIONALE FOR RECOMMENDATION

The Finance Department researched vendors that could perform the scope after receiving no adequate response from a formal solicitation. It was determined that InfoSend had numerous contracts with many municipalities that was competitively bid with competitive pricing.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

This program will provide flexibility to the Finance Department to have multiple vendors to print and mail bills to customers. Unlike other print vendors, this one is located in California and has the same operating hours and printing facilities within the Pacific Service Time zone.

As this vendor will mail bills from within California, there will be an increase in environmental sustainability and will help mitigate the effects of climate change.

CONTACT PERSON

Henry Oyekanmi, Director of Finance, Finance Department, 981-7301

Attachments:

1. Resolution

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

CONTRACT: INFOSEND BILLING PRINTING AND MAILING SERVICES

WHEREAS, the Revenue Collection Division in the Finance Department is responsible for maintaining customer accounts as well as printing and mailing thousands of bills on a regular basis to a wide range of City customers; and

WHEREAS, the Finance Department researched vendors that could perform the scope after receiving no adequate response from a formal solicitation and it was determined that InfoSend had numerous contracts with many municipalities that was competitively bid with competitive pricing; and

WHEREAS, unlike many printing companies, InfoSend is located in California. By decreasing the distance the mail will have to travel, it will decrease its effect on climate change; and

WHEREAS, the City of Brawley, in Southern California, conducted a competitive Request for Proposal (RFP) process that solicited bids for a vendor to provide “Utility Billing and Printing Services”, which opened on November 1, 2022 and closed on December 2, 2022. InfoSend was selected as the most responsive vendor and was awarded a base contract period that runs from February 7, 2023, through June 30, 2026 with automatic renewals for successive two (2) year periods unless either Client or InfoSend provides the other party with at least sixty (60) days’ written notice prior to the end of the current term; and

WHEREAS, the Finance Department is requesting to piggyback off the City of Brawley Contract for the same services using funds from the General Fund and the Zero Waste Fund.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or designee is authorized to execute a piggyback contract and any amendments with InfoSend for $150,000 per year, in an amount not to exceed $450,000 for bill printing and mailing services from July 30, 2025 through July 30, 2028

Internal

06

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: David Sprague, Fire Chief of Fire and Emergency Services

Subject: Designate the Line of Succession for the Director of Emergency Services

RECOMMENDATION
Adopt a Resolution approving the designated line of succession to the position of Director of Emergency Services in the event of an emergency, and rescinding Resolution No. 70,729-N.S.

FISCAL IMPACTS OF RECOMMENDATION
None.

CURRENT SITUATION AND ITS EFFECTS
The Berkeley Municipal Code (BMC) requires that the City Manager, who is the Director of Emergency Services, designate the order of succession to that office in the event the Director is unavailable to attend meetings and otherwise perform their duties during an emergency. Additionally, the City Council must approve the order of succession. (BMC Section 2.88.040)

BACKGROUND
On March 21, 2023 the City Council adopted Resolution No. 70,729-N.S. designating the line of succession to the position of Director of Emergency Services in the event the Director is unavailable to perform their duties during an emergency. Since that time, changes in personnel necessitate that a new designation be approved as set forth in the attached Resolution.

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

CONTACT PERSON
David Sprague, Fire Chief, (510) 981-3473

Attachments:
1: Resolution

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

APPROVING THE DESIGNATED LINE OF SUCCESSION TO THE DIRECTOR OF EMERGENCY SERVICES POSITION AND RESCINDING RESOLUTION NO. 70,729-N.S.

WHEREAS, Berkeley Municipal Code Section 2.88.030 designates the City Manager as the Director of Emergency Services; and

WHEREAS, Paul Buddenhagen, as City Manager, serves as the Director of Emergency Services; and

WHEREAS, pursuant to Berkeley Municipal Code Section 2.88.040, it is necessary to establish a line of succession for the Director of Emergency Services in the event that the Director is unavailable to attend meetings or otherwise perform their duties during an emergency.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the following order of succession to the position of Director of Emergency Services in the event the Director is unavailable to attend meetings or otherwise perform their duties during an emergency is hereby confirmed and approved:

1. David White, Deputy City Manager
2. David Sprague, Fire Chief
3. Jennifer Louis, Chief of Police

BE IT FURTHER RESOLVED that Resolution No. 70,729-N.S. is hereby rescinded.

Internal

07

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: David Sprague, Fire Chief, Fire Department

Subject: Contract with Wildfire Defense to Serve as the Alameda County Coordinator

RECOMMENDATION

Adopt a Resolution:

1. Authorizing the City Manager or designee to execute a contract with Wildfire Defense to serve as the Alameda County Coordinator for coordination with local agencies, fire safe councils, and wildfire mitigation community groups for the initial period August 1, 2025, through June 30, 2026, in an amount not to exceed $155,500, and to apply for and receive future grant funding in collaboration with Berkeley Fire Department staff to maintain the position through 2028; and

2. Authorizing the City Manager or designee to execute any amendments for not more than $225,000 per year in Fiscal Year (FY) 25, FY26, and FY27, upon receiving additional California Fire Safe Council (CFSC) grants to continue contracting Wildfire Defense to serve Alameda County communities, provide resources and education on wildfire safety, promote collaboration, assist local groups with funding opportunities, and aid multi-jurisdictional planning.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract is provided by the California Fire Safe Council (CFSC) County Coordinator Grant Program for FY 2025–2026 [Fund Number: 336-72-741-831-0000-000-422-612990-]. As there are no matching funds required, there is no impact to the City's General Fund. Staff will seek additional grant funding to sustain the position beyond July 2026.

CURRENT SITUATION AND ITS EFFECTS

Alameda County faces persistent and significant wildfire risk, particularly in the wildland-urban interface areas such as the Berkeley, Oakland Hills, and Hayward. Recent years have seen increased wildfire activity across California, highlighting the urgent need for coordinated, countywide mitigation and preparedness efforts. While the region is home to a number of active wildfire mitigation groups and agencies, these efforts have historically been fragmented, with limited formal collaboration or shared strategic planning.

The California Fire Safe Council funds county coordinator positions, and Alameda County is one of six counties that did not have a Coordinator position prior to FY25. The position is housed within Fire Department and actively coordinates and collaborates with county-wide community groups, fire councils, HOAs, and other mitigation support groups. The City of Berkeley issued a Request for Proposals (RFP) to contract with an individual that will serve as the Alameda County Coordinator. The chosen vendor will work in partnership with all Alameda County jurisdictions to complete the required deliverables as set forth by the grantor and develop a work plan to further coordinate wildfire mitigation activities with a budget not to exceed $155,500 for the current period of performance ending in July 2026. The City Council approved the formal bids and solicitation request for Specification No. 25-11738-C at the June 3, 2025, City Council meeting. The RFP was then posted on the City's Bids and Solicitation site on June 17, 2025. Responses to questions were made available on the City's website on June 23, 2025. The deadline for proposal submissions was July 8, 2025, resulting in 2 complete proposals being received. The selection committee included leaders and staff from the Berkeley Fire Department, Alameda County Fire Department, Fremont Fire Department, and Hayward Fire Department. The committee reviewed the proposals and interviewed bidders on July 10, 2025, making their final selection on July 11.

This initiative directly supports the City's strategic goals to:

- Create a resilient, safe, connected, and prepared city.
- Provide efficient and effective government services.
- Champion and demonstrate social and racial equity by protecting the most vulnerable communities from wildfire risk.
- Advance environmental justice and protect the environment through proactive hazard mitigation planning.

BACKGROUND

The County Coordinator program, funded by the California Fire Safe Council (CFSC), is designed to address the need for countywide collaboration and strategic alignment. The Coordinator will serve as a central point of contact, connecting wildfire mitigation groups, supporting grant applications, and facilitating the use of advanced planning tools such as the pathways analysis. The Coordinator will also be responsible for fulfilling specific grant deliverables and building regional capacity while developing a sustainable framework for ongoing collaboration.

During the previous County Coordinator grant period, the City of Berkeley was unable to hire a full-time County Coordinator due to delays in funding availability, resulting in only interim, volunteer-based coordination. This gap limited the county's ability to build sustained relationships, leverage data-driven planning tools, and increase the flow of mitigation funding to high-risk communities. There remains a clear need for a

professional, dedicated County Coordinator to unify wildfire mitigation groups, facilitate project implementation, and ensure compliance with state and federal grant requirements.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
Ensuring the Department is maximizing available resources and working with other county coordinators to collaborate on regional mitigation activities will help sustain the local environment and mitigate the potential of fire, mudslides, and other catastrophic impacts associated with the overgrowth of vegetation and loss of habitat post-wildfire.

RATIONALE FOR RECOMMENDATION
Wildfire Defense is uniquely qualified to coordinate countywide wildfire mitigation efforts, having demonstrated expertise in wildfire planning, grant administration, and stakeholder engagement. This contract ensures continuity of critical wildfire resilience work and positions the City and County to secure future funding.

ALTERNATIVE ACTIONS CONSIDERED
None.

CONTACT PERSON
Shanalee Gallagher, Principal Program Manager, Fire Department (510) 981-3473

Attachments:
1: Resolution

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

CONTRACT: WILDFIRE DEFENSE TO SERVE AS THE ALAMEDA COUNTY COORDINATOR

WHEREAS, the City of Berkeley and Alameda County have prioritized wildfire mitigation and resilience; and

WHEREAS, Alameda County Board of Supervisors provided City of Berkeley support to apply for and manage a county-wide position; and

WHEREAS, the California Fire Safe Council (CFSC) County Coordinator Grant Program provides funding to support countywide wildfire mitigation coordination; and

WHEREAS, Wildfire Defense has been selected and is qualified to serve as County Coordinator, facilitating partnerships, ensuring deliverables, and securing future grant funding.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or designee is authorized to execute a contract with Wildfire Defense to serve as the Alameda County Coordinator for coordination with local agencies, fire safe councils, and wildfire mitigation community groups for the initial period August 1, 2025, through June 30, 2026, in an amount not to exceed $155,500, [Fund Number: 336-72-741-831-0000-000-422-612990-]. and to apply for and receive future grant funding in collaboration with Berkeley Fire Department staff to maintain the position through 2028.

BE IT FURTHER RESOLVED that the City Manager or designee is authorized to execute any amendments for not more than $225,000 per year in Fiscal Year (FY) 25, FY26, and FY27, upon receiving additional California Fire Safe Council (CFSC) grants to contract Wildfire Defense to serve Alameda County communities, provide resources and education on wildfire safety, promote collaboration, assist local groups with funding opportunities, and aid multi-jurisdictional planning.

08

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Gilman, Director, Health, Housing, and Community Services

Subject: Submitting Application for Permanent Local Housing Allocation Program

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or designee to apply for and accept funds from the State of California's Permanent Local Housing Allocation Program, in an amount not to exceed $849,945.

FISCAL IMPACTS OF RECOMMENDATION

The City of Berkeley is currently eligible to apply for one year of funds through the State's Permanent Local Housing Allocation (PLHA) program, not to exceed $849,945, Fund #302. The funding would be used for Housing and Community Services (HCS) programs in support of lower income and/or unhoused residents.

CURRENT SITUATION AND ITS EFFECTS

The City will apply for up to $849,995 in PLHA funds through California Department of Housing and Community Development's (HCD) Notice of Funding Availability released in October 2024. The funding ($849,995) represents Year 5 of the City's five-year PLHA plan amendment submitted in 2024 and the agreement signed in early 2025. This application includes a Year 5 spending plan for a continued application of funds to support existing HCS programs, including the Housing Trust Fund (HTF) program and homeless services.

PLHA funds can be used to support a variety of planning or implementation activities related to housing and community development carried out by HCS staff within the Department of Health, Housing, and Community Services. HCS staff anticipate using the funds for the following eligible activity categories: 1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, or rental housing that is affordable to extremely low-, very low-, low-, and moderate-income households, including necessary operating subsidies; and/ or 2) Assisting persons who are experiencing or at risk of homelessness, including providing rapid rehousing, rental assistance, navigation centers, emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing, along with grant administration (within the established limit of funds).

BACKGROUND

PLHA is intended to provide a permanent, ongoing source of funding to local governments for eligible housing-related activities and programs that assist in increasing the supply of affordable homes in California and addressing the unmet housing needs of their local communities. Funds are generated from a $75 recording fee on certain real estate transaction documents, so the amount allocated through the program varies year to year. PLHA is noncompetitive, with funds allocated to cities based on the Community Development Block Grant (CDBG) distribution formula.

HCD allocated a total of $7,475,827 to the City during the five-year period. To access the funds, the City is required to have a five-year PLHA Plan, amend it when needed, and submit streamlined applications for each year of funding. The City used funds from Years 1 and 2 to support the operating of the navigation center (STAIR) and for Golden Bear Homes – a Homekey project. For Years 3 and 4, the City allocated a total of $965K to operating subsidies for homeless households such as shelter operations and navigation services and allocated an estimated $2.2M to the HTF program and will be used to support rehabilitation of occupied projects in the HTF portfolio. Up to 5% of each year's PLHA allocation is available to the City for admin to support program implementation.

For Year 5, consistent with the amended and signed PLHA plan, the City will allocate 45% of the funds (approximately $382K) to operating subsidies for homeless households and 50% (approximately $425K) to the HTF program. The remaining 5% (approximately $42K) will be used to reimburse staffing costs.

The City is required to use HCD's resolution template for the application and the plan amendment for this Council item.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability and climate impacts directly associated with the recommendations in this report.

RATIONALE FOR RECOMMENDATION

If approved, an application for PLHA funds will make up to $849,995 available for Berkeley to support City programs that serve lower income or unhoused populations

ALTERNATIVE ACTIONS CONSIDERED

The City could decline to participate in the PLHA Program. Since that would not be consistent with the City's Strategic Plan to increase affordable housing opportunities, staff are recommending participation as described above.

CONTACT PERSON

Asavari Devadiga, Community Development Project Coordinator, HHCS, (510) 981-5426

Attachments:
1: Resolution

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BERKELEY AUTHORIZING APPLICATION FOR AND ADOPTING THE PERMANENT LOCAL HOUSING ALLOCATION PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM

WHEREAS, the California Department of Housing and Development ("Department") is authorized to provide up to $296 million under the SB2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)); and

WHEREAS, the State of California (the "State") Department issued a Notice of Funding Availability ("NOFA") dated 10/15/2024 under the Permanent Local Housing Allocation (PLHA) Program; and

WHEREAS, the City of Berkeley (the "Applicant"), is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation; and

WHEREAS, the Department may approve funding allocations for PLHA program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and PLHA grant recipients.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley THAT:

SECTION 1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department;

SECTION 2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix B of the current NOFA $7,761,504 in accordance with all applicable rules and laws; and

SECTION 3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules, and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department; and

SECTION 4. Pursuant to Section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines; and

SECTION 5. If applicable, Applicant certifies that it was delegated by the City Council to submit an application on its behalf and administer the PLHA grant award for the formula allocation of PLHA funds, pursuant to Guidelines Section 300(c) and 300(d), and the legally binding agreement between the recipient of the PLHA funds and the Applicant is submitted with the PLHA application; and

SECTION 6. If applicable, Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), "entity" means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation; and

SECTION 7. If applicable, Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest; and

SECTION 8. If applicable, pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements; and

SECTION 9. If applicable, Applicant certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A), (B) and (C); and

SECTION 10. If applicable, Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years; and

SECTION 11. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department; and

SECTION 12. The City Manager or the City Manager's designee is authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related

to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

09

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Gilman, Director, Health, Housing & Community Services Department

Subject: Mental Health Services Act Fiscal Year 2026 Annual Update

RECOMMENDATION

Adopt a Resolution approving the Mental Health Services Act (MHSA) Fiscal Year 2026 Annual Update, which identifies uses of funds for mental health programming, and forwarding the Annual Update to appropriate State officials.

SUMMARY

California MHSA revenues are allocated to mental health jurisdictions across the state on an annual basis to transform the mental health system into one that is consumer and family driven, culturally competent, wellness and recovery oriented, collaborative with community partners, and inclusive of integrated services. MHSA includes five defined funding components: Community Services and Supports; Prevention and Early Intervention; Innovations, Workforce, Education & Training; and Capital Facilities Technological Needs.

The City utilizes MHSA funds to address the various needs of the residents of Berkeley. Some of the highlights of MHSA programming have included: A reduction in psychiatric inpatient hospital and/or incarceration days for severely mentally ill clients; a decrease in the number of days severely mentally ill clients experience homelessness; step down to a lower level of care for some clients; services and supports for family members; Wellness Center services; consumer driven wellness recovery activities; housing, and benefits advocacy services and supports for clients; augmented prevention and intervention services for Transition Age Youth, Adults, and Older Adults and individuals in unserved, underserved and inappropriately served cultural and ethnic populations; and free access for a limited time to the MyStrength and HeadSpace Mental Health Apps for anyone who lives, works, or goes to school in Berkeley.

Additionally, an outcome of the implementation of the MHSA is that mental health consumers, family members and other stakeholders now regularly serve on several of the Mental Health Division's internal decision-making committees. These individuals share their "lived experience" and provide valuable input which has become an integral

component that informs the Mental Health Division on the implementation of MHSA services and supports. In order to utilize MHSA funds, stakeholder informed MHSA Three Year Program and Expenditure Plans and Annual Updates are required to be developed and locally approved.

This is the last Annual Update under the current MHSA regulations, prior to Fiscal Year 2027 when the Proposition 1, Behavioral Health Services Act (BHSA), guidelines and regulations will become applicable for Three Year Plans and Annual Updates.

FISCAL IMPACTS OF RECOMMENDATION

Approval of the MHSA Fiscal Year 2026 (FY2026) Annual Update enables funding for MHSA programs and services. The City of Berkeley receives funding from MHSA revenues (Fund 315) on a monthly basis from the State of California. The total MHSA funding amount the city will receive in any given year is unknown until the end of the year. Therefore, MHSA Three Year Plans and Annual Updates must approximate revenues and expenditures for each year. Funding in the amount of $11,265,993 will be available in the FY2026 adopted budget in the MHSA Fund (Fund 315). Funding in the amount of $430,002 will be recommended for appropriation through the first amendment to the FY2026 appropriations ordinance in the MHSA Fund (Fund 315) resulting in a total funding of $11,695,995 in FY2026. This Annual Update includes the following estimated revenue and expenditures in each MHSA component:

2026			
MHSA FUNDING COMPONENT	Estimated Unspent Funds	Estimated New Funding	Estimated Expenditures
Community Services & Supports	$14,683,671	$4,371,317	$8,275,495 ($1,644,426 transfer to WET and CFTN)
Prevention & Early Intervention	$3,072,640	$1,092,829	$1,903,291
Innovations	$2,336,621	$287,587	$600,000
Workforce Education & Training	$253,073	$344,426 (Transfer from CSS)	$167,209
Capital Facilities & Technological Needs	$0	$1,300,000 (Transfer from CSS)	$1,000,000
TOTALS	$20,346,005	$7,396,159	$11,695,995

The budget provides estimated revenues and expenditures for this Annual Update. The Division obtains financial projections from the state on the amount of MHSA revenue to be allocated in a given year. Financial projections for this FY26 Annual Update reflect a

decrease in MHSA funds, to what was previously estimated in the approved FY2024-2026 Three-Year Plan.

In this FY2026 Annual Update, due to changes in the projected revenue/budget in the 5-year forecast, the Division proactively paused the hiring for some previously approved staff positions out of caution, so that funds would not be expended as quickly. Departmental Fiscal staff were able to run revenue analyses earlier than in previous years, resulting in the ability to shift some personnel costs to other mental health funding sources. These shifts will enable the Division to use all of its appropriate revenue sources more evenly and prevent any funds from running out too soon.

Beginning in FY2027, MHSA will shift to the new BHSA fiscal and program requirements. MHSA unspent fund balance amounts at the end of FY2026, will be critical in future years in supporting the City's transition from MHSA to BHSA.

CURRENT SITUATION AND ITS EFFECTS

The MHSA FY2026 Annual Update provides an update to the City Council approved MHSA FY2024-2026 Three Year Program and Expenditure Plan. Informed by area stakeholders, this Annual Update details current mental health programs and services, proposes a few program changes, and includes the state required MHSA FY2022-2024 Prevention and Early Intervention Three Year Evaluation Report and the MHSA FY2024 Innovation Annual Evaluation Report. Per state legislation, MHSA Three Year Plans and Annual Updates must include the following steps: Conducting a community program planning process with the involvement of are stakeholders; writing a draft plan; initiating a 30-day Public Review on the Draft Plan; and conducting a Public Hearing at a Mental Health Commission meeting.

This City of Berkeley MHSA FY2026 Annual Update included a community program planning process to obtain input via multiple meetings; drafting a plan; incorporating feedback from the planning process; a 30-day Public Review from May 27 through June 26; and a Public Hearing on the evening of June 26 before the Mental Health Commission.

The Division received public comments on the MHSA FY2026 Annual Update during the community program planning process which included engaging the public prior to the Draft Annual Update was written, the 30-day Public Review, and the Public Hearing. All public comments were recorded regardless of topic. Some of the public comments received were regarding programs and services that are not currently funded through MHSA and/or are executed through other City programs or through community-based organizations. Input received included questions around MHSA funded and area services, local housing, and the upcoming changes with BHSA; comments regarding safety issues around placing individuals who have been homeless, at Senior Citizen housing sites; ensuring individuals who have experienced homelessness are placed at a housing site that includes services to support them with acclimating to being housed;

and to implement a program that provides individuals with the necessary services and supports to assist them in breaking the cycle of experiencing recurrent 5150 (hospitalization) events. An additional concern was around whether the Division has the appropriate level of staff resources for outreach, specifically to engage marginalized individuals and communities. During the Public Hearing input was provided around a couple of errors in the "FY2026 Projected Numbers To be Served and Estimated Cost Per Person" chart within the Annual Update. Written input was also submitted around the need for restored prevention funding from the State. The written input was read at the Public Hearing and is included in Appendix E of the Annual Update.

After the close of the Public Hearing the Mental Health Commission passed the following motion: M/S/C (Krishnan, Sol) Motion to approve the annual update with the stipulations of the figures being re-calculated on page 129.

Ayes: Gu, Krishnan, Opton, Sol, Teague, Turner; Noes: None; Abstentions: None; Absent: Tregub, Prichett, Jones

The Mental Health Commission motion refers to figures in the "FY2026 Projected Numbers To be Served and Estimated Cost Per Person" chart, which was originally on page 129 in the Draft FY2026 Annual Update.

There were three substantive comments or necessary edits that were found that warranted changes to the FY2026 Annual Update as follows:

- Provide additional funding for Insight Housing to help defray increased costs at the Russell Street Residence.

- Correct two errors that were found on page 129, in the calculations of the "FY2026 Projected Numbers to Be Served and Estimated Cost Per Person Chart".

- Change the amount to be allocated for the African American Holistic Resource Center in FY2026, to $300,000.

- Update the Budget pages, a portion of the expenditures on the Workforce, Education and Training Budget page was not carried forward to the Budget Summary page.

The Annual Update and Budget pages in this final version of the Annual Update have been edited to reflect these additions and changes. Additionally, some of the formatting within the Annual Update has been further modified from the original version, for Accessibility purposes.

BACKGROUND

California voters adopted the Mental Health Services Act (Proposition 63 – MHSA) on November 2, 2004. The Act places a 1% tax on every dollar of personal income over $1 million. MHSA revenues are allocated to mental health jurisdictions across the state to transform the mental health system into one that is consumer and family driven, culturally competent, wellness and recovery oriented, collaborative with community partners, and inclusive of integrated services. MHSA includes the following five funding components:

- Community Services and Supports: Primarily for treatment services and supports for Severely Mentally Ill Adults and Seriously Emotionally Disturbed Children.

- Prevention & Early Intervention: For strategies to prevent mental illnesses from becoming severe and disabling.

- Innovation: For short-term pilot projects designed to increase new learning in the mental health field.

- Workforce, Education & Training: Primarily for strategies to identify and remedy mental health occupational shortages, promote cultural competency, and promote the employment of mental health consumers and family members.

- Capital Facilities and Technological Needs: For capital projects on owned buildings and on mental health technology projects.

MHSA has also provided funding for local housing development; collaborative programs for suicide prevention, school mental health, and to combat stigma and discrimination; and training and technical assistance in the areas of cultural competency.

As required by the State, this MHSA FY2026 Annual Update provides an update to the City Council approved MHSA FY2024-2026 Three Year Program and Expenditure Plan. Since the inception of MHSA, funds have been utilized to transform the mental health service delivery system to better meet the needs of underserved and inappropriately served communities, among others. This initiative has also provided the opportunity for the City of Berkeley Mental Health Division to further develop and expand the system of care by adding new programs within the Division and utilizing non-profit providers in the planning and delivery of comprehensive mental health services.

Past Council Item

Since the inception of the MHSA Program in 2006, Council has taken actions to approve all MHSA Plans and Annual Updates. The most recent actions taken over the past five years on MHSA Three Year Plans and Annual Updates are as follows:

- December 1, 2020, approval of the MHSA FY2021 – 2023 Three Year Program and Expenditure Plan.
- September 14, 2021, approval of the MHSA FY2022 Annual Update.
- July 26, 2022, approval of the MHSA FY2023 Annual Update.
- July 25, 2023, approval of the MHSA FY2024 – 2026 Three Year Program and Expenditure Plan.
- September 10, 2024, approval of the MHSA FY2025 Annual Update.

Council has also previously approved the initial MHSA component plans, Innovation Plans, the uses of funding for local housing development projects, and contracts with community-based agencies to implement mental health services and supports, housing and vocational services, and translation services.

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
State legislation requires mental health jurisdictions to create MHSA Three Year Plans and to provide updates on MHSA Plans on an annual basis. The legislation also requires local approval of MHSA Plans and Annual Updates. Approval of this MHSA FY2026 Annual Update will fulfill state requirements and enable MHSA funded programs and services to continue to be implemented.

ALTERNATIVE ACTIONS CONSIDERED
As obtaining approval on MHSA Plans and Annual Updates by the local governing body is a state requirement, there were no other alternative actions considered.

CONTACT PERSON
Karen Klatt, Community Services Specialist III, HHCS, (510) 981-7644
Jeff Buell, Manager of Mental Health Services, HHCS, (510) 981-7682

Attachments:
1: Resolution
Exhibit A: MHSA Fiscal Year 2026 Annual Update

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

MENTAL HEALTH SERVICES ACT (MHSA) FISCAL YEAR 2026 ANNUAL UPDATE

WHEREAS, Mental Health Services Act funds are allocated to mental health jurisdictions across the state for purposes of transforming the mental health system into one that is consumer and family member driven, culturally competent, wellness and recovery oriented, includes community collaboration, and implements integrated service; and

WHEREAS, MHSA includes five funding components: Community Services & Supports; Prevention and Early Intervention; Innovation; Workforce, Education and Training; and Capital Facilities and Technological Needs; and

WHEREAS, the City's Department of Health, Housing & Community Services, Mental Health Division, receives MHSA Community Services & Supports, Prevention & Early Intervention, and Innovation funds on an annual basis and received one-time funding distributions for Workforce, Education & Training, and Capital Facilities and Technological Needs; and

WHEREAS, in order to utilize funding for programs and services, the Mental Health Division must have a locally approved MHSA Three Year Program and Expenditure Plan, or Annual Update in place for the funding timeframe; and

WHEREAS, since the initial MHSA Plan in 2006, City Council has approved all MHSA Plans and Annual Updates, most recently on September 10, 2024 by Resolution No. 71,488-N.S., approving the MHSA FY2025 Annual Update; and

WHEREAS, City Council has also previously approved Innovation Plans, the uses of MHSA funding for local housing development projects, and contracts with community-based agencies to implement mental health services and supports, housing and vocational services, and translation services; and

WHEREAS, in order to comply with State requirements, the MHSA FY2026 Annual Update must be approved by City Council

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the MHSA FY2026 Annual Update that, incorporated herein as Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager is authorized to forward the MHSA FY2026 Annual Update to appropriate State officials.

Exhibits
A: MHSA Fiscal Year 2026 Annual Update

CITY OF BERKELEY
MENTAL HEALTH

MENTAL HEALTH SERVICES ACT (MHSA)

FISCAL YEAR 2025-2026

ANNUAL UPDATE

TABLE OF CONTENTS

BACKGROUND AND OVERVIEW	1
MESSAGE FROM THE MENTAL HEALTH MANAGER	7
DEMOGRAPHICS	8
MHSA FISCAL YEAR 2025/2026 ANNUAL UPDATE	16
PROPOSED PROGRAM CHANGES	18
PROGRAM DESCRIPTIONS AND FY24 DATA	20
COMMUNITY SERVICES & SUPPORTS (CSS)	20
PREVENTION & EARLY INTERVENTION (PEI)	69
INNOVATION (INN)	115
WORKFORCE, EDUCATION & TRAINING (WET)	117
CAPITAL FACILITIES AND TECHNOLOGICAL NEEDS (CFTN)	119
FY2026 PROJECTED COSTS PER PERSON	100
BUDGET NARRATIVE	121
APPENDIX A – BUDGETS	1A
APPENDIX B – RESULTS-BASED ACCOUNTABILITY DATA	1B
APPENDIX C – PEI FY2021/2022 – FY2023/2024 THREE-YEAR EVALUATION REPORT	1C
APPENDIX D – INN FY2024 ANNUAL EVALUATION REPORT	1D

BACKGROUND AND OVERVIEW

California voters passed Proposition 63, the Mental Health Services Act (MHSA), in November 2004, to expand and transform the public mental health system. This legislation places a 1% tax on personal incomes above $1 million dollars. Funds are deposited into the MHSA State Treasury Fund and allocations per each mental health jurisdiction are determined based on the total population in a given area.

Through the following five funding components, the MHSA was designed to create the capacity for a broad continuum of prevention, early intervention and treatment services along with the necessary infrastructure, technology, and training elements to support effective mental health system transformation:

- Community Services & Supports (CSS): Primarily provides treatment services and supports for Severely Mentally Ill Adults and Seriously Emotionally Disturbed Children and Youth.
- Prevention & Early Intervention (PEI): For strategies to recognize early signs of mental illness and to improve early access to services and programs, including the reduction of stigma and discrimination, and for strategies to prevent mental illness from becoming severe and disabling.
- Innovation (INN): For short-term pilot projects designed to increase new learning in the mental health field.
- Workforce, Education & Training (WET): Primarily for strategies to identify and remedy mental health occupational shortages, promote cultural competency and the employment of mental health peers and family members in the workplace.
- Capital Facilities and Technological Needs (CFTN): For capital projects on owned buildings and on mental health technology projects.

Among other things, the MHSA was designed to provide enhanced services and supports for seriously emotionally disturbed children, youth and Transition Age Youth (TAY), adults, and older adults suffering from severe mental illness through a “no wrong door” approach and aims to move public mental health service delivery from a “disease oriented” system to one that is culturally responsive, consumer informed, and wellness recovery oriented. This is accomplished through implementing programs that focus on the following major components:

- Wellness, recovery and resilience
- Cultural competency
- Consumer/family member driven services
- Consumer/family member integration in the mental health system; and
- Community collaboration.

The MHSA also strives to improve and increase services and supports for individuals and families from cultural and ethnic populations that are traditionally unserved and

underserved in the mental health system. In Berkeley these have included: Asian Pacific Islanders (API); Latinos/Latinas/Latinx (Latino/a/x); Lesbian, Gay, Bi-Sexual, Transgender, Queer/Questioning, Inter-Sexed, Agender, Plus others (LGBTQIA+); Older Adults; and Transition Age Youth (TAY). African Americans have been an additional population of focus as data indicates they are overrepresented in the mental health system and hence "inappropriately served", which could be due to being provided services that are not culturally responsive and/or appropriate.

In order to access MHSA funds, a stakeholder informed plan outlining how funds will be utilized must be developed and locally approved. Development of an MHSA Plan includes: community program planning with the involvement of area stakeholders, writing a draft plan, initiating a 30-day public review, conducting a public hearing at a Mental Health Commission meeting, and obtaining approval on the plan from City Council.

The Community Services & Supports, Prevention & Early Intervention, and Innovation funding components are the only re-occurring MHSA monies that are allocated annually and may be spent over a five-year period. Workforce, Education & Training and Capital Facilities and Technological Needs funds had initial expenditure time periods of 10 years each and were to be utilized by the end of Fiscal Year 2018 or 2019. Per the City Council approved MHSA AB114 Reversion Expenditure Plan (which is posted on the City of Berkeley MHSA webpage), some CFTN and WET projects were continued past the original timeframes.

MHSA legislation requires mental health jurisdictions to provide updates on MHSA Plans on an annual basis, and an integrated Program and Expenditure Plan must also be developed every Three-Years. Currently, the City of Berkeley Mental Health (BMH) Division has a City Council approved MHSA Fiscal Years 2023/2024 - 2025/2026 Three-Year Program and Expenditure Plan in place as well as Annual Updates for the fiscal year 2024/2025.

City of Berkeley MHSA Services

Since 2006, MHSA funding has been utilized to provide mental health services and supports in Berkeley. Additionally, from Fiscal Year 2011 (FY2011) through FY2020, the City of Berkeley also utilized a portion of MHSA funds to provide services in the City of Albany, although Albany is a part of the Alameda County total population. Beginning in FY2021, per agreement with Alameda County Behavioral Health Care Services (BHCS), the Division transitioned to only using MHSA funds for services and supports in Berkeley, and BHCS now provides MHSA funded services in Albany.

As a result of the City's approved MHSA Plans and Annual Updates, a number of services and supports have been implemented to address the various needs of the residents of Berkeley. Some of the many programs include the following:

- Intensive services for Children, TAY, Adults, and Older Adults
- Multi-Cultural Outreach engagement, trainings, projects, and events

- Increased mental health services and supports for homeless individuals
- Wellness Recovery services and activities
- Family Advocacy, Housing services and supports, and Benefits Advocacy
- Case management and mental health services and supports for TAY
- Trauma support services for unserved, underserved, and inappropriately served populations
- Increased mental health prevention, and intervention services for children and youth in area schools and communities
- A Wellness Recovery Center in collaboration with Alameda County Behavioral Health Care Services (BHCS)
- Funding for increased services for older adults and the API population; and
- Services for individuals experiencing co-occurring disorders.

Additionally, an outcome of the implementation of the MHSA is that mental health peers, family members and other stakeholders now regularly serve on several of the BMH internal decision-making committees. These individuals share their "lived experience" and provide valuable input which has become an integral component that informs the Division on the implementation of MHSA services and supports. Even prior to the passage of Proposition 63, BMH convened (and has since maintained) an MHSA Advisory Committee which serves in an advisory role on MHSA programs and is comprised of mental health peers, family members, and community stakeholders.

This City of Berkeley MHSA Fiscal Year 2025/2026 (FY2026) Annual Update is a stakeholder informed plan that provides an update to the previously approved FY2024-2026 Three-Year Program and Expenditure Plan (Three-Year Plan). This Annual Update summarizes proposed program changes, descriptions of MHSA services that will be continued in FY2026, through the approved FY2024-2026 Three-Year Plan, and a reporting of FY2024 program data. This Annual Update outlines the funding and programming for the last year of operation of the MHSA prior to transitioning to the funding and programming requirements of the voter approved Behavioral Health Services Act.

The Behavioral Health Services Act

In 2023 Senate Bill 326 (SB326), the Modernization of the Mental Health Services Act (MHSA) and Assembly Bill 531, a Behavioral Health Infrastructure Bond for treatment facilities and supportive housing were linked and signed by the Governor. On March 5, 2024 the linked bill was on the ballot as one measure, Proposition 1, which was narrowly passed by the voters.

This legislation renames the Mental Health Services Act (MHSA) to the Behavioral Health Services Act (BHSA) as it includes an allowance to utilize funding for services for individuals who have Substance Use Disorders. Beginning July 1, 2026, through the BHSA, the current five MHSA funding allocations will change to the following three components:

- Housing: For children and families, youth, adults and older adults living with severe mental illness or serious emotional disturbance and/or Substance Use Disorders who are experiencing homelessness or are at risk of homelessness, with 50% being prioritized for interventions for the chronically homeless.
- Full Service Partnership (FSP): Includes the use of funds for mental health, supportive services, and substance use disorder treatment services for Severely Mentally Ill Adults, Seriously Emotionally Disturbed Children and Youth, and individuals who experiences Substance Use Disorders.
- Behavioral Health Services and Supports: Includes early intervention, outreach and engagement, workforce education and training, capital facilities, technological needs, and innovative pilots and projects. A majority (51%) of funds must be used for Early Intervention services to assist in the early signs of mental illness or substance misuse, and 51% of the Early Intervention services and supports must be for individuals who are 25 years and younger.

Among other things, the BHSA will also make changes to the planning process and Three-Year Plans and Annual Updates. These changes will require the demonstration of coordinated behavioral health planning around all behavioral health funding received, and an integrated plan that includes all local behavioral health funding, services, and program outcomes. The Department of Health Care Services (DHCS) has recently released the new BHSA regulations. In preparation, the City has started pre-planning around the changes to MHSA and will begin engaging the community in the upcoming months to share information on the BHSA requirements and obtain input on local mental health needs.

MESSAGE FROM THE MENTAL HEALTH MANAGER

The City of Berkeley continues to face serious and evolving challenges that impact the behavioral health and well-being of its residents. Persistent racial and economic inequities, housing instability, and health disparities remain core concerns, while broader structural and policy shifts at the local, state, and federal levels further complicate the landscape. This Annual Update outlines how Berkeley's Behavioral Health Division will respond to these realities with a continued focus on equity, community engagement, and innovation.

In these last few years, significant changes to funding streams and cost structures have increased pressure on behavioral health services. Budget constraints at local, state, and federal levels of government, combined with policy shifts and rising service demands, are impacting how services are planned and delivered. Proposition 1 fundamentally shifts how the Behavioral Health Services Act (BHSA) will serve our local communities, and what the future will hold with respect to the services they support.

BHSA funding continues to serve as a vital source of support for a range of innovative and equity-focused mental health initiatives. Investments include the expansion of community-based outreach teams and new models of care that support crisis response, enhance connections to peer support and recovery services, and strengthen pathways to culturally responsive care.

While economic uncertainty and funding changes remain challenges across the behavioral health field, Berkeley's Behavioral Health Division remains focused on stability, equity, and innovation. We are closely monitoring evolving conditions and adjusting as needed to sustain core services and meet emerging needs.

The City of Berkeley presents this Annual Update with appreciation for the necessary collaboration and partnerships that are vital to support this work—community members, providers, staff, and peers alike. This dedication, hard work, and insight are essential as we move forward together.

Jeff Buell, LCSW
Manager of Mental Health Services

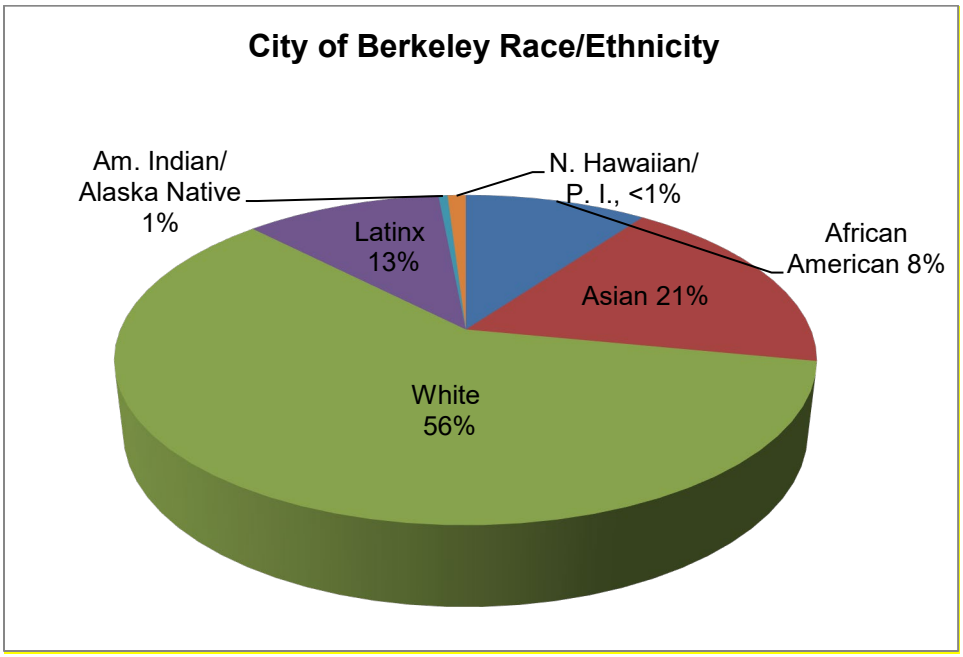
DEMOGRAPHICS

Description

Situated in the heart of the San Francisco Bay area, and home to the University of California, Berkeley is an urban city, located in northern Alameda County. With a combined land mass of around 12.2 miles and a total population of approximately 118,962 (updated estimates since the 2020 census), the City of Berkeley is densely populated and larger than 23 of California's small counties.

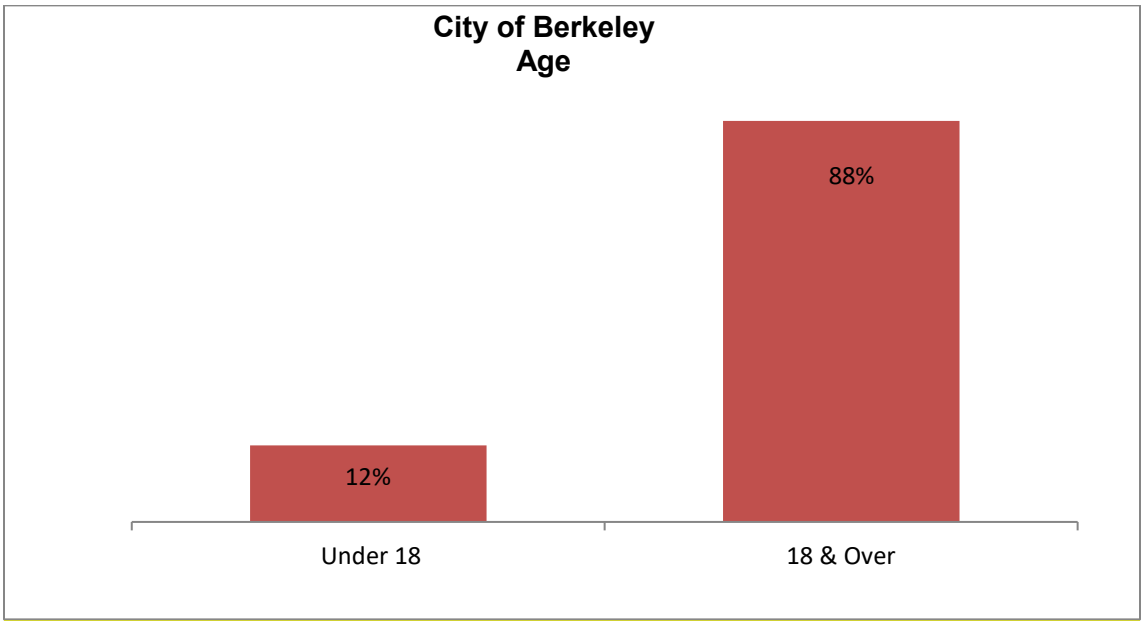
Race/Ethnicity

Berkeley is a diverse community with changing demographics. The African American population has decreased in recent years while the Latinx and Asian populations have both increased. Berkeley has a large student population, which provides housing for many of University of California's foreign students and their families. Threshold languages include English, Spanish, Farsi, Cantonese, and Vietnamese, and approximately 30% of Berkeley residents speak a language other than English at home. Berkeley is comprised of the following racial and ethnic demographics: African American; Asian; Latino/Latina/Latinx; White; American Indian/Alaska Native; and Native Hawaiian/Pacific Islander (P.I.). Demographics are outlined below:

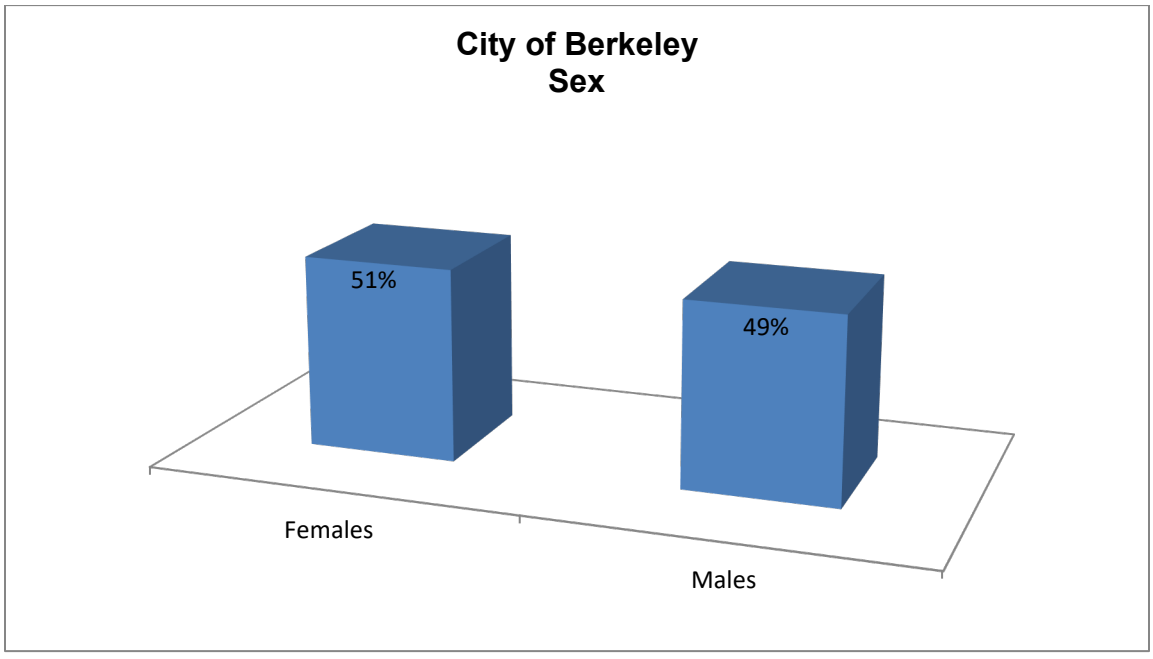


Age/Sex

As depicted in the table below, a large percentage of individuals in Berkeley are over the age of eighteen:



Sex demographics are as follows:



Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersexed, Agender, Plus (LBGTQIA+) Population

Per a brief by the Williams Institute, UCLA, entitled "LGBT Adults in Large US Metropolitan Areas" the LGBT population is 6.7% in the San Francisco Bay Area. According to the Brief, the estimated percentages of adults age 18 and older who identify as LGBT was derived from the Gallup Daily Tracking Survey which is an annual list-assisted random digit dial (70% cell phone, 30% landline) survey, conducted in English and Spanish, of approximately 350,000 U.S. adults ages 18 and up who reside in the 50 states and the District of Columbia. LGBT identity is based on response to the question, "Do you, personally, identify as lesbian, gay, bisexual, or transgender?" Respondents who answered "yes" were classified as LGBT. Respondents who answered "no" were classified as non-LGBT. Estimates derived from other measures of sexual orientation and gender identity may yield different results. (Conron,K.J, Luhur.W., Goldberg, S.K. Estimated Number of US LGBT Adults in Large Metropolitan Statistical Areas (MSA), (December 2020). The Williams Institute, UCLA. Los Angeles, CA.)

Income/Housing

With some of the highest housing costs in the Bay Area, the Berkeley median household income is $104,716. Nearly 18% of Berkeley residents live below the poverty line and approximately 27% of Berkeley children qualify for free and reduced lunches. While 43% of Berkeley residents own their own homes, there are many individuals experiencing homelessness including women, TAY, and Older Adults.

In order to measure the prevalence and characteristics of homelessness, a comprehensive street count of individuals experiencing homelessness is conducted in communities across the country every two years. According to the 2024 Alameda County Everyone Home Point-in-Time Count, which included a detailed assessment of the City of Berkeley, approximately 844 individuals were experiencing homelessness. Of this amount 47% were in some form of shelter, and 53% were unsheltered (as defined by someone whose primary residence is a car, park, abandoned building, or another place that isn't designed to be housing). These numbers represent a 20% decrease in the overall homeless population, and a 45% decrease in individuals who are unsheltered in Berkeley since the 2022 Alameda County Everyone Home Point-in-Time Count. Since 2021, there have been several initiatives to support individuals who are experiencing homelessness, and funding for new housing in the City, which has had a direct impact on individuals who are unhoused.

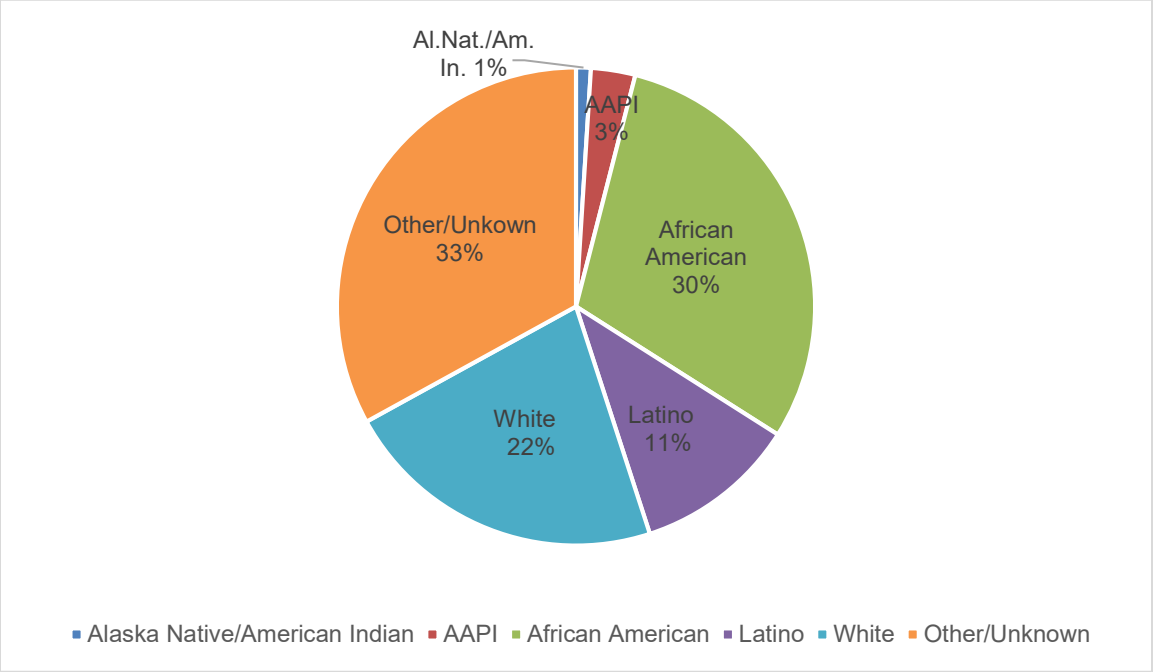
Education

Berkeley has a highly educated population: 9% of individuals aged 25 or older are high school graduates; and approximately 75% possess a bachelor's degree or higher.

System Organization

Berkeley Mental Health (BMH), one of two city-based public mental health programs in the state, provides services for residents in Berkeley. It is a Division of the City of Berkeley Health, Housing & Community Services (HHCS) Department. Services are provided at multiple clinic sites and in the field. BMH provides the following services:

Crisis; Family, Youth & Children; High School Mental Health, Full Service Partnership Services, and Adult Services. Services include: assessment, assertive community treatment, individual and group therapy, case management, and crisis intervention. In addition to offering treatment, outreach, and support, some services are provided through a variety of community-based agencies and at school sites. As part of Crisis services, a Mobile Crisis Team operates seven days a week when fully staffed. The majority of mental health services provided by BMH are aimed towards the Medi-Cal and uninsured population; as such it is important to note the ways in which the Medi-Cal population demographics differ from the overall demographics in Berkeley. Per available data for the reporting timeframe, the Medi-Cal population was as follows:



COMMUNITY PROGRAM PLANNING

During the Community Program Planning (CPP) process one MHSA Advisory Committee meeting was held on Tuesday, April 29th, and four Community Input Meetings were held on the following dates/times:

- Tuesday, May 6th: 6:00pm-7:30pm
- Thursday, May 8th: 3:30pm-5:00pm
- Monday, May 12th: 6:00pm-7:30pm
- Wednesday, May 14th: 1:00-2:30pm

Announcements of the meetings were sent to MHSA Advisory Committee members, mental health peers, family members, representatives from community-based organizations, individuals from unserved, underserved and inappropriately served populations, HHCS Staff, City Commissioners, and other MHSA stakeholders.

During the MHSA Advisory and Community Input Meetings a presentation was conducted to provide information on MHSA background, funding, program requirements, the CPP process, and on upcoming changes to the funding requirements as a result of Proposition 1. The presentation also covered detailed information on the proposed MHSA FY2026 Annual Update and provided opportunities for input from the community.

An anonymous voluntary survey through Survey Monkey to obtain demographic information on individuals who participated in the CPP process, was administered during each meeting and to individuals who reached out by phone or email. Results of 19 individuals who voluntarily participated in the Survey were as follows:

DEMOGRAPHICS N = 19
(Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants. **Many participants were in more than one category).

- **Age Category**
  Transition Age Youth - <11
  Transition Age Youth - <11
  Adult - <11
  Older Adult - <11
  Declined to Answer to Answer (or Unknown) - <11

- **Gender Identity**
  Male - <11
  Female - <11
  Declined to Answer (or Unknown) - <11

- **Race/Ethnicity**
  Black or African American - <11
  White - <11

Latino/a/x - <11
Declined to Answer (or Unknown) - <11

- **Sexual Orientation**
  Heterosexual - <11
  Declined to Answer (or Unknown) - <11

- **Veteran Status**
  Veteran - <11
  Non-Veteran - <11
  Declined to Answer (or Unknown) - <11

- **Disability Status**
  Declined to Answer (or Unknown) – 19

- **Representative Categories**
  Consumer - <11
  Family Member of Consumer - <11
  Community Member or MHSA Stakeholder - <11
  Veteran - <11
  Representative of Mental Health Commission - <11
  Representative of Mental Health or Social Services Agency - <11
  Representative of Substance Use Disorder Agency - <11
  Representative of a Health Care Organization - <11
  Student, Staff, Representative or Parent of Student of Berkeley Unified School District - <11
  Student, Staff, Representative or Parent of UC Berkeley or Berkeley City College - <11
  Declined to Answer (or Unknown) - <11

As a method to continue to gather input from the community on this Annual Update, two additional Community Input meetings will be scheduled during the 30-Day Public Review. As with previous MHSA Plans and Annual Updates, a methodology utilized for conducting CPP for this Annual Update was implemented to enable a collaborative process to occur between BMH staff, MHSA Advisory Committee members, Community members and other MHSA stakeholders. Development of this Annual Update began with an internal examination of existing programs, unaddressed needs, and available funding which included a review of input received over the prior year and during previous MHSA planning processes. Following an internal review, proposed new additions were vetted through the MHSA Advisory Committee prior to engaging community members and other MHSA stakeholders.

Proposed program changes in this Annual Update include the following:

- Move an Assistant Management Analyst position that was previously approved for the Mental Health Manager, to the Adult Full Services Partnership.

- Transfer a portion of unspent CSS Funds to the WET Component, to provide future funding for the Workforce Development Coordinator position, and for stipends to support two student administrative interns, and six clinical interns.
- Transfer a portion of CSS Funds to the CFTN Component to support the future acquisition of a Mental Health facility, and/or mental health facility needs.
- Utilize previously approved funding to support the African American Holistic Resource Center, Sankofa Project.

The following program addition was also added as a result of input received during the 30-Day Public Review:

- Allocate an additional amount of funds for Insight Housing, to support the Russell Street Residence.

Details are outlined in the "Proposed Program Changes" section of this Annual Update.

During the Community Program Planning process, questions received were primarily around MHSA funded and area services, local housing, and the upcoming changes with BHSA. A concern was voiced regarding safety issues around placing individuals who have been homeless, at Senior Citizen housing sites and input received included: Ensuring individuals who have experienced homelessness are placed at a housing site that includes services to support them with acclimating to being housed; and to implement a program that provides individuals with the necessary services and supports to assist them in breaking the cycle of experiencing recurrent 5150 (hospitalization) events. An additional concern was around whether the Division has the appropriate level of staff resources for outreach, specifically to engage marginalized individuals and communities.

A 30-Day Public Review was held from Wednesday, May 28th through Thursday, June 26th to invite input on this Annual Update. A copy of the Annual Update was posted on the BMH MHSA website, and announcements of the 30-Day Public Review were mailed and/or emailed to community stakeholders and City staff. Individuals interested in providing input on this Annual Update were also able to attend two community meetings that were held during the 30-Day Public Review:

- Thursday, June 12th: 6:00pm-7:30pm
- Tuesday, June 17th: 5:00pm-6:30pm

Information on the Community Input Meetings were posted on the MHSA webpage and on the City's event calendar. Announcements of the meeting were also mailed and/or emailed to community stakeholders and City staff. For information regarding the Community Input Meetings, the Public Hearing, or the to provide input on the FY2026 Annual Update the public was invited to contact Karen Klatt, MHSA Coordinator, by phone (510) 981-7644, or email at: KKlatt@berkeleyca.gov

A Public Hearing on the Annual Update was held at 7:00pm on Thursday, June 26th, during the Mental Health Commission meeting. During the Public Hearing various

questions were asked and answered regarding some of the funding and programs within the FY2026 Annual Update. The Executive Director of Pacific Center for Human Growth submitted written input that was read during the Public Hearing. Written input is included in Appendix E of this Annual Update.

Following the Public Hearing the Mental Health Commission passed the following motion: M/S/C (Krishnan, Sol) Motion to approve the annual update with the stipulations of the figures being re-calculated on page 129.

> Ayes: Gu, Krishnan, Opton, Sol, Teague, Turner; Noes: None; Abstentions: None; Absent: Tregub, Prichett, Jones

Note that the Mental Health Commission motion refers to figures in the "FY2026 Projected Numbers To be Served and Estimated Cost Per Person" chart, which was on page 129 in the Draft FY2026 Annual Update.

There were four substantive comments received that warranted changes to the FY2026 Annual Update as follows:

- Provide additional funding for Insight Housing to help defray increased costs at the Russell Street Residence.
- Correct two errors that were found in the calculations of the "FY2026 Projected Numbers to Be Served and Estimated Cost Per Person Chart".
- Change the amount of funds to be utilized in FY2026 for the African American Holistic Resource Center.
- Update the expenditures from the Workforce, Education & Training Budget page, that were not previously carried forward to the Budget Summary page.

The Annual Update and Budget pages in this final version of the Annual Update have been edited to reflect these additions and changes.

MHSA FISCAL YEAR 2025-2026 ANNUAL UPDATE

This City of Berkeley MHSA Fiscal Year 2025/2026 (FY2026) Annual Update is a stakeholder informed plan that provides an update to the previously approved MHSA FY2023/2024 – 2025/2026 Three-Year Program and Expenditure Plan (Three-Year Plan). This Annual Update summarizes proposed program changes, includes descriptions and updates of currently funded MHSA services that will be continued in FY2026 through the previously approved Three-Year Plan, and provides a reporting on FY2024 program data. Additionally, per state regulations, this Annual Update includes the Prevention and Early Intervention (PEI) Fiscal Year 2021/2022 – 2023/2024 Three-Year Evaluation Report (Appendix C). Although there were not any INN Programs in operation in FY2024, in order to comply with state regulations, an Innovation Fiscal Year 2023/2024 Annual Evaluation Report has also been included in Appendix D of this Annual Update.

As reported in previous MHSA Plans and Annual Updates, the Division has engaged in several initiatives over the past several years to increase data collection and evaluation efforts including the following:

- Impact Berkeley: In 2018, the Health Housing and Community Services (HHCS) Department implemented “Impact Berkeley”. Central to this initiative is using a highly regarded framework called Results Based Accountability (RBA) to account for the work of the Department. RBA provides a new way of understanding the quality and impact of services provided by collecting data that answer three basic questions:
    1. How much did you do?
    2. How well did you do it?
    3. Is anyone better off?

  RBA has been incorporated into selected programs within the Department. This has included community agency programs funded through the MHSA Prevention & Early Intervention (PEI) Community Education & Supports program. Through this initiative the Department worked with each contractor to envision, clarify and develop measures on the outcomes and results each program is seeking to achieve, and used a rigorous framework to measure and enhance progress towards these results. The results of this initiative are outlined in the PEI Community Education & Supports program section of this Annual Update.

- Results Based Accountability for all BMH Programs: Through a previously approved MHSA Annual Update the Division hired Resource Development Associates (RDA) to conduct a Results Based Accountability (RBA) Evaluation for all programs across the Division. RDA worked with the Division from FY2021-FY2024 to implement the RBA research methodology. An update of the activity’s RDA conducted in FY2024 on this evaluation is included in this Annual Update.

  RBA outcomes in FY2024 are outlined throughout this Annual Update for the following MHSA funded internal programs: Children/Youth FSP; TAY, Adult and

Older Adult FSP; Homeless FSP; Wellness Recovery Services; Crisis Services; Transitional Outreach Team; Social Inclusion Project; and the High School Prevention Project. The complete set of RBA outcomes for all BMH programs is located in Appendix B.

- Program Evaluator: Per the approved FY2023 Annual Update, the Division hired a Program Evaluator who provided work and oversight through FY2024 on the RBA Evaluation. Since the ending of the RDA contract the Project Evaluator has directly taken over RBA Evaluation work, as well as other various data collection, analysis, and evaluation work within the Division.
- Per State requirements, Evaluation Reports for PEI and INN programs are also included in the Appendix of this Annual Update as follows:
- PEI Data Outcomes: Per MHSA PEI regulations, all PEI funded programs are required to collect state identified outcome measures (specific to the category of services provided) as well as detailed demographic information. PEI Evaluations are required to be included in each MHSA Annual Update or Three-Year Plan. See Appendix C for the Prevention & Early Intervention (PEI) Fiscal Year 2021/2022–2023/2024 (FY22-24) Three-Year Evaluation Report.
- INN Data Outcomes: Per MHSA INN regulations, all INN funded programs are required to collect state identified outcome measures and detailed demographic information. INN Evaluations are required to be included in each MHSA Annual Update or Three-Year Plan. Although there were not any INN Programs in operation in FY2024, in order to comply with state regulations, an Innovation (INN) Fiscal Year 2023/2024 Annual Evaluation Report has been included in Appendix D of this Annual Update.

PROPOSED PROGRAM CHANGES

The Division is proposing the following changes through this Annual Update:

Move Assistant Management Analyst position to Adult Full Services Partnership:
Through the previously approved Three-Year Plan, the Division received approval to hire an Assistant Management Analyst to support the Mental Health Manager. In an effort to support the need for administrative support, the Division is proposing to move this position to the Adult Full Services Partnership Program.

Provide previously approved MHSA funds for the African American Holistic Resource Center:
The African American/Black Professionals & Community Network (AABPCN) crafted a report titled "A Community Approach for African American/Black Culturally Congruent Services." This report identified challenges that the African American community faces in areas of education, employment, health, and mental health, housing, and community relationships. A vision and framework were provided in the report for the development of an African American Holistic Resource Center (AAHRC) in South Berkeley. The center will include the use of culturally congruent practices, embedded in an integrated service delivery system, which will help to decrease inequities and disparities in the African American community in Berkeley. The delivery of culturally congruent services at the AAHRC will provide African Americans with the support they need to decrease inequities and disparities, and build community.

One of the various components of the AAHRC will be Project Sankofa. Project Sankofa is focused on promoting mental wellness and is a campaign that aims to eradicate the stigma around mental health through love and compassion. It uses Black affirming methodologies to bring about a paradigm shift in how mental health and wellness are approached and communicated within communities of color. Deliverables include group/family/community mental health and wellness workshops and healing circles; community engagement activities; online social media campaign.

Through the MHSA FY2024-2026 Three-Year Plan, the Division received approval to provide $300,000 of Community Services and Supports (CSS) System Development Funds in FY2024 to support the AAHRC, Project Sankofa. Since FY2024, the allocation of funding, and implementation of the AAHRC Project Sankofa, has experienced some unexpected delays. However, in FY2026, the Division will allocate the previously approved $300,000 in funds for the AAHRC to implement Project Sankofa. It is envisioned that a contract with Healthy Black Families will be executed, who will serve as the fiscal administrator to the AAHRC for this project.

Provide a one-time funding Increase to support the Russell Street Residence:
Operated through Insight Housing, the Russell Street Residence provides permanent supportive housing for 17 formerly homeless adults who have experienced severe and persistent mental illness. Residents receive the following: supportive services; meals; therapeutic groups, activities and outings; transportation to medical appointments; and assistance with daily activities including laundry and personal hygiene.

Costs have increased since the contract was planned and executed, resulting in a shortfall of funds prior to the end of the planned contract. As such through this Annual Update the Division is proposing to allocate a one-time amount of $250,000 of CSS System Development funds for Insight Housing to help defray the increased costs at the Russell Street Residence.

Transfer Community Services and Supports funds to the Workforce, Education and Training component: For each year of the previously approved Three-Year Plan, the Division is able to transfer a portion of Community Services and Supports (CSS) System Development Funds to the Workforce, Education and Training (WET) component to fund the Workforce Development Coordinator position through the following process: Per MHSA Statute, (Welfare and Institutions Code, Section 5892 (b)): "In any year after 2007-08, programs for services pursuant to Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) of this division may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five years pursuant to this section."

Through this Annual Update the Division is proposing to transfer $344,426 of unspent CSS Funds to the WET Component. Once transferred, approximately $167,116 of funds will be used to support the Workforce Development Coordinator position. The remainder of funds, approximately $177,310 are being proposed to be utilized in the upcoming years on a Stipend Program to incentivize Student Interns to provide Clinical or Administrative work within the Division over a given period of time.

Transfer Community Services and Supports Funds to the Capital Facilities and Technological Needs component: Through this Annual Update the Division is proposing to transfer $1,300,000 of unspent Community Services and Supports (CSS) funds to the Capital Facilities and Technological Needs (CFTN) component through the following process:

Per MHSA Statute, (Welfare and Institutions Code, Section 5892 (b)): "In any year after 2007-08, programs for services pursuant to Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) of this division may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five years pursuant to this section."

Once funds have been transferred to CFTN, they will be utilized in the upcoming years to support various BMH facility needs, and/or as a match for the Department of Healthcare Services, Behavioral Health Continuum Infrastructure Program (BHCIP) should the City choose to apply. Uses of funds for facility needs may include but not be limited to the following: acquiring a new building, remodeling or renovating existing structures, and/or repairs, among other allowable CFTN related expenditures.

PROGRAM DESCRIPTIONS AND FY2021 DATA BY FUNDING COMPONENT

Outlined in this section per each funding component are descriptions of current City of Berkeley MHSA services that were continued through the previously approved Three-Year Plan and FY2024 program data. In FY2024, across all MHSA funded programs, approximately 5,208 individuals participated in some level of services and supports. Some of the FY2024 MHSA funded program highlights included: A reduction in psychiatric emergency services usage and/or incarceration days, and increased access to primary care services for severely mentally ill clients; step down to a lower level of care for some clients; services and supports for family members; increased services for individuals who are experiencing homelessness; Wellness Center services; co-occurring services for individuals who are experiencing both mental health needs and substance use disorders; community-based support group services; consumer driven wellness recovery activities; housing and benefits advocacy services; augmented prevention and early intervention services for children and youth in the schools and community; and supportive services for TAY, Adults and Older Adults in unserved, underserved and inappropriately served cultural and ethnic populations.

COMMUNITY SERVICES & SUPPORTS (CSS)

The Community Services & Supports (CSS) funding component primarily provides treatment services and supports for Severely Mentally Ill Adults and Seriously Emotionally Disturbed Children and Youth. Funding is provided in three areas of programming: Full Services Partnerships; Multicultural Outreach & Engagement; and System Development.

Following a year-long community planning and plan development process, the initial City of Berkeley Community Services & Supports (CSS) Plan was approved in September 2006. Since the approval of the original plan, Three-Year Plans or Annual Updates outlining proposed CSS funding and programming have been developed and approved on an annual basis. From the original CSS Plan and/or through subsequent plan updates, some of the many services the City of Berkeley has provided through CSS funding are as follows:

- Wrap-around Services for Children and their families
- TAY, Adult and Older Adult Intensive Treatment Services
- Supportive Services for Individuals experiencing homelessness
- Diversity & Multi-cultural Services
- TAY Case Management and Support Services
- Consumer Advocacy
- Wellness and Recovery Services
- Family Advocacy
- Transitional Outreach Team
- Support Groups for individuals

- A Wellness Recovery Center; and
- Benefits Advocacy.

Descriptions of each CSS funded program that were continued through the previously approved Three-Year Plan, and FY2024 data are outlined on the following pages. Throughout all CSS programs, demographic data representing numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

Full Service Partnerships (FSP)

Children/Youth Intensive Support Services Full Service Partnership
The Children/Youth Intensive Support Services Full Service Partnership (CFSP) is for children ages 0-21 and their families. This program is for children, youth and their families who would benefit from, and are interested in participating in a program designed to address the total needs of a family whose child (and possibly other family members) is experiencing significant emotional, psychological or behavioral problems that are interfering with their wellbeing.

Priority populations include children and youth who:

- Have substantial impairment in self-care, school functioning, family relationships, the ability to function in the community, and are at risk of or have already been removed from the home and have a mental health disorder and/or impairments that have presented for more than six months or are likely to continue for more than one year without treatment;

  OR

- Display psychotic features, or a history of hospitalization due to Danger to Self, Danger to Others, Grave Disability or a recent suicide attempt within the last six months from the date of referral.

The CFSP program utilizes wraparound as the treatment model. Wraparound differs from many service delivery strategies, in that it provides a comprehensive, holistic, youth and family-driven way of responding when children or youth experience serious mental health or behavioral health challenges. The model puts the child or youth and family at the center. With the help of the CFSP team, the family and young person take the lead in deciding their vision and goals. Team member's work together to put the goals into an action plan, monitor how well it is working, and make changes to it as needed.

In FY2024, a total of 14 children/youth and their families were served through this program. Demographics on those served were as follows:

DEMOGRAPHICS N = 14
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  6 – 25 years – 14

- **Gender Identity**
  Male - <11
  Female - <11
  Declined to Answer - <11

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American - <11
  Latino/a/x - <11
  Other - <11

- **Sexual Orientation**
  Heterosexual - <11
  Lesbian/Gay/Bisexual/Queer/Questioning or Unknown - <11

Flex funds are used to provide various supports for FSP program participants and/or the families of program participants. In FY2024, flex funds were utilized as follows: 31 individuals/families received funding for food/groceries; 6 individuals/families received funds for clothing/hygiene; 2 individuals/families received funds for pharmacy needs; 14 individuals/families received funds for furniture/household items; 3 individuals/families received funding for Bus Passes or transportation; and 9 individuals/family members received funding for other various needs.

The CFSP team had staff turnover this fiscal year: The current Sr. Behavioral Health Clinician was hired during the fiscal year and has been working to grow in her role as the lead clinician on the team. Fortunately, she was hired from within the program and was aware of many aspects of the team and their work with our clients.

Program Successes:

- Increased referrals accepted due to having a fully staffed team.
- Opened cases and provide care to mono-lingual Spanish speaking families.
- Increased access to psychiatric medication services and the provision of individual/family therapy.
- Continued to reduce psychiatric hospitalizations and the usage of crisis services due to the care provided by the team and system coordination with the clients extended treatment team.
- Services continued to be provided by clinicians who mirrored the racial/ethnic identity of the populations served.
- Successfully, transitioned a TAY youth to an FSP program in Oakland and supported their transition to independent housing in the community.
- Continued to provide flex funding to support the needs of clients; this was extremely important as there was an increase in needs due to parent's loss of employment, the increase cost of goods and services, and parents continued to struggle with unresolved trauma. These funds supported the purchase of birthday/holiday gifts, food, household items, car repairs, hotel stays for unhoused families, pro-social activities for clients/their siblings, legal fees, summer camp attendance for a family, and clothing.
- Successfully supported client families to use the After-Hours service to reduce the need for emergency/crisis services.

Program Challenges:

- The primary challenge was to consistently engage caregivers who had multi-faceted stressors in the family system which made it difficult for them to meet with the clinician. This made it difficult for the family system to improve as most of the focused work was directed toward the youth rather than both supporting the youth's needs along with the changes that could help the entire system.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children (0-15) years = 10; Transition Age Youth (16-25 years) = 11; Adults/Older Adults (26-60+) = 0.

The RBA Measures that were established for this FSP were as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # of clients served • # of new clients opened for ongoing services • Average # of days in FSP for client • Average # of services hours per client per month • Average # of services per client per month	• % of clients who have at least completed one CANS/ANSA for each six-month period that they are in the program • % of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month • % of discharges from hospitalization or subacute who had a follow-up visit with CFSP staff within 7 business days • % of clients with no service gap of over 30 days • #/% of clients closed, by reason closed • % of clients or family members who participate in the survey**	• % of clients with a primary care visit in the last 12 months • % of clients who had a reduction in psychiatric care emergency services/inpatient/ crisis stabilization units in the last 12 months compared to the 12 months before enrollment** • % of clients with a decrease in hospitalizations/hospitalization days

*Demographic data was reported at the program level, where available
**Data not available for baseline reporting period, will be included in future rounds of reporting.

RBA Outcomes in FY2024 for this FSP are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Child Full Service Partnership (CFSP)

Process Outcomes ("How much did we do?")

14

Clients Served

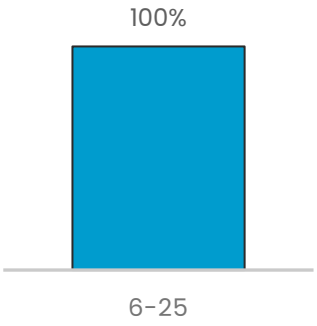
***De-identified (n<11)**

New Clients

Program Description: This team provides wrap around services to children and families with acute needs, who meet the following criteria: child is at risk of/has been removed from their parent/guardian; child is involved with the Juvenile Justice System or at risk of that; has been recently had a psychiatric hospitalization or is at risk of a hospitalization.

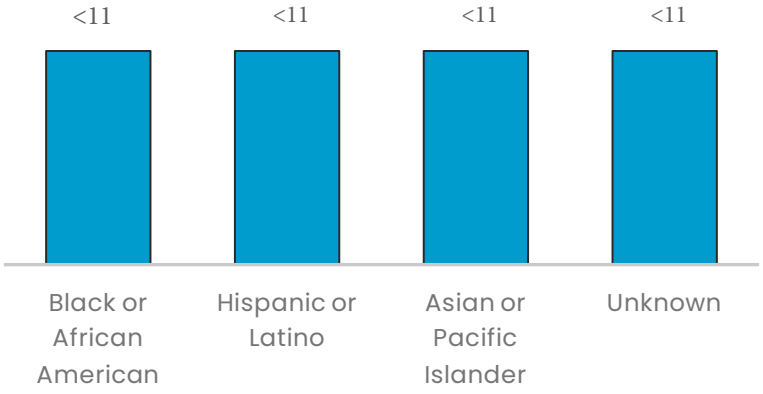
Demographics (Age)

Jul '23 - Jun '24 (n=14)



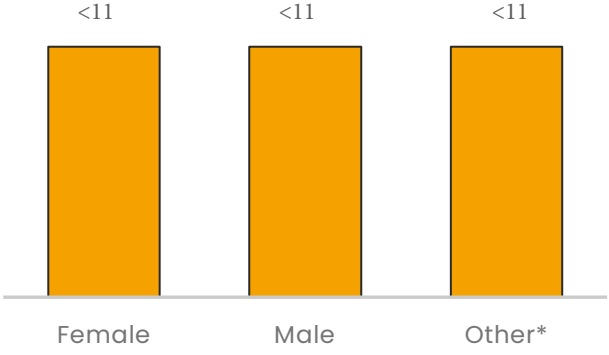
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=14)



Demographics (Gender Identity)

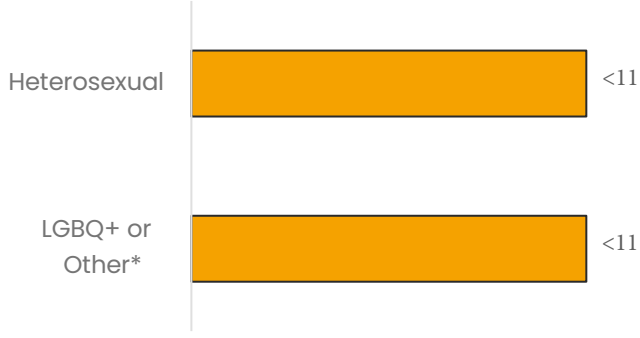
Jul '23 - Jun '24 (n=14)



*Other includes any identity that doesn't fit within the traditional male/female binary.

Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=14)

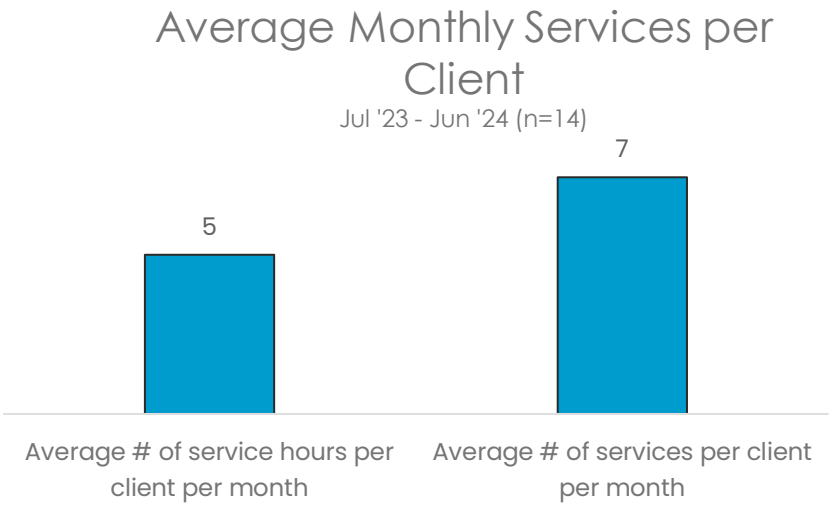


*LGBQ+ includes individuals who identify as lesbian, gay, bisexual,questioning, or other diverse sexual orientations. Other includes prefer not to answer or

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service Consistency



90-100% n<15
Discharges from hospitalization or subacute who had a follow up visit with within 7 days

Retention and Stability

60-70% n<15
Clients receive an average of 4+ face-to-face visits per month

Clients Spend **300 days** in FSP on average

90-100% n<15
Clients with at least one completed CANS assessment every six months while in the program

70-80% n<15
Clients with no service gap of over 30 days

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

50-60% n<15
Clients with a Primary care visit

90-100% n<15
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medcation services (MAA).	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program	Of clients with a completed Child or Adult Needs and Strengths Assessment (CANS/ANSA), what percentage of them had an assessment at least every six months?	Objective Arts
% of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month	Clients must be been open to a provider for at least 30 days in order to be included in this metric. Phone contacts are included during the pandemic. Days in subacute or jail not counted, but services are counted.	Yellowfin
% of clients with no service gap of over 30 days	Maximum days each Level 1 client went without service during their episode(s) in the reporting period. Only considered clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 business days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin *Not presented due to delays in the reporting system
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Average # of days in FSP per client	The average number of days a client remains enrolled in the Full-Service Partnership (FSP) program.	Yellowfin
% of clients with a decrease in hospitalization days/admissions	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin Note: Data Suppressed (<11 clients)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Adult Full-Service Partnership
The Adult Full-Service Partnership (AFSP) offers dedicated support services to individuals aged 18 and older (Transitional Age Youth, Adults, and Older Adults) facing severe mental illness. Grounded in the Assertive Community Treatment (ACT) approach, the program is designed to assist individuals encountering challenges in obtaining or sustaining housing, enduring frequent and/or prolonged psychiatric hospitalizations, and experiencing repeated or extended periods of incarceration. Priority populations include those from unserved, underserved, and culturally and ethnically marginalized communities.

The ACT approach maintains a low staff-to-client ratio of 10:1, enabling frequent and intensive support services to clients. Clients receive assistance in securing suitable housing, with the potential for temporary financial aid. The primary objectives of the program are to actively involve clients in their treatment and to reduce the instances of homelessness, hospitalization, and incarceration. In tandem, it seeks to improve employment and educational preparedness, encourage self-sufficiency, and support overall wellness and recovery. Through a targeted commitment to these goals, the Adult Full Services Partnership endeavors to significantly improve the lives of its participants.

In FY2024 a total of 66 TAY, Adults, and Older Adults participated in the program for all or part of the fiscal year. Demographics on those served include the following:

DEMOGRAPHICS N = 66*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  18 – 24 or Unknown - <11
  25 – 44 years – 21
  45 – 64 years – 20
  65 years and older – 20

- **Gender Identity**
  Male - 40
  Female - 26

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American - 38
  Latino/a/x - <11
  White – 23
  Decline to Answer or Unknown - <11

- **Sexual Orientation**
  Heterosexual - 54
  Lesbian/Gay/Bisexual/Queer/Questioning or Unknown – 12

Flex funds are used to provide supports for FSP program participants. In FY2024, 17 partners received rental and housing assistance; 44 received food and groceries; 6 received In-Home Assistance (cleaning, activities of daily living); and 32 partners were provided with clothing, furniture, hygiene products, and assistance with utility bills tr; and 24 partners received bus passes or other transportation assistance.

In FY2024 this program experienced an increase in clients served, improved service engagement, and better continuity of care. However, 7-day hospital follow-up rates declined, and clients continue to experience financial hardship, increasing the need for flex fund assistance. Overall, client outcomes improved, especially in reducing jail days, psychiatric emergency services use, and increasing primary care access. There were demographic shifts in the individuals served including the following: African American clients increased from 54% to 58%; White clients decreased from 40% to 35%; Latinx and Asian Pacific Islander clients remained stable; and a slightly higher proportion of clients declined to report their sexual orientation 15% in FY2024 vs. 13% in FY2023.

Program Successes:
Increase in the number of clients served:

- The total number of clients served increased slightly from 63 in FY2023, to 66 in FY2024.
- The number of new clients opened for ongoing services grew from 11 to 17, which reflected increased outreach and program engagement.

Higher Client Retention and Engagement:

- 67% of clients received 4 or more face-to-face outpatient visits per month, up from 60% in FY2023, which indicated stronger client participation.
- 56% of clients had no service gap over 30 days, compared to 39% in the previous year, which demonstrated improved care continuity.

Changes in hospitalization follow-up rates:

- 7-day follow-up rates after hospitalization declined from 88% in FY2023 to 63% in FY2024.
- 30-day follow-up rates remained strong at 88%, though slightly lower than 100% in FY2023.

Reduction in Incarceration and Psychiatric Emergency Services:

- 80% of clients had a reduction in jail days, a major improvement from 53% in FY23.
- 100% of clients saw a reduction in psychiatric emergency services/inpatient/crisis stabilization use, up 77% from the previous year.

Greater Access to Primary Care:

- 83% of clients had a primary care visit, compared to 76% in FY2023, showing better overall health engagement.

High 30-Day Hospital Follow-Up Rate:

- 88% of clients had a follow-up visit within 30 days post-hospitalization, ensuring continuity of care.

Flex Funds Helped Address Client Needs:

- 129 instances of flex fund support were provided, mainly for food, housing, transportation, and hygiene needs.

Program Challenges:
Decline in 7-Day Hospitalization Follow-Up Rates:

- The 7-day follow-up rate after hospitalization dropped from 88% in FY2023 to 63% in FY2024, suggesting a need for improvement in early post-hospitalization engagement.

Maintaining Client Engagement for Some Populations:

- Despite improved overall service engagement, some clients continue to struggle with consistent participation.

Increased Financial Hardship Among Clients:

- High demand for flex funds, particularly for food (44 instances), transportation (36 instances), and housing (17 instances), reflected continued financial instability.

Limited Staff Resources for Growing Service Needs:

- With increasing client engagement and service demand, staff balanced meeting client needs with maintaining quality care.

Based on previous years, in FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 3; Adults (26-59 years): 12; Older Adults (60+ years): 41.

The RBA measures that were established for this FSP were as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # clients served • # of new clients opened for ongoing services • Average # of days in FSP per client • Average # of service hours per client per month • Average # of services per client per month	• % of clients who have at least completed one CANS/ANSA for each six-month period that they are in the program • % of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month • % of clients with no service gap of over 30 days • % of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 and within 30 calendar days • #/% of clients closed, by reason closed • #/% of clients transferred to another level of care • % of clients who were satisfied with services**	• % of clients who had a reduction in jail days in the last 12 months compared to the 12 months before enrollment • % of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units in the last 12 months compared to the 12 months before enrollment • % of clients with a decrease in hospitalizations and hospitalization days • % of clients with a primary care visit in the last 12 months • % of clients who moved out of homelessness**

*Demographic data was reported at the program level, where available
**Data not available for baseline reporting period, will be included in future rounds of reporting

RBA Outcomes in FY2024 for this FSP are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Adult Full Service Partnership (AFSP)

Process Outcomes ("How much did we do?")

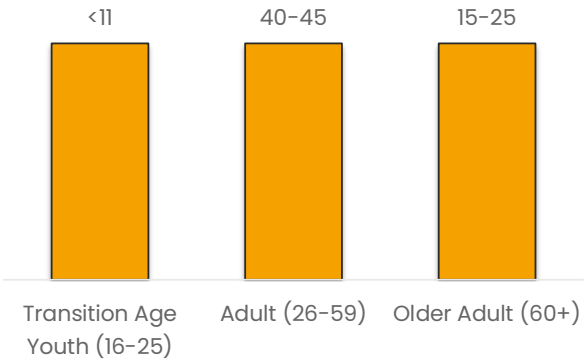
66
Clients Served

17
New Clients

Program Description: The Full-Service Partnership (FSP) team provides services to clients who are considered the highest need within our adult mental health service system. The FSP team is based on an Assertive Community Treatment (ACT) Model which involves low staff-to-client ratios at approximately 10:1 and a focus on providing care as a team rather than individual case load assignments. Services are primarily provided in the community rather than in an office setting.

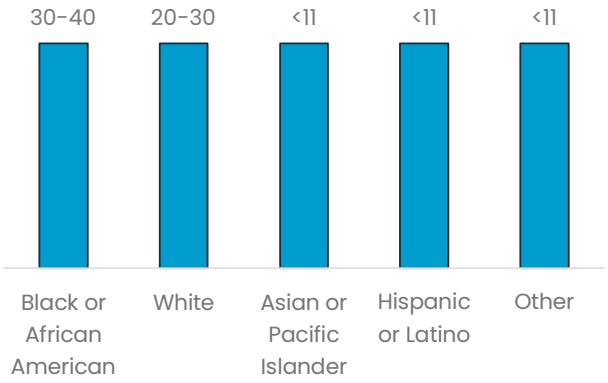
Demographics (Age)

Jul '23- Jun '24 (n=66)



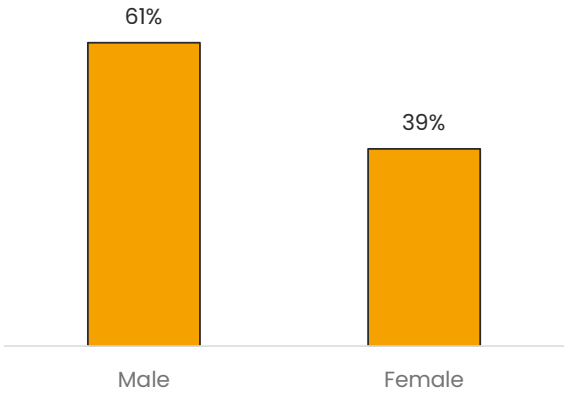
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=66)



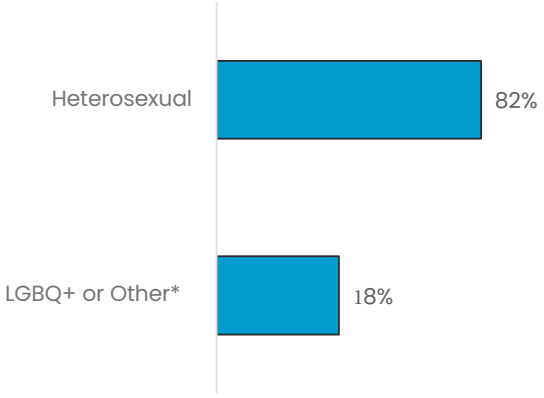
Demographics (Gender Identity)

Jul '23 - Jun '24 (n=66)



Demographic (Sexual Orientation)

Jul '23 - Jun '24 (n=66)



*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer, or unknown.

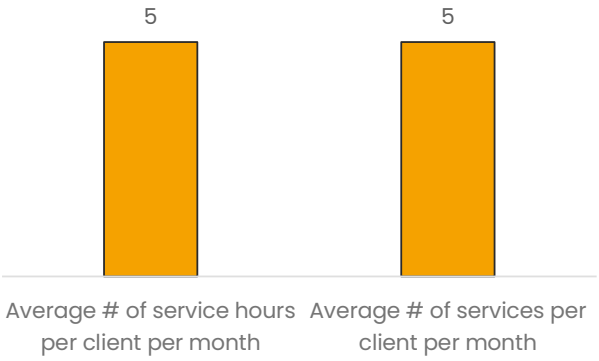
NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service Consistency

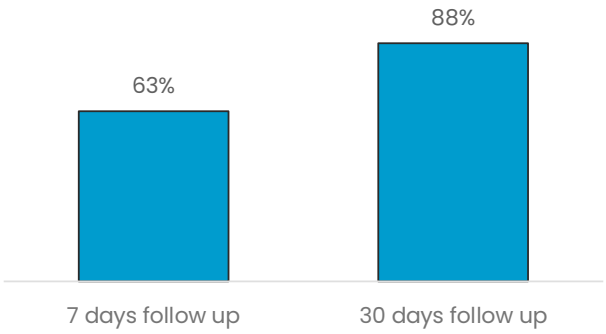
Average Monthly Services per Client

Jul '23 - Jun '24 (n=66)



Discharges from hospitalization or subacute who received FSP follow up within 7 and 30 days

Jul '23 - Jun '24 (n=20)



Retention and Stability

Clients Spend **4 years** in FSP on average

67% n=66
Clients receive an average of 4+ face-to-face outpatient visits per month

56% n=66
Clients with no service gap of over 30 days

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

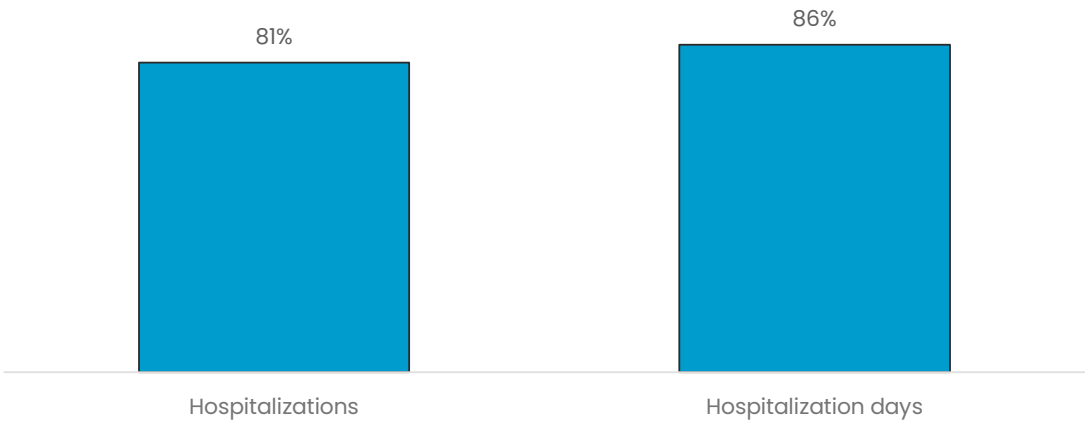
80-90% n<11
Clients who had a reduction in jail

100% n<11
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

83% n=48
Clients with a Primary care visit

Clients with a decrease in hospitalizations/hospital days

Jul '23 - Jun '24 (n=20)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medical services (MAA)	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month	Clients must be been open to a provider for at least 30 days in order to be included in this metric. Phone contacts are included during the pandemic. Days in subacute or jail not counted, but services are counted.	Yellowfin
% of clients with no service gap of over 30 days	Maximum days each Level 1 client went without service during their episode(s) in the reporting period. Only considered clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 and within 30 calendar days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin Not presented due to delays in the reporting system
# of clients transferred to another level of care	Of clients discharged in the reporting period, # who were transferred to a full service partnership program, service team, or outpatient services in Alameda County within 90 days of discharge.	Yellowfin Data Suppressed (n<11)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

% of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients who had a reduction in jail days	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in jail days, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in hospital and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin
% of clients with a decrease in hospitalizations/hospitalization days	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin
% of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program	Of clients with a completed Child or Adult Needs and Strengths Assessment (CANS/ANSA), what percentage of them had an assessment at least every six months?	No ANSA data is available for FY24

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Homeless Full-Service Partnership
The Homeless Full Services Partnership (HFSP) provides services to individuals primarily in the community, and in any temporary housing placement (e.g. shelter, unhoused encampment) who meet the following criteria:

- Adults (18 years and older);
- Unhoused and those at risk of being unhoused;
- Severe Mental Illness; and
- Significant impairments in functioning (e.g., frequent psychiatric hospital utilization, involvement in the criminal justice system, domestic violence survivors, trauma, severe co-occurring disorders).

The HFSP utilizes a team model for providing intensive treatment, meeting people up to several times per week. In FY2024, 47 individuals were served. Demographics on individuals served are as follows:

DEMOGRAPHICS N = 47*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  25 – 44 years and Unknown – <11
  45 – 64 years – 30
  65 years and older – 15

- **Gender Identity**
  Male - 34
  Female - 13

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American - 26
  Latino/a/x - <11
  White – 18
  Other - <11

- **Sexual Orientation**
  Heterosexual - 34
  Lesbian/Gay/Bisexual/Queer/Questioning or Unknown - 18

Flex funds are used to provide supports for HFSP program participants. During FY2024, 4 partners received rental and housing assistance; 20 received food and groceries; 28 partners received bus passes or transportation; 28 partners were provided with assistance with clothing/hygiene; and 4 partners were provided with other types of assistance.

Program Successes:
The HFSP program has demonstrated consistent growth and progress over the years. The number of clients served has increased from 36 in FY2022 to 47 in FY2024, reflecting a steady rise in demand and capacity. This growth also reflects the program's robust outreach and ability to meet community needs.

Client demographic trends show that the program effectively serves diverse populations, with notable increases in serving male clients (from 69% to 72%) and consistent engagement with Black or African American clients (remaining over 50% across all years). Additionally, the program has maintained a strong focus on service continuity, as evidenced by reduced service gaps over 30 days (maintained at 32% in the most recent year).

Noteworthy quality improvements included follow-up visits after discharges from hospitalization, with 50% of clients receiving timely follow-up care within both 7 and 30 days. Furthermore, impact measures indicated positive outcomes, including a 63% reduction in jail days and a 75% decrease in hospitalizations among clients, showcasing the program's effectiveness in stabilizing clients and reducing institutionalization.

The program's ability to achieve consistent levels of client satisfaction, maintain high engagement in face-to-face visits, and facilitate primary care connections in FY2024 further highlighted its holistic approach to client wellness.

Program Challenges:
While the program had significant success in FY2024, there were also areas in need of improvement to enhance client care and operational efficiency. One challenge was maintaining a consistent number of new clients opened for ongoing services. After a high intake of 35 new clients in FY2023, the number declined to 13 in FY2024, suggesting potential barriers to new client engagement or referral processes. This could also be due to issues with vacancies in the team bandwidth. The program also experienced a gradual decline in the average number of service hours from 8 to 6 hours per client per month. This trend may reflect the staffing constraints, increased caseloads, or challenges in maintaining intensive service delivery, that were experienced during the reporting timeframe.

Another concern was the reason for client closures. Often times the closures were due to non-engagement. This highlighted an opportunity to implement clearer tracking and reporting processes to understand client withdrawal patterns better and identify trends for early intervention. Finally, while progress in reducing hospitalization days was commendable, sustaining and expanding these improvements require continued investment in preventive care, crisis response, and collaboration with community partners.

Based on previous years, in FY26 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 2; Adults (26-59 years): 43; Older Adults (60+ years): 6.

The RBA Measures that were established for this FSP were as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # of clients served • # of new clients opened for ongoing services • Average # of days in FSP for client • Average # of services hours per client per month • Average # of services per client per month	• % of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program • % of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month • % of discharges from hospitalization who had a follow up visit with HFSP staff within 7 and within 30 calendar days • % of clients with no service gap of over 30 days • #/% of clients closed, by reason closed • % of clients who were satisfied with services**	• # of clients housed** • # of clients who gained or maintained housing since enrollment** • % of clients who had a reduction in jail days in the last 12 months compared to the 12 months before enrollment • % of clients with a primary care visit in the last 12 months • % of clients who had a reduction in psychiatric care emergency services/inpatient/ crisis stabilization units in the last 12 months compared to the 12 months before enrollment • % of clients with a decrease in hospitalizations/hospitalization days • % of clients with an increase in the number of days in community living compared to 12 month period before enrollment**

*Demographic data was reported at the program level, where available

**Data not available for baseline reporting period, will be included in future rounds of reporting

RBA Outcomes in FY2024 for this FSP are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Homeless Full Service Partnership (HFSP)

Process Outcomes ("How much did we do?")

47

Clients Served

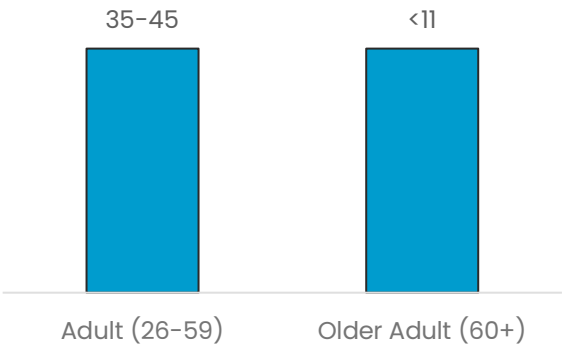
13

New Clients

Program Description: HFSP serves unhoused residents of Berkeley in an Assertive Community Treatment (ACT) model at high staff to client ratios, providing intensive case management and mental health services in a multi-disciplinary team approach. This team serves those with the highest level of need, supporting a population that is primarily unhoused and has multiple severe functional impairments.

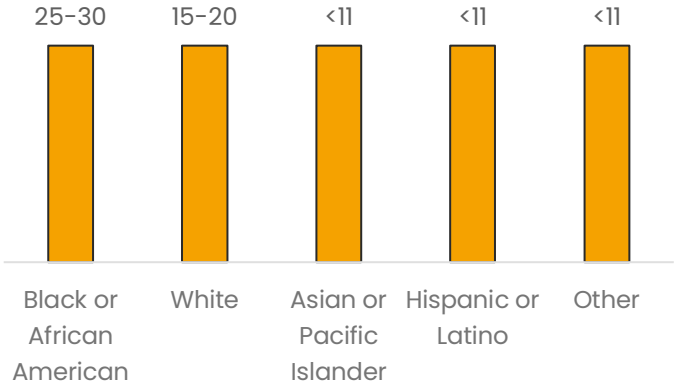
Demographics (Age)

Jul '23 - Jun '24 (n=47)



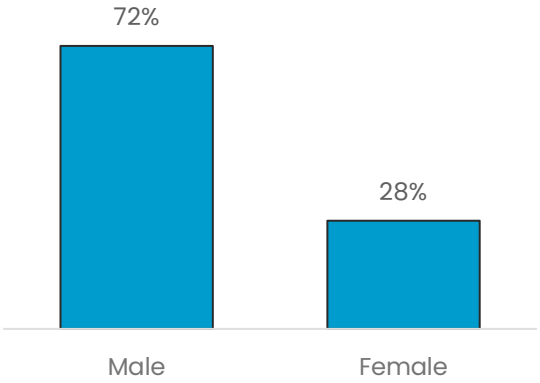
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=47)



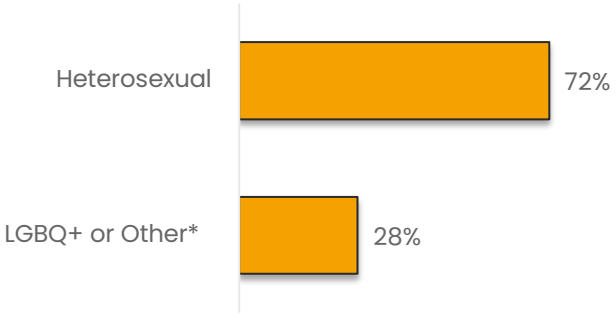
Demographics (Gender Identity)

Jul '23 - Jun '24 (n=47)



Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=47)



*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or

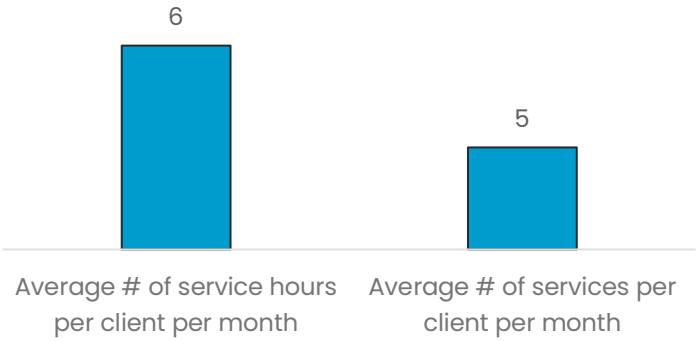
NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service *Consistency*

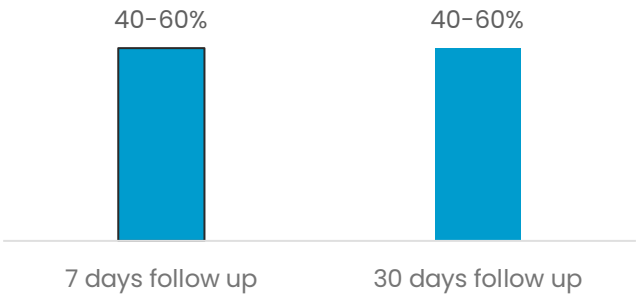
Average Monthly Services per Client

Jul '23 - Jun '24 (n=47)



Discharges from hospitalization or subacute who received FSP follow up within 7 and 30 days

Jul '23 - Jun '24 (n<11)



Retention and Stability

51% n=47
Clients receive an average of 4+ face-to-face outpatient visits per month

Clients spend **1.9 years** in FSP on average

32% n=47
Clients with no service gap of over 30 days

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

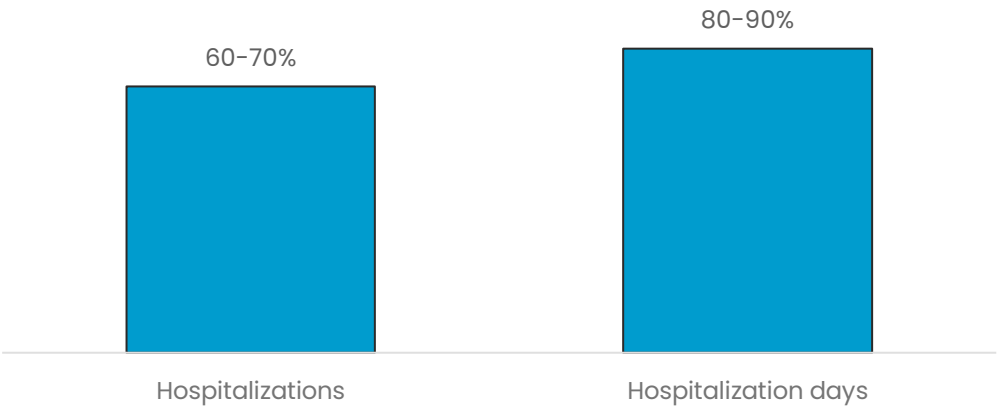
63% n<11
Clients who had a reduction in jail days

71% n<11
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

68% n=38
Clients with a Primary care visit

Clients with a decrease in hospitalizations/hospital days

Jul '23 - Jun '24 (n<11)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients opened for ongoing services	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medical services (MAA)	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month	Clients must be been open to a provider for at least 30 days in order to be included in this metric. Phone contacts are included during the pandemic. Days in subacute or jail not counted, but services are counted.	Yellowfin
% of clients with no service gap of over 30 days	Maximum days each Level 1 client went without service during their episode(s) in the reporting period. Only considered clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 and within 30 calendar days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin *Not presented due to delays in the reporting system
# of clients transferred to another level of care	Of clients discharged in the reporting period, # who were transferred to a full service partnership program, service team, or outpatient services in Alameda County within 90 days of discharge.	Yellowfin Note: Data Suppressed (<11 clients)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

% of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients who had a reduction in jail days	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in jail days, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in hospital and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin
% of clients with a decrease in hospitalizations/hospitalization days	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin
% of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program	Of clients with a completed Child or Adult Needs and Strengths Assessment (CANS/ANSA), what percentage of them had an assessment at least every six months?	No data available; ANSA discontinued in Alameda County in FY24

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Multicultural Outreach and Engagement

Diversity & Multicultural Services
The Diversity & Multicultural Coordinator (DMC) provides leadership in identifying, developing, implementing, monitoring, and evaluating services and strategies that lead to continuous cultural, ethnic, and linguistic improvements within the organization's system of care, with a special emphasis on unserved, underserved, inappropriately served, and emerging populations. The DMC also collaborates with the state, regional counties, other city divisions, local agencies, and community groups in order to address mental health inequities and disparities for targeted populations and communities, and the community-at-large in Berkeley.

The Diversity & Multicultural Coordinator accomplishes these goals by**:**

- Providing cultural humility competency training to all behavioral health, community partners, and all stakeholders in Berkeley and other geographic locations in the region as a collaborative partner
- Performing outreach and engagement to unserved, underserved, inappropriately served and emerging communities and populations
- Developing long and short-term goals and objectives to promote cultural/ethnic and linguistic competency within the system of care
- Developing an annual training plan and budget
- Chairing the agency's Diversity and Multicultural Committee
- Attending continuous trainings in the areas of cultural competency
- Monitoring Interpreter and Translation Services for the agency
- Collaborating with State, Regional, County, and local groups and organizations, and
- Developing and updating BMH's Cultural Humility Competency Plan as needed.

In FY2024, this position was filled for a short period of time. As such, there is no data available during the reporting timeframe.

Transition Age Youth (TAY) Support Services
The Transition Age Youth (TAY) Support Services program provides outreach, services, supports, and/or referrals to TAY with serious mental health issues who are homeless or marginally housed and not currently receiving services. Priority is given to youth coming out of foster care and/or the juvenile justice system and particular outreach strategies are utilized to engage youth from various ethnic communities, including African Americans, Asian and Latino/a/x populations, among others. Program services include: Culturally appropriate outreach and engagement; peer counseling and support; assessment; individual and group therapy; family education; case management, coaching, ancillary program referrals and linkages. Also provided are services in housing attainment and retention, financial management, employment, schooling, and community involvement. Services are designed to be culturally relevant, tailored to each individual's needs, and delivered in multiple, flexible environments. The main goals of the program are to increase outreach, treatment services, and supports for

mentally ill TAY in need, and to promote self-sufficiency, resiliency and wellness. This program serves 15-20 youth at a time. This program has not been implemented over the past couple of years, it will not be implemented in FY2026.

System Development

System Development includes Wellness Recovery Support Services that are intended to expand collaboration with stakeholders, promote the values of wellness, recovery and resilience, and move the Division towards a more consumer and family member driven system. Services are comprised of the following main components: Wellness/Recovery System Integration and Family Advocacy Services. Together, both ensures that mental health peers and family members are informed of, and able to be involved in, opportunities to provide input and direction in the service delivery system and/or to participate in recovery-oriented or other supportive services of their choosing. Strategies designed to reach program goals include: developing policies that facilitate the Division in becoming more Wellness & Recovery oriented and consumer/family member driven; outreach to, and inclusion of, mental health peers and family members on Division committees; provision of family support & education; supported employment and vocational services; wellness activities; peer supportive services; and client advocacy. Some of the additional services and supports that CSS System Development provides funding for are as follows: Housing Services and Supports; Benefits Advocacy; Employment/Educational Services; Wellness Recovery Center; Counseling Services for Senior Citizens; Youth Case Management Services; Hearing Voices Groups; Transitional Outreach Team; Flex Funds and Sub-Representative Payee Services for clients, etc.

Wellness Recovery Services
The BMH Wellness Recovery Team works with staff, stakeholders, community members and clients to advance the goals of Wellness and Recovery on a system wide level. In order to accomplish these goals, some of the various tasks include: Recruiting peers for Division committees; convening committees around Wellness Recovery system initiatives; oversight/administration of peer stipends; convening and conducting meetings for the Berkeley “Peers Organizing Community Change (POCC)”; working with staff to develop various Wellness and Recovery related policy and procedures; and oversight of the Division’s “Wellness Recovery Activities”. The Consumer Liaison is also a resource person around “Mental Health Advance Directives” for individuals desiring to express their treatment preferences in advance of a crisis, and is a participant on a number of local MHSA initiatives. The combination of individual services and system-level initiatives impact all clients and their family members across the system in a given year. During the reporting timeframe, there were approximately 448 clients in the BMH system.

Three positions were added in FY2023, to the Wellness Recovery Program. The vacant Assistant Mental Health Clinician position was filled and two Social Service Specialist positions, or Wellness Community Specialists, were hired to make the clinic more welcoming and provide peer support to individuals waiting to be seen at the clinic.

Adding these positions made more individuals aware of the wellness groups, community resources and support that the clinic has to offer.

Being fully staffed since late FY2023, the Wellness Recovery Team was able to bring some groups back in-person such as the Wellness Recovery Activities and to engage with people in the waiting room, offering resources, peer support, light refreshments and warm connections.

During the FY2024 reporting timeframe, some of the various activities of the Wellness Recovery Team that were conducted under the direction of the Consumer Liaison included:

Wellness Recovery Groups
Designed to promote self-care and independence, the Wellness Recovery Team builds on the talents of consumers, encouraging self-efficacy, psycho-education and motivation through multiple groups and interactions that can spark interest through wellness activities and social interactions as follows:

Wellness Through Passion (formally known as Wellness Recovery Activities)
The Wellness Through Passion group highlights consumer facilitation and creativity skills. The participants have the opportunity to bring in an activity that they are passionate about and would like to share with others in the group. They are able to practice facilitating an activity that includes participation, activities and discussion.

Serenity Steps (formally known as Walking Groups)
The Wellness Recovery Team provides walking groups to help with isolation, promote physical activities and socialization. The walks take place at local Berkeley parks and neighborhoods and they vary in physical intensity. The walks are advertised in the Wellness Recovery monthly calendar. The parks visited in FY24 were Ohlone, Grove Park, Cedar Rose, 4th street, Aquatic Park, Berkeley Marina, San Pablo Park and the University of California at Berkeley campus.

Museum Field Trips
In FY2024 the Wellness Recovery Team attended a museum trip to SFMOMA and Berkeley Art Museum and Pacific Film Archive. The Team arranged for participants to attend the museums to explore art and creative spaces in the community.

Hopeful Hearts (formally known as Card Party Groups)
This program is modeled after the Do-Send-A-Card program created by the San Francisco Mental Health Association. The BMH Wellness Recovery staff partnered with the Peer Wellness Collective formally known as “Alameda Network of Mental Health Clients” Reach-Out Program to distribute the cards that were created from the Card Party groups when they visit the hospitals throughout the County.

Hopeful Hearts Card making groups are offered monthly in person and online. The name change came due because the Wellness Team wanted to expand the creative process where people could write poems, design cards, and use music for inspiration. Peers were encouraged to write inspirational messages in cards as well as design cards

with arts and crafts for individuals in psychiatric hospitals and Board & Cares. Peers could choose the card they wanted to receive. Through this program over 50 cards were created and given to the Reach-Out Program.

Emotional Wellness Circle (formally known as Mood Group)
Emotional Wellness Circle is designed for participants to share their thoughts and feelings in a safe place where support is offered. In FY2024 the group met mostly twice a month but a few months the group only met once due to conflicting events. The group focused on reviewing a Mood Scale to help identify their emotions, address the impacts of their choices, and discuss coping skills to use to process the emotions among non-judgmental peers and staff.

Peers Organizing Community Change
Peers Organizing for Community Change (POCC) is a community activism group designed to educate, advocate and lead and it is open to any community member who identifies as a peer, a person with lived mental health conditions. The committee meets once a month and focuses on the needs and concerns of Berkeley residents as well and provides input on the Mental Health Service Act. The members also volunteer for events the wellness team host in the community. In FY2024, the group met 10 times. Each year the committee is tasked with identifying and coordinating a community event to educate on a popular topic. For FY2024 the topic was “Empathic response to crisis” and Bonita House who operate the Specialized Care Unit was a guest speaker at the event.

In addition to support group activities Wellness staff also provide one-on-one support and resources to individuals in the waiting room of the Adult Clinic, as needed.

In FY2024, a total of 52 individuals participated in Wellness Recovery services. Demographics on individuals served are as follows:

DEMOGRAPHICS N = 52
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  18 – 24 years and Unknown – <11
  25 – 44 years and Unknown – 22
  45 – 64 years – 15
  65 years and older – <11

- **Gender Identity**
  Male - 24
  Female 48

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American - 23
  Latino/a/x - <11

Native American - <11
White – 16
Multi-Racial - <11
Other - <11

- **Sexual Orientation**
  Heterosexual – 13
  Bisexual or Queer - <11
  Queer - <11

Program Successes:

- The team developed a structure for the groups and created materials that were cohesive with the theme and the wellness dimension featured for the month. From the newsletter to the topics in the group, everything was aligned.
- The welcoming services in the waiting room of the Adult Clinic were a bid success in building relationships, per testimonies from peers, patrons and staff. The warm welcoming services enabled anxiety to be reduced while people were waiting to be seen as engaging with a peer staff helped to reduce the fears and wait time for people being seen for appointments.
- The team also incorporated quarterly wellness mixers. These events focused on activities that were centered around wellness and recovery. The events were designed for peers to get to know the Wellness Recovery team, learn about services that are provided at Berkeley Mental Health, learn a new skill, and engage with community. The team held a Chat and Paint, Vision board, Ecotherapy and Social skills mixer and each event had between 10-40 individuals who attended.

Program Challenges:
The number of individuals attending groups was lower than anticipated. Having individuals attend groups on an on-going basis, is most ideal. Individuals who attend BMH can often be dealing with crisis situations and as such focusing on wellness activities is not always their main area of focus.

In FY26 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years) = 0; Transition Age Youth (16-25 years) = 3; Adults (25-59 years) = 30; Older Adults (60+ years) = 29.

The RBA measures for this program (which were combined with the Social Inclusion, Telling Your Story Project measures, as both are conducted by the same staff) were as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # of participants served • # of different groups convened per year • # of group events held per year • # of group participants who meet the requirements for "Telling Your Story" (MHSA PEI Requirement)	• #/% of participants who return for group events	• #/% of participants who reported feeling less shame about their experiences and challenges • #/% of participants who reported progress in their recovery

RBA Outcomes in FY2024 for this program are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Wellness & Recovery Services

Process Outcomes ("How much did we do?")

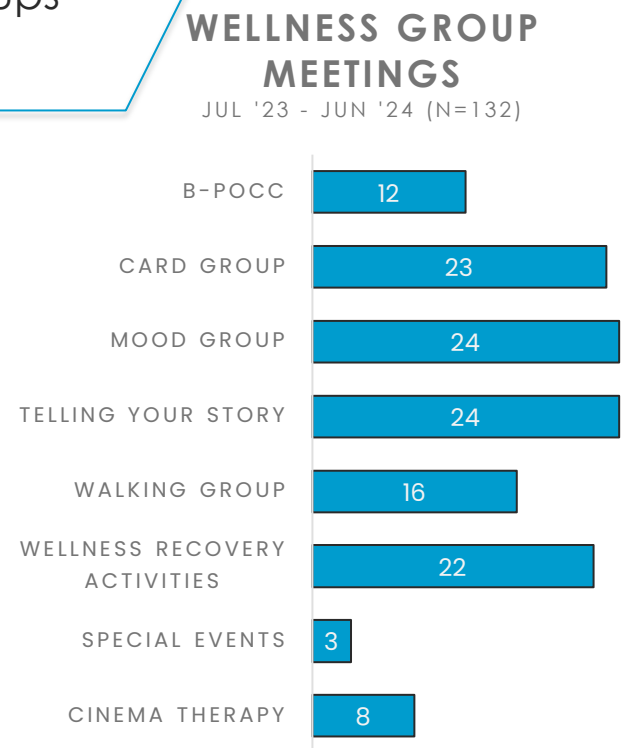
Program Description The Wellness and Recovery Program is designed to provide outreach, support, education, activities, and advocacy to consumer members living with mental illness and living in Berkeley. Wellness group activities include: Berkeley Peers Organizing Community Change (POCC), Card Groups, Mood Groups, Walking Groups, and Wellness Mixers.

52
Participants served

8
Groups

132
Group Events

20
Participants who meet requirements for "Telling Your Story"

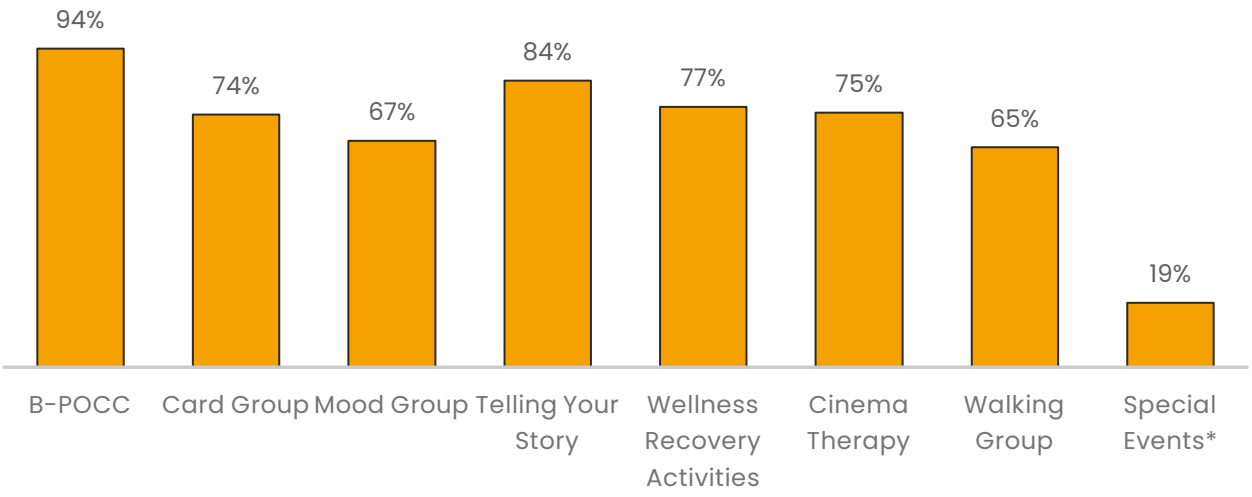


NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not precisely reflect actual counts.

Quality Outcomes ("How well did we do it?")

Overall Group Engagement (Repeat Visits)

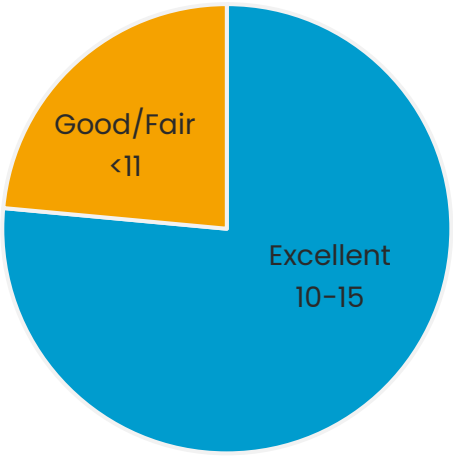
Jul '23 - Jun '24 (n=224)



*Special events, like social wellness mixers with different themes, attract a diverse mix of new attendees, which may result in lower level of returnees.

Interaction with a Wellness Team member in the Clinic Lobby

Jul '23 - Jun '24 (n=18)



71% n=52
Unduplicated participants who return for group events

Over 80% n=18
Participants rated the Lobby as Welcoming

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not exactly reflect actual counts.

Measure	Definition	Data Source
# of Particpants Served	Total # of participants served	Wellness Recovery Group Attendance Tracker
Wellness Group Event Breakdown	Number of different types of groups (i.e. walking group, mood group, Telling Your Story group) convened	Wellness Recovery Group Attendance Tracker
# Group Events	Total number of meetings held	Wellness Recovery Group Attendance Tracker
# of Telling Your Story Participants	Total number of participants in all "Telling Your Story" meetings	Wellness Recovery Group Attendance Tracker
% of participants who return for group events	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% Overall Group Engagement (Repeat Visits)	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% Participants Rated the Lobby as Welcoming	Consumer perceptions of feeling welcomed entering the Clinic Lobby	Clinic Lobby Survey

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not precisely reflect actual counts.

Family Support Services
A Family Service Specialist works with family members, staff, community-based organizations etc. to improve services and supports for BMH clients and their family members on a system-wide level. The program provides both individual family services and supports as well as broader system–wide change initiatives.

This family/caregiver-centered program provides information, education, advocacy and support for family/caregivers of children, adolescents, TAY, adults and older adults with serious emotional disturbance or severe mental illness. Services are delivered in a culturally responsive manner ensuring outreach to individuals of diverse ethnicities and language groups.

The Family Services Specialist serves as a key point of contact for family members who are accessing or attempting to access services, addressing their questions and concerns about the mental health system. The specialist provides support, referrals, and linkages to additional community resources as needed. Outreach is conducted through the existing BMH Family Support Group, NAMI of the East Bay, Mental Health Association of the East Bay, Alameda County Family Education and Resource Center (FERC), and the Mental Health Association of Alameda County. Additionally, outreach has been extended through participation in community events such as Juneteenth, Día de los Muertos, and Women, Infants & Children (WIC) events. Flyers and brochures have been distributed to City divisions and programs, including Aging Services-Senior Centers, Meals on Wheels, Social Services Unit, Public Health (West Berkeley Family Wellness Center)- WIC, Black Infant Health, Father Initiative and Parks and Recreation. Outreach efforts also include in-person interactions, phone calls, emails, mailings to community agencies, and engagement via community listservs and providing flyers/brochures for community events.

The Family Services Specialist also: coordinates forums for family members to share their experiences with the system; recruits family members for BMH committees; supports family members through a “Warm Line”; conducts a Family Support Group; and creates training opportunities to educate mental health staff on working effectively with families. These combined individual services and system-level initiatives have an impact on clients and their family members.

During the reporting timeframe, the following individual or group services and supports were conducted through this program:

Warm Line Phone Support: A Warm Phone Line provides compassionate support to family members seeking information, referrals, supports, and assistance in navigating the complex mental health system. Through the Warm Line, the Family Services Specialist helped families connect with services and resources as needed.

Family Support Group: An English-speaking Family Support Group was offered for parents, children, siblings, spouses, partners, significant others, and caregivers. The group met once a month for two hours. Additionally, monthly group reminder emails

provided family members with information, resources, and updates on community groups, BIPOC groups, events, and forums.

Individual Support: The Family Services Specialist met with families as needed to provide personalized support, assist them in prioritizing their needs, connect them with appropriate resources, navigate the mental health system, and develop coping skills to manage stress related to mental illness in the family.

In FY2024, 88 individuals received services through this program. Demographics of individuals served are outlined below:

DEMOGRAPHICS N = 88
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0-18 years – <11
  19 – 24 or Unknown - <11
  25 – 44 years – 15
  45 – 64 years – 25
  65 years and older – 30
  Decline to Answer or Unknown - <11

- **Gender Identity**
  Male - 15
  Female - 45
  Decline to Answer or Unknown – 28

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American – 15
  Latino/a/x - <11
  Native American - <11
  White – 23
  Multi-racial - <11
  Other - <11
  Decline to Answer or Unknown - 17

- **Sexual Orientation**
  Heterosexual or Straight - 38
  Lesbian/Declined to Answer, or Unknown – 50

Program Successes
To expand awareness and accessibility of available services, the Family Services Specialist actively participated in the Alameda County Peer Learning Community, the Statewide Family Peer Workgroup, and engaged with organizations such as NAMI, FERC (Family Education Resource Center), and the Alameda County Mental Health

Association. These efforts helped increase outreach and ensure families were informed about the services and support available to them.

Program Challenges
The Family Services Specialist position had remained vacant for four years, which required extensive efforts to reintroduce available services. Outreach was necessary to connect with Mental Health Division staff and teams, other city agencies, community organizations, and the broader community to receive referrals for family members in need of support.

Based on previous years, in FY26 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 2; Adults (26-59 years): 28; Older Adults (60+ years): 42.

Employment Services
Previously, a BMH Employment Specialist provided services to support individuals in job readiness and accessing employment opportunities. It was envisioned that these services would at a minimum, create and nurture supported vocational, educational and volunteer "try-out" opportunities in the community; build employment and educational readiness; and increase the numbers of individuals who are gainfully employed and/or engaging in other meaningful activities such as school or volunteer work. Different strategies were implemented over time including utilizing the Dartmouth model of supported employment. The Dartmouth model helps to promote wellness and recovery by enabling clients to work alongside other non-mentally ill workers in a competitive environment in their community.

Up until there was a vacancy in the position, the Employment Specialist provided supports to clients who were interested in starting their own business by guiding them through the necessary steps of getting a license, advertising, etc.; assisted clients who weren't quite ready to obtain employment, in becoming involved in volunteer opportunities; connected clients with the Department of Rehabilitation for computer skills training; worked with staff to ensure clients were adhering to their medication regimen; and supported clients in filling out job applications and or practicing their interview skills. Although various strategies were implemented over the years, client participation and employment outcomes remained low.

It was envisioned that once the Employment Specialist position was filled, work would be focused on utilizing an evidenced based model for supporting individuals with serious mental illness in obtaining and retaining competitive employment. To date, this position has remained vacant, while the City of Berkeley has spent time assessing whether the best use of funds would be to hire the full-time position, or to contract the services out to a local organization that focuses on employment services and supports for mental health consumers.

Housing Services and Supports
A Housing Specialist previously provided housing resource services for clients including working with landlords to increase housing opportunities; collaborating with case

management staff, landlords, and Board & Care Managers to provide additional supports for clients who are already housed; and working in tandem with the City of Berkeley HHCS Department Hub (which serves as a single entry point into emergency shelter and transitional housing, where clients are triaged based on their housing and service needs). Since this position has been vacant, all staff who work with clients have played a part in providing housing support, as needed. Some of the various places where clients with subsidies are housed are the Insight Housing Russell Street Residence Board and Care, McKinley House, and Lakehurst Hall.

Benefits Advocacy Services
Through this project a community-based organization, the Homeless Action Center (HAC), assists clients in obtaining public benefits. Services are provided for approximately 10 BMH clients a year. In FY2024, 10 clients were served through this program. Demographics on those served were as follows:

DEMOGRAPHICS N = 10
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  25 – 44 years – <11
  45 – 64 years – <11

- **Gender Identity**
  Male - <11
  Female – <11

- **Race/Ethnicity**
  Black or African American – <11
  Latino/a/x - <11
  White – <11
  Other - <11
  Decline to Answer or Unknown - <11

- **Sexual Orientation**
  Declined to Answer, or Unknown - 10

Program Successes:
The majority of the SSI cases closed, resulted in the client getting SSI benefits. The other cases were closed when contact with the client was lost. Five cases that were open in the reporting period are still pending.

Program Challenges:
All of the SSI cases were negatively impacted by staffing issues at Social Security by the following: a call to the Social Security office took an hour or more of being on hold before being able to get through to a person; 20% - 30% of calls were never answered; some calls were spontaneously dropped while on hold; leaving a message did not help as the Social Security staff didn't have time to return calls during the workday so some

messages were not returned. A new SSI application could take over 6 months to get to the point where it started to be assessed for disability. The disability assessment process, once initiated, could take another 6 months or more to complete; and then to get benefits started and any retroactive pay received, it can be another 6 months. So even assuming a client won their case at the initial application stage, the earliest point possible in an SSI claim, they could expect to have to wait aa year and a half between applying and seeing any money. The longer waits exacerbated hardships for clients who were already struggling.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 4; Adults (26-59 years): 6; Older Adults (60+ years): 0.

Flexible Funds for Level One Clients
A contract with the community-based organization, Berkeley Food & Housing Project (now known as Insight Housing), enables flexible funds to be used with clients across the system for supports such as housing, clothing assistance, food, transportation, etc. This use of flexible funds aids individuals in achieving better stability in areas where they are less capable of addressing their daily living needs. This program is set up to aid any clients in need across the system in a given year. In FY24, there were a total of 448 clients in the BMH system.

Mobile Crisis Team (MCT) Expansion
Through a previously approved Three-Year Plan, and as a result of staff and community input on increasing and improving services for those experiencing a mental health crisis, the following additions to BMH have been or are in the process of being implemented through CSS System Development funds:

- Increase in staff to expand the Mobile Crisis Team (MCT) capacity and hours of operation,
- Mental Health First Aid Trainings to teach community members how to assist individuals who are in crisis or are showing signs and symptoms of a mental illness,
- A Consumer/Family Member Satisfaction Survey for Crisis services.

The RBA Measures that were established for this program were as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # of clients served • # of documented contacts	• % of clients who receive a visit (phone contact with client or hospital provider) in the 24 hours after hospitalization • % of Mobile Crisis Team who had a Crisis, Assessment Team staff attempt to contact • % of clients who were satisfied with services**	• None available at this time

*Demographic data was reported at the program level, where available
**Data not available for baseline reporting period, will be included in future rounds of reporting

RBA Outcomes in FY2024 for this program are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period: June 2023 - July 2024

Mobile Crisis Team (MCT)

Process Outcomes ("How much did we do?")

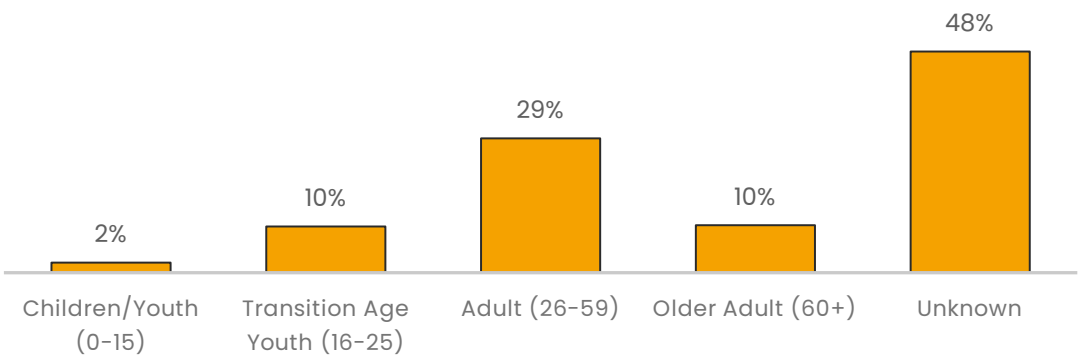
588
Clients Served

863
Responses to Incidents

Program Description:
The Mobile Crisis Team (MCT) serves residents of Berkeley, from 11:30am-10pm each day of the week when fully staffed. It provides crisis interventions, including but not limited to 5150 evaluations, consultations, and referrals/linkages.

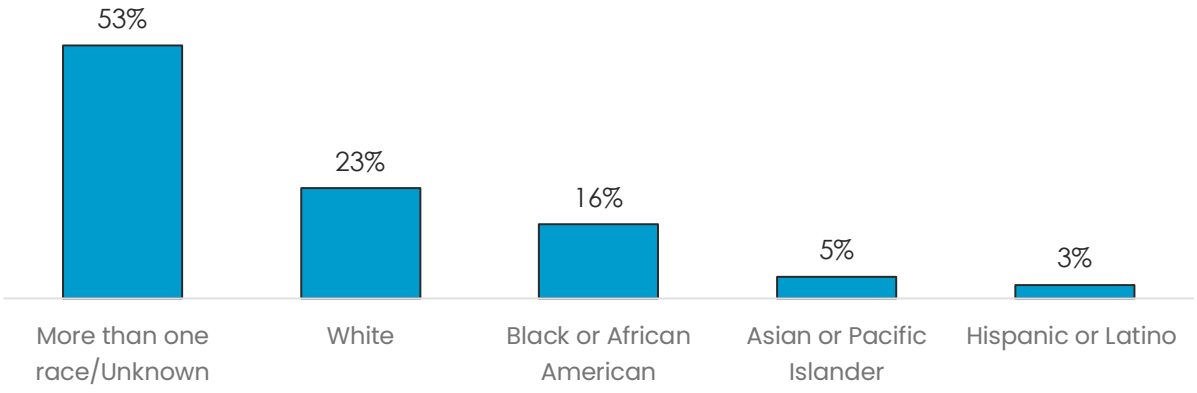
Demographics (Age)

Jul '23 - Jun '24 (n=588)



Demographics (Ethnicity)

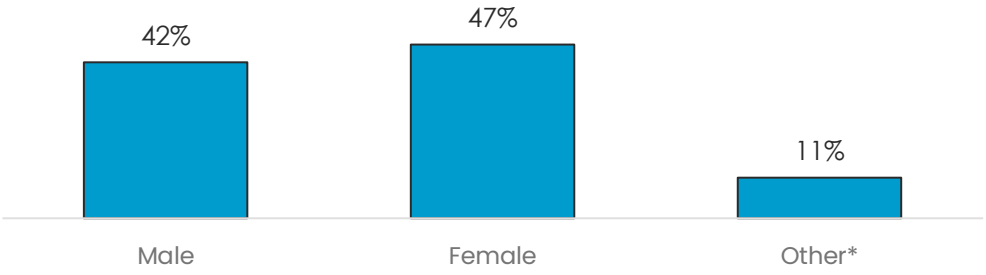
Jul '23 - Jun '24 (n=588)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Demographics (Gender Identity)

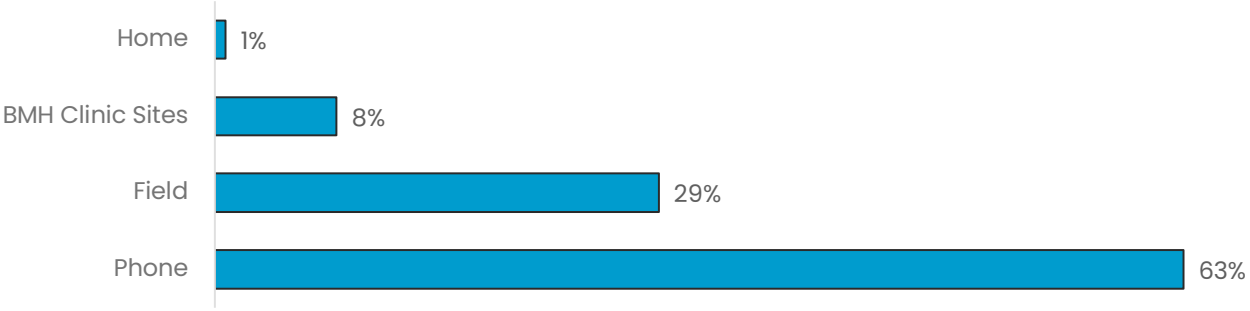
Jul '23 - Jun '24 (n=588)



*Other includes unknown or missing due to clients not disclosing, clinician unable to make the determination, or a crisis situation not allowing for more comprehensive data collection. It also includes any identity that doesn't fit within the traditional male/female binary. Sexual orientation data not available.

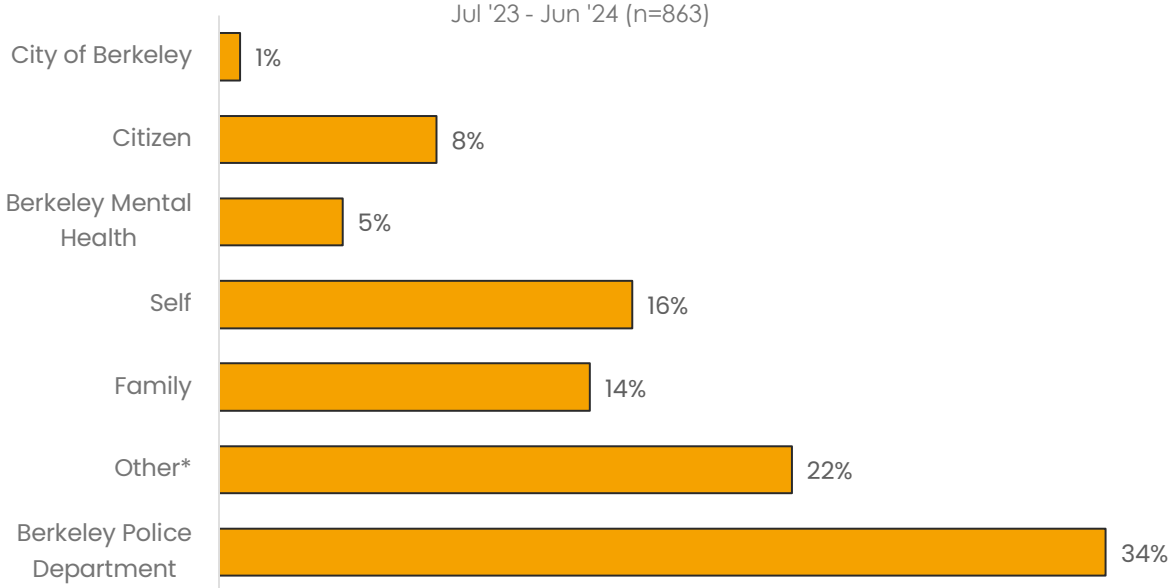
Client Contacts Made by Contact Type

Jul '23 - Jun '24 (n=863)



Referrals by Referring Party

Jul '23 - Jun '24 (n=863)

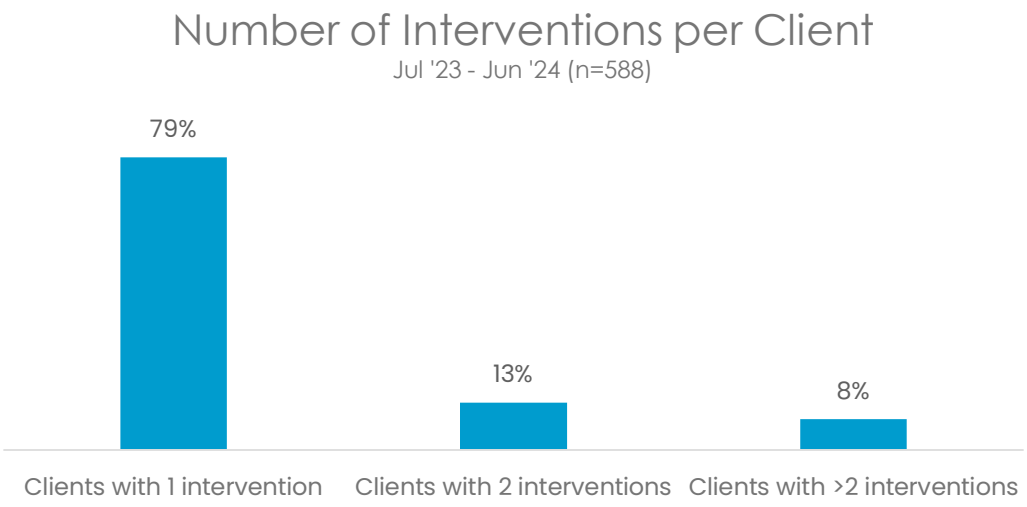


*Other includes responses involving Albany PD, UC PD, Berkeley Fire, Homeless Outreach, Neighborhood Services, Merchants, and follow-ups.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service Consistency



Impact Outcomes ("Is anyone better off?")

The MCT program performed

198

5150 Evaluations

72% n=198

5150 Evaluations did Not Lead to Transport to a facility

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total unique clients served	MCT Incident Log
# of client contacts made	# of client contacts made, by a. Field contacts b. Phone contacts c. Other	MCT Incident Log
# of referrals by referring party	# of crisis services referrals made to the MCT, by referring party (i.e. Berkeley Police Department, Berkeley Fire Department, Berkeley Mental Health, community, etc.)	MCT Incident Log
# of 5150 evaluations conducted	Total number of incidents with 5150 Evaluations of any sort	MCT Incident Log
Results of 5150 Evaluations	% of 5150 evaluations that did or did not result in transportation to a receiving facility for further evaluation	MCT Incident Log
Number of interventions per client	% of clients who had one, two, or more than two interventions on separate dates requiring service	MCT Incident Log

Transitional Outreach Team (TOT)
The Transitional Outreach Team (TOT) follows up with individuals and families and provides interventions that address issues individuals experience either immediately prior to or following a mental health crisis. The goal of the team is brief outreach and engagement to assist the individual and/or family in getting connected to the resources they may need.

In FY2024, 60 individuals were served through this project. Demographics on those served were as follows**:**

DEMOGRAPHICS N = 60*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0-15 years – <11
  16 – 25 or Unknown - <11
  26 – 59 years – 25
  60 years and older – <11
  Decline to Answer or Unknown - 19

- **Gender Identity**
  Male - 18
  Female - 27
  Transgender/Decline to Answer or Unknown – 15

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American – <11
  Latino/a/x - <11
  White – 17
  Multi-racial - <11
  Other - <11
  Decline to Answer or Unknown - 13

- **Sexual Orientation**
  Declined to Answer, or Unknown - 60

Services provided by this team are subject to the number of referrals that are generated by the Mobile Crisis Team crisis calls. Clients served by TOT often enter the crisis system with fewer resources such as collateral supports, lack of insurance, etc.

Program Successes:
- Continued successful follow-up with residents who had contact with Mobile Crisis by phone and/or in person.
- Connected individuals and families to needed and wanted mental health, housing, family, and other social services.

- Offered intensive short-term support to individuals and families who experienced a mental health crisis, including referrals, linkage, psychoeducation, and active support in connecting with needed service in Berkeley or elsewhere in the Alameda County system of care.
- Provided in person outreach and engagement to individuals receiving homeless services and staff at homeless service provider agencies, including Dorothy Day, Building Opportunities for Self-Sufficiency (BOSS), Insight Housing, and others.
- Coordinated with other programs within the City's Mental Health Division, including the Crisis/Assessment/Triage (CAT) On Duty staff and field-based services such as Mobile Crisis (MCT).
- Continued to follow-up on hospital referrals and coordinated with individuals and hospital staff after a MCT contact.
- Served 10 more clients in FY24 compared to the previous reporting timeframe.

Program Challenges:

- The Data collection system that was utilized did not capture all of the necessary information that would support accurate outcome reporting. This remains an ongoing difficulty due to the limitations of the current system.
- Although the total number of individuals served in FY24 was more than FY23, it is still lower than previous years (ex: FY22) and there is not sufficient data to ascertain the cause(s) of the reduced numbers.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 6; Transition Age Youth (16-25 years): 12; Adults (26-59 years): 38; Older Adults (60+ years): 9.

In a prior year, TOT was merged with the Crisis Assessment and Triage (CAT) Team due to staffing limitations and to increase flexibility of the staffing capacity. The RBA data represents combined data measures for TOT/CAT. The RBA measures that were established for TOT/CAT were as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # of clients served • # of documented contacts	• % of clients who receive a visit (phone contact with client or hospital provider) in the 24 hours after hospitalization • % of Mobile Crisis Team who had a Crisis, Assessment Team staff attempt to contact • % of clients who were satisfied with services**	• None available at this time

*Demographic data was reported at the program level, where available

**Data not available for baseline reporting period, will be included in future rounds of reporting

RBA Outcomes in FY2024 for the combined TOT/CAT program are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period July 2023- June 2024

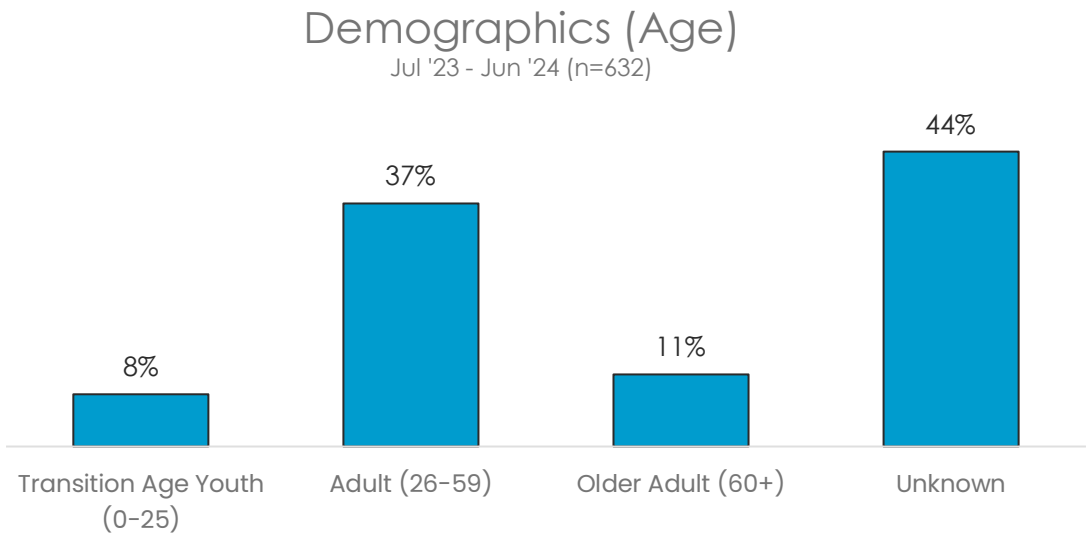
Crisis, Assessment, and Triage/Transitional Outreach Team (CAT/TOT)

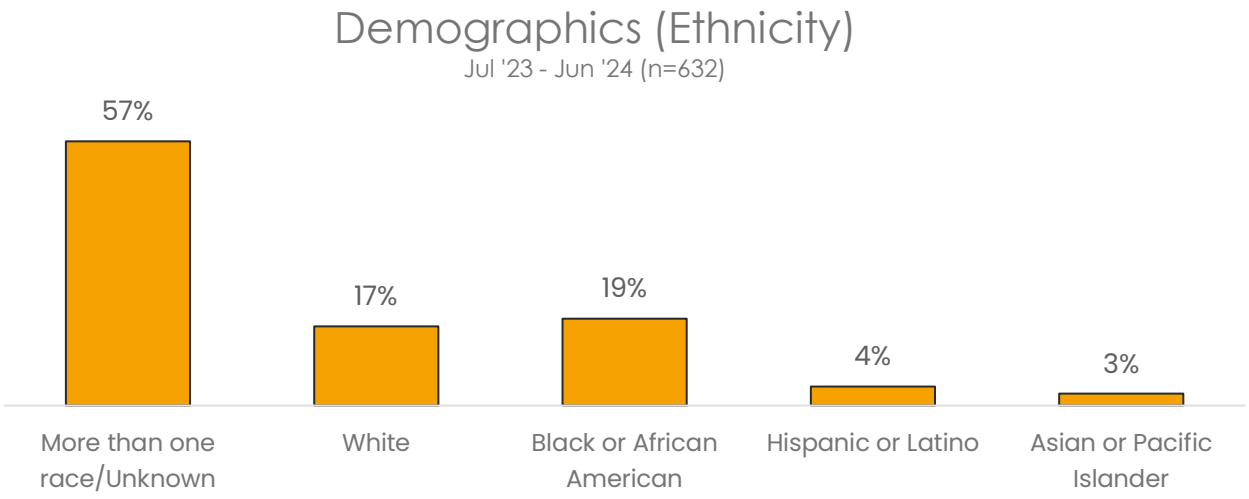
Process Outcomes ("How much did we do?")

632
Clients Served

1282
Contacts

Program Description
CAT/TOT is BMH's intake and follow-up team for Adult Mental Health Services. This team provides screening/assessment for ongoing mental health services, linkage to community-based resources, crisis support, and coordination with other agencies. Services include, but are not limited to: psychiatric services, transportation, food access, medical care, health insurance, benefits, legal assistance, affordable housing listings, utilities and energy assistance resources. Services are provided in person at the clinic, as well as via the team phone line.

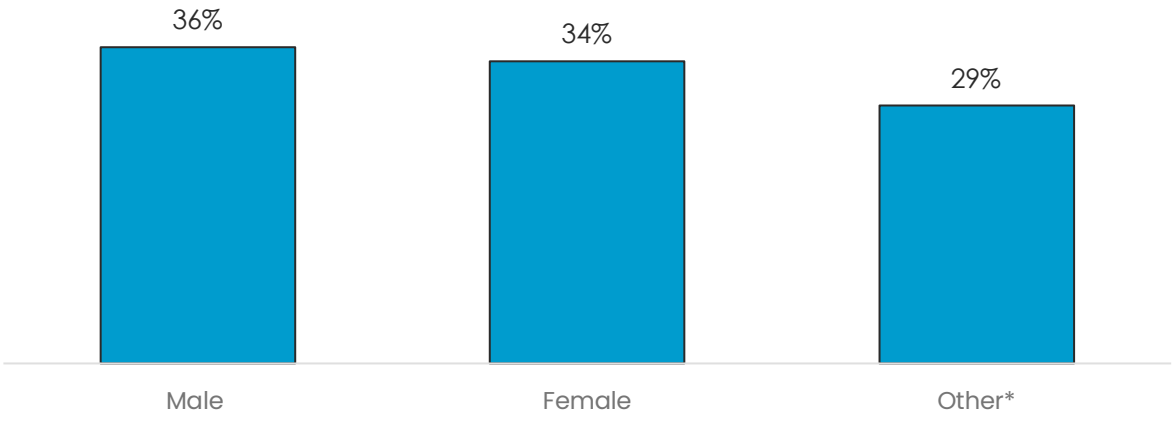




NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Demographics (Gender Identity)

Jul '23 - Jun '24 (n=632)

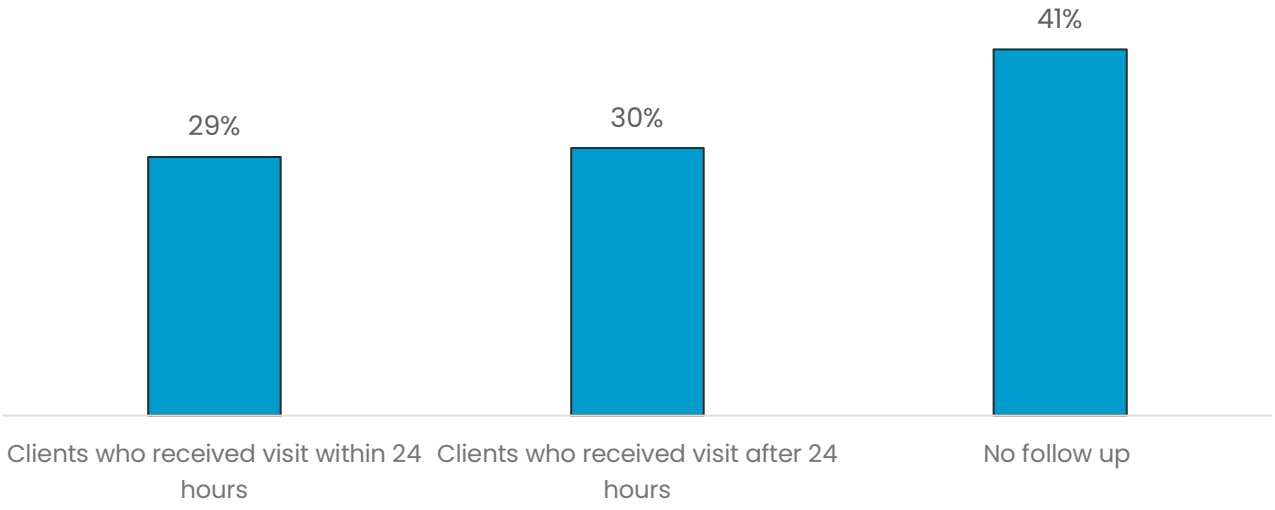


*Other includes unknown or missing due to clients not disclosing, clinician unable to make the determination, or a crisis situation not allowing for more comprehensive data collection. It also includes any identity that doesn't fit within the traditional male/female binary. Sexual orientation data not available.

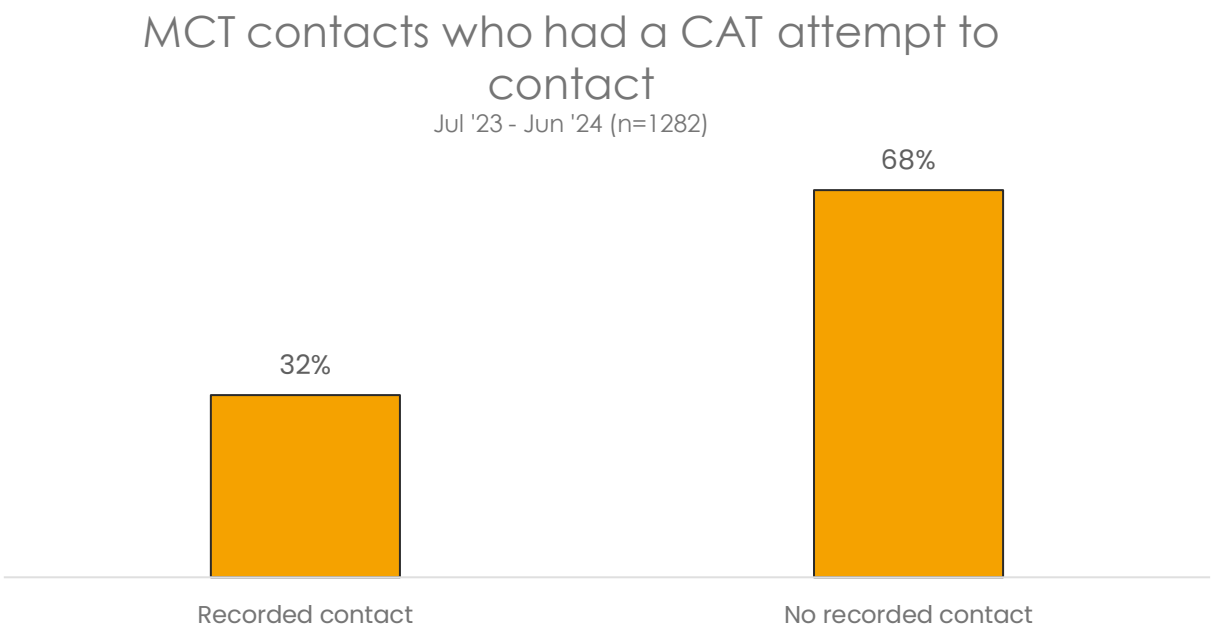
Quality Outcomes ("How well did we do it?")

Follow-up after hospitalization

Jul '23 - Jun '24 (n=56)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	MCT & CAT Incident Log
# of documented contacts	Total number of documented incidents	MCT & CAT Incident Log
% of clients who receive a visit (phone contact with client or hospital service provider) in the 24 hours after hospitalization	% of clients who receive a visit (phone contact with client or hospital service provider) in the 24 hours after hospitalization. Reasons for no follow up may include no viable contact information, client was not amenable to follow-up services, or the client is already connected to follow-up services provided by another agency.	MCT & CAT Incident Log
% of MCT contacts who had a CAT attempt to contact	Of Client IDs in MCT contact log, % which also have record in CAT contact log. Reasons for no contact may include no viable contact information or client declined contact.	MCT & CAT Incident Log

Sub-Representative Payee Program
The Sub-representative Payee Program is implemented through the contractor, Building Opportunities for Self-Sufficiency (BOSS). Through this program services are provided to individuals who are in need of a payee to assist with managing their money. Approximately 79 individuals receive services a year.

In FY2024, 66 individuals were served. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 66*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  18 – 24 years or Unknown – <11
  25 – 44 years - <11
  45 – 64 years – 24
  65 years and older – 29

- **Gender Identity**
  Male – 45
  Female – 21

- **Race/Ethnicity**
  Asian Pacific Islander - <11
  Black or African American – 39
  White – 19
  Multi-racial - <11

- **Sexual Orientation**
  Heterosexual or Straight – 16
  Lesbian/Gay/Declined to Answer, or Unknown - 50

Program Successes:
- The Representative Payee Manager supported participants within the program.
- There was an increased caseload through BMH referrals as well as a strengthened collaboration between BOSS and BMH.
- Many clients had big improvements in their quality of life, including better mental and physical health, thanks to the careful management of their benefits.
- The program has also helped clients stay housed by ensuring rent and utilities were paid on time, reducing the risk of losing housing vouchers due to power shut-offs.
- Several clients who had been chronically homeless for over 10 years were able to save for housing deposits and transition into Shelter Plus Care Housing, which was a huge milestone for them.

Program Challenges:

- Not all clients had an assigned Case Manager to help with non-financial needs like finding stable housing, attending medical appointments, or accessing clean clothing.
- Many clients also struggled to attend day treatment programs due to a lack of information or transportation, which limits their opportunities for positive, structured activities.
- Some client's mental health or substance use challenges, made it hard for them to stay motivated and engaged with services offered.

These are all areas that BOSS is continuing to work to improve.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 4; Adults (26-59 years): 80; Older Adults (60+ years): 75.

Hearing Voices Support Groups

The Hearing Voices Support Groups are offered through a contract with the Bay Area Hearing Voices Network. It is the only community organization which offers online peer-led groups for adults who hear voices and have other unusual experiences. Participants who attend groups regularly express that the continuity helps them to stay out of mental hospitals, deal with stigma as well as stress and difficult experiences associated with the voice hearing experiences.

Free weekly drop-in Support Groups are provided for individuals who experience voices, visions, special messages, unusual beliefs or extreme states of consciousness. The support groups are co-facilitated by trained group facilitators whom have lived experience in the mental health system. A separate support group for Family Members of individual participants is also provided.

In FY2024, a total of 1,841 individuals were served through weekly online support groups. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 1,841*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  18 – 24 years – 93
  25 – 44 years – 276
  45 – 64 years – 1,105
  65 years and older – 367

- **Gender Identity**
  Male – 717
  Female – 957

Transgender – 81
Other/Non-binary – 86

- **Race/Ethnicity**
  Asian or Asian Pacific Islander – 74
  Black or African American – 239
  Latino/a/x – 166
  White – 957
  Multi-racial – 239
  Other/Declined to Answer, or Unknown – 166

- **Sexual Orientation**
  Heterosexual or Straight – 1,288
  Lesbian or Gay – 55
  Bisexual – 93
  Questioning – 166
  Declined to Answer, or Unknown - 239

In FY2024 two weekly online adult hearing voices groups were added on the weekends: an adult hearing voices support group, and a discussion group to explore the voice world in its entirety. Three new members were added to the board of directors, two family members and a voice hearer/group facilitator. A Social Media program to reach Transitional Age Youth on Facebook, Instagram, and Reddit headed by three of hearing voices members was also added.

Program Successes:

- Attendance in the adult hearing voices groups and family groups continued to be strong, with more attendees than in the last reporting period.
- Three social media platforms to reach Transitional Age Youth were created on Reddit, Instagram, and Facebook. Currently the Facebook page has 1,357 members; the Instagram page has 108 followers; and the Reddit group has 1,236 experiencers, and 6 moderators.
- The Reddit Hearing Voices page recently received over 4,000 unique visits in one week and 1,600 of the users were youth. Youth constitute 25.7% of all Facebook Messenger users, 31.7% on Instagram, and 44% on the Reddit platform. The webpages for each of the groups/platforms are as follows:

  Reddit group: https://www.reddit.com/r/HearingVoicesNetwork/
  Facebook group: https://www.facebook.com/groups/hearingvoicesgroupsupport
  Instagram platform: https://www.instagram.com/ba_hvn/

- Outreach to Transitional Age Youth (ages 18-25) who hear voices or experience other unusual/distressing experiences began, through the Social Media Program staffed by volunteers who have lived experience.

Program Challenges:

- Not having enough funding to implement additional services for TAY and adults.
- Additional community outreach in schools, clinics, and mental health education programs was needed.

Results from a survey questionnaire of group participants on the impact of the groups were as follows:

How have the groups helped you?

- “I hear voices. I need this group.”
- “Wonderful people speaking in regard to their shared experience of hearing voices.”
- “Made good friends.”
- “Friendship, common values and goal; suggestions from experience.”
- “It helps me to accept my sister's experience of hearing voices and having unusual beliefs.”
- “Camaraderie.”
- “Helped with better understanding of how to approach our son and we are not alone in this journey.”
- “Support.”
- “It gives me the support and tools I need to survive, and thrive, each day.”
- “It's great to hear so many different experiences.”
- “The Bay Area Hearing Voices Network community has been a colossal help.”
- “Every time I have participated, it has been a great experience. Everyone is so supportive and what I like the most is that the message always is one of hope and love for our loved one. Also, the practical information has been very useful.”
- “This group has helped me find ways to deal with my loved one. I have learned better ways to talk to my loved one.”
- “People are so kind.”
- “It gives me a safe space to share my voice hearing experiences.”

What do you like about the group?

- “I can talk about religion, politics, sex and drugs as they relate to my schizophrenia.”
- “Well moderated, kind shares, and generally a no-judgement zone.”
- “Listening.”
- “Kindness and understanding, sympathetic.”
- “Supportive and caring group of participants.”
- “There's a lot of humility and some humor.”
- “How it's facilitated, our understanding this is another way of looking at life.”
- “I like that the facilitators have lived experience.”
- “Hearing different life experiences.”
- “Comraderie and information.”

- “Everyone can share without fear of censorship or outcast about their experiences.”
- “The camaraderie and willingness to share what has worked for them in supporting their loved one.”
- “The honesty and vulnerability of the group members and the facilitators.”
- “I like that I can be open about my experiences.”
- “Support.”
- “Everyone respects each other.”

How have you seen your life improve since you started coming to group?

- “I am better oriented.”
- “I've felt as though my pain is being heard by someone real, somewhere.”
- “I am less anxious.”
- “More calm.”
- “I feel better after a Monday meeting when I have had a rough time earlier.”
- “Oh, yes! My son is now living with me after over 8 years in hospitals and behavioral health centers.”
- “I am more patient and understanding with my son.”
- “Mental faculties improving, able to maintain a sleep state more in accordance with the norm, posture and G.I. improvements.”
- “The help has been all encompassing from the mental experience, behavioral outcomes, and the physical health standpoint.”
- “Our relationship with our daughter and with each other has improved as we have gained more understanding of the voice hearing experience. We don't want to fix our daughter but facilitate her choices.”
- “I think my husband and I treat our son with more respect and kindness AND also treat ourselves with more respect and kindness.”
- “I have become more optimistic”.
- “Less anxiety.”
- “I have a better understanding on how the voice world works.”

Why do you feel safe in the group (or why not)?

- “I can complain about psych meds without being censored.”
- “Well moderated, kind shares, and generally a no-judgement zone.”
- “Nice people.”
- “No judgement; all sympathy.”
- “Everyone is respectful.”
- “Good boundaries, compassionate participants, respect all around.”
- “Respect. Shared experiences.”
- “I like the structure when the facilitator has a theme.”

- “I know that nobody will ever tell anything that goes on in the group outside the group. I trust the group members.”
- “The people in the group are not threatening.”
- “It is a safe space. There is no judgment, no offense. We are all there to help and be helped.”
- “Everyone is very supportive.”
- “The lack of judgment. This value we hold for our loved ones carries over to the way we treat each other.”
- “Everything is confidential and I feel it’s a safe place to be open.”
- “Facilitators care about everyone.”
- “What is said there, stays there.”

Describe your overall experience in the group.

- “t's been a much better experience than the local mental hospital and NAMI (National Alliance on Mental Illness).”
- “It feels like a place for identifying shared experience and attempting to heal or find help to heal.”
- “Enjoy meeting people and sharing.”
- “Invaluable support and compassion.”
- “I feel supported in the group. I like to listen to hear other peoples' experience see similar and differences with my situation.”
- “I'm grateful for the gift of a new way to see our situation and the hope of new possibilities.”
- “Helpful. Welcoming. Honest.”
- “Positive.”
- “Existentially validating and empowering.”
- “It has been a wonderful opportunity for us to connect with others who provide care and support to their loved ones. It sometimes feels so overwhelming that the message of hope that we receive every time we participate helps go on in this difficult and challenging role we have as parents of an adult daughter who feels safer interacting with her voices and beings than with humans, whom she doesn't trust.”
- “Like church, a school of love.”
- “Overall experience is very positive.”
- “Freeing.”

How has the group helped you to deal with stigma?

- “Misery loves company. There is an epidemic of mental illness going on. Perhaps we will get political power to make things better for the mentally ill? We get stigmatized unfairly and we must make our voices heard.”
- “It helps me realize I'm not alone.”

- “By normalizing the experience of our loved one, and us the family member feeling isolated and our circle of family/friends who truly understand our situation is limited.”
- “I'm not alone.”
- “Not too ashamed and feeling like a loser.”
- “I feel proud to say my son hears voices and sometimes say he has a diagnosis of schizophrenia (just so people understand).”
- “Again, validation. Knowing there is a community of the similar and an avenue for healthy discourse on certain topics is an essential need for self-actualization.”
- “We know that we are not the only ones in this role and that our loved ones are not the only ones with these experiences. We like hearing about things that have worked for other families. Over the years I have seen so many different kinds of people come to these family support groups and that alone has helped me to see that having a family member who hears voices crosses race and poverty and education lines. Instead of feeling less than I have actually come to feeling more than. Honored as someone said last night in my group, to be associated with someone like my son.”
- “Yes, because after this group I’ve been able to tell close friends and coworkers about my loved one’s experiences.”

How do you feel supported by the facilitators (or not)?

- “I have voices and they let me talk about it.”
- “Thoughtful questions from them, generally showed a care for the group's charter and the importance of understanding it.”
- “They are always attentive.”
- “Reflective listening.”
- “Salient point is reflected back by the facilitator. They encourage you and may provide an alternate view when necessary.”
- “They give everyone a chance to be heard and encourage us to share our experiences which helps ourselves and others.”
- “They are honest, listening attentively, and provide great feedback.”
- “They ask if they can provide feedback and then do so.”
- “They are great listeners and give great advice which we are free to take or leave.”
- “They show that they are hearing what each person shares.”
- “They lead with their heart.”
- “The facilitators are always supportive and have recommendations and great input. They are also empathetic.”
- “They speak from their own experience.”
- “They help me think about what I am saying.”

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 89; Adults (26-59 years): 1,052; Older Adults (60+ years): 642.

Berkeley Wellness Center
The Berkeley Wellness Center is an MHSA funded collaboration between the City of Berkeley, Mental Health Division and the Alameda County BHCS. This program implemented through the community-based organization, Bonita House, provides: mental health and substance use disorder counseling; living skills training; educational activities; pre-vocational training; wellness recovery programming; support groups; referrals to community resources; computer training; Art Therapy and other activities. The main goals of the program are to assist individuals in functioning as highly as possible so they can become integrated into the community.

In FY2024, 48 individuals participated in this program. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 48*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  18 – 24 years – <11
  25 – 44 years – 12
  45 – 64 years – 20
  65 years and older – <11
  Declined to Answer, or Unknown – <11

- **Gender Identity**
  Male – 20
  Female – 28

- **Race/Ethnicity**
  Asian or Asian Pacific Islander – <11
  Black or African American – <11
  Latino/a/x – <11
  White – 22
  Other – <11
  Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight – 16
  Declined to Answer, or Unknown - 32

In FY2024 a new Program Manager was hired in September and under new management, programs were expanded. Plans for continued expansion of program offerings were implemented. Navigation provisions and resource information was consolidated and actively offered in a greeting and entrance program. Outreach plans

were created and implemented ranging from on the ground to coordination with fellow service programs.

Program Successes:

- The client response to new programing was enthusiastic.
- Since creating and implementing outreach plans, the numbers of new clientele increased daily, and new clients became repeat visitors to the center.
- Navigation services were easier to access, and clients were therefore inquiring about various needs more often and staff were better equipped to provide answers.

Program Challenges:

- Program staff continued to work on how to make the building more visible.
- Funding limitations.
- Creating public awareness of services and particularly making meaningful connections with Board and Care facilities.
- Reintegration of previous clients that had stalled their use of services.
- Balancing the social issues arising in the meeting of various levels of cognition, emotional stability, sobriety, and class among the clients.

In FY26 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 175; Older Adults (60+ years): 50.

BMH Peer and Family Member Positions

Since the first MHSA Plan, BMH has included positions for peers and family members with lived experience to be added to various programs throughout the Division. The Division utilizes existing City job classifications for an employment track for peer or family member providers. The entry level position is Community Health Worker, the mid-level is Assistant Mental Health Clinician, and the top-level is Social Services Specialist. All of these classifications are also used broadly for differing purposes throughout the City. For the specific positions where the MHSA Plan envisioned utilizing peer or family providers, BMH has had success in establishing employment lists where there are applicants who describe themselves as having “lived experience” and as peer or family member providers. In 2018, a peer provider was hired to support the Wellness Recovery services work. This position became vacant in December 2021, and it wasn’t filled until the third quarter of FY2023.

Two additional positions were added through the FY2022 Annual Update, to increase the Wellness Recovery work and enable a greater ability to provide a variety of peer led services, and the provision of activities and supports to individuals in the waiting room. These positions were hired in the third quarter of FY2023 and have been integral in expanding the services of the Wellness Recovery Team.

Case Management for Youth and Transition Age Youth
In response to a high need for additional services and supports for youth and Transition Age Youth (TAY) who experience mental health issues and may be homeless or marginally housed, case management services for TAY are provided through a local community partner, Youth Spirit Artworks (YSA). This project serves approximately 50 individuals a year.

In FY2024, 56 youth were served through this project. Demographic data on youth participants is outlined below:

DEMOGRAPHICS N = 56*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  16 – 25 years – 56

- **Gender Identity**
  Male – 11
  Female – 33
  Genderqueer/Gender non-conforming/Transgender - <11

- **Race/Ethnicity**
  Asian or Asian Pacific Islander – <11
  Black or African American – 22
  Latino/a/x – 12
  White – <11
  More than one race – <11

- **Sexual Orientation**
  Heterosexual or Straight – 26
  Lesbian or Gay – <11
  Bisexual – <11
  Pansexual/Queer/Questioning/Asexual - <11
  Declined to Answer, or Unknown - <11

At the beginning of FY2024 Case Management Services were provided through UCB MSW interns and were shifted in September 2023, to a Peer Navigator model.

Program Successes:
All program participants were a part of the Youth Leadership Program that included training, planning, and events. Art workshops were also offered to support youth with creative expression in their youth leadership. A pathway through youth leadership that aligned with going deeper in practice with learned leadership skills also supported youth with information and opportunities for Community Organizing, Events and Production, and Galley Exhibition.

Program Challenges:
In FY2024, there were no program challenges reported.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 15; Transition Age Youth (16-25 years): 50; Adults (26-59 years): 0; Older Adults (60+ years): 0.

Additional Services for Asian Pacific Islanders
The Asian Pacific Islander (API) population is significantly underserved in the mental health system. In an effort to better meet the needs of this underserved population, BMH proposed through the previously approved MHSA FY2019 Annual Update to allocate CSS System

Development funds to contract with a local community-based organization, or to partner with Alameda County BHCS, to increase funding for a contractor selected for similar purposes. It was envisioned that the contractor would provide access to additional services and supports for this population. In FY2020 and FY2022 three separate RFP processes were executed to find a community partner that the Division could contract with who would provide these services, however the Division was unable to secure a Contractor. At present, the Division is currently in the process of assessing how best to partner with a local community agency to implement these services.

Results Based Accountability Evaluation
Per the previously approved MHSA FY2019 Annual Update, the Division allocated CSS System

Development funds for a consultant who would conduct an evaluation on all BMH programs across the system utilizing the “Results Based Accountability” (RBA) framework. The RBA framework measures how much was done, how well it was done, and whether individuals are better off as a result of the services they received. A competitive RFP process was executed, and Resource Development Associates (RDA) was the chosen consultant. RDA worked with the Division from FY2021-FY2024 to execute this evaluation.

In FY2024, RDA worked with the Division and the Program Evaluator to continue to implement the RBA Framework to evaluate program outcomes and to develop the internal capacity for the Program Evaluator to focus on implementing and tracking RBA evaluation measures across BMH programs. RBA development efforts made substantial progress during the reporting timeframe. Key achievements included the establishment of program and division-level RBA measures, the collection and integration of FY2023 data, and the development of dashboards for the division and across service programs. This process included addressing new changes between external and internal data reports and facilitating data review sessions with program teams to analyze impact measures and outcomes.

RDA conducted the following Data Collection, Evaluation, and Reporting activities:

Twenty-seven meetings were conducted for BMH staff including:

- 12 Turn the curve meetings for all programs in the division,
- 9 individual meetings with program managers to review data for the dashboard and provide technical support on data collection,
- 2 meetings with the Executive Leadership Team to review dashboards,
- 2 Feedback sessions with non-management and management staff,
- 1 Visioning and action planning session to support RBA sustainability of implementation,
- 1 Focus group training to implement at the client level.

Key Activities – Dashboard, Analysis and Reporting:

- Completed dashboards for Interval 2 and Fiscal Year 2023,
- Tracked 140 performance measures for data collection and reporting,
- Cleaned and analyzed raw data for internal reporting,
- Reviewed Dashboard data to prevent the identification of individuals for publicly released information,
- Created an external facing division level dashboard to be used to report out on the data for the division and 12 programs,
- Populated the remaining available FY24 data and annotated remaining measures with an asterisk if data was unavailable due to delays in the County reporting system,
- Revisited existing RBA measures to ensure continued relevance.

There were some challenges in FY2024 due to the County's transition to a new client reporting and billing system which impacted the RBA data collection. The ongoing configuration process affected procedure codes, reporting tables, and service categories. These challenges were addressed, with a resolution anticipated in FY2025. The complete set of RBA outcomes for all BMH programs is located in Appendix B.

Counseling Services for Older Adults
Older Adults who only have Medicare insurance currently have great difficulty accessing mental health services, despite consistent input on the need for support for this population. In an effort to increase mental health services and supports for older adults, the Division allocated funding in the approved FY2020 MHSA Annual Update to support this population. MHSA funds are transferred to the Aging Services Division of HHCS, to implement various counseling services for older adults through the Wright Institute.

A total of 159 individuals received services in FY2024, demographics on individuals served are outlined below:

DEMOGRAPHICS N = 159*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  26 – 59 years – 18
  60 years and older – 141

- **Gender Identity**
  Male – 34
  Female – 119
  Another Gender Identity/Unknown - <11

- **Race/Ethnicity**
  Asian or Asian Pacific Islander – <11
  Black or African American – <11
  White – <11
  More than one Race – 24
  Other – 12
  Declined to Answer, or Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight – 1130
  Gay or Lesbian – 19
  Bisexual – <11
  Declined to Answer, or Unknown – <11

Program Successes:

- The partnership between the Aging Services Division and the Wright Institute continued to work well.
- Program contacts from the Wright Institute provided clear and timely communication via email and let the Aging Services Division staff know in advance of any mental health counseling program offerings and changes.
- Both the individual and group counseling sessions were well attended, as were the informal workshops that Wright Institute presented on various topics. Workshops and sessions were offered at both senior centers, as well as at the Institute itself.

Program Challenges:

In FY2024, there were no notable program challenges reported.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 5; Older Adults (60+ years): 85.

Substance Use Disorder Services

A large portion of individuals who currently receive services at BMH are also experiencing co-occurring disorders, having both mental health issues and substance

use disorders (SUD). In an effort to increase the capacity to serve individuals with SUD, funds were previously allocated through the MHSA FY2022 Annual Update for the Division to work with a local SUD provider to co-locate SUD services at the Mental Health Adult clinic. In FY2023 a contract was executed with Options Recovery Services. This collaboration has increased the provision of SUD services for BMH clients, provides an opportunity for staff to obtain consultations on SUD services, and makes referrals into SUD services outside of BMH an easier process for individuals.

In FY2024, 31 individuals received services. Demographics on individuals served are outlined below:

DEMOGRAPHICS N = 31*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  18 – 24 years – <11
  25 – 44 years – <11
  45 – 64 years – 13
  65 years and older – <11
  Declined to Answer, or Unknown – <11

- **Gender Identity**
  Male – 16
  Female – 11
  Other/Declined to Answer, or Unknown – <11

- **Race/Ethnicity**
  Asian or Asian Pacific Islander – <11
  Black or African American – 13
  Latino/a/x – <11
  White – <11
  Multi-racial – <11
  Declined to Answer, or Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight – 15
  Lesbian or Gay – <11
  Other – <11
  Declined to Answer, or Unknown – <11

Program Successes:

In FY2024, individual counseling services were expanded, allowing a larger number of clients to be reached on a weekly basis. On average, individual counseling was provided to 10 clients each week, in addition to group counseling. These tailored sessions addressed specific needs related to mental health, and substance use challenges, and were designed to assist with coping strategies, the management of triggers, and to build resilience. By increasing the availability of individual counseling,

the program was better able to meet clients where they were in their recovery journey, providing more consistent and accessible support to foster long-term wellness.

The program continued to have close collaborations with community partners, such as CenterPoint, Lifelong, and others, to ensure that individuals received comprehensive care for their treatment needs beyond what was provided. These partnerships enabled better support for individuals who required specialized services that fell outside the scope of this program. As a result of these efforts, four individuals were placed in additional treatment programs tailored to their specific needs, ensuring that they had access to the right level of care and support. These placements were outside the BMH program, which allowed for more targeted interventions based on each individual's circumstances. Two additional individuals were enrolled in the Options Recovery intensive outpatient treatment program, which was a higher level of care for their substance use issues. This program provided intensive, structured treatment while allowing participants to maintain a degree of independence as they worked toward their recovery goals. By continuing to work in partnership with these organizations and expanding the range of treatment options, the program was able to address the diverse and complex needs of the individuals served.

Program Challenges:
Some individuals in the program experienced severe mental health symptoms that created significant obstacles to their engagement in treatment. Some of the various symptoms included anxiety, depression, paranoia, and increased substance use, which impacted their motivation, energy levels, and ability to interact with others in a group setting. As a result, these individuals frequently missed scheduled group sessions. These symptoms also often led individuals to cancel or reschedule individual counseling appointments, which interrupted the continuity of their care and hampered the therapeutic progress that may have otherwise been achieved through participation in regular sessions. This inconsistency posed a challenge, as it disrupted the structured support that the program is designed to offer, making it harder for counselors to maintain a therapeutic rapport and keep individuals on track with their treatment goals. To address these challenges, a goal attainment treatment approach was implemented in FY2025 which will be evaluated over the next fiscal year. This treatment approach will focus on setting personalized, achievable goals that are broken down into manageable steps, making it easier for individuals to see progress and stay motivated even when symptoms interfere with their engagement.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 24; Older Adults (60+ years): 7.

Specialized Care Unit
Through the approved FY2022 Annual Update, the Division allocated a portion of one-time CSS and PEI funds to be leveraged with other City funds to support the Specialized Care Unit (SCU). Implemented through Bonita House, the SCU is Berkeley's new behavioral health crisis response team without the involvement of law

enforcement. The SCU consists of trained crisis-response field workers who respond to behavioral health occurrences that do not pose an imminent threat to safety.

In FY2023, MHSA funds directly supported start-up costs of the program including recruitment, hiring, and training of Bonita House staff. Training included crisis support training through Bonita House's Crisis Training Academy as well as the design and training of Berkeley-specific procedures for the SCU program. Additionally, this funding supported the salaries of the SCU program management staff as additional team members were hired. During this time, program management staff worked closely with the City of Berkeley to create the policies and procedures for a SCU that aligned with the implementation recommendations from the Berkeley community. In early FY2024, the SCU began providing services to the community.

On-site management at Martin Luther King Jr. House
The Martin Luther King Jr. House is a 12-unit single room occupancy (SRO) complex with shared living spaces that serves the disabled community in Berkeley. Per the approved FY2023 Annual Update, the Division allocated a portion of CSS System Development funds to provide on-site property management at this SRO for a short period of time. A contract was executed through the Housing and Community Services Division of HHCS with Resources for Community Development to provide management and oversight of this SRO, through December 2024.

Short-term housing for individuals on the Homeless FSP
Through the approved FY2023 Annual Update the Division allocated a portion of MHSA FSP Funds to support short-term housing for individuals receiving services on the Homeless FSP. It was envisioned that the funding would be utilized to provide housing in trailers located at 701 Harrison Street, and daily living supports for four individuals. Since the approval of the FY2023 Annual Update, the Division learned that it will not be possible to utilize the Harrison Street trailers for this purpose. As such, the funding allocated for this purpose, will be re-purposed for other short-term housing sites for individuals in need.

PREVENTION & EARLY INTERVENTION (PEI)

The Prevention & Early Intervention (PEI) funding component is for strategies to recognize the early signs of mental illness and to improve early access to services and programs, including the reduction of stigma and discrimination, and for strategies to prevent mental illness from becoming severe and disabling.

The original City of Berkeley PEI was approved in April 2009. Since the approval of the original plan, Three-Year Plans or Annual Updates outlining proposed PEI funding and programming, have been approved on an annual basis. Through the original PEI Plan and/or subsequent plan updates, some of the many services the City of Berkeley has provided through this MHSA funding component have included:

- An early identification, assessment, treatment and referral program for children (0-5 years old) and their families,
- Prevention and short-term intervention services in the Berkeley school system,
- Trauma support services for youth, adults and older adults in unserved, underserved and inappropriately served populations,
- An anti-stigma support program for mental health peers and family members; and
- Intervention services for at-risk children.

PEI Reporting Requirements
Per MHSA PEI regulations, all PEI funded programs are require to collect specified state identified outcome measures and detailed demographic information. MHSA also requires Evaluation Reports for PEI funded programs. PEI Evaluations are required to be included in each MHSA Annual Update or Three-Year Plan. Included in Appendix C of this Annual Update is the Prevention & Early Intervention (PEI) Fiscal Year 2021-2022 – 2023-2024 (FY2022-2024) Three-Year Evaluation Report.

Impact Berkeley
In FY2018, the City of Berkeley introduced a new initiative in the HHCS Department called “Impact Berkeley”. Central to this effort is using a highly regarded framework called Results Based Accountability (RBA) to account for the work of the Department. RBA provides a new way of understanding the quality and impact of services provided by collecting data that answer three basic questions:

- How much did you do?
- How well did you do it?
- Is anyone better off?

RBA has been incorporated into selected programs within the Department. This has included community agency programs funded through the MHSA Prevention & Early Intervention

Community Education & Supports program. Through this initiative the Department worked with each contractor to envision, clarify and develop measures on the outcomes and results each program is seeking to achieve, and used a rigorous framework to begin measuring and enhancing progress towards these results. The results of this initiative are outlined in each of the projects funded through the PEI Community Education & Supports program.

Results Based Accountability Evaluation for all BMH Programs
Through the approved FY2019 Annual Update the Division executed a Request for Proposal (RFP) process to hire a consultant to conduct a Results Based Accountability Evaluation (RBA) for all programs across the Division, and Resource Development Associates (RDA) was the chosen vendor. RDA worked with the Division from FY2021-FY2024 to implement the RBA research methodology. An update of the activities conducted by RDA in FY2024 on this evaluation is included in the CSS Section of this Three-Year Plan.

RBA outcomes in FY2024 are outlined in this Annual Update for the following MHSA PEI funded internal programs: Social Inclusion Project, and the High School Prevention Project. The complete set of RBA outcomes for all BMH programs is located in Appendix B.

PEI Regulations
Per MHSA PEI State Regulations, Mental Health jurisdictions are to utilize PEI funds to implement the following programs: Prevention, Early Intervention, Access and Linkage to Treatment, Stigma and Discrimination Reduction, and Outreach for Increasing Recognition of Early Signs of Mental Illness. Programs and/or strategies within programs can also be combined. Jurisdictions may also opt to utilize some PEI funds to implement a Suicide Prevention program. The definitions of each program that were funded through FY2024 are outlined below along with the City of Berkeley corresponding program:

PEI Program Type	Program Definition	City of Berkeley PEI Program(s)
Prevention	A set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.	• Mental Health Promotion Campaign • High School Prevention • DMIND • MEET • African American Success

PEI Program Type	Program Definition	City of Berkeley PEI Program(s)
Early Intervention	Treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.	• High School Prevention • Be A Star • DMIND • MEET • African American Success • Supportive Schools • Community Education and Supports
Outreach for Increasing Recognition of Early Signs of Mental Illness	A process of engaging, encouraging, educating, and/or training, and learning from potential responders about ways to recognize and respond effectively to early signs of potentially severe and disabling mental illness.	• Mental Health First Aid (non-PEI funded program)
Stigma and Discrimination	Direct activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families.	• Social Inclusion
Access and Linkage to Treatment	Connecting children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.	• High School Prevention
OPTIONAL Suicide Prevention	Activities to prevent suicide as a consequence of mental illness.	• CalMHSA PEI Statewide Project

Beginning January 1, 2020, per Senate Bill (SB) 1004, Welfare and Institutions Code (WIC) 5840.7 (a) directed the Mental Health Oversight and Accountability Commission (MHSOAC) to establish priorities for the use of MHSA PEI funds. Section 5840.7 (d)(1) states that mental health jurisdictions shall, through their MHSA Three-Year Program and Expenditure Plans and Annual Updates, focus use of their PEI funds on the Commission-established priorities or other priorities as determined through their respective, local stakeholder processes. If a mental health jurisdiction chooses to focus on priorities other than, or in addition to those established by the Commission, “the plan shall include a description of why those programs are included and metrics by which the effectiveness of those programs is to be measured” (WIC Section 5840.7 (d)(1)).

Current MHSOAC priorities for the use of PEI funding are as follows:

- Childhood trauma prevention and early intervention to deal with the early origins of mental health needs,
- Early psychosis and mood disorder detection and intervention, and mood disorder and suicide prevention programming that occurs across the lifespan,
- Youth outreach and engagement strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college,
- Culturally competent and linguistically appropriate prevention and intervention, including community defined evidence practices (CDEPs),
- Strategies targeting the mental health needs of older adults,
- Early identification programming of mental health symptoms and disorder, including but not limited to, anxiety, depression, and psychosis.

In order to meet the requirements, each mental health jurisdiction is required to show in the PEI Component of the Three-Year Plan or Annual Update the following:

- Which specific PEI priorities the mental health jurisdictions plan addresses, an estimate of the share of PEI funding allocated to each priority, and an explanation of how stakeholder input contributed to those allocations,
- If the mental health jurisdiction has determined to pursue alternative or additional priorities to those listed in Section 5840.7(a), how the determinations were made through its stakeholder process,
- For any alternative or additional priority identified by the mental health jurisdiction, what metric or metrics relating to assessment of the effectiveness of programs intended to address that priority the county will measure, collect, analyze, and report to the Commission, in order to support statewide learning.

All MHSA programs and projected funding amounts were vetted through the Community Program Planning process for this Annual Update. Many PEI projects meet multiple established priorities. Per PEI regulations, outlined below are the City of Berkeley PEI programs, priorities, and FY2026 projected funding amounts:

CITY OF BERKELEY PEI PROGRAMS	PEI PRIORITIES	FY26 Projected Funding Per Priority
• Mental Health Promotion Campaign	Includes a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.	$100,000
• Supportive Schools	Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.	$110,000

CITY OF BERKELEY PEI PROGRAMS	PEI PRIORITIES	FY26 Projected Funding Per Priority
• High School Youth Prevention Project	Youth Engagement and Outreach Strategies that target secondary school and transition age youth	$580,697
• Mental Health Peer Mentor Program	Youth Engagement and Outreach Strategies that target secondary school and transition age youth	$46,389
• Dynamic Mindfulness Program	Youth Engagement and Outreach Strategies that target secondary school and transition age youth	$95,000
• African American Success Project	Youth Engagement and Outreach Strategies that target secondary school and transition age youth Culturally competent and linguistically appropriate prevention and intervention including community defined evidence practices (CDEPs)	$150,000
• Social inclusion	Culturally competent and linguistically appropriate prevention and intervention, including community defined evidence practices (CDEPs)	$10,000
• Community Education & Supports (LGBTQIA+ Trauma Support Project; SoulSpace Project; Latinx Trauma Support Project)	Culturally competent and linguistically appropriate prevention and intervention, including community defined evidence practices (CDEPs)	$300,000
• Community Education & Supports (TAY Trauma Support Project)	Youth Engagement and Outreach Strategies that target secondary school and transition age youth not in college.	$32,046
• Community Education & Supports (Living Well Project)	Strategies targeting the mental health needs of older adults.	$32,046

PEI Funded Children and Youth and TAY Services

Per MHSA regulations 51% of PEI funds are to be used on services and supports for Children, Youth, and TAY. Small counties, of which the City of Berkeley is considered, may elect to forego this regulation as long as a community vetted, locally approved justification is provided as to why children and youth services are funded at a lower level. Since the initial PEI Plan, the City of Berkeley has allocated more than 51% of PEI funds to services and supports for children, youth and TAY as the majority of PEI funds has been utilized to serving these populations. All City of Berkeley PEI programs in FY2026 will provide some level of services for children and youth and/or Transition Age Youth. Five programs are in the Berkeley Unified School District (BUSD).

Programs and services funded with PEI funds that were approved to be continued in FY2026 through the previously approved Three-Year Plan, are outlined below by PEI Program type, along with FY2024 data. Throughout all PEI programs, demographic data representing numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

Prevention Programs

Prevention Program – Includes a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.

Mental Health Promotion Campaign
As a result of the impact of the COVID-19 pandemic, and public input around the overwhelming need for mental health supports in the community, the Division proposed through the FY22 Annual Update to allocate PEI funds for a community Mental Health Promotion Campaign to support the wellness and self-care of Berkeley residents. The Division will partner with the community and consider using a social marketing firm to develop and implement the campaign.

PEI Goals: The goal of this campaign is to increase prevention efforts and response to early signs of emotional and behavioral health problems.

PEI Priority: Culturally competent and linguistically appropriate prevention and intervention; including Community Defined Evidence Practices (CDEPs).

It is anticipated that this campaign will be implemented in FY2026.

Early Intervention Programs

Early Intervention Program – Provides treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

The City of Berkeley Early Intervention programs are as follows:

Early Childhood Health and Wellness Program
From the first PEI Plan through FY2024 the Early Childhood Health and Wellness program (formerly named the Be A Star Project) has been a collaboration with the City of Berkeley's Public Health Department. It has provided a coordinated system in Berkeley that identifies children birth to age five and their parents, who are at risk of childhood development challenges including developmental, social, emotional, and/or behavioral concerns. The program specifically targeted low income families, including those with teen parents, who were experiencing homelessness, substance use disorders, or were in danger of foster care. Services include triage, assessment, treatment and referrals to appropriate community-based or specialist services as needed. Children and families were accessed through targeted efforts at the following:

Black Infant Health; Vera Casey Teenage Parenting programs; Child Health and Disability Prevention programs, Pediatric providers, and through state-subsidized Early Childhood Development Centers. The goals of the program were to identify, screen and assess families early, and connect them with services and supports as needed.

The program utilized the “Ages and Stages Questionnaires” (ASQ) screening tool to assess children in need. The ASQ consists of a series of 20 questionnaires that correspond to age intervals from birth to 6 years designed to help parents check their child’s development. Each questionnaire contained simple questions for parents to answer that reflected developmental milestones for each age group. Answers were scored and helped to determine whether the child's development was on schedule or whether the child should be referred for a developmental checkup with a professional. Over 400 children were assessed each year.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priority: Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.

In FY2024, a total of 2,596 children were screened through this program (207 at BUSD, and 2,389 at the Help Me Grow sites) however data was not collected on all individuals screened. Although all 2,389 of the individuals that were either screened or were screened and received services, were aged 0-15, the data elements listed below show the demographics of the 207 children screened at BUSD as follows:

DEMOGRAPHICS N = 207*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 (Children/Youth) – 207

- **Race/Ethnicity**
  Asian or Asian Pacific Islander – 40
  Black or African American – 57
  White – 37
  More than one Race– 20

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other (Hispanic or Latino/a/x not specified on ethnicity) – 53

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  Declined to Answer (or Unknown) – 154

- **Primary Language**
  English – 99

Spanish – 40
Declined to Answer, or Unknown – 68

- **Disability**
  Declined to Answer (or Unknown) - 207

- **Gender: Assigned Sex at Birth**
  Male – 68
  Female – 119

Program Successes:

- A new Public Health Nurse (PHN) started in October 2023, coming with many years of experience working with young children and families, school nurse experience, and PHN case management for children ages 0-3 years old in foster care. The PHN quickly connected with the Alameda County Help Me Grow Collaborative and the Medical Home Project's Special Needs Committee and became an active representative for Berkeley in the Help Me Grow Collaborative and the Special Needs Committee. Her experience in early childhood and resource navigation were assets in her prevention and early intervention work with providers and families with young children.
- On-site technical assistance visits to all Berkeley Help Me Grow providers continued into this year and went well.
- Conducted 2,596 developmental screenings through the Ages and Stages Questionnaire (ASQ) and the Modified Checklist for Autism in Toddlers (MCHAT) in Berkeley, including BUSD preschools and Berkeley Help Me Grow pediatric provider sites combined.
- A total of 150 referrals were made for resources to support following areas identified from the screenings:
  - Communication
  - Community resources, basic needs, childcare
  - Parent Support/ Parent/Child Relationship
  - General Developmental Guidance
  - Fine and Gross Motor Skills
  - Sensory Skills
  - Autism/ADHD Diagnosis
  - Behavioral Concerns
  - Trauma/Childhood Event
  - Mental Health

Program Challenges:

- The Help Me Grow Collaborative collected and analyzed the data from all HMG sites in Alameda County, not just Berkeley, so it took time to collect and synthesize the data and to receive the Berkeley specific data.

- Help Me Grow sites did not collect race/ethnicity, language spoken data, or gender; BUSD did not collect specific ethnicity data, gender identity, sexual orientation for this age group, nor all languages spoken.

Beginning in FY2025, the MHSA PEI funding for this program was discontinued, as the Public Health Division transitioned these program activities to the Maternal, Child and Adolescent (MCAH) Program.

Supportive Schools Program
Through this program leveraged MHSA PEI funds support the provision of mental health prevention and early intervention services at each of the Elementary Schools in Berkeley. Services include: outreach; mental health programming; classroom, group, and one-on-one psycho-social education and support; and consultation with parents and/or teachers.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priority: Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.

In FY2024 Early Intervention Services were provided at each of the BUSD elementary schools. BUSD sub-contracted with local agencies to provide early intervention services based upon the standard of evidence-based practices. Bay Area Community Resources (BACR), Child Therapy Institute (CTI), and Lifelong Medical (Lifelong) were subcontracted to provide services at BUSD elementary schools.

Supports for each school per each service provider, and numbers served in FY2024 were as follows:

Elementary School	Agency/Provider	Number of Students Served
• Cragmont • Emerson • John Muir • Malcolm X • Oxford • Ruth Acty • Sylvia Mendez • Thousand Oaks	Bay Area Community Resources (BACR)	331
• Bay Area Arts Magnet (BAM) • Washington	Child Therapy Institute	65
• Rosa Parks	Lifelong Medical Care	40
Total		**436**

Information on services provided, successes, and challenges with each sub-contractor are outlined below:

Bay Area Community Resources (BACR):
Provided services to improve emotional functioning and success in school and life, including individual and group therapy, family consultation, conflict resolution/restorative justice, suicide prevention, check-in/check-out, crisis intervention, and classroom presentations. BACR used many different therapy modalities as well as classroom support to develop skills and health.

Additionally, the BACR Counselor participated in weekly Coordination of Services (COST), Student Success Team (SST), and Individualized Education Program (IEP) meetings for students, providing mental health and trauma informed perspectives. BACR consulted with school staff on many issues and provided trauma informed coaching for teachers needing support. BACR also provided referrals and care coordination to outside providers, parenting classes/support groups, crisis hotlines, and other programs.

Program Successes:
In FY2024 BACR provided the following services:

- Trauma-Informed individual and group therapy, family and school support
- Groups of social skills and coping with issues such as grief and parental separation
- Crisis support and mental health check-ins
- Targeted support to students with school refusal and attendance issues
- Classroom presentations on socio-emotional topics, identity, empathy, accepting differences conflict resolution, skill-building in class and on the yard
- Parent coaching, consultation and community resources, including pediatricians and outside providers
- Collaborative coaching with teachers to enhance the positive learning environment
- Restorative Justice sessions
- Coordinated services with school staff and external providers
- Established linkages to vital community resources.

In addition, BACR provided Classroom/School-wide Presentations to 503 attendees, and 642 individuals received small group services around the subject matters of:

- Social skills
- Coping with parental separation
- Anxiety
- Empathy
- Identification of feelings

Program Challenges:
The biggest challenge continued to be the increase in cost to fund the program. These increases required the district to make cuts in other programming areas, as well as moving resources around to be able to continue providing ongoing services at the same rate as in the previous year.

Child Therapy Institute (CTI): Provides services and supports for students and supports at Berkeley Arts Magnet (BAM) and Washington Elementary School.

Program Successes:
CTI staff continued to meet with students individually and in groups.

Program Challenges:
There were few direct challenges, however, a significant challenge continued to be the increase in the costs to fund the program. These increases have required the district to make cuts in other programming areas, as well as to move resources around to be able to continue providing ongoing services at the same rate as in the previous year.

Lifelong Medical:
A Licensed Clinical Social Worker (LCSW), two Master of Social Work (MSW) interns, and one Marriage and Family Therapist (MFT) trainee provided individual counseling to students, family counseling, and mental health consultation to caregivers and school staff. Several Social Skills groups were run by the LCSW, interns, and in collaboration with a learning specialist. These groups were tailored to the needs of the individuals in each group and provided community building, social skills practice, regulation strategies, and support to many students across all grade levels. Full-class support was provided in several classrooms. School staff and students were also supported with crisis support/suicide assessment and consultation as needed throughout the year. The LCSW provided consultations with caregivers and referrals to mental health services in the community.

The Family Resource Center (FRC) Supervisor regularly attended COST meetings at Rosa Parks. The FRC Supervisor and interns attended staff meetings, SST and IEP meetings. All counselors regularly collaborated with teachers, families, classroom aides and staff in the afterschool program. One of the FRC interns participated and re-started a Rainbow Families group (for families who identify as LBGTQ and allies). FRC staff are integrated into the school community.

Program Successes:
This was a successful year which included building relationships and fostering a sense of belonging and community. The LCSW, Clinical Director, and other Lifelong staff provided training to the MSW interns and MFT trainee. Trainings including trauma responsive care, child therapy models, regulation strategies including Zones of Regulation, Cognitive-Behavioral Therapy, grief, working with teachers and caregivers, and many other topics. There was a particular focus on training in anti-racist practice. Lifelong hired a consultant who specialized in cross-cultural clinical practice and anti-racist counseling practice that provided multiple trainings and staff consultation. This

support was particularly important and helped FRC staff intervene when there were multiple incidents of racism that impacted students and school staff.

The LCSW and counseling interns worked hard to be a visible and integrated part of the community. FRC staff identified a need for kids to have safe, supportive environments to practice social skills and work on connections with each other. Gaps in social-emotional learning were identified as a result of the pandemic. Groups were prioritized this year in order to meet that need. FRC staff worked thoughtfully and collaboratively with teachers to think about how to configure groups where students could feel seen and heard. Staff considered many factors including race, culture, gender expression, and temperament in creating these groups.

The FRC staff continued to provide more intensive support to some students through individual counseling and collaboration with teachers and caregivers. The interns and trainee were able to refine their skills in comprehensive assessment, treatment planning, and implementation of age appropriate and culturally appropriate interventions. Many students made significant progress this year, and FRC staff were an integral part of the support team that helped guide them. During the reporting timeframe, 140 students participated in group sessions and 28 staff members received information or training.

Program Challenges:
There were few direct challenges, however, a significant challenge continued to be the increase in the cost to fund the program. These increases required the district to make cuts in other programming areas, as well as moving resources around to be able to continue providing ongoing services at the same rate as in previous year.

Demographic data provided by BUSD on 436 students that were served through this project in FY2024, is outlined below:

DEMOGRAPHICS N = 436*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 (Children/Youth) – 436

- **Race/Ethnicity**
  American Indian or Alaska Native - 13
  Asian – 22
  Black or African American – 93
  Native Hawaiian/Pacific Islander - <11
  White – 137
  More than one Race– 61
  Other – 16
  Declined to Answer (or Unknown) – 92

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano - <11
  Other – 60
  Declined to Answer (or Unknown) - <11

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  African – 12
  Chinese - <11
  European – 28
  Filipino - <11
  Japanese - <11
  Korean - <11
  Vietnamese - <11
  Other - <11
  Declined to Answer (or Unknown) – 316

- **Primary Language**
  Spanish – 16
  English/Declined to Answer, or Unknown – 420

- **Sexual Orientation**
  Declined to Answer, or Unknown – 436

- **Disability**
  Mental domain not including a mental illness/Physical mobility/domain/Other – 15
  Chronic health condition (including but not limited to chronic pain) – 31
  Declined to Answer (or Unknown) – 390

- **Veteran Status**
  No– 43

- **Gender: Assigned Sex at Birth**
  Male – 38
  Female – 52
  Declined to Answer or Unknown – 346

- **Current Gender Identity**
  Male – 173
  Female – 150
  Transgender or Another Gender Identity - <11
  Genderqueer - 12
  Declined to Answer or Unknown – 92

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 480; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 0; Older Adults (60+ years): 0.

Community Education & Supports
Through five community-based organizations, the Community Education & Supports program implements culturally-responsive psycho-educational trauma support services for individuals (18 and above) in various cultural, ethnic, and age specific populations that are unserved, underserved and inappropriately served in Berkeley including: African Americans; Latino/a/x; LGBTQIA+; TAY; and Senior Citizens.

In FY2024 the Community Education & Supports program participated in the HHCS Results-Based Accountability (RBA) Evaluation. In an aggregated summary across the five projects within this program the following work was conducted: 397 Support Groups/Workshops; 822 Support Group/Workshop encounters; 31 Outreach activities; 2,120 Outreach Contacts; and 296 Referrals.

Descriptions of the five projects within the Community Education & Supports program along with FY2024 data and RBA evaluation results, are outlined below:

- **Transition Age Youth Trauma Support Project**

Implemented through Youth Spirit Artworks this project provides supportive services for Transition Age Youth (TAY) who are suffering from the impact of trauma and/or other life stressors and are homeless, marginally housed, or housed but in need of supports. The project serves a wide range of youth from various cultural and ethnic backgrounds who share the common goal of living lives less impacted by trauma and more impacted by wellness. The project consists of the following four components: One-on-one sessions that assess individuals needs around trauma supports and support group readiness; psycho-educational support groups; youth social outings that provide TAY with exposure to healthy settings designed to enhance life skills and choices; and youth celebratory events that are held monthly to convene youth around a positive occasion to acknowledge the various small and large accomplishments of TAY participants, and build trust and community. Approximately 30-35 TAY receive services through this project a year.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:
- Culturally competent and linguistically appropriate prevention and intervention; including Community Defined Evidence Practices (CDEPs)
- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college

In FY2024, 52 youth participated in one or more program services. Demographics on youth served were as follows:

DEMOGRAPHICS N = 52*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  16 - 25 (Transition Age Youth) – 52

- **Race/Ethnicity**
  Asian – <11
  Black or African American – 18
  White – <11
  More than one Race – <11
  Other – 11

- **Ethnicity: Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano – 12

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – 18
  Asian Indian/South Asian - <11
  Middle Eastern - <11
  More than one ethnicity - <11
  Declined to Answer (or Unknown) - <11

- **Primary Language**
  English – 52

- **Sexual Orientation**
  Heterosexual or Straight – 22
  Lesbian or Gay – <11
  Bisexual – <11
  Queer - <11
  Questioning or Unsure of sexual orientation - <11
  Another sexual orientation - <11
  Declined to Answer, or Unknown – <11

- **Disability**
  Mental domain not including a mental illness (including but not limited to a learning disability, developmental disability or dementia) - <11
  Chronic health condition (including but not limited to chronic pain) - <11
  Declined to Answer or Unknown – 47

- **Veteran Status**
  No – 52

- **Gender: Assigned Sex at Birth**
  Male – 37
  Female – 15

- **Current Gender Identity**
  Male – 12
  Female – 30
  Transgender or Another Gender Identity - <11
  Genderqueer – <11
  Another Gender Identity – <11

Program Successes:
Some of the successes experienced in the reporting timeframe were aligned with changes to make the program more youth centered and informed. The Out of the Binary Fashion Show was the first event done in several years that was 100% facilitated, planned, and executed by participants in the program. Although time was spent training youth on all of these areas, youth were able to take those skills and develop something that was completely their own. The same followed into the Mural Workshop in which youth created their own ideas for the mural. They drew and designed the mural and painted on their own. This allowed the youth to feel a sense of autonomy and independence to create their own pieces and to work alongside individuals with experience in the community. This resulted in more youth coming into the program. Another success was the change in focus to offering intergenerational events that brings individuals from the Adeline community together to celebrate art, history, and community. A community brunch at the studio was held that included several Adeline community members and youth including renowned artist Edyth Boone. This event was the first to bring community members together to discuss upcoming programs and projects. At the end of the Mural Workshop, there was a Mural Reveal engagement that brought artists, Adeline community members, and youth together to celebrate the Mural created by the youth. The program successfully created safety, dignity and belonging that brought more youth to the space and gave them the freedom to participate in services and creatively express themselves.

Project Challenges:
The main challenges during the reporting timeframe was around a loss of some of the overall funding to the agency. Loosing funding caused the agency to cut stipends and some of the positions. The loss in funding pushed the agency to align in a different more efficient positive direction.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 85; Adults (26-59 years): 0; Older Adults (60+ years): 0.

- **Trauma Support Project for LGBTQIA+ Population**

Implemented through the Pacific Center for Human Growth, this project provides outreach, engagement and support group services for individuals (18 and above) in the LGBTQIA+ community who are suffering from the impact of oppression, trauma and other life stressors. Particular emphasis is on outreaching and providing supportive services to identified underserved populations within the local LGBTQIA+ community. Weekly or bi-weekly support groups are held throughout the year targeting various

populations and needs within the LBGTQIA+ community. Support groups are led by Peer Facilitator community volunteers who are trained in Group Facilitation/Conflict Resolution and who have opportunities to participate in additional Skill Building workshops in order to share methods used to address group challenges and to learn new facilitator techniques. Approximately 250 individuals a year are served through this project.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Strategies targeting the mental health needs of older adults.

In FY2024, a total of 94 individuals were served. Demographics on individuals served include the following:

DEMOGRAPHICS N = 94*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  16 - 25 (Transition Age Youth) – <11
  25 – 59 (Adult) – 71
  Ages 60+ (Older Adult) - <11
  Declined to Answer (or Unknown) - <11

- **Race**
  Asian – <11
  Black or African American – <11
  White – 62
  More than one Race – <11
  Other – 11
  Declined to Answer (or Unknown) - <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano – <11
  South American - <11
  Other - <11
  Declined to Answer (or Unknown) - <11

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – <11
  Asian Indian/South Asian - <11
  Chinese - <11
  Eastern European - <11
  European – 20
  Filipino - <11
  Japanese - <11
  Other - <11
  Declined to Answer (or Unknown) - 24

- **Primary Language**
  English – 93
  Other/Declined to Answer (or Unknown) - <11

- **Sexual Orientation**
  Heterosexual or Straight – <11
  Lesbian or Gay – 14
  Bisexual – <11
  Queer - <11
  Questioning or Unsure of sexual orientation - <11
  Another sexual orientation - 41
  Declined to Answer, or Unknown – <11

- **Disability**
  Difficulty Hearing or Having Speech Understood - <11
  Mental Domain not including a mental illness (including but not limited to a learning disability, developmental disability or dementia) - <11
  Physical/mobility domain - <11
  Chronic health condition (including but not limited to chronic pain) - <11
  Other (Specify) - <11
  No Disability - <11
  Declined to Answer or Unknown – 68

- **Veteran Status**
  Yes – <11
  No – 92
  Declined to Answer (or Unknown) - <11

- **Gender: Assigned Sex at Birth**
  Declined to Answer (or Unknown) - 94

- **Current Gender Identity**
  Male – 19
  Female – 16
  Transgender – 16
  Genderqueer – <11

Questioning or Unsure - <11
Another Gender Identity – 34

RBA Outcomes during the reporting timeframe were as follows: 261 Support Groups were conducted reaching 143 individuals; 26 Outreach activities were conducted reaching approximately1,780 individuals; 13 individuals attended Train the Trainer sessions to become Peer Support Group Facilitators; and 38 Peer Support Group Facilitators attended Skill Building Workshops. There were 71 referrals for additional services and supports. The number and type of referrals included: 28 Mental Health; 16 Physical Health; 3 Social Services; 1 Housing; 23 Other unspecified services. To assess the project services, a self-administered Peer Support Group Survey was distributed to all peer group members. Survey results were as follows:

- 92% indicated they would recommend the organization to a friend or family member
- 92% felt like staff and facilitators were sensitive to their cultural background
- 88% reported they deal more effectively with daily problems
- 79% indicated they have trusted people they can turn to for help
- 81% felt like they belong in their community.

Program Successes:
The monthly consultation meetings for Peer Group facilitators was moved to Saturdays with the hope of gaining more attendance. With the move to the new location, facilitators were invited to return to the building and we staff worked on the hybridization of the new space. The move also provided the opportunity to renew outreach efforts. New location announcements were created and distributed.

With feedback from facilitators, the scope of the diversity, equity, and inclusion trainings and this year's DEI offerings were Power & Positionality, Supporting Neurodivergence, Mediating Conflict, and Accessibility in Support Spaces. There was strong attendance for these training sessions with an average of 7 facilitators in attendance per session. There were 14 new facilitators onboarded, and facilitation training for 2 facilitators from Asian Health Services was provided.

Program Challenges:
A few groups had to end due to a lack of facilitators. Another big challenge was that more community members wanted in-person groups but facilitators were still working on adjusting back to in-person groups. There was attrition in attendance during the reporting timeframe, and hybrid meetings were implemented in the next fiscal year to address this issue. The program continued to work on ways to utilize the new space as much as possible and in various ways to offer more avenues for individuals to access resources.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 27; Adults (26-59 years): 141; Older Adults (60+ years): 40.

- **Living Well Project**

Implemented through Center for Independent Living, this project provides services for Senior Citizens (aged 50 and over) who are coping with trauma and/or mental health issues associated with acquired disabilities. Senior Citizens with acquired disabilities are one of the most difficult groups to reach with disability services. It is similarly difficult to intervene with this group's developing mental health issues related to aging and the traumatic impact of acquiring one or more disabilities (such as loss of mobility, vision, hearing, et al). The core of the project is a wellness workshop series entitled "Living Well with a Disability". Through a combination of education, goal setting, group and peer counseling, the workshop series is designed to promote positive attitudinal shifts in a population who, despite the tremendous need for care, are often typically not responsive to mental health intervention. The workshop series includes a 10 week, one to two-hour class conducted by Peer Facilitators, and an optional 30-minute counseling session. Counseling sessions are designed to monitor curriculum impact and continually assess individual goals and resource needs. This project serves up to 80 Older Adults a year.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including Community Defined Evidence Practices (CDEPs).
- Strategies targeting the mental health needs of older adults.

In FY2024, a total of 38 individuals participated in the Living Well Workshop Series program. Demographics of Workshop participants are outlined below:

DEMOGRAPHICS N = 38*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  Ages 60+ (Older Adult) – 17
  Declined to Answer (or Unknown) – 21

- **Race**
  Asian – <11
  Black or African American – <11
  Native Hawaiian or other Pacific Islander - <11
  White – <11
  Other – <11
  Declined to Answer or Unknown – 18

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Declined to Answer or Unknown – 38

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer or Unknown – 38

- **Primary Language**
  English/Other – <11
  Declined to Answer or Unknown – 33

- **Sexual Orientation**
  Declined to Answer, or Unknown – 38

- **Disability**
  Difficulty Seeing - <11
  Difficulty Hearing or Having Speech Understood - <11
  Mental (not mental health) - <11
  Physical/mobility disability - <11
  Other Disability – <11
  Declined to Answer or Unknown – 26

- **Veteran Status**
  Declined to Answer or Unknown – 38

- **Gender: Assigned Sex at Birth**
  Declined to Answer or Unknown – 38

- **Current Gender Identity**
  Male – <11
  Female – 14
  Declined to Answer or Unknown – 14

RBA Outcomes during the reporting timeframe were as follows: 4 outreach and informational events were conducted reaching 111 individuals. A total of 78 individuals participated in the Living Well Workshop series and 99 received engagement services. There were 11 referrals for additional services and supports. The number and type of referrals included: 1 Mental Health; 2 Physical Health; 1 Social Services; 2 Housing; 5 other unspecified services.

Project Successes:
The Center for Independent Living's "Living Well with a Disability" workshop series and the PEERS support group were both well-attended and impactful, reaching 78 older adults in Berkeley during the reporting timeframe. Outside of the workshops, 99 older adults in Berkeley received 1-on-1 supports, services, and referrals with a total of 612 hours spent providing these individual services and referrals in the reporting period.

The Senior and Aging Engagement Coordinator witnessed increased mental, physical, and emotional health issues with attendees of the group, and worked to adapt

programming to meet the needs and concerns of attendees. The Coordinator also increased the 1-on-1 services and referrals in order to provide additional support to individuals in need, especially in the realm of mental health, legal advocacy, referrals for assistive technology and residential access supports, general technology assistance, and more.

Other highlights from the reporting period included diverse outreach in the community by the Senior and Aging Engagement Coordinator, including attending a day-long conference on Elder Abuse held by Legal Assistance for Seniors, where the Coordinator was able to meet other service providers and legal advocates that work with older adults, and collaborate on challenges, resources, and referrals. The Coordinator also tabled at the annual Berkeley Juneteenth Festival, at the GoldenReady Emergency Preparedness event, and more.

Project Challenges:
The greatest challenge related to comprehensive data tracking and gathering demographic and survey information from Living Well and PEERS attendees. For a time, the Senior and Aging Engagement Coordinator was not comprehensively tracking the referrals made as part of the 1-on-1 services, and then departed the organization before the Program Director could work closely with her to try to trace back some of those supports and services offered; thus, the referral numbers looked artificially low, even though the Coordinator was visiting multiple seniors at their homes or at the senior centers to work with them 1-on-1, several times per week. The Senior and Aging Coordinator shared that workshop attendees were often reticent to provide the in-depth demographic information requests. Once hired, the new Senior and Aging Engagement Coordinator will be supported in developing strategies to confidentially and comprehensively gather required data and demographics.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 30; Older Adults (60+ years): 130.

- **Soul Space Project**

Implemented through ONTRACK Program Resources, the Soul Space project assists African Americans in Berkeley with accessing culturally, ethnically, and linguistically responsive and trauma-informed prevention and early intervention services. Project services include: community education; outreach and engagement; individual quality of life assessments; coaching; empowerment planning; referrals; navigation supports; support groups; and life skills training.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including Community Defined Evidence Practices (CDEPs).
- Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Strategies targeting the mental health needs of older adults.

In FY2024, 7 individuals were served. Demographics on individuals served are as follows:

DEMOGRAPHICS N = 7*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  26 – 59 Adults – <11
  65 years and older – Older Adults – <11

- **Race/Ethnicity**
  Black or African American – <11
  Declined to Answer or Unknown – – <11

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  Declined to Answer or Unknown – 7

- **Primary Language**
  English – 7

- **Sexual Orientation**
  Heterosexual or Straight – 7

- **Disability**
  Mental (not mental health) – <11
  Chronic Health Condition - <11
  No Disability – <11

- **Veteran Status**
  Declined to Answer or Unknown – 7

- **Gender: Assigned Sex at Birth**
  Male – <11
  Female – <11

- **Current Gender Identity**
  Male – <11
  Female – <11

RBA Outcomes during the reporting timeframe were as follows: 2 Community Education Trainings were conducted to 43 attendees, and 229 individuals were reached through outreach and engagement services. A total of 7 individuals received case management and/or participated in Support Groups. There were 7 referrals for additional services and supports.

Project Successes:

- A support group for Black men, "Black Men Alive and Well," aimed at building participants' resilience and well-being was conducted.
- Two community education workshops with Deanna Robinson were held: "Creating a Culture of Healing: Black Mental Health Wellness Strategies" and "Processing Pain While Building a Healing Culture: Black Mental Health Wellness Strategies".
- A two-part provider education training with Roland Williams was held, "Medication-Assisted Treatment for Black Populations" in June.
- After exhaustive searches, ONTRACK hired 2 case managers for Soul Space and placed a project manager onsite in Berkeley.
- Soul Space leased office and program space in South Berkeley, in the historical heart of Berkeley's African America/Black community and hired two well-qualified empowerment advocates. The increased capacity enabled the program to ramp up the outreach and direct service activities.

Project Challenges:

- Early in the fiscal year, the case manager resigned. The program support team worked diligently to move clients through their empowerment plans and transition them to other community resources or close out their cases. Recruitment began immediately for the vacant position but there was difficulty finding applicants who brought the required combination of skillsets: case management expertise, deep understanding of African American/Black communities particular needs for mental health support, and experience working with African American/Black communities. The search process involved reviewing 40 resumes submitted in response to initial posts, numerous hours revising the recruitment strategy and outreach, and interviewing more than 28 candidates before finding qualified individuals aligned with Soul Space's values and approach to case management.
- The original North Berkeley office space was unsuitable to the program needs, so the program moved to a new space in South Berkeley that was closer to public transportation and more accessible to African American communities. Unforeseen flooding and mildew rendered the office space permanently unusable, necessitating a time-consuming search for another space. Finding an affordable and culturally appropriate space proved more difficult than anticipated, but the program was able to acquire access, and relocate to another space in South Berkeley that proved to be appropriate for the program needs.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 2; Adults (26-59 years): 21; Older Adults (60+ years): 2.

- **Latinx Trauma Support Project**

Implemented through East Bay Sanctuary Covenant the Latinx Trauma Support Project assists low-income, Latinx families in Berkeley in accessing culturally, ethnically, and linguistically responsive and trauma-informed prevention and intervention services. Project services are in direct response to, and in collaboration with, Latinx community members, and are largely facilitated by individuals from within the targeted community and conducted in Spanish or an indigenous language. Services include: One-on-one outreach and support; support groups; staff and partner training and warm referrals.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including Community Defined Evidence Practices (CDEPs).
- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Strategies targeting the mental health needs of older adults.

In FY2024, this project served 653 individuals. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 653*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 – Children and Youth or Unknown – 28
  16 - 25 (Transition Age Youth) – 148
  25 – 59 (Adult) – 442
  60+ - Older Adults – 35

- **Race**
  Asian – <11
  Black or African American – 17
  White – <11
  Other – 601
  More than one Race – <11
  Declined to Answer (or Unknown) - <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano – 127
  Central American - 345
  South American – 43
  Other – 29
  Declined to Answer or Unknown – 49

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – 12
  Asian Indian/South Asian - <11
  European – <11
  Filipino - <11
  Middle Eastern - <11
  Vietnamese - <11
  Other - <11
  More than one ethnicity – <11
  Declined to Answer (or Unknown) - 12

- **Primary Language**
  English – 56
  Spanish – 533

- **Sexual Orientation**
  Heterosexual or Straight – 308
  Gay or Lesbian – 86
  Bisexual – <11
  Questioning or Unsure of sexual orientation - <11
  Queer - <11
  Another sexual orientation – <11
  Declined to Answer, or Unknown – 243

- **Disability**
  Difficulty Seeing – <11
  Other - <11
  No Disability – 614
  Declined to Answer or Unknown – 26

- **Veteran Status**
  No – 630
  Declined to Answer (or Unknown) - 23

- **Gender: Assigned Sex at Birth**
  Male – 327
  Female - 326

- **Current Gender Identity**
  Male – 321
  Female – 318
  Transgender/Genderqueer/Another Gender Identity – 14

RBA Outcomes during the reporting timeframe were as follows: 9 Support Group sessions were conducted reaching 75 individuals, and 247 individuals received One-on-One Supports. A total of 7 Trainings were conducted, reaching 91 individuals. There were 207 warm referrals for additional services and supports. The number and type of referrals included: 29 Mental Health; 12 Physical Health; 75 Social Services; 91 other unspecified services.

Support Group feedback per participant self-report was as follows:

- 100% reported they liked participating in the Support Group;
- 100% indicated they would recommend the organization to a friend or family member;
- 100% indicated they felt safe, included and respected;
- 100% reported that they were able to deal more effectively with daily problems;
- 100% reported increased feelings of supports after participating in the support group.

Training feedback per participant self-report was as follows:

- 100% of participants indicated that they were satisfied with the training;
- 100% of participants indicated that the information in the training was informative;
- 100% of participants indicated that the training would help them in their work.

Project Successes:

- Continued to provide integrated support to low-income Latinx immigrants through case management, warm referrals, trilingual hotline, support groups, mental health support, and trainings, as well as quarterly retreats for LGBTQ asylum seekers and Mam women.
- Successfully initiated contact with Berkeley High School newcomer program to share resources with families, and continued to provide one-on-one support for Latinx and Mam asylum seekers, including wraparound services for unaccompanied minors and warm referrals to mental health and other services.
- Provided 6 trauma-informed trainings for 66 unique participants. These included an annual training for the incoming cohort of law students interns who directly assisted with the clients' asylum cases during the school year. These trainings made it much more likely for the law students to identify their clients' need for mental health services and reach out to the Support Services team to make these connections.

- Expanded one-on-one services to include assistance with obtaining public benefits. Program staff developed sufficient expertise on this topic to train student interns to screen clients for eligibility for benefits such as Medi-Cal and CalFresh, help them apply, and, crucially, help them overcome barriers like inadequate documentation if their applications were rejected.
- The OLAS LGBTQ Sanctuary Project held a support group weekend retreat with 16 LGBTQ participants. Participants felt empowered to share their accomplishments as immigrants in the U.S., including learning English, opening their own businesses, pursuing higher education, and obtaining asylum or residency status. Additionally, the OLAS Sanctuary Project held a one-day retreat in Berkeley for 24 participants, 6 of whom were new to the program. Many participants expressed feelings of trust, safety, and comfort with expressing themselves through the group activities. This provided safe spaces for participants to rest, share their experiences as LGBTQ immigrants, and practice different forms of art expression. Activities were led by trained facilitators, including licensed therapists. Participants walked away from these experiences having felt seen and heard and part of a community. As LGBTQ immigrants, many of the participants have experienced hate incidents in both their home countries and the U.S. They unanimously feel that OLAS provides a safe space for healing and processing these experiences among their peers, and shared that each retreat built their self-confidence and their connections with other participants.
- Two storytelling workshops were held for Indigenous Mam, Latinx, and LGBTQ asylum seekers that focused on finding and expressing their voice. One workshop was in collaboration with teaching artists at Berkeley Repertory Theatre (BRT). Participants were guided to create poetry and performances based on their stories and share them in classrooms and at community events, which helped to build empathy in the broader community. The experience was cathartic, with strengthened connections, community, and confidence, along with opportunities to share one’s journey and give/receive support.
- The Amplifying Sanctuary Voices (ASV) team held a storytelling performance event in partnership with Berkeley Repertory Theater - In Dialogue. The performance featured four Latinx and immigrant community members who shared their stories with over 50 attendees. The event was incredibly moving and a great success; the performers shared that they felt proud of their bravery to stand up and share their story and audience members reflected on the power of hearing personal narratives in a performance setting. ASV is excited to continue supporting community storytelling in a setting that promotes participants’ healing and empowerment.

Project Challenges:
While there were no significant program challenges in FY24, the Support Services team was hoping to host three student interns over the summer, however two withdrew for personal reasons at the last minute. Staff was able to cover, but this was still a disappointment and prompted thinking and planning on how to get firmer intern commitments going forward.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 10; Transition Age Youth (16-25 years): 150; Adults (26-59 years): 400; Older Adults (60+ years): 35.

Prevention & Early Intervention Combined Programs

Prevention Program – Includes a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.

Early Intervention Program – Provides treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

The City of Berkeley Prevention & Early Intervention combined programs are as follows:

Dynamic Mindfulness Program (DMind)
Dynamic Mindfulness (DMind) is an evidence-based trauma-informed program implemented in BUSD middle and high schools. Validated by independent researchers as a transformative program for teaching children and youth, skills for optimal stress resilience and healing from trauma, the DMind program integrates mindful action, breathing, and centering into an intervention that is implemented in the classroom in 5-15 minute sessions, 3 to 5 times a week. This program has proven to be successful with vulnerable students who are exhibiting signs of chronic stress, trauma, and Post Traumatic Stress Disorder (PTSD) from Adverse Childhood Experiences (ACEs), and/or disengagement from school, chronic absences, and significant behavioral challenges, including emotion regulation, impulse control, anger management, and/or getting frequent referrals, or suspensions and at high risk of school failure. DMind also enables teacher and staff well-being, which has been shown to enhance student learning. Program components include in-class and after-school DMind sessions for students, student peer leadership development, and training and coaching of school staff**.**

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priorities:

- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.

- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

During the reporting timeframe, data on numbers served and demographics was not provided.

Program Successes:
In FY2024, DMIND was provided in three middle schools and two high schools within the Berkeley Unified School District. Over 300 students and a dozen staff to submitted their feedback on the program. The results were inspiring with over 90% of students indicating that as a result of participating in the program they were able to consistently and effectively manage their stress, anger, and anxiety; focus and concentrate; be self-aware; make responsible decisions; have healthy relationships with peers and staff; and be ready and motivated to learn. Additionally, 100% of teachers indicated that they were able to consistently and effectively manage their stress, anger, and anxiety; focus and concentrate; be self-aware; make responsible decisions; have healthy relationships with students and colleagues; have a positive classroom climate; and sustain their well-being as educators. Those same teachers also indicated that their students were able to consistently and effectively manage their stress, anger, and anxiety; focus and concentrate; be self-aware; make responsible decisions; have healthy relationships with peers and staff; and be ready and motivated to learn.

Many of the staff and students surveyed also made sure to include some notes of appreciation and gratitude for providing this program to their school communities. A teacher from Martin Luther King Jr. Middle School noted, “my students have really benefited from this practice.” Another teacher at that school echoed these remarks and added, “the kids [were] able to focus a lot better on the day they participated in the program and they were more productive!” A Counselor from Willard Middle School expressed her thanks as well, sharing, “Students have really enjoyed having a space to practice Mindfulness!” The Vice Principal of School Climate & Student Wellness at Berkeley High School made sure to include a note acknowledging the inclusivity of the practice adding, “this program directly impacts Black students who choose to access the services in lieu of other staff or programs.” The Mindful Yoga program at Berkeley Technology Academy and Berkeley Independent Study also received high praise from teachers who shared “students are all reflecting positive things and noticing their growth. All are really appreciative of the space the program holds for them to slow down and get in tune with their bodies.”

Students added their notes of appreciation as well expressing how impactful this program has been for them. A Berkeley Independent Study student shared, “I especially enjoyed yoga class this week. I tried a lot of new poses and I could feel my balance improving throughout the week…I can’t wait for next week’s class!” A 7th grade student at Willard Middle School shared that she “loved Mindfulness Group a lot! I hope the instructor loved teaching us because I loved and was grateful to have her.”

Program Challenges:
There were no program challenges submitted during the reporting timeframe.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 517; Transition Age Youth (16-25 years): 31; Adults (26-59 years): 68; Older Adults (60+ years): 0.

Mental and Emotional Education Team (MEET)
The Mental and Emotional Education Team (MEET) also referred to as the Mental Health Peer Education (MHPE) program, implements a peer-to-peer mental health education curriculum to 9th graders, and an internship program for a cohort of high school students to serve as peers to their fellow students. The goals of the program are to increase student awareness of common mental health difficulties, resources, and healthy coping and intervention skills. Through this program, students are trained by a licensed BUSD clinician to conduct class presentations covering common mental health disorders, on and off campus resources, and basic coping and intervention skills. This model of peer-to-peer education can contribute to reducing mental health stigma, increasing students' understanding and use of coping skills, and increasing students' awareness and use of school-based mental health support services.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priorities:

- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

Peer relationships are a primary component of adolescent development, including placing higher value on social influence, learning to navigate interpersonal communication and conflict, exploring personal and community identities, and learning how to foster healthy relationships. This is especially significant for students from marginalized communities, who have fewer teachers, counselors, clinicians, and role models at school who share their identities. For many students who are impacted by systemic racism, economic stress, and/or are living in immigrant or mixed status families, it can be difficult to speak about these experiences with adult school staff who may have vastly different life experiences. When young people have the opportunity to speak with peers who have had similar experiences and can relate to their circumstances, they are less isolated, more connected to school, identify as more hopeful and empowered, and act as change agents in their school and communities.

In additional to providing student peer educators with the opportunity to develop relational and emotional skills, a peer-to-peer program also serves as a workforce development program in which students learn concrete skills and can explore possible future careers in the mental health field. Peer-to-peer program grant students the opportunity to learn job skills, while simultaneously developing school-based relationships and connections which has been shown to increase attendance, grades, and self-esteem.

During the fall of FY2024, the MEET program supervisor led 20 mental health peer educators in 28 weekly trainings and one full day training for the purpose of developing leadership skills, learning and practicing communication skills, learning about mental health needs and resources, and providing mental health education and support for their peers. Many of the peer educators also participated in the City of Berkeley Youthworks program, where they participated in weekly meetings to learn and develop job readiness skills. In addition to the weekly training sessions, the peer educators also participated in one or more internship projects, including creating mental health presentations for Freshman classes, developing multilingual presentations for ELL English classes, creating videos and posters to spread information about mental health, creating and disseminating information about tobacco and marijuana prevention, and hosting or participating in events to spread awareness about mental health and the BHS Wellness Center. All peer educators had the opportunity to provide one-on-one mentorship to other students, either on a one-time basis or through weekly or biweekly meetings.

In the Spring of FY2024 a second cohort of 12 mental health peer educators participated in 8 weekly trainings and one full day training for the purpose of building community, exploring their own values and biases, learning and practicing communication skills, and learning about mental health needs and resources. After completing their training, this cohort of peer educators were prepared to begin in FY2025, with mentoring and engaging in internship projects.

In FY2024, 32 individuals were served through this program. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 32*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 – Children and Youth – 32

- **Race**
  Asian – <11
  Black or African American – 14
  White – <11
  Other – <11
  More than one Race – <11
  Declined to Answer (or Unknown) - <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano – <11
  Central American – <11
  South American – <11
  Other – <11
  Declined to Answer or Unknown – <11

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – <11
  Asian Indian/South Asian - <11
  Eastern European – <11
  Middle Eastern - <11
  Vietnamese - <11
  Other - <11
  Declined to Answer or Unknown – <11

- **Primary Language**
  English – 19
  Spanish – <11
  Declined to Answer or Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight – 17
  Gay or Lesbian – <11
  Bisexual – <11
  Questioning or Unsure of sexual orientation - <11
  Queer - <11
  Another sexual orientation – <11
  Declined to Answer, or Unknown – <11

- **Disability**
  Difficulty Seeing – <11
  Difficulty Hearing or having speech understood - <11
  Mental domain not including a mental illness (including but not limited to a learning disability, developmental disability or dementia) - <11
  No Disability – 22

- **Veteran Status**
  No – 32

- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 32

- **Current Gender Identity**
  Male – <11
  Female – 23
  Genderqueer – <11
  Questioning or unsure of gender identity - <11
  Another Gender Identity – <11
  Declined to Answer, or Unknown – <11

Program Successes:
Accomplishments of MEET Students

- Completed semester long training in order to learn the skills to be peer mentors;
- Developed informational and interactive presentation for U-9 Freshman Seminar classes. The students facilitated 28 educational presentations, which reached over 750 students. The presentations aimed to support freshman students to foster greater comfort in discussing mental health, recognize and practice positive coping skills, and learn about how to access mental health resources in and outside of BHS;
- Created and led informational presentations in English and Spanish for all four levels of ELL English, which included information about mental health, addressed the connection between mental health and migration, and shared resources about how to access mental health support at BHS;
- Provided at least 65 one-on-one or small group mentoring sessions to approximately 27 students;
- Served almost 100 shifts in the Wellness Center, during which they were available for drop-in mentorship support, introduced new students to the offerings of the Wellness Center, and helped with the daily maintenance of the Wellness Center;
- Developed, filmed, and edited 9 informational videos about a variety of mental health topics to spread awareness about mental health to other BHS students. Five films were submitted to the Directing Change film competition, three of which were formally recognized (2nd place in Suicide Prevention category, Honorable Mention in Suicide prevention category, and Special Recognition in Athletics & Mental Health);
- Planned and hosted three school-wide events to provide information and support for stress reduction and mental health awareness;
- Provided information and tours of the new BHS Wellness Center for the Wellness Center Grand Opening (December 2023) & BHS Open House (March 2024).

Number of BHS students served by MEET students:

- 32 students participated as peer educators in the MEET program;
- 750+ Freshman students received classroom presentations;
- 50+ students in the Multilingual Program received classroom presentations;
- 35+ students received one-on-one mentorship from a mental health peer educator;
- All 3200 BHS students viewed MEET videos through the Student Bulletin

Program Challenges:
A significant challenge continued to be the increase in costs to fund the program. These increases required the school district to make cuts in other programming areas, as well as move resources around to be able to continue providing ongoing services.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 35; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 0; Older Adults (60+ years): 0.

African American Success Project
The African American Success Project (AASP) implements “Umoja” - a daily elective class offered at Longfellow Middle School, that serves approximately 40% of the African American students at that location. Umoja provides African American students a safe affinity space to explore their cultural heritage and identity, while building positive peer relationships establishing relational trust with adults. Umoja provides an ongoing focus on social and emotional development, including building skills, habits and mindsets that enable self-regulation, interpersonal skills, perseverance and resilience.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priorities:
- Culturally competent and linguistically appropriate prevention and intervention, including Community Defined Evidence Practices (CDEPs).
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

In FY2024 46 students participated in this project. Outlined below are demographics on individuals served through this project:

DEMOGRAPHICS N = 46*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 – Children and Youth – 46

- **Race**
  Asian – <11
  Black or African American – 35
  More than one Race – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – <11

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer or Unknown – 46

- **Primary Language**
  English – 46

- **Sexual Orientation**
  Declined to Answer, or Unknown – 46

- **Disability**
  Other – <11

- **Veteran Status**
  No – 46

- **Gender: Assigned Sex at Birth**
  Male – 28
  Female – 18

- **Current Gender Identity**
  Declined to Answer, or Unknown – 46

Program Successes:
There were no program successes submitted during the reporting timeframe.

Program Challenges:
During the fiscal year, the program did not serve 8th-grade students as in past years. This caused a reduction in the number of participants served.

Based on previous years, in FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 55; Transition Age Youth (16-25 years): 0; Adults (26-59 years): 0; Older Adults (60+ years): 0.

Access and Linkage to Treatment

Access and Linkage to Treatment Program – Connects children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.

Prevention & Early Intervention Combined Program with Access and Linkage to Treatment Component Strategy

Access and Linkage to Treatment Program or Strategy – Connects children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.

Prevention Program – Includes a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.

Early Intervention Program – Provides treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

The City of Berkeley has one Prevention & Early Intervention combined program that also has an Access and Linkage to Treatment component:

High School Youth Prevention Program
This program operates in conjunction with other health related services offered at Berkeley High School (BHS) and Berkeley Technology Academy (BTA) and has become a successful partnership between BUSD and the Public Health and Mental Health Divisions of Berkeley's HHCS Department. The program provides young people with the information and individual support they need to make positive and healthy decisions in their lives. The program includes: outreach activities designed to provide students with basic information around the risks of certain behaviors, and ways to protect themselves and make positive and safer decisions; classroom presentations to enable students to receive more in-depth information around a variety of health topics and available resources, and provide the opportunity for students to do a personal assessment of risk and current lifestyle choices; drop-in crisis, counseling services; individual appointments to identify young people who may need more intensive intervention; and short-term treatment. The individual appointments, held at the school-based health center, provide young people with the opportunity to hold very in-depth discussions around the choices they are making and the risks that are involved in their choices. They receive guidance about changes they can make to reduce or eliminate their risks, and are given the opportunity to identify barriers that might exist for them that prevent them from making healthier choices. In addition, they complete a 40 question, in-depth HEADSSS (Home, Education, Activities, Drugs/Alcohol, Sexuality, Safety, and Suicidality) assessment. Based on the outcome of the individual appointment and/or assessment, a young person may be referred to either a medical or mental health professional for follow-up care and intervention and/or treatment.

The Berkeley High School (BHS) and Berkeley Technology Academy (BTA) Health Centers are both multidisciplinary co-locations of the City of Berkeley's Mental Health and Public Health Divisions. The Health Center team provides a range of Prevention/Early Intervention (PEI) services and also functions as an Access and Linkage to Treatment program. Culturally and linguistically diverse staff provide services in English and Spanish. Translation services in all other languages are available using a language line.

The Health Centers are operational year-round, Monday through Friday, from 8:30 AM-4 PM, with a daily closure from 12-1 PM for lunch and administrative tasks. There are brief periodic closures due to BUSD's academic calendar and in these instances some services are still provided via telehealth when possible. When fully operational, services can be accessed via student drop-in and/or via scheduled appointment. Services can also be requested via Jotform, an online, HIPAA-compliant, referral platform. This referral platform can be accessed is accessible via QR code on informational flyers that

are posted across campus and also online in several locations including the Health Center website. Students can self-refer using Jotform, and parents/caregivers, staff, and friends are also able to refer someone else using this method. Additionally, students, parents/caregivers, and staff are able to request services via phone by calling the Health Center main phone number. Hours of operation at Berkeley Technology Academy Health Center are more limited due to the small student population and staffing constraints. When BTA students are unable to access a needed service at that Health Center, they are referred to BHS Health Center for those needed services.

Health Center staff frequently facilitate linkages on behalf of youth and their families, depending upon a given need. Behavioral Health Clinicians (“BHCs”) conduct initial assessments with students in order to screen for a variety of health and mental health needs, considering accessibility, insurance status, acuity, and risk factors to support with decision-making around level of care considerations and related linkages. BHCs provide students with short-term behavioral health services—crisis, individual, group—as needed irrespective of insurance status and all students are eligible to receive these free and confidential services. BHCs also link youth/families with more intensive needs to additional services depending upon their specific needs and insurance status. BHCs provide this linkage support via internal referrals (e.g. EPSDT Medi-Cal services; Full Service Partnership team; psychiatry/medication management), Alameda County Access, as well as linkages to services through private insurance carriers. BHCs also sometimes make internal on-campus referrals to the 504 and Special Education programs when some type of mental or physical health condition may be impeding a youth’s ability to adequately access their education. BHCs also support youth and their families who are uninsured with accessing and enrolling in Medi-Cal and other relevant programs that support health and well-being.

As an Access and Linkage to Treatment Program, the Health Center’s Mental Health Program Supervisor monitors all referrals in order to ensure timely responsiveness and follow up that supports engagement in treatment. All BHCs have access to and monitor incoming referrals that are submitted via Jotform and respond to referrals on a rotating basis. The MH Program Supervisor monitors and responds to referrals via phone and checks voicemail multiple times per day. In instances where a staff person responds to a referral but is unable to make contact with the referring party, staff will follow up at least three times in an effort to support engagement. The Jotform referral inquires about preferred method of contact and also inquires about whether a youth can be pulled from class in order to conduct an initial assessment. Staff utilize these preferences in order to inform outreach efforts and increase the likelihood of establishing and supporting engagement.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure or dropout.

PEI Priorities:

- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

During the reporting timeframe, the Health Center had the following positions: a full-time Mental Health Program Supervisor, a full-time Mental Health Clinical Supervisor (vacant), four full-time Behavioral Health Clinicians, and a cohort of three part-time graduate-level trainees. One Behavioral Health Clinician II was on administrative leave from January through June 2024. Two graduate-level trainees concluded their respective traineeships in January 2024 and February 2024. One Behavioral Health Clinician II promoted into the vacant Mental Health Clinical Supervisor position in May 2024.

In FY2024, approximately 210 students received services through this project. Demographics on youth served are outlined below:

DEMOGRAPHICS N = 210*

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 – Children and Youth – 52
  16 – 25 Years – 158

- **Race**
  Asian – 21
  Black or African American – 44
  White – 42
  More than one Race – 57

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 46

- **Primary Language**
  English – 178
  Spanish – 22
  Other/Declined to Answer, or Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight - 116
  Gay/Lesbian/Bisexual/Questioning/Another Sexual Orientation/Declined to Answer or Unknown – 94

- **Disability**
  Declined to Answer, or Unknown – 210

- **Veteran Status**
  No – 210

- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 210

- **Current Gender Identity**
  Male – 61
  Female - 113
  Other – 36

Program Successes:

- Continued to provide the full suite of in-person mental health, reproductive & sexual health, and first aid services for the duration of the school year.
- The Mental Health (MH) team was able to resume its graduate-level training program and provided an array of multi-tiered individual, group and crisis services.
- Continued to use the Jotform application for referrals in order to streamline accessibility and minimize barriers to care.
- Maintained a collaborative and productive relationship with BHS's Coordination of Services Team (COST) throughout the school year in order to ensure that appropriate referrals were made to the Health Center and other programs.
- Continued to build strong working relationships with BHS Administration, especially the Principal, Vice Principal of Climate & Wellness, and MH & Well-Being Coordinator.
- BHS Leadership, along with Health Center leadership and City of Berkeley HHCS Departmental leadership, were able to successfully implement and open a differentiated Wellness Center space at BHS along with a continuum of tiered wellness support services in December 2023.
- For Q3 and Q4, the Wellness Center provided a differentiated universal (Tier 1) and targeted (Tier 2) support space for students that did not previously exist.
- Continued to build upon and improve existing relationships and partnerships with other BHS stakeholders. To this end, the MH team collaborated with several different on-campus programs throughout the year such as the Multilingual Program, McKinney Vento Program, Special Education Program, and Intervention Counselors.

Program Challenges:

- The MH Team experienced multiple vacancies in the supervisor, clinician, and trainee classifications. These vacancies impacted the team's overall capacity,

including individual and group service provision as well as on call crisis coverage. Furthermore, staffing shortages across the Health Center's Public Health Team, both administrative and clinical, impacted service provision, operational capacity, and integration across Divisions.

- The Health Center's Electronic Health Record (EHR), NextGen, provided limited functionality. This contributed to delays with data collection, analysis, and reporting. These challenges constrained supervisory decision-making that could have improved efficiencies and improvements in service provision.
- The MH team also continued to use multiple EHRs and applications that are not integrated with one another and do not interface with one another. This made clinical documentation more cumbersome and time-consuming for all staff and also made data collection and analysis more laborious.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 139; Transition Age Youth (16-25 years): 209; Adults (26-59 years): 0; Older Adults (60+ years): 0.

The RBA Measures that were established for this program were as follows:

Process Measures **How much did we do?**	**Quality Measures** **How well did we do it?**	**Impact Measures** **Is Anyone Better off?**
• # of clients served • # of clients opened for ongoing services • # of services provided by service type	• # of clients screened for depression, trauma, and substance use • # of clients contacted within a week following a referral to the High School Health Center (HSHC) • % of school population served • % of clients satisfied with services, as measured by % of clients who agree with the following: HSHC Staff… -Treat me with respect -Listen carefully to what I have to say • Make me feel like there's an adult at school who cares about me	• % of clients able to receive needed care, as measured by % of clients who agree with the following: The HSHC… -Is easy to get help from when I need it -Helps me to meet many of my health needs

*Demographic data was reported at the program level, where available

RBA Outcomes in FY2024 for this program are outlined on the following pages.

BMH RBA Report FY 2024

Reporting Period: July 2023 - June 2024

High School Health Center (HSHC)

Process Outcomes ("How much did we do?")

210

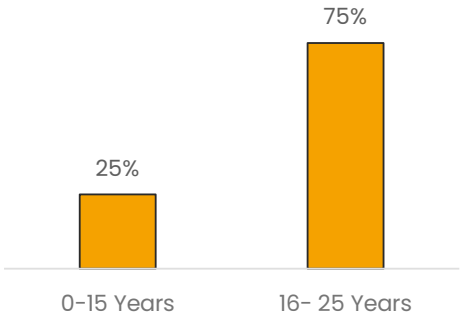
Clients Served

Program Description

The HSHC team provides mental health services on site at Berkeley High School; these services include individual and group therapy, crisis assessments, and drop in support. The program also hosts graduate students for training.

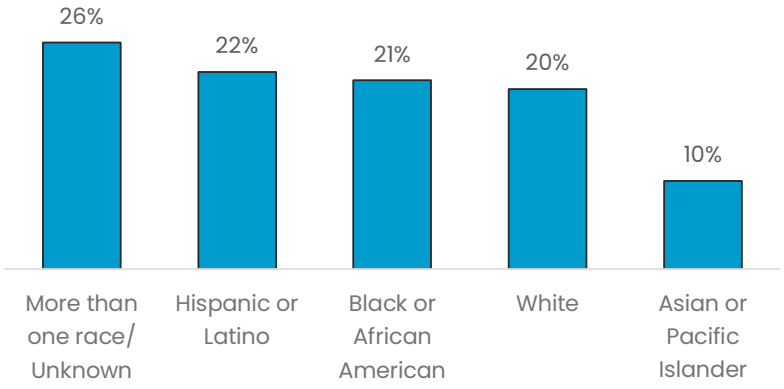
Demographics (Age)

Jul '23 - Jun '24 (n=210)



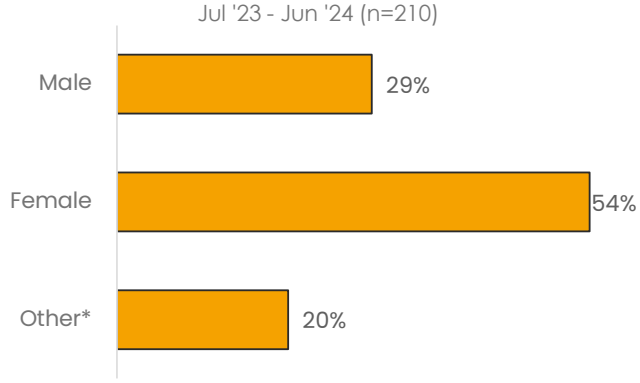
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=210)



Demographics (Gender Identity)

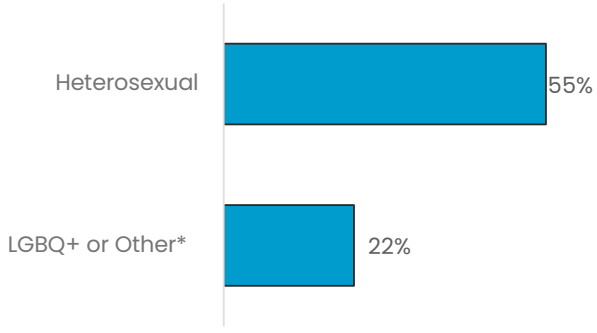
Jul '23 - Jun '24 (n=210)



*Other includes any identity that doesn't fit within the traditional male/female binary.

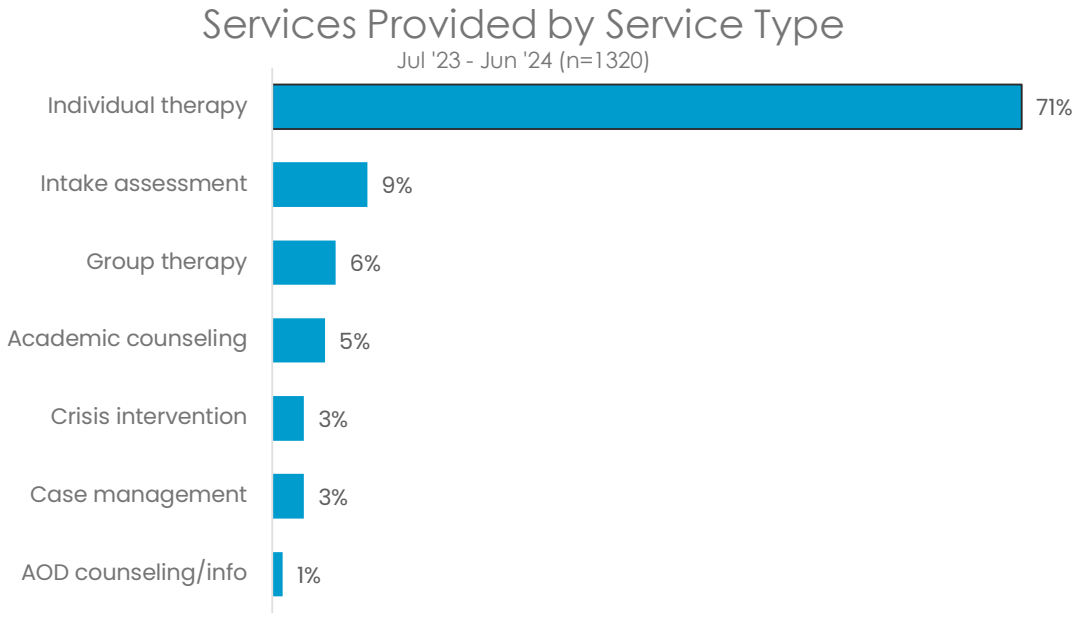
Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=210)

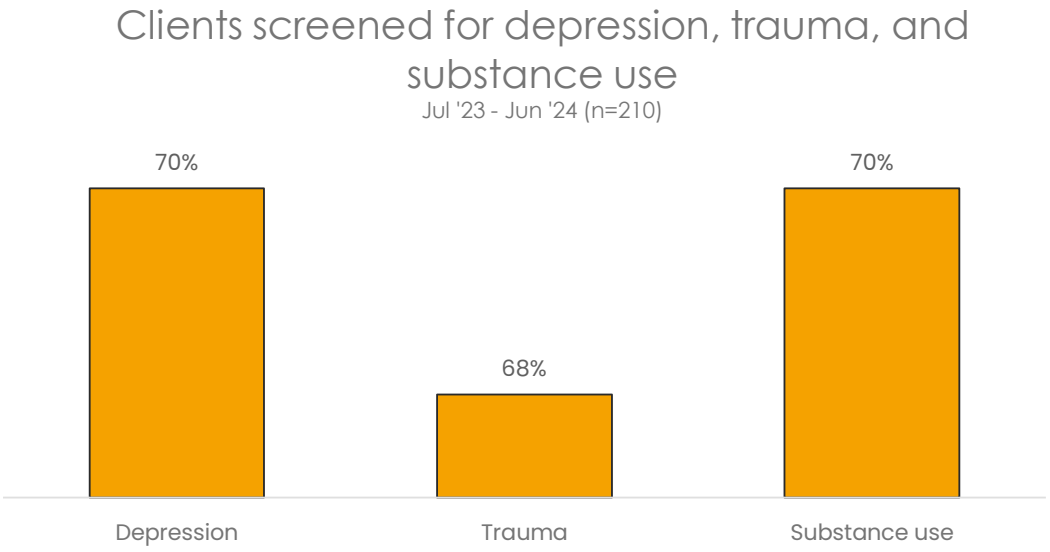


*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or unknown.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.



Note: Multiple services could be provided in one visit (e.g. crisis assessment and referral) so total services by type is greater than total encounters.



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

1 in 17 Students received services
6.43% of the School Population (3,267 students)

Service Consistency

96% n=126
Students felt treated with respect

96% n=105
Students felt like there's an adult who cares about

98% n=118
Students felt heard about what they have to say

96% n=129
Report Easy Access to Needed Care

97% n=113
Able to Get Help When Needed

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	NextGen
# of services provided by service type	# of services coded as behavioral_service with codes BHSV1-8. Key code accompanies NextGen data. Each incident could include more than one service provided.	NextGen
% clients screened for depression, trauma, and substance use	Percent of total clients that were recorded as having been screened for depression, trauma, and/or substance abuse at least one time during reporting period.	NextGen
% referrals to HSHC followed up within one week	Percentage of referrals that had 7 days or less between referral date and response date. Calculation reflects % of total referrals, not % of total clients.	Jotform Not presented due to delays in the reporting system
% of school population served	Unique clients served by HSHC divided by total student population of BHS and BTA.	DataQuest
% of clients satisfied with services	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey
% of clients able to receive needed care	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

STIGMA AND DISCRIMINATION PROGRAM

Stigma and Discrimination Program - Directs activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families.

The City of Berkeley Stigma and Discrimination program is as follows:

Social Inclusion Program
PEI Goals: To reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families. To create changes in attitude, knowledge and/or behaviors related to seeking mental health services or related to mental illness.

PEI Priority: Culturally competent and linguistically appropriate prevention and intervention, including community defined evidence practices (CDEPs).

The Social Inclusion program was created to combat stigma, attitudes and discrimination around individuals with mental health issues. Through this program, a "Telling Your Story" group provides mental health peers with opportunities to be trained, compensated and empowered to share their stories of healing in a supportive peer environment. When they feel ready, individuals can elect to be community presenters, sharing their inspirational stories at pre-arranged local public venues to dispel myths and educate others. This program serves approximately 10-20 individuals a year.

In FY2024, 20 unduplicated individuals participated in the program. Demographics on program participants served were as follows:

DEMOGRAPHICS N = 20*
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  26 – 59 Adults – 15
  Ages 60+ - Older Adult/Decline to Answer or Unknown – <11

- **Race**
  American Indian or Alaskan Native – <11
  Asian – <11
  Black or African American – <11
  White – 42
  More than one Race – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 20

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 20

- **Primary Language**
  English – 20

- **Sexual Orientation**
  Heterosexual or Straight - <11
  Bisexual – <11
  Queer – <11
  Declined to Answer or Unknown – 15

- **Disability**
  Declined to Answer, or Unknown – 20

- **Veteran Status**
  No – 20

- **Gender: Assigned Sex at Birth**
  Male – 12
  Female or Unknown – <11

- **Current Gender Identity**
  Male – 12
  Female/Declined to Answer, or Unknown – <11

Program Successes:
The Telling Your Story group has grown to having more consistent attendees in person and calling in to the zoom platform then all other BMH groups. The group continued to be conducted by having the structure of a brainstorming session and a sharing component. Per staff report, many participants benefitted from listening to answers to questions that staff developed based on the topics of discussions, as well as through staff assistance with formulating their story. The topics of the month went beyond the SAMHSA Eight Dimensions of Wellness to include areas of interest. Some participants enjoyed having the group virtually in the comfort of their home, as they felt safe and the hassle of commuting was eliminated. Other participants enjoyed connecting with others in-person and more individuals attended when they dropped in at the clinic. According to staff, participants were more prepared during their shares and they enjoyed the support they received from their peers.

Program Challenges:
In FY2024, the Telling Your Story group had a few challenges, which the staff have been working to improve to make the group more enjoyable for all participants. Over the course of the last two years, staff hosted the group online and in-person and at times, this caused some delays to the start of the group due to individuals arriving at

different times and having to update all participants. The structure is for people to attend both, the first is a brainstorming group to be prepared for the second group with sharing.

Managing and making sure everyone engaged was difficult as individuals who joined by Zoom, called in so staff were unable to see participants faces. For individuals who primarily came to the group on Zoom, the questionnaire that required their feedback went unanswered, therefore staff wasn't able to obtain a full report of how the group was helping individuals to feel confident with sharing their story.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 1; Adults (26-59 years): 5; Older Adults (60+ years): 5.

The RBA measures and outcomes for this program are reported with the CSS System Development, Wellness Recovery program.

Suicide Prevention Program

Suicide Prevention Program – An optional program that provides activities to prevent suicide as a consequence of mental illness.

Through FY2024, the City of Berkeley had one Suicide Prevention Program that was a partnership with the California Mental Health Services Authority as follows:

California Mental Health Services Authority (CalMHSA) - PEI Statewide Projects
In 2009, California's counties formed the California Mental Health Services Authority (CalMHSA) as a Joint Powers Authority. Contributing jurisdictions are members of a CalMHSA board that provides direction into the types of initiatives that are implemented. One of the initiatives that was implemented is the PEI Statewide Projects. With an approved combined funding level of $40 million per year for four years during the timeframe of FY2011 through FY2015, CalMHSA implemented statewide initiatives in the following areas: Suicide Prevention, Stigma and Discrimination Reduction, and Student Mental Health.

Following 2015, funding for PEI Statewide projects was generated through pooled contributions from individual mental health jurisdictions. In order to continue to sustain programming, CalMHSA previously asked jurisdictions to allocate 4% of their annual local PEI allocation each year to these statewide initiatives. In the City of Berkeley, this varied from year to year depending on the amount of PEI revenue received.

In FY2024, through this initiative resources on Suicide Prevention, Student Mental Health and Stigma and Discrimination reached approximately 1,520 individuals. Additionally, resources were distributed via email to local schools, community agencies and community members.

Through the approved FY2025 Annual Update the Division eliminated the annual allocation of local PEI funding for this initiative.

INNOVATION (INN)

The MHSA Innovation (INN) funding component is for short-term pilot projects that increase new learning in the mental health field.

The City of Berkeley's initial INN Plan was approved in February 2012. Subsequent updates to the initial plan were approved in May 2013, January 2014, June 2014 and January 2015. Per the initial INN Plan and/or through Plan Updates the following seven pilot projects were implemented from June 2012 – June 2015 through this funding component:

- A Community Empowerment project for African Americans
- Services and supports for Ex-offenders re-entering the community, Veterans returning home from being deployed or at war, and their families
- Cultural Wellness strategies for Asian Pacific Islanders
- A Holistic Health care project for TAY
- Technology Support Groups for senior citizens
- Nutrition, Healthy Meal Preparation, and Exercise classes for Board and Care residents
- Mental Health services and supports for LGBTQI located in community agencies.

INN Reporting Requirements
Per MHSA INN regulations, all INN funded programs have to collect state identified outcome measures and detailed demographic information. INN Evaluations are required to be included in each MHSA Annual Update or Three-Year Plan. Although there were not any INN Programs in operation in FY2024, in order to comply with state regulations, an Innovation Fiscal Year 2023/2024 Annual Evaluation Report has been included in Appendix D of this Annual Update.

Since the initial plan was approved, INN requirements were changed to require approvals from the State Mental Health Services Oversight and Accountability Commission (MHSOAC) in addition to local approval.

In May 2016, the second MHSA INN Plan was approved by the MHSOAC. This plan implemented a Trauma Informed Care Project in BUSD for students, educators, and school staff**.** A contract was executed with Hatchuel, Tabernik & Associates (HTA) as the evaluator on the project. HTA created the Trauma Informed Systems Evaluation Report for this project. In December 2018**,** a Trauma Informed Care Plan Update was subsequently approved by the MHSOAC which added funds to this project and switched the initial target population from BUSD students and staff, to children, teachers and parents at YMCA Head Start sites in Berkeley. As with the initial project, HTA conducted the evaluation and provided the Early Childhood Trauma and Resiliency Project – Final 3-Year Evaluation Report, for this project.

In September 2018, the Division received approval from the MHSOAC for a third INN project to allocate funds to join the Technology Suite Project (later re-named

Help@Hand Project). This project operated through September 2023 providing access to free mental health applications to individuals who lived, worked or attended school in Berkeley. The Division participated in a State Evaluation with other counties in this project. The evaluation was conducted by the University of California at Irvine, (UCI) who created the Help@Hand Final Report. Additionally, following a competitive recruitment process, the Division entered into a contract with Hatchuel, Tabernik & Associates who conducted the City of Berkeley Help@Hand Evaluation.

Encampment-based Mobile Wellness Center Project
In April 2022, the Division received approval to implement an Encampment-Based Mobile Wellness Center Project from the Berkeley City Council and the State Mental Health Oversight and Accountability Commission (MHSOAC). This project pilots a Mobile Wellness Center at Homeless encampments in Berkeley. The Mobile Wellness Center project provides an on-site, customizable menu of services that are chosen by individuals who reside at the encampments. The project is led by peers with lived experience of homelessness, and includes partners from encampment communities to encourage participation, help define service needs, and support service provision at the site. The project was implemented in FY2025 through Options Recovery Services who was chosen through a competitive Request for Proposal (RFP) process.

The project seeks to learn whether on-site wellness center services have a positive impact on mental health outcomes including an increase in the uptake of mental health services. It will also assess the impact of how having individuals from the community help to provide services, shapes service delivery, and the participant satisfaction with services. The program will include an evaluation.

In FY2026 the projected number of individuals to be served per each age category is as follows: Children/Youth (0-15 years): 0; Transition Age Youth (16-25 years): 36; Adults (26-59 years): 480; Older Adults (60+ years): 96.

WORKFORCE, EDUCATION & TRAINING (WET)

The Workforce, Education & Training (WET) funding component is primarily for strategies to identify and remedy mental health occupational shortages, promote cultural competency and the employment of mental health peers and family members in the workplace

The City of Berkeley's WET Plan was approved in July 2010. A subsequent update was approved in May 2013. Specific programs in the approved WET Plan included:

- Peer Leadership Coordination;
- Staff Development and MHSA Training;
- High School Career Pathways Program;
- Graduate Level Training Stipend Program;
- Peer Leader Stipend Program.

WET programs were funded for an initial period through FY18 and FY19, and per the local MHSA AB114 Reversion Expenditure Plan (which is posted on the City of Berkeley MHSA Webpage) the Graduate Level Training Stipend Program was extended through FY20. Since the end of the WET Plan and the Reversion Expenditure Plan, in order to fund new programs and services out of the WET component, the state requires that funds are transferred to WET from the CSS funding component, through an approved MHSA Plan or Annual Update.

Outlined below is a description of the Loan Repayment Program that the Division is proposing to continue in this Annual Update, and the continued annual transfer of funds from CSS to WET to fund the Workforce Development Coordinator position.

Greater Bay Area Workforce, Education and Training Regional Partnership - Loan Repayment Program

The Department of Health Care Access and Information (HCAI) (formerly the Office of Statewide Health Planning and Development) allocated $40 million in Workforce, Education and Training funds for Regional Partnerships across the state for various mental health workforce strategies. A total of 2.6 million of funds was allocated to the Greater Bay Area (GBA) Workforce, Education & Training Regional Partnership. In order to participate in the GBA Regional Partnership, and receive a portion of funds to implement workforce development strategies, mental health jurisdictions were required to contribute a portion of local funds towards this initiative. The Division allocated funds for this program through previously approved MHSA Plans and Annual Updates.

Through this initiative, which is administered through California Mental Health Services Authority (CalMHSA), the City is participating in a Loan Repayment Program. This program enables eligible staff to apply to have a portion of their Student Loan paid, in exchange for working at BMH for a given period of time.

Since inception, 15 BMH staff have participated in the Loan Repayment Program, which will be in operation until January 2026.

Workforce Development Coordinator
Through the previously approved Three-Year Plan the Division proposed to transfer CSS System Development Funds to the WET Component to fund the Workforce Development Coordinator position through the following process:

Per MHSA Statute, (Welfare and Institutions Code, Section 5892 (b)): "In any year after

2007 -08, programs for services pursuant to Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) of this division may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five years pursuant to this section."

This position that was hired in early FY2024, supports staff recruitment and retention for the Division; oversees Intern recruitment; and coordinates training and support for graduate level interns.

Through this Annual Update the Division is proposing to transfer $344,426 of unspent CSS Funds to the WET Component. Once transferred, approximately $167,116 of funds will be used to support the Workforce Development Coordinator position. The remainder of funds, approximately $177,310, are being proposed to be utilized in the upcoming years on a Stipend Program to incentivize Student Interns to provide Clinical or Administrative work within the Division over a given period of time.

CAPITAL FACILITIES AND TECHNOLOGICAL NEEDS (CFTN)

The Capital Facilities and Technological Needs (CFTN) funding component is for capital projects on owned buildings and on mental health technology projects.

The City of Berkeley CFTN Plan was approved in April 2011, with updates to the plan in May 2015, June 2016, and January 2017. Through previously approved MHSA Plans and/or Annual Updates, BMH allocated a total of $3,773,811 towards the renovation of the Adult Mental Health Clinic. The Adult Clinic serves Berkeley's most at-risk and fragile population through crisis intervention, case management, individual/or group supports, psychiatric medication support, Full Services Partnership Intensive Case Management Teams, Clinical services, Mobile Crisis, and Transitional Outreach Services. Construction on the Adult Clinic began in FY2019, and in June 2021, the renovation was completed, staff moved back into the building, and the clinic was re-opened for services.

Through this Annual Update, the Division is proposing to transfer $1,300,000 of unspent CSS Funds to the CFTN component through the following process:

Per MHSA Statute, (Welfare and Institutions Code, Section 5892 (b)): "In any year after

2007 -08, programs for services pursuant to Part 3 (commencing with Section 5800), and Part 4 (commencing with Section 5850) of this division may include funds for technological needs and capital facilities, human resource needs, and a prudent reserve to ensure services do not have to be significantly reduced in years in which revenues are below average of previous years. The total allocation for purposes authorized by this subdivision shall not exceed 20 percent of the average amount of funds allocated to that county for the previous five years pursuant to this section."

Funds will be utilized in the upcoming years to support various BMH facility needs, and/or as a match for the Department of Healthcare Services, Behavioral Health Continuum Infrastructure Program (BHCIP) should the City choose to apply. Uses of funds for facility needs may include but not be limited to the following: acquiring a new building, remodeling or renovating existing structures, and/or repairs, among other allowable CFTN related expenditures.

FY2026 PROJECTED NUMBERS TO BE SERVED AND ESTIMATED COST PER PERSON*

**(Includes estimated FY26 costs attributed to the MHSA Funding component)*

COMMUNITY SERVICES & SUPPORTS PROGRAMS		
Program/Estimated Program Costs*	Projected Numbers to Be Served Per Each Age Group	Estimated Cost Per Person*
Children & Youth Full Services Partnership $398,593	Children/Youth (0-15 years): 12 Transition Age Youth (16-25 years): 9 Adults (26-59 years): 0 Older Adults (60+ years): 0	$18,981
Adult Full Services Partnership $843,307	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 3 Adults (26-59 years): 12 Older Adults (60+ years): 41	$15,059
Homeless Full Services Partnership $843,781	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 2 Adults (26-59 years): 43 Older Adults (60+ years): 6	$16,545
Wellness Recovery Services $730,206	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 3 Adults (26-59 years): 30 Older Adults (60+ years): 29	$11,778
Family Services $105,914 **Doesn't include $24,879 of costs in the Full Services Partnership programs	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 2 Adults (26-59 years): 28 Older Adults (60+ years): 42	$1,471
Benefits Advocacy Services $20,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 4 Adults (26-59 years): 6 Older Adults (60+ years): 0	$2,000
Transitional Outreach Team $515,871	Children/Youth (0-15 years): 6 Transition Age Youth (16-25 years): 12 Adults (26-59 years): 38 Older Adults (60+ years): 9	$7,936
Sub-Representative Payee Services $100,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 4 Adults (26-59 years): 80 Older Adults (60+ years): 75	$629
Hearing Voices Support Groups $46,941	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 89 Adults (26-59 years): 1,052 Older Adults (60+ years): 64	$39
Berkeley Wellness Center $437,500	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 0 Adults (26-59 years): 175 Older Adults (60+ years): 50	$1,944
Case Management Services for Transition Age Youth $100,000	Children/Youth (0-15 years): 15 Transition Age Youth (16-25 years): 50 Adults (26-59 years): 0 Older Adults (60+ years): 0	$1,538

COMMUNITY SERVICES & SUPPORTS PROGRAMS		
Program/Estimated Program Costs*	Projected Numbers to Be Served Per Each Age Group	Estimated Cost Per Person*
Counseling Services for Older Adults $100,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 0 Adults (26-59 years): 5 Older Adults (60+ years): 85	$1,111
Substance Use Disorder Services $250,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 0 Adults (26-59 years): 24 Older Adults (60+ years): 7	$8,064

PREVENTION & EARLY INTERVENTION PROGRAMS		
Program/Estimated Program Costs*	Projected Numbers To Be Served Per Each Age Group	Estimated Cost Per Person*
Supportive Schools Program $110,000	Children/Youth (0-15 years): 480 Transition Age Youth (16-25 years): 0 Adults (26-59 years): 0 Older Adults (60+ years): 0	$229
Community Education/Support Program Transition Age Youth Trauma Support Project $32,046	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 85 Adults (26-59 years): 0 Older Adults (60+ years): 0	$377
Community Education/Support Program Trauma Support Project for LGBTQIA Population $100,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 27 Adults (26-59 years): 141 Older Adults (60+ years): 40	$481
Program/Estimated Program Costs*	Projected Numbers To Be Served Per Each Age Group	Estimated Cost Per Person*
Community Education/Support Program Living Well Project $32,046	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 0 Adults (26-59 years): 30 Older Adults (60+ years): 130	$200
Community Education/Support Program SoulSpace Project $100,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 2 Adults (26-59 years): 21 Older Adults (60+ years): 2	$4,000
Community Education/Support Program Latinx Trauma Support Project $100,000	Children/Youth (0-15 years): 10 Transition Age Youth (16-25 years): 150 Adults (26-59 years): 400 Older Adults (60+ years): 35	$168
Dynamic Mindfulness (DMIND) Program $95,000	Children/Youth (0-15 years): 517 Transition Age Youth (16-25 years): 31 Adults (26-59 years): 68 Older Adults (60+ years): 0	$154
Mental and Emotional Education Team $46,389	Children/Youth (0-15 years): 35 Transition Age Youth (16-25 years): 0 Adults (26-59 years): 0 Older Adults (60+ years): 0	$1,325
African American Success Project $150,000	Children/Youth (0-15 years): 55 Transition Age Youth (16-25 years): 0	$2,727

PREVENTION & EARLY INTERVENTION PROGRAMS		
Program/Estimated Program Costs*	Projected Numbers To Be Served Per Each Age Group	Estimated Cost Per Person*
	Adults (26-59 years): 0 Older Adults (60+ years): 0	
High School Youth Prevention Program $580,697	Children/Youth (0-15 years): 139 Transition Age Youth (16-25 years): 209 Adults (26-59 years): 0 Older Adults (60+ years): 0	$1,669
Social Inclusion Program $10,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 1 Adults (26-59 years): 5 Older Adults (60+ years): 5	$909

INNOVATION PROGRAMS		
Program/Estimated Program Costs*	Projected Numbers To Be Served Per Each Age Group	Estimated Cost Per Person*
Encampment-based Mobile Wellness Project $600,000	Children/Youth (0-15 years): 0 Transition Age Youth (16-25 years): 36 Adults (26-59 years): 480 Older Adults (60+ years): 96	$980

BUDGET NARRATIVE

The enclosed budget provides estimated revenue and expenditures for this Annual Update. The Division obtains financial projections from the state on the amount of MHSA revenue to be allocated in a given year. Financial projections for this FY26 Annual Update reflect a decrease in MHSA funds, to what was previously estimated in the approved FY2024-2026 Three-Year Plan.

In this FY26 Annual Update, due to changes in the projected revenue/budget in the 5-year forecast, the Division proactively paused the hiring for some previously approved staff positions out of caution, so that funds would not be expended as quickly. Departmental Fiscal staff were able to run revenue analyses earlier than in previous years, resulting in the ability to shift some personnel costs to other mental health funding sources. These shifts will enable the Division to use all of its appropriate revenue sources more evenly and prevent any funds from running out too soon.

Beginning in FY27, MHSA will shift to the new BHSA fiscal and program requirements. MHSA unspent funding amounts at the end of FY26, will be utilized in future years to transition to BHSA.

APPENDIX A

PROGRAM BUDGETS

FY 2025/26 Mental Health Services Act Annual Update
Funding Summary

County: City of Berkeley Date: 5/9/25

	MHSA Funding					
	A	B	C	D	E	F
	Community Services and Supports	Prevention and Early Intervention	Innovation	Workforce Education and Training	Capital Facilities and Technological Needs	Prudent Reserve
A. Estimated FY25/26 Funding						
1. Estimated Unspent Funds from Prior Fiscal Years	14,683,671	3,072,640	2,336,621	253,073	0	
2. Estimated New FY2025/26 Funding	4,371,317	1,092,829	287,587			
3. Transfer in FY 2025/26	(1,644,426)			344,426	1,300,000	
4. Transfer Local Prudent Reserve in FY 2025/26						
5. Estimated Available Funding for FY 2025/26	19,186,128	4,198,254	2,632,835	597,499	1,300,000	
B. Estimated FY25/26 Expenditures	8,025,495	1,903,291	600,000	167,209	0	
G. Estimated FY25/26 Unspent Fund Balance	11,160,633	2,294,963	2,032,835	430,289	1,300,000	

H. Estimated Local Prudent Reserve Balance	
1. Estimated Unspent Local Prudent Reserve on June 30, 2024	1,233,738
2. Contributions to the Local Prudent Reserve in FY2025/26	0
3. Distributions from the Local Prudent Reserve in FY2025/26	0
4. Estimated Local Prudent Reserve balance on June 30, 2025	1,233,738

a/ Pursuant to Welfare and Institutions Code Section 5892(b), Counties may use a portion of their CSS funds for WET, CFTN, and the Local Prudent Reserve. The total amount of CSS funding used for this purpose shall not exceed 20% of the total average amount of funds allocated to that County for the previous five years.

FY 2025/26 Mental Health Services Act Annual Update
Community Services and Supports (CSS) Funding

County: City of Berkeley Date: 5/9/25

	Fiscal Year 2025/26					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CSS Funding	Estimated Medi-Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
FSP Programs						
1. TAY, Adult & Older Adult FSP	2,015,704	843,307	707,829	464,567		
2. Children's FSP	826,465	398,593	330,521	97,351		
3. Homeless FSP	1,736,908	843,781	411,749	481,379		
4.	0					
5.	0					
6.	0					
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
Non-FSP Programs						
1. Multicultural Outreach & Engagement	230,457	139,434		91,024		
2. CSS System Development	3,609,129	2,763,567	390,629	454,933		
3.						
4.						
5.						
6.						
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
CSS Administration	1,885,016	1,392,388	229,973	262,656		
CSS MHSA Housing Program Assigned Funds						
Total CSS Program Estimated Expenditures	10,303,679	6,381,070	2,070,700	1,851,909	0	0
FSP Programs as Percent of Total	71.8%					

FY 2025/26 Mental Health Services Act Annual Update
Prevention and Early Intervention (PEI) Funding

County: City of Berkeley Date: 5/9/25

	Fiscal Year 2025/26					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated PEI Funding	Estimated Medi-Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
PEI Programs - Prevention						
1. High School Prevention Program	408,805	290,349	30,371	88,086		
2. African American Success Project	37,500	37,500				
3. Dynamic Mindfullness	71,250	71,250				
4. Mental Health Peer Education Program (MEET)	34,792	34,792				
5. Mental Health Promotion Campaign	100,000	100,000				
6.						
7.						
8.						
9.						
10.						
PEI Programs - Early Intervention						
11. Community Education & Supports	364,092	364,092				
12. High School Prevention Program	408,805	290,349	30,371	88,086		
13. African American Success Project	112,500	112,500				
14. Dynamic Mindfullness	23,750	23,750				
15. Mental Health Peer Education Program (MEET)	11,597	11,597				
16. Supportive Schools	110,000	110,000				
17.						
18.						
19.						
PEI Programs - Stigma & Discrimination						
20. Social Inclusion	10,000	10,000				
PEI Programs - Outreach for Incr. Recog. Of Mental Illness						
21.						
PEI Administration	619,686	447,113	43,787	128,786		
PEI Assigned Funds						
Total PEI Program Estimated Expenditures	2,312,776	1,903,291	104,528	304,957	0	0

FY 2025/26 Mental Health Services Act Annual Update
Innovations (INN) Funding

County: City of Berkeley

Date: 5/9/25

	Fiscal Year 2025/26					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated INN Funding	Estimated Medi-Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
INN Programs						
1. MHSA INN Encampment	600,000	600,000				
2.						
3.						
4.	0					
5.	0					
6.	0					
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
INN Administration						
Total INN Program Estimated Expenditures	600,000	600,000	0	0	0	0

FY 2025/26 Mental Health Services Act Annual Update
Workforce, Education and Training (WET) Funding

County: City of Berkeley

Date: 5/9/25

	Fiscal Year 2025/26					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated WET Funding	Estimated Medi-Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
WET Programs						
1. Workforce Development Coordinator	167,116	167,116				
2. Intern Stipends	177,310	177,310				
3.						
4.	0					
5.	0					
6.	0					
7.	0					
8.	0					
9.	0					
10.	0					
11.	0					
12.	0					
13.	0					
14.	0					
15.	0					
16.	0					
17.	0					
18.	0					
19.	0					
20.	0					
WET Administration	0					
Total WET Program Estimated Expenditures	344,426	344,426	0	0	0	0

FY 2025/26 Mental Health Services Act Annual Update
Capital Facilities/Technological Needs (CFTN) Funding

County: City of Berkeley Date: 5/9/25

	Fiscal Year 2025/26					
	A	B	C	D	E	F
	Estimated Total Mental Health Expenditures	Estimated CFTN Funding	Estimated Medi-Cal FFP	Estimated 1991 Realignment	Estimated Behavioral Health Subaccount	Estimated Other Funding
CFTN Programs - Capital Facilities Projects						
1. Mental Health facility purchases, remodels, renovations, and/or repairs	1,300,000	1,300,000				
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
CFTN Programs - Technological Needs Projects						
11.						
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						
CFTN Administration						
Total CFTN Program Estimated Expenditures	1,300,000	1,300,000				

APPENDIX B

RESULTS BASED ACCOUNTABILITY (RBA) FY2024 BERKELEY MENTAL HEALTH DIVISION MEASURES AND OUTCOMES

BMH RBA Report FY 2024

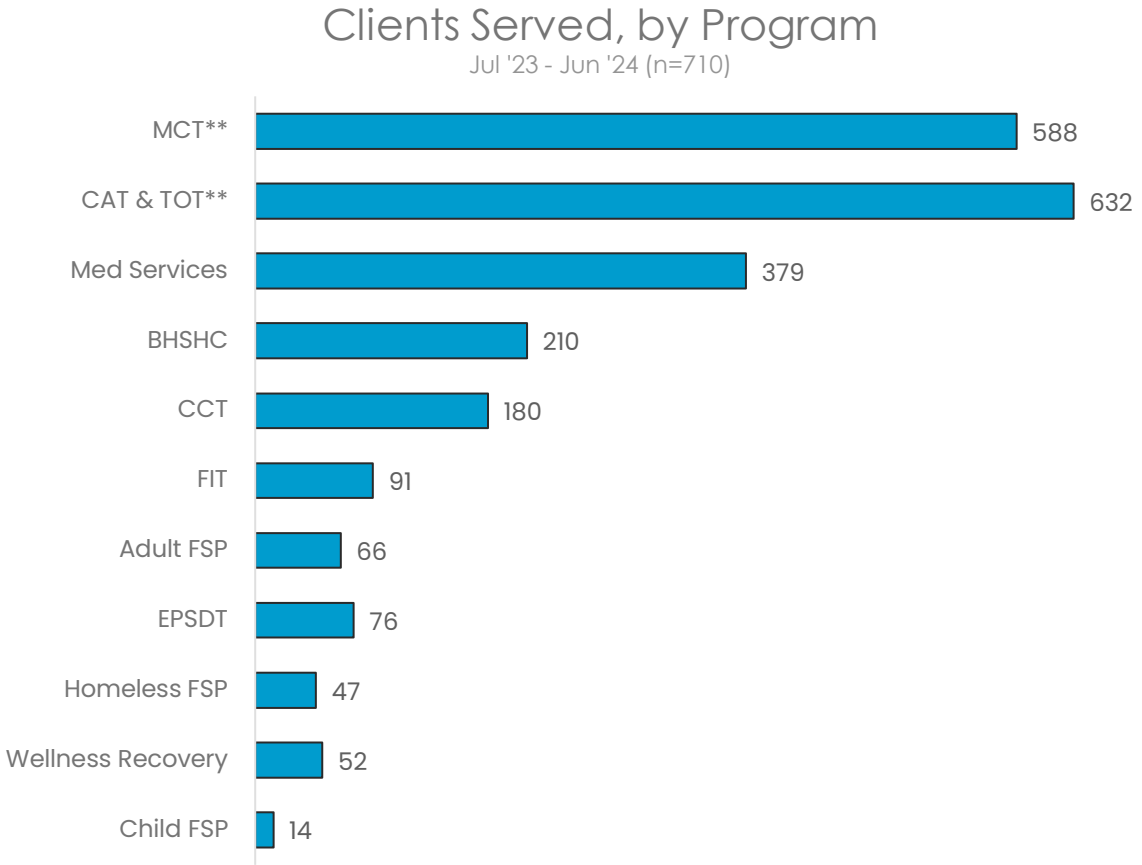
Reporting Period July 2023- June 2024

Berkeley Mental Health - Division-Level

Process Outcomes ("How much did we do?")

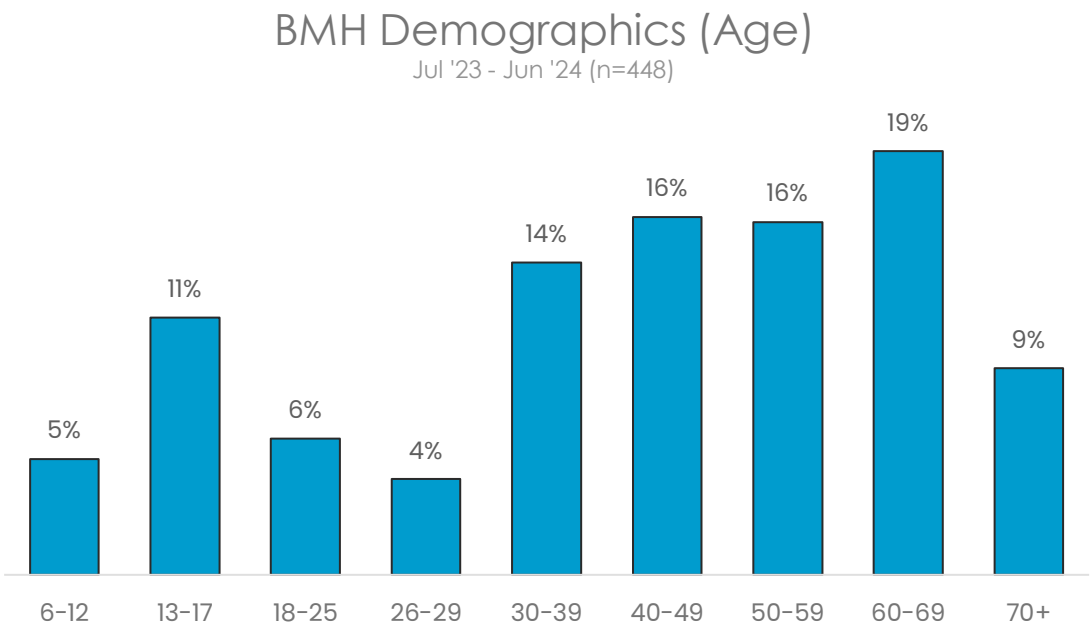
Description: Berkeley Mental Health provides mental health services to eligible adults, children, youth, and their families. Services focus on low-income residents and unhoused people with severe mental illnesses. Staff provide counseling and case management services with the goal of helping people to better manage their mental health symptoms, obtain and maintain housing and other community resources, and move forward in their recovery.

710 Unduplicated Clients Served (includes FSPs, CCT, FIT, ERMHS, EPSDT, HSHC, Medical Services, and Wellness)

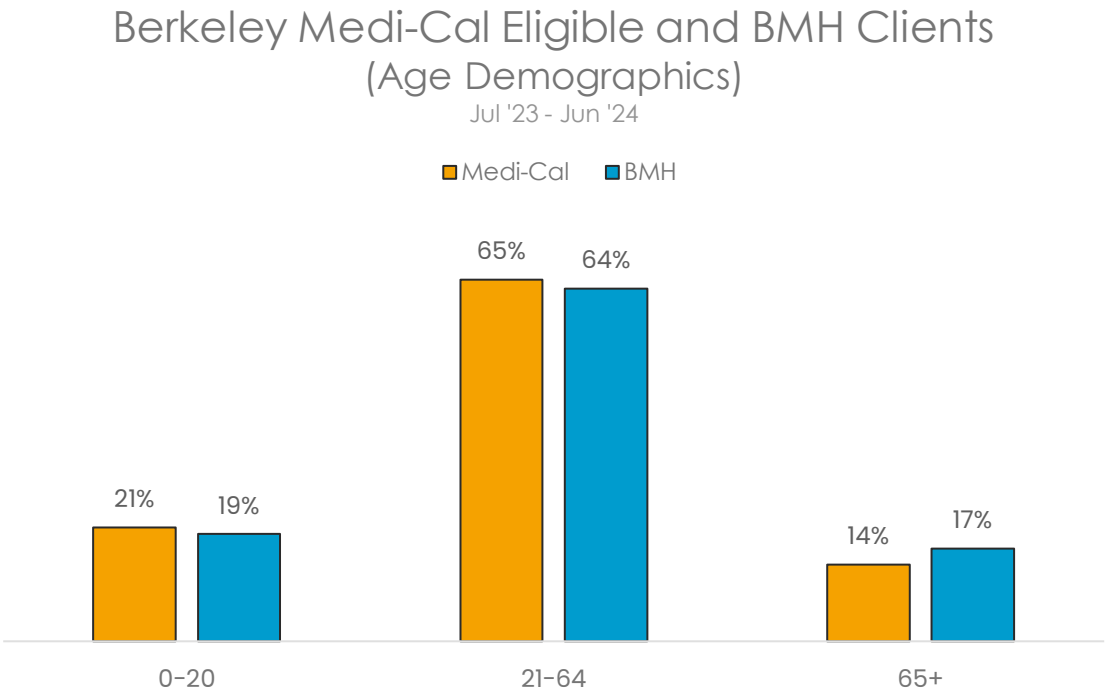


*A single client may be served by multiple programs, but these are unduplicated numbers within each program.
**All but MCT and CAT & TOT include only clients who have gone through a service enrollment process.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.



*All but MCT and CAT & TOT , Wellness Recovery, and Berkeley High Health Center



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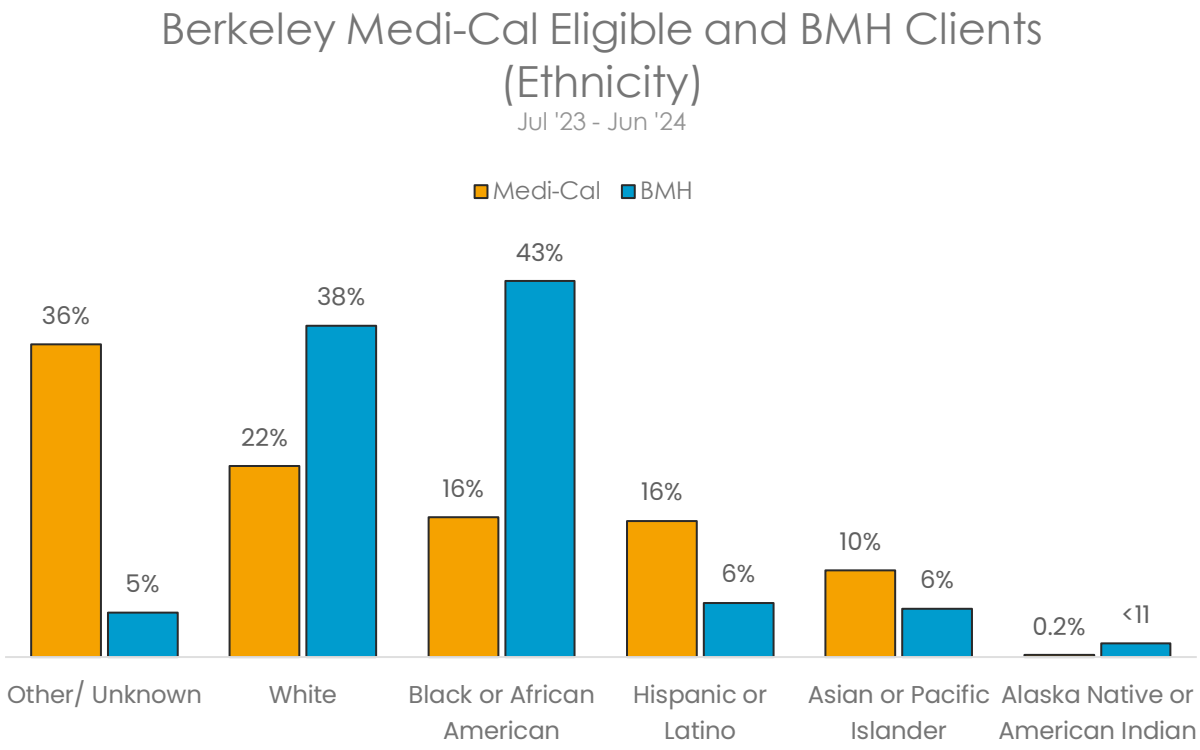
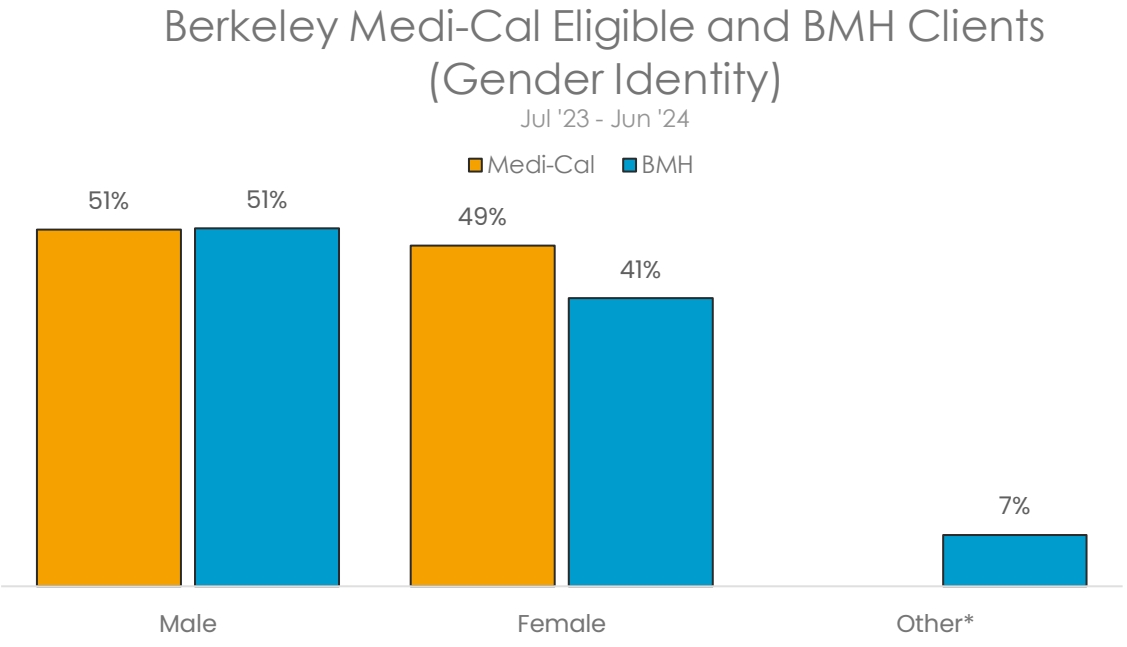
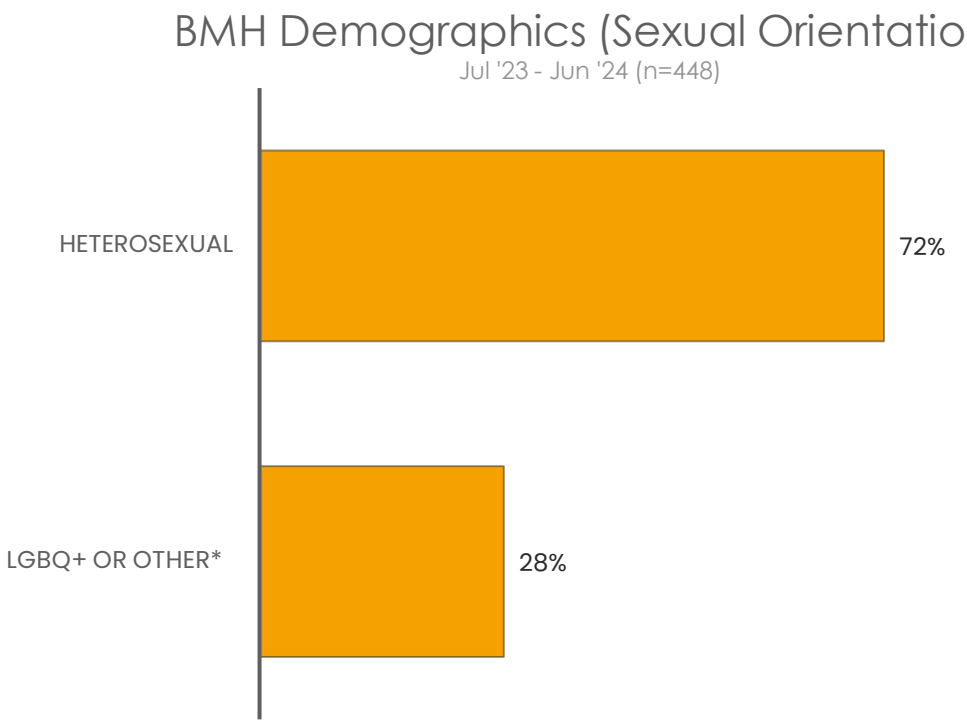




*Other includes any identity that doesn't fit within the traditional male/female binary.
(Other orientation data is not available for Medi-Cal)

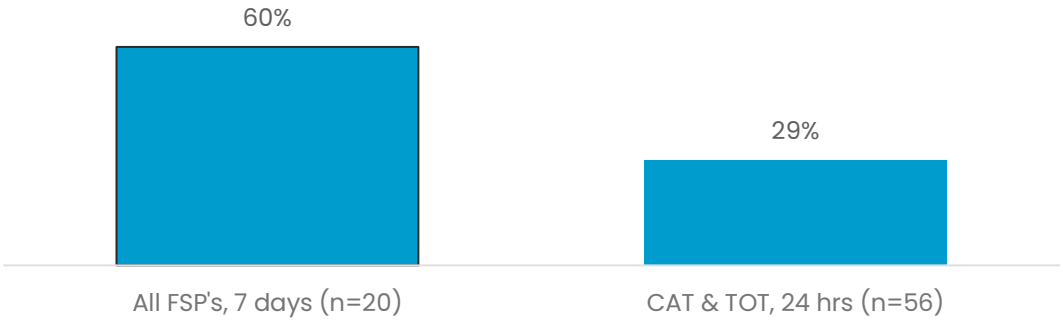
NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.



*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or unknown.
(Sexual orientation data is not available for Medi-Cal)

Quality Outcomes ("How well did we do it?")

Responsiveness of Service



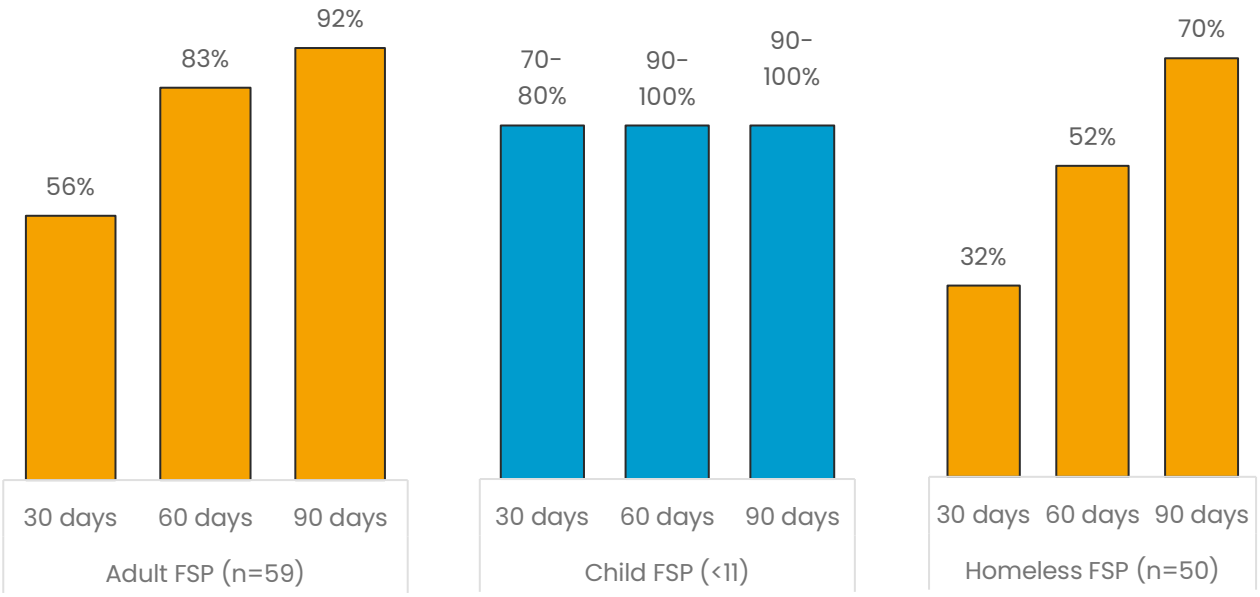
*To ensure data privacy, all Full Service Partnership (FSP) programs were combined into a single "All FSPs, 7 days" category. Data for CCT has been suppressed due to having fewer than 11 clients. The FIT program data was not available.

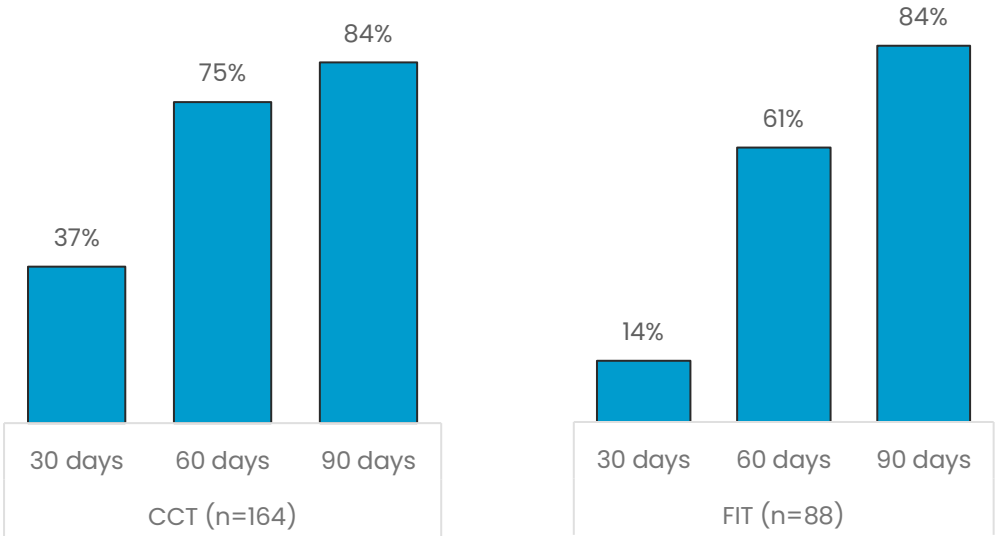
NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Consistency of Service

Clients with no service gap over 30, 60, or 90 days

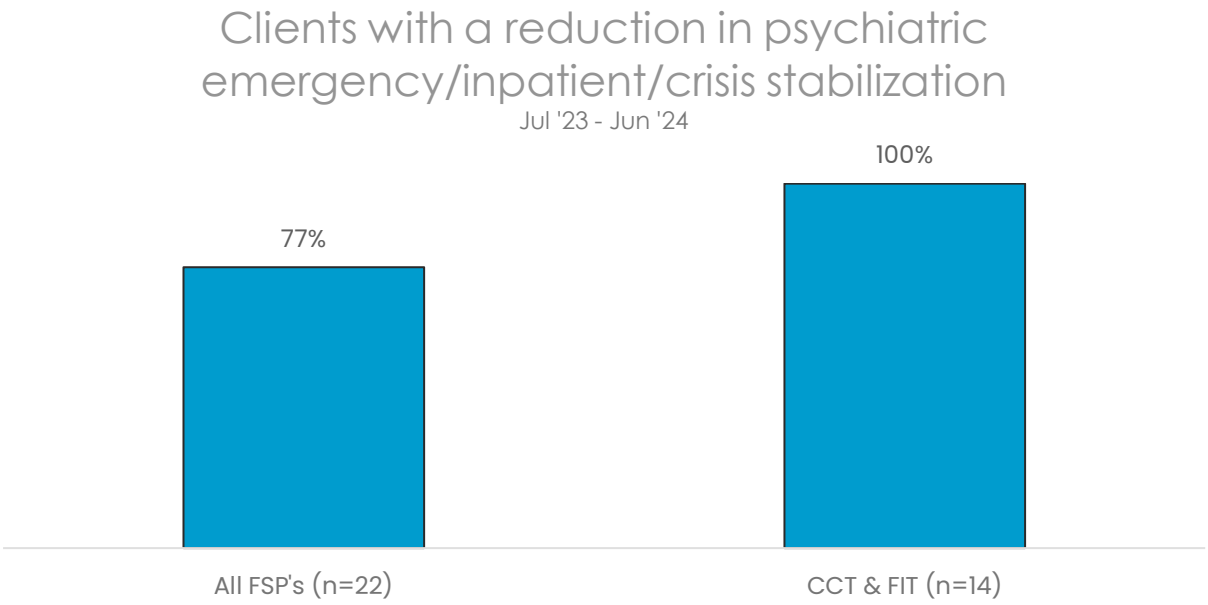
Jul '23 - Jun '24

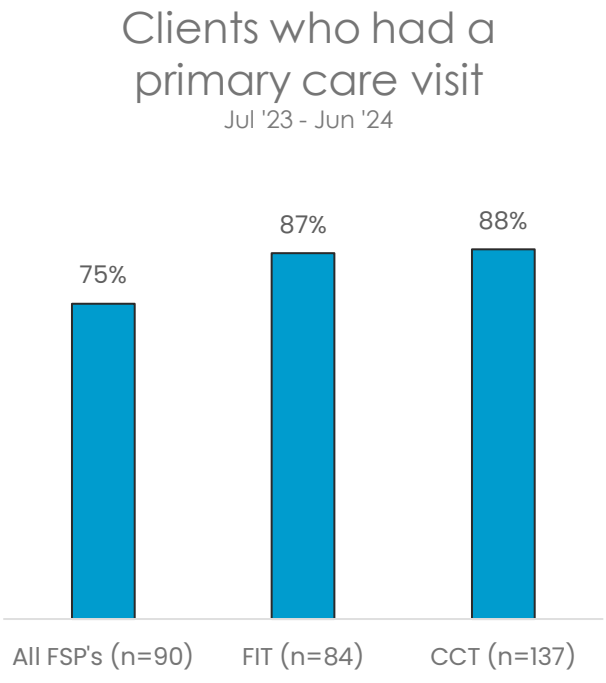




NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Impact Outcomes ("Is anyone better off?")





*To ensure data privacy, all Full Service Partnership (FSP) programs were combined into a single "All FSPs, category. Some data for CCT and FIT has been suppressed due to having fewer than 11 clients or program data was not available.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total number of clients served during the reporting period. Available for: all clients served for Adult FSP, Children's FSP, Homeless FSP, CCT, FIT, ERMHS, EPSDT, High School Health Center, Medical Services, and Wellness & Recovery Services. Does not include clients from MCT, CAT/TOT (may be duplicated)	Yellowfin, NextGen, Wellness Recovery Group Attendance
Responsiveness of service (% of discharges from hospitalization or subacute who had a follow up visit within specified time period)	Follow-up rates for individuals open to providers at the time of MH hospital discharge. Expected follow-up time period set by programs. Available for: Adult FSP, Children's FSP, Homeless FSP, CCT, FIT, CAT & TOT. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin, CAT Contact Log
Consistency of service (% of clients with no service gap over 30/60/90 days)	% of clients with less than 30/60/90 days maximum without service during their episode(s) in the fiscal year. Only includes clients open to a provider for at least a total of 1/2/3 months during the reporting fiscal year. Available for: Adult FSP, Children's FSP, Homeless FSP, CCT, FIT.	Yellowfin
% of clients who had a reduction in days in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year. Available for: Adult FSP, Children's FSP, Homeless FSP, CCT, FIT.	Yellowfin
% of clients with a decrease in incarcerations	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in jail days, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in hospital and/or subacute) for six or more months during the current fiscal year or the prior fiscal year. Available for: Adult FSP, Children's FSP, Homeless FSP, CCT, FIT.	Yellowfin

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

% clients who had a primary care visit in the last year	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, mental health hospital, and/or jail). Available for: Adult FSP, Children's FSP, Homeless FSP, CCT, FIT.	Yellowfin

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

BMH RBA Report FY 2024

Reporting Period: June 2023 - July 2024

Medical Services

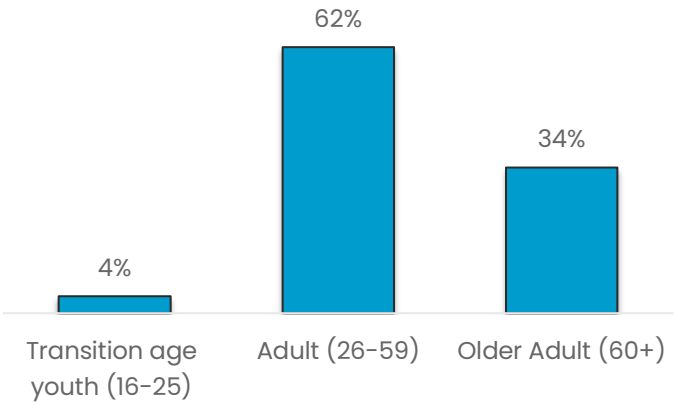
Process Outcomes ("How much did we do?")

379
Clients Served

Program Description: The Medical Services Team provides psychiatric and nursing services to patients on Adult Services (FIT, CCT, & FSP), Crisis Services, and Family, Youth, and Children's Services.

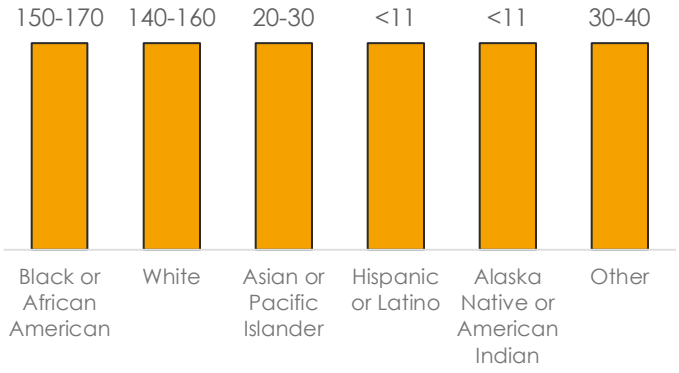
Demographics (Age)

Jul '23 - Jun '24 (n=379)



Demographics (Ethnicity)

Jul '23 - Jun '24 (n=379)



Quality Outcomes ("How well did we do it?")

56% n=379
Appointments kept

Impact Outcomes ("Is anyone better off?")

43% n=379
Clients connected to a primary care provider

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served. Due to the discrepancy between client counts in Yellowfin and internal documents, Yellowfin is used for overall client count while internal totals are used for specific measures.	Yellowfin
% of appointments kept	Of scheduled appointments, % which were kept during the reporting period	MD Attendance Tracker
% of clients connected to a primary care provider	Of total clients, % who had Primary Care Practitioner (PCP) listed in Primary Care Tracker at least one month during the reporting period.	Primary Care Provider Tracker

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

BMH RBA Report FY 2024

Reporting Period: July 2023 - June 2024

Focus on Independence Team (FIT)

Process Outcomes ("How much did we do?")

91

Clients Served

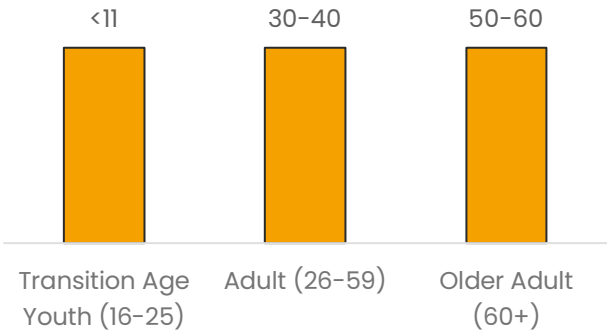
1

New Clients

Program Description: The Focus on Independence Team is responsible for providing services to clients who have graduated from higher levels of care within the clinic. Services are provided both in the field and in the clinic depending on client needs.

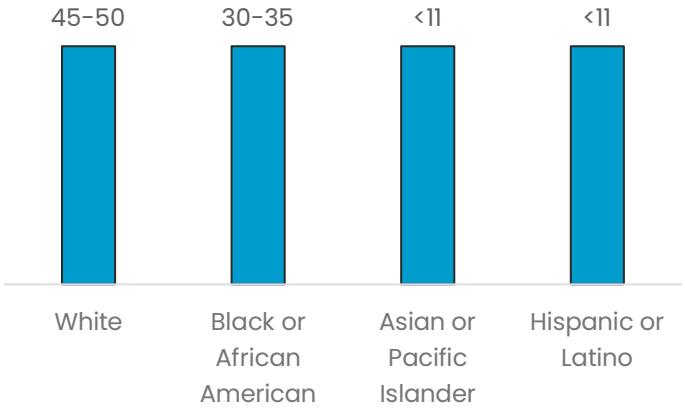
Demographics (Age)

Jul '23 - Jun '24 (n=91)



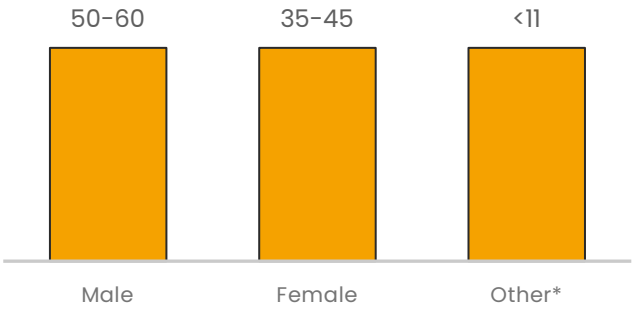
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=91)



Demographics (Gender Identity)

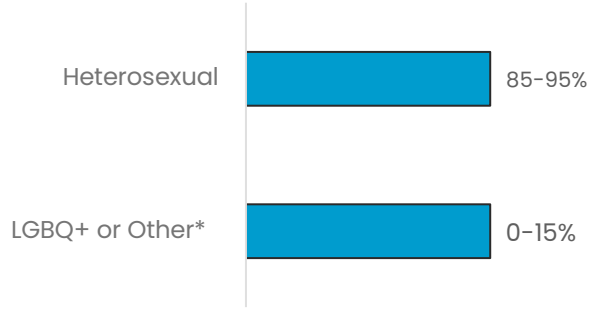
Jul '23 - Jun '24 (n=91)



*Other includes any identity that doesn't fit within the traditional male/female binary.

Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=91)

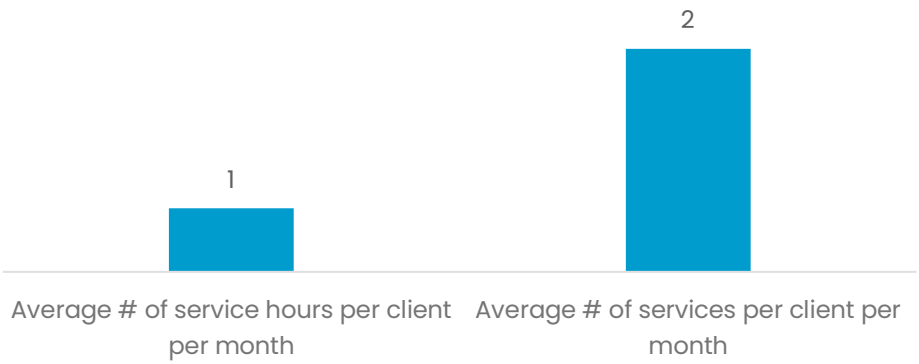


*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or unknown.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service Consistency



Retention and Stability

Clients spend
8 Years in FIT on average

61% n=88
Clients with no service gap of over 60 days

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Impact Outcomes ("Is anyone better off?")

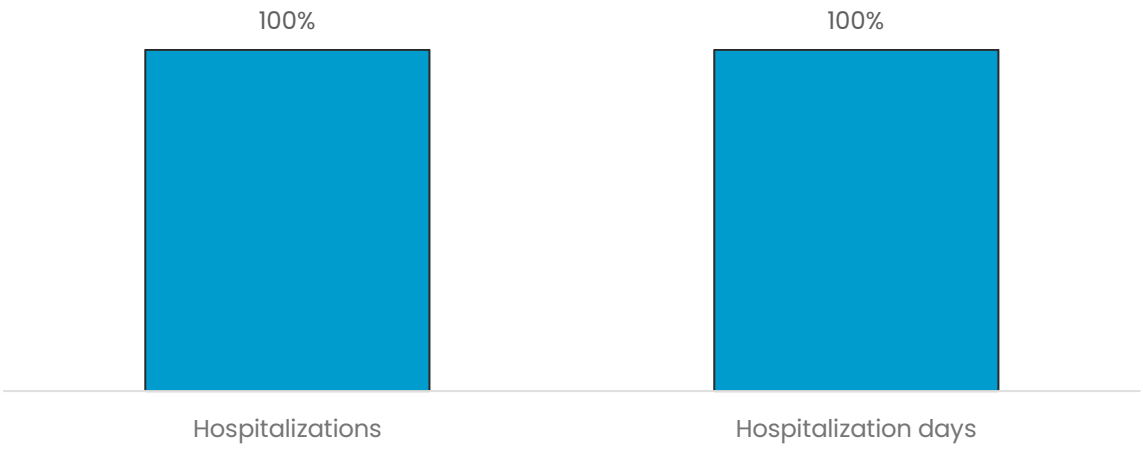
Client Outcome Improvements

87% n=84
Clients with a Primary care visit

100% n<11
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

Clients with a decrease in hospitalizations/hospital days

Jul '23 - Jun '24 (n<11)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medical services (MAA)	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients who receive follow-up care after a mental health hospitalization or crisis	% of clients who receive a follow-up appointment with a partner provider after being discharged from a mental health hospitalization, crisis stabilization unit, psychiatric health facility, or justice system.	Yellowfin
% of clients with no service gap of over 60 days	% of clients with less than 90 days maximum without service during their episode(s) in the fiscal year. Only includes clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with staff within 7 and within 30 calendar days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin Not presented due to delays in the reporting system
#/% of clients transferred to another level of care	Of clients discharged in the reporting period, # who were transferred to a full service partnership program, service team, or outpatient services in Alameda County within 90 days of discharge	Yellowfin Data Suppressed (n<11)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

% of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients with a decrease in hospitalizations/hospitalization days	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin

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BMH RBA Report FY 2024

Reporting Period: July 2023 - June 2024

Comprehensive Community Treatment Team (CCT)

Process Outcomes ("How much did we do?")

180

Clients Served

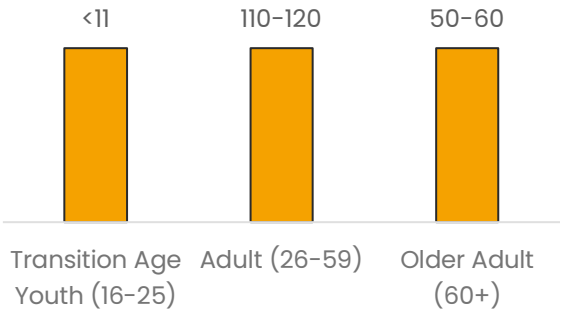
28

New Clients

Program Description: The CCT team is responsible for providing services to adults with severe and persistent mental illness who require specialty mental health services. Staff provide case management, therapeutic services, and group services both in the field and in the clinic.

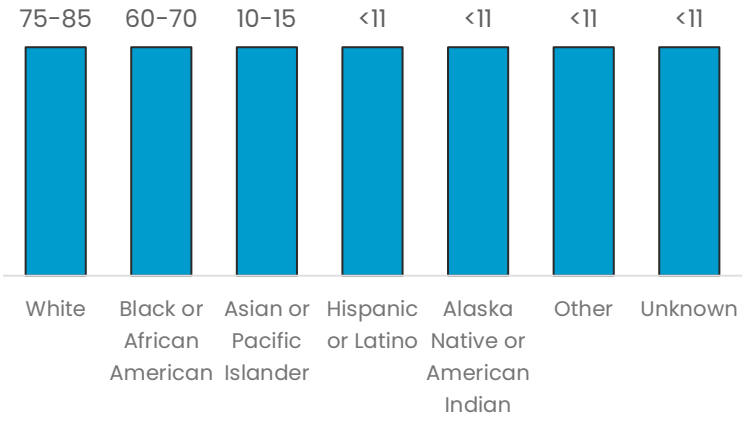
Demographics (Age)

Jul '23 - Jun '24 (n=180)



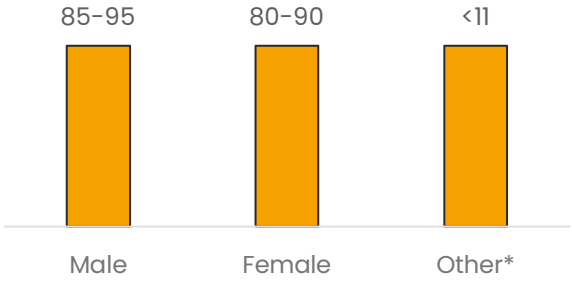
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=180)



Demographics (Gender Identity)

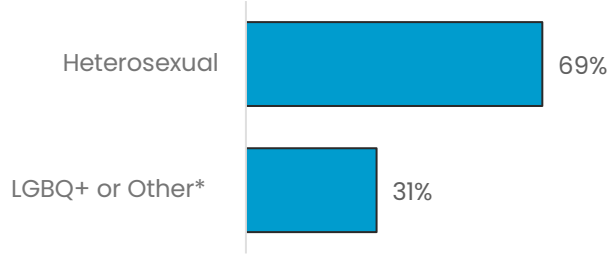
Jul '23 - Jun '24 (n=180)



*Other includes any identity that doesn't fit within the traditional male/female binary.

Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=180)



*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or unknown.

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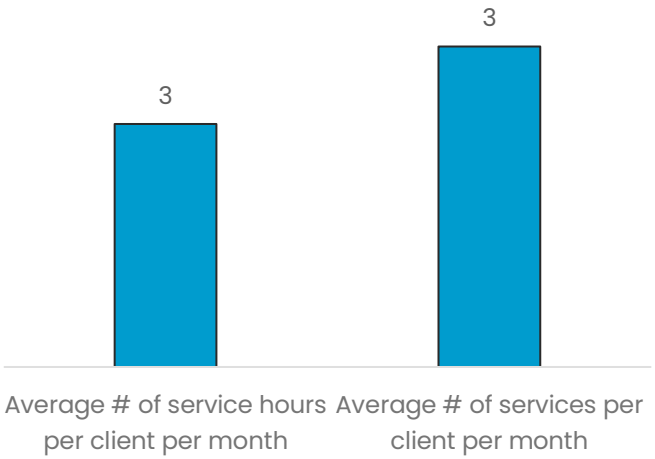
Quality Outcomes ("How well did we do it?")

Service Consistency

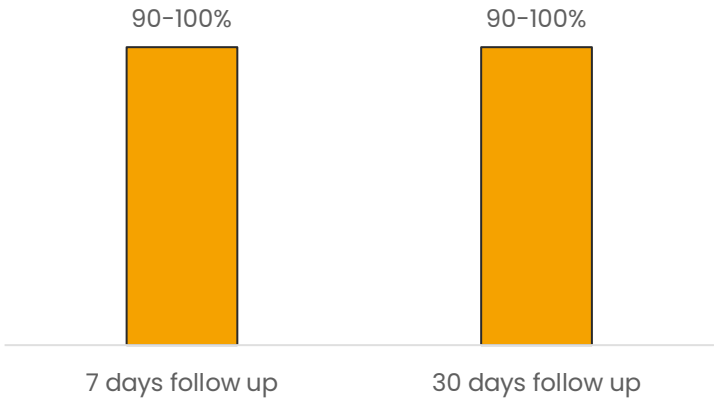
Average Monthly Services per Client

Jul '23 - Jun '24 (n=180)



Discharges from hospitalization or subacute who received follow up within 7 and 30 days

Jul '23 - Jun '24 (n<11)



Retention and Stability

Clients spend
4 Years in CCT on average

75% n=164
Clients with no service gap of over

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

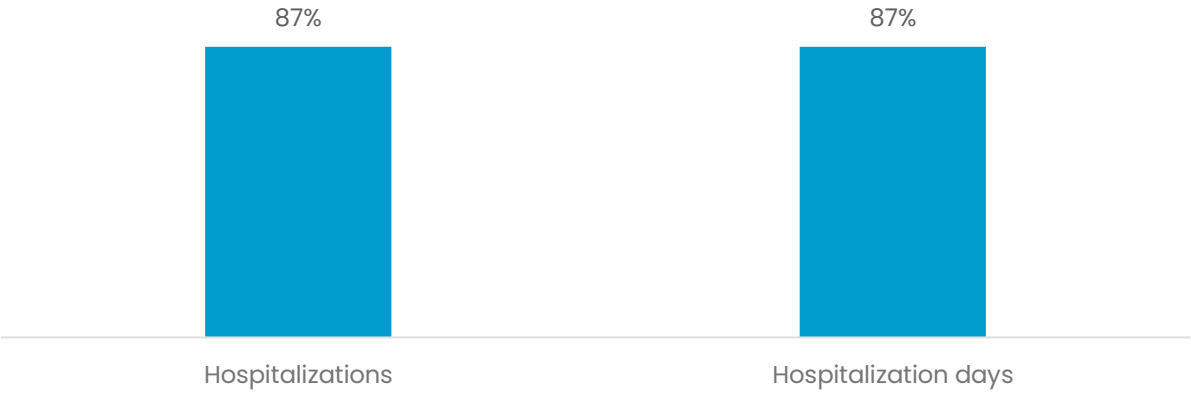
100% n<11
Clients who had a reduction in jail days

100% n<11
Client reduction in psychiatric emergency services/inpatient /crisis stabilization units

88% n=137
Clients with a Primary care visit

Clients with a decrease in hospitalizations/hospital days

Jul '23 - Jun '24 (n=23)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients with no service gap of over 60 days	% of clients with less than 90 days maximum without service during their episode(s) in the fiscal year. Only includes clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with staff within 7 and within 30 calendar days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin Not presented due to delays in the reporting system
#/% of clients transferred to another level of care	Of clients discharged in the reporting period, # who were transferred to a full service partnership program, service team, or outpatient services in Alameda County within 90 days of discharge	Yellowfin Data Suppressed (n<11)
% of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

% of clients with a decrease in hospitalizations/hospitalization days	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin
% of clients with a decrease in jail days	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in jail days, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in hospital and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin

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BMH RBA Report FY 2024

Reporting Period: June 2023 - July 2024

Mobile Crisis Team (MCT)

Process Outcomes ("How much did we do?")

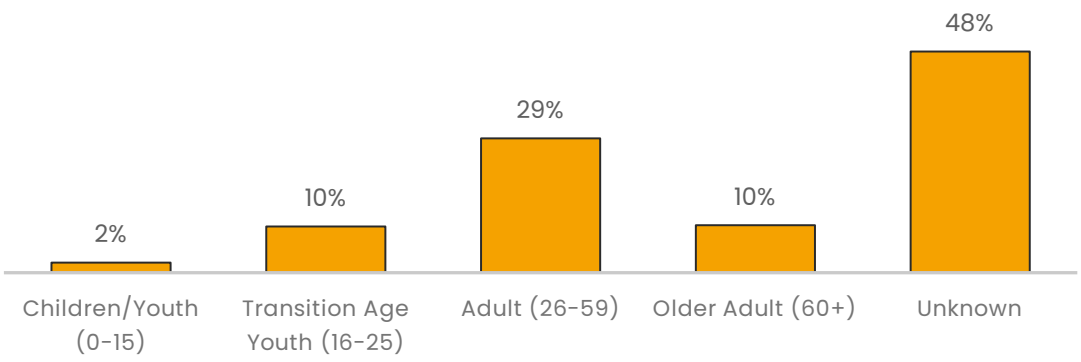
588
Clients Served

863
Responses to Incidents

Program Description:
The Mobile Crisis Team (MCT) serves residents of Berkeley, from 11:30am-10pm each day of the week when fully staffed. It provides crisis interventions, including but not limited to 5150 evaluations, consultations, and referrals/linkages.

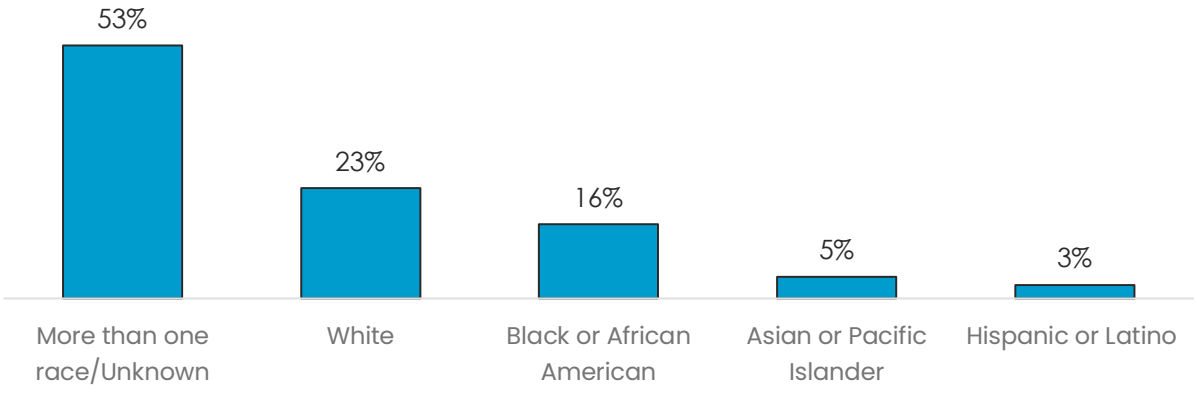
Demographics (Age)

Jul '23 - Jun '24 (n=588)



Demographics (Ethnicity)

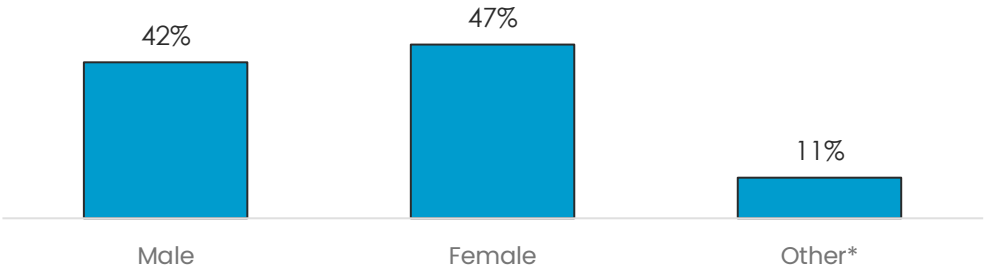
Jul '23 - Jun '24 (n=588)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Demographics (Gender Identity)

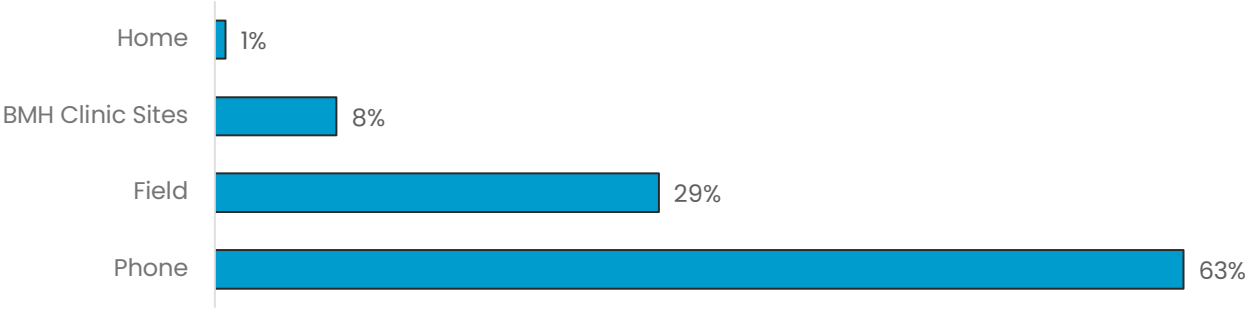
Jul '23 - Jun '24 (n=588)



*Other includes unknown or missing due to clients not disclosing, clinician unable to make the determination, or a crisis situation not allowing for more comprehensive data collection. It also includes any identity that doesn't fit within the traditional male/female binary. Sexual orientation data not available.

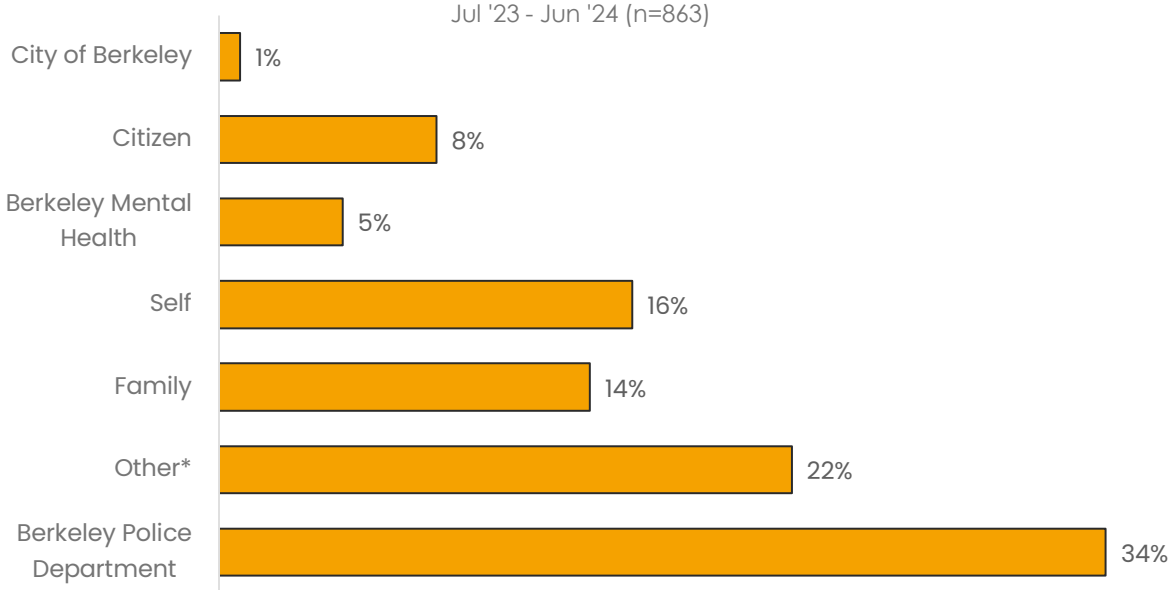
Client Contacts Made by Contact Type

Jul '23 - Jun '24 (n=863)



Referrals by Referring Party

Jul '23 - Jun '24 (n=863)

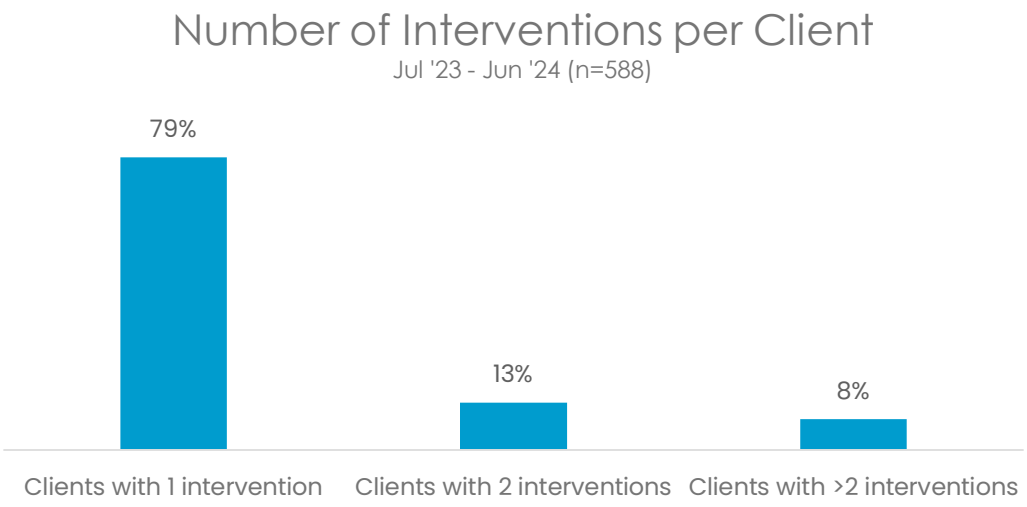


*Other includes responses involving Albany PD, UC PD, Berkeley Fire, Homeless Outreach, Neighborhood Services, Merchants, and follow-ups.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service Consistency



Impact Outcomes ("Is anyone better off?")

The MCT program performed

198

5150 Evaluations

72% n=198

5150 Evaluations did Not Lead to Transport to a facility

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total unique clients served	MCT Incident Log
# of client contacts made	# of client contacts made, by a. Field contacts b. Phone contacts c. Other	MCT Incident Log
# of referrals by referring party	# of crisis services referrals made to the MCT, by referring party (i.e. Berkeley Police Department, Berkeley Fire Department, Berkeley Mental Health, community, etc.)	MCT Incident Log
# of 5150 evaluations conducted	Total number of incidents with 5150 Evaluations of any sort	MCT Incident Log
Results of 5150 Evaluations	% of 5150 evaluations that did or did not result in transportation to a receiving facility for further evaluation	MCT Incident Log
Number of interventions per client	% of clients who had one, two, or more than two interventions on separate dates requiring service	MCT Incident Log

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BMH RBA Report FY 2024

Reporting Period July 2023- June 2024

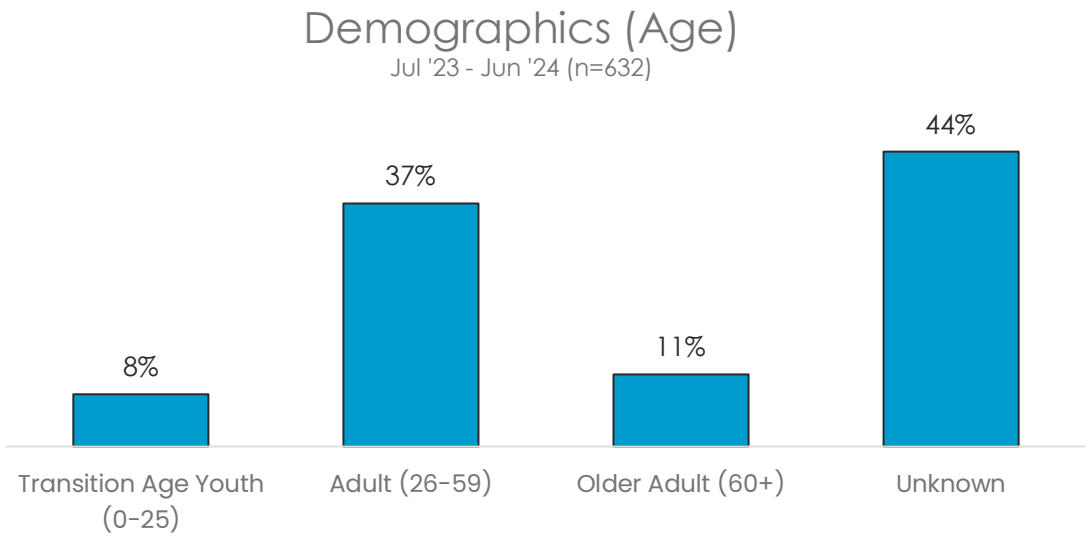
Crisis, Assessment, and Triage/Transitional Outreach Team (CAT/TOT)

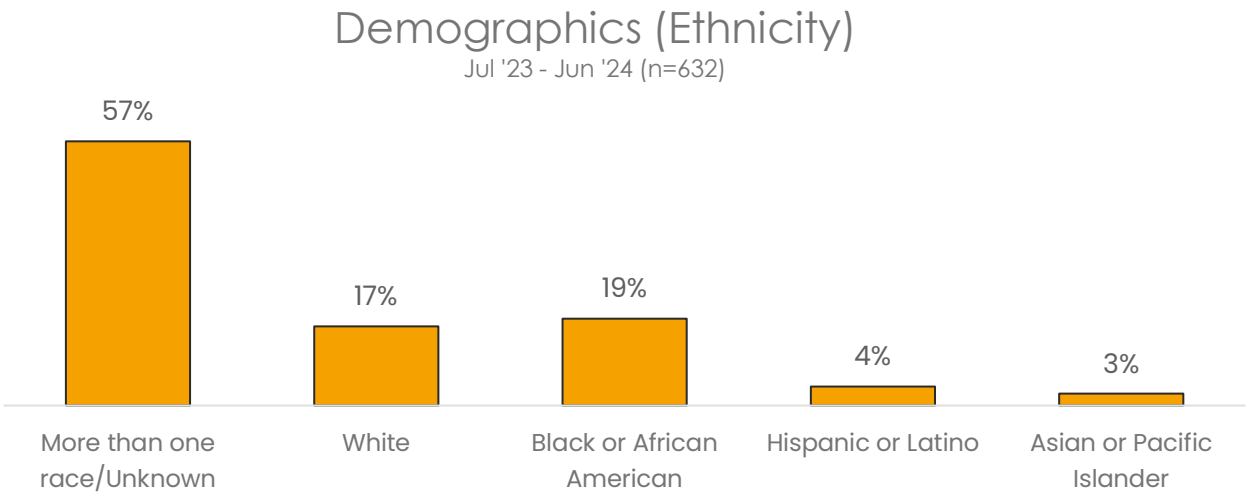
Process Outcomes ("How much did we do?")

632
Clients Served

1282
Contacts

Program Description
CAT/TOT is BMH's intake and follow-up team for Adult Mental Health Services. This team provides screening/assessment for ongoing mental health services, linkage to community-based resources, crisis support, and coordination with other agencies. Services include, but are not limited to: psychiatric services, transportation, food access, medical care, health insurance, benefits, legal assistance, affordable housing listings, utilities and energy assistance resources. Services are provided in person at the clinic, as well as via the team phone line.

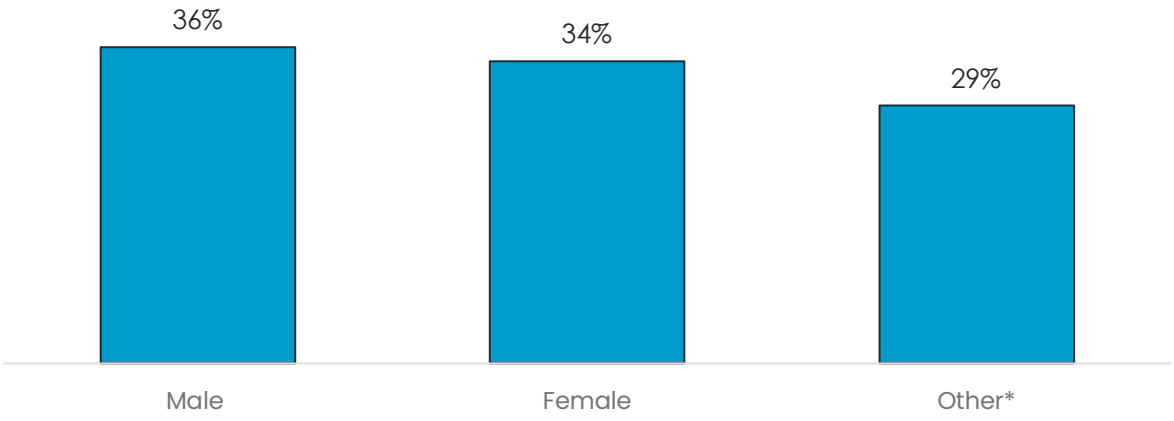




NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Demographics (Gender Identity)

Jul '23 - Jun '24 (n=632)

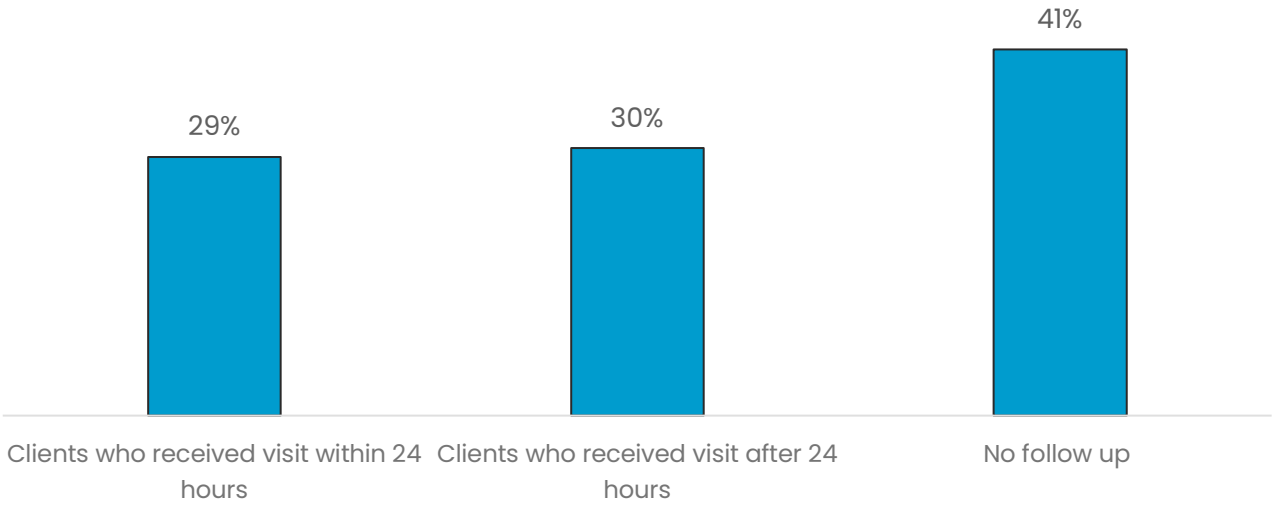


*Other includes unknown or missing due to clients not disclosing, clinician unable to make the determination, or a crisis situation not allowing for more comprehensive data collection. It also includes any identity that doesn't fit within the traditional male/female binary. Sexual orientation data not available.

Quality Outcomes ("How well did we do it?")

Follow-up after hospitalization

Jul '23 - Jun '24 (n=56)



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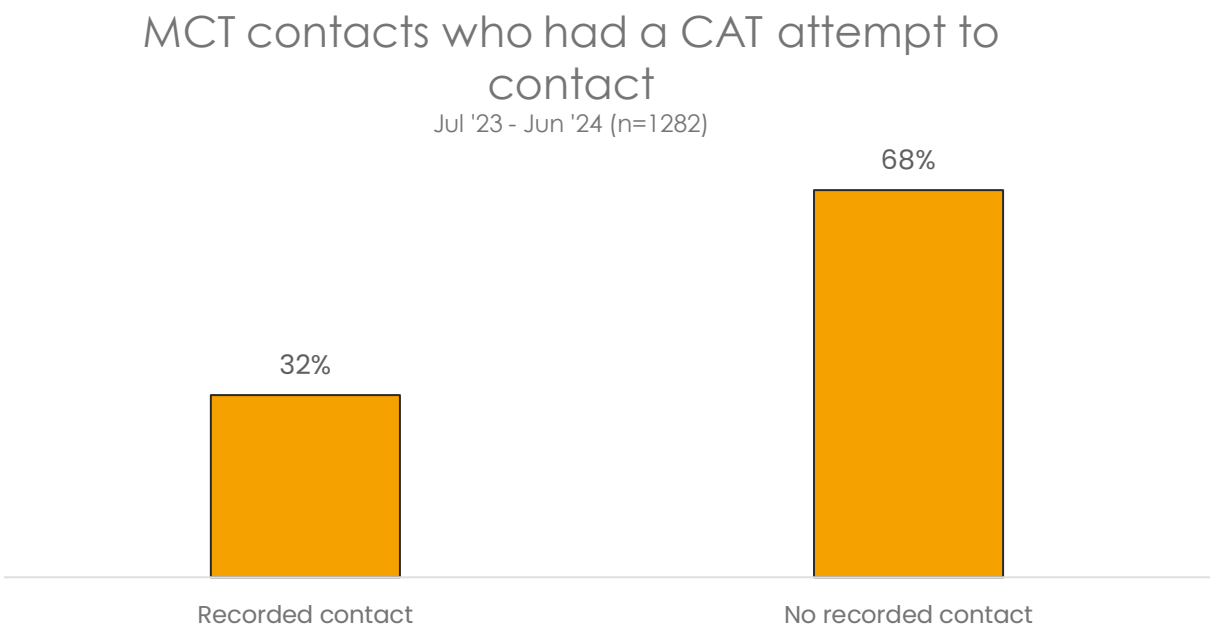


NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	MCT & CAT Incident Log
# of documented contacts	Total number of documented incidents	MCT & CAT Incident Log
% of clients who receive a visit (phone contact with client or hospital service provider) in the 24 hours after hospitalization	% of clients who receive a visit (phone contact with client or hospital service provider) in the 24 hours after hospitalization. Reasons for no follow up may include no viable contact information, client was not amenable to follow-up services, or the client is already connected to follow-up services provided by another agency.	MCT & CAT Incident Log
% of MCT contacts who had a CAT attempt to contact	Of Client IDs in MCT contact log, % which also have record in CAT contact log. Reasons for no contact may include no viable contact information or client declined contact.	MCT & CAT Incident Log

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Child Full Service Partnership (CFSP)

Process Outcomes ("How much did we do?")

14

Clients Served

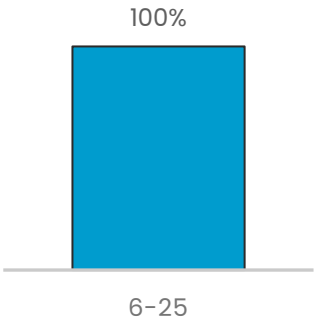
***De-identified (n<11)**

New Clients

Program Description: This team provides wrap around services to children and families with acute needs, who meet the following criteria: child is at risk of/has been removed from their parent/guardian; child is involved with the Juvenile Justice System or at risk of that; has been recently had a psychiatric hospitalization or is at risk of a hospitalization.

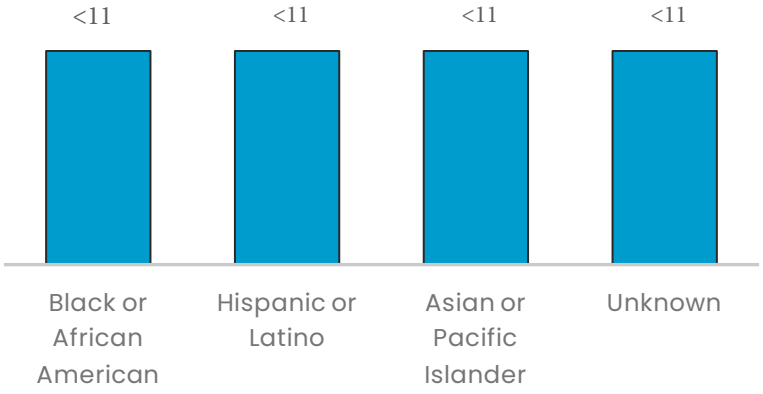
Demographics (Age)

Jul '23 - Jun '24 (n=14)



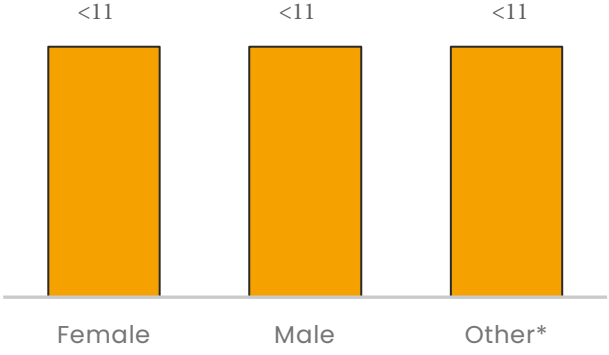
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=14)



Demographics (Gender Identity)

Jul '23 - Jun '24 (n=14)



*Other includes any identity that doesn't fit within the traditional male/female binary.

Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=14)

*LGBQ+ includes individuals who identify as lesbian, gay, bisexual,questioning, or other diverse sexual orientations. Other includes prefer not to answer or

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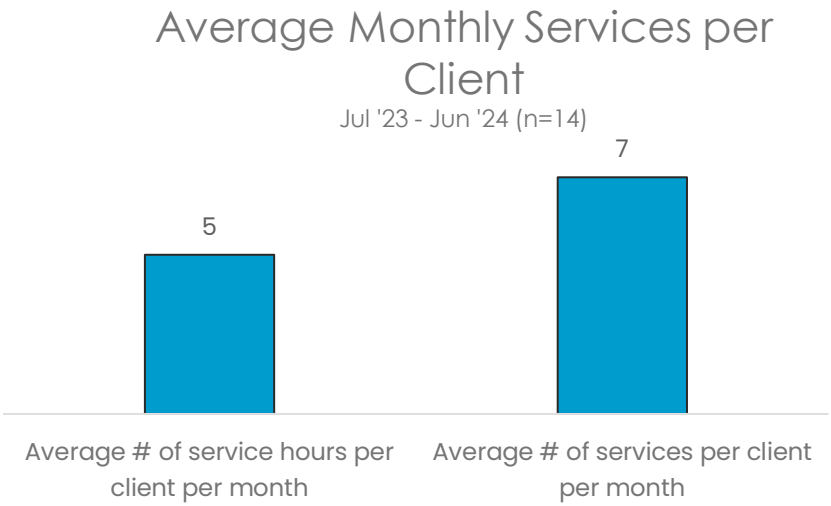
Quality Outcomes ("How well did we do it?")

Service Consistency



90-100% n<15
Discharges from hospitalization or subacute who had a follow up visit with within 7 days

Retention and Stability

60-70% n<15
Clients receive an average of 4+ face-to-face visits per month

Clients Spend **300 days** in FSP on average

90-100% n<15
Clients with at least one completed CANS assessment every six months while in the program

70-80% n<15
Clients with no service gap of over 30 days

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Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

50-60% n<15
Clients with a Primary care visit

90-100% n<15
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medcation services (MAA).	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program	Of clients with a completed Child or Adult Needs and Strengths Assessment (CANS/ANSA), what percentage of them had an assessment at least every six months?	Objective Arts
% of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month	Clients must be been open to a provider for at least 30 days in order to be included in this metric. Phone contacts are included during the pandemic. Days in subacute or jail not counted, but services are counted.	Yellowfin
% of clients with no service gap of over 30 days	Maximum days each Level 1 client went without service during their episode(s) in the reporting period. Only considered clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 business days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin *Not presented due to delays in the reporting system
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Average # of days in FSP per client	The average number of days a client remains enrolled in the Full-Service Partnership (FSP) program.	Yellowfin
% of clients with a decrease in hospitalization days/admissions	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin Note: Data Suppressed (<11 clients)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Adult Full Service Partnership (AFSP)

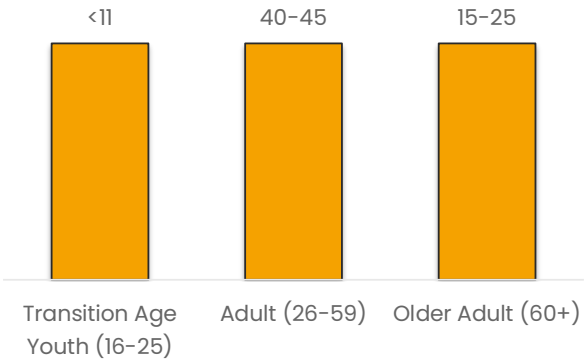
Process Outcomes ("How much did we do?")

66
Clients Served

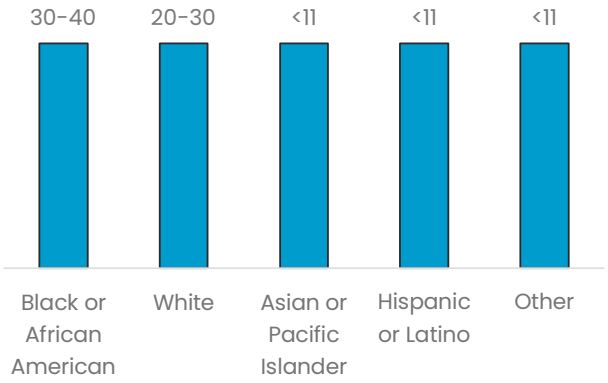
17
New Clients

Program Description: The Full-Service Partnership (FSP) team provides services to clients who are considered the highest need within our adult mental health service system. The FSP team is based on an Assertive Community Treatment (ACT) Model which involves low staff-to-client ratios at approximately 10:1 and a focus on providing care as a team rather than individual case load assignments. Services are primarily provided in the community rather than in an office setting.

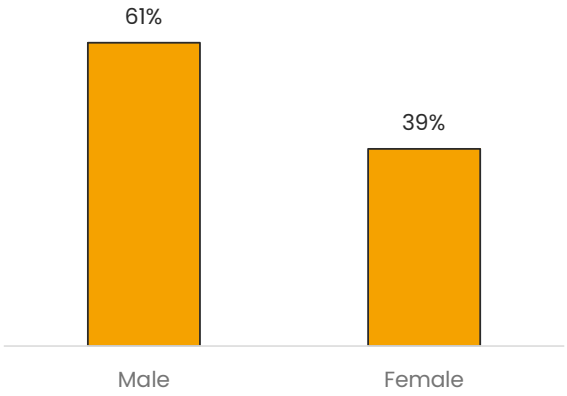
Demographics (Age)
Jul '23- Jun '24 (n=66)



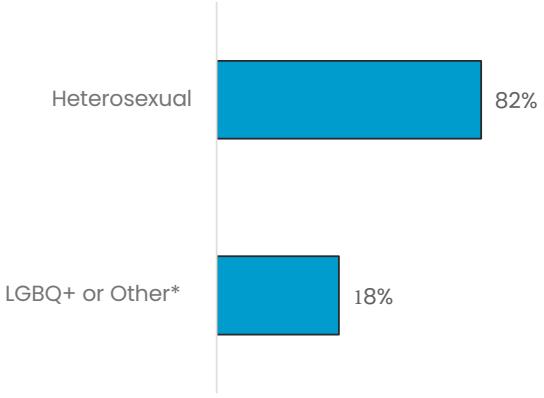
Demographics (Ethnicity)
Jul '23 - Jun '24 (n=66)



Demographics (Gender Identity)
Jul '23 - Jun '24 (n=66)



Demographic (Sexual Orientation)
Jul '23 - Jun '24 (n=66)



*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer, or unknown.

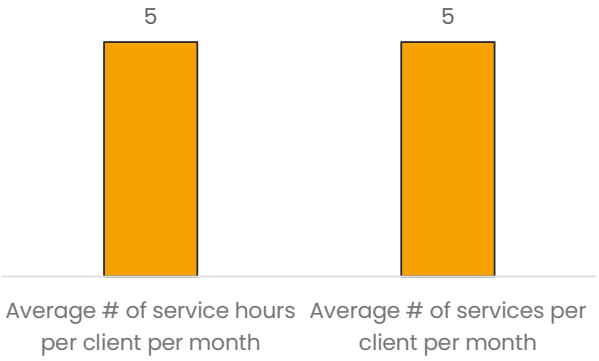
NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

Service Consistency

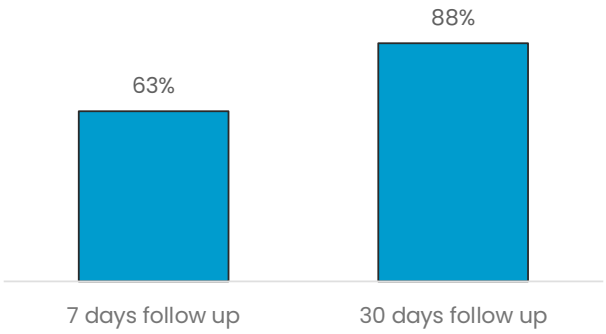
Average Monthly Services per Client

Jul '23 - Jun '24 (n=66)



Discharges from hospitalization or subacute who received FSP follow up within 7 and 30 days

Jul '23 - Jun '24 (n=20)



Retention and Stability

67% n=66
Clients receive an average of 4+ face-to-face outpatient visits per month

Clients Spend **4 years** in FSP on average

56% n=66
Clients with no service gap of over 30 days

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Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

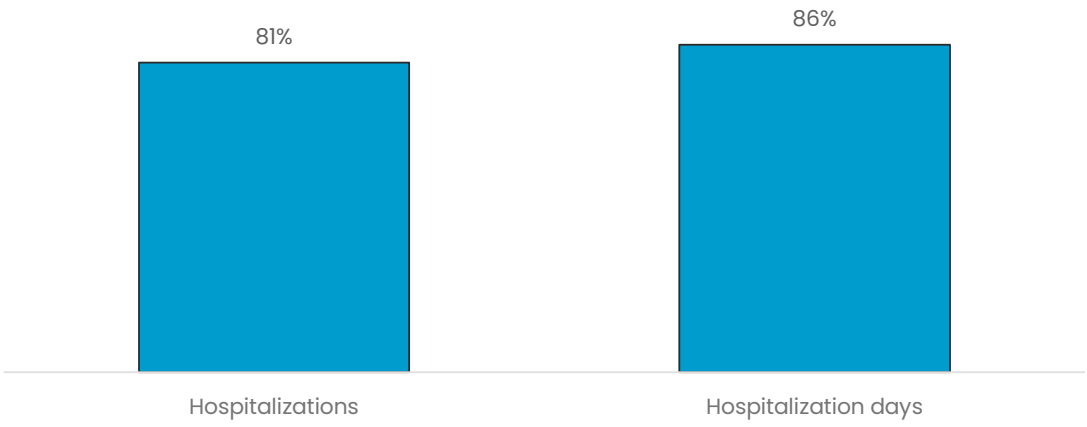
80-90% n<11
Clients who had a reduction in jail

100% n<11
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

83% n=48
Clients with a Primary care visit

Clients with a decrease in hospitalizations/hospital days

Jul '23 - Jun '24 (n=20)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medical services (MAA)	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month	Clients must be been open to a provider for at least 30 days in order to be included in this metric. Phone contacts are included during the pandemic. Days in subacute or jail not counted, but services are counted.	Yellowfin
% of clients with no service gap of over 30 days	Maximum days each Level 1 client went without service during their episode(s) in the reporting period. Only considered clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 and within 30 calendar days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin Not presented due to delays in the reporting system
# of clients transferred to another level of care	Of clients discharged in the reporting period, # who were transferred to a full service partnership program, service team, or outpatient services in Alameda County within 90 days of discharge.	Yellowfin Data Suppressed (n<11)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

% of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients who had a reduction in jail days	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in jail days, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in hospital and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin
% of clients with a decrease in hospitalizations/hospitalization days	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin
% of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program	Of clients with a completed Child or Adult Needs and Strengths Assessment (CANS/ANSA), what percentage of them had an assessment at least every six months?	No ANSA data is available for FY24

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BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Homeless Full Service Partnership (HFSP)

Process Outcomes ("How much did we do?")

47

Clients Served

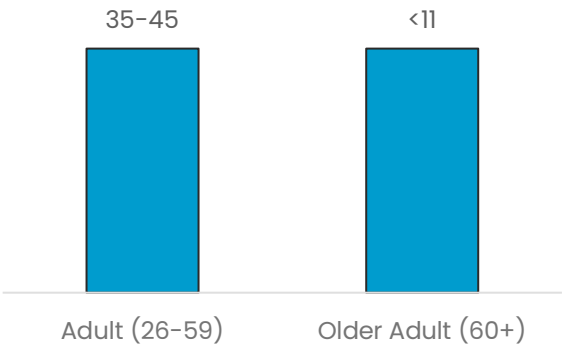
13

New Clients

Program Description: HFSP serves unhoused residents of Berkeley in an Assertive Community Treatment (ACT) model at high staff to client ratios, providing intensive case management and mental health services in a multi-disciplinary team approach. This team serves those with the highest level of need, supporting a population that is primarily unhoused and has multiple severe functional impairments.

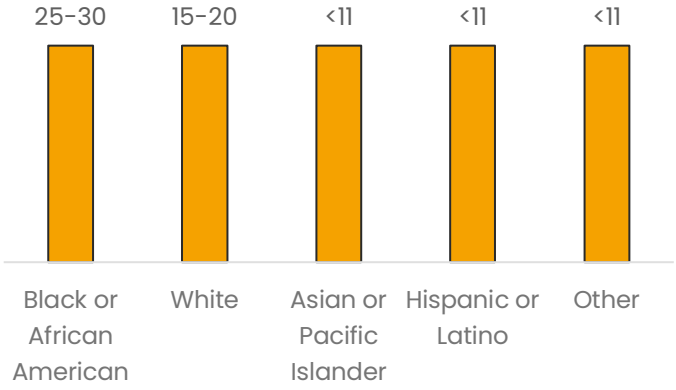
Demographics (Age)

Jul '23 - Jun '24 (n=47)



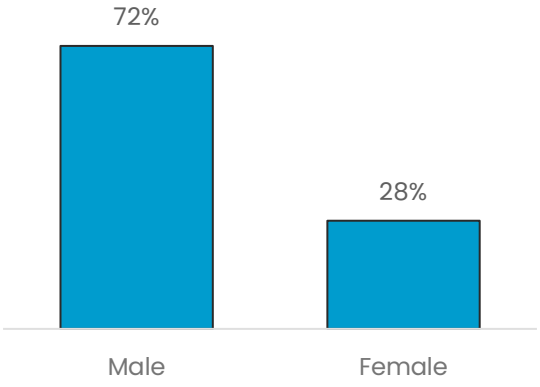
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=47)



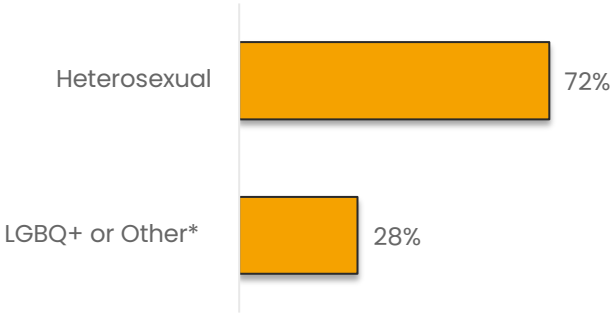
Demographics (Gender Identity)

Jul '23 - Jun '24 (n=47)



Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=47)



*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or

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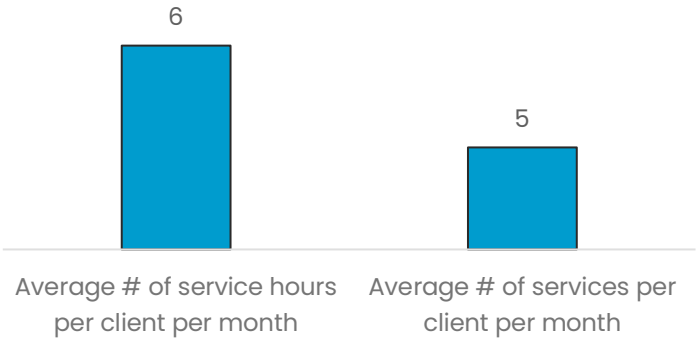
Quality Outcomes ("How well did we do it?")

Service *Consistency*

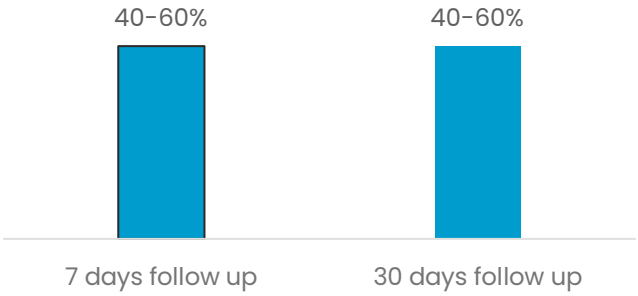
Average Monthly Services per Client

Jul '23 - Jun '24 (n=47)



Discharges from hospitalization or subacute who received FSP follow up within 7 and 30 days

Jul '23 - Jun '24 (n<11)



Retention and Stability

51% n=47
Clients receive an average of 4+ face-to-face outpatient visits per month

Clients spend **1.9 years** in FSP on average

32% n=47
Clients with no service gap of over 30 days

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Impact Outcomes ("Is anyone better off?")

Client Outcome Improvements

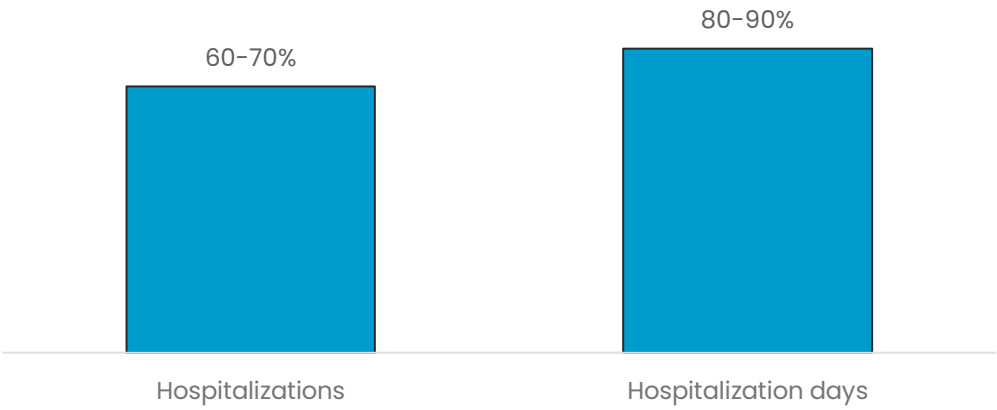
63% n<11
Clients who had a reduction in jail days

71% n<11
Client reduction in psychiatric emergency services/inpatient/ crisis stabilization units

68% n=38
Clients with a Primary care visit

Clients with a decrease in hospitalizations/hospital days

Jul '23 - Jun '24 (n<11)



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	Yellowfin
# of new clients opened for ongoing services	Clients who were not served by the program in the previous fiscal year	Yellowfin
Average # of service hours per client per month	Average of hours of service in a month divided by clients served in a month. Includes all services recorded for clients. Does not include medical services (MAA)	Yellowfin
Average # of services per client per month	Average services in a month divided by clients served in a month. Includes all services recorded for clients. Note: more than one service can be provided during a single contact. Does not include MAA	Yellowfin
% of clients and/or their caregivers who receive an average of four or more face-to-face outpatient visits per month	Clients must be been open to a provider for at least 30 days in order to be included in this metric. Phone contacts are included during the pandemic. Days in subacute or jail not counted, but services are counted.	Yellowfin
% of clients with no service gap of over 30 days	Maximum days each Level 1 client went without service during their episode(s) in the reporting period. Only considered clients open to a provider for at least a total of three months during the reporting fiscal year.	Yellowfin
% of discharges from hospitalization or subacute who had a follow up visit with FSP staff within 7 and within 30 calendar days	Follow-up rates for individuals open to Level 1 providers at the time of mental health hospital discharge. *note: clients used to calculate follow up rates include those who didn't receive outreach and those who were lost to follow up (e.g. not contactable, not responsive)	Yellowfin
#/% of clients closed, by reason closed	Discharge reason for clients discharged during the reporting period	Yellowfin *Not presented due to delays in the reporting system
# of clients transferred to another level of care	Of clients discharged in the reporting period, # who were transferred to a full service partnership program, service team, or outpatient services in Alameda County within 90 days of discharge.	Yellowfin Note: Data Suppressed (<11 clients)

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted, and may not visually reflect actual counts.

% of clients who had a reduction in psychiatric emergency services/inpatient/crisis stabilization units	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in psychiatric emergency services, inpatient or crisis stabilization unit other than Amber House, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in jail and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients who had a reduction in jail days	Of clients who completed six consecutive months during the 12-month fiscal year, percentage with a reduction in jail days, when comparing unduplicated days from the 12 months prior to the fiscal year to the current 12-month fiscal year. Excludes clients if out of community (in hospital and/or subacute) for six or more months during the current fiscal year or the prior fiscal year.	Yellowfin
% of clients with a primary care visit	Of clients who completed 6 consecutive months during the fiscal year, percentage who had an appointment with a Anthem/Alliance/Community Health Center Network (CHCN) primary care provider during the fiscal year. Metric excludes individuals with six or more months out of the community (in Subacute, MH hospital, and/or jail).	Yellowfin
% of clients with a decrease in hospitalizations/hospitalization days	Decrease in hospital days/admissions in the years that a client was active in the program compared to the year prior to program admission. Includes clients who had at least one hospital day in the 12 months prior to admission and remained in the program for at least 1 year. Only available for fiscal years.	Yellowfin
% of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program	Of clients with a completed Child or Adult Needs and Strengths Assessment (CANS/ANSA), what percentage of them had an assessment at least every six months?	No data available; ANSA discontinued in Alameda County in FY24

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BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Wellness & Recovery Services

Process Outcomes ("How much did we do?")

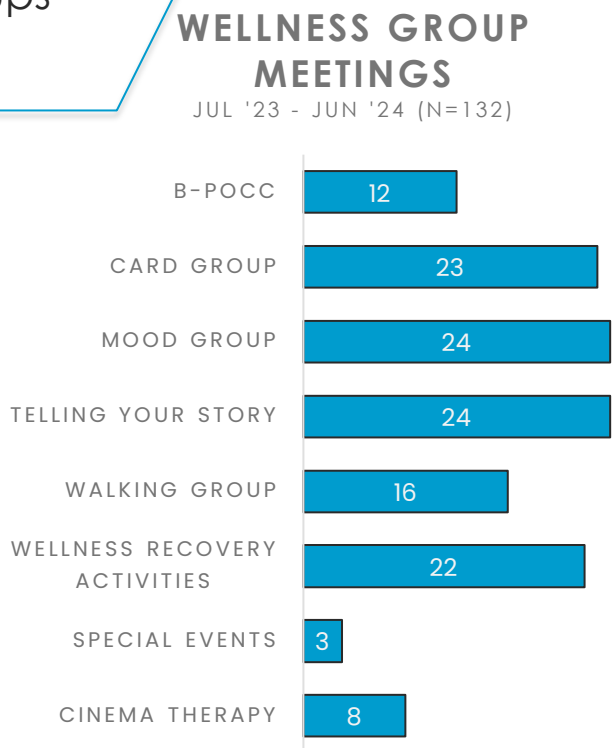
Program Description The Wellness and Recovery Program is designed to provide outreach, support, education, activities, and advocacy to consumer members living with mental illness and living in Berkeley. Wellness group activities include: Berkeley Peers Organizing Community Change (POCC), Card Groups, Mood Groups, Walking Groups, and Wellness Mixers.

52
Participants served

8
Groups

132
Group Events

20
Participants who meet requirements for "Telling Your Story"

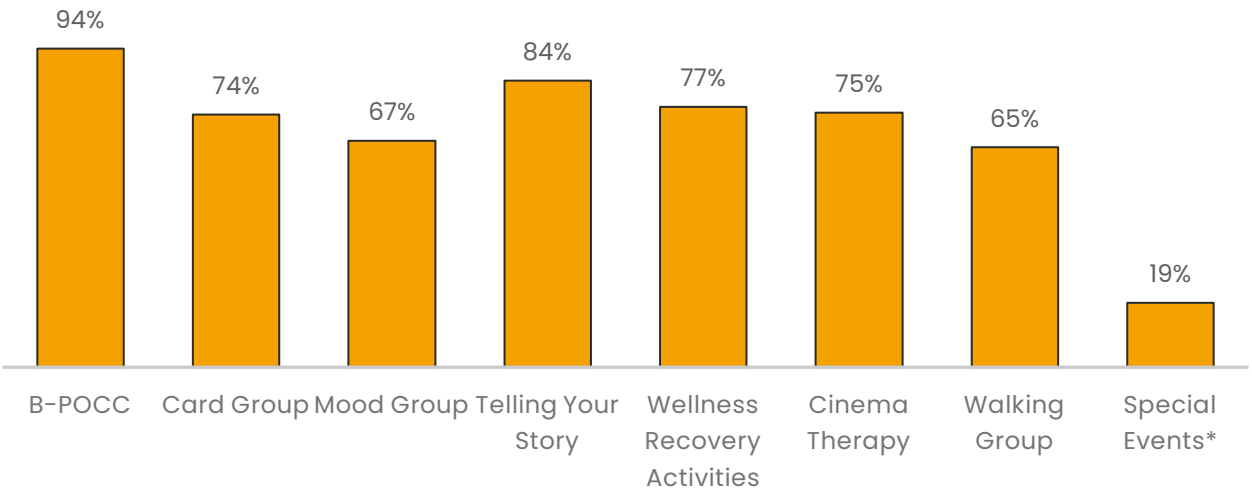


NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not exactly reflect actual counts.

Quality Outcomes ("How well did we do it?")

Overall Group Engagement (Repeat Visits)

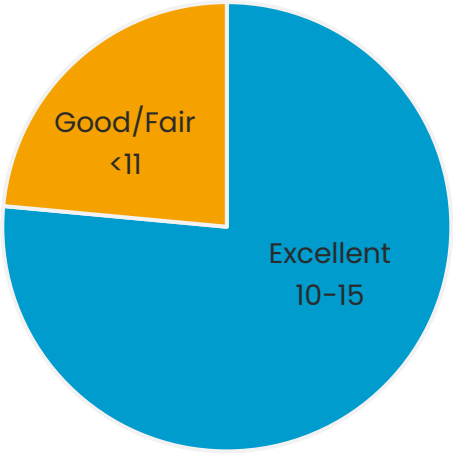
Jul '23 - Jun '24 (n=224)



*Special events, like social wellness mixers with different themes, attract a diverse mix of new attendees, which may result in lower level of returnees.

Interaction with a Wellness Team member in the Clinic Lobby

Jul '23 - Jun '24 (n=18)



71% n=52
Unduplicated participants who return for group events

Over 80% n=18
Participants rated the Lobby as Welcoming

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not exactly reflect actual counts.

Measure	Definition	Data Source
# of Particpants Served	Total # of participants served	Wellness Recovery Group Attendance Tracker
Wellness Group Event Breakdown	Number of different types of groups (i.e. walking group, mood group, Telling Your Story group) convened	Wellness Recovery Group Attendance Tracker
# Group Events	Total number of meetings held	Wellness Recovery Group Attendance Tracker
# of Telling Your Story Participants	Total number of participants in all "Telling Your Story" meetings	Wellness Recovery Group Attendance Tracker
% of participants who return for group events	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% Overall Group Engagement (Repeat Visits)	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% Participants Rated the Lobby as Welcoming	Consumer perceptions of feeling welcomed entering the Clinic Lobby	Clinic Lobby Survey

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BMH RBA Report FY 2024

Reporting Period: July 2023 - June 2024

High School Health Center (HSHC)

Process Outcomes ("How much did we do?")

210

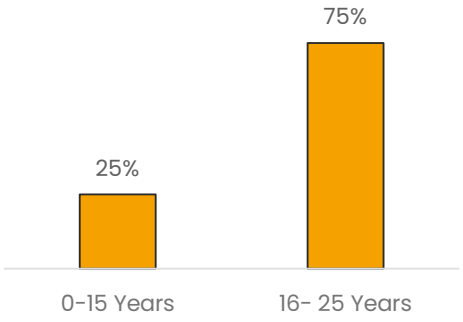
Clients Served

Program Description

The HSHC team provides mental health services on site at Berkeley High School; these services include individual and group therapy, crisis assessments, and drop in support. The program also hosts graduate students for training.

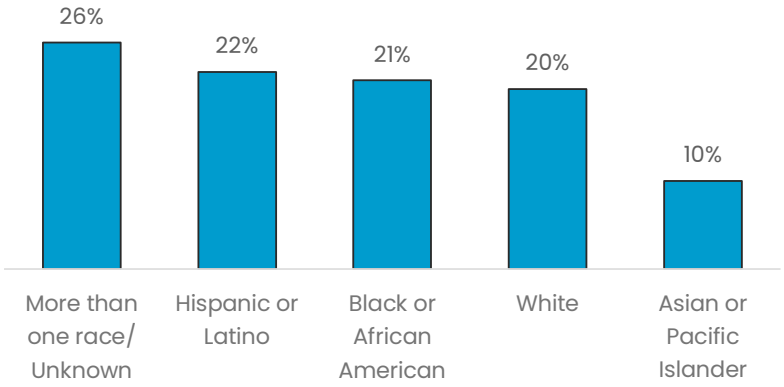
Demographics (Age)

Jul '23 - Jun '24 (n=210)



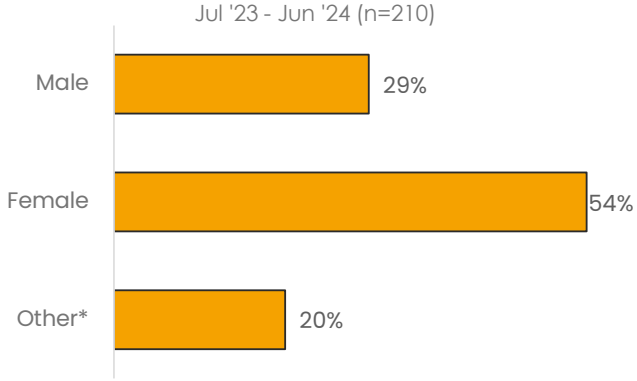
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=210)



Demographics (Gender Identity)

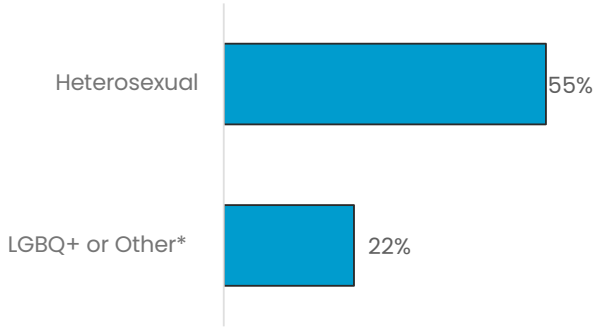
Jul '23 - Jun '24 (n=210)



*Other includes any identity that doesn't fit within the traditional male/female binary.

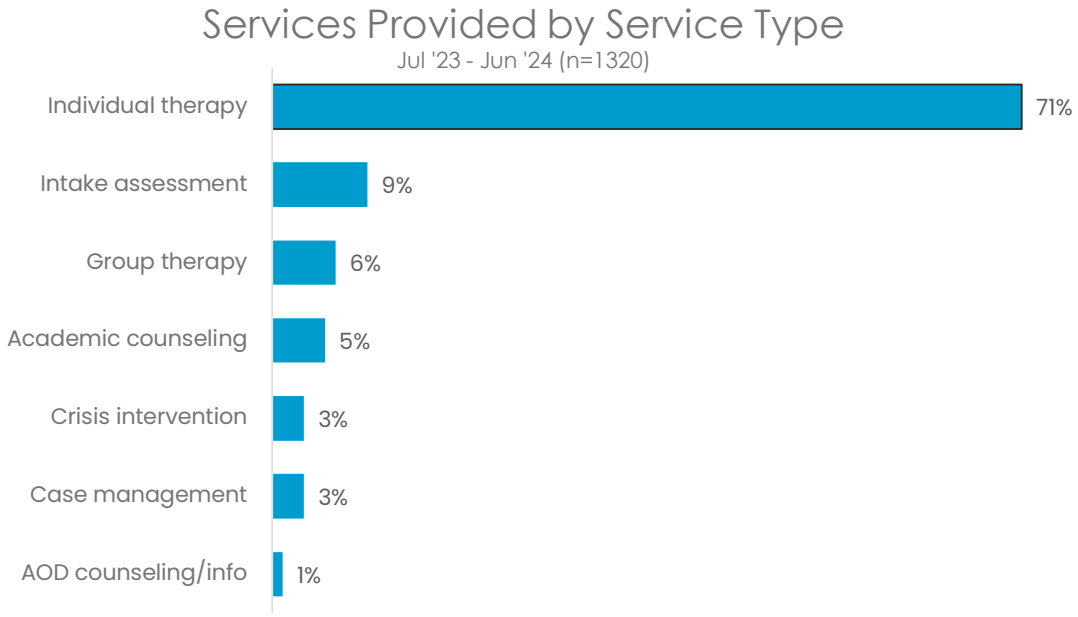
Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=210)

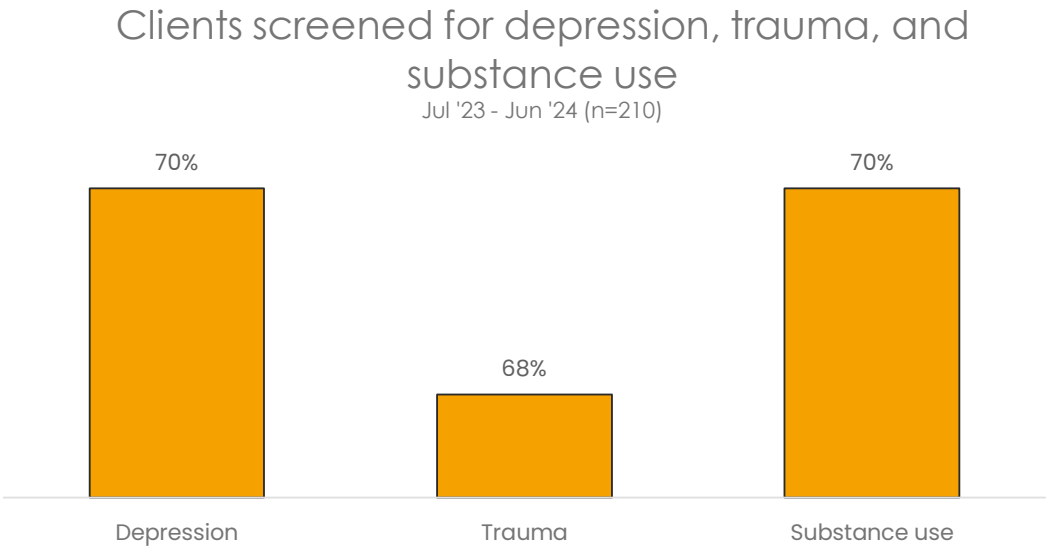


*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or unknown.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.



Note: Multiple services could be provided in one visit (e.g. crisis assessment and referral) so total services by type is greater than total encounters.



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Quality Outcomes ("How well did we do it?")

1 in 17 Students received services
6.43% of the School Population (3,267 students)

Service Consistency

96% n=126
Students felt treated with respect

96% n=105
Students felt like there's an adult who cares about

98% n=118
Students felt heard about what they have to say

96% n=129
Report Easy Access to Needed Care

97% n=113
Able to Get Help When Needed

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	NextGen
# of services provided by service type	# of services coded as behavioral_service with codes BHSV1-8. Key code accompanies NextGen data. Each incident could include more than one service provided.	NextGen
% clients screened for depression, trauma, and substance use	Percent of total clients that were recorded as having been screened for depression, trauma, and/or substance abuse at least one time during reporting period.	NextGen
% referrals to HSHC followed up within one week	Percentage of referrals that had 7 days or less between referral date and response date. Calculation reflects % of total referrals, not % of total clients.	Jotform Not presented due to delays in the reporting system
% of school population served	Unique clients served by HSHC divided by total student population of BHS and BTA.	DataQuest
% of clients satisfied with services	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey
% of clients able to receive needed care	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey

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APPENDIX C

PREVENTION AND EARLY INTERVENTION

FY2021-2022 – FY2023-2024

THREE YEAR EVALUATION REPORT

INTRODUCTION

Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) funds are used to prevent mental illnesses from becoming severe and disabling. Programs funded under the MHSA PEI component are focused on individuals across the life span and should emphasize improving timely access to services for underserved populations. Programs shall also include the following:

Outreach to increase knowledge and recognition of the early signs of mental health challenges or potentially severe and disabling mental illnesses.

- Reduction in stigma associated with either having or being diagnosed with a mental illness or seeking mental health services.
- Reduction in discrimination against people with mental health challenges or mental illness.
- Access and linkages to necessary medical care for those in need of additional services.
- Emphasis on strategies to reduce the following negative outcomes that may result from untreated mental health challenges and mental illness: Suicide; Incarcerations; School failure or dropout; Unemployment; Prolonged suffering; Homelessness; Removal of children from their homes.

Per MHSA State requirements, mental health jurisdictions are required to submit a PEI Evaluation Report to the Mental Health Services Oversight and Accountability Commission (MHSOAC) on an annual basis. Additionally, a Three-Year PEI Evaluation Report is due to the MHSOAC every three years. Regulations also require mental health jurisdictions to submit PEI Evaluation Reports to the State Department of Healthcare Services (DHCS). The PEI Evaluation Report is to be included with the MHSA Annual Update or Three-Year Program and Expenditure Plan and undergo a 30-Day Public Comment period and approval from the local governing board. In the MHSA Fiscal Year 2026 (FY2026) Annual Update, the Prevention and Early Intervention (PEI) Fiscal Years 2021-2022, 2022-2023, and 2023-2024 Three-Year Evaluation Report is due.

This Three-Year PEI Evaluation Report provides descriptions of currently funded MHSA services, and reports on program and demographic data during the reporting timeframe.

Impact Berkeley Initiative
In FY18, the City of Berkeley introduced a new initiative in the Health Housing and Community Services (HHCS) Department called “Impact Berkeley”. Central to this effort is using a highly regarded framework called Results Based Accountability (RBA) to account for the work of the Department. RBA provides a new way of understanding the quality and impact of services provided by collecting data that answer three basic questions:

1. How much did you do?
2. How well did you do it?
3. Is anyone better off?

RBA has been incorporated into selected programs within the Department, and will soon be integrated into the remainder. This has included community agency programs funded through the MHSA Prevention & Early Intervention Community Education & Supports program. Through this initiative the Department worked with each contractor to envision, clarify and develop measures on the outcomes and results each program is seeking to achieve, and used a rigorous framework to begin measuring and enhancing progress towards these results. RBA outcomes during the reporting timeframe for the Community Education & Supports program are outlined in this report.

Results Based Accountability Evaluation for all BMH Programs
Through the FY19 MHSA Annual Update the Division hired Resource Development Associates (RDA) to conduct a Results Based Accountability (RBA) Evaluation for all programs across the Division. RDA worked with the Division from FY2021-FY2024 to implement the RBA research methodology, and evaluate program results. RBA outcomes during the reporting period are outlined in this report for the following MHSA PEI funded programs: Social Inclusion Project, and the High School Prevention Project.

BACKGROUND

In 2007, the California Department of Mental Health (DMH) issued State Requirements (through DMH Information Notice 07-17) outlining how Mental Health Services Act (MHSA) Prevention and Early Intervention (PEI) funds were to be used for local programs. Through these requirements, PEI Programs were to be utilized on the following Key Community Mental Health Needs and Priority Populations:

Key Community Mental Health Needs:

- Disparities in Access to Mental Health Services – Reduce disparities in access to early mental health interventions due to stigma, lack of knowledge about mental health services or lack of suitability (i.e., cultural competency) of traditional mainstream services.
- Psycho-Social Impact of Trauma – Reduce the negative psycho-social impact of trauma on all ages.
- At-Risk Children, Youth and Young Adult Populations – Increase prevention efforts and response to early signs of emotional and behavioral health problems among specific at-risk populations.
- Stigma and Discrimination – Reduce stigma and discrimination affecting individuals with mental illness and mental health problems.
- Suicide Risk – Increase public knowledge of the signs of suicide risk and appropriate actions to prevent suicide.

PEI Priority Populations:

- Underserved Cultural Populations – Projects that address individuals who are unlikely to seek help from any traditional mental health services whether because of stigma, lack of knowledge, or other barriers (such as members of ethnically/racially diverse communities, members of gay, lesbian, bisexual, transgender communities, etc.) and would benefit from PEI programs and interventions.
- Individuals Experiencing Onset of Serious Psychiatric Illness – Individuals identified by providers, including but not limited to primary health care, as presenting signs of mental illness first break, including individuals who are unlikely to seek help from any traditional mental health service.
- Children and Youth in Stressed Families – Children and youth placed out-of-home or individuals in families where there is substance abuse or violence, depression or other mental illnesses or lack of caregiving adults (e.g., as a result of a serious health condition or incarceration), rendering the children and youth at high risk of behavioral and emotional problems.
- Trauma-Exposed – Individuals who are exposed to traumatic events or prolonged traumatic conditions including grief, loss and isolation, including individuals who are unlikely to seek help from any traditional mental health service.
- Children and Youth at Risk for School Failure – Due to unaddressed emotional and behavioral problems.
- Children and Youth at Risk of or Experiencing Juvenile Justice Involvement – Individuals with signs of behavioral/emotional problems who are at risk of or have had any contact with any part of the juvenile justice system, and who cannot be appropriately served through MHSA Community Services and Supports funded services.

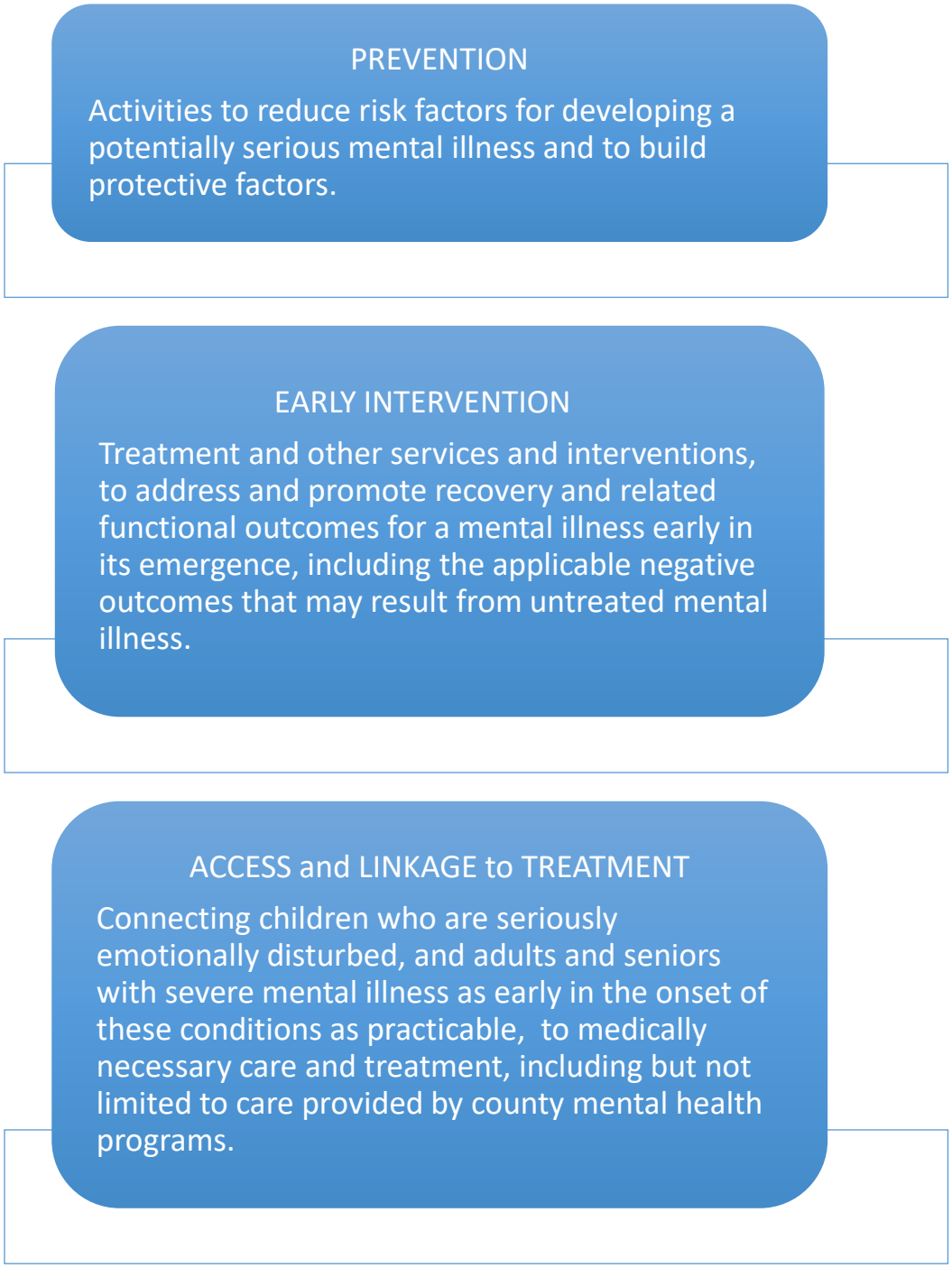
In April 2009, following a nine-month long Community Planning Process, the original City of Berkeley PEI plan was approved. Since the approval of the original plan, Three-Year Plans or Annual Updates outlining proposed PEI funding and programming have been developed and approved on an annual basis. Based on the DMH Regulations, through the original PEI Plan (or subsequent updates) programs were created to address Key Community Mental Health Needs and PEI Priority Populations as follows:

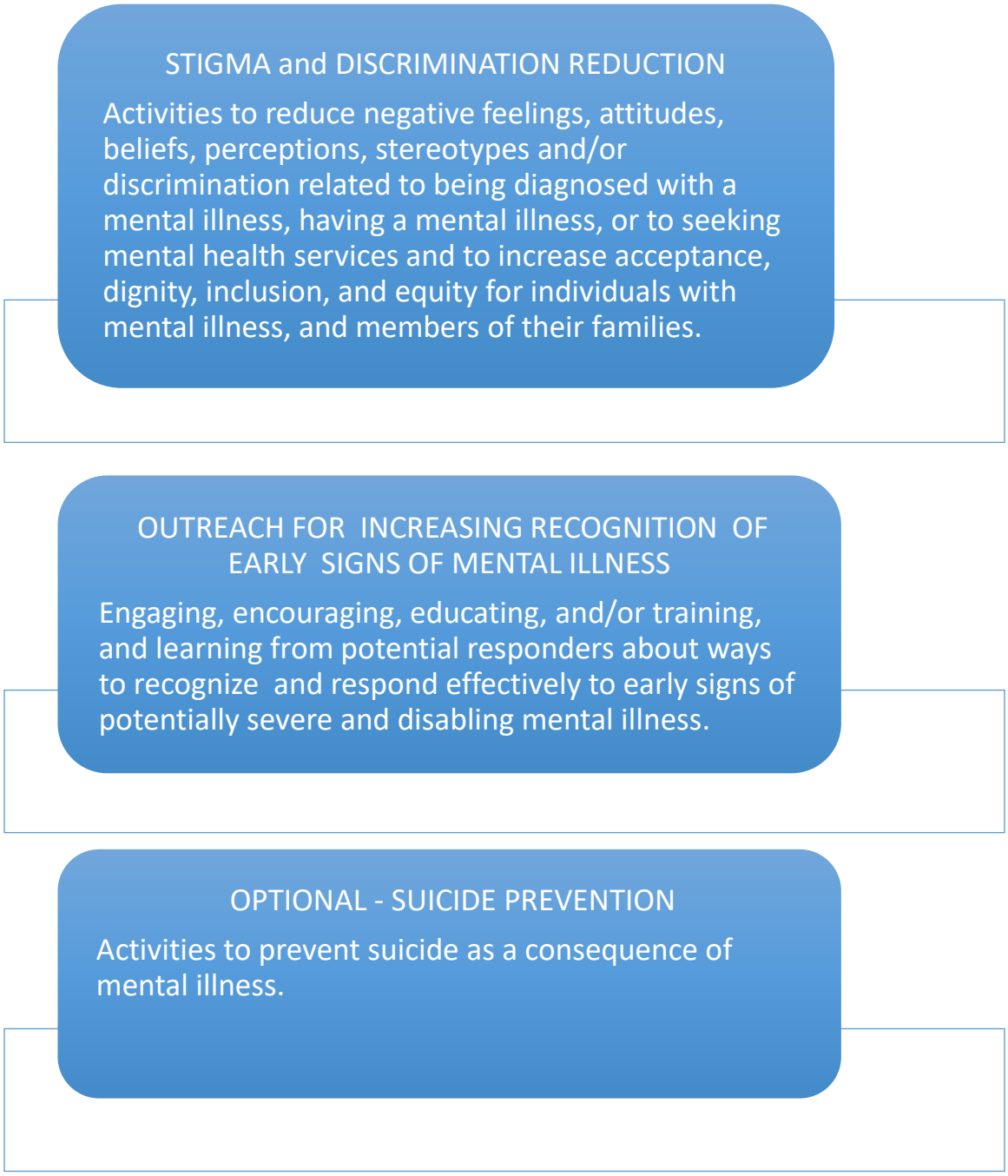
PEI Programs	Key Community Mental Health Needs	PEI Priority Populations
Behavioral-Emotional Assessment, Screening, Treatment and Referral – (BE A STAR) Program	➢ At-Risk Children, Youth and Young Adult Populations	• Children and Youth in Stressed Families • Children and Youth at Risk for School Failure • Underserved Cultural Populations

PEI Programs	Key Community Mental Health Needs	PEI Priority Populations
Supportive Schools Program Community Based Child & Youth Risk Prevention Program		
High School Youth Prevention Project Mental Health Peer Mentor Program Dynamic Mindfulness Program African American Success Project	➢ At-Risk Children, Youth and Young Adult Populations ➢ Disparities in Access to Mental Health services ➢ Psycho-social Impact of Trauma	• Trauma Exposed • Children and Youth in Stressed Families • Children and Youth at Risk for School Failure • Underserved Cultural Populations
Community Education & Supports	➢ Psycho-social Impact of Trauma ➢ At-Risk Children, Youth and Young Adult Populations	• Trauma Exposed • Underserved Cultural Populations • Children/Youth in Stressed Families • Children and Youth at Risk for School Failure
Homeless Outreach & Treatment Team (HOTT)* Specialized Care Unit	➢ Psycho-social Impact of Trauma ➢ Disparities in Access to Mental Health services At-Risk Children, Youth and Young Adult Populations	• Underserved Cultural Populations • Trauma Exposed
Social Inclusion	➢ Stigma and Discrimination ➢ Psycho-social Impact of Trauma	• Trauma Exposed Underserved Cultural Populations

*This program was not in operation in FY2022

On October 6, 2015, updated PEI regulations designed by the Mental Health Services Oversight and Accountability Commission (MHSOAC) became effective. The updated regulations changed the PEI requirements. Per more recent PEI State Regulations, Mental Health jurisdictions are to utilize PEI funds to implement the following programs: Prevention, Early Intervention, Access and Linkage to Treatment, Stigma and Discrimination Reduction, and Outreach for Increasing Recognition of Early Signs of Mental Illness. Programs or strategies within programs can also be combined. Jurisdictions may also opt to utilize some PEI funds to implement a Suicide Prevention program. The definitions of each program are outlined below:


PREVENTION
Activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.
EARLY INTERVENTION
Treatment and other services and interventions, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.
ACCESS and LINKAGE to TREATMENT
Connecting children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.


STIGMA and DISCRIMINATION REDUCTION
Activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families.
OUTREACH FOR INCREASING RECOGNITION OF EARLY SIGNS OF MENTAL ILLNESS
Engaging, encouraging, educating, and/or training, and learning from potential responders about ways to recognize and respond effectively to early signs of potentially severe and disabling mental illness.
OPTIONAL - SUICIDE PREVENTION
Activities to prevent suicide as a consequence of mental illness.

Within each PEI program the following strategies should also be implemented: Access and Linkage, Improve Timely Access, and Reduce and Circumvent Stigma. The definitions of each strategy are outlined below:

Access and Linkage	Improve Timely Access	Reduce and Circumvent Stigma
• Activities that engage and connect youth, adults, and seniors with severe mental illness, as early in the onset of the condition as practicable, to medically necessary care and treatment.	• Improve timely access to mental health services for underserved populations through accessibility, cultural and language appropriateness, transportation, family focus, hours available, and cost of services	• Reduce and circumvent stigma, including self-stigma, and discrimination related to being diagnosed with a mental illness, or seeking mental health services. Make services accessible, welcoming, and positive.

PEI Regulations, also include program and demographic data requirements that are to be reported to the MHSOAC through Annual and Triennial PEI Evaluation Reports.

The following pages outline the PEI Program and Demographic reporting requirements.

PEI Program Requirements

PROGRAM TYPE	PROGRAM DEFINITION	PROGRAM AND DATA COLLECTION REQUIREMENTS
Prevention	A set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.	➢ Describe the target population- type of risk(s) and the criteria used for establishing/identifying those at risk ➢ Measure the impact of one or more of the negative outcomes listed in the MHSA (suicide, incarcerations, school failure or dropout, unemployment, homelessness, and removal of children from their homes) ➢ Demonstrate the use of an evidence-based or promising practice or a community or practice-based evidence standard* ➢ Collect all PEI demographic variables
Early Intervention	Treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the	➢ Provide services that do not exceed 18 months ➢ Program may include services to parents, caregivers, and other family members of the person with early onset of a mental illness. ➢ Program may be combined with a Prevention program

PROGRAM TYPE	PROGRAM DEFINITION	PROGRAM AND DATA COLLECTION REQUIREMENTS
	applicable negative outcomes that may result from untreated mental illness.	➢ Measure the impact of one or more of the negative outcomes listed in the MHSA (suicide, incarcerations, school failure or dropout, unemployment, homelessness, removal of children from their homes). ➢ Demonstrate the use of an evidence-based or promising practice or a community or practice-based evidence standard* ➢ Collect all PEI demographic variables
Access and Linkage to Treatment	Connecting children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.	➢ Collect # of unduplicated individuals served ➢ Collect # of unduplicated referrals made to a Treatment program (and type of program) ➢ Collect # of individuals who followed through (participated at least once in Treatment) ➢ Measure average time between referral and engagement in services per each individual ➢ Measure duration of untreated mental illness (interval between onset of symptoms and start of treatment) per each individual ➢ Collect all PEI demographic variables
Stigma and Discrimination Reduction	Direct activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families.	➢ Collect the number of individuals reached by activity (e.g., # who participated in each service or activity) ➢ Measure changes in attitude, knowledge, and/or behavioral related to seeking mental health services or related to mental illness ➢ Collect all PEI demographic variables
Outreach for Increasing Recognition of Early Signs of Mental Illness	A process of engaging, encouraging, educating, and/or training, and learning from potential responders about ways to recognize and respond effectively to early signs of potentially severe and disabling mental illness.	➢ May include reaching out to individuals with signs and symptoms of a mental illness, so they can recognize and respond to their own symptoms. ➢ May be a stand-alone program, a strategy within a Prevention program, a strategy within an Early Intervention program, a strategy within another program funded by PEI funds, or a combination thereof. ➢ Unduplicated # of individual potential responders ➢ The types of potential responders engaged in each setting (e.g., nurses, principals, parents, etc.) ➢ The **#** and kind of settings in which the potential responders were engaged ➢ Measure impact to 1 or more of the negative outcomes listed in the Act (suicide, incarcerations, school failure or dropout, unemployment, homelessness, and removal of children from their homes) ➢ Collect all demographic variables for all unduplicated individual potential responders

PROGRAM TYPE	PROGRAM DEFINITION	PROGRAM AND DATA COLLECTION REQUIREMENTS
OPTIONAL Suicide Prevention	Activities to prevent suicide as a consequence of mental illness.	➢ Collect available #of individuals reached ➢ Collect # of individuals reached be activity (ex. # trained, # who accessed website) ➢ Select and use a validated method to measure changes I attitudes, knowledge and/or behavior regarding suicide related mental illness ➢ Collect all PEI demographic variables for all individuals reached

* Evidence-based practice standard: Activities for which there is scientific evidence consistently showing improved mental health outcomes for the intended population, including, but not limited to, scientific peer-reviewed research using randomized clinical trials.
Promising practice standard: Programs and activities for which there is research showing positive outcomes, but the research does not meet the standards used to establish evidence-based practices and does not have enough research or replication to support generalizable positive public health outcomes.
Community and/or practice-based evidence standard: A set of practices that communities have used and determined to yield positive results by community consensus over time, which may or may not have been measured empirically. Takes a number of factors into consideration, including worldview, historical, and social contexts of a given population or community, which are culturally rooted.

PEI Demographic Reporting Requirements

For the information reported under the various program categories, each program will need to report disaggregate numbers served, number of potential responders engaged, and number of referrals for treatment and other services by:

A. The following Age groups:
- 0-15 (children/youth)
- 16-25 (transition age youth)
- 26-59 (adult)
- ages 60+ (older adults)
- Number of respondents who declined to answer the question

B. Race by the following categories:
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White
- Other
- More than one race
- Number of respondents who declined to answer the question

C. Ethnicity by the following categories:
(i) Hispanic or Latino as follows
- Caribbean
- Central American

- Mexican/Mexican-American/Chicano
- Puerto Rican
- South American
- Other
- Number of respondents who declined to answer the question

(ii) Non-Hispanic or Non-Latino as follows

- African
- Asian Indian/South Asian
- Cambodian
- Chinese
- Eastern European
- European
- Filipino
- Japanese
- Korean
- Middle Eastern
- Vietnamese
- Other
- Number of respondents who declined to answer the question
- More than one ethnicity

D. Primary language used listed by threshold languages for the individual county

- English
- Spanish
- Number of respondents who declined to answer the question

E. Sexual orientation

- Gay or Lesbian
- Heterosexual or Straight
- Bisexual
- Questioning or unsure of sexual orientation
- Queer
- Another sexual orientation
- Number of respondents who declined to answer the question

F. Disability - Defined as a physical or mental impairment or medical condition lasting at least six months that substantially limits a major life activity, which is not the result of a severe mental illness

- If Yes, report the number that apply in each domain of disability(ies)
  - Communication domain separately by each of the following:

        - difficulty seeing
        - difficulty hearing (or having speech understood)
        - other, please specify
    - Mental domain not including a mental illness (including but not limited to a learning disability, developmental disability, dementia)
    - Physical/mobility domain
    - Chronic health condition (including but not limited to chronic pain)
    - Other (specify)
- No
- Number of respondents who declined to answer the question

G. Veteran Status,

- Yes
- No
- Number of respondents who declined to answer the question

H. Gender

(i) Assigned sex at birth:
(a) Male
(b) Female
(c) Number of respondents who declined to answer the question

(ii) Current gender identity:
(a) Male
(b) Female
(c) Transgender
(d) Genderqueer
(e) Questioning or unsure of gender identity
(f) Another gender identity
(g) Number of respondents who declined to answer the question

Effective July 2018 amended PEI regulations specified the following:

- For projects/programs serving children or youth younger than 18 years of age, the demographic information collected and reported should only be done so to the extent permissible by privacy laws.
- For projects/programs serving minors younger than 12 years of age, demographic information shall be collected and reported, except for sexual orientation, current gender identity, and veteran status.
- Information that cannot be obtained directly from the minor many be obtained from the minor's parent, legal guardian, or other authorized source.

CITY OF BERKELEY PEI PROGRAMS

Since the release of the 2018 PEI Regulations, the City of Berkeley has regularly reviewed PEI programs to ensure they fit within the required program definitions. As a result, PEI funded programs were re-classified from the previous construct. Outlined below is a listing of the PEI program type, definition and the City of Berkeley programs that were funded during the timeframe of this report:

PEI Program Type	Program Definition	City of Berkeley PEI Program(s)
Prevention	A set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.	• Mental Health Promotion Campaign • High School Prevention • DMIND • MEET • African American Success
Early Intervention	Treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.	• High School Prevention • Be A Star • Community-based Child & Youth Program • DMIND • MEET • African American Success • Supportive Schools • Community Education and Supports • Specialized Care Unit
Outreach for Increasing Recognition of Early Signs of Mental Illness	A process of engaging, encouraging, educating, and/or training, and learning from potential responders about ways to recognize and respond effectively to early signs of potentially severe and disabling mental illness.	• Mental Health First Aid (non-MHSA funded program)
Stigma and Discrimination	Direct activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families.	• Social Inclusion
Access and Linkage to Treatment	Connecting children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to	• High School Prevention • Specialized Care Unit

PEI Program Type	Program Definition	City of Berkeley PEI Program(s)
	medically necessary care and treatment, including but not limited to care provided by county mental health programs.	
OPTIONAL Suicide Prevention	Activities to prevent suicide as a consequence of mental illness.	• CalMHSA PEI Statewide Project

Beginning January 1, 2020, per Senate Bill (SB) 1004, Welfare and Institutions Code (WIC) 5840.7 (a) directed the Mental Health Oversight and Accountability Commission (MHSOAC) to establish priorities for the use of MHSA PEI funds. Section 5840.7 (d)(1) states that mental health jurisdictions shall, through their MHSA Three-Year Program and Expenditure Plans and Annual Updates, focus use of their PEI funds on the Commission-established priorities or other priorities as determined through their respective, local stakeholder processes. If a mental health jurisdiction chooses to focus on priorities other than or in addition to those established by the Commission, "the plan shall include a description of why those programs are included and metrics by which the effectiveness of those programs is to be measured" (WIC Section 5840.7 (d)(1)).

Current MHSOAC priorities for the use of PEI funding are as follows:

- Childhood trauma prevention and early intervention to deal with the early origins of mental health needs;
- Early psychosis and mood disorder detection and intervention, and mood disorder and suicide prevention programming that occurs across the lifespan;
- Youth outreach and engagement strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college;
- Culturally competent and linguistically appropriate prevention and intervention, including community defined evidence practices (CDEPs);
- Strategies targeting the mental health needs of older adults;
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

In order to meet the requirements, each mental health jurisdiction is required to show in the PEI component of the Three-Year Plan or Annual Update the following:

- Which specific PEI priorities the mental health jurisdictions plan addresses, an estimate of the share of PEI funding allocated to each priority, and an explanation of how stakeholder input contributed to those allocations;

- If the mental health jurisdiction has determined to pursue alternative or additional priorities to those listed in Section 5840.7(a), how the determinations were made through its stakeholder process;
- For any alternative or additional priority identified by the mental health jurisdiction, what metric or metrics relating to assessment of the effectiveness of programs intended to address that priority the county will measure, collect, analyze, and report to the Commission, in order to support statewide learning.

Many PEI projects meet multiple established priorities. Per PEI regulations, outlined below is a crosswalk of the City of Berkeley PEI Programs with the MHSOAC PEI Priorities for programs during the reporting timeframe:

CITY OF BERKELEY PEI PROGRAMS	PEI PRIORITIES
• Be A Star • Community-based Child & Youth At Risk Program • Supportive Schools	Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.
• High School Youth Prevention Project • Mental Health Peer Mentor Program • Dynamic Mindfulness Program • Specialized Care Unit • African American Success Project	Youth Engagement and Outreach Strategies that target secondary school and transition age youth with a priority on partnership with college mental health programs, and transition age youth not in college. Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis. Culturally competent and linguistically appropriate prevention and intervention, including community defined evidence practices (CDEPs).
• Mental Health Promotion Campaign • Social Inclusion • Community Education & Supports	Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs). Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college. Strategies targeting the mental health needs of older adults.

This PEI Three-Year Evaluation Report documents program measures and demographic elements to the extent data was available.

PEI FUNDED CHILDREN AND YOUTH AND TAY SERVICES

Per MHSA regulations 51% of PEI funds are to be used on services and supports for Children, Youth, and TAY. Small counties, of which the City of Berkeley is considered, may elect to forego this regulation as long as a community vetted, locally approved justification is provided as to why children and youth services are funded at a lower level.

Since the initial PEI Plan, the City of Berkeley has allocated more than 51% of PEI funds to services and supports for children, youth and TAY as the majority of PEI funds has been utilized to serving these populations. All City of Berkeley PEI programs in FY2025 will provide services for children and youth and/or Transition Age Youth. Five programs are in the Berkeley Unified School District (BUSD).

Programs and services funded with PEI funds that were approved to be continued in FY2025 through the previously approved Three-Year Plan, are outlined below by PEI Program type, along with FY2023 data.

Prevention Program

Prevention Program - A set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.

Through the FY2022 Annual Update the City of Berkeley funded the following Prevention initiative:

Mental Health Promotion Campaign

As a result of the impact of the pandemic and public input around the overwhelming need for mental health supports in the community, the Division proposed through the FY2022 Annual Update to allocate PEI funds for a community Mental Health Promotion Campaign to support the wellness and self-care of Berkeley residents. The Division will partner with the community and may consider using a social marketing firm to develop and implement the campaign.

PEI Goals: The goal of this campaign is to increase prevention efforts and response to early signs of emotional and behavioral health problems.

PEI Priority: Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).

It is envisioned that this campaign will be implemented in FY2026 and the Division will continue to work with the community to determine how to best promote mental health and wellness in Berkeley.

Early Intervention Programs

Early Intervention Program - Provides treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

During this reporting timeframe the City of Berkeley Early Intervention programs have been as follows:

Early Childhood Health and Wellness Program
The Early Childhood Health and Wellness Program (formerly the Be A Star project) has been a collaboration with the City of Berkeley's Public Health Department since the initial PEI Plan. This program provides a coordinated system in Berkeley that identifies children birth to age five and their parents, who are at risk of childhood development challenges including developmental, social, emotional, and/or behavioral concerns. The program specifically targets low income families, including those with teen parents, who are homeless, substance abusing, or in danger of foster care. Services include triage, assessment, treatment and referrals to appropriate community-based or specialist services as needed. Children and families are accessed through targeted efforts at the following: Black Infant Health; Vera Casey Teenage Parenting programs; Child Health and Disability Prevention programs, Pediatric providers, state-subsidized Early Childhood Development Centers; and area pre-schools and schools. The goals of the program are to identify, screen and assess families early, and connect them with services and supports as needed. The program uses the "Ages and Stages Questionnaires" (ASQ) screening tool to assess children in need. The ASQ consists of a series of 20 questionnaires that correspond to age intervals from birth to 6 years designed to help parents check their child's development. Each questionnaire contains

simple questions for parents to answer that reflect developmental milestones for each age group. Answers are scored and help to determine whether the child's development is on schedule or whether the child should be referred for a developmental checkup with a professional. Over 400 children are assessed each year.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priority: Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.

In FY2022, a total of 1,654 children were screened through this program (183 at BUSD, and 1,471 at the Help Me Grow sites) however data was not collected on all individuals screened. Only Race/Ethnicity data was collected on a subset the 183 children screened at BUSD as follows:

DEMOGRAPHICS N = 183

- **Age Category**
  0 – 15 (Children Youth) – 100%
- **Race**
  Asian – 19%
  Black or African American – 25%
  White – 20%
  More than one Race – 8%
  Other – 4%
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American/Chicano – 24%
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 100%
- **Primary Language**
  Declined to Answer, or Unknown – 100%
- **Disability**
  Declined to Answer, or Unknown – 100%
- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 100%

Program Successes:

- On-site technical assistance visits to all Berkeley Help Me Grow providers resumed and the visits went well.
- The program conducted 1,654 ASQ developmental screenings in Berkeley.

- Berkeley Unified School District (BUSD) referred a total of 53 preschool students and the Help Me Grow providers referred 94 infants/children.
- Approximately 78% of all Help Me Grow referrals reached their goals.

Program Challenges:

- There continued to be an impact of the COVID-19 pandemic on program services which decreased the number of screenings that were conducted.
- Staffing changes/turnovers at the Berkeley Help Me Grow sites impacted the continuity of the partnership with the program.
- The Help Me Grow sites do not collect race/ethnicity, language spoken data, or gender; and BUSD does not collect specific ethnicity data, language spoken, or gender for all students who received an ASQ.
- There was a delay in getting the annual data for the Help Me Grow sites.

In FY2023, a total of 2,339 children were screened through this program (255 at BUSD, and 2,084 at the Help Me Grow sites) however data was not collected on all individuals screened. Although all 2,339 of the individuals that were either screened or were screened and received services, were aged 0-15, the other data elements were only collected on the 255 children screened at BUSD as follows:

DEMOGRAPHICS N = 255

*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 (Children Youth) – 100%
- **Race**
  American Indian or Alaska Native – *
  Asian – 17%
  Black or African American – 30%
  White – 19%
  More than one Race – *
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American/Chicano – 25%
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 100%
- **Primary Language**
  English – 51%
  Spanish – 18%
  Declined to Answer, or Unknown – 31%
- **Disability**
  Declined to Answer, or Unknown – 100%

- **Gender: Assigned Sex at Birth**
  Male – 44%
  Female – 56%

Program Successes:

- On-site technical assistance visits to all Berkeley Help Me Grow providers continued and went well.
- 2,339 ASQ developmental screenings were conducted in Berkeley, BUSD preschools and Berkeley Help Me Grow pediatric provider sites combined.
- Berkeley Help Me Grow sites conducted a total of 2,084 screenings, across all sites averaging a 20% increase in children screened from the previous year.
- Referrals to resources & follow-up: BUSD referred a total of 64 preschool students and Help Me Grow providers referred 94 infants/children.
- Approximately 72% of all Help Me Grow referrals had their goals met.

Program Challenges:

- The Early Childhood Health and Wellness Public Health Nurse vacancy occurring in May 2023 and staffing vacancies/turnovers at the Berkeley Help Me Grow provider sites impacted the continuity of services, with the need to introduce/train/orient provider sites to ASQ implementation, tracking, and resource referrals to clients.
- Help Me Grow sites did not collect race/ethnicity, language spoken data, or gender; BUSD does not collect specific ethnicity data, gender, sexual orientation for this age group. BUSD does collect language spoken students that are not reflected on this PEI Report, for example, data reflected Arabic, Vietnamese, Russian, Mandarin, Cantonese, Urdu, and other languages not on this report form.
- There were delays in receiving the annual infographic data for Help Me Grow sites. The Help Me Grow Collaborative collects and analyzes the data from all Help Me Grow sites in Alameda County so it takes time to collect and synthesize the data and to receive the Berkeley specific data.

In FY2024, a total of 2,596 children were screened through this program (207 at BUSD, and 2,389 at the Help Me Grow sites) however data was not collected on all individuals screened. Although all 2,389 of the individuals that were either screened or were screened and received services, were aged 0-15, the data elements listed below show the demographics of the 207 children screened at BUSD as follows:

DEMOGRAPHICS N = 207

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 (Children Youth) – 207
- **Race**
  Asian/American Indian or Alaska Native – 40
  Black or African American – 57
  White – 37
  More than one Race – 20
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American/Chicano – 53
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 154
- **Primary Language**
  English – 99
  Spanish – 40
  Declined to Answer, or Unknown – 68
- **Disability**
  Declined to Answer, or Unknown – 207
- **Gender: Assigned Sex at Birth**
  Male – 88
  Female – 119

Program Successes:

- A new Public Health Nurse (PHN) started in October 2023, coming with many years of experience working with young children and families, school nurse experience, and PHN case management for children ages 0-3 years old in foster care. The PHN quickly connected with the Alameda County Help Me Grow Collaborative and the Medical Home Project's Special Needs Committee and became an active representative for Berkeley in the Help Me Grow Collaborative and the Special Needs Committee. Her experience in early childhood and resource navigation were assets in her prevention and early intervention work with providers and families with young children.
- On-site technical assistance visits to all Berkeley Help Me Grow providers continued into this year and went well.
- Conducted 2,596 developmental screenings through the Ages and Stages Questionnaire (ASQ) and the Modified Checklist for Autism in Toddlers (MCHAT) in Berkeley, including BUSD preschools and Berkeley Help Me Grow pediatric provider sites combined.
- A total of 150 referrals were made for resources to support following areas identified from the screenings:

- Communication
- Community resources, basic needs, child care
- Parent Support/ Parent/Child Relationship
- General Developmental Guidance
- Fine and Gross Motor Skills
- Sensory Skills
- Autism/ADHD Diagnosis
- Behavioral Concerns
- Trauma/Childhood Event
- Mental Health

Program Challenges:

- The Help Me Grow Collaborative collected and analyzed the data from all HMG sites in Alameda County, not just Berkeley, so it took time to collect and synthesize the data and to receive the Berkeley specific data.
- Help Me Grow sites did not collect race/ethnicity, language spoken data, or gender; BUSD did not collect specific ethnicity data, gender identity, sexual orientation for this age group, nor all languages spoken.

Beginning in FY2025, the MHSA PEI funding for this program was discontinued, as the Public Health Division transitioned these program activities to the Maternal, Child and Adolescent (MCAH) Program.

Community-Based Child & Youth at Risk Prevention Program

Through FY2022, the Community-Based Child & Youth Risk Prevention program targeted children (aged 0-5) who were impacted by multiple risk factors including trauma, family or community violence, familial distress, and/or family substance abuse, (among other issues). A BMH clinician served as the Mental Health Consultant on this project providing information, services and supports to teachers and parents at the YMCA Head Start program in South Berkeley. Services included individual case consultation for teachers and parents, group consultations, classroom observations and interventions, assessments, brief treatment, and referrals to other resources as needed. The main goals were to reduce risk factors or other stressors, and promote positive cognitive, social, and emotional well-being. This program served approximately 50 Children & Youth a year.

PEI Goals: The goal of this program was to bring about mental health including the reduction of school failure and the removal of children from their homes.

PEI Priority: Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.

This program was discontinued in April 2022 when the BMH Mental Health Consultant received a promotion to a different position. Once that position was vacated the YMCA

Head Start program decided to create an internal staff position for a Mental Health Specialist.

In FY2022, 41 children were served through this program. Demographics on those served is as follows:

DEMOGRAPHICS N = 41

- **Age Category**
  0 – 15 (Children Youth) – 100%
- **Race**
  Asian – 5%
  Black or African American – 44%
  White – 2%
  Other – 12%
  More than one Race – 2%
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 35%
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 100%
- **Primary Language**
  Declined to Answer, or Unknown – 100%
- **Disability**
  Declined to Answer, or Unknown – 100%
- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 100%

Program Successes:

- Returned to in-person Mental Health Consultations in the summer of 2021 which enabled the provision of in-person classroom consultation and direct interventions with children and teachers; increased visibility and interactions with parents; and helped to improve the overall collaborations with administrators, teachers, and parents.
- Participated in-person in meetings with parents, teachers and administrators to provide direct consultation around behavior management in the classroom and at home.
- Modeled parent engagement strategies for teachers, advocates and staff. Modeling how to have difficult conversations using a trauma-informed perspective is essential to mental health consultations.
- Provided in vivo conflict management among teachers and with parents as well as provided case management and support as conflicts occurred.

- Return to in-person care also enabled the Mental Health Consultant to be able to observe classrooms and child behaviors over a period of time at different times of the day which allowed for better overall clinical understanding of the children's behaviors and needs, and improved their ability to make recommendations for services and classroom interventions.

Program Challenges:

- The onsite manager at the YMCA resigned mid-year, which made collaborating with the teachers and classroom staff challenging.
- There were center and classroom closures due to flooding in the infant room.
- COVID-19 pandemic exposures continued to impact the center and caused temporary classroom closures that created disruptions to the continuity of care.

In FY2023, this program was discontinued as the YMCA Head Start program created a staff position for an internal Mental Health Specialist.

Supportive Schools Program

Through this program leveraged MHSA PEI funds support the provision of mental health prevention and early intervention services at each of the Elementary Schools in Berkeley. Services include: outreach; mental health programming; classroom; group; one-on-one psycho-social education and support; and consultation with parents and/or teachers.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priority: Childhood trauma prevention and early intervention to deal with the early origins of mental health needs.

Program results during the reporting timeframe were as follows:

In FY2022 Early Intervention Services were provided at each of the BUSD elementary schools. BUSD sub-contracted with local agencies to provide early intervention services

based upon the standard of evidence-based practices. Bay Area Community Resources (BACR), Child Therapy Institute (CTI), and Lifelong Medical (Lifelong) were subcontracted to provide services at BUSD elementary schools.

BACR provided services to improve emotional functioning and success in school and life, including individual and group therapy, family consultation, conflict resolution/restorative justice, suicide prevention, check-in/check-out, crisis intervention, and classroom presentations. Additionally, BACR participated in weekly Coordination of Services (COST), Student Success Team (SST), and Individualized Education Program (IEP) meetings for students, providing mental health and trauma informed perspectives. BACR consulted with staff on many issues and provided trauma informed coaching for teachers needing support. BACR also made referrals to outside providers, parenting classes/support groups, crisis hotlines, and other programs. Due to the continuation of the impacts of the COVID-19 pandemic, BACR also provided resource networking and support for families in navigating the public health crisis.

Lifelong Medical Provided a Licensed Clinical Social Worker (LCSW) and interns who provided individual counseling to students, family counseling, and mental health consultation to caregivers and school staff. Full-class support was provided in several classrooms. The full class support was tailored to the needs of the teacher and class and consisted of community building, regulation strategies such as Zones of Regulation, and social emotional learning.

Supports for each school per each service provider, and numbers served in FY2022 were as follows:

Elementary School	Agency/Provider	Number of Students Served
• Cragmont • Emerson • John Muir • Malcolm X • Oxford • Ruth Acty • Sylvia Mendez • Thousand Oaks	Bay Area Community Resources (BACR)	420
• Bay Area Arts Magnet (BAM) • Washington	Child Therapy Institute	55
• Rosa Parks	Lifelong Medical Care	116
Total		**591**

Demographic data provided by BUSD on 591 students that were served through this project in FY2022, is outlined below:

DEMOGRAPHICS N = 591

- **Age Category**
  0 – 15 (Children Youth) – 100%
- **Race**
  American Indian or Alaska Native - 3%
  Asian – 6%
  Black or African American – 25%
  Native Hawaiian/Pacific Islander - <1%
  White – 47%
  More than one Race – 20%
  Declined to Answer (or Unknown) - 1%
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Unspecified Hispanic or Latino/Latina/Latinx - 34%
  South American – <1%
  Declined to Answer (or Unknown) - 1%
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Black or African American - 15%
  Asian Indian/South Asian - <1%
  Chinese - 1%
  Eastern European - 27%
  European – 1%
  Filipino - 1%
  Other - 4%
  More than one Ethnicity - 8%
  Declined to Answer, or Unknown – 7%
- **Primary Language**
  English – 25%
  Spanish – 3%
  Declined to Answer, or Unknown – 72%
- **Sexual Orientation**
  Declined to Answer, or Unknown – 100%
- **Disability**
  Communication Domain - <1%
  Mental domain not including a mental illness (including but not limited to a learning disability, developmental disability, dementia) - 5%
  Declined to Answer, or Unknown – 8%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 15%
  Female – 14%
  Declined to Answer, or Unknown – 71%

- **Current Gender Identity**
  Male – 53%
  Female – 44%
  Transgender - <1%
  Genderqueer - <1%
  Other Gender Identity – 2%

In FY2023 Early Intervention Services were provided at each of the BUSD elementary schools. BUSD sub-contracted with local agencies to provide early intervention services based upon the standard of evidence-based practices. Bay Area Community Resources (BACR), Child Therapy Institute (CTI), and Lifelong Medical (Lifelong) were subcontracted to provide services at BUSD elementary schools.

Supports for each school per each service provider, and numbers served in FY2023 were as follows:

Elementary School	Agency/Provider	Number of Students Served
• Cragmont • Emerson • John Muir • Malcolm X • Oxford • Ruth Acty • Sylvia Mendez • Thousand Oaks	Bay Area Community Resources (BACR)	644
• Bay Area Arts Magnet (BAM) • Washington	Child Therapy Institute	37
• Rosa Parks	Lifelong Medical Care	133
Total		814

Information on services provided, successes, and challenges with each sub-contractor are outlined below:

Bay Area Community Resources (BACR): Provided services to improve emotional functioning and success in school and life, including individual and group therapy, family consultation, conflict resolution/restorative justice, suicide prevention, check-in/check-

out, crisis intervention, and classroom presentations. BACR used many different therapy modalities as well as classroom support to develop skills and health. Additionally, the BACR Counselor participated in weekly Coordination of Services (COST), Student Success Team (SST), and Individualized Education Program (IEP) meetings for students, providing mental health and trauma informed perspectives. BACR consulted with school staff on many issues and provided trauma informed coaching for teachers needing support. BACR also made referrals to outside providers, parenting classes/support groups, crisis hotlines, and other programs.

Program Successes:

- A total of 644 individuals were served.
- 90% of youth in therapy showed improved emotional functioning and resiliency through
- the CANS and/or Stages of Change scale.
- 85% of students receiving classroom education reported gaining skills or knowledge.
- 95% of Caregivers reported that they are satisfied with the services their children/family
- received.
- 100% of school personnel reported that BACR is a great partner and supports their goals.

Program Challenges:
The biggest challenge was the increase in cost to fund the program. These increases required the district to make cuts in other programming areas, as well as moving resources around to be able to continue providing ongoing services at the same rate as in the previous year. An additional challenge was ensuring that each school site had an equivalent 1.0 FTE BACR counselor at all BUSD elementary schools, as there was a shortage of credentialed therapist and counselors and BACR had to compete with other agencies for employees.

Child Therapy Institute (CTI): Continued providing services at Bay Area Arts Magnet and Washington Schools.

Program Successes:
CTI staff met with 37 students individually and in groups.

Program Challenges:
There were few direct challenges, however, a significant challenge is the increase in the costs to fund the program. These increases have required the district to make cuts in other programming areas, as well as to move resources around to be able to continue providing ongoing services at the same rate as in the previous year.

Lifelong Medical: A Licensed Clinical Social Worker (LCSW) and interns provided individual counseling to students, family counseling, and mental health consultation to

caregivers and school staff. Full-class support was provided in several classrooms. The full class support was tailored to the needs of the teacher and class and consisted of community building, regulation strategies such as Zones of Regulation, and social emotional learning.

Program Successes:
A total of 52 students received individual counseling and 81 students participated in group services. The Family Resource Center (FRC) was a valuable resource and support to children, families, and school staff during the reporting timeframe. Through individual counseling, groups, and as-needed support, the FRC staff worked hard to help make Rosa Parks a place of healing and joy. The Rosa Parks community experienced the ripple effects of global pandemic and many losses in the community. FRC created spaces for students to experience a sense of belonging and connection. FRC helped children develop regulation and coping strategies to help them manage their emotions so that they could be more present in the classroom for learning. FRC developed deep relationships with students in order to help guide them in the process of making sense of the many scary and sad experiences they have had over the past few years. Additionally, FRC provided consultation and referrals to mental health services in the community.

Program Challenges:
There were few direct challenges, however, a significant challenge was the increase in the cost to fund the program. These increases required the district to make cuts in other programming areas, as well as moving resources around to be able to continue providing ongoing services at the same rate as in previous year.

Demographic data provided by BUSD on 814 students that were served through this project in FY2023, is outlined below:

DEMOGRAPHICS N = 814
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 (Children Youth) – 100%
- **Race**
  American Indian or Alaska Native - 3%
  Asian – *
  Black or African American – 26%
  Native Hawaiian/Pacific Islander - *
  White – 35%
  More than one Race – 26%
  Declined to Answer (or Unknown) - *
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano - *
  Other – 29%
  Declined to Answer (or Unknown) - *

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African - *
  Asian Indian/South Asian - *
  Chinese - *
  Eastern European - *
  European – *
  Middle Eastern - *
  Other – 13%
  More than one Ethnicity - *
  Declined to Answer, or Unknown – 55%

- **Primary Language**
  English – *
  Spanish – 13%
  Other Language – *
  Declined to Answer, or Unknown – 81%

- **Sexual Orientation**
  Declined to Answer, or Unknown – 100%

- **Disability**
  No Disability – *
  Declined to Answer, or Unknown – 96%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 50%
  Female – 40%
  Declined to Answer, or Unknown – *

- **Current Gender Identity**
  Male – 44%
  Female – 40%
  Another Gender Identity – *
  Declined to Answer, or Unknown – 17%

In FY2024 Early Intervention Services were provided at each of the BUSD elementary schools. BUSD sub-contracted with local agencies to provide early intervention services based upon the standard of evidence-based practices. Bay Area Community Resources (BACR), Child Therapy Institute (CTI), and Lifelong Medical (Lifelong) were subcontracted to provide services at BUSD elementary schools.

Supports for each school per each service provider, and numbers served in FY2024 were as follows:

Elementary School	Agency/Provider	Number of Students Served
• Cragmont • Emerson • John Muir • Malcolm X • Oxford • Ruth Acty • Sylvia Mendez • Thousand Oaks	Bay Area Community Resources (BACR)	331
• Bay Area Arts Magnet (BAM) • Washington	Child Therapy Institute	65
• Rosa Parks	Lifelong Medical Care	40
Total		**436**

Information on services provided, successes, and challenges with each sub-contractor are outlined below:

Bay Area Community Resources (BACR): Provided services to improve emotional functioning and success in school and life, including individual and group therapy, family consultation, conflict resolution/restorative justice, suicide prevention, check-in/check-out, crisis intervention, and classroom presentations. BACR used many different therapy modalities as well as classroom support to develop skills and health.

Additionally, the BACR Counselor participated in weekly Coordination of Services (COST), Student Success Team (SST), and Individualized Education Program (IEP) meetings for students, providing mental health and trauma informed perspectives. BACR consulted with school staff on many issues and provided trauma informed coaching for teachers needing support. BACR also provided referrals and care coordination to outside providers, parenting classes/support groups, crisis hotlines, and other programs.

<u>Program Successes:</u>
In FY2024 BACR provided the following services:

- Trauma-Informed individual and group therapy, family and school support;
- Groups of social skills and coping with issues such as grief and parental separation;
- Crisis support and mental health check-ins;
- Targeted support to students with school refusal and attendance issues;
- Classroom presentations on socio-emotional topics, identity, empathy, accepting differences conflict resolution, skill-building in class and on the yard;

- Parent coaching, consultation and community resources, including pediatricians and outside providers;
- Collaborative coaching with teachers to enhance the positive learning environment;
- Restorative Justice sessions;
- Coordinated services with school staff and external providers;
- Established linkages to vital community resources.

In addition, BACR provided Classroom/School-wide Presentations and small groups: 503 total of number of attendees for classroom presentations and 642 for groups in subject matters of:

- Social skills;
- Coping with parental separation;
- Anxiety;
- Empathy;
- Identification of feelings.

Program Challenges:
The biggest challenge continued to be the increase in cost to fund the program. These increases required the district to make cuts in other programming areas, as well as moving resources around to be able to continue providing ongoing services at the same rate as in the previous year.

Child Therapy Institute (CTI):

Program Successes:
CTI continues to provide quality services and supports for students at Berkeley Arts Magnet (BAM) and Washington Elementary School. CTI staff meets with students individually and in groups providing.

Program Challenges:
There were few direct challenges, however, a significant challenge continued to be the increase in the costs to fund the program. These increases have required the district to make cuts in other programming areas, as well as to move resources around to be able to continue providing ongoing services at the same rate as in the previous year.

Lifelong Medical:
A Licensed Clinical Social Worker (LCSW), two Master of Social Work (MSW) interns, and one Marriage and Family Therapist (MFT) trainee provided individual counseling to students, family counseling, and mental health consultation to caregivers and school staff. Several Social Skills groups were run by the LCSW, interns, and in collaboration with a learning specialist. These groups were tailored to the needs of the individuals in each group and provided community building, social skills practice, regulation strategies, and support to many students across all grade levels. Full-class support was

provided in several classrooms. School staff and students were also supported with crisis support/suicide assessment and consultation as needed throughout the year. The LCSW provided consultations with caregivers and referrals to mental health services in the community.

The Family Resource Center (FRC) Supervisor regularly attended COST meetings at Rosa Parks. The FRC Supervisor and interns attended staff meetings, SST and IEP meetings. All counselors regularly collaborated with teachers, families, classroom aides and staff in the afterschool program. One of the FRC interns participated and re-started a Rainbow Families group (for families who identify as LBGTQ and allies). FRC staff are integrated into the school community.

Program Successes:
This was a successful year which included building relationships and fostering a sense of belonging and community. The LCSW, Clinical Director, and other Lifelong staff provided training to the MSW interns and MFT trainee. Trainings including trauma responsive care, child therapy models, regulation strategies including Zones of Regulation, Cognitive-Behavioral Therapy, grief, working with teachers and caregivers, and many other topics. There was a particular focus on training in anti-racist practice. Lifelong hired a consultant who specialized in cross-cultural clinical practice and anti-racist counseling practice that provided multiple trainings and staff consultation. This support was particularly important and helped FRC staff intervene when there were multiple incidents of racism that impacted students and school staff.

The LCSW and counseling interns worked hard to be a visible and integrated part of the community. FRC staff identified a need for kids to have safe, supportive environments to practice social skills and work on connections with each other. Gaps in social-emotional learning were identified as a result of the pandemic. Groups were prioritized this year in order to meet that need. FRC staff worked thoughtfully and collaboratively with teachers to think about how to configure groups where students could feel seen and heard. Staff considered many factors including race, culture, gender expression, and temperament in creating these groups.

The FRC staff continued to provide more intensive support to some students through individual counseling and collaboration with teachers and caregivers. The interns and trainee were able to refine their skills in comprehensive assessment, treatment planning, and implementation of age appropriate and culturally appropriate interventions. Many students made significant progress this year, and FRC staff were an integral part of the support team that helped guide them. During the reporting timeframe, 140 students participated in group sessions and 28 staff members received information or training.

Program Challenges:
There were few direct challenges, however, a significant challenge continued to be the increase in the cost to fund the program. These increases required the district to make cuts in other programming areas, as well as moving resources around to be able to continue providing ongoing services at the same rate as in previous year.

Demographic data provided by BUSD on 436 students that were served through this project in FY2024, is outlined below:

DEMOGRAPHICS N = 436

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  0 – 15 (Children Youth) – 436
- **Race**
  American Indian or Alaska Native – 13
  Asian – 22
  Black or African American – 93
  Native Hawaiian/Pacific Islander – <11
  White – 137
  More than one Race – 61
  Other – 16
  Declined to Answer (or Unknown) – 92
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American – Chicano - <11
  Other – 60
  Declined to Answer (or Unknown) – <11
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – 12
  Chinese – <11
  European – 28
  Filipino - <11
  Japanese - <11
  Korean - <11
  Vietnamese - <11
  Other – <11
  Declined to Answer, or Unknown – 316
- **Primary Language**
  Spanish – 16
  English/Declined to Answer, or Unknown – 420
- **Sexual Orientation**
  Declined to Answer, or Unknown – 436
- **Disability**
  Mental domain not including a mental illness/Physical mobility domain/Other – 15
  Chronic health condition (including but not limited to chronic pain) - 31
  Declined to Answer, or Unknown – 390

- **Veteran Status**
  No – 436

- **Gender: Assigned Sex at Birth**
  Male – 38
  Female – 52
  Declined to Answer, or Unknown – 346

- **Current Gender Identity**
  Male – 173
  Female – 150
  Transgender or Another Gender Identity – <11
  Gender Queer – 12
  Declined to Answer, or Unknown – 92

Community Education & Supports Program

The Community Education & Supports program implements culturally-responsive psycho-educational trauma support services for individuals (18 and above) in various cultural, ethnic and age specific populations that are unserved, underserved and inappropriately served in Berkeley including: African Americans; Latino/a/x; LGBTQIA+; TAY; and Senior Citizens. All services are conducted through area community-based organizations.

Through five community-based organizations, the Community Education & Supports program implements culturally-responsive psycho-educational trauma support services for individuals (18 and above) in various cultural, ethnic, and age specific populations that are unserved, underserved and inappropriately served in Berkeley including: African Americans; Latino/a/x; LGBTQIA+; TAY; and Senior Citizens.

Program results during the reporting timeframe are outlined below:

In FY2022 three of the five contractors in the Community Education & Supports project participated in the HHCS Results-Based Accountability (RBA) Evaluation. RBA evaluation results are presented in an aggregated format across all programs as follows:

How Much Did We Do?	How Well Did We Do It?	Is Anyone Better Off?
• 527 Support Groups/Workshops • 2,427 Support Groups/Workshop Encounters • 121 Individual Contacts (2 of 3 programs reporting) • 132 Outreach Activities • 1.815 Outreach Contacts • 443 Referrals	• 94% of program respondents reported satisfaction with the services they received • Referrals by type: 135 Mental Health 55 Social Services 72 Physical Health 20 Housing 161 Other Services	• 90% of program participants reported an increase in social supports or trusted people they can turn to for help • 92% of program participants reported positive changes in terms of coping strategies, feeling anxious or overwhelmed

In FY2023 the Community Education & Supports program participated in the HHCS Results-Based Accountability (RBA) Evaluation. In an aggregated summary across the five projects within this program the following work was conducted: 549 Support Groups/Workshops; 2,693 Support Group/Workshop encounters; 476 Outreach activities; 4,001 Outreach Contacts; and 393 Referrals.

In FY2024 the Community Education & Supports program participated in the HHCS Results-Based Accountability (RBA) Evaluation. In an aggregated summary across the five projects within this program the following work was conducted: 397 Support Groups/Workshops; 822 Support Group/Workshop encounters; 31 Outreach activities; 2,120 Outreach Contacts; and 296 Referrals.

Descriptions of the five projects within the Community Education & Supports program along with data and RBA evaluation results, are outlined below:

- **Transition Age Youth Trauma Support Project**

Implemented through Youth Spirit Artworks. This project provides supportive services for Transition Age Youth (TAY) who are suffering from the impact of trauma and/or other life stressors and are homeless, marginally housed, or housed but in need of supports. The project serves a wide range of youth from various cultural and ethnic backgrounds who share the common goal of living lives less impacted by trauma and more impacted by wellness. The project consists of the following four components: One-on-one sessions that assess individuals needs around trauma supports and support group readiness; psycho-educational support groups; youth social outings that provide TAY with exposure to healthy settings designed to enhance life skills and choices; and youth celebratory events that are held monthly to convene youth around a positive occasion to acknowledge the various small and large accomplishments of TAY participants, and build trust and community. Approximately 30-35 TAY receive services through this project a year.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.

In FY2022, 105 TAY participated in one or more program services. Demographics on youth served were as follows:

DEMOGRAPHICS N = 105

- **Age Category**
  16 – 25 - (Transition Age Youth) – 99%
  26-59 (Adults) – 1%
- **Race**
  American Indian or Alaska Native – 1%
  Asian – 4%
  Black or African American – 12%
  White – 2%
  More than one Race – 8%
  Declined to Answer (or Unknown) – 47%
- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 12%
  Declined to Answer (or Unknown) – 14%
- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 74%
- **Primary Language**
  Declined to Answer, or Unknown – 100%
- **Sexual Orientation**
  Heterosexual or Straight – 22%
  Gay or Lesbian – 13%
  Declined to Answer, or Unknown – 65%
- **Disability**
  Declined to Answer, or Unknown – 100%
- **Veteran Status**
  No – 100%
- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 100%

- **Current Gender Identity**
  Male – 23%
  Female – 11%
  Genderqueer – 7%
  Declined to Answer, or Unknown – 59%

Project Successes:

- Improved and integrated Art as Therapy content, and ironed out logistics.
- Successfully engaged increasing numbers of youth into Art as Therapy and Peer Mentoring over the reporting timeframe. Art as Therapy sessions consisted of activities that both teach art and provided a forum for sharing challenges common to TAY.
- Conducted outreach to 59 youth, made numerous contacts to other providers and organizations, and conducted events to publicize project services.
- Although, the program was not able to consistently conduct youth surveys, per staff report, youth indicated that services were helpful. Increased attendance was also an indication that Art as Therapy and Peer Mentoring sessions were valuable to the youth participants.
- Despite challenges with engagement, project outreach efforts resulted in 21 TAY trying out the Behavioral Health support groups. This progress was disrupted by staff turnover, and attendance dropped off towards the end of the year.
- The project engaged 29 new TAY into Peer Mentoring training this year. Meetings were held on a weekly basis at the Tiny House Village (THEV) serving the residents there, as well as other youth in the community. Transportation was provided for youth at the studio so they could easily.
- Many of the youth were pursuing education in the social services field or they wanted to explore this opportunity to see if they wanted to be in the field. The youth received training on healthy communication, coping with crisis and de-escalation, giving constructive feedback, health insurance and other topics. Youth were encouraged and supported to share and teach topics they found interesting to their peers.
- Six events were planned and conducted with 55 total youth in attendance. Youth expressed that they enjoyed and valued these events and would attend more if offered.

Project Challenges:

- Project challenges were compounded by the agency's rapid growth over the past two years, staff turnover, and lagging recruitment for the management function needed to operationalize the expansion, develop infrastructure, and implement better systems to gather client data and track outcomes.

- Engaging youth in services was challenging due to continued concerns and fears about the COVID-19 pandemic, and staff turnover, and the process of nearly doubling the services offered by this contractor during the COVID-19 pandemic.
- The holiday season seemed to impact responsiveness from the school district as school staff prepared for the end of the semester and district closures during the holidays. During this time, Omicron also became a serious threat and schools were again overwhelmed with new and changing restrictions. These factors caused significant barriers to having a consistent presence at the schools, along with delays in communication regarding the project implementation efforts and coordinating outreach and logistics for groups and events.
- The project social worker engaged both staff and students at Berkeley High School (BHS) and Berkeley Technical Academy (BTA), attended weekly staff meetings at BTA, conducted outreach to students on both campuses, and presented about PEI activities in classes at different times throughout the year, although consistency was difficult to achieve during the COVID-19 pandemic and holiday season. Despite these efforts, students were not readily engaged and attendance was inconsistent. Reports were that staff seemed to be ambivalent about new initiatives. Feedback from two students indicated that they (and their friends) didn't want mental health type services and that they didn't want to attend groups during their free period when they have a break from classes.
- By the beginning of March 2022 many of the existing program participants obtained full time jobs and could no longer commit to the project activities.

In FY2023, YSA went through many changes. A new program model was crafted and implemented with the intention of redesigning and refining the organization's programs and theory of change. Staff received training on theory of change, program development, ACES Science, trauma informed practices, the politics of trauma, facilitation skills, positive youth development, strength-based model, community resilience model, somatic awareness, individual coaching, housing navigation skills and curriculum and evaluation introduction. This change and shift in culture expanded the program offerings. The components and activities were designed with specific outcomes in mind and with the intention to increase intervention, engagement, and opportunities for the young people being served.

In FY2023, 83 youth participated in one or more program services. Demographics on youth served were as follows:

DEMOGRAPHICS N = 83
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Category**
  16 – 25 - (Transition Age Youth) – 100%

- **Race**
  American Indian or Alaska Native – *
  Asian – *
  Black or African American – 48%
  White – 12%
  More than one Race – 28%
  Declined to Answer (or Unknown) – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American-Chicano – 18%
  Declined to Answer (or Unknown) – 15%

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – *
  Declined to Answer, or Unknown – 66%

- **Primary Language**
  English – 100%

- **Sexual Orientation**
  Heterosexual or Straight – 27%
  Gay or Lesbian – *
  Bisexual – 33%
  Questioning or Unsure of sexual orientation – *
  Another sexual orientation – *
  Declined to Answer, or Unknown – 26%

- **Disability**
  Declined to Answer, or Unknown – 100%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 21%
  Female – 28%
  Declined to Answer, or Unknown – 51%

- **Current Gender Identity**
  Male – 25%
  Female – 28%
  Transgender – *
  Genderqueer – *
  Another Gender Identity – *
  Declined to Answer, or Unknown – 25%

During the reporting timeframe 6 Behavioral Health Education Groups were conducted reaching 99 individuals; 100 Peer Mentoring sessions were conducted reaching 75 individuals; 108 Art Therapy sessions were conducted reaching 107 individuals; and 32 individuals participated in 6 events.

Feedback per participant self-report was as follows:

- 84% reported that groups were helpful;
- 70% of Art as Therapy participants reported that they feel their Behavioral Health is improved or very improved.

Program Successes:
Youth participated and were engaged in the program changes. Youth engaged in being trained in theory of change and understood the feedback loop and how YSA would assess them to help evaluate program effectiveness, satisfaction, facilitator engagement. In addition, youth engaged in leadership development through facilitation, curriculum, and event planning training to assist in their future developments in leading peers and community.

Youth within the village were also connected to youth leadership opportunities, and were engaged in life skills development such as financial wellness, and cooking workshops. Both workshops were created to assist youth in being financially independent and well, while redirecting learned survival skills into resilience building opportunities that create building blocks for growth. Youth led and organized a fashion show “Out Of The Binary” where they created all of the fashion pieces for the runway. Youth also planned, organized, advertised, and facilitated the entire event using skills that they acquired through youth leadership meetings, and youth leadership training spaces. A total of 30 referrals & Linkages were provided to youth in Berkeley.

YSA was able to gain a deep understanding on how to shape the Art as Therapy workshops, the Peer to Peer led Pathways with practical, experiential engagement and opportunity to lead as well as the Behavioral Health support given to participants through relationship workshops offered out of our Youth Empowerment Meetings.

Project Challenges:
A big program challenge was dealing with staff training and buy-in. Many of YSAs staff were former youth participants and many struggled with similar challenges as the youth that were being served. During this time YSA was challenged with staff understanding the importance of data collection and evaluation. Staff were not trained on using data to drive programmatic changes, which at times led to resistance and eventually the loss of some staff.

In FY2024, 52 youth participated in one or more program services. Demographics on youth served were as follows:

DEMOGRAPHICS N = 52

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Category**
  16 – 25 - (Transition Age Youth) – 52

- **Race**
  Asian – <11
  Black or African American – 18
  White – <11
  More than one Race – <11
  Declined to Answer (or Unknown) – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican American-Chicano – 12

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – 18
  Asian Indian/South Asian – <11
  Middle Eastern – <11
  More than one ethnicity – <11
  Declined to Answer, or Unknown – <11

- **Primary Language**
  English – 52

- **Sexual Orientation**
  Heterosexual or Straight – 22
  Gay or Lesbian – <11
  Bisexual – <11
  Queer – <11
  Questioning or Unsure of sexual orientation – <11
  Another sexual orientation – <11
  Declined to Answer, or Unknown – <11

- **Disability**
  Mental domain not including a mental illness (including but not limited to a learning disability, developmental disability or dementia) – <11
  Chronic health condition (including but not limited to chronic pain) – <11
  Declined to Answer, or Unknown – 47

- **Veteran Status**
  No – 52

- **Gender: Assigned Sex at Birth**
  Male – 37
  Female – 15

- **Current Gender Identity**
  Male – 12
  Female – 30
  Transgender – <11
  Genderqueer – <11
  Another Gender Identity – <11

Program Successes:
Some of the successes experienced in the reporting timeframe were aligned with changes to make the program more youth centered and informed. The Out of the Binary Fashion Show was the first event done in several years that was 100% facilitated, planned, and executed by participants in the program. Although time was spent training youth on all of these areas, youth were able to take those skills and develop something that was completely their own. The same followed into the Mural Workshop in which youth created their own ideas for the mural. They drew and designed the mural and painted on their own. This allowed the youth to feel a sense of autonomy and independence to create their own pieces and to work alongside individuals with experience in the community. This resulted in more youth coming into the program. Another success was the change in focus to offering intergenerational events that brings individuals from the Adeline community together to celebrate art, history, and community. A community brunch at the studio was held that included several Adeline community members and youth including renowned artist Edyth Boone. This event was the first to bring community members together to discuss upcoming programs and projects. At the end of the Mural Workshop, there was a Mural Reveal engagement that brought artists, Adeline community members, and youth together to celebrate the Mural created by the youth. The program successfully created safety, dignity and belonging that brought more youth to the space and gave them the freedom to participate in services and creatively express themselves.

Project Challenges:
The main challenges during the reporting timeframe was around a loss of some of the overall funding to the agency. Loosing funding caused the agency to cut stipends and some of the positions. The loss in funding pushed the agency to align in a different more efficient positive direction.

- **Trauma Support Project for LGBTQIA+ Population**

Implemented through the Pacific Center for Human Growth, this project provides outreach, engagement and support group services for individuals (18 and above) in the LGBTQIA+ community who are suffering from the impact of oppression, trauma and other life stressors. Particular emphasis is on outreaching and providing supportive services to identified underserved populations within the local LGBTQIA+ community. Approximately 12-15 weekly or bi-weekly support groups are held throughout the year targeting various populations and needs within the LBGTQIA+ community. Support groups are led by Peer Facilitator community volunteers who are trained in Group Facilitation/Conflict Resolution and who have opportunities to participate in additional Skill Building workshops in order to share methods used to address group challenges and to learn new facilitator techniques. Approximately 250 individuals a year are served through this project.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Strategies targeting the mental health needs of older adults.

In FY2022, a total of 439 support groups were conducted, serving 45 individuals. Program results and individual's demographics on individuals served are outlined below:

DEMOGRAPHICS N = 45

- **Age Category**
  16 – 25 - (Transition Age Youth) – 29%

26-59 (Adult) – 62%
Ages 60+ (Older Adult) – 2%
Declined to Answer (or Unknown) – 7%

- **Race**
  Asian – 16%
  Black or African American – 11%
  White – 42%
  More than one Race – 13%
  Declined to Answer (or Unknown) – 18%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Caribbean – 2%
  Central American – 2%
  Puerto Rican – 2%
  South American – 2%
  Declined to Answer, or Unknown – 2%

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – 4%
  Asian Indian/South Asian – 7%
  Chinese – 2%
  Eastern European – 2%
  European – 22%
  Filipino – 2%
  Korean – 4%
  Middle Eastern – 2%
  More than one ethnicity – 20%
  Declined to Answer, or Unknown – 24%

- **Primary Language**
  English – 98%
  Declined to Answer, or Unknown – 2%

- **Sexual Orientation**
  Heterosexual or Straight – 7%
  Gay or Lesbian – 9%
  Bisexual – 18%
  Questioning or Unsure of sexual orientation – 9%
  Queer – 22%
  Another sexual orientation – 24%
  Declined to Answer, or Unknown – 11%

- **Disability**
  Difficulty Seeing – 2%
  Mental (not Mental Health) – 9%
  Chronic health condition – 4%

Other (Specify) – More than one disability – 7%
No Disability – 78%

- **Veteran Status**
  No – 98%
  Declined to Answer, or Unknown – 2%

- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 100%

- **Current Gender Identity**
  Male – 4%
  Female – 13%
  Transgender – 31%
  Genderqueer – 11%
  Questioning or Unsure – 4%
  Another Gender Identity – 29%
  Declined to Answer, or Unknown – 7%

*(From Project staff report, the state PEI demographic data requirements requires the inclusion of percentages, therefore they had to code folx – used to explicitly signal the inclusion of groups commonly marginalized - with any multiple identities, into some form of a "multiple identity" category or "other" category. For example, in the ethnicity section when folx selected multiple ethnicities, it was reported as "More than one ethnicity." While this strategy generally works well to reduce confusion by ensuring legible percentages, this manner of reporting is reductive and doesn't allow for the full picture of the data. For instance, someone who identified as both Native and white is only being reported as "multiple races" and therefore, the category for Native participants is blank. This caused it to appear as though there weren't any Native participants in the project, when there were. The demographic reporting structure required simply does not allow for the level of detail and nuance needed to have a fuller picture of the project data).

There were 76 referrals for additional services and supports. The number and type of referrals was as follows: 24 Mental Health; 27 Physical Health; 2 Social Services; 23 other unspecified services. To assess the project services, a self-administered Peer Support Group Survey was distributed to all peer group members. Survey results were as follows:

- 81% indicated they would recommend the organization to a friend or family member;
- 77% felt like staff and facilitators were sensitive to their cultural background;
- 77% reported they deal more effectively with daily problems;
- 70% indicated they have trusted people they can turn to for help;
- 79% felt like they belong in their community.

Program Successes:

- The impact of the COVID-19 pandemic continued to be felt throughout the LGBTQIA+ community. The project continued providing peer groups online, providing spaces for the community members to gather; to receive and provide emotional support, feel a sense of belonging and connection; and to share resources.
- Some folx were not able to move to the online space due to privacy concerns, other safety issues, lack of devices, or unstable Wi-Fi. Despite that, the peer group facilitators reported that many of their group members expressed appreciation for the access to the virtual space during a time of increased isolation, especially those with chronic pain, disability, transportation or other barriers to in-person services.
- Community members also asked about the possibilities of additional new groups in FY2023 including:
- Q-Finity for neurodiverse folx; a group focusing on the needs of the QT polyamorous community; a parent's group; as well as a restarting of the Thursday Night Men's group. New peer group facilitators were scheduled to be onboarded in Aug 2022.
- Opportunities for project outreach increased dramatically through the website, and through the Meetup, Instagram and Facebook accounts.
- A few quotes from feedback forms on the support group were as follows:

  "I love the sense of community and support I feel in the group."
  "Thank You for holding the space."
  "I found the group understanding and supportive and [it] makes me feel I am not alone on an island, as others have [the] same circumstances."

Program Challenges:

- With more online offerings, the facilitators had additional work to do. For example, checking their email frequently, coping with technology issues, navigating facilitation while some group members and even facilitators joined via phones. These challenges were used as an opportunity to evaluate how to support facilitators as the project migrates to an in-person/hybrid, model and how facilitators can be set up to easily navigate the technological needs.
- While COVID-19 pandemic protocols were developed the project space was in transition since it was purchased by a development corporation and that hindered the ability to fully return to all in-person services.
- The contractor that implements this project experienced big leadership changes in the Executive Director, Clinical Director, Finance Director and Community Programs Director positions. These shifts impacted staff capacity and resulted in some schedule changes until the vacancies were able to be filled.

- The project will be examining ways to broaden and deepen community engagement, especially to community members who live at intersections of disabled, trans, and Black, Indigenous, and People Of Color (BIPOC) communities. An outreach committee was assembled to better track and prioritize engagement with more of a systematic approach.
- Although there was a decrease in numbers on the demographic sheets gathered on the peer group members and therefore, a lower number of group members reported, the number of duplicated participants was 2,118 in FY2022, which indicated that despite lower unduplicated participants, individuals who joined groups returned regularly to meetings.

Project staff will continue to evaluate issues of attrition and Zoom fatigue while exploring in-person and hybrid models of meeting, as well as ways to improve completion and submission of the demographic forms and surveys by peer group members.

In FY2023, a total of 261 individuals were served. Demographics on individuals served include the following:

DEMOGRAPHICS N = 261
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  16 – 25 - (Transition Age Youth) – 13%
  26-59 (Adult) – 67%
  Ages 60+ (Older Adult) – 17%
  Declined to Answer (or Unknown) – *

- **Race**
  American Indian or Alaska Native – *
  Asian – *
  Black or African American – *
  White – 58%
  More than one Race – *
  Other – *
  Declined to Answer (or Unknown) – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Caribbean – *
  Mexican/Mexican-American Chicano – *
  Puerto Rican – *
  South American – *

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – *
  Asian Indian/South Asian – *%
  Chinese – *%

Eastern European – *
European – 26%
Filipino – *
Korean – *
Middle Eastern – *
Vietnamese – *
More than one ethnicity – 14%
Other – *
Declined to Answer, or Unknown – 29%

- **Primary Language**
  English – 97%
  Spanish – *
  Declined to Answer, or Unknown – *

- **Sexual Orientation**
  Heterosexual or Straight – *
  Gay or Lesbian – 19%
  Bisexual – 10%
  Questioning or Unsure – *
  Queer – 12%
  Another sexual orientation – 49%
  Declined to Answer, or Unknown – *

- **Disability**
  Difficulty Hearing or Having Speech Understood – *
  Mental Domain not including a mental illness (including but not limited to a learning disability, developmental disability or dementia) – 8%
  Physical/mobility domain – *
  Chronic health condition (including but not limited to chronic pain) – 8%
  Other (Specify) – 17%
  No Disability – 64%

- **Veteran Status**
  Yes – *
  No – 95%
  Declined to Answer, or Unknown – *

- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 100%

- **Current Gender Identity**
  Male – 15%
  Female – 12%
  Transgender – 29%
  Genderqueer – *
  Questioning or Unsure – *

Another Gender Identity – 37%
Declined to Answer, or Unknown – *

There were 88 referrals for additional services and supports. The number and type of referrals were as follows: 47 Mental Health; 20 Physical Health; 12 Social Services; 3 Housing; 6 Other unspecified services. To assess the project services, a self-administered Peer Support Group Survey was distributed to all peer group members. Survey results were as follows:

- 98% indicated they would recommend the organization to a friend or family member;
- 95% felt like staff and facilitators were sensitive to their cultural background;
- 88% reported they deal more effectively with daily problems;
- 84% indicated they have trusted people they can turn to for help;
- 85% felt like they belong in their community.

Program Successes:

- Peer groups continued to run uninterrupted and to be a vital support to the LGBTQIA+ community during the reporting timeframe.
- 92.4% of participants reported that the peer support group(s) they attended helped them to feel safe talking about their gender.
- 88% reported that the peer support group(s) they attended helped them to feel safe in talking about their sexuality.
- The primary goal in FY2023 was to increase capacity and reduce burnout for the group facilitators. To that end,16 new facilitators were on-boarded and an additional 3 facilitators were re-trained at their request.
- A full set of Diversity Equity and Inclusion trainings were also offered including one that was co-facilitated by a peer facilitator and our Community Programs Director.

Program Challenges:

- During quarter three facilitators were struggling with the Diversity Equity and Inclusion trainings offered and felt they were ready to move beyond the basics of inclusion and wanted more tools to interact with group members around issues of race, privilege, neurodivergence etc.
- In quarter four, the Diversity Equity and Inclusion training was co-facilitated by the Community Programs Director and a peer group facilitator and focused on lowering barriers to access and creating a more inclusive and welcoming space.

In FY2024, a total of 94 individuals were served. Demographics on individuals served include the following:

DEMOGRAPHICS N = 94

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  16 – 25 - (Transition Age Youth) – <11
  26-59 (Adult) – 71
  Ages 60+ (Older Adult) – <11
  Declined to Answer (or Unknown) – <11

- **Race**
  Asian – <11
  Black or African American – <11
  White – 62
  More than one Race – <11
  Other – <11
  Declined to Answer (or Unknown) – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American Chicano – <11
  South American – <11
  Other – <11
  Declined to Answer, or Unknown – <11

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – <11
  Asian Indian/South Asian – <11
  Chinese – <11
  Eastern European – <11
  European – 20
  Filipino – <11
  Japanese – <11
  Other – <11
  Declined to Answer, or Unknown – 24

- **Primary Language**
  English – 93
  Other/Declined to Answer, or Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight – <11
  Gay or Lesbian – 14
  Bisexual – <11
  Questioning or Unsure – <11
  Queer – <11
  Another sexual orientation – 41
  Declined to Answer, or Unknown – <11

- **Disability**
  Difficulty Hearing or Having Speech Understood – <11
  Mental Domain not including a mental illness (including but not limited to a learning disability, developmental disability or dementia) – <11
  Physical/mobility domain – <11
  Chronic health condition (including but not limited to chronic pain) – <11
  Other (Specify) – <11
  No Disability – <11
  Declined to Answer, or Unknown – 68

- **Veteran Status**
  Yes – <11
  No – 92
  Declined to Answer, or Unknown – <11

- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 94

- **Current Gender Identity**
  Male – 19
  Female – 16
  Transgender – 16
  Genderqueer – <11
  Questioning or Unsure – <11
  Another Gender Identity – 34

RBA Outcomes during the reporting timeframe were as follows: 261 Support Groups were conducted reaching 143 individuals; 26 Outreach activities were conducted reaching approximately1,780 individuals; 13 individuals attended Train the Trainer sessions to become Peer Support Group Facilitators; and 38 Peer Support Group Facilitators attended Skill Building Workshops. There were 71 referrals for additional services and supports. The number and type of referrals included: 28 Mental Health; 16 Physical Health; 3 Social Services; 1 Housing; 23 Other unspecified services.

To assess the project services, a self-administered Peer Support Group Survey was distributed to all peer group members. Survey results were as follows:

- 92% indicated they would recommend the organization to a friend or family member;
- 92% felt like staff and facilitators were sensitive to their cultural background;
- 88% reported they deal more effectively with daily problems;
- 79% indicated they have trusted people they can turn to for help;
- 81% felt like they belong in their community.

Program Successes:
The monthly consultation meetings for Peer Group facilitators was moved to Saturdays with the hope of gaining more attendance. With the move to the new location, facilitators were invited to return to the building and we staff worked on the hybridization of the new space. The move also provided the opportunity to renew outreach efforts. New location announcements were created and distributed.

With feedback from facilitators, the scope of the diversity, equity, and inclusion trainings and this year's DEI offerings were Power & Positionality, Supporting Neurodivergence, Mediating Conflict, and Accessibility in Support Spaces. There was strong attendance for these training sessions with an average of 7 facilitators in attendance per session. There were 14 new facilitators onboarded, and facilitation training for 2 facilitators from Asian Health Services was provided.

Program Challenges:
A few groups had to end due to a lack of facilitators. Another big challenge was that more community members wanted in-person groups but facilitators were still working on adjusting back to in-person groups. There was attrition in attendance during the reporting timeframe, and hybrid meetings were implemented in the next fiscal year to address this issue. The program continued to work on ways to utilize the new space as much as possible and in various ways to offer more avenues for individuals to access resources.

- **Living Well Project**

Implemented through Center for Independent Living, this project provides services for Senior Citizens (aged 50 and over) who are coping with trauma and/or mental health issues associated with acquired disabilities. Senior Citizens with acquired disabilities are one of the most difficult groups to reach with disability services. It is similarly difficult to intervene with this group's developing mental health issues related to aging and the traumatic impact of acquiring one or more disabilities (such as loss of mobility, vision, hearing, et al). The core of the project is a wellness workshop series entitled "Living Well with a Disability". Through a combination of education, goal setting, group and peer counseling, the workshop series is designed to promote positive attitudinal shifts in a population who, despite the tremendous need for care, are often typically not responsive to mental health intervention. The workshop series includes a 10 week, one to two-hour class conducted by Peer Facilitators, and an optional 30-minute counseling session. Counseling sessions are designed to monitor curriculum impact and continually assess individual goals and resource needs. This project serves up to 150 Older Adults a year.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Strategies targeting the mental health needs of older adults.

In FY2022, 47 Living Well Workshop sessions were conducted. Each Living Well Workshop series included the following sessions: Orientation; Goal Setting; Problem Solving; Healthy Reactions; Beating the Blues (Depression and Moods); Healthy Communication; Seeking Information; Physical Activity; Eating Well (Nutrition); Advocacy (Self and Systems Change); and Maintenance. Topics of Grief and Loss, Depression, Retirement, and Senior Invisibility were also incorporated into the project. In all, 14 Senior Citizens participated in the Living Well Workshops. Demographics of Workshop participants are outlined below:

DEMOGRAPHICS N = 14

- **Age Groups**
  26-59 (Adult) – 7%
  Ages 60+ (Older Adult) – 93%

- **Race**
  Asian – 7%
  Black or African American – 14%
  White – 65%
  Other – 7%
  More than one Race – 7%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 7%
  Declined to Answer, or Unknown – 7%

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  European – 14%
  Other – 7%
  Declined to Answer, or Unknown – 79%

- **Primary Language**
  English – 100%

- **Sexual Orientation**
  Heterosexual or Straight – 7%
  Questioning or Unsure – 7%
  Declined to Answer, or Unknown – 86%

- **Disability**
  Difficulty Seeing – 7%
  Difficulty Hearing or Having Speech Understood – 7%
  Mental (not mental health) – 21%
  Physical/mobility domain – 14%
  Chronic health condition – 7%
  Other Disability – 29%
  No Disability – 7%
  Declined to Answer, or Unknown – 8%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 21%
  Declined to Answer, or Unknown – 79%

- **Current Gender Identity**
  Male – 21%
  Female – 79%

During the reporting timeframe 14 outreach and informational events were conducted reaching 38 individuals, with 45 unduplicated individuals receiving further engagement services. There were 257 referrals for additional services and supports. The number and type of referrals were as follows: 80 Mental Health; 35 Physical Health; 20 Social Services; 20 Housing; 102 other unspecified services. A total of 100% of project participants completed a Living Well Workshop Series. Feedback per participant self-report was as follows:

- 100% reported they felt satisfied with the workshops;
- 100% indicated an improvement in feeling satisfied in general;
- 100% had increased feelings of social supports;
- 100% felt prepared to make positive changes; and
- 100% reported they felt less overwhelmed and helpless.

Project Successes:
The workshops were well attended with lively engagement. The workshops provided a safe space where some of the participants were able to share painful testimonies of isolation, sadness and fear and others of loneliness. Many missed their families, their grandchildren, and friends. To help participants stay connected 96 tele-support group sessions were held. Living Well Program virtual/tele-workshops were offered every Monday and tele-support groups every Tuesday. In December and May laptops and technical training were provided to previous participants and individuals who completed The Living Well Workshop Series.

Project Challenges:
Some participants had to travel out of state to support adult children with life-threatening illnesses and two struggled with potentially life-threatening diagnoses themselves. There was a lot of uncertainty revolving around the COVID-19 pandemic. Many participants had difficulties connecting with others due to the technological gap. The Workshop Series facilitator also had to learn systems that had not been used before.

In FY2023, a total of 73 individuals participated in the Living Well Workshop Series program. Demographics of Workshop participants are outlined below:

DEMOGRAPHICS N = 73
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  26-59 (Adult) – *
  Ages 60+ (Older Adult) – 88%
  Declined to Answer (or Unknown) – *

- **Race**
  Asian – 23%
  Black or African American – 22%
  White – 34%
  Other – *
  More than one Race – *
  Declined to Answer (or Unknown) – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American Chicano – *
  Other – *
  Declined to Answer, or Unknown – *

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Asian Indian/South Asian – 12%
  Chinese – *
  European – 19%
  Middle Eastern – *
  More than one Ethnicity – *
  Other – 25%

Declined to Answer, or Unknown – 32%

- **Primary Language**
  English – 79%
  Other – *
  Declined to Answer, or Unknown – 20%

- **Sexual Orientation**
  Heterosexual or Straight – *
  Declined to Answer, or Unknown – 99%

- **Disability**
  Difficulty Seeing – 12%
  Difficulty Hearing or Having Speech Understood – 22%
  Mental (not mental health) – 14%
  Physical/mobility domain – 15%
  Chronic health condition – 22%
  Other Disability – *
  No Disability – *
  Declined to Answer, or Unknown – 14%

- **Veteran Status**
  Yes – *
  No – 71%
  Declined to Answer, or Unknown – 21%

- **Gender: Assigned Sex at Birth**
  Male – 15%
  Female – 69%
  Declined to Answer, or Unknown – 16%

- **Current Gender Identity**
  Male – 14%
  Female – 71%
  Other – *
  Declined to Answer, or Unknown – 14%

During the reporting timeframe 4 outreach and informational events were conducted reaching 51 individuals. A total of 99 individuals participated in the Living Well Workshop series and 72 received engagement services. There were 149 referrals for additional services and supports. The number and type of referrals were as follows: 46 Mental Health; 27 Physical Health; 38 Social Services; 26 Housing; 12 other unspecified services. Project participants completed a Living Well Workshop Series. Feedback per participant self-report was as follows:

- 93% reported they felt satisfied with the workshops;
- 93% indicated an improvement in feeling satisfied in general;

- 93% had increased feelings of social supports;
- 93% felt prepared to make positive changes; and
- 93% reported they felt less overwhelmed and helpless.

Project Successes:

- The Living Well with a Disability programming continued to be well attended, especially the PEERS group, which is a peer-based support and discussion group focused on mental and emotional health for seniors.
- New seniors attended every quarter, and participant survey's demonstrated positive outcomes.
- Due to the success of the program, the Senior and Aging Engagement Specialist received numerous requests to host Living Well workshops at additional locations.

Project Challenges:

- The Living Well program continued to experience the impacts of the ongoing pandemic; older adults are still at higher risk for complications from Covid-19. Some staff also got COVID/experienced long COVID, which impacted the program.
- A majority of participants expressed that they did not feel comfortable answering all of the demographic and life situation questions required by the MHSA reporting. The Management Team is continuing to work with the Senior and Aging Engagement Specialist to devise strategies to support getting the required information, and also to ensure that trust, confidentiality, and person-centered services remain at the core of the work.
- The Center for Independent Living transferred to a new customer relationship management (CRM) software called MiCil, and the shift between the two CRMs, as well as the on-ramp period to get Living Well staff familiar with the new system and ensure it was accessible to them, created challenges in getting numbers and reports in in a timely manner.
- There was also some transition in Senior Management staff, which led to a delay in invoicing and financial reports on a couple of occasions.
- The agency had an Interim Executive Director during the reporting timeframe and has continued search for a new Executive Director.
- The program structure shifted to include more managers, which will hopefully alleviate some of the challenges, particularly around data management.
- A Data and Reporting Specialist was hired, who works closely with the Senior and Aging Engagement Specialist to ensure Living Well data is tracked in an accurate and comprehensive manner.

It is anticipated that these issues will be ameliorated within the current fiscal year, as the Living Well program systems, policies, and procedures are being revised and revitalized.

A majority of participants expressed that they did not feel comfortable answering all of the demographic and life situation questions required by the MHSA reporting. The Management Team is continuing to work with the Senior and Aging Engagement Specialist to devise strategies to support getting the required information, and also to ensure that trust, confidentiality, and person-centered services remain at the core of the work.

In FY2024, a total of 38 individuals participated in the Living Well Workshop Series program. Demographics of Workshop participants are outlined below:

DEMOGRAPHICS N = 38

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Ages 60+ (Older Adult) – 17
  Declined to Answer (or Unknown) – 21

- **Race**
  Asian – <11
  Black or African American – <11
  Native Hawaiian or Other Pacific Islander – <11
  White – <11
  Other – <11
  Declined to Answer (or Unknown) – 18

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 38

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 38

- **Primary Language**
  English – <11
  Declined to Answer, or Unknown – 33

- **Sexual Orientation**
  Declined to Answer, or Unknown – 38

- **Disability**
  Difficulty Seeing – <11
  Difficulty Hearing or Having Speech Understood – <11
  Mental (not mental health) – <11
  Physical/mobility disability – <11

Other Disability – <11
Declined to Answer, or Unknown – 26

- **Veteran Status**
  Declined to Answer, or Unknown – 38

- **Gender: Assigned Sex at Birth**
  Declined to Answer, or Unknown – 38

- **Current Gender Identity**
  Male – <11
  Female – 14
  Declined to Answer, or Unknown – 14

RBA Outcomes during the reporting timeframe were as follows: 4 outreach and informational events were conducted reaching 111 individuals. A total of 78 individuals participated in the Living Well Workshop series and 99 received engagement services. There were 11 referrals for additional services and supports. The number and type of referrals included: 1 Mental Health; 2 Physical Health; 1 Social Services; 2 Housing; 5 other unspecified services.

Project Successes**:**
The Center for Independent Living's "Living Well with a Disability" workshop series and the PEERS support group were both well-attended and impactful, reaching 78 older adults in Berkeley during the reporting timeframe. Outside of the workshops, 99 older adults in Berkeley received 1-on-1 supports, services, and referrals with a total of 612 hours spent providing these individual services and referrals in the reporting period.

The Senior and Aging Engagement Coordinator witnessed increased mental, physical, and emotional health issues with attendees of the group, and worked to adapt programming to meet the needs and concerns of attendees. The Coordinator also increased the 1-on-1 services and referrals in order to provide additional support to individuals in need, especially in the realm of mental health, legal advocacy, referrals for assistive technology and residential access supports, general technology assistance, and more.

Other highlights from the reporting period included diverse outreach in the community by the Senior and Aging Engagement Coordinator, including attending a day-long conference on Elder Abuse held by Legal Assistance for Seniors, where the Coordinator was able to meet other service providers and legal advocates that work with older adults, and collaborate on challenges, resources, and referrals. The Coordinator also tabled at the annual Berkeley Juneteenth Festival, at the GoldenReady Emergency Preparedness event, and more.

Project Challenges:
The greatest challenge related to comprehensive data tracking and gathering demographic and survey information from Living Well and PEERS attendees. For a time, the Senior and Aging Engagement Coordinator was not comprehensively tracking

the referrals made as part of the 1-on-1 services, and then departed the organization before the Program Director could work closely with her to try to trace back some of those supports and services offered; thus, the referral numbers looked artificially low, even though the Coordinator was visiting multiple seniors at their homes or at the senior centers to work with them 1-on-1, several times per week. The Senior and Aging Coordinator shared that workshop attendees were often reticent to provide the in-depth demographic information requests. Once hired, the new Senior and Aging Engagement Coordinator will be supported in developing strategies to confidentially and comprehensively gather required data and demographics.

- **SoulSpace Project**

The SoulSpace Project for African Americans is implemented through ONTRACK Program Resources. This project assists African Americans in Berkeley to access culturally, ethnically, and linguistically responsive and trauma-informed prevention and early intervention services. Project services include: community education; outreach and engagement; individual quality of life assessments; coaching; empowerment planning; referrals; navigation supports; support groups; and life skills training.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Youth Engagement and Outreach Strategies that target secondary school and transition age, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Strategies targeting the mental health needs of older adults.

Program results during the reporting timeframe are outlined below.

This project began operating in the last month of the 2nd Quarter of FY2022. During that timeframe ONTRACK served 16 individuals in intensive case management, including a

total of 45 empowerment activities, and support groups. Demographics on individuals served through this project were as follows:

DEMOGRAPHICS N = 38

- **Age Groups**
  Transition Age Youth (16-25) – 19%
  Adults (26-59) – 62%
  Ages 60+ (Older Adult) – 19%

- **Race**
  Black or African American – 100%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 100%

- **Primary Language**
  English – 100%

- **Sexual Orientation**
  Heterosexual or Straight – 94%
  Another sexual orientation – 6%

- **Disability**
  Mental (not mental health) – 6%
  Physical/mobility disability – 6%
  Physical/mobility disability – 88%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 56%
  Female – 44%

- **Current Gender Identity**
  Male – 56%
  Female – 44%

Project Successes:
Despite a program starting date of December, 1, 2021, ONTRACK launched the SoulSpace project and accomplished the following during the reporting timeframe:

- Hired two staff who have deep familiarity with Berkeley.
- Secured a work space.
- Built out the case management platform, Apricot by Social Solutions, to match the system used by Berkeley—City Data Services.

- Conducted outreach and began implementing services.
- In order to quickly gain a foot in Berkeley's mental health provider network, the contractor established several partnerships with longstanding organizations in the City of Berkeley including:
    - A partnership with Options for Recovery which included their co-hosting an in-person public education event with Roland Williams, an expert in co-existing substance use and mental health concerns among African Americans. The contractor also provided one-to-one empowerment services for some of their dually-diagnosed clients as well as members of their staff working through the compassion fatigue that often accompanies work with this population.
    - Through a partnership with Building Opportunities for Self-Sufficiency (BOSS), the contractor conducted onsite—and off-site-one-to-one and group empowerment services to their otherwise unsheltered population of African Americans.
- Conducted two well-reviewed community education events. Dr. La Tanya Takla conducted a 2-part series on trauma informed care to African Americans, and Roland Williams conducted an in-person workshop at the Veterans Memorial Building.

Project Challenges:

- The contractor experienced a number of challenges during the program period, several of which have been rectified since the ending of the June 30, 2022 MHSA reporting period.
  The truncated MHSA 2021-2022 service period was short due to a contract execution date of December 1, 2021, and a delay in final contracting processes.
- Outreach efforts to community members was restricted due to the COVID-19 pandemic, which meant greater reliance on social media and outreach to other community organizations who were seeking to adapt to their own challenges.
- The initial location of the Soul Space office in West Berkeley was less accessible to community members than the current location in North Berkeley on Adeline Street.

In FY2023, 35 individuals were served. Demographics on individuals served are as follows:

DEMOGRAPHICS N = 35

*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Transition Age Youth (16-25) – 14%
  Adults (26-59) – 69%
  Ages 60+ (Older Adult) – 17%

- **Race**
  Black or African American – 86%
  Declined to Answer (or Unknown) – 11%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Declined to Answer (or Unknown) - *

- **Primary Language**
  English – 100%

- **Sexual Orientation**
  Heterosexual or Straight – 89%
  Bisexual - *
  Another sexual orientation - *
  Declined to Answer (or Unknown) – *

- **Disability**
  Mental (not mental health) – *
  Physical/mobility disability – 14%
  No Disability – 77%
  Declined to Answer (or Unknown) – *

- **Veteran Status**
  Declined to Answer (or Unknown) – 100%

- **Gender: Assigned Sex at Birth**
  Male – 37%
  Female – 63%

- **Current Gender Identity**
  Male – 37%
  Female – 63%

During the reporting timeframe 20 Community Education Trainings were conducted and 417 individuals were reached through outreach and engagement services. A total of 19 individuals received case management and 20 participated in Support Groups. There were 4 referrals for additional services and supports.

Project Successes:

- Community Engagement: Soul Space Berkeley successfully integrated itself into the Berkeley community and has become a recognized and trusted resource for individuals seeking wellness and support services. Partnerships with community agencies, Building Opportunities for Self Sufficiency (BOSS) and Options for Recovery, yielded a reciprocal referral stream that has been beneficial.
- Expanded Services: One of the major accomplishments was the ability to serve individuals in the community effectively. The case management services proved

to be highly beneficial assisting individuals in finding mental health resources; adjusting to life after the pandemic; offering financial education; and offering a safe place where individuals could openly express their needs and employment assistance.

- Family Support: Entire families the Soul Space services, reflecting the broad impact of the programs on the community. This demonstrates programs ability to address holistic well-being at both the individual and family levels. Soul Space will continue to offer family services given the need.
- Successful Women's Group: The establishment and success of the women's group “Crown Never Off” was a testament to the value of the services provided. This group provided a supportive and empowering space for women within the community.
- Community Recognition: Soul Space established meaningful connections with community organizations, enhancing the presence and reputation within the Berkeley community. The commitment to building community relationships yielded positive results.

Project Challenges:

- Staffing: Soul Space experienced staff turnover amid growth and an increased demand for services. Recruitment for new staff to ensure the right team is in place to meet the needs of the expanding program is an ongoing challenge given the program budget. In FY2024, two new staff were hired. Soul Space is seeking additional funding to support the current staffing arrangement.
- Location Accessibility: In FY2023, OnTrack, the provider of the SoulSpace project, was relocated to a space within Inter-City Services. However, due to various building issues, this space was temporary and OnTrack had to relocate again to its current space in South Berkeley.

In FY2024, 7 individuals were served. Demographics on individuals served are as follows:

DEMOGRAPHICS N = 7

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Adults (26-59) – <11
  Ages 60+ (Older Adult) – <11

- **Race**
  Black or African American – <11
  Declined to Answer (or Unknown) – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**

Declined to Answer (or Unknown) - 7

- **Primary Language**
  English – 7

- **Sexual Orientation**
  Heterosexual or Straight – 7

- **Disability**
  Mental (not mental health) – <11
  Chronic Health Condition – <11
  No Disability – <11

- **Veteran Status**
  Declined to Answer (or Unknown) – 7

- **Gender: Assigned Sex at Birth**
  Male – <11
  Female – <11

- **Current Gender Identity**
  Male – <11
  Female – <11

RBA Outcomes during the reporting timeframe were as follows: 2 Community Education Trainings were conducted to 43 attendees, and 229 individuals were reached through outreach and engagement services. A total of 7 individuals received case management and/or participated in Support Groups. There were 7 referrals for additional services and supports.

Project Successes**:**

- A support group for Black men, “Black Men Alive and Well,” aimed at building participants’ resilience and well-being was conducted.
- Two community education workshops with Deanna Robinson were held: “Creating a Culture of Healing: Black Mental Health Wellness Strategies” and “Processing Pain While Building a Healing Culture: Black Mental Health Wellness Strategies”.
- A two-part provider education training with Roland Williams was held, “Medication-Assisted Treatment for Black Populations” in June.
- After exhaustive searches, ONTRACK hired 2 case managers for Soul Space and placed a project manager onsite in Berkeley.
- Soul Space leased office and program space in South Berkeley, in the historical heart of Berkeley’s African America/Black community and hired two well-qualified empowerment advocates. The increased capacity enabled the program to ramp up the outreach and direct service activities.

Project Challenges:

- Early in the fiscal year, the case manager resigned. The program support team worked diligently to move clients through their empowerment plans and transition them to other community resources or close out their cases. Recruitment began immediately for the vacant position but there was difficulty finding applicants who brought the required combination of skillsets: case management expertise, deep understanding of African American/Black communities particular needs for mental health support, and experience working with African American/Black communities. The search process involved reviewing 40 resumes submitted in response to initial posts, numerous hours revising the recruitment strategy and outreach, and interviewing more than 28 candidates before finding qualified individuals aligned with Soul Space's values and approach to case management.
- The original North Berkeley office space was unsuitable to the program needs, so the program moved to a new space in South Berkeley that was closer to public transportation and more accessible to African American communities. Unforeseen flooding and mildew rendered the office space permanently unusable, necessitating a time-consuming search for another space. Finding an affordable and culturally appropriate space proved more difficult than anticipated, but the program was able to acquire access, and relocate to another space in South Berkeley that proved to be appropriate for the program needs.

➢ Latinx Trauma Support Project

Implemented through East Bay Sanctuary Covenant began the Latinx Trauma Support Project assists low-income, Latinx families in Berkeley to access culturally, ethnically, and linguistically responsive and trauma-informed prevention and intervention services. Project services are in direct response to, and in collaboration with, Latinx community members, and are largely facilitated by individuals from within the targeted community and are conducted in Spanish or an indigenous language. Services include: One-on-one outreach and support; support groups; staff and partner training and warm referrals.

PEI Goals: The goal of this project is to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the prevention of suicide.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.

- Strategies targeting the mental health needs of older adults.

Program results during the reporting timeframe were as follows:

In FY2022, this project began implementing services. Over the course of the year a total of 224 individuals were served. Demographics on individuals served through this project were as follows:

DEMOGRAPHICS N = 224

- **Age Groups**
  Children and Youth (0-15)- 2%
  Transition Age Youth (16-25) – 13%
  Adults (26-59) – 82%
  Ages 60+ (Older Adult) – 1%
  Declined to Answer (or Unknown) – 2%

- **Race**
  American Indian or Alaska Native – 10%
  Asian – 1%
  Black or African American – <1%
  White – 2%
  Other – 85%
  Declined to Answer, or Unknown – 2%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Central American – 45%
  Mexican/Mexican-American/Chicano – 29%
  South American – 8%
  Other – 8%
  Declined to Answer, or Unknown – 7%

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  African - <1%
  Asian Indian/South Asian – 1%
  Chinese - <1%
  Eastern European - <1%
  Middle Eastern - <1%
  Other - <1%

- **Primary Language**
  English – 3%
  Spanish – 83%
  Declined to Answer, or Unknown – 14%

- **Sexual Orientation**
  Heterosexual or Straight – 43%
  Gay or Lesbian - 28%
  Questioning or unsure of sexual orientation – 1%
  Queer – 1%
  Another sexual orientation – 2%
  Decline to Answer or Unknown – 25%

- **Disability**
  Difficulty seeing – <1%
  Other – <1%
  No Disability - 95%
  Decline to Answer or Unknown – 4%

- **Veteran Status**
  No – 91%
  Decline to Answer or Unknown – 9%

- **Gender: Assigned Sex at Birth**
  Male – 49%
  Female – 50%
  Decline to Answer or Unknown – 2%

- **Current Gender Identity**
  Male – 46%
  Female – 50%
  Transgender – 1%
  Genderqueer – 1%
  Declined to answer or Unknown – 2%

During the reporting timeframe 41 Support Group sessions were conducted reaching 26 individuals, and 76 individuals received One-on-One Supports. A total of 49 Trainings were conducted, reaching 78 individuals. There were 110 warm referrals for additional

services and supports. The number and type of referrals were as follows: 31 Mental Health; 10 Physical Health; 33 Social Services; 36 other unspecified services.

Support Group feedback per participant self-report was as follows:

- 100% reported they liked participating in the Support Group;
- 100% indicated they would recommend the organization to a friend or family member;
- 100% indicated they felt safe, included and respected;
- 100% reported that they were able to deal more effectively with daily problems;
- 100% reported increased feelings of supports after participating in the support group.

Training feedback per participant self-report was as follows:

- 98% pf participants indicated that they were satisfied with the training;
- 100% of participants indicated that the information in the training was informative;
- 100% of participants indicated that the training would help them in their work.

Project Successes:

- In the first fiscal year of this contract, an effective and efficient support services project was built to better serve members of the Latinx community through a holistic trauma-informed approach.
- Having a dedicated staff allowed the project to connect more deeply with Latinx community members, offering early intervention and prevention education, one-on-one supports, warm referrals to a wide range of social and mental health services, and two support groups (one for LGBTQ Latinx asylum seekers and one for Indigenous Maya Mam women).
- The project trained a total of seventy-eight staff and employees of partner agencies in the trauma-informed approach. These trainings were designed after the Program Manager interviewed key stakeholders within the organization about their understanding of trauma and what training needs they saw for improving our services. Externally, customized trainings for partners working in healthcare, education, and social services were also provided.
- The Support Services Manager strengthened partnerships with community agencies around a range of services that clients desperately needed, including health care, public benefits, services for survivors of domestic violence, housing, and many other needs.
- A sophisticated comprehensive system for identifying the resources available to community members and tracking referrals after initial contact using the Airtable platform, was created and utilized.

Project Challenges:
An early challenge was that the project was not able to hire a Support Services Program Manager until two months after the grant began, however despite this delay, project goals were still met.

In FY2023, this project served 339 individuals. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 339
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) - *
  Transition Age Youth (16-25) – *
  Adults (26-59) – 84%
  Ages 60+ (Older Adult) – *
  Declined to Answer (or Unknown) – *

- **Race**
  American Indian or Alaska Native – *
  Asian – *
  Black or African American – *
  White – *
  Other – 85%
  Declined to Answer, or Unknown – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Central American – 47%
  Mexican/Mexican-American/Chicano – 35%
  South American – *
  Other – *
  Declined to Answer, or Unknown – *

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  African - *
  Asian Indian/South Asian – *
  Cambodian - *
  Eastern European - *
  European - *
  Japanese - *
  Korean - *
  Other - *

- **Primary Language**
  English – *
  Spanish – 87%
  Declined to Answer, or Unknown – *

- **Sexual Orientation**
  Heterosexual or Straight – 43%
  Gay or Lesbian - 36%
  Bisexual - *
  Queer – *
  Another sexual orientation – *
  Decline to Answer or Unknown – 18%

- **Disability**
  Other – *
  No Disability - 93%
  Decline to Answer or Unknown – *

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 44%
  Female – 55%
  Decline to Answer or Unknown – *

- **Current Gender Identity**
  Male – 41%
  Female – 55%
  Transgender – *
  Genderqueer – *
  Another Gender Identity – *

During the reporting timeframe 7 Support Group sessions were conducted reaching 132 individuals, and 94 individuals received One-on-One Supports. A total of 8 Trainings were conducted, reaching 30 individuals. There were 152 warm referrals for additional services and supports. The number and type of referrals were as follows: 32 Mental Health; 8 Physical Health; 44 Social Services; 68 other unspecified services.

Support Group feedback per participant self-report was as follows:

- 100% reported they liked participating in the Support Group;
- 98% indicated they would recommend the organization to a friend or family member;
- 100% indicated they felt safe, included and respected;
- 95% reported that they were able to deal more effectively with daily problems;
- 98% reported increased feelings of supports after participating in the support group.

Training feedback per participant self-report was as follows:

- 100% of participants indicated that they were satisfied with the training;
- 100% of participants indicated that the information in the training was informative;
- 100% of participants indicated that the training would help them in their work.

Project Successes**:**

- Continued to provide integrated support to low-income Latinx immigrants through case management, warm referrals, trilingual hotline, support groups, mental health support, and trainings, as well as quarterly retreats for LGBTQ asylum seekers and Mam women.
- Due to growth in the Support Services program an additional caseworker was hired, which helped clients connect to more public benefits, including Medi-Cal and CalFresh.
- In addition to 1x1 support, a support group was offered reaching 24 LGBTQ asylum seekers and a storytelling workshop reaching 17 people.
- Utilized undergraduate interns for 16-24 hours a week to provide direct service to individuals, and to assist with administrative tasks.
- Hosted four Trauma-Informed trainings for staff and partner organizations providing legal and mental health services to asylum seekers. Staff trainings on Wellness and Domestic Violence Prevention were also conducted. The Support Services team attended a training on Motivational Interviewing and participated in a convening of Bay Area nonprofits serving unaccompanied immigrant youth.
- Provided a training on Mental Health First Aid and suicide prevention, one for law student volunteers, and one in Spanish for outreach workers.
- Partnered with “No Separate Survival”, a participatory documentary project, to offer asylees a chance to get behind the camera and share their perspectives as storytellers, and hosted a film screening for asylum seekers and their families in a single-day support group event.
- The OLAS LGBT Sanctuary Project held a retreat on the theme, “The Pride of Being,” to empower participants to be proud of their unique identities, and to build community with each other.
- Connected clients to services such as rental assistance, state-funded medical services, mental health services, and more.
- Planned an integrated wellness workshop for clients, which took place in the Fall of 2023. The workshop covered topics such as sleep and stress, and offered a range of culturally appropriate approaches including Talk Therapy and traditional Mayan herbal remedies.
- The Community Education Manager and Amplifying Sanctuary Voices Team led two “Tell Your Story” workshop training sessions to help community members learn how to share their immigration stories with legislators and the public. These

workshops helped community members find power and confidence in sharing their lived experiences to advocate for a greater cause.

- The OLAS LGBTQ Asylum Program Coordinator, led a support group retreat for new and returning members focused on the immigrant identity. Activities allowed participants to safely share their migration stories and discuss the dynamics of acculturation and chosen family.

Project Challenges:
It continued to be a challenge to connect clients with mental health services in a timely fashion, as the shortage of mental health workers seemingly only deepened. We stayed in close touch with groups like “Partnerships for Trauma Recovery” to make sure we had up-to-date information on which providers are accepting new patients and what wait times our clients could expect. A Team Member who specializes in working with teenagers and transition-aged youth, offered a support group for her clients, however it proved to be difficult to recruit for the group, as the need to earn money often overwhelmed all other needs of the potential participants.

In FY2024, this project served 653 individuals. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 653
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) - 28
  Transition Age Youth (16-25) – 148
  Adults (26-59) – 442
  Ages 60+ (Older Adult) – 35

- **Race**
  Asian – <11
  Black or African American – 17
  White – <11
  Other – 601
  More than one Race – <11
  Declined to Answer, or Unknown – 11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Central American – 345
  Mexican/Mexican-American/Chicano – 127
  South American – 43
  Other – 29
  Declined to Answer, or Unknown – 49

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  African - 12
  Asian Indian/South Asian – <11
  European - <11
  Filipino - <11
  Middle Eastern - <11
  Vietnamese - <11
  Other - <11
  Declined to Answer, or Unknown – 12

- **Primary Language**
  English – 56
  Spanish – 533

- **Sexual Orientation**
  Heterosexual or Straight – 308
  Gay or Lesbian - 86
  Bisexual - <11
  Queer – <11
  Another sexual orientation – <11
  Decline to Answer or Unknown – 243

- **Disability**
  Difficulty Seeing - <11
  Other – <11
  No Disability - 614
  Decline to Answer or Unknown – 26

- **Veteran Status**
  No – 630
  Decline to Answer or Unknown – 23

- **Gender: Assigned Sex at Birth**
  Male – 327
  Female – 326

- **Current Gender Identity**
  Male – 321
  Female – 318
  Transgender/Genderqueer/Another Gender Identity – 14

RBA Outcomes during the reporting timeframe were as follows: 9 Support Group sessions were conducted reaching 75 individuals, and 247 individuals received One-on-One Supports. A total of 7 Trainings were conducted, reaching 91 individuals. There were 207 warm referrals for additional services and supports. The number and type of referrals included: 29 Mental Health; 12 Physical Health; 75 Social Services; 91 other unspecified services.

Support Group feedback per participant self-report was as follows:

- 100% reported they liked participating in the Support Group;
- 100% indicated they would recommend the organization to a friend or family member;
- 100% indicated they felt safe, included and respected;
- 100% reported that they were able to deal more effectively with daily problems;
- 100% reported increased feelings of supports after participating in the support group.

Training feedback per participant self-report was as follows:

- 100% of participants indicated that they were satisfied with the training;
- 100% of participants indicated that the information in the training was informative;
- 100% of participants indicated that the training would help them in their work.

Project Successes**:**

- Continued to provide integrated support to low-income Latinx immigrants through case management, warm referrals, trilingual hotline, support groups, mental health support, and trainings, as well as quarterly retreats for LGBTQ asylum seekers and Mam women.
- Successfully initiated contact with Berkeley High School newcomer program to share resources with families, and continued to provide one-on-one support for Latinx and Mam asylum seekers, including wraparound services for unaccompanied minors and warm referrals to mental health and other services.
- Provided 6 trauma-informed trainings for 66 unique participants. These included an annual training for the incoming cohort of law students interns who directly assisted with the clients' asylum cases during the school year. These trainings made it much more likely for the law students to identify their clients' need for mental health services and reach out to the Support Services team to make these connections.
- Expanded one-on-one services to include assistance with obtaining public benefits. Program staff developed sufficient expertise on this topic to train student interns to screen clients for eligibility for benefits such as Medi-Cal and CalFresh, help them apply, and, crucially, help them overcome barriers like inadequate documentation if their applications were rejected.
- The OLAS LGBTQ Sanctuary Project held a support group weekend retreat with 16 LGBTQ participants. Participants felt empowered to share their accomplishments as immigrants in the U.S., including learning English, opening their own businesses, pursuing higher education, and obtaining asylum or residency status. Additionally, the OLAS Sanctuary Project held a one-day retreat in Berkeley for 24 participants, 6 of whom were new to the program. Many participants expressed feelings of trust, safety, and comfort with expressing

themselves through the group activities. This provided safe spaces for participants to rest, share their experiences as LGBTQ immigrants, and practice different forms of art expression. Activities were led by trained facilitators, including licensed therapists. Participants walked away from these experiences having felt seen and heard and part of a community. As LGBTQ immigrants, many of the participants have experienced hate incidents in both their home countries and the U.S. They unanimously feel that OLAS provides a safe space for healing and processing these experiences among their peers, and shared that each retreat built their self-confidence and their connections with other participants.

- Two storytelling workshops were held for Indigenous Mam, Latinx, and LGBTQ asylum seekers that focused on finding and expressing their voice. One workshop was in collaboration with teaching artists at Berkeley Repertory Theatre (BRT). Participants were guided to create poetry and performances based on their stories and share them in classrooms and at community events, which helped to build empathy in the broader community. The experience was cathartic, with strengthened connections, community, and confidence, along with opportunities to share one's journey and give/receive support.
- The Amplifying Sanctuary Voices (ASV) team held a storytelling performance event in partnership with Berkeley Repertory Theater - In Dialogue. The performance featured four Latinx and immigrant community members who shared their stories with over 50 attendees. The event was incredibly moving and a great success; the performers shared that they felt proud of their bravery to stand up and share their story and audience members reflected on the power of hearing personal narratives in a performance setting. ASV is excited to continue supporting community storytelling in a setting that promotes participants' healing and empowerment.

Project Challenges:

While there were no significant program challenges in FY2024, the Support Services team was hoping to host three student interns over the summer, however two withdrew for personal reasons at the last minute. Staff was able to cover, but this was still a disappointment and prompted thinking and planning on how to get firmer intern commitments going forward.

PREVENTION & EARLY INTERVENTION COMBINED PROGRAMS

Prevention Program – Includes a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.

Early Intervention Program – Provides treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

The City of Berkeley Prevention & Early Intervention combined programs are as follows:

Mental Health Peer Education Program

The Mental and Emotional Education Team (MEET) program implements a peer-to-peer mental health education curriculum to 9th graders and an internship program for a cohort of high school students to serve as peers to their fellow students. The goals of the program are to increase student awareness of common mental health difficulties, resources, and healthy coping and intervention skills. Through this program, students are trained by a licensed BUSD clinician to conduct class presentations covering common mental health disorders, on and off campus resources, and basic coping and intervention skills.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priorities:

- Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

In FY2022, although the funding was allocated for this program, it was not implemented by BUSD.

In FY2023, the MEET program was relaunched after having been discontinued for a couple of years. During this reporting timeframe,15 MEET Peer Educators participated in weekly trainings and in a 1 full day training for the purposes of developing leadership skills, learning about mental health needs and resources, and providing mental health education for their peers. The trained Peer Educators then presented in eight U-9 Freshman Seminar Classes.

Five of the MEET students participated in the City of Berkeley Health Justice (HJI) Internships with MEET as their internship site. The HJI interns participated in an additional weekly meeting and acted as leaders within MEET by developing the PowerPoint presentation and leading practice sessions with other MEET peer educators to prepare for their classroom presentations.

In FY2023, 15 individuals were served through this program. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 15
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 100%

- **Race**
  Asian – *
  Black or African American – 33%
  White – 33%
  More than one Race – 27%
  Declined to Answer, or Unknown – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 3%
  Declined to Answer, or Unknown – 12%

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  African - *
  Asian Indian/South Asian – *
  Other – 13%
  Declined to Answer, or Unknown – 46%

- **Primary Language**
  Declined to Answer, or Unknown – 100%

- **Sexual Orientation**
  Heterosexual or Straight – 20%
  Gay or Lesbian - *
  Bisexual – 27%
  Questioning or unsure of sexual orientation – 20%
  Queer – 13%

Other - *
Decline to Answer or Unknown – 13%

- **Disability**
  Difficulty Seeing – 13%
  Mental domain not including a mental illness (ncluding but not limited to a learning disability, developmental disability or dementia) - *
  Other – *
  No Disability – 60%
  Decline to Answer or Unknown – 13%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Decline to Answer or Unknown – 100%

- **Current Gender Identity**
  Male – 13%
  Female – 67%
  Genderqueer - *
  Questioning or unsure of gender identity – 13%
  Decline to Answer or Unknown – *

Program Successes:

- Developed informational PowerPoint and presentation for U-9 Freshman Seminar classes.
- Completed 8 educational presentations to U-9 Freshman Seminar classes.
- Presentations reached over 200 students and aimed to foster greater comfort in discussing mental health, provide information about common mental health issues, reduce mental health stigma, teach coping skills, and show students how to access mental health resources in and outside of Berkeley High School.
- Five MEET students participated in the City of Berkeley Health Justice (HJI) Internships with MEET as their internship site. The HJI interns acted as leaders within MEET by developing the PowerPoint presentation and leading practice sessions to prepare for their classroom presentations.
- Created informational posters about depression, anxiety, coping skills, and selfcare to be posted across campus.
- Helped design mental health survey questions that were used in the district-wide Mental Health Needs Assessment.
- Conducted over 40 interviews of Berkeley High Students for the district-wide Mental Health Needs Assessment.
- Assisted in designing a BHS Wellness Website.

- Nine weekly trainings and one full day training was facilitated for MEET students to foster community, learn about common mental health concerns and prepare to facilitate presentations to U-9 freshmen.
- HJI MEET interns met with the training facilitator an additional 5 times to support their development of the PowerPoint presentation, foster their leadership within MEET, and provide feedback and assistance in creating mental health informational posters.
- Each MEET participant co-facilitated at least 2 classroom presentations.
- MEET students taught over 200 students (all U-9 freshmen) in their classrooms by facilitating the PowerPoint presentation and interactive activities focusing on mental health and coping skills.
- Feedback from MEET peer educators, U-9 students, and teachers was overall positive. 93% of MEET Peer Educators reported that they learned more about mental health and 100% reported that they felt comfortable or very comfortable expressing themselves within the group.

Program Challenges:
A significant challenge was the increase in costs to fund the program. These increases required the school district to make cuts in other programming areas, as well as move resources around to be able to continue providing ongoing services.

During the fall of FY2024, the MEET program supervisor led 20 mental health peer educators in 28 weekly trainings and one full day training for the purpose of developing leadership skills, learning and practicing communication skills, learning about mental health needs and resources, and providing mental health education and support for their peers. Many of the peer educators also participated in the City of Berkeley Youthworks program, where they participated in weekly meetings to learn and develop job readiness skills. In addition to the weekly training sessions, the peer educators also participated in one or more internship projects, including creating mental health presentations for Freshman classes, developing multilingual presentations for ELL English classes, creating videos and posters to spread information about mental health, creating and disseminating information about tobacco and marijuana prevention, and hosting or participating in events to spread awareness about mental health and the BHS Wellness Center. All peer educators had the opportunity to provide one-on-one mentorship to other students, either on a one-time basis or through weekly or biweekly meetings.

In the Spring of FY2024 a second cohort of 12 mental health peer educators participated in 8 weekly trainings and one full day training for the purpose of building community, exploring their own values and biases, learning and practicing communication skills, and learning about mental health needs and resources. After completing their training, this cohort of peer educators were prepared to begin in FY2025, with mentoring and engaging in internship projects.

In FY2024, 32 individuals were served through this program. Demographics on individuals served were as follows:

DEMOGRAPHICS N = 32

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 32

- **Race**
  Asian – <11
  Black or African American – 14
  White – <11
  Other - <11
  More than one Race – <11
  Declined to Answer, or Unknown – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Central American – <11
  Mexican/Mexican American Chicano – <11
  South American – <11
  Other – <11
  Declined to Answer, or Unknown – <11

- **Ethnicity: Non-Hispanic or Latino/Latina/Latinx**
  African – <11
  Asian Indian/South Asian – <11
  Ester European – <11
  Middle Eastern – <11
  Vietnamese – <11
  Other – <11
  Declined to Answer, or Unknown – <11

- **Primary Language**
  English – 19
  Spanish – <11
  Declined to Answer, or Unknown – <11

- **Sexual Orientation**
  Heterosexual or Straight – 17
  Gay or Lesbian - – <11
  Bisexual – <11
  Questioning or unsure of sexual orientation – <11
  Queer – <11
  Another Sexual orientation – <11
  Decline to Answer or Unknown – <11

- **Disability**
  Difficulty Seeing – <11
  Difficulty Hearing or having speech understood – <11
  Mental domain not including a mental illness (ncluding but not limited to a learning disability, developmental disability or dementia) - <11
  Other – *
  No Disability – 22

- **Veteran Status**
  No – 32

- **Gender: Assigned Sex at Birth**
  Decline to Answer or Unknown – 32

- **Current Gender Identity**
  Male – <11
  Female – 23
  Genderqueer - <11
  Questioning or unsure of gender identity – - <11
  Another Gender Identity - <11
  Decline to Answer or Unknown - <11*

Program Successes:
Accomplishments of MEET Students

- Completed semester long training in order to learn the skills to be peer mentors;
- Developed informational and interactive presentation for U-9 Freshman Seminar classes. The students facilitated 28 educational presentations, which reached over 750 students. The presentations aimed to support freshman students to foster greater comfort in discussing mental health, recognize and practice positive coping skills, and learn about how to access mental health resources in and outside of BHS;
- Created and led informational presentations in English and Spanish for all four levels of ELL English, which included information about mental health, addressed the connection between mental health and migration, and shared resources about how to access mental health support at BHS;
- Provided at least 65 one-on-one or small group mentoring sessions to approximately 27 students;
- Served almost 100 shifts in the Wellness Center, during which they were available for drop-in mentorship support, introduced new students to the offerings of the Wellness Center, and helped with the daily maintenance of the Wellness Center;
- Developed, filmed, and edited 9 informational videos about a variety of mental health topics to spread awareness about mental health to other BHS students. Five films were submitted to the Directing Change film competition, three of

which were formally recognized (2nd place in Suicide Prevention category, Honorable Mention in Suicide prevention category, and Special Recognition in Athletics & Mental Health);
- Planned and hosted three school-wide events to provide information and support for stress reduction and mental health awareness;
- Provided information and tours of the new BHS Wellness Center for the Wellness Center Grand Opening (December 2023) & BHS Open House (March 2024).

Number of BHS students served by MEET students:
- 32 students participated as peer educators in the MEET program;
- 750+ Freshman students received classroom presentations;
- 50+ students in the Multilingual Program received classroom presentations;
- 35+ students received one-on-one mentorship from a mental health peer educator;
- All 3200 BHS students viewed MEET videos through the Student Bulletin.

Program Challenges:
A significant challenge continued to be the increase in costs to fund the program. These increases required the school district to make cuts in other programming areas, as well as move resources around to be able to continue providing ongoing services.

Dynamic Mindfulness Program (DMind)

DMind is an evidence-based trauma-informed program implemented in BUSD middle and high schools. Validated by independent researchers as a transformative program for teaching children and youth skills for optimal stress resilience and healing from trauma, the DMind program integrates mindful action, breathing, and centering into an

intervention that is implemented in the classroom in 5-15 minute sessions, 3 to 5 times a week. This program has proven to be successful with vulnerable students who are exhibiting signs of chronic stress/trauma/PTSD from Adverse Childhood Experiences (ACEs), and/or disengagement from school, chronic absences, and significant behavioral challenges, including emotion regulation, impulse control, anger management, and/or getting frequent referrals/suspensions and at high risk of school failure. DMind also enables teacher and staff well-being, which has been shown to enhance student learning. Program components include in-class and after-school DMind sessions for students, student peer leadership development, and training and coaching of school staff.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priorities:

- Youth Engagement and Outreach Strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

Program results during the reporting timeframe are outlined below:

In FY2022, DMIND was provided both live on-line, and in-person. Training and coaching services were also provided through this program. The training and coaching services build capacity among teachers and staff, so they have the skills for their own self-care, stress resilience and personal sustainability, and for the professional application with students to teach emotional regulation as well as social-emotional learning. Training and coaching was also used to build capacity among student peer leaders, with structured opportunities for application in conflict resolution, peer mediation, restorative justice circles, and leading DMIND practice in their classrooms. Additionally, this program provided videos to the schools and Yoga at Independent Study. A total of 1,546 students and 139 teachers/school staff received services through this program during the reporting timeframe as follows:

School	Number of Students Served	Number of School Staff Served
• Berkeley High School	455	76
• Berkeley Technical Institute	28	12
• King Middle School	248	15
• Longfellow Middle School	127	19
• Willard Middle School	688	17

Total	**1,546**	**139**

Demographic data on individuals served in FY2022 was not provided by BUSD.

In FY2023, services were directly provided to 550 students and 66 staff. An additional 2,000 unduplicated students were reached through knowledge and skills shared by individuals who received direct services. Additionally, there were many more students who practiced along with the online curricular supports by accessing the DMind video library (containing over 300 brief DMind practices), and the "Mood Shifter" for emotion regulation in the programs InPower Mobile App. The big post-COVID change was going from online to in-person services/programs, including in-class sessions by Niroga instructors, as well as staff (teachers, counselors, administrators) training and coaching sessions.

The only demographic data provided by BUSD on individuals who were served in FY2023, was as follows: 0-15 years = 84%; 16-25 years = 5%; 26-59 years = 11%.

Program Successes:

- Successfully pivoted from online to in-person programming after the COVID lockdown ended.
- Staff (teachers and counselors) reported that there was a substantial increase in student mental health issues, leading to challenging student behaviors, e.g. disruptive, distracted, disengaged (fight/flight/freeze), saying they were seeing a certain 'feral quality' to many students (as they re-learned socializing after the long period of social isolation because of COVID), Even so, staff and students responded very positively to the in-person movement-based mindfulness program.

In addition to engaging students, this program also works with school staff to (a) enhance their own personal sustainability (self-care, stress resilience and healing from vicarious trauma) as well as (b) professional application with their students (emotion regulation, de-escalation, focus/attention/engagement). This not only built staff capacity and ensured adequate DMind 'dosage' for enabling neuroplasticity and neurogenesis to rewire their brains and change behavior, but also provided a multiplier factor of ~30-40 (typical class size in middle and high schools, and nominal caseload for counselors), significantly increasing the reach and scope of programming, serving a much larger group of unduplicated students than would have been otherwise possible given budgetary limitations.

Program Challenges:
Program staff witnessed significant levels of overwhelmed school staff which limited their ability to participate in the capacity-building training and coaching offerings.

During the FY2024 reporting timeframe, data on numbers served and demographics was not provided.

Program Successes:
In FY2024, DMIND was provided in three middle schools and two high schools within the Berkeley Unified School District. Over 300 students and a dozen staff to submitted their feedback on the program. The results were inspiring with over 90% of students indicating that as a result of participating in the program they were able to consistently and effectively manage their stress, anger, and anxiety; focus and concentrate; be self-aware; make responsible decisions; have healthy relationships with peers and staff; and be ready and motivated to learn. Additionally, 100% of teachers indicated that they were able to consistently and effectively manage their stress, anger, and anxiety; focus and concentrate; be self-aware; make responsible decisions; have healthy relationships with students and colleagues; have a positive classroom climate; and sustain their well-being as educators. Those same teachers also indicated that their students were able to consistently and effectively manage their stress, anger, and anxiety; focus and concentrate; be self-aware; make responsible decisions; have healthy relationships with peers and staff; and be ready and motivated to learn.

Many of the staff and students surveyed also made sure to include some notes of appreciation and gratitude for providing this program to their school communities. A teacher from Martin Luther King Jr. Middle School noted, “my students have really benefited from this practice.” Another teacher at that school echoed these remarks and added, “the kids [were] able to focus a lot better on the day they participated in the program and they were more productive!” A Counselor from Willard Middle School expressed her thanks as well, sharing, “Students have really enjoyed having a space to practice Mindfulness!” The Vice Principal of School Climate & Student Wellness at Berkeley High School made sure to include a note acknowledging the inclusivity of the practice adding, “this program directly impacts Black students who choose to access the services in lieu of other staff or programs.” The Mindful Yoga program at Berkeley Technology Academy and Berkeley Independent Study also received high praise from teachers who shared “students are all reflecting positive things and noticing their growth. All are really appreciative of the space the program holds for them to slow down and get in tune with their bodies.”

Students added their notes of appreciation as well expressing how impactful this program has been for them. A Berkeley Independent Study student shared, “I especially enjoyed yoga class this week. I tried a lot of new poses and I could feel my balance improving throughout the week…I can’t wait for next week’s class!” A 7th grade student at Willard Middle School shared that she “loved Mindfulness Group a lot! I hope the instructor loved teaching us because I loved and was grateful to have her.”

Program Challenges:
There were no program challenges submitted during the reporting timeframe.

African American Success Project

The African American Success Project (AASP) implements “Umoja” - a daily elective class offered at Longfellow Middle School. Umoja provides African American students a safe affinity space to explore their cultural heritage and identity, while building positive peer relationships and establishing relational trust with adults. Umoja provides an ongoing focus on social and emotional development, including building skills, habits and mindsets that enable self-regulation, interpersonal skills, perseverance and resilience. This project aligns with stated needs found in key BUSD initiatives, and strategic actions, including but not limited to the: Black Lives Matter Resolution, Local Control & Accountability Plan (LCAP), the African American Success Framework (AASF), and the Comprehensive Coordinated Early Intervention Services (CCEIS) Plan.

This project provides a unique chance to expose learners to content traditionally overlooked by educational institutions. Umoja course lessons are rooted in African and African American cultural precepts, and are composed to guide African American learners through:

- An exploration of their identities;
- An interrogation (questioning or query) of their ancestral history;
- Development of a positive sense of purpose and cultural pride;
- Envisioning their futures and outlining a path for fulfillment;
- Developing an awareness of their communal role.

Direct services for parents and guardians:
The project seeks to increase entry points for caregivers to be informed and involved in their child’s learning. Highlights in this area include:

- Providing digital newsletters, and updates using email marketing;
- Coordinating and hosting parent teacher conferences;
- Individual parent meetings/contacts, including advising, problem-solving, and updates regarding student progress;

- Hosting events including the Annual Kwanzaa celebration, and an end of the year meeting to gather qualitative program feedback.

Direct services for students (academic, social, behavioral):

- School-day cultural enrichment designed to uplift and empower African American learners using African centered pedagogical approaches;
- Equity centered support sessions (weekly);
- Structured class check-in sessions.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure and the removal of children from their homes.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

Program results during the reporting timeframe were as follows:

In FY2022, 73 students participated in this project. Outlined below are demographics on individuals served through this project:

DEMOGRAPHICS N = 73

- **Age Groups**
  Children and Youth (0-15) – 100%

- **Race**
  Black or African American – 79%
  More than one Race – 10%
  Declined to Answer, or Unknown – 1%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Hispanic/Latino/Latina/Latinx – 10%

- **Primary Language**
  English – 96%
  Other – <11

- **Sexual Orientation**
  Decline to Answer or Unknown – 100%

- **Disability**
  Other – 25%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 53%
  Female – 47%

- **Current Gender Identity**
  Male – 53%
  Female – 47%

Worth noting is this project's continued emphasis on school success and reinforcing literary skills. In addition to incorporating literacy structures into the class setting, the project made a strategic investment to establish a classroom library, which affords students access to over 100 unique titles. Efforts were made to select books written by Black/African American authors whose books feature Black/African American history, culture, and stories. Building the library was in direct response to a student survey conducted in a prior school year in which project participants indicated they would read more, if books were available that reflected their lived experience and related to their cultural background.

In FY2023, 53 students participated in this project. Outlined below are demographics on individuals served through this project:

DEMOGRAPHICS N = 53
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 100%

- **Race**
  Black or African American – 66%
  Declined to Answer, or Unknown – 34%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other - *

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Other - *

- **Primary Language**
  English – 100%

- **Sexual Orientation**
  Decline to Answer or Unknown – 100%

- **Disability**
  No – 72%
  Decline to Answer or Unknow – 28%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 45%
  Female – 55%

- **Current Gender Identity**
  Decline to Answer or Unknow – 100%

Program Successes:

- *Learning Outcomes*: 6th-grade participants demonstrated significant growth in Literacy on the BUSD STAR Assessment.
- *Learning Experiences*: Participants were exposed to a variety of learning experiences, including field trips, STEM enrichment, and guest speakers
- 6th-grade participants visited the Ramses the Great exhibit at the DeYoung Museum.
- School Yard Raps: All participants had the opportunity to attend the Ourstory: The Black History musical. The musical aligned with the program curriculum, and many students
- reported increased interest and engagement with the performance since they prior knowledge of the content. Additionally, this learning experience uplifted the significance of Black History Month and allowed students to be affirmed.
- College Trips: Umoja 7th graders visited Cal Berkeley and California State University, East Bay.
- Berkeley Historical Society: Participants were visited by members of the Berkeley Historical Society, who provided a guest lecture about local Black History that students learned in class.
- STEM Enrichment Club: 6th-grade boys gained access to a STEM Enrichment Club provided by Bay Area Sigmas. Four monthly Saturday sessions were held during the second semester. STEM Enrichment Club participants built STEM competencies using science-related activities.
- BUSD Black History Oratorical Festival: Umoja participants had a strong showing at the 2023 BUSD Black History Oratorical Festival and, for the third year in a row, placed as finalists for the secondary division. The winner of the 2022 and 2023 secondary division was an Umoja participant. An Umoja participant also placed third in the secondary division for 2023.

- Community Engagement: For the fourth consecutive year, Umoja held an annual Kwanzaa recognition. The 2022 Kwanzaa event was a great success and brought together many
- families and staff for an evening of celebration and shared learning.
- Professional Development: The Umoja team provided professional learning opportunities for Longfellow staff, including an annual presentation to support them in preparing for Black History Month.
- The Umoja team joined professional learning efforts provided under the BUSD African American Success Framework, which provided a year-long cultural competence training series for Longfellow staff.
- Collaboration: The Umoja instructor actively collaborated with the Longfellow team to create a safe, welcoming, and inclusive school environment by helping to organize and host community engagements like the annual Rites of Passage Ceremony. They also attended Grade Level Team meetings, Content/Department Team meetings, IEP meetings, etc., to support Umoja participants. Their voices and perspectives about best supporting African-American students should be highlighted as a valuable resource to the school community.
- Partnerships: The Umoja team strategically partnered with organizations to meet program
- needs, including The City of Berkeley, The Mind of Milan LLC, AM1 Media, Freedom Soul Media Education Initiatives, Jason Seals and Associates, Bay Area Sigmas, Marcus Books, RT Fisher Educational Enterprises, and the Berkeley Public School Fund. These organizations provided financial support, subject matter expertise, services, and resources to keep the program running.

Program Challenges:
During the fiscal year, the program did not serve 8th-grade students as in past years. This caused a slight reduction in the number of participants served. Confusion regarding the course selection process and available options likely contributed to this circumstance.

In FY2024 46 students participated in this project. Outlined below are demographics on individuals served through this project:

DEMOGRAPHICS N = 46
*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 46

- **Race**
  Asian - <11
  Black or African American – 35
  More than one race – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other - <11

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Decline to Answer or Unknow - 46

- **Primary Language**
  English – 46

- **Sexual Orientation**
  Decline to Answer or Unknown – 46

- **Disability**
  Other – <11

- **Veteran Status**
  No – 46

- **Gender: Assigned Sex at Birth**
  Male – 28
  Female – 18

- **Current Gender Identity**
  Decline to Answer or Unknow – 46

Program Successes:
There were no program successes submitted during the reporting timeframe.

Program Challenges:
During the fiscal year, the program did not serve 8th-grade students as in past years. This caused a reduction in the number of participants served.

ACCESS AND LINKAGE TO TREATMENT AND PREVENTION & EARLY INTERVENTION COMBINED PROGRAM

Access and Linkage to Treatment Programs – Connects children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.

Prevention Programs – Includes a set of related activities to reduce risk factors for developing a potentially serious mental illness and to build protective factors.

Early Intervention Programs – Provides treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

The City of Berkeley has one combined Prevention, Early Intervention program that also has an Access to Linkage and Treatment program component:

High School Youth Prevention Program

This program operates in conjunction with other health school related services offered at Berkeley High School (BHS) and Berkeley Technology Academy (BTA) and has become a successful partnership between BUSD and the Public Health and Mental Health Divisions of Berkeley's HHCS Department. The program provides young people with the information and individual support they need to make positive and healthy decisions in their lives. The program includes: outreach activities designed to provide students with basic information around the risks of certain behaviors, and ways to protect themselves and make positive and safer decisions; classroom presentations to enable students to receive more in-depth information around a variety of health topics and available resources, and provide the opportunity for students to do a personal assessment of risk and current lifestyle choices; drop-in crisis, counseling services; individual appointments to identify young people who may need more intensive intervention; and short-term treatment. The individual appointments, held at the school-based health center, provide young people with the opportunity to hold very in-depth discussions around the choices they are making and the risks that are involved in their choices. They receive guidance about changes they can make to reduce or eliminate their risks, and are given the opportunity to identify barriers that might exist for them that prevent them from making healthier choices. In addition, they complete a 40 question, in-depth HEADSSS (Home, Education, Activities, Drugs/Alcohol, Sexuality, Safety, and Suicidality) assessment. Based on the outcome of the individual appointment and/or assessment, a young person may be referred to either a medical or mental health professional at the High School Health Center or in the community for follow-up care and intervention and/or treatment.

The Berkeley High School (BHS) and Berkeley Technology Academy (BTA) Health Centers are both multidisciplinary co-locations of the City of Berkeley's Mental Health and Public Health Divisions. The Health Center team provides a range of Prevention/Early Intervention (PEI) services and also functions as an Access and Linkage to Treatment program. Culturally and linguistically diverse staff provide services in English and Spanish. Translation services in all other languages are available using a language line.

The Health Centers are operational year-round, Monday through Friday, from 8:30 AM-4 PM, with a daily closure from 12-1 PM for lunch and administrative tasks. There are brief periodic closures due to BUSD's academic calendar and in these instances some services are still provided via telehealth when possible. When fully operational, services can be accessed via student drop-in and/or via scheduled appointment. Services can also be requested via Jotform, an online, HIPAA-compliant, referral platform. This referral platform can be accessed is accessible via QR code on informational flyers that are posted across campus and also online in several locations including the Health Center website. Students can self-refer using Jotform, and parents/caregivers, staff, and friends are also able to refer someone else using this method. Additionally, students, parents/caregivers, and staff are able to request services via phone by calling the Health Center main phone number. Hours of operation at Berkeley Technology Academy Health Center are more limited due to the small student population and staffing constraints. When BTA students are unable to access a needed service at that Health Center, they are referred to BHS Health Center for those needed services.

Health Center staff frequently facilitate linkages on behalf of youth and their families, depending upon a given need. Behavioral Health Clinicians ("BHCs") conduct initial assessments with students in order to screen for a variety of health and mental health needs, considering accessibility, insurance status, acuity, and risk factors to support with decision-making around level of care considerations and related linkages. BHCs provide students with short-term behavioral health services—crisis, individual, group—as needed irrespective of insurance status and all students are eligible to receive these free and confidential services. BHCs also link youth/families with more intensive needs to additional services depending upon their specific needs and insurance status. BHCs provide this linkage support via internal referrals (e.g. EPSDT Medi-Cal services; Full Service Partnership team; psychiatry/medication management), Alameda County Access, as well as linkages to services through private insurance carriers. BHCs also sometimes make internal on-campus referrals to the 504 and Special Education programs when some type of mental or physical health condition may be impeding a youth's ability to adequately access their education. BHCs also support youth and their families who are uninsured with accessing and enrolling in Medi-Cal and other relevant programs that support health and well-being.

As an Access and Linkage to Treatment Program, the Health Center's Mental Health Program Supervisor monitors all referrals in order to ensure timely responsiveness and follow up that supports engagement in treatment. All BHCs have access to and monitor incoming referrals that are submitted via Jotform and respond to referrals on a rotating basis. The MH Program Supervisor monitors and responds to referrals via phone and

checks voicemail multiple times per day. In instances where a staff person responds to a referral but is unable to make contact with the referring party, staff will follow up at least three times in an effort to support engagement. The Jotform referral inquires about preferred method of contact and also inquires about whether a youth can be pulled from class in order to conduct an initial assessment. Staff utilize these preferences in order to inform outreach efforts and increase the likelihood of establishing and supporting engagement.

PEI Goals: The goal of this program is to bring about mental health, including the reduction of school failure or dropout.

PEI Priorities:

- Youth engagement and outreach strategies that target secondary school and transition age youth, with a priority on partnership with college mental health programs, and transition age youth not in college.
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

During the reporting timeframe, The Health Center resumed hosting a cohort of three graduate-level trainees (0.6 FTE each) due to stabilization of full-time staff capacity, which contributed to increased service capacity for the duration of the 22-23 school year. One full-time (1.0 FTE) Behavioral Health Clinician II obtained a promotional opportunity outside of the City of Berkeley and transitioned out of his role in early August 2022. This position was temporarily vacant and eventually backfilled by a new Behavioral Health Clinician II in late November 2022. One additional full-time (1.0 FTE) Behavioral Health Clinician I position was added to the High School Mental Health team in late October 2022, and this staff was based across multiple sites (0.4 FTE at Berkeley High School; 0.4 FTE at Berkeley Technology Academy; and 0.2 FTE at K-8 School-Based).

In April 2023, as a result of a Division-wide structural reorganization, High School Mental Health became a standalone program separate from Family, Youth & Children's Services. As part of this reorganization, a new full-time (1.0 FTE) Mental Health

Program Supervisor position was created. The team's existing full-time (1.0 FTE) Mental Health Clinical Supervisor was promoted into this new position in April 2023, and the Mental Health Clinical Supervisor position has since remained vacant.

In FY2022, approximately 233 students received services through this project. Demographics on youth served are outlined below:

DEMOGRAPHICS N = 233

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 33%
  16 – 25 – 67%

- **Race**
  American Indian or Alaska Native – 2%
  Asian – 7%
  Black or African American – 17%
  Native Hawaiian or other Pacific Islander- <1%
  White – 33%
  More than one race – 14%
  Other – 11%
  Declined to Answer (or Unknown) – 16%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 22%
  Declined to Answer (or Unknown) – 16%

- **Primary Language**
  English – 93%
  Spanish – 6%
  Declined to Answer (or Unknown) – 1%

- **Sexual Orientation**
  Gay or Lesbian or Bisexual or Questioning or Queer, or Unsure or Another Sexual Orientation – 21%
  Heterosexual or Straight – 35%
  Decline to Answer or Unknown – 44%

- **Disability**
  Decline to Answer or Unknown – 100%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 21%
  Female – 45%
  Gender non-conforming, Transgender, Genderqueer – 11%
  Declined to Answer (or Unknown) – 23%

- **Current Gender Identity**
  Male – 21%
  Female – 44%
  Transgender – 3%
  Genderqueer – 7%
  Another Gender Identity - <1%
  Declined to Answer (or Unknown) – 25%

Program Successes:

- Resumed providing the full range of services when students returned to full-time in-person learning.
- Following multiple staff transitions during the summer of 2021, this project was able to add two diverse, experienced, highly skilled, licensed clinicians, one of whom is a native bilingual Spanish speaker. Both clinicians quickly became part of a cohesive and collaborative mental health team and have integrated well into the larger Health Center team.
- The mental health team was able to substantially increase service utilization year-over-year compared to the FY2021 school year. As half of the student body were new to campus in FY2022, the project focused more of its efforts on outreach in order to familiarize students with the array of services.
- The mental health team maintained the use of the JotForm application for referrals. The team also integrated QR code technology into the referral form so that it can be more easily accessed and completed by students and school staff.
- The mental health team maintained a collaborative and productive relationship with the Berkeley High School Coordination of Services Team (OST) throughout the school year in order to ensure that appropriate referrals were made to the program.
- The mental health team was able to support students by providing an array of crisis support services following the tragic death of a Berkeley High School student in April 2022.
- The mental health team was also able to build upon and improve existing relationships and partnerships with Berkeley High School stakeholders. To this end the team collaborated with several different on-campus programs throughout the year such as the Multi-cultural Program, McKinney Vento Program, Special Education Program, and Intervention Counselors. The team also conducted stakeholder meetings at the end of the school year in order to elicit feedback

around the services that are provided with a focus on how to improve collaboration, advance equity, and improve service accessibility.

Program Challenges:

- Two newly hired full-time Mental Health Clinicians were onboarded in FY2022 in September and November. From August through December 2021 one full-time bilingual Mental Health Clinician was on parental leave. These staffing limitations contributed to the teams reduced service capacity during the Fall 2021 timeframe.
- Due to staff transitions during the preceding summer, the project was not able to host a cohort of graduate-level trainees, which also contributed to reduced service capacity during the FY2022 school year.
- As a result of reduced staffing and service capacity, the mental health team did not facilitate support groups during the FY2022 school year.
- Berkeley High School administration and staff also experienced difficulties with the transition back to full-time in-person learning and it took time to rebuild coordinated systems for supporting a range of student's needs. Project leadership and Berkeley High School Administration continued to develop relevant protocols during the courses of the school year to better support student accessibility to needed services.

Results Based Accountability (RBA) measures for this project are as follows:

Process Measures **How much did we do?**	**Quality Measures** **How well did we do it?**	**Impact Measures** **Is Anyone Better off?**
• # of clients served • # of clients opened for ongoing services • # of services provided by service type	• # of clients screened for depression, trauma, and substance use • # of clients contacted within a week following a referral to the High School Health Center (HSHC) • % of school population served • % of clients satisfied with services, as measured by % of clients who agree with the following: HSHC Staff… -Treat me with respect -Listen carefully to what I have to say • Make me feel like there's an adult at school who cares about me	• % of clients able to receive needed care, as measured by % of clients who agree with the following: The HSHC… -Is easy to get help from when I need it -Helps me to meet many of my health needs

*Demographic data was reported at the program level, where available

Measure	Definition	Data Source
# clients served	Total clients served	ETO/RedCap
# services provided by service type	# of services coded as behavioral_service with codes BHSV1-8. Key code accompanies Redcap data. Each incident could include more than one service provided.	ETO/RedCap
% clients screened for depression, trauma, and substance use	Percent of total clients that were recorded as having been screened for depression, trauma, and/or substance abuse at least one-time during reporting period.	ETO/RedCap
% referrals to HSHC followed up within one week	Percentage of referrals that had 7 days or less between referral date and response date. Calculation reflects % of total referrals, not % of total clients.	Referral Log
% of school population served	Unique clients served by HSHC divided by total student population	ETO/RedCap; BHS data
% of clients satisfied with services, as measured by % of clients who agree with various statements	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey

Data Development Agenda: measures the team is interested in reporting on but for which reliable data was not available:

- Responsiveness of service (e.g. x days following qualifying event)
- % of clients who have at least one completed CANS/ANSA for each six-month period that they are in the program

The RBA outcomes for FY2022 are outlined on the following pages.

High School Health Center (HSHC)
RBA Outcomes
Reporting Period: July 2021-June 2022 (Baseline)

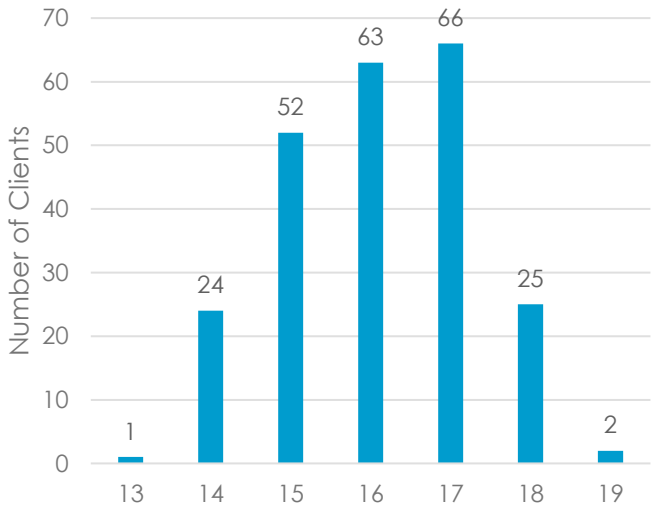
Process Outcomes ("How much did we do?")

233
Clients Served

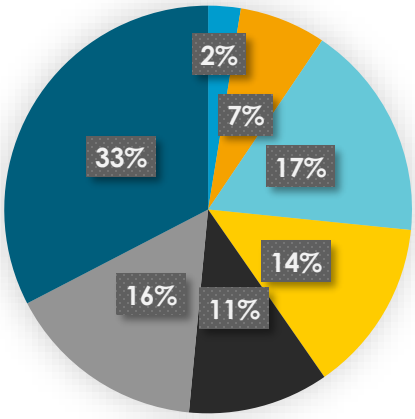
represents 20 clients

Program Description
The HSHC team provides mental health services on site at Berkeley High School; these services include individual and group therapy, crisis assessments, and drop in support. The program also hosts graduate students for training.

Demographics (Age)

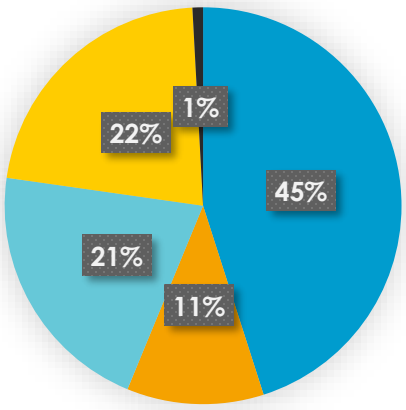


Demographics (Race)



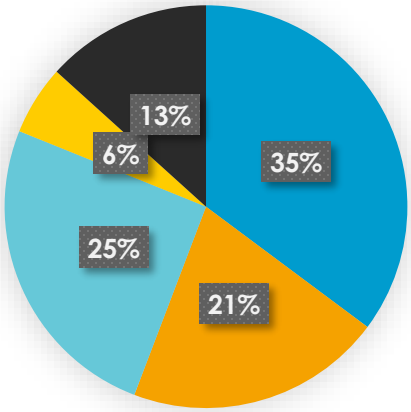
- Alaska Native or American Indian (2%)
- Asian or Pacific Islander (7%)
- Black or African American (17%)
- More than one race (14%)
- Other (11%)
- Prefer not to answer (16%)
- White (33%)

Demographics (Gender Identity)



- Female (45%)
- Gender nonconforming, transgender, genderqueer (11%)
- Male (21%)
- Missing (22%)
- Prefer not to answer (1%)

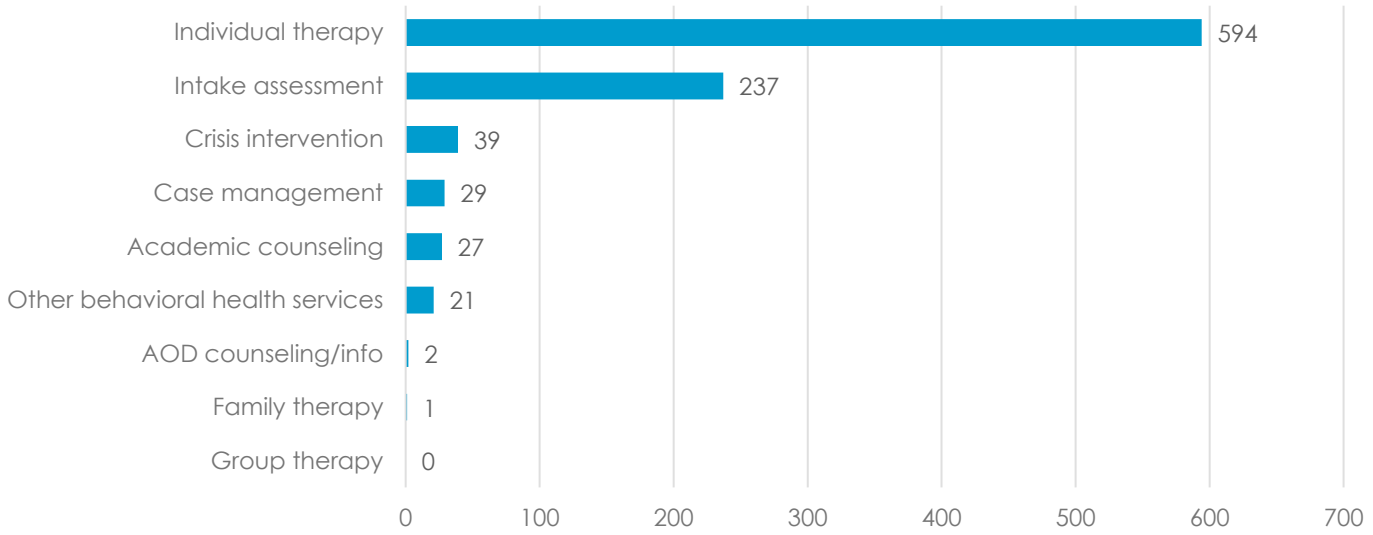
Demographics (Sexual Orientation)



- Heterosexual (35%)
- LGBTQ* (21%)
- Missing (25%)
- Prefer not to answer (6%)
- Unknown/unsure (13%)

*includes students who self-identified as aromantic, asexual, bisexual, gay, homosexual, lesbian, pansexual, queer, and questioning

Services Provided by Service Type

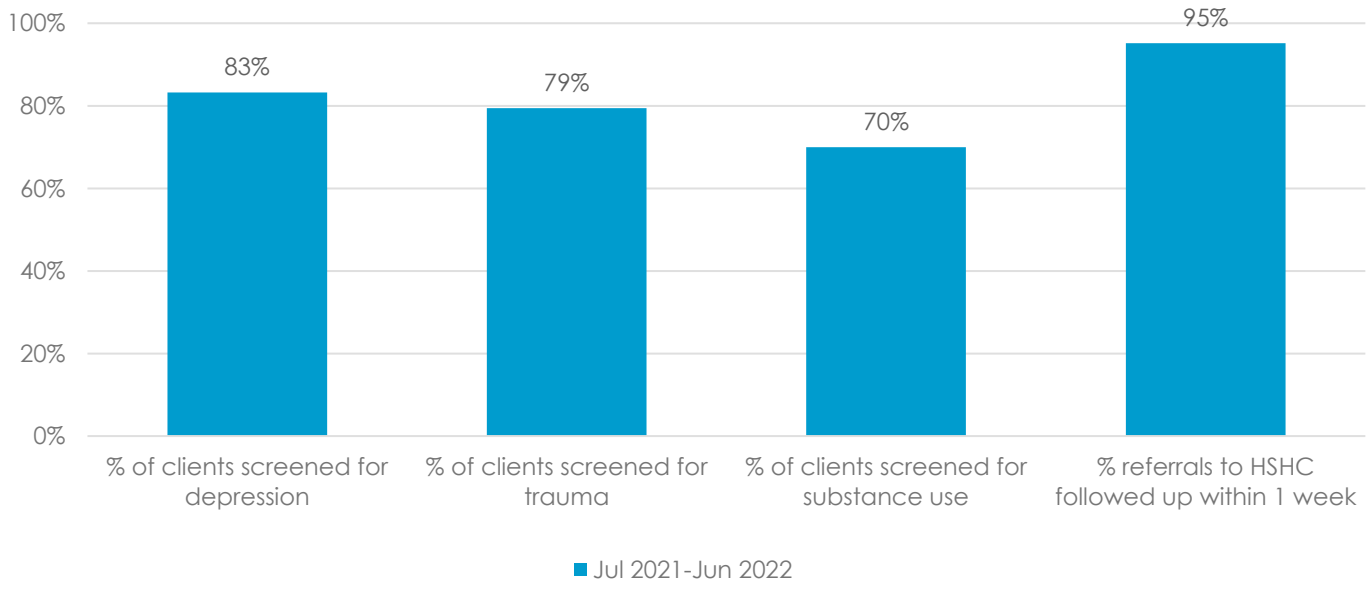


Note that multiple services could be provided in one visit (e.g. crisis assessment and referral) so total services by type (n=950) is greater than total encounters (n=846)

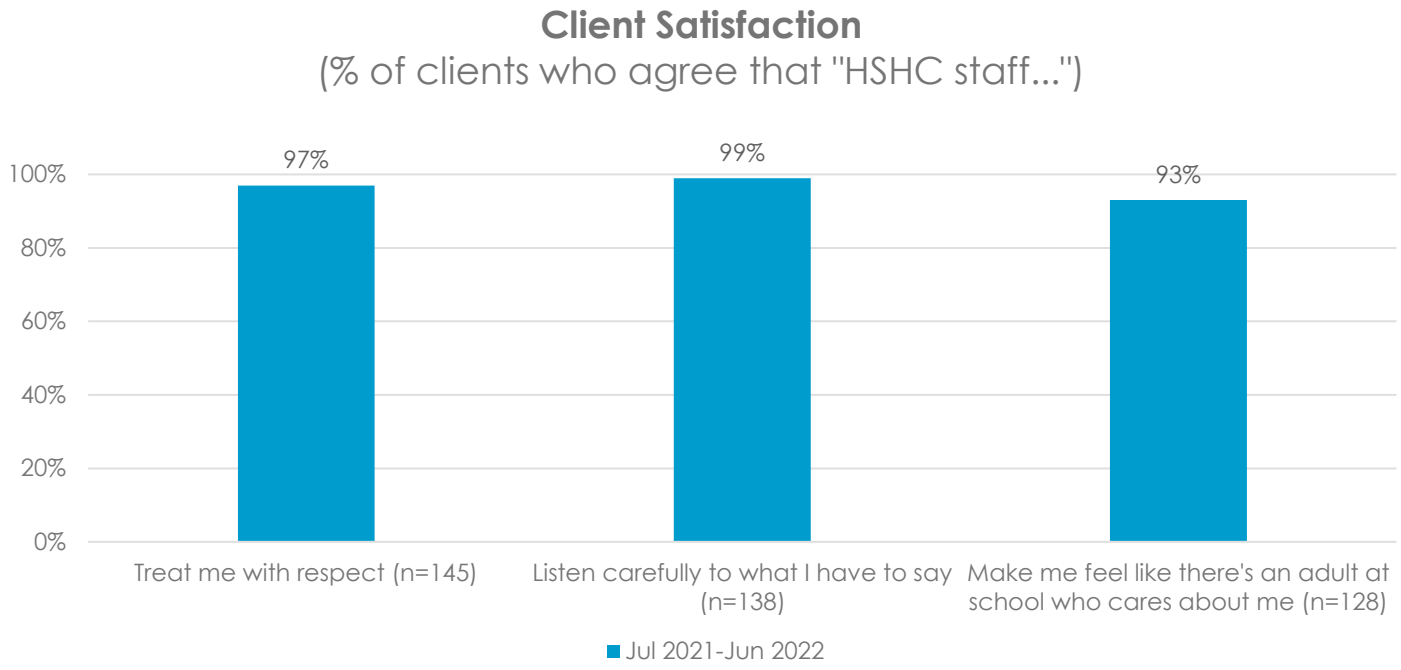
Quality Outcomes ("How well did we do it?")

In 2021-2022, the HSHC program served **7%** of the school population.

Service Consistency



Impact Outcomes ("Is anyone better off?")



In FY2023, approximately 244 students received services through this project. Demographics on youth served are outlined below:

DEMOGRAPHICS N = 244
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 24%
  16 – 25 – 76%

- **Race**
  American Indian or Alaska Native – *
  Asian – 11%
  Black or African American – 20%
  White – 22%
  More than one race – 18%
  Other – 22%
  Declined to Answer (or Unknown) – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 32%
  Declined to Answer (or Unknown) – *

- **Primary Language**
  English – 83%
  Spanish – 14%
  Other - *
  Declined to Answer (or Unknown) – *

- **Sexual Orientation**
  Gay or Lesbian – *
  Heterosexual or Straight – 49%
  Bisexual – 13%
  Questioning or Unsure of Sexual Orientation - *
  Queer - *
  Another Sexual Orientation - *
  Decline to Answer or Unknown – 21%

- **Disability**
  Decline to Answer or Unknown – 100%

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – 34%
  Female – 66%

- **Current Gender Identity**
  Male – 31%
  Female – 55%
  Transgender – *
  Genderqueer – 11%
  Another Gender Identity - *

Program Successes:

- Continued to provide the full suite of in-person mental health, reproductive & sexual health, and first aid services for the duration of the school year.
- The Mental Health (MH) team was able to resume its graduate-level training program and provide a wider array of multi-tiered services with the resumption of support groups.
- Substantially increase service utilization year-over-year compared to 21-22 school year.
- Continued to use the Jotform application for referrals in order to streamline accessibility and minimize barriers to care.
- Maintained a collaborative and productive relationship with BHS's Coordination of Services Team (COST) throughout the school year in order to ensure that appropriate referrals were made to the Health Center and other programs.
- Due to a vacancy and new position, the Health Center was able to recruit two diverse, experienced, highly skilled clinicians, one of whom is a native bilingual Spanish speaker. Both new clinicians quickly became part of a cohesive and collaborative mental health team and integrated well into the larger Health Center team.
- Provided an array of crisis support services following the tragic deaths of two BHS students in October 2022.
- Health Center leadership continued to develop strong working relationships with BHS admin, especially the BHS Principal, new Vice Principal of Climate & Wellness, and 504/COST Program Supervisor. Health Center leadership, City of Berkeley HHCS Departmental leadership, and the BHS VP of Climate & Wellness also developed a plan to open a differentiated Wellness Center space at BHS along with a continuum of tiered wellness support services, to be implemented in the 23-24 school year by BHS staff with additional funding support and partnership from City of Berkeley.
- Continued to build upon and improve existing relationships and partnerships with other BHS stakeholders. To this end, the MH team collaborated with several different on-campus programs throughout the year such as the Multilingual

Program, McKinney Vento Program, Special Education Program, and Intervention Counselors.

Program Challenges:

- From August through November 2022, one full-time bilingual Behavioral Health Clinician II position was vacant. This vacancy negatively impacted individual and group service provision as well as On Call crisis coverage. Nevertheless, the resumption of a graduate-level training program helped to offset some of these negative impacts.
- Staffing shortages across the Health Center's Public Health team, both administrative and clinical, contributed to less consistently available First Aid and Reproductive & Sexual Health services. This, in turn, negatively impacted students' ability to access integrated services. As a result of reduced administrative capacity, the MH Clinical Supervisor and MH team were also responsible for additional, sometimes time-consuming administrative tasks.
- Quality Assurance (QA)/Quality Improvement (QI) and related encounter data extraction/analysis were constrained for the duration of the 22-23 school year due the to an abrupt resignation of the City IT staff person who managed the Health Center's EHR, NextGen. As a result of this, other City IT staff were not sufficiently cross-trained to provide technical support. Furthermore, NextGen vendor staff were often unresponsive to the needs and requests of the Health Center program. This contributed to significant delays with data analysis and reporting, which contributed to additional challenges with data collection across demographic categories and also constrained supervisory decision-making that could have improved efficiencies and improvements in service provision.
- The MH team also continued to use multiple EHRs and applications that are not integrated with one another. This made clinical documentation more cumbersome and time-consuming for all staff.

The RBA outcomes for FY2023, are outlined on the following pages.

BMH RBA Report FY 2023

Reporting Period: July 2022 - June 2023

High School Health Center (HSHC)

Process Outcomes ("How much did we do?")

244

Clients Served

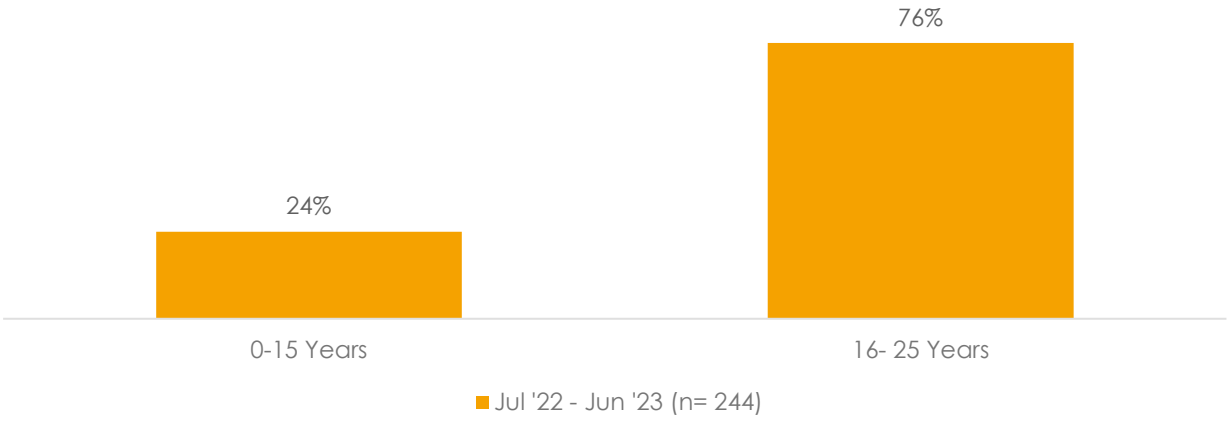
Program Description

The HSHC team provides mental health services on site at Berkeley High School; these services include individual and group therapy, crisis assessments, and drop in support. The program also hosts graduate students for training.

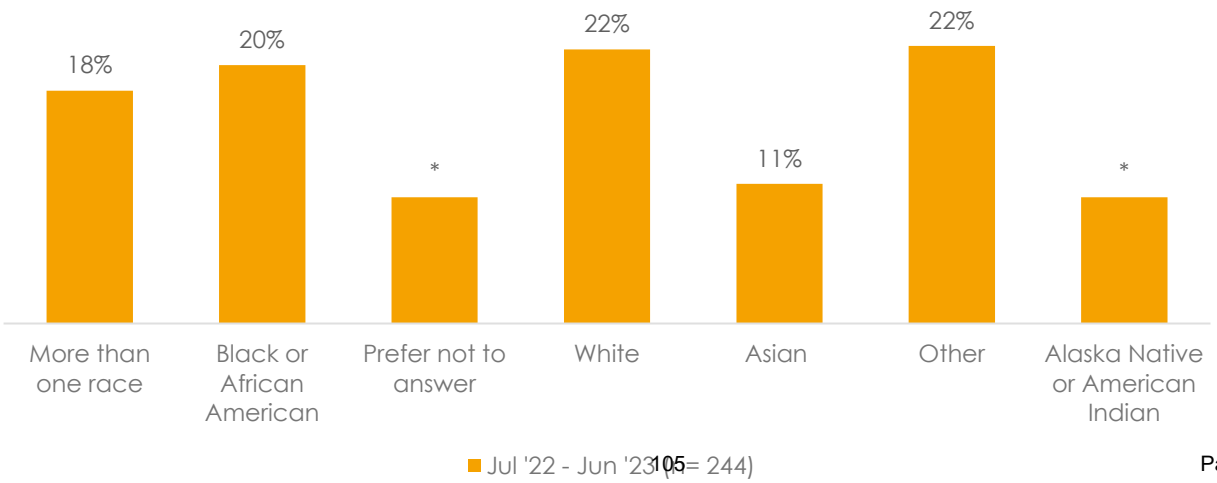
Program Updates

HSHC hired two new full time staff and onboarded 3 master's-level interns in the 2022-2023 school year. This allowed the team to serve more clients and restart groups. HSHC had significant challenges with their EHR, resulting in barriers to quality control.

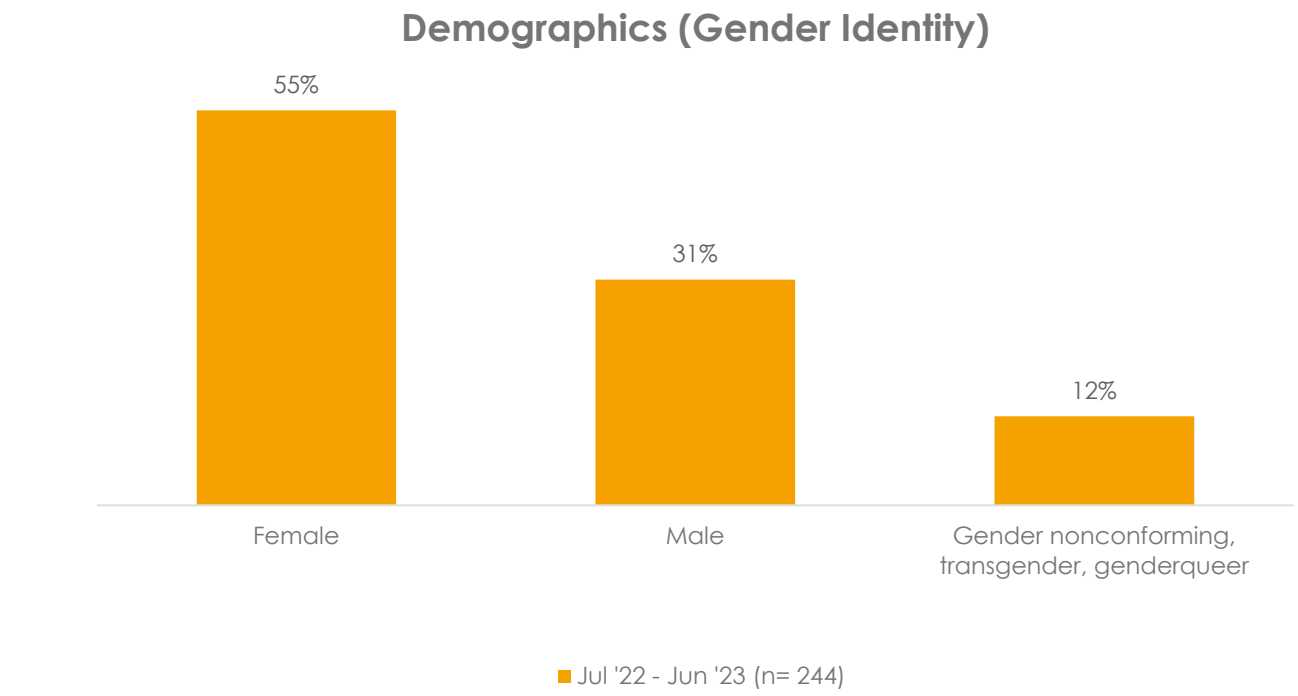
Demographics (Age)

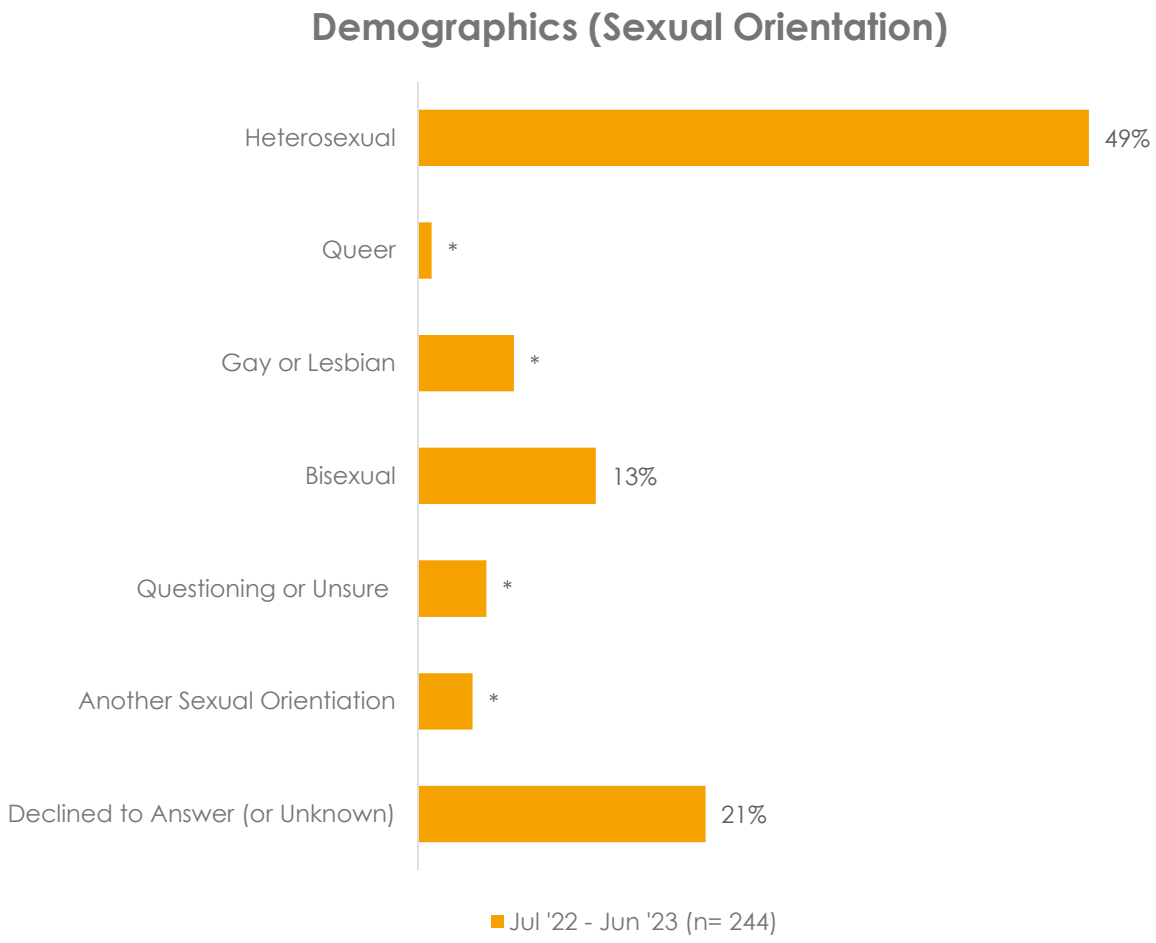


Demographics (Ethnicity)

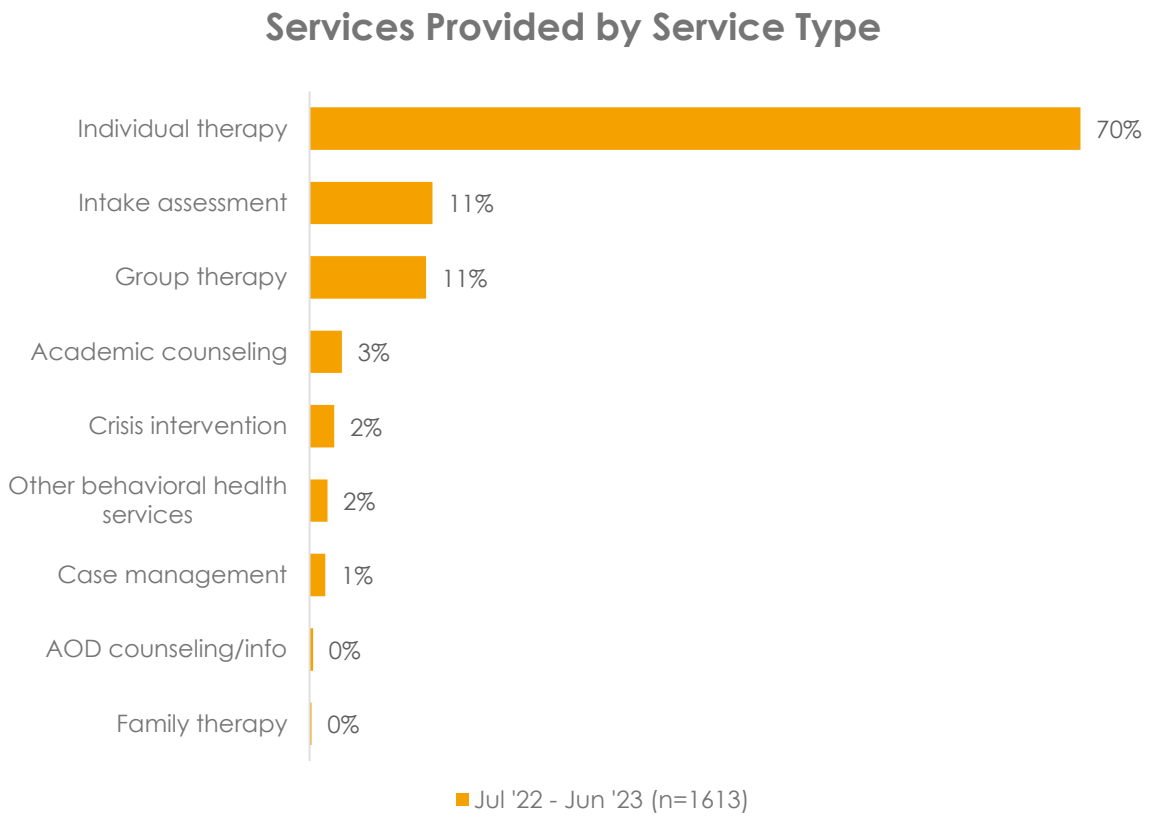


NOTE: *Some data not displayed to protect individual privacy when N< 11. Smaller data was combined.



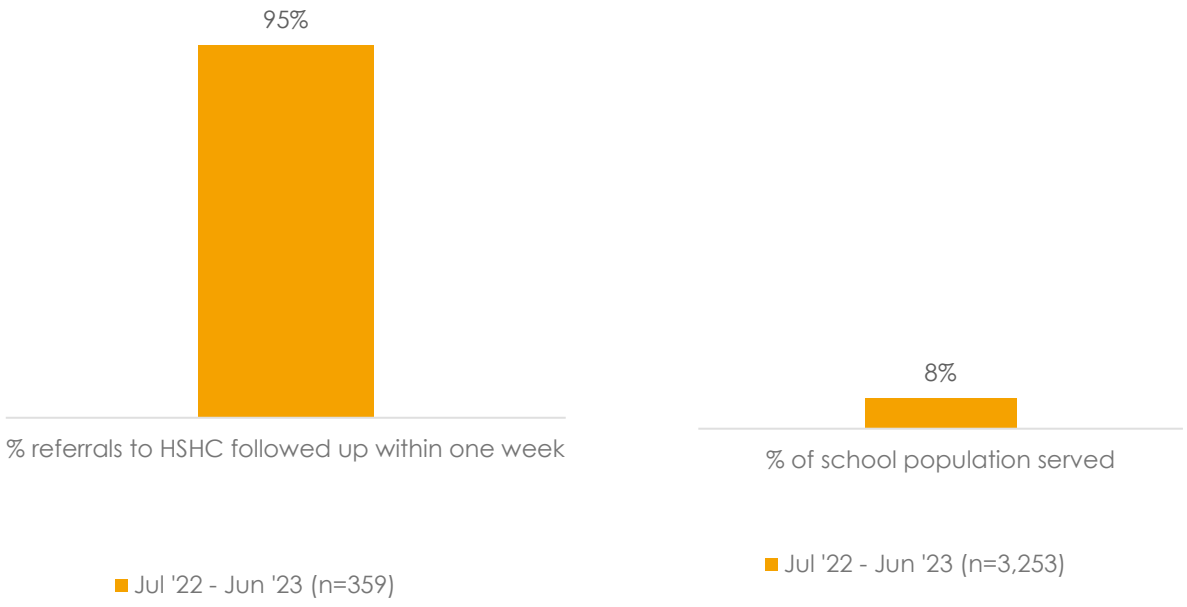


NOTE: *Some data not displayed to protect individual privacy when N< 11. Smaller data was combined.

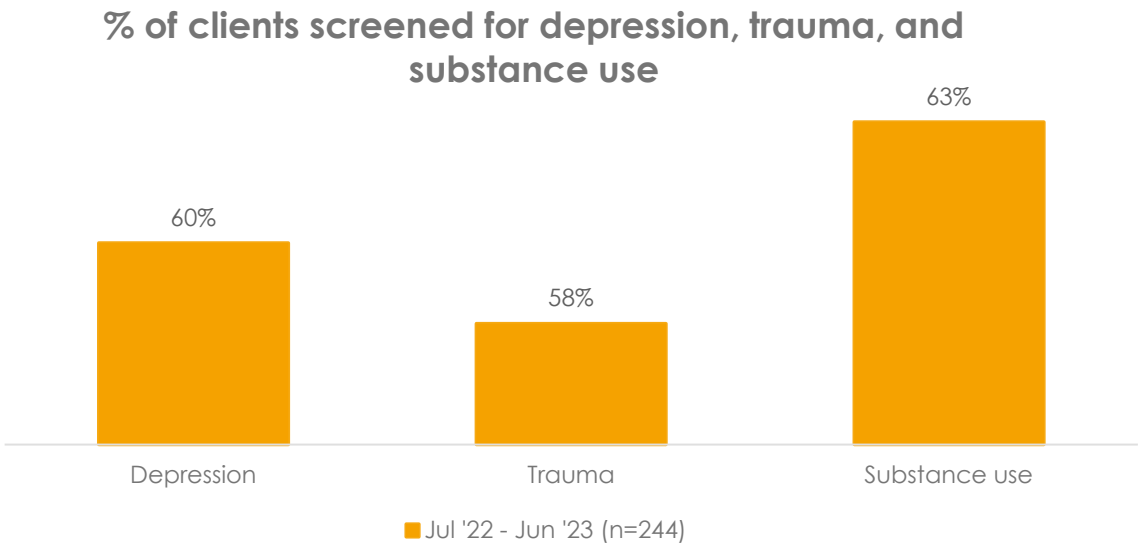


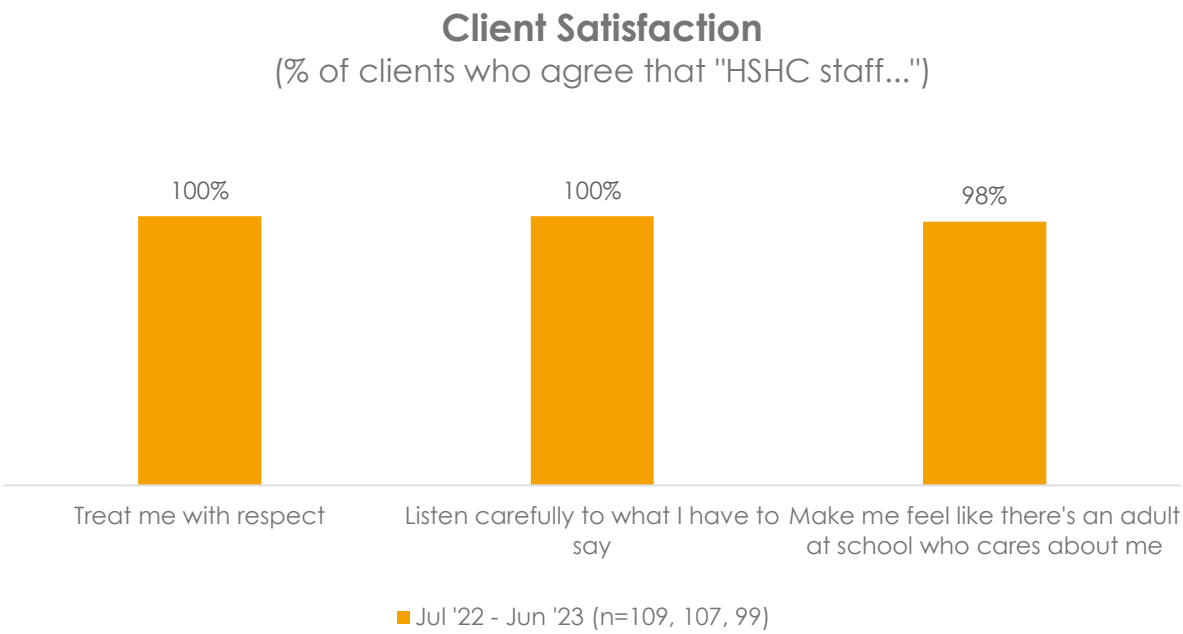
Note that multiple services could be provided in one visit (e.g. crisis assessment and referral) so total services by type is greater than total encounters.

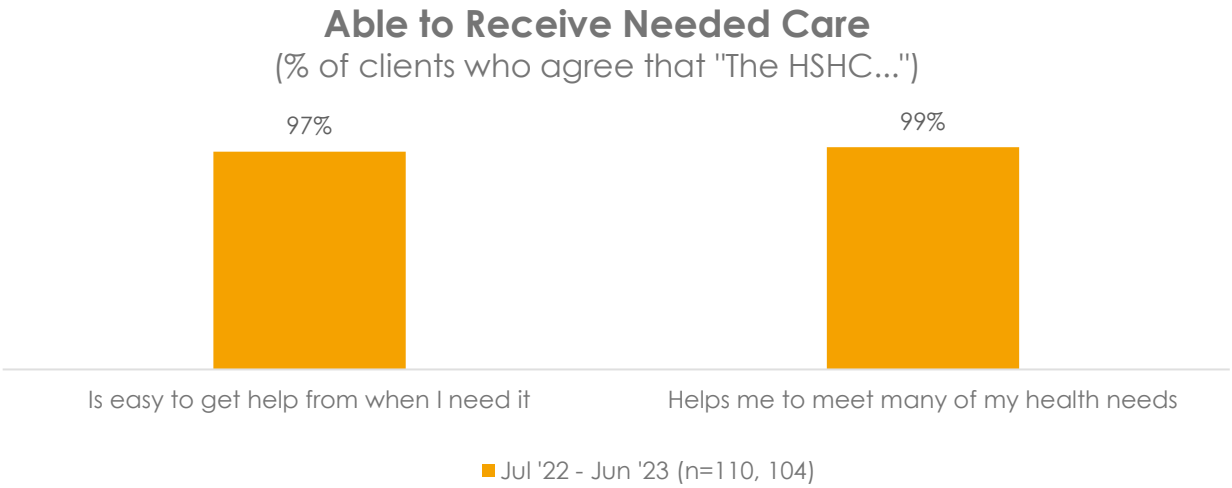
Quality Outcomes ("How well did we do it?")



NOTE: *Some data not displayed to protect individual privacy when N< 11. Smaller data was combined.







NOTE: *Some data not displayed to protect individual privacy when N< 11. Smaller data was combined.

Measure	Definition	Data Source
# clients served	Total clients served	NextGen
# of services provided by service type	# of services coded as behavioral_service with codes BHSV1-8. Key code accompanies NextGen data. Each incident could include more than one service provided.	NextGen
% clients screened for depression, trauma, and substance use	Percent of total clients that were recorded as having been screened for depression, trauma, and/or substance abuse at least one time during reporting period.	NextGen
% referrals to HSHC followed up within one week	Percentage of referrals that had 7 days or less between referral date and response date. Calculation reflects % of total referrals, not % of total clients.	Jotform
% of school population served	Unique clients served by HSHC divided by total student population of BHS and BTA.	NextGen; DataQuest
% of clients satisfied with services	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey
% of clients able to receive needed care	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey

NOTE: *Some data not displayed to protect individual privacy when N< 11. Smaller data was combined.

In FY2024, the Health Center had the following positions: a full-time Mental Health Program Supervisor, a full-time Mental Health Clinical Supervisor (vacant), four full-time Behavioral Health Clinicians, and a cohort of three part-time graduate-level trainees. One Behavioral Health Clinician II was on administrative leave from January through June 2024. Two graduate-level trainees concluded their respective traineeships in January 2024 and February 2024. One Behavioral Health Clinician II promoted into the vacant Mental Health Clinical Supervisor position in May 2024.

In FY2024, approximately 210 students received services through this project. Demographics on youth served are outlined below:

DEMOGRAPHICS N = 210

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  Children and Youth (0-15) – 52
  16 – 25 – 158

- **Race**
  Asian – 21
  Black or African American – 44
  White – 42
  More than one race – 57

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Other – 46

- **Primary Language**
  English – 178
  Spanish – 22
  Other/Declined to Answer (or Unknown) - <11

- **Sexual Orientation**
  Heterosexual or Straight - 116
  Gay/Lesbian/Bisexual/Questioning/Another Sexual Orientation/Decline to Answer or Unknown – 94

- **Disability**
  Decline to Answer or Unknown – 210

- **Veteran Status**
  No – 210

- **Gender: Assigned Sex at Birth**
  Decline to Answer or Unknown – 210

- **Current Gender Identity**
  Male – 61
  Female – 113
  Other - 36

Program Successes:

- Continued to provide the full suite of in-person mental health, reproductive & sexual health, and first aid services for the duration of the school year.
- The Mental Health (MH) team was able to resume its graduate-level training program and provided an array of multi-tiered individual, group and crisis services.
- Continued to use the Jotform application for referrals in order to streamline accessibility and minimize barriers to care.
- Maintained a collaborative and productive relationship with BHS's Coordination of Services Team (COST) throughout the school year in order to ensure that appropriate referrals were made to the Health Center and other programs.
- Continued to build strong working relationships with BHS Administration, especially the Principal, Vice Principal of Climate & Wellness, and MH & Well-Being Coordinator.
- BHS Leadership, along with Health Center leadership and City of Berkeley HHCS Departmental leadership, were able to successfully implement and open a differentiated Wellness Center space at BHS along with a continuum of tiered wellness support services in December 2023.
- For Q3 and Q4, the Wellness Center provided a differentiated universal (Tier 1) and targeted (Tier 2) support space for students that did not previously exist.
- Continued to build upon and improve existing relationships and partnerships with other BHS stakeholders. To this end, the MH team collaborated with several different on-campus programs throughout the year such as the Multilingual Program, McKinney Vento Program, Special Education Program, and Intervention Counselors.

Program Challenges:

- The MH Team experienced multiple vacancies in the supervisor, clinician, and trainee classifications. These vacancies impacted the team's overall capacity, including individual and group service provision as well as on call crisis coverage. Furthermore, staffing shortages across the Health Center's Public Health Team, both administrative and clinical, impacted service provision, operational capacity, and integration across Divisions.

- The Health Center's Electronic Health Record (EHR), NextGen, provided limited functionality. This contributed to delays with data collection, analysis, and reporting. These challenges constrained supervisory decision-making that could have improved efficiencies and improvements in service provision.
- The MH team also continued to use multiple EHRs and applications that are not integrated with one another and do not interface with one another. This made clinical documentation more cumbersome and time-consuming for all staff and also made data collection and analysis more laborious.

The RBA outcomes for FY2024 are outlined on the following pages:

BMH RBA Report FY 2024

Reporting Period: July 2023 - June 2024

High School Health Center (HSHC)

Process Outcomes ("How much did we do?")

210

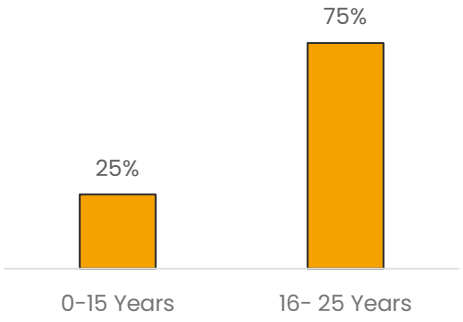
Clients Served

Program Description

The HSHC team provides mental health services on site at Berkeley High School; these services include individual and group therapy, crisis assessments, and drop in support. The program also hosts graduate students for training.

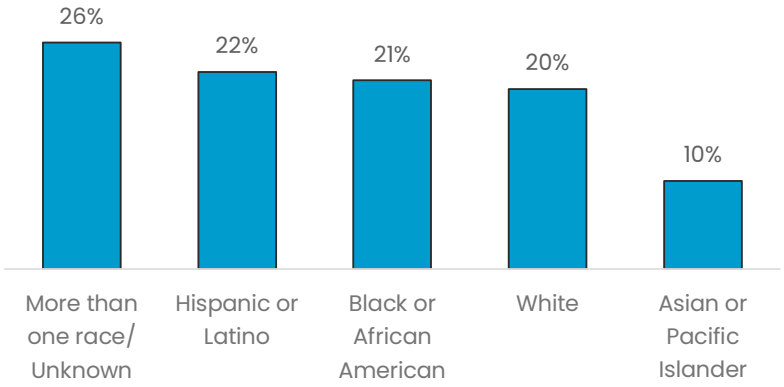
Demographics (Age)

Jul '23 - Jun '24 (n=210)



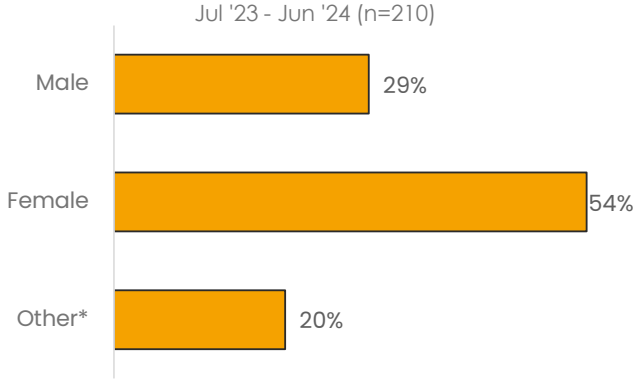
Demographics (Ethnicity)

Jul '23 - Jun '24 (n=210)



Demographics (Gender Identity)

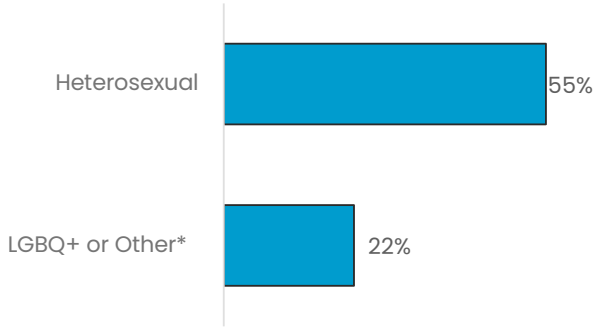
Jul '23 - Jun '24 (n=210)



*Other includes any identity that doesn't fit within the traditional male/female binary.

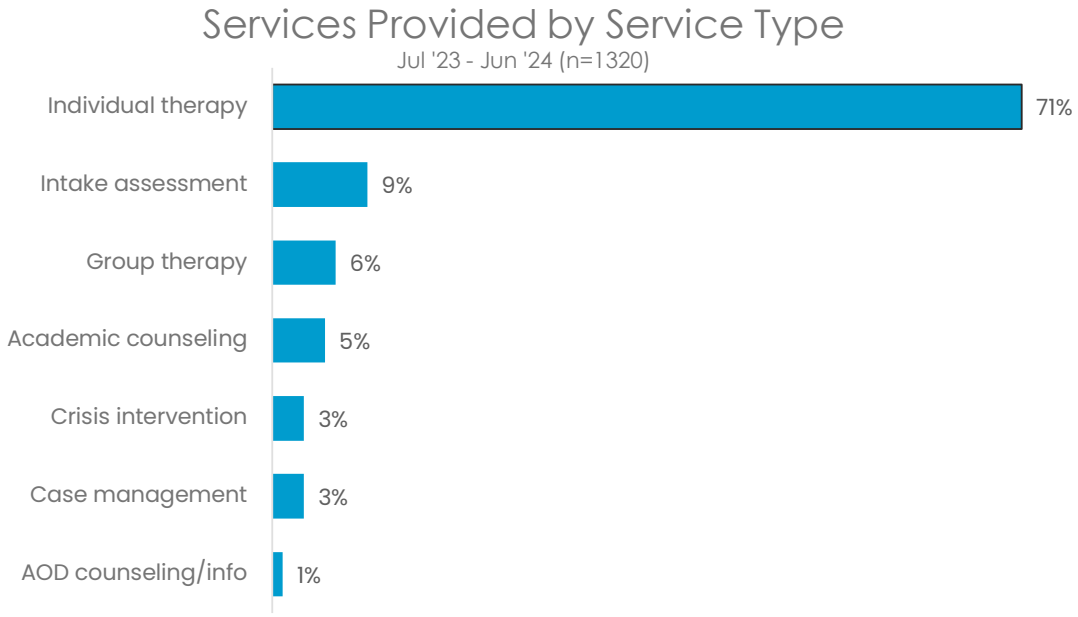
Demographics (Sexual Orientation)

Jul '23 - Jun '24 (n=210)

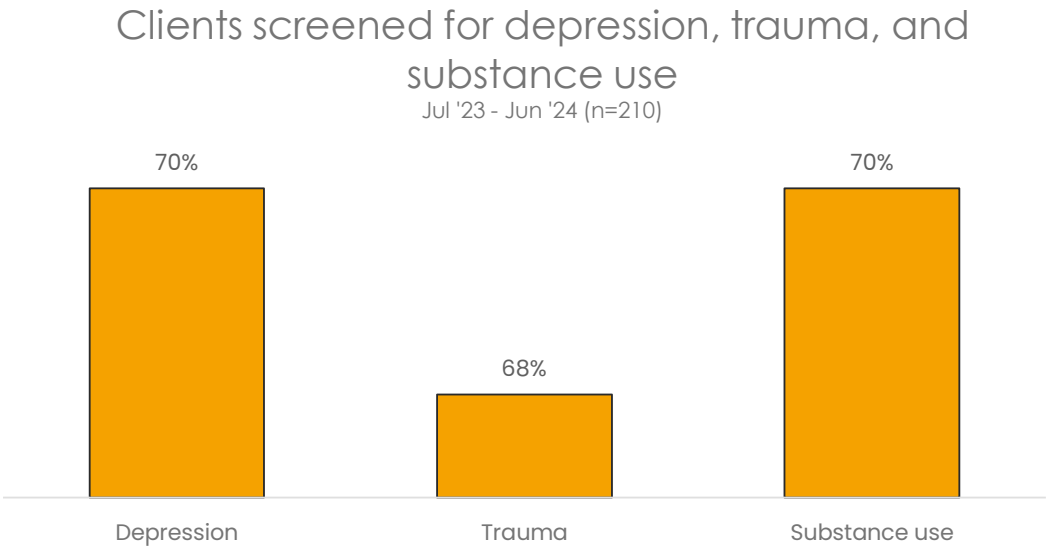


*LGBQ+ includes individuals who identify as lesbian, gay, bisexual, questioning, or other diverse sexual orientations. Other includes prefer not to answer or unknown.

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.



Note: Multiple services could be provided in one visit (e.g. crisis assessment and referral) so total services by type is greater than total encounters.



NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Quality Outcomes ("How well did we do it?")

1 in 17 Students received services
6.43% of the School Population (3,267 students)

Service Consistency

96% n=126
Students felt treated with respect

96% n=105
Students felt like there's an adult who cares about

98% n=118
Students felt heard about what they have to say

96% n=129
Report Easy Access to Needed Care

97% n=113
Able to Get Help When Needed

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

Measure	Definition	Data Source
# clients served	Total clients served	NextGen
# of services provided by service type	# of services coded as behavioral_service with codes BHSV1-8. Key code accompanies NextGen data. Each incident could include more than one service provided.	NextGen
% clients screened for depression, trauma, and substance use	Percent of total clients that were recorded as having been screened for depression, trauma, and/or substance abuse at least one time during reporting period.	NextGen
% referrals to HSHC followed up within one week	Percentage of referrals that had 7 days or less between referral date and response date. Calculation reflects % of total referrals, not % of total clients.	Jotform Not presented due to delays in the reporting system
% of school population served	Unique clients served by HSHC divided by total student population of BHS and BTA.	DataQuest
% of clients satisfied with services	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey
% of clients able to receive needed care	% of responses marked as "agree" or "strongly agree" for various survey questions. Note: these responses are from all students who accessed the health center and answered the survey, not just those who received mental health services.	Berkeley SBHC Client Survey

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not visually reflect actual counts.

ACCESS & LINKAGE TO TREATMENT AND EARLY INTERVENTION COMBINED PROGRAM

Access and Linkage to Treatment Programs – Connect children who are seriously emotionally disturbed, and adults and seniors with severe mental illness as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to care provided by county mental health programs.

Early Intervention Programs – Provide treatment and other services and interventions, including relapse prevention, to address and promote recovery and related functional outcomes for a mental illness early in its emergence, including the applicable negative outcomes that may result from untreated mental illness.

During the reporting timeframe, the City of Berkeley provided funding for one Early Intervention program that also had an Access to Treatment program component. The program was as follows:

Specialized Care Unit

Through the approved FY2022 Annual Update, the Division allocated a portion of one-time CSS and PEI funds to be leveraged with other City funds to support the Specialized Care Unit (SCU). Implemented through Bonita House, the SCU is Berkeley's new behavioral health crisis response team without the involvement of law enforcement. The SCU consists of trained crisis-response field workers who respond to behavioral health occurrences that do not pose an imminent threat to safety.

PEI Goals: The goal of this program is to connect individuals who have severe mental illnesses as early in the onset of these conditions as practicable, to medically necessary care and treatment, including but not limited to, care provided by county mental health programs.

PEI Priority: Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

In FY2023, MHSA funds directly supported start-up costs of the program including recruitment, hiring, and training of Bonita House staff. Training included crisis support training through Bonita House's Crisis Training Academy as well as the design and training of Berkeley-specific procedures for the SCU program. Additionally, this funding supported the salaries of the SCU program management staff as additional team members were hired. During this time, program management staff worked closely with the City of Berkeley to create the policies and procedures for a SCU that aligned with the implementation recommendations from the Berkeley community. The SCU began providing services in early FY2024.

STIGMA AND DISCRIMINATION PROGRAM

Stigma and Discrimination programs - Direct activities to reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families. The City of Berkeley has one Stigma and Discrimination program:

Social Inclusion Program

The Social Inclusion program was created to combat stigma, attitudes and discrimination around individuals with mental health issues. Through this program, a "Telling Your Story" group provides mental health consumers with opportunities to be trained, compensated and empowered to share their stories of healing in a supportive peer environment. When they feel ready, consumers can elect to be community presenters, sharing their inspirational stories at pre-arranged local public venues to dispel myths and educate others. This program serves approximately 10-20 individuals a year.

PEI Goals: To reduce negative feelings, attitudes, beliefs, perceptions, stereotypes and/or discrimination related to being diagnosed with a mental illness, having a mental illness, or to seeking mental health services and to increase acceptance, dignity, inclusion, and equity for individuals with mental illness, and members of their families. To create changes in attitude, knowledge and/or behaviors related to seeking mental health services or related to mental illness.

PEI Priority: Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).

In FY2022, 13 unduplicated individuals participated in the program. Demographics on program participants served were as follows:

DEMOGRAPHICS N = 13

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  25 – 59 (Adult) – 38.5%
  Ages 60+ (Older Adult) - 38.%
  Declined to Answer (or Unknown) – 23%

- **Race**
  Asian – 8%
  Black or African American – 23.5%
  White – 38.5%
  Other – 15%
  Declined to Answer (or Unknown) – 15%

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American Chicano – 8%
  Puerto Rican – 8%

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – 15%
  European – 15%
  Japanese – 8%
  Other – 31%
  Decline to Answer or Unknown – 31%

- **Primary Language**
  English – 84%
  Declined to Answer (or Unknown) – 16%

- **Sexual Orientation**
  Heterosexual or Straight – 54%
  Gay or Lesbian – 8%
  Bisexual – 15%
  Questioning or Unsure – 8%
  Decline to Answer or Unknown – 15%

- **Disability**
  Difficulty Hearing – 15%
  Mental Domain not including a mental illness – 15%
  Physical Mobility domain – 31%
  Chronic Health Condition – 23%
  Other (Specify): - 8%
  Decline to Answer or Unknown – 31%

- **Veteran Status**
  Yes – 77%
  No – 33%

- **Gender: Assigned Sex at Birth**
  Male – 15.4%
  Female – 69.2 %
  Decline to Answer or Unknown – 15.4%

- **Current Gender Identity**
  Male – 15%
  Female – 54%
  Questioning or Unsure – 8%
  Another gender identity – 8%
  Decline to Answer or Unknown – 15%

Program Successes:
The Telling Your Story group had more consistent attendees who were prepared to share based on the topics provided. The structure of having a brainstorming session proved to be really beneficial for the attendees. Some participants enjoyed having the group virtually in the comfort of their home, they felt safer and the hassle of commuting was eliminated. Participants felt more prepared during their shares and enjoyed the support they received from their peers.

Program Challenges:
The Telling Your Story group challenges were a lack of in-person connection and some participants who didn't have access to Zoom were unable to see others on the screen. This group provided gift cards for each session that a person participated within the program guidelines. There was a challenge for some individuals to come into the office to sign for the gift cards which created some distain from the participants, or they waited months before they decided to have their gift card mailed. A similar gift card challenge was that some participants waited for months until they picked them up, so it would be worth the commute they had to make to come to the office.

In FY2022, as the Social Inclusion – Telling Your Story Project, is conducted by the same staff who operate Wellness Recovery Services, the Results Based Accountability (RBA) Measures for this project were combined with the Wellness Recovery program measures. The RBA measures are as follows:

Process Measures How much did we do?	Quality Measures How well did we do it?	Impact Measures Is Anyone Better off?
• # of participants served • # of different groups convened per year • # of group events held per year • # of group participants	• #/% of participants who return for group events	• #/% of participants who reported feeling less shame about their experiences and challenges

who meet the requirements for "Telling Your Story" (MHSA PEI Requirement)		• #/% of participants who reported progress in their recovery

Measure	Definition	Data Source
# participants served	Total # of participants served	Wellness Recovery Group Attendance Tracker
# of different group convened	Number of different types of groups (i.e. walking group, mood group, Telling Your Story group) convened	Wellness Recovery Group Attendance Tracker
Group events	Total number of meetings held	Wellness Recovery Group Attendance Tracker
# of participants who meet the requirements for "Telling Your Story"	Total number of participants in all "Telling Your Story" meetings	Wellness Recovery Group Attendance Tracker
# of participants who return for group events	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% of participants who reported feeling less shame about their experiences and challenges	Of participants who took the survey, percent who responded "agree" or "strongly agree" to the question.	Telling Your Story Survey
% of participants who reported recognizing progress in their recovery	Of participants who took the survey, percent who responded "agree" or "strongly agree" to the question.	Telling Your Story Survey

Data Development Agenda: measures the team is interested in reporting on but for which reliable data was not available:

- Advance Directives Data:
- -#/% of participants with an Advance Directive completed
- -#/% of participants able to advocate for themselves with service providers
- Equity of services (e.g. client demographics compared to MediCal population)
- % of clients who were satisfied with services

In FY2022, the RBA outcomes for this program were as follows:

Wellness & Recovery Services RBA Outcomes

Reporting Period: July 2021-June 2022 (Baseline)

Process Outcomes ("How much did we do?")

Program Description The Wellness and Recovery Program is designed to provide outreach, support, education, activities, and advocacy to consumer members living with mental illness and living in Berkeley. Wellness group activities include: Berkeley Pool of Consumer Champions (POCC), Card Groups, Mood Groups, Walking Groups, and field trips.

35

Participants served

8

Different groups convened

139

Group events

20

Participants who meet the requirements for "Telling Your Story"

represents 10 clients/events/groups

Quality Outcomes ("How well did we do it?")	Impact Outcomes ("Is anyone better off?")
71% of participants returned for group events	**4 out of 5** participants reported feeling less shame about their experiences and challenges (n=5). **3 out of 5** participants reported recognizing progress in their recovery (n=5).

In FY2023, 10 unduplicated individuals participated in the program. Demographics on program participants served were as follows:

DEMOGRAPHICS N = 10
*Indicates information is withheld to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  25 – 59 (Adult) – *
  Ages 60+ (Older Adult) - *

- **Race**
  Black or African American – *
  White – *
  Other – *

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Mexican/Mexican-American Chicano – *
  Puerto Rican – *

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  African – *
  Easter European – *
  Other – *
  Decline to Answer or Unknown – *

- **Primary Language**
  English – 100%

- **Sexual Orientation**
  Heterosexual or Straight – *
  Bisexual – *
  Decline to Answer or Unknown – *

- **Disability**
  Difficulty Seeing - *
  Difficulty Hearing – *
  Mental Domain not including a mental illness – *
  Physical Mobility domain – *
  Chronic Health Condition – *
  Other (Specify): - *

- **Veteran Status**
  No – 100%

- **Gender: Assigned Sex at Birth**
  Male – *
  Female – *

- **Current Gender Identity**
  Male – *
  Female – *

Program Successes:
In FY2023, the Telling Your Story group has grown to having more consistent attendees in person and on the zoom platform. Some participants enjoyed having the group virtually in the comfort of their home, they felt safer, and the hassle of commuting was eliminated. Other individuals enjoyed connecting in-person with participants who, joined the group in the same way. The group continued to be conducted through the structure of a brainstorming session and a sharing component. The topics of discussion were focused on the Eight Dimensions of Wellness. Per staff report, many participants benefitted from listening to answers to questions that staff developed based on the topics of discussions, as well as through staff assistance with formulating their story. Per staff report, participants felt more prepared during their shares and enjoyed the support they received from their peers.

Program Challenges:
In FY2023, the Telling Your Story group had a few challenges, which provided the staff have been working to improve to make the group more enjoyable for all participants. Over the course of the last two years, staff hosted the group online and in-person and at times, this caused some delays to the start of the group due to individuals arriving at different times and having to update all participants. Managing and making sure everyone engaged was difficult as individuals who joined by Zoom, called in so staff were unable to see participants faces. For individuals who primarily come to the group on Zoom, the questionnaire that required their feedback went unanswered, therefore staff wasn't able to obtain a full report of how the group was helping individuals to feel confident with sharing their story. Managing both platforms can be complicated and it lacks the in-person connection. This group was held twice a month and even though there was a brainstorming session of topics to discuss, some members didn't seem to come prepared to share based on the topic at the next group and this may be due to memory or not fully being engaged in the group when people are calling in on Zoom. The last challenge was the number of participants, a very consistent group of individuals participated, however staff would like to do more outreach to engage potential group participants, in an effort make a positive impact for more individuals in the community.

The RBA outcomes for FY2023 are outlined on the following pages:

BMH RBA Report FY 2023

Reporting Period July 2022 - June 2023

Wellness & Recovery Services

Process Outcomes ("How much did we do?")

Program Description The Wellness and Recovery Program is designed to provide outreach, support, education, activities, and advocacy to consumer members living with mental illness and living in Berkeley. Wellness group activities include: Berkeley Peers Organizing Community Change (POCC), Card Groups, Mood Groups, Walking Groups, and field trips.

Program Updates The Wellness Recovery Team added two Social Services Specialist positions to the program. Adding these positions made more people aware of the wellness groups, events and support that the clinic has to offer.

49

Participants served

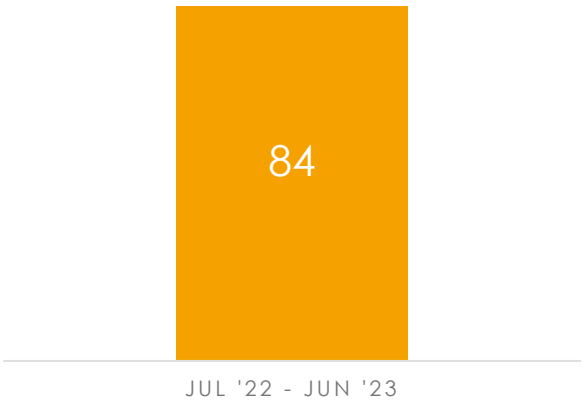
10

Participants who meet requirements for "Telling Your Story"

7

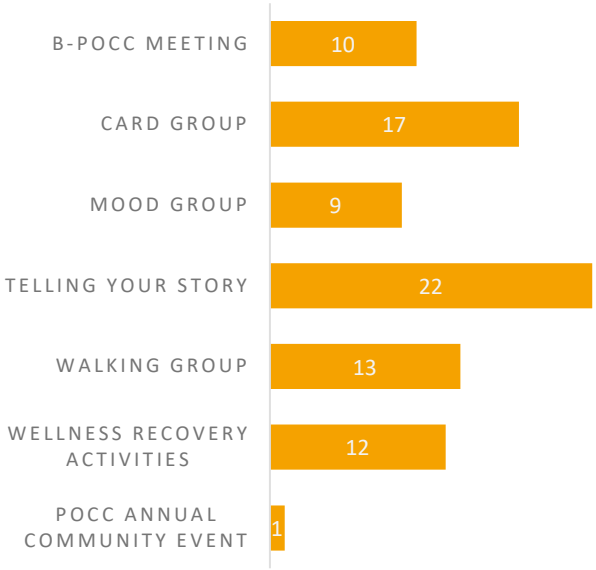
Different groups convened

WELLNESS GROUP MEETINGS ACROSS 7 DISTINCT GROUPS



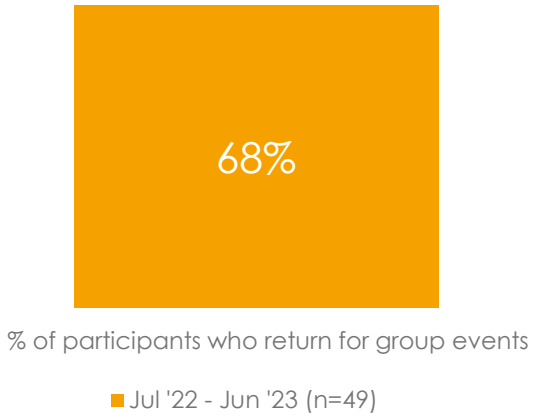
WELLNESS GROUP MEETINGS

JUL '22 - JUN '23 (N=84)

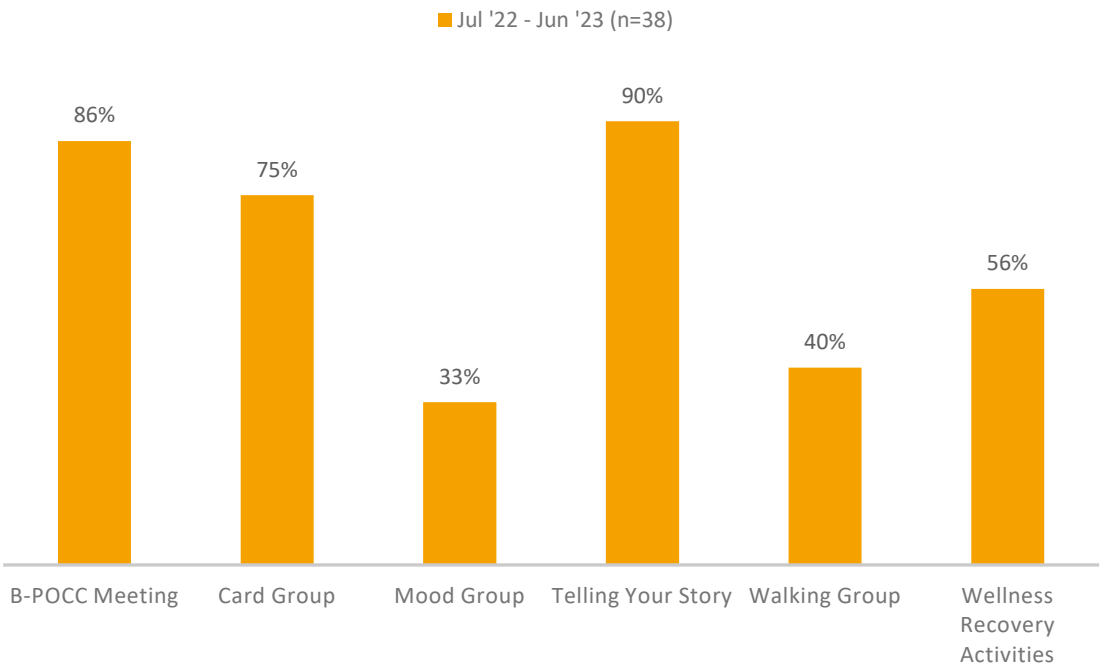


Quality Outcomes ("How well did we do it?")

Total Returning Participants



% Repeat Attendees for Wellness Groups



Measure	Definition	Data Source
# participants served	Total # of participants served	Wellness Recovery Group Attendance Tracker
# of different groups convened	Number of different types of groups (i.e. walking group, mood group, Telling Your Story group) convened	Wellness Recovery Group Attendance Tracker
Average # of group events held per 6 months	Total number of meetings held	Wellness Recovery Group Attendance Tracker
# of participants who meet the requirements for "Telling Your Story"	Total number of participants in all "Telling Your Story" meetings	Wellness Recovery Group Attendance Tracker
% of participants who return for group events	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% of participants reporting feeling less shame about their experiences and challenges	Percentage of survey respondents who agree or strongly agree that they feel less shame about their experiences and challenges	Telling Your Story Survey
% of participants reporting recognizing progress in their recovery	Percentage of survey respondents who agree or strongly agree that they recognize progress in their recovery	Telling Your Story Survey

In FY2024, 20 unduplicated individuals participated in the program. Demographics on program participants served were as follows:

DEMOGRAPHICS N = 20

*Numbers that are 11 or less are displayed as <11 and/or have been combined or masked to protect the privacy and confidentiality of individual participants.

- **Age Groups**
  26-59 (Adult) – 15
  Ages 60+ (Older Adult) or Unknown – <11

- **Race**
  American Indian or Alaska Native - <11
  Asian – <11
  Black or African American – <11
  White – <11
  More than one Race – <11

- **Ethnicity: Hispanic or Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 20

- **Ethnicity: Non-Hispanic or Non-Latino/Latina/Latinx**
  Declined to Answer, or Unknown – 20

- **Primary Language**
  English – 20

- **Sexual Orientation**
  Heterosexual or Straight – <11
  Bisexual – <11
  Queer – <11
  Declined to Answer, or Unknown – 15

- **Disability**
  Declined to Answer, or Unknown – 20

- **Veteran Status**
  No – 20

- **Gender: Assigned Sex at Birth**
  Male – 12
  Female – <11

- **Current Gender Identity**
  Male – 12
  Female – <11

Program Successes:
The Telling Your Story group has grown to having more consistent attendees in person and calling in to the zoom platform then all other BMH groups. The group continued to be conducted by having the structure of a brainstorming session and a sharing component. Per staff report, many participants benefitted from listening to answers to questions that staff developed based on the topics of discussions, as well as through staff assistance with formulating their story. The topics of the month went beyond the SAMHSA Eight Dimensions of Wellness to include areas of interest. Some participants enjoyed having the group virtually in the comfort of their home, as they felt safe and the hassle of commuting was eliminated. Other participants enjoyed connecting with others in-person and more individuals attended when they dropped in at the clinic. According to staff, participants were more prepared during their shares and they enjoyed the support they received from their peers.

Program Challenges:
In FY2024, the Telling Your Story group had a few challenges, which the staff have been working to improve to make the group more enjoyable for all participants. Over the course of the last two years, staff hosted the group online and in-person and at times, this caused some delays to the start of the group due to individuals arriving at different times and having to update all participants. The structure is for people to attend both, the first is a brainstorming group to be prepared for the second group with sharing.

Managing and making sure everyone engaged was difficult as individuals who joined by Zoom, called in so staff were unable to see participants faces. For individuals who primarily came to the group on Zoom, the questionnaire that required their feedback went unanswered, therefore staff wasn't able to obtain a full report of how the group was helping individuals to feel confident with sharing their story.

The RBA outcomes for FY2024 are outlined on the following pages:

BMH RBA Report FY 2024

Reporting Period July 2023 - June 2024

Wellness & Recovery Services

Process Outcomes ("How much did we do?")

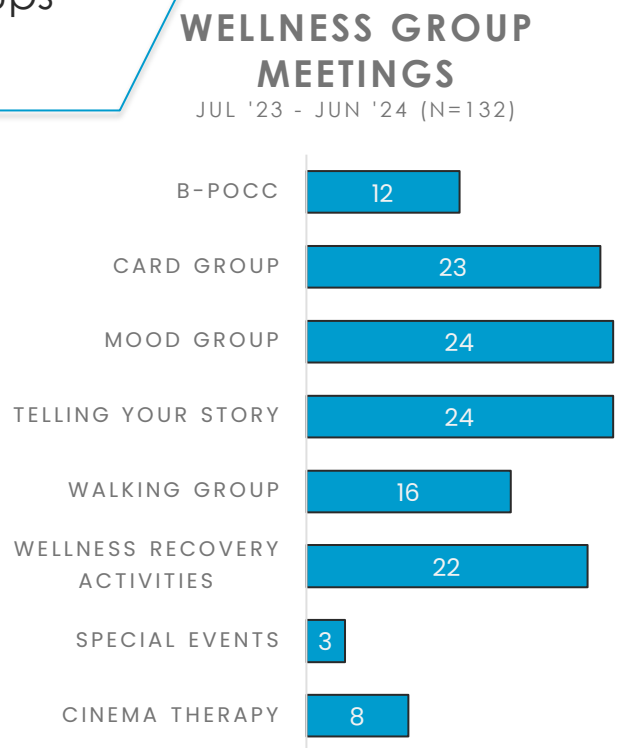
Program Description The Wellness and Recovery Program is designed to provide outreach, support, education, activities, and advocacy to consumer members living with mental illness and living in Berkeley. Wellness group activities include: Berkeley Peers Organizing Community Change (POCC), Card Groups, Mood Groups, Walking Groups, and Wellness Mixers.

52
Participants served

8
Groups

132
Group Events

20
Participants who meet requirements for "Telling Your Story"

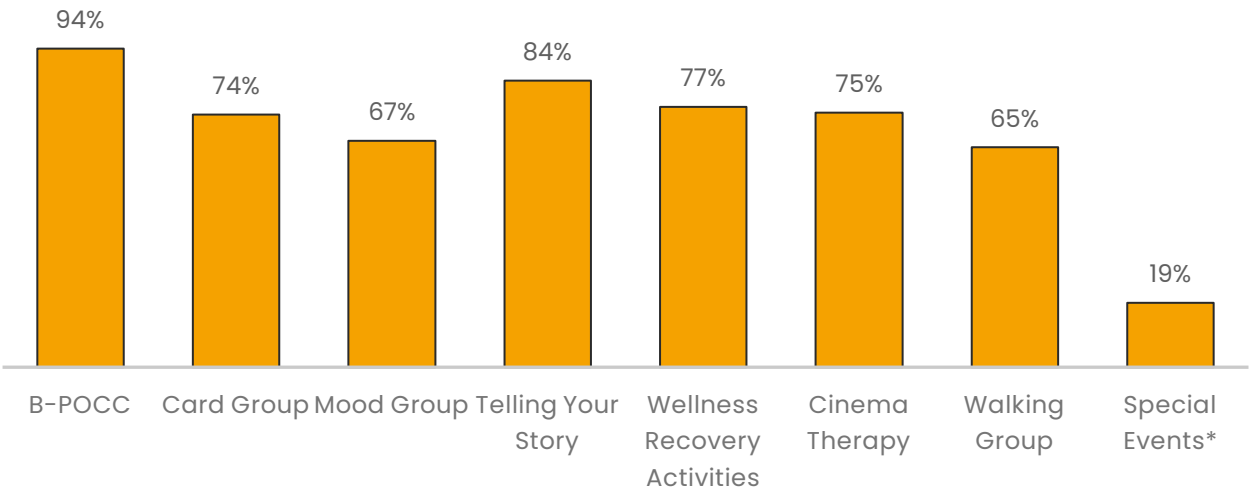


NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not precisely reflect actual counts.

Quality Outcomes ("How well did we do it?")

Overall Group Engagement (Repeat Visits)

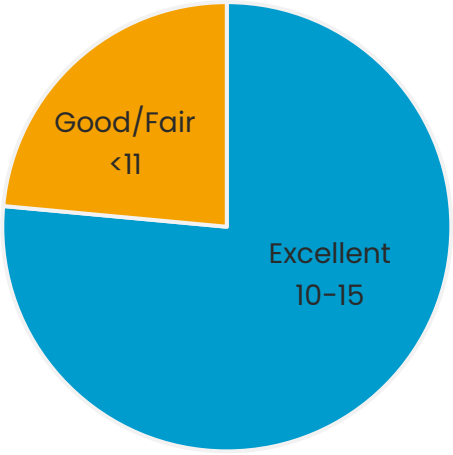
Jul '23 - Jun '24 (n=224)



*Special events, like social wellness mixers with different themes, attract a diverse mix of new attendees, which may result in lower level of returnees.

Interaction with a Wellness Team member in the Clinic Lobby

Jul '23 - Jun '24 (n=18)



71% n=52
Unduplicated participants who return for group events

Over 80% n=18
Participants rated the Lobby as Welcoming

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not precisely reflect actual counts.

Measure	Definition	Data Source
# of Particpants Served	Total # of participants served	Wellness Recovery Group Attendance Tracker
Wellness Group Event Breakdown	Number of different types of groups (i.e. walking group, mood group, Telling Your Story group) convened	Wellness Recovery Group Attendance Tracker
# Group Events	Total number of meetings held	Wellness Recovery Group Attendance Tracker
# of Telling Your Story Participants	Total number of participants in all "Telling Your Story" meetings	Wellness Recovery Group Attendance Tracker
% of participants who return for group events	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% Overall Group Engagement (Repeat Visits)	Of total number of participants, % who returned for more than one event or meeting	Wellness Recovery Group Attendance Tracker
% Participants Rated the Lobby as Welcoming	Consumer perceptions of feeling welcomed entering the Clinic Lobby	Clinic Lobby Survey

NOTE: Due to privacy protections, data representing fewer than 11 individuals have been combined, masked, suppressed, or reported in ranges. The graphs have been adjusted and may not exactly reflect actual counts.

OUTREACH FOR RECOGNIZING THE EARLY SIGNS OF MENTAL ILLNESS

Outreach for Recognizing the Early Signs of Mental Illness Program - A process of engaging, encouraging, educating, and/or training, and learning from potential responders about ways to recognize and respond effectively to early signs of potentially severe and disabling mental illness.

Per PEI State Regulations in addition to having the required "Outreach for Increasing Recognition of Early Signs of Mental Illness Program", mental health jurisdictions may also offer Outreach for Increasing Recognition of Early Signs of Mental Illness as: a strategy within a Prevention program, a strategy within an Early Intervention program, a strategy within another program funded by PEI funds, or a combination thereof. Additionally, an Outreach for Increasing Recognition of Early Signs of Mental Illness program, may be provided through other MHSA components as long as it meets all of the program requirements.

Mental Health First Aid

City of Berkeley Mental Health staff has previously implemented a Mental Health First Aid Training to the community through non-MHSA funds. Mental Health First Aid is a groundbreaking public education program that helps the public identify, understand, and respond to signs of mental health issues and substance use disorders. Mental Health First Aid presents an overview of mental health issues and substance use disorders and introduces participants to risk factors and warning signs of mental health problems, builds understanding of their impact, and provides an overview of common treatments. Through this training a five-step action plan is taught that encompasses the skills, resources and knowledge to help an individual in crisis connect with appropriate professional, peer, social, and self-help care.

PEI Goals: The goal of this campaign is to increase prevention efforts and response to early signs of emotional and behavioral health problems.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

Due to vacancies in staff, Mental Health First Aid trainings was not provided during the reporting timeframe.

SUICIDE PREVENTION

Suicide Prevention Programs (Optional) - Activities to prevent suicide as a consequence of mental illness.

The City of Berkeley has one PEI funded Suicide Prevention program:

California Mental Health Services Authority (CalMHSA) PEI Statewide Projects

Per PEI State Regulations mental health jurisdictions have an option on whether to utilize MHSA PEI funds on Suicide Prevention programs. While the City of Berkeley has not previously chosen to utilize PEI funds to implement a local Suicide Prevention program, in FY18 the Division began contributing 4% of PEI funding to the California Mental Health Services Authority (CalMHSA) to participate in the PEI Statewide Projects Initiative to locally obtain State resources on Suicide Prevention, Student Mental Health, and Stigma and Discrimination.

PEI Goals: The goal of this campaign is to increase prevention efforts and response to early signs of emotional and behavioral health problems.

PEI Priorities:

- Culturally competent and linguistically appropriate prevention and intervention; including community defined evidence practices (CDEPs).
- Early identification programming of mental health symptoms and disorders, including but not limited to, anxiety, depression, and psychosis.

In FY2022, through this initiative resources on Suicide Prevention, Student Mental Health and Stigma and Discrimination reached approximately 1,624 individuals. Additionally, resources were distributed via email to local schools, community agencies and community members.

In FY2023, through this initiative resources on Suicide Prevention, Student Mental Health and Stigma and Discrimination reached approximately 1,624 individuals. Additionally, resources were distributed via email to local schools, community agencies and community members.

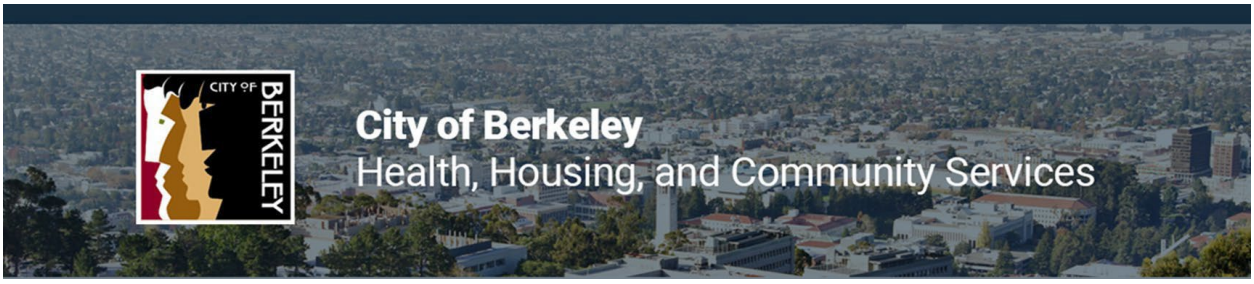
In FY2024, through this initiative resources on Suicide Prevention, Student Mental Health and Stigma and Discrimination reached approximately 1,520 individuals. Additionally, resources were distributed via email to local schools, community agencies and community members. Through the approved FY2025 Annual Update the Division eliminated the annual allocation of local PEI funding for this initiative.

APPENDIX D

INNOVATION

FY2023-2024

ANNUAL EVALUATION REPORT



CITY OF BERKELEY
MENTAL HEALTH

MENTAL HEALTH SERVICES ACT (MHSA)

INNOVATION (INN)

FISCAL YEAR 2023-2024

ANNUAL EVALUATION REPORT

INTRODUCTION

Mental Health Services Act (MHSA) Innovation (INN) funds are to be utilized for short-term projects that contribute to new learning in the mental health field. This MHSA component provides the opportunity to pilot test and evaluate new strategies that can inform future practices in communities and mental health settings. INN projects can target any population and any aspect of the mental health system as long as the strategies or approaches that are being implemented address at least one of the following areas:

- Increase access to mental health services
- Increase access to mental health services for underserved groups
- Increase the quality of mental health services, including better outcomes
- Promote interagency collaboration.

INN projects should also have one of the following primary practices: introduce new mental health practices or approaches that have never been done before; or make changes to existing mental health practices/approaches, including adapting them to a new setting or community; or introduce a new promising community-driven practice/approach that has been successful in non-mental health contexts or settings.

Per Mental Health Services Act (MHSA) State requirements, Mental Health jurisdictions are to submit an Innovation (INN) Evaluation Report to the State Department of Health Care Services (DHCS) and the Mental Health Services Oversight and Accountability Commission (MHSOAC) on an annual basis. The Evaluation Report should be included with the MHSA Annual Update or Three-Year Program and Expenditure Plan and undergo a 30-Day Public Comment period and approval from the local governing board. Per state regulations, the MHSA INN Fiscal Year 2023-2024 (FY2024) Annual Evaluation Report is due.

This state required FY2024 INN Annual Evaluation Report includes a description of the INN Encampment-based Mobile Wellness Center Project, which was the only approved project during the reporting timeframe. This project was implemented in FY2025 through Options Recovery Services.

BACKGROUND

On October 6, 2015, updated INN regulations designed by the Mental Health Services Oversight and Accountability Commission (MHSOAC) became effective. The new INN Regulations, included program and demographic data requirements that are to be reported to the MHSOAC through INN Annual Evaluation Reports. Per the new requirements, Mental Health Jurisdictions should report on the following INN Program and Demographic elements.

- Name of the Innovative Project.
- Whether changes were made to the Innovative Project during the reporting period, a description of the changes and the reasons for the changes.
- Available evaluation data, including outcomes of the Innovative Project and information about which elements of the Project are contributing to outcomes.
- Program information collected during the reporting period, including for applicable Innovative Projects that serve individuals, and the number of participants served.
- All Demographic Data as applicable per project (as outlined below).

INN DEMOGRAPHIC REPORTING REQUIREMENTS

For the information reported under the various program categories, each program will need to report disaggregate numbers served, number of potential responders engaged, and number of referrals for treatment and other services by:

A. The following Age groups:
- 0-15 (children/youth)
- 16-25 (transition age youth)
- 26-59 (adult)
- ages 60+ (older adults)
- Number of respondents who declined to answer the question

B. Race by the following categories:
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White
- Other
- More than one race
- Number of respondents who declined to answer the question

C. Ethnicity by the following categories:

(i) **Hispanic or Latino as follows**

- Caribbean
- Central American
- Mexican/Mexican-American/Chicano
- Puerto Rican
- South American
- Other
- Number of respondents who declined to answer the question

(ii) **Non-Hispanic or Non-Latino as follows**

- African
- Asian Indian/South Asian
- Cambodian
- Chinese
- Eastern European
- European
- Filipino
- Japanese
- Korean
- Middle Eastern
- Vietnamese
- Other
- Number of respondents who declined to answer the question
- More than one ethnicity
- Number of respondents who declined to answer the question

D. Primary language used listed by threshold languages for the individual county

- English
- Spanish
- Number of respondents who declined to answer the question

E. Sexual orientation

- Gay or Lesbian
- Heterosexual or Straight
- Bisexual
- Questioning or unsure of sexual orientation
- Queer
- Another sexual orientation
- Number of respondents who declined to answer the question

F. Disability, defined as a physical or mental impairment or medical condition lasting at least six months that substantially limits a major life activity, which is not the result of a severe mental illness

- If Yes, report the number that apply in each domain of disability(ies)
  - Communication domain separately by each of the following:
    - difficulty seeing,
    - difficulty hearing, or having speech understood)
    - other, please specify
  - Mental domain not including a mental illness (including but not limited to a learning disability, developmental disability, dementia)
  - Physical/mobility domain
  - Chronic health condition (including but not limited to chronic pain)
  - Other (specify)
- No
- Number of respondents who declined to answer the question

G. Veteran Status,

- Yes
- No
- Number of respondents who declined to answer the question

H. Gender

(i) Assigned sex at birth:
   a. Male
   b. Female
   c. Number of respondents who declined to answer the question

(ii) Current gender identity:
   a. Male
   b. Female
   c. Transgender
   d. Genderqueer
   e. Questioning or unsure of gender identity
   f. Another gender identity
   g. Number of respondents who declined to answer the question.

Effective July 2018 amended INN regulations specified the following:

- For projects/programs serving children or youth younger than 18 years of age, the demographic information collected and reported should only be done so to the extent permissible by privacy laws;

- For projects/programs serving minors younger than 12 years of age, demographic information shall be collected and reported, except for sexual orientation, current gender identity, and veteran status;
- Information that cannot be obtained directly from the minor may be obtained from the minor's parent, legal guardian, or other authorized source.

CITY OF BERKELEY INN PROGRAMS

A description of the INN program that was approved, but not implemented in FY24, is outlined below:

Encampment-based Mobile Wellness Center Project

In April 2022, the Division received approval to implement an Encampment-Based Mobile Wellness Center Project from the Berkeley City Council and the State Mental Health Oversight and Accountability Commission (MHSOAC). This project pilots a Mobile Wellness Center at Homeless encampments in Berkeley. The Mobile Wellness Center project provides an on-site, customizable menu of services that are chosen by individuals who reside at the encampments. The project is led by peers with lived experience of homelessness, and includes partners from encampment communities to encourage participation, help define service needs, and support service provision at the site. The project was implemented in FY 2025 through Options Recovery Services who was chosen through a competitive Request for Proposal (RFP) process.

The project seeks to learn whether on-site wellness center services have a positive impact on mental health outcomes including an increase in the uptake of mental health services. It will also assess the impact of how having individuals from the community help to provide services, shapes service delivery, and the participant satisfaction with services.

APPENDIX E

PUBLIC COMMENTS

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Janelle Rodrigues, Director of Human Resources
Monica Walker, Human Resources Manager

Subject: Adopt a Resolution Approving a Publicly Available Pay Schedule

RECOMMENDATION

Adopt a Resolution approving a publicly available pay schedule effective July 29, 2025, pursuant to the Public Employee's Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR).

FISCAL IMPACT

The publicly available pay schedule reflects pay rates from labor agreements that have already been approved and adopted by City Council. There is no fiscal impact connected to this action to update and publish the publicly available pay schedule pursuant to the Public Employee's Retirement Law, Public Employees' Pension Reform Act of 2013, and Title 2 of the California Code of Regulations.

CURRENT SITUATION AND ITS EFFECTS

CalPERS Circular Letter 200-00320 issued January 8, 2020 (Exhibit B), the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR) require employees to be paid pursuant to a publicly available pay schedule that meets the requirements of CCR Section 570.5(a) to qualify as both compensation earnable and pensionable compensation that is reportable to the California Public Employees' Retirement System (CalPERS). Action to adopt a single, unified, pay schedule is required by the CalPERS Circular Letter. Adoption of the unified pay schedule does not affect the salary or compensation paid to any City employee but merely restates pay rates that have already been approved by the City Council at public meetings.

There are eight (8) requirements that must be met by a publicly available pay schedule per the CalPERS Circular Letter:

1) Be duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws.
2) Identify the position title for every employee position.
3) Show the pay rate as a single amount or multiple amounts within a range for each identified position.
4) Indicate the time base, including, but not limited to, whether the time base is hourly, daily, biweekly, monthly, bi-monthly, or annually.
5) Be posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's website.
6) Indicate an effective date and date of any revisions.

7) Is retained by the employer and available for public inspection for not less than five years.
8) Does not reference another document in lieu of disclosing the pay rate.

Historically, the City of Berkeley has consistently met requirements for publicly available pay schedules. A compliant salary schedule is retained for at least five years, posted on the City's website, and available for public inspection in the Human Resources Department. The City's governing body (City Council) has approved every tentative agreement or side letter containing salary increases that arise from negotiations with the City's various bargaining units. Going forward, the City will include the authorization to amend the unified salary schedule when the City Council approves the change to any salary range or classification.

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

RATIONALE FOR RECOMMENDATION
CalPERS Circular Letter 200-00320 issued January 8, 2020 (Exhibit B), the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR) require a single unified pay schedule be duly approved and adopted by the employer's governing body in accordance with the requirements of applicable public meetings laws.

ALTERNATIVE ACTIONS CONSIDERED
None. The City risks penalties by not adopting a publicly available pay schedule pursuant to the Public Employees' Retirement Law.

ATTACHMENTS
1. Resolution
   Exhibit A to Resolution: Publicly Available Pay Schedule
   Exhibit B to Resolution: CalPERS Circular Letter 200-00320

RESOLUTION NO. xxxxx - N.S.

APPROVING PUBLICLY AVAILABLE PAY SCHEDULE EFFECTIVE JULY 29, 2025, PURSUANT TO THE PUBLIC EMPLOYEES' RETIREMENT LAW (PERL), PUBLIC EMPLOYEES' PENSION REFORM ACT OF 2013 (PEPRA), AND TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS (CCR)

WHEREAS, the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR) require employee pay rates to be paid pursuant to a publicly available pay schedule that meets the requirements of CCR Section 570.5(a) to qualify as both compensation earnable and pensionable compensation that is reportable to CalPERS; and

WHEREAS, publicly available pay schedules must be duly approved and adopted by the employer's governing body in accordance with the requirements of applicable public meetings laws; and

WHEREAS, publicly available pay schedules must identify the position title for every employee position; and

WHEREAS, publicly available pay schedules must show the pay rate as a single amount or multiple amounts within a range for each identified position; and

WHEREAS, publicly available pay schedules must indicate the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually; and

WHEREAS, publicly available pay schedules must be posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's website; and

WHEREAS, publicly available pay schedules must indicate an effective date and date of any revisions; and

WHEREAS, publicly available pay schedules must be retained by the employer and available for public inspection for not less than five years; and

WHEREAS, publicly available pay schedules must not reference another document in lieu of disclosing the pay rate; and

WHEREAS, the adoption of a unified pay schedule per CalPERS Circular Letter 200-00320 will not change the salary or compensation of any City employee.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Berkeley that the publicly available pay schedule effective July 29, 2025, pursuant to the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR) attached as Exhibit A is established.

City of Berkeley

Publicly Available Pay Schedule [BENEFITED]
Updated 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	FLSA	PAY BASIS	PAY GRADE	1 / BAND MIN	2 / BAND MAX	3	4	5	6	7	8	9	EFFECTIVE DATE	RESOLUTION
2000	ACCOUNTANT I	CSU0	N	H	C001	43.2401	45.0940	46.9193	48.8781	51.0375					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2002	ACCOUNTANT II	CSU0	N	H	C002	53.9085	56.2616	58.8052	61.3293	64.0128					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1000	ACCOUNTING MANAGER	PEU0	E	H	C001	69.7585	73.2369	76.9040	80.7488	84.7824					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4002	ACCOUNTING OFF SPEC II	MC01	N	H	C001			36.5186	38.1156	39.7757					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4004	ACCOUNTING OFF SPEC II	UNR2	N	H	C001			36.5854	38.4034	40.1691					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4006	ACCOUNTING OFF SPEC III	MC01	N	H	C002			42.2976	44.1681	46.1121					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4008	ACCOUNTING OFF SPEC III	UNR2	N	H	C002			41.7987	43.8050	45.8528					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4010	ACCOUNTING OFF SPEC SUP	MC02	N	H	C001	42.6864	44.7986	46.9948	49.3172	51.3979					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4012	ACCOUNTING OFF SPEC SUP	UNR2	N	H	C003	42.2794	44.5673	46.9390	49.3740	51.7140					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3002	ACCOUNTING TECHNICIAN	MC01	N	H	C004	41.6251	43.6639	45.8178	48.0771	50.1054					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2088	ADA PROGRAM COORDINATOR	CSU0	N	H	C032	59.3010	62.4019	65.5027	68.6037	71.7046					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4014	ADMIN ASSISTANT	MC01	N	H	C005	41.9172	44.0294	46.2256	48.5478	50.6290					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4016	ADMIN ASSISTANT	UNR2	N	H	C005	41.5102	43.7981	46.1701	48.6048	50.9449					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1002	ADMIN FISCAL SVCS MGR	PEU0	E	H	C002	61.8572	64.9551	68.2029	71.6172	75.1981	78.8870				7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1004	ADMIN FISCAL SVCS MGR	UNR2	E	H	C004	62.0121	65.1176	68.3734	71.7964	75.3863	79.0845				7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2004	ADMIN HEARING EXAMINER	UNR2	E	H	C006	57.9976	60.7557	63.7857	66.9099	70.1068					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4018	ADMIN SECRETARY	UNR2	N	H	C007	42.3773	44.2894	46.3792	48.5628	50.7778					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2006	ADMIN STAFF ASSISTANT	UNR2	N	H	C008	43.5787	45.9829	48.4793	50.9670	53.4968					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2139	ADVANCED PRACTICE PROVIDER	CSU0	E	H	C057	74.8159	77.7949	81.0107	84.3502	87.8440					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6000	ANIMAL CONTROL OFFICER	MC00	N	H	C001			39.5634	40.7509	41.9382					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6002	ANIMAL SVCS ASSISTANT	MC00	N	H	C002			34.8977	35.8225	36.8628					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1006	ANIMAL SVCS MANAGER	PEU0	E	H	C003	69.3127	72.6414	76.1667	79.9078	83.7523					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2009	APP PROGRAMMER/ANALYST I	CSU0	N	H	C003	52.4223	54.6572	57.1106	59.6262	62.2043					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2010	APP PROGRAMMER/ANALYST II	CSU0	N	H	C004	57.2042	59.7301	62.4226	65.2395	68.1921					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1008	AQUATICS COORDINATR	MC01	N	H	C006	41.9908	43.6197	45.2484	47.0558	48.7477					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6004	AQUATICS FACILITIES SUP	MC01	N	H	C007	33.3839	35.0612	36.8091	38.6582	40.5881					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2012	ARCHITECT	CSU0	E	H	C005	65.0318	68.1401	71.4351	74.8654	78.4100					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2028	ASSISTANT AQUATICS COORD	MC01	N	H	C008	35.4334	36.9257	38.3339	39.6789	41.2026					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2030	ASSISTANT ARCHITECT	CSU0	E	H	C008	55.7385	58.2853	61.0711	64.0444	67.1938					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1010	ASSISTANT BLDG & SAFETY MGR	PEU1	E	H	C004	79.3404	83.3025	87.4725	91.8439	96.4372					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1012	ASSISTANT CITY ATTORNEY	UNR1	E	H	C016	106.9265	143.0600								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1014	ASSISTANT CITY CLERK	UNR2	E	H	C013	60.0140	62.8765	66.0006	69.2395	72.5411					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1016	ASSISTANT CITY MANAGER	UNR1	E	H	C035	95.8447	131.7714								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2032	ASSISTANT CIVIL ENGINEER (REG)	PEU1	E	H	C005	61.0875	63.9429	67.1273	70.3949	73.8782					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
8000	ASSISTANT FIRE CHIEF	FC00	E	H	C001	98.7648	108.6677								7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
9038	ASSISTANT FIRE INSPECTOR	UNR2	N	H	C081	38.276	40.1897	42.1991	44.3092	46.5246					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2036	ASSISTANT HR ANALYST	UNR2	N	H	C015	45.2996	47.5685	49.9590	52.4712	55.1051					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9012	ASSISTANT INSPECTOR	CSU0	N	H	C087	41.5693	43.3714	45.3417	47.2529	49.3161					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1018	ASSISTANT MANAGER MH SVCS	PEU0	E	H	C004	72.6386	76.2768	80.0945	84.0998	94.7792					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2038	ASSISTANT MGMT ANALYST	CSU0	N	H	C010	43.2125	45.0838	46.9126	48.8463	51.0088					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2040	ASSISTANT MGMT ANALYST	UNR2	N	H	C016	43.7670	45.6478	47.5073	49.4823	51.6136					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5004	ASSISTANT MH CLINICIAN	CSU0	N	H	C011	36.3621	37.6509	38.8571	40.2187	42.2460					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2042	ASSISTANT PLANNER	CSU0	N	H	C012	43.4823	45.3952	47.2250	49.2208	51.3518					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2044	ASSISTANT PUB WORKS ENGINEER	PEU1	N	H	C006	58.4388	61.0875	63.9429	67.1273	70.3949					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2046	ASSISTANT RECREATION COORD	MC01	N	H	C009	35.4349	36.9302	38.3347	39.6787	41.2043					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9023	ASSISTANT TO CITY ATTORNEY	UNR2	E	H	C073	73.8480	79.0674	84.6557	90.6391	97.0451					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1020	ASSISTANT TO CITY MANAGER	UNR1	E	H	C017	73.8479	97.0453								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2048	ASSISTANT TO MAYOR	UNR2	E	H	C018	48.1513	90.5744								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2050	ASSISTANT TRANSPORATION ENGINEER	PEU1	E	H	C007	59.1200	61.7989	64.7382	67.9561	71.2550					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2034	ASSITANT ENV HEALTH SPECIALIST	CSU0	N	H	C009			45.8113	48.2644	50.1871					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2014	ASSOCIATE CIVIL ENGINEER	PEU1	E	H	C001	67.2823	70.5906	73.9501	77.4546	81.2993					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2016	ASSOCIATE HR ANALYST	UNR2	E	H	C010	56.1480	58.6974	61.6960	64.5481	67.6095					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2018	ASSOCIATE MGMT ANALYST	CSU0	N	H	C006	53.9085	56.2615	58.8052	61.3293	64.0129					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2020	ASSOCIATE MGMT ANALYST	UNR2	N	H	C011	54.2778	56.6181	59.1774	61.7588	64.4332					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2022	ASSOCIATE PLANNER	CSU0	N	H	C007	52.5058	54.8237	57.0482	59.5949	62.3289					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2024	ASSOCIATE TRANSPORATION ENGINEER	PEU1	E	H	C002	67.2823	70.5906	73.9501	77.4546	81.2993					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2026	ASSOCIATE UTILITY ENGINEER	PEU1	E	H	C003	67.2823	70.5906	73.9501	77.4546	81.2993					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1022	AUDIT MANAGER	UNR1	E	H	C018	66.8828	87.5598								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2052	AUDITOR I	CSU0	N	H	C013	43.2401	45.0940	46.9193	48.8781	51.0375					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2054	AUDITOR II	CSU0	N	H	C014	53.9085	56.4520	58.8655	61.3992	64.0129					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2056	AUTOMATION LIBRARIAN	CSU0	N	H	C015	52.2563	54.6885	57.2664	60.0107	62.9528					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
8102	BATTALION CHIEF (56)	FC00	N	H	C002		62.1860	65.2939	68.5587	71.9871					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
2058	BEHAVIORAL HEALTH CLINICIAN I	CSU0	E	H	C016	46.2599	48.1998	50.1777	52.1942	54.2582					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2060	BEHAVIORAL HEALTH CLINICIAN II	CSU0	E	H	C017	50.9519	52.9778	55.0702	57.2681	59.5138					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2062	BENEFITS SPECIALIST	UNR2	N	H	C020	51.0077	53.5467	56.2420	59.0320	61.4868					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1024	BUDGET MANAGER	UNR1	E	H	C019	77.8845	104.1891								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1026	BUILDING & SAFETY MANAGER	PEU0	E	H	C005	85.3479	90.2645	95.7052	101.0235	106.8734					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3000	BUILDING INSPECTOR I (CERT)	CSU0	N	H	C018	51.3204	53.5450	55.9775	58.3370	60.8840					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3004	BUILDING INSPECTOR II	CSU0	N	H	C019	52.8796	55.1670	57.6720	60.1043	62.7344					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3005	BUILDING INSPECTOR II (CERT)	CSU0	N	H	C020	55.0109	57.3706	59.9798	62.5164	65.2500					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6010	BUILDING MAINT MECH TRAINEE	MC00	N	H	C004			37.9080	39.0966	40.4188					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5006	BUILDING MAINTENANCE MECH	MC00	N	H	C003			47.3459	48.8926	50.5067					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5009	BUILDING MAINTENANCE SUP	MC00	E	H	C005			52.5913	54.2504	56.0999					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley

Publicly Available Pay Schedule [BENEFITED]
Updated 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	FLSA	PAY BASIS	PAY GRADE	1 / BAND MIN	2 / BAND MAX	3	4	5	6	7	8	9	EFFECTIVE DATE	RESOLUTION
2064	BUILDING PLANS ENGINEER	PEU1	E	H	C008	62.2488	65.5226	68.9722	72.6060	76.4241					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3008	BUILDING PLANS EXAMINER	CSU0	N	H	C021	55.0109	57.3706	59.9798	62.5164	65.2500					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2066	BUYER	CSU0	N	H	C022	46.2271	48.2853	50.1980	52.2978	54.5533					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1028	CAMP MANAGER	PEU0	E	H	C006	41.3119	43.3790	45.5400	47.8242	50.2120					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1030	CAPITAL IMPROVEMENT PRG MGR	UNR1	E	H	C020	85.1189	113.8822								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9000	CENTRAL LIBRARY CIRC SUP	CSU0	N	H	C023	40.9254	42.6611	44.5015	46.4245	48.8360					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
9035	CERT CIVILIAN INSTRUCTOR	UNR2	N	H	C079	32.8191	34.542	36.3555	38.2642	40.2731					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3010	CHIEF OF PARTY	PEU1	N	H	C009	53.6642	56.2113	58.9067	61.8005	64.6744					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1032	CIRCULATION SVCS MANAGER	PEU0	E	H	C007	58.3697	61.0814	63.9837	67.0508	70.3170					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1034	CITY ATTORNEY	UNR1	E	H	C001	101.1258	190.8001								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1036	CITY AUDITOR	UNR1	E	H	C002	100.6147	100.6147								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1038	CITY CLERK	UNR1	E	H	C003	93.0384	127.9003								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1040	CITY MANAGER	UNR1	E	H	C004	212.9126	212.9126								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2068	CIVIC ARTS COORDINATOR	PEU1	N	H	C010	53.1735	55.7046	58.4480	61.3107	64.2609					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2070	CLINICAL PSYCHOLOGIST	CSU0	E	H	C024	56.3622	58.5555	60.8734	63.2543	65.8008					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3015	CODE ENFORCEMENT OFFICER I	CSU0	N	H	C026	40.6449	42.5368	44.5115	46.5911	48.7735					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3014	CODE ENFORCEMENT OFFICER II	CSU0	N	H	C025	49.3456	51.4765	53.8152	56.0815	58.5449					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1043	CODE ENFORCEMENT SUPERVISOR	PEU1	E	H	C011	56.4807	59.2430	62.1389	65.1384	68.2098					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2073	COMM DEV PROJ COORDINATOR	CSU0	E	H	C027	56.1334	58.8257	61.7262	64.7510	67.8696					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
9011	COMMUNICATION SPECIALIST	UNR2	N	H	C072	54.2793	64.3943								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1044	COMMUNICATIONS MANAGER	PEU0	E	H	C008	69.4201	73.0746	76.9158	81.5887	84.3582					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9028	COMMUNICATIONS SUPERVISOR	IBEW	E	H	C007			66.6587	68.6299	70.6010					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
3016	COMMUNICATIONS TECHNICIAN	IBEW	N	H	C001			52.7279	55.2639	57.7857					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
5012	COMMUNITY HEALTH WORKER	CSU0	N	H	C028		33.4932	34.2517	35.1044	36.8403					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5014	COMMUNITY HEALTH WRKR SPEC	CSU0	N	H	C029	36.3621	37.6509	38.8571	40.2187	42.2460					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
7002	COMMUNITY SERVICE OFFICER	MC00	N	H	C006	39.9958	41.5882	43.2561	44.8821	46.5898					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7000	COMMUNITY SVC OFFICER SUP	MC00	N	H	C007	44.8217	46.6102	48.4792	50.6418	52.9149					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2074	COMMUNITY SVCS SPECIALIST I	CSU0	N	H	C030	43.2401	45.0940	46.9193	48.8781	51.0375					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2076	COMMUNITY SVCS SPECIALIST II	CSU0	N	H	C031	53.9085	56.2615	58.8052	61.3293	64.0129					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2078	COMMUNITY SVCS SPECIALIST III	PEU1	E	H	C012	59.3048	62.1389	65.2001	68.3951	71.7036					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5016	CONCRETE FINISHER	MC00	N	H	C008			46.8041	48.1698	49.5351					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5019	CONSTRUCTION EQUIP OPERAT	MC00	N	H	C009			43.8332	45.1861	46.6524					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6016	CONTAINER MAINT WELDER	MC00	N	H	C010			39.0154	40.2198	41.3806					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2081	CONTRACT ADMINISTRATOR	PEU1	E	H	C013	52.2966	55.3788	58.6492	62.1077	65.6753					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1046	COUNCILMEMBER	ELEC		H	C001	339.5942									12/22/2024	Change was made by Section 19 of Berkeley City Charter
2082	CRIME ANALYST	PEU1	N	H	C014	53.3471	54.7245	57.4573	60.3337	63.3464					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1047	CRIME SCENE SUPERVISOR	PEU1	N	H	C015	53.2031	55.5636	58.3462	61.2525	64.3243					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1049	CUSTOMER SERVICE MANAGER	PEU0	E	H	C009	65.0765	68.2610	71.4769	74.9400	78.5366					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4021	CUSTOMER SERVICE SPECIALIST II	MC01	N	H	C010			37.3902	39.3593	41.4340					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4023	CUSTOMER SERVICE SPECIALIST III	MC01	N	H	C011			42.2976	44.1681	46.1121					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4025	CUSTOMER SERVICE SUPERVISOR	MC02	N	H	C002	42.6864	44.7986	46.9948	49.3172	51.3979					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2084	DATABASE ADMINISTRATOR	PEU1	E	H	C016	59.9045	63.0575	66.3768	69.8694	73.5502					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1051	DEP CITY AUDITOR / PAYROLL MGMT	UNR1	E	H	C021	73.8479	97.0453								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2221	DEPUTY CITY ATTORNEY I	UNR2	E	H	C024	67.3109	70.8785	74.6350	78.5906	82.7559					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2223	DEPUTY CITY ATTORNEY II	UNR2	E	H	C025	77.4075	81.5101	85.8303	90.3791	95.1692					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2225	DEPUTY CITY ATTORNEY III	UNR2	E	H	C026	89.0188	93.7368	98.7047	103.9361	109.4448					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9024	DEPUTY CITY ATTORNEY IV	UNR2	E	H	C074	102.3682	107.7906	113.5025	119.5149	125.8614					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1053	DEPUTY CITY CLERK	UNR1	E	H	C022	73.8479	97.0453								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1055	DEPUTY CITY MANAGER	UNR1	E	H	C005	101.1258	156.1648								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1065	DEPUTY DIRECTOR OF FINANCE	UNR2	E	H	C028	97.1106	106.6549								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1067	DEPUTY DIRECTOR OF HHCS	UNR1	E	H	C026	80.2378	111.3278								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1069	DEPUTY DIRECTOR OF HR	UNR1	E	H	C036	73.8479	97.0453								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1057	DEPUTY DIRECTOR OF LIBRARY SERVICES	UNR1	E	H	C023	73.8479	97.0453								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1059	DEPUTY DIRECTOR OF PLANNING	UNR1	E	H	C039	80.2378	107.3438								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1064	DEPUTY DIRECTOR OF PRW	UNR1	E	H	C025	80.2378	107.3438								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1073	DEPUTY DIRECTOR OF PUBLIC WORKS	UNR1	E	H	C028	80.2378	115.4199								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1072	DEPUTY DIRECTOR OF PUBLIC WORKS (Registered)	UNR1	E	H	C027	80.2378	115.4199								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1061	DEPUTY DIRECTOR OF RENT BOARD	UNR3	E	H	C001	73.8407	97.0417								7/6/2025	Change was made by 4.0000%
1075	DEPUTY FIRE CHIEF	UNR0	E	H	C001	107.0663	129.9063								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
8006	DEPUTY FIRE MARSHAL	FF00	E	H	C001		74.4852	76.9409	79.4852	82.1037					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
9030	DEPUTY POLICE CHIEF	UNR0	E	H	C004	105.9999	137.8000								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2086	DIGITAL COMMUNICATIONS COORD	UNR2	E	H	C036	57.7928	60.8344	64.0362	67.4050	70.9542					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1081	DIR LIBRY SVCS	UNR1	E	H	C008	93.0384	127.9003								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1085	DIRECTOR OF FINANCE	UNR1	E	H	C010	93.0384	139.8225								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1077	DIRECTOR OF HHCS	UNR1	E	H	C006	96.9608	141.8009								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1079	DIRECTOR OF HUMAN RESOURCES	UNR1	E	H	C007	93.0384	133.5023								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1087	DIRECTOR OF INFO TECHNOLOGY	UNR1	E	H	C011	93.0384	141.9182								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1083	DIRECTOR OF PARKS/REC/WATERFRONT	UNR1	E	H	C009	96.9608	141.8009								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1089	DIRECTOR OF PLANNING	UNR1	E	H	C012	93.0384	129.8956								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9008	DIRECTOR OF POLICE ACCOUNTABILITY	UNR1	E	H	C071	81.6284	122.4425								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1091	DIRECTOR OF PUBLIC WORKS	UNR1	E	H	C013	96.9608	141.8009								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9022	DIVERSITY, EQUITY, AND INCLUSION OFFICER	UNR2	E	H	C077	73.8534	97.0460								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4027	DRAFTING AIDE	UNR2	N	H	C037			29.2130	30.9787	33.4549					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley

Publicly Available Pay Schedule [BENEFITED]
Updated 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	FLSA	PAY BASIS	PAY GRADE	1 / BAND MIN	2 / BAND MAX	3	4	5	6	7	8	9	EFFECTIVE DATE	RESOLUTION
3018	DRAFTING TECHNICIAN	PEU1	N	H	C017	41.6905	43.6488	45.6175	47.7614	50.1008					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1093	ECONOMC DEV MANAGER	UNR1	E	H	C029	82.6333	110.5424								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2090	ECONOMIC DEV PROJ COORD	PEU0	E	H	C010	65.0765	68.2610	71.4769	74.9503	78.5366					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2092	EEO & DIVERSITY OFFICER	UNR2	E	H	C039	59.6793	62.5423	65.6037	68.8215	72.1338					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5020	ELECTRICAL PARTS TECHNICIAN	IBEW	N	H	C002		38.5542	41.0445	43.1968	44.2885					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
9027	ELECTRICAL SUPERVISOR	IBEW	E	H	C006			66.6587	68.6299	70.6010					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
5021	ELECTRICIAN	IBEW	N	H	C003			52.7279	55.2639	57.7857					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
2096	EMERGENCY SERVICES COORDINATOR	CSU0	N	H	C033	53.9103	56.2722	58.7995	61.3262	64.0181					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1095	EMPLOYEE RELATIONS MANAGER	UNR1	E	H	C030	72.1018	96.3891								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2098	EMPLOYMENT PROGRAMS ADMIN	PEU1	E	H	C019	58.6095	61.3943	64.4269	67.5880	70.8389					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2094	EMS QUALITY IMPRV & ED COORD	PEU1	E	H	C018	78.8416	81.4788	84.2043	87.0210	89.9317					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1097	ENERGY PROGRAM MANAGER	PEU0	E	H	C011	64.8911	68.1360	71.5431	75.1204	78.8778					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3020	ENGINEERING INSPECTOR	PEU1	N	H	C020	50.1857	52.4948	55.1208	57.6777	60.4033					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2100	ENVIRONMENTAL COMPLIANCE SPEC	CSU0	E	H	C034	58.3863	60.4505	62.7248	65.2284	67.6553					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2102	ENVIRONMENTAL HEALTH SUPERVISOR	PEU1	E	H	C021	58.8472	61.0962	63.4334	65.8586	68.3800					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2104	EPIDEMIOLOGIST	CSU0	N	H	C035	46.4324	48.7521	51.1879	53.7470	56.4366					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5022	EQUIPMENT PARTS TECHNICIAN	MC00	N	H	C011		37.5144	39.6686	41.5601	42.5162					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1099	EQUIPMENT SUPERINTENDENT	PEU0	E	H	C012	67.1686	70.4255	73.8060	77.4546	81.1547					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1101	EXECUTIVE DIRECTOR, RENT BOARD	UNR3	E	H	C002	149.3800									7/6/2025	Change was made by 4.0000%
1103	FACILITIES MAINT SUPERINTENDENT	PEU0	E	H	C013	67.1686	70.4255	73.8060	77.4546	81.1547					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4029	FIELD REPRESENTATIVE	CSU0	N	H	C036			40.3223	41.9544	43.8462					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3022	FIRE & LIFE SAFETY PLANS EXAMINER	CSU0	N	H	C037	60.6242	63.2436	66.1126	68.9089	71.9651					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
8008	FIRE APPARATUS OPERATOR (40)	FF00	N	H	C003		62.7822	64.8633	67.0025	69.2095					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8108	FIRE APPARATUS OPERATOR (56)	FF00	N	H	C002		44.8446	46.3309	47.8591	49.4353					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8009	FIRE CAPTAIN I (40)	FF00	N	H	C005		73.1934	75.6127	78.1076	80.6879					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8109	FIRE CAPTAIN I (56)	FF00	N	H	C004		52.2809	54.0091	55.7913	57.6342					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8010	FIRE CAPTAIN II (40)	FF00	N	H	C007		74.5313	76.9892	79.5359	82.1576					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8110	FIRE CAPTAIN II (56)	FF00	N	H	C006		53.2367	54.9922	56.8113	58.6840					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
1105	FIRE CHIEF	UNR0	E	H	C002	98.4031	148.3100								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
8011	FIRE MARSHAL	FC00	E	H	C004	98.7648	108.6754								7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
9043	FIRE MECHANIC LEAD	UNR2	N	H	C083			53.1202	54.7263	56.341					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7004	FIRE PREVENTION INSPECTOR (N-SWN)	CSU0	N	H	C038	49.3456	51.4765	53.8152	56.0815	58.5449					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
8012	FIRE PREVENTION INSPECTOR (SWN)	FF00	N	H	C008		67.6274	69.8709	72.1742	74.5568					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8013	FIREFIGHTER (40)	FF00	N	H	C010	50.9543	52.1219	53.3180	54.5529	56.3382	58.2000	60.1207	62.1076	64.1855	7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8113	FIREFIGHTER (56)	FF00	N	H	C009	36.3959	37.2299	38.0843	38.9664	40.2416	41.5716	42.9433	44.3626	45.8468	7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
5024	FORESTRY CLIMBER	MC00	N	H	C012			45.0465	46.4515	47.9182					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5026	FORESTRY CLIMBER SUPERVISOR	MC00	N	H	C013			52.4046	53.9495	55.5116					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6018	FORESTRY CLIMBER TRAINEE	MC00	N	H	C014			34.7609	36.2215	37.6929					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5028	FORESTRY TECHNICIAN	MC00	N	H	C015			52.4047	53.9495	55.5116					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9010	GENERAL COUNSEL	UNR3	E	H	C003	147.3472									7/6/2025	Change was made by 4.0000%
1107	GENERAL SERVICES MANAGER	PEU0	E	H	C014	66.4779	69.7969	73.3423	77.0426	80.9694					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9034	GRAPHIC DESIGNER	UNR2	E	H	C078	43.5705	45.8580	48.2655	50.7994	53.4664					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6020	GROUNDSKEEPER	MC00	N	H	C016			34.8976	35.8164	36.8626					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6022	HARBORMASTER	PEU1	N	H	C022	0.0000	0.0000	52.6917	54.7085	56.9661					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1109	HAZARDOUS MAT MANAGER	PEU0	E	H	C015	70.9576	74.4360	77.9444	81.7400	85.6247					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2106	HAZARDOUS MAT SPECIALIST I	CSU0	N	H	C039	51.4139	53.2124	55.2189	57.4123	59.5844					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2108	HAZARDOUS MAT SPECIALIST II	CSU0	N	H	C040	58.3891	60.4472	62.7235	65.2290	67.6615					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2110	HEALTH EDUCATOR	CSU0	E	H	C041	50.8612	52.8310	54.8826	57.0252	59.2867					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1111	HEALTH NUTRITION PROG COORD	PEU1	N	H	C023	52.6155	54.6872	56.8209	59.0059	61.3761					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1113	HEALTH OFFICER	UNR1	E	H	C037	111.8583	127.0683								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1114	HEALTH OFFICER (CERT)	UNR1	E	H	C031	145.3644	165.1337								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2112	HEALTH PLNG, EDUCAT & PROMO SUP	PEU1	N	H	C024	54.3920	56.5042	58.8860	61.3134	63.8571					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1117	HEALTH SERVICES SUPERVISOR	PEU1	E	H	C026	65.4785	68.0140	70.8276	73.8164	76.8156					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2114	HEALTH SVCS PROG SPECIALIST	PEU1	N	H	C025	50.1318	52.0799	54.0998	56.2127	58.4388					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2116	HEARING EXAMINER	PEU1	E	H	C027	63.4480	67.5601	71.1264	74.2907	78.8356					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1119	HOME ENERGY ADMINISTRATOR	PEU0	E	H	C016	55.1272	57.5479	60.1299	62.7121	65.4643					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2118	HOMELESS SERVICES COORDINATOR	PEU1	E	H	C028	58.8558	61.6764	64.7054	67.8852	71.1651					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9013	HOUSING INSPECTOR I (CERT)	CSU0	N	H	C088	46.1883	48.1904	50.3798	52.5032	54.7955					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3025	HOUSING INSPECTOR II (CERT)	CSU0	N	H	C043	51.3204	53.5450	55.9775	58.3370	60.8840					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1121	HOUSNG INSPECTOR SUPERVISOR	PEU1	E	H	C029	62.0975	64.7894	67.7327	70.5878	73.6661					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1123	HUMAN RESOURCES MANAGER	UNR1	E	H	C015	74.1701	96.3849								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4031	HUMAN RESOURCES TECHNICIAN	UNR2	N	H	C044	42.3320	44.6712	47.0976	49.5766	51.9683					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1125	INFO SECURITY MANAGER	UNR1	E	H	C032	82.5417	86.8858	91.4593	96.2691	101.3390					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1127	INFO SYSTEMS MANAGER	UNR1	E	H	C033	77.2393	81.0296	84.9034	89.0858	93.3519					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2120	INFO SYSTEMS SPECIALIST	CSU0	N	H	C044	49.0408	51.1620	53.4457	55.7680	58.2046					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3028	INFO SYSTEMS SUPPORT TECHNICIAN	CSU0	N	H	C045	40.7072	42.2353	43.8047	45.4473	47.1418					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3030	INFO SYSTEMS SUPPORT TECHNICIAN	UNR2	N	H	C045	40.9777	42.4821	44.0697	45.7104	47.4238					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6024	JANITOR	MC00	N	H	C017			32.3338	33.1429	34.0782					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6026	JANITOR SUPERVISOR	MC00	N	H	C018			37.6929	39.0170	40.1623					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2122	JR PUBLIC WORKS ENGINEER	PEU1	N	H	C030	49.2143	51.4819	53.9453	56.5323	59.2841					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6028	LABORER	MC00	N	H	C019			36.5280	37.5666	38.7709					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9032	LACTATION COUNSELOR	UNR2	E	H	C076	45.3473	47.6147	49.9955	52.4951	55.1200					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1129	LAND USE PLANNING MANAGER	PEU0	E	H	C017	83.6078	87.7717	92.1727	96.7693	99.8615					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.

City of Berkeley

Publicly Available Pay Schedule [BENEFITED]
Updated 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	FLSA	PAY BASIS	PAY GRADE	1 / BAND MIN	2 / BAND MAX	3	4	5	6	7	8	9	EFFECTIVE DATE	RESOLUTION
2124	LANDSCAPE ARCHITECT	CSU0	E	H	C046	62.7212	65.5852	68.7197	72.0847	75.6296					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5030	LANDSCAPE EQUIPMENT OPERATOR	MC00	N	H	C020			44.1913	45.5357	46.8709					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6030	LANDSCAPE GARDENER	MC00	N	H	C021			40.4250	41.5496	42.9261					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6032	LANDSCAPE GARDENER SUPERVISOR	MC00	N	H	C022			51.3428	52.8668	54.3692					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6034	LANDSCAPE GARDENER TRAINEE	MC00	N	H	C023			34.0782	35.0342	36.0117					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5032	LEAD COMMUNICATIONS TECH	IBEW	N	H	C004			56.3711	58.9229	61.7520					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
5033	LEAD ELECTRICIAN	IBEW	N	H	C005			56.3711	58.9229	61.7520					7/7/2024	Change was made by 6.0% Per section 11.1.2 in Res No. 70,453-N.S.
4033	LEGAL OFFICE SUPV	UNR2	N	H	C048	47.7060	49.8998	52.3865	54.6749	57.2137					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4035	LEGAL SECRETARY	UNR2	N	H	C049			41.5728	43.7670	44.8848					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2127	LEGISLATIVE AIDE	CSLA	N	H	C001	43.2141	45.3748	47.6016	49.9277	52.3750	54.9436	57.6335	60.4556	63.4211	7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
	LEGISLATIVE AIDE (Cont. Step 10 - 14)					[10] 66.5188	[11] 69.7819	[12] 73.1994	[13] 76.7932	[14] 80.5634						
2131	LIBRARIAN I	CSU0	N	H	C048	42.2561	44.2624	46.4970	48.5659	50.6657					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2133	LIBRARIAN II	CSU0	N	H	C049	46.4970	48.5659	50.6657	53.0252	55.3017					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4037	LIBRARY AIDE	CSU0	N	H	C050	25.3846	26.5906	27.7341	28.9194	29.7094					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4039	LIBRARY ASSISTANT	CSU0	N	H	C051	30.8216	32.1624	33.5658	34.9897	36.6323					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1131	LIBRARY INFO SYSTEMS ADMIN	PEU0	E	H	C018	61.0888	67.2292	70.6170	74.1765	77.9878					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2135	LIBRARY LIT PROGRAM COORDINATOR	CSU0	N	H	C052	44.5325	46.5181	48.5450	50.7592	52.9733					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2129	LIBRARY SPECIAL SERVICES COORD	CSU0	E	H	C047	50.0629	52.4535	54.9901	57.5578	60.3123					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4041	LIBRARY SPECIALIST I	CSU0	N	H	C053	34.7925	36.2787	37.8485	39.4495	41.5184					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4043	LIBRARY SPECIALIST II	CSU0	N	H	C054	36.6323	38.5971	40.2396	41.9025	44.0028					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1133	LIBRARY SVC MGR	PEU0	E	H	C019	61.5310	64.4682	67.6118	70.6833	74.1467					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4045	MAIL SERVICES AIDE	MC01	N	H	C013			34.1290	35.3336	36.6580					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1135	MANAGER FAM HEALTH & NURSING SVCS	PEU0	E	H	C027	74.6974	78.4350	82.3505	86.4702	90.7938					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1150	MANAGER OF AGING SERVICES	PEU0	E	H	C020	69.6363	72.5857	76.2170	80.0283	84.0284					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1152	MANAGER OF ECON DEVELOPMENT	PEU0	E	H	C021	75.0225	78.7948	82.7316	86.8133	91.2347					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1154	MANAGER OF ENGINEERING	PEU0	E	H	C022	85.3396	90.2660	95.4812	101.0155	106.8703					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1144	MANAGER OF ENVIRON HEALTH	PEU0	E	H	C023	69.6421	73.0227	76.4861	80.2066	84.0306					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1146	MANAGER OF HOUSING & COMM SVCS	PEU0	E	H	C024	72.7663	76.4241	80.2420	84.2041	88.4944					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1148	MANAGER OF MENTAL HEALTH SVCS	PEU0	E	H	C025	84.2869	88.2997	92.5892	97.1337	103.0814					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1142	MANAGER OF PUB HEALTH SERVICES	PEU0	E	H	C026	77.4230	81.5030	85.7955	90.3156	95.0706					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7007	MARINA ASSISTANT	MC00	N	H	C024			37.7952	38.8582	40.0680					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1137	MAYOR	ELEC		H	C002	539.0385									12/22/2024	Change was made by Section 19 of Berkeley City Charter
6036	MEALSITE COORDINATOR	CSU0	N	H	C056			32.2870	33.0460	33.8357					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5034	MECHANIC	MC00	N	H	C025			49.6550	51.1565	52.6400					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5036	MECHANIC LEAD	MC00	N	H	C026			53.1202	54.7263	56.3410					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5038	MECHANIC SUPERVISOR	MC00	N	H	C027			56.8301	58.5051	60.2946					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6038	MECHANICAL SWEEPER OPERATOR	MC00	N	H	C028			43.3447	44.6450	45.8669					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9025	MEDICAL DIRECTOR	UNR1	E	H	C014	100.6691	114.3576								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1138	MENTAL HEALTH CLINIC SUPERVISOR	PEU1	E	H	C031	56.2944	59.2592	62.3821	65.6629	72.0119					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9007	MENTAL HEALTH NURSE	CSU0	N	H	C086	70.7125	74.2480	77.9605	81.8584	85.9547					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1140	MENTAL HEALTH PROGRAM SUPERVISOR	PEU1	E	H	C032	61.6817	64.5063	67.5583	70.6007	79.2130					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6040	MINI BUS DRIVER	CSU0	N	H	C058			32.6406	33.9085	35.3018					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2141	NUTRITIONIST	CSU0	E	H	C059	45.2500	47.0378	48.8153	50.6657	52.7445					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2143	OCC HEALTH & SAFETY OFFICER	UNR2	E	H	C050	57.9663	60.7034	63.7228	66.8365	70.0439					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2145	OCC HEALTH & SAFETY SPECIALIST	UNR2	N	H	C051	51.0089	53.5468	56.2433	59.0401	61.4944					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4047	OFFICE SPECIALIST I	MC01	N	H	C014			31.0624	32.4495	33.8784					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4049	OFFICE SPECIALIST I	UNR2	N	H	C052			30.5500	32.1489	33.6534					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4051	OFFICE SPECIALIST II	MC01	N	H	C015			35.7491	37.3463	39.0066					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4053	OFFICE SPECIALIST II	UNR2	N	H	C053			35.8162	37.6343	39.3999					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4055	OFFICE SPECIALIST III	MC01	N	H	C016			41.5286	43.3988	45.3429					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4057	OFFICE SPECIALIST III	UNR2	N	H	C054			41.0297	43.0359	45.0834					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4059	OFFICE SPECIALIST SUPERVISOR	MC02	N	H	C003	41.9172	44.0294	46.2256	48.5478	50.6290					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4061	OFFICE SPECIALIST SUPERVISOR	UNR2	N	H	C055	41.5102	43.7981	46.1701	48.6048	50.9449					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4063	PARALEGAL	UNR2	N	H	C056	44.6415	46.7168	49.0245	51.2122	53.4942					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9018	PARAMEDIC	EMS1	N	H	C013	30.0000	31.5597	33.2004	34.9265	36.7423	38.6525	40.6620	42.7759	45.0000	12/11/2022	Established 01/18/2022 Resolution No. 70,186-N.S.
9031	PARAMEDIC (R)	EMS2	N	H	C014	32.7818	34.1477	35.5137	36.8796	38.2454	39.6113	40.9773	42.3432	43.7091	7/6/2025	Change was made by 3.0000% Resolution No. 71,410-N.S.
8014	PARAMEDIC SUPERVISOR I (40)	FF00	N	H	C012		72.5712	74.9631	77.4488	79.9910					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
8114	PARAMEDIC SUPERVISOR I (56)	FF00	N	H	C011		51.8366	53.5450	55.3205	57.1364					7/6/2025	Change was made by 3.0000% Resolution No. 71,257-N.S.
1156	PARKING ENFORCEMENT MANAGER	PEU0	E	H	C028	53.4920	55.9253	58.8707	61.9682	65.2342					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7008	PARKING ENFORCEMENT OFFICER	MC00	N	H	C029			38.5191	39.6188	40.7555					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7010	PARKING ENFORCEMENT SUPERVISOR	MC00	N	H	C030		42.0568	44.1553	46.3730	48.6828					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6042	PARKING METER MAINT & COLLEC SUP	MC00	N	H	C031			51.7763	53.5042	55.3719					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6044	PARKING METER MAINT WORKER	MC00	N	H	C034			35.2763	36.2535	37.4197					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5042	PARKING METER MECHANIC	MC00	N	H	C033			39.7524	41.0029	42.3272					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5040	PARKING METER MECHANIC TRAINEE	MC00	N	H	C032			35.2763	36.2535	37.4197					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1158	PARKING SERVICES MANAGER	PEU0	E	H	C029	74.2318	77.9398	81.8295	85.9107	90.1997					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1160	PARKS SUPERINTENDENT	PEU0	E	H	C030	67.1686	70.4255	73.8060	77.4546	81.1547					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1162	PERMIT CENTER COORDINATOR	PEU1	E	H	C033	66.7231	70.0128	73.3663	76.9285	80.5700					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3032	PERMIT SPECIALIST	CSU0	N	H	C060	38.5657	40.4060	42.2145	44.1896	46.2583					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1164	PH PROG PHYSICIAN/DEP HEALTH OFFICER	PEU1	E	H	C035	100.2818	105.3266	110.5292	116.0397	121.8172					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3034	PLANNING TECHNICIAN	CSU0	N	H	C061	38.8077	40.8516	42.9992	45.2587	47.6377					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2149	POLICE ACCOUNTABILITY INVESTIGATOR	UNR2	E	H	C057	55.8244	58.4361	61.3199	64.1717	67.2753					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1168	POLICE ACCOUNTABILITY OFFICER	UNR2	E	H	C058	72.1018	93.6915								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley

Publicly Available Pay Schedule [BENEFITED]
Updated 7/14/2025

Pay Basis Key
H = Hourly rate
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JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	FLSA	PAY BASIS	PAY GRADE	1 / BAND MIN	2 / BAND MAX	3	4	5	6	7	8	9	EFFECTIVE DATE	RESOLUTION
8015	POLICE CAPTAIN	BPAM	E	H	C001	99.8792	103.2147	106.6256	110.2087	113.8768					7/6/2025	Change was made by 3.0000% Resolution No. 71,033–N.S.
1166	POLICE CHIEF	UNR0	E	H	C003	117.5662	161.5645								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
8017	POLICE LIEUTENANT	BPA0	N	H	C001	89.4965	92.4508	95.5225	98.6719	101.9785					7/6/2025	Change was made by 3.0000% Resolution No. 71,033–N.S.
8019	POLICE OFFICER	BPA0	N	H	C002	57.6579	60.3352	63.1463	65.1952	67.3010	69.5118	71.7603			7/6/2025	Change was made by 3.0000% Resolution No. 71,033–N.S.
7014	POLICE OFFICER RECRUIT	UNR2	N	H	C059	48.0792									7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
8021	POLICE SERGEANT	BPA0	N	H	C003	74.5913	77.0358	79.5683	82.1982	84.9163					7/6/2025	Change was made by 3.0000% Resolution No. 71,033–N.S.
1170	PRINCIPAL PLANNER	PEU1	E	H	C034	0.0000	71.2350	74.4957	77.7560	81.2545					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9021	PRINCIPAL PROGRAM MANAGER	PEU0	E	H	C053	81.2688	85.2810	89.3692	93.6422	98.3487					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9040	PROGRAM MANAGER I	PEU1	E	H	C065	61.1081	64.0872	67.0967	70.3949	73.7751					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9016	PROGRAM MANAGER II	PEU1	E	H	C064	71.5443	75.1216	78.8778	82.8214	86.5770					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9026	PROGRAM MANAGER II	UNR2	E	H	C075	71.5443	75.1216	78.8778	82.8214	86.5770					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2151	PSYCHIATRIST	CSU0	E	H	C062	128.6273	135.0567	141.8110	148.9054	156.3472					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1176	PUBLIC WORKS SUPERINTENDENT	PEU0	E	H	C032	67.1686	70.4255	73.8060	77.4546	81.1547					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9037	PUBLIC HEALTH INVESTIGATOR	UNR2	N	H	C080	36.9732	38.822	40.763	42.8012	44.9412					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2153	PUBLIC HEALTH NURSE	CSU0	E	H	C063	68.9140	71.3830	74.2571	77.3577	80.3894					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1174	PUBLIC SAFETY BUS MANAGER	PEU0	E	H	C031	67.9622	71.2089	74.7338	78.4135	82.1650					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7016	PUBLIC SAFETY DISPATCHER I	MC00	N	H	C035			36.9048	38.7124	40.3308					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7018	PUBLIC SAFETY DISPATCHER II	MC00	N	H	C036			51.1971	53.3292	55.5622					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1178	PUBLIC WORKS OPERATIONS MANAGER	PEU0	E	H	C033	71.7930	75.5748	79.5522	83.7391	88.1430					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5044	PUBLIC WORKS SUPERVISOR	MC00	N	H	C037			51.7763	53.5042	55.3719					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1180	REAL PROPERTY ADMIN	PEU0	E	H	C034	67.1686	70.4255	73.8060	77.4546	81.1547					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4065	RECORDS ASSISTANT	MC01	N	H	C018		37.5144	39.6686	41.5600	42.5162					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1182	RECORDS MANAGER	PEU0	E	H	C035	57.3256	60.0467	63.0356	66.1380	69.2918					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6047	RECREATION ACTIVITY LEADER (R1)	CSPT	N	H	C001			28.7358	31.6623	35.2639					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1184	RECREATION COORDINATOR	MC01	N	H	C019	41.9908	43.6197	45.2484	47.0558	48.7477					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1186	RECREATION PROG SUPERVISOR	PEU1	E	H	C036	48.1357	50.5445	53.0706	55.7311	58.5177					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1188	RECREATION YOUTH SVCS MANAGER	PEU0	E	H	C036	69.3127	72.3429	75.9604	79.7532	83.7523					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2155	RECYCLING PROGRAM MANAGER	PEU0	E	H	C037	61.1081	64.0872	67.0967	70.3949	73.7751					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2157	REGISTERED ENV HEALTH SPECIALIST	CSU0	N	H	C064	52.3756	54.2008	56.2742	58.4914	60.6992					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2159	REGISTERED NURSE	CSU0	E	H	C065		66.7522	69.0576	71.4168	73.9867					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6049	REGISTERED VETERINARY TECH	MC00	N	H	C038			35.2917	37.1547	39.1116					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1190	RENT BOARD COMMISSIONER	ELEC		H	H003	156.2159									1/1/2025	COMMISS. STIPEND CPI INCR. BY 2.7% EFF.1/1/25 PER RESO.22-12
1191	RESILIENT BUILDINGS PROG MANAGER	PEU0	E	H	C051	70.5175	74.2076	78.1359	82.2483	86.5770					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1193	REVENUE COLLECTION MANAGER	PEU0	E	H	C038	65.0765	68.2610	71.4769	74.9400	78.5366					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2161	REVENUE DEVELOPMENT SPECIALIST I	CSU0	N	H	C066	43.2385	45.0989	46.9193	48.8912	51.0388					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2163	REVENUE DEVELOPMENT SPECIALIST II	CSU0	N	H	C067	53.9103	56.2722	58.7995	61.3262	64.0181					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1195	REVENUE DEVELOPMENT SUPERVISOR	PEU0	E	H	C039	57.4863	60.2155	63.1853	66.2668	69.4845					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5046	ROSARIAN	MC00	N	H	C039			42.1168	43.4305	44.7651					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1197	SCHOOL BOARD DIRECTOR	ELEC		H	C004	124.6862									12/22/2024	Section 19 of Berkeley City Charter
4067	SECRETARY TO THE CITY MANAGER	UNR2	N	H	C060	49.2625	51.5820	54.1615	56.6547	59.2991					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2165	SENIOR ACCOUNTANT	PEU1	E	H	C037	57.5626	60.3352	63.2935	66.4060	69.5805					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9004	SENIOR ANIMAL CONTROL OFFICER	MC00	N	H	C040			43.5249	44.8281	46.1206					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6051	SENIOR AQUATICS SPECIALIST	UNR2	N	H	C061				34.4893	36.7583					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2167	SENIOR AUDITOR	PEU1	E	H	C038	57.4803	60.2117	63.1801	66.2719	69.4773					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2169	SENIOR BEHAVIOR HEALTH CLINICIAN	CSU0	E	H	C068	55.6150	57.8611	60.0107	62.3902	64.9225					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3036	SENIOR BUILDING INSPECTOR	CSU0	N	H	C069	60.6242	63.2436	66.1126	68.9089	71.9651					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1198	SENIOR BUILDING MAINT SUPERVISOR	PEU1	N	H	C039	57.2948	60.0095	62.9613	65.8902	68.9995					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2171	SENIOR BUILDING PLANS ENGINEER	PEU1	E	H	C040	76.0429	79.8662	83.8449	88.0395	91.8430					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3038	SENIOR BUILDING PLANS EXAMINER	CSU0	N	H	C070	60.6242	63.2436	66.1126	68.9089	71.9651					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2173	SENIOR BUYER	PEU1	N	H	C041	48.2665	50.5546	52.8837	55.4505	57.9955					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1200	SENIOR CITIZEN CENTER DIRECTOR	PEU0	N	H	C040	48.0745	50.2053	52.2764	54.3680	57.1527					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2175	SENIOR COMM DEVEL PROJ COORD	PEU1	E	H	C042	65.0765	68.2610	71.4769	74.9503	78.5366					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5048	SENIOR COMM HEALTH SPECIALIST	CSU0	N	H	C071	38.1918	39.5326	40.8009	42.1832	44.3351					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
7025	SENIOR CRIME SCENE TECHNICIAN	MC00	N	H	C041			50.0507	51.9948	54.0124					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9019	SENIOR ECONOMIC DEV PROJ COORD	PEU0	E	H	C052	74.2342	78.1413	82.2539	86.5860	91.1397					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1202	SENIOR ELECTRICAL SUPERVISOR	PEU1	E	H	C044	0.0000	0.0000	66.9836	70.0160	73.4652					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9020	SENIOR ENGINEERING INSPECTOR	PEU1	E	H	C066	56.7290	59.4292	62.2581	65.2216	68.3308					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3040	SENIOR ENGINEERING TECH	PEU1	N	H	C043	45.7362	47.8468	50.0668	52.3755	54.9326					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2177	SENIOR ENV HEALTH SPECIALIST	CSU0	N	H	C072	55.0037	56.9337	59.0647	61.4252	63.7375					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1204	SENIOR EQUIPMENT SUPERVISOR	PEU1	E	H	C045	61.8548	64.8014	68.0160	71.3233	74.7827					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4069	SENIOR FIELD REPRESENTATIVE	CSU0	N	H	C073			43.6283	45.5514	47.4119					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5050	SENIOR FORESTRY CLIMBER	MC00	N	H	C042			47.2987	48.7823	50.3095					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1206	SENIOR FORESTRY SUPERVISOR	PEU1	N	H	C046	58.3023	61.0570	64.0697	67.0429	70.2046					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6053	SENIOR GROUNDSKEEPER	MC00	N	H	C043			38.1133	39.2062	40.5092					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2181	SENIOR HEALTH MGMT ANALYST	CSU0	N	H	C074	55.6035	58.2747	61.1230	64.1479	67.2248					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2183	SENIOR HEALTH SVCS PROG SPECIALIST	PEU1	E	H	C048	57.1815	59.3460	61.6545	64.2417	66.7049					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2179	SENIOR HEARING EXAMINER	PEU1	E	H	C047	72.2722	77.0043	81.0153	84.6445	89.8414					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9015	SENIOR HOUSING INSPECTOR (CERT)	CSU0	N	H	C090	56.4521	58.8996	61.5752	64.1708	66.9724					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2185	SENIOR HR ANALYST	UNR2	E	H	C062	62.3120	65.2586	68.4976	71.8520	75.2993					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2187	SENIOR INFO SYSTEMS SPECIALIST	CSU0	N	H	C075	54.0672	56.4749	59.0172	61.6829	64.4353					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1208	SENIOR LANDSCAPE GARDEN SUPERVISOR	PEU1	N	H	C049	58.3023	61.0570	64.0697	67.0429	70.2046					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6055	SENIOR LANDSCAPE GARDENER	MC00	N	H	C044			43.1177	44.4045	45.8262					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5000	SENIOR LEGAL SECRETARY	UNR2	N	H	C063	43.2865	45.2927	47.5183	49.6391	51.8645					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley

Publicly Available Pay Schedule [BENEFITED]
Updated 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	FLSA	PAY BASIS	PAY GRADE	1 / BAND MIN	2 / BAND MAX	3	4	5	6	7	8	9	EFFECTIVE DATE	RESOLUTION
2189	SENIOR LIBARARIAN	CSU0	N	H	C076	48.6178	50.7177	52.9527	55.3853	57.7862					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2191	SENIOR MANAGEMENT ANALYST	PEU1	E	H	C050	59.3048	62.1389	65.2001	68.3951	71.7036					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2193	SENIOR MANAGEMENT ANALYST	UNR2	E	H	C064	60.0141	62.8766	66.0006	69.2395	72.5411					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7027	SENIOR MARINA ASSISTANT	MC00	N	H	C045			38.4808	39.5634	40.8558					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9042	SENIOR PARALEGAL	UNR2	N	H	C082	49.3621	51.8303	54.4217	57.1429	60					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3042	SENIOR PERMIT SPECIALIST	CSU0	N	H	C077	41.7092	43.8108	45.9906	48.3005	51.3842					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2195	SENIOR PLANNER	CSU0	E	H	C078	60.3747	63.0770	65.9568	68.8570	71.9341					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1210	SENIOR PUB WORKS SUPERVISOR	PEU1	N	H	C051	56.8912	59.5867	62.5177	65.4260	68.5134					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2197	SENIOR PUBLIC HEALTH NURSE	CSU0	E	H	C079	71.5679	74.3118	77.1404	80.4179	83.5083					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6057	SENIOR SERVICE AIDE	CSU0	N	H	C080			29.2728	30.3430	31.5490					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6059	SENIOR SERVICE ASSISTANT	CSU0	N	H	C081			37.3811	38.3581	39.2833					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1212	SENIOR SOLID WASTE SUPERVISOR	PEU1	N	H	C052	57.4283	60.1464	63.1103	66.0415	69.1504					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1214	SENIOR SYSTEMS ANALYST	PEU1	E	H	C053	64.5509	67.7665	71.1986	74.7956	78.6299					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1216	SENIORS NUTRITION PROG SUPERVISOR	PEU0	N	H	C041	49.9771	52.3681	54.8008	57.4188	60.3146					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5052	SERVICE TECHNICIAN	MC00	N	H	C046			41.6862	42.9605	44.2350					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5054	SEWER MAINT ASSISTANT SUPERVISOR	MC00	N	H	C047			48.6861	50.2921	51.9420					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6061	SKILLED LABORER	MC00	N	H	C048			38.7709	39.9579	41.2146					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2199	SOCIAL SERVICES SPECIALIST	CSU0	N	H	C082	43.2385	45.0987	46.9192	48.8911	51.0387					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6063	SOLID WASTE LOADER OPERATOR	MC00	N	H	C049	36.3289	39.0029	40.9561	43.0064	45.1456					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1219	SOLID WASTE RECYCLING MANAGER	PEU0	E	H	C042	78.3720	82.1032	86.0917	90.3173	94.7079					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6065	SOLID WASTE SUPERVISOR	PEU1	N	H	C054	0.0000	0.0000	51.7020	53.6540	55.8743					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6067	SOLID WASTE TRUCK DRIVER	MC00	N	H	C050			44.3394	46.1463	47.4034					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6069	SOLID WASTE WORKER	MC00	N	H	C051			38.7303	40.4889	41.6672					7/6/2025	Change was made by 4.0% COLA + 4.0% Equity. Resolution No. 71,408-N.S.
6072	SPORTS OFFICIAL (R1)	CSPT	N	H	C002	24.5511	28.6586	32.7659	36.8724	40.9952					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2201	STAFF ATTORNEY I	UNR2	E	H	C065	67.3109	70.8785	74.6350	78.5906	82.7559					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2203	STAFF ATTORNEY II	UNR2	E	H	C066	77.4075	81.5101	85.8303	90.3791	95.1692					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2205	STAFF ATTORNEY III	UNR2	E	H	C067	89.0188	93.7368	98.7047	103.9361	109.4448					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1220	SUPERIVISING BUILDING INSPECTOR	PEU1	E	H	C055	65.9320	69.1992	72.9303	76.0220	79.6812					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1222	SUPERVISING CIVIL ENGINEER	PEU0	E	H	C043	76.2590	79.9385	83.8038	87.8542	92.0798					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1224	SUPERVISING HEARING EXAMINER	PEU0	E	H	C044	78.1674	82.1677	86.3296	90.6801	95.2644					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2207	SUPERVISING LIBRARIAN	CSU0	E	H	C083	55.3953	57.9629	60.6970	63.6079	66.7366					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5002	SUPERVISING LIBRARY ASSISTANT	CSU0	N	H	C084	37.5679	39.1272	40.8316	42.5886	46.2341					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
9009	SUPERVISING MENTAL HEALTH NURSE	PEU1	E	H	C063	77.5309	81.4075	85.4779	89.7518	94.2393					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2209	SUPERVISING PSYCHIATRIST	UNR1	E	H	C034	136.4826	165.9001								7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2211	SUPERVISING PUBLIC HEALTH NURSE	PEU1	E	H	C056	74.6531	77.6256	80.8343	84.1666	87.6528					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7023	SUPERVISING PUBLIC SAFETY DISPATCHER	MC00	N	H	C052			58.7248	61.1599	63.7263					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1226	SUPERVISING SYSTEMS ANALYST	PEU0	E	H	C045	77.0426	80.8250	84.6900	88.8642	93.1211					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1228	SUPERVISING TRANSPORTATION ENGINEER	PEU0	E	H	C046	76.8361	80.7530	84.8756	89.2043	93.8112					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3044	SURVEY TECHNICIAN	PEU1	N	H	C057	43.8233	45.8647	47.9658	50.2251	52.6830					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2213	SYSTEMS ACCOUNTANT	PEU1	E	H	C058	64.5509	67.7665	71.1986	74.7956	78.6299					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6076	TOOL LENDING SPECIALIST	MC00	N	H	C053			40.9712	43.1273	45.3972					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6078	TRACTOR TRAILER DRIVER	MC00	N	H	C054	40.9561	43.0064	45.1455	47.4146	49.7771					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3046	TRAFFIC ENGINEERING ASSISTANT	PEU1	N	H	C059	0.0000	0.0000	44.5763	46.7509	48.8846					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5056	TRAFFIC MAINTENANCE SUPERVISOR	MC00	N	H	C055			51.7763	53.5042	55.3719					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6080	TRAFFIC MAINTENANCE WORKER I	MC00	N	H	C056			36.4847	37.5247	38.7438					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6082	TRAFFIC MAINTENANCE WORKER II	MC00	N	H	C057		38.7438	39.9209	41.1714	42.3587					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2215	TRAINING OFFICER	UNR2	E	H	C069	65.5096	68.8635	72.2486	75.7484	79.3218					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1230	TRANSPORTATION MANAGER	PEU0	E	H	C047	82.9678	87.1114	91.4710	96.0376	100.8463					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1239	TRANSPORTATION SVCS COORDINATOR	PEU0	E	H	C048	46.6754	49.0153	51.4629	54.0395	56.7383					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1233	TREASURY MANAGER	PEU0	E	H	C049	69.7610	73.2392	76.9055	80.7452	84.7876					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4000	VECTOR CONTROL TECHNICIAN	CSU0	N	H	C085			38.3881	39.7165	40.9425					7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
9039	VETERINARIAN	UNR1	E	H	C040	74.3907	78.1101	82.0156	86.1165	90.4223					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5058	WAREHOUSE OPERARATIONS SPECIALIST	MC00	N	H	C061		43.0941	45.2378	47.3816	49.5040					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1235	WATERFRONT MANAGER	PEU0	E	H	C050	67.1686	70.4255	73.8060	77.4546	81.1547					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1237	WATERFRONT SUPERVISOR	PEU1	E	H	C060	54.2857	57.1495	60.1578	63.3252	66.6587					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2217	WATERSHED RESOURCES SPECIALIST	PEU1	E	H	C061	48.0725	50.6270	52.9984	55.6415	58.4279					7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6086	WEIGHMASTER	MC00	N	H	C058		38.1763	40.3725	42.2956	43.2623					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6088	WEIGHMASTER TRAINEE	MC00	N	H	C059			37.2623	38.9541	40.0888					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5060	WELDER MECHANIC	MC00	N	H	C060			50.3011	51.8286	53.3558					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2219	WORKERS COMP ANALYST	UNR2	N	H	C070	56.1481	58.6974	61.6960	64.5483	67.6095					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6090	YARDMASTER	MC00	N	H	C062			41.2585	42.5762	43.8334					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley
Publicly Available Pay Schedule [NON-BENEFITED]
Revised 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	PAY BASIS	PAY GRADE	1/BAND MIN	2/BAND MAX	3	4	5	6	EFFECTIVE DATE	RESOLUTION
2001	ACCOUNTANT I	CSU0	H	H001	40.9546	42.7107	44.4394	46.2949	48.3401		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2003	ACCOUNTANT II	CSU0	H	H002	47.8893	49.9373	52.1527	54.3384	56.7410		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4003	ACCOUNTING OFF SPEC II	MC03	H	H001			34.5772	36.0895	37.6616		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4007	ACCOUNTING OFF SPEC III	MC03	H	H002			40.0496	41.8202	43.6611		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4011	ACCOUNTING OFF SPEC SUP	MC03	H	H003	41.0235	43.0537	45.1643	47.3961	49.3960		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3003	ACCOUNTING TECHNICIAN	MC03	H	H004	39.4126	41.3430	43.3822	45.5217	47.4421		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2089	ADA PROGRAM COORDINATOR	CSU0	H	H032	51.0594	53.2882	55.6973	58.0878	60.6297		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4015	ADMIN ASSISTANT	MC03	H	H005	39.6892	41.6891	43.7687	45.9674	47.9377		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1005	ADMIN FISCAL SVCS MGR	PEU2	H	H002	56.7311	59.5723	62.5509	65.6822	68.9664	72.3497	7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2140	ADVANCED PRACTICE PROVIDER	CSU0	H	H057	74.8159	77.7949	81.0107	84.3502	87.8440		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6001	ANIMAL CONTROL OFFICER	MC03	H	H006			37.4603	38.5846	39.7089		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6003	ANIMAL SERVICES ASSISTANT	MC03	H	H007			33.0428	33.9184	34.9033		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1007	ANIMAL SERVICES MANAGER	PEU2	H	H003	63.5686	66.6217	69.8546	73.2860	76.8116		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2008	APP PROGRAMMER/ANALYST I	CSU0	H	H003	50.7746	52.9392	55.3154	57.7518	60.2490		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2011	APP PROGRAMMER/ANALYST II	CSU0	H	H004	52.9829	55.3223	57.8161	60.4250	63.1598		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1009	AQUATICS COORDINATOR	MC03	H	H008	39.7589	41.3011	42.8431	44.5547	46.1564		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6005	AQUATICS FACILITIES SUP	MC03	H	H009	31.6094	33.1976	34.8526	36.6032	38.4308		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6007	AQUATICS SPECIALIST I	UNR5	H	H009	24.4953	24.4953	24.4953	24.4953	24.4953		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6009	AQUATICS SPECIALIST II	UNR5	H	H010	25.3241	26.0838	26.8664	27.6724	28.5026		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2013	ARCHITECT	CSU0	H	H005	61.5946	64.5387	67.6596	70.9087	74.2658		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2029	ASSISTANT AQUATICS COORD	MC03	H	H010	33.5500	34.9631	36.2963	37.5697	39.0126		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2031	ASSISTANT ARCHITECT	CSU0	H	H008	52.7925	55.2049	57.8433	60.6597	63.6423		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1011	ASSISTANT BLDG & SAFETY MGR	PEU2	H	H004	64.8054	68.2117	71.8013	75.5819	79.5605		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2035	ASSISTANT ENV HEALTH SPEC	CSU0	H	H009			43.3903	45.7135	47.5349		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5005	ASSISTANT MENTAL HEALTH CLIN	CSU0	H	H011	34.4403	35.6612	36.8033	38.0931	40.0132		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2039	ASSISTANT MGMT ANALYST	CSU0	H	H010	40.9288	42.7010	44.4334	46.2647	48.3129		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2043	ASSISTANT PLANNER	CSU0	H	H012	41.1843	42.9961	44.7293	46.6197	48.6379		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2045	ASSISTANT PUB WORKS ENG	PEU2	H	H007	53.5960	56.0253	58.6438	61.5646	64.5613		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2047	ASSISTANT RECREATION COORD	MC03	H	H011	33.5513	34.9674	36.2970	37.5696	39.0142		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2049	ASSISTANT TO THE MAYOR	UNR5	H	H019	44.9597	85.7600					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2051	ASSISTANT TRANSPORATION ENGINEER	PEU2	H	H008	54.2207	56.6775	59.3733	62.3246	65.3502		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2015	ASSOCIATE CIVIL ENGINEER	PEU2	H	H009	61.7064	64.7405	67.8218	71.0360	74.5619		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2019	ASSOCIATE MGMT ANALYST	CSU0	H	H006	51.0594	53.2882	55.6973	58.0878	60.6297		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2023	ASSOCIATE PLANNER	CSU0	H	H007	49.7307	51.9264	54.0331	56.4454	59.0350		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2025	ASSOCIATE TRANSPORATION ENGINEER	PEU2	H	H010	61.7064	64.7405	67.8218	71.0360	74.5619		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2027	ASSOCIATE UTILITY ENGINEER	PEU2	H	H011	61.7064	64.7405	67.8218	71.0360	74.5619		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2033	ASST CIVIL ENGINEER (REG)	PEU2	H	H005	56.0253	58.6438	61.5646	64.5613	67.7558		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2053	AUDITOR I	CSU0	H	H013	40.9546	42.7107	44.4394	46.2949	48.3401		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2055	AUDITOR II	CSU0	H	H014	51.0594	53.4683	55.7543	58.1539	60.6297		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2057	AUTOMATION LIBRARIAN	CSU0	H	H015	49.4943	51.7982	54.2397	56.8393	59.6257		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2059	BEHAVIORAL HEALTH CLINICIAN I	CSU0	H	H016	43.7813	45.6523	47.5257	49.4357	51.3906		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2061	BEHAVIORAL HEALTH CLINICIAN II	CSU0	H	H017	48.2590	50.1778	52.1595	54.2415	56.3686		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6011	BLDG MAINT MECHANIC TRAINEE	MC03	H	H013			35.8931	37.0186	38.2703		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1027	BUILDING & SAFETY MANAGER	PEU2	H	H012	76.6697	80.4979	84.5439	88.7598	91.5857		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3001	BUILDING INSPECTOR I (CERT)	CSU0	H	H018	48.6081	50.7152	53.0193	55.2538	57.6662		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3006	BUILDING INSPECTOR II (CERT)	CSU0	H	H020	52.1037	54.3384	56.8098	59.2122	61.8016		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5007	BUILDING MAINT MECHANIC	MC03	H	H012			44.8293	46.2937	47.8221		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5008	BUILDING MAINT SUPERVISOR	MC03	H	H014			49.7957	51.3666	53.1180		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2065	BUILDING PLANS ENGINEER	PEU2	H	H013	57.0902	60.0927	63.2564	66.5891	70.0909		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3009	BUILDING PLANS EXAMINER	CSU0	H	H021	52.1037	54.3384	56.8098	59.2122	61.8016		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2067	BUYER	CSU0	H	H022	43.7836	45.7334	47.5450	49.5340	51.6701		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5011	CAMP MAINTENANCE MECHANIC	UNR5	H	H023	39.2358	46.7618					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1029	CAMP MANAGER	PEU2	H	H014	37.8882	39.7840	41.7661	43.8609	46.0510		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6012	CAMP MEDICAL STAFF MEMBER	UNR5	D	D001	112.6340	128.7230					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6013	CAMP STAFF LEADER	UNR5	D	D002	112.6340	128.7230					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6014	CAMP STAFF MEMBER	UNR5	D	D003	89.3857	107.2673					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6015	CAMP STAFF SUPERVISOR	UNR5	D	D004	139.9796	173.7720					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4020	CASHIER ATTENDANT	UNR5	H	H025	24.4953	24.4953	24.4953	24.4953	24.4953		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley
Publicly Available Pay Schedule [NON-BENEFITED]
Revised 7/14/2025

Pay Basis Key
H = Hourly rate
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JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	PAY BASIS	PAY GRADE	1/BAND MIN	2/BAND MAX	3	4	5	6	EFFECTIVE DATE	RESOLUTION
9001	CENTRAL LIBRARY CIRC SUP	CSU0	H	H023	38.7625	40.4065	42.1496	43.9708	46.2548		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
9036	CERT CIVILIAN INSTRUCTOR NC	UNR5	H	H107	32.8191	34.5420	36.3555	38.2642	40.2731		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
8004	CERT INSTRUCTOR	UNR5	H	H026	38.5369						7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3011	CHIEF OF PARTY	PEU2	H	H015	49.2171	51.5530	54.0252	56.6788	59.3147		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1033	CIRCULATION SERVICES MANAGER	PEU2	H	H016	53.5324	56.0193	58.6814	61.4942	64.4902		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2069	CIVIC ARTS COORDINATOR	PEU2	H	H017	48.7667	51.0883	53.6043	56.2299	58.9357		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2071	CLINICAL PSYCHOLOGIST	CSU0	H	H024	53.3834	55.4606	57.6561	59.9113	62.3231		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3013	CODE ENFORCEMENT OFFICER I	CSU0	H	H026	38.4966	40.2886	42.1589	44.1286	46.1957		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3012	CODE ENFORCEMENT OFFICER II	CSU0	H	H025	46.7377	48.7559	50.9711	53.1175	55.4510		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1042	CODE ENFORCEMENT SUPERVISOR	PEU2	H	H018	51.7999	54.3336	56.9896	59.7403	62.5571		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2072	COMM DEV PROJ COORDINATOR	CSU0	H	H027	53.1665	55.7170	58.4640	61.3289	64.2826		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5015	COMM HEALTH WORKER SPEC	CSU0	H	H029	34.4403	35.6612	36.8033	38.0931	40.0132		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1045	COMMUNICATIONS MANAGER	PEU2	H	H019	55.7779	58.7070	61.7997	65.0563	68.4760		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5013	COMMUNIT HEALTH WORKR	CSU0	H	H028		31.7232	32.4414	33.2490	34.8934		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
7003	COMMUNITY SERVICE OFFICER	MC03	H	H015	34.2284	35.6517	37.1333	38.6835	40.3019		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7001	COMMUNITY SVC OFFICER SUP	MC03	H	H016	42.4393	44.1327	45.9023	47.9500	50.1022		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2075	COMMUNITY SVC SPECIALIST I	CSU0	H	H030	40.6502	42.3929	44.1086	45.9502	47.9804		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2077	COMMUNITY SVC SPECIALIST II	CSU0	H	H031	51.0594	53.2882	55.6973	58.0878	60.6297		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2079	COMMUNITY SVC SPECIALIST III	PEU2	H	H020	54.3899	56.9896	59.7970	62.7271	65.7616		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5017	CONCRETE FINISHER	MC03	H	H017			44.3164	45.6093	46.9020		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5018	CONSTRUCTION EQUIP OPERATOR	MC03	H	H018			41.5035	42.7844	44.1728		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6017	CONTAINER MAINT WELDER	MC03	H	H019			36.9415	38.0821	39.1810		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2080	CONTRACT ADMINISTRATOR	PEU2	H	H021	47.9629	50.7893	53.7889	56.9606	60.2326		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2083	CRIME ANALYST	PEU2	H	H022	48.9264	50.1893	52.6956	55.3336	58.0970		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1048	CRIME SCENE SUPERVISOR	PEU2	H	H023	48.7941	50.9589	53.5111	56.1764	58.9936		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1050	CUSTOMER SERVICE MANAGER	PEU2	H	H024	59.6835	62.6043	65.5536	68.7296	72.0283		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4022	CUSTOMER SERVICE SPECIALIST II	MC03	H	H020			35.4028	37.2672	39.2318		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4024	CUSTOMER SERVICE SPECIALIST III	MC03	H	H021			40.0496	41.8202	43.6611		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4026	CUSTOMER SERVICE SUPERVISOR	MC03	H	H022	40.4175	42.4173	44.4967	46.6959	48.6660		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2085	DATABASE ADMINISTRATOR	PEU2	H	H025	54.9402	57.8319	60.8761	64.0793	67.4550		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3019	DRAFTING TECHNICIAN	PEU2	H	H026	38.2355	40.0316	41.8369	43.8034	45.9488		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2091	ECONOMIC DEV PROJ COORD	PEU2	H	H027	59.6835	62.6043	65.5536	68.7391	72.0283		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2095	EMERGENCY MEDICAL SERVICES ADV	PEU2	H	H028	53.0163	54.9612	57.7060	60.5965	63.6231		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2097	EMERGENCY SERVICES COORD	CSU0	H	H033	51.0611	53.2980	55.6919	58.0852	60.6349		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2099	EMPLOYMENT PROGRAMS ADMIN	PEU2	H	H029	53.7525	56.3064	59.0876	61.9869	64.9684		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1098	ENERGY PROGRAM MANAGER	PEU2	H	H030	59.5135	62.4896	65.6142	68.8948	72.3410		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3021	ENGINEERING INSPECTOR	PEU2	H	H031	46.0270	48.1444	50.5529	52.8980	55.3976		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2158	ENIVRONMENTAL HEALTH SPECIALIST (REG)	CSU0	H	H064	49.6076	51.3364	53.3003	55.4001	57.4908		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2101	ENVIRONMENTAL COMPLIANCE SPEC	CSU0	H	H034	55.3005	57.2555	59.4098	61.7810	64.0796		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2103	ENVIRONMENTAL HEALTH SUPERVISOR	PEU2	H	H032	53.9703	56.0330	58.1765	60.4007	62.7131		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2105	EPIDEMIOLOGIST	CSU0	H	H035	44.3083	46.5218	48.8462	51.2881	53.8546		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5023	EQUIPMENT PARTS TECHNICIAN	MC03	H	H023	35.5205	37.5600	39.3507	40.2564			7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1100	EQUIPMENT SUPERINTENDENT	PEU2	H	H033	58.1426	60.9509	63.8774	66.9769	70.2580		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1104	FACILITIES MAINT SUPERINTENDENT	PEU2	H	H034	61.6023	64.5894	67.6896	71.0360	74.4296		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4030	FIELD REPRESENTATIVE	CSU0	H	H036			38.1914	39.7373	41.5291		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3023	FIRE & LIFE SAFETY PLANS EXAMINER	CSU0	H	H037	57.4202	59.9012	62.6183	65.2672	68.1615		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
7005	FIRE PREVENTION INSPECTOR (N-SWN)	CSU0	H	H038	46.7377	48.7559	50.9711	53.1175	55.4510		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5025	FORESTRY CLIMBER	MC03	H	H024			42.6521	43.9950	45.3714		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5027	FORESTRY CLIMBER SUP	MC03	H	H025			49.6191	51.0820	52.5612		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6019	FORESTRY CLIMBER TRAINEE	MC03	H	H026			32.9133	34.2962	35.6894		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5029	FORESTRY TECHNICIAN	MC03	H	H027			49.6191	51.0820	52.5612		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1108	GENERAL SERVICES MANAGER	PEU2	H	H035	60.9689	64.0127	67.2645	70.6580	74.2594		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6021	GROUNDSKEEPER	MC03	H	H028			33.3604	34.2385	35.2388		7/6/2025	Change was made by 4.0% COLA + 1.0% Equity. Resolution No. 71,408-N.S.
6023	HARBORMASTER	PEU2	H	H036	0.0000	0.0000	48.3251	50.1749	52.2451		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1110	HAZARDOUS MAT MANAGER	PEU2	H	H037	65.0775	68.2674	71.4851	74.9660	78.5287		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2107	HAZARDOUS MAT SPECIALIST I	CSU0	H	H039	48.6966	50.4002	52.3007	54.3778	56.4353		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2109	HAZARDOUS MAT SPECIALIST II	CSU0	H	H040	55.3032	57.2526	59.4086	61.7817	64.0855		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2111	HEALTH EDUCATOR	CSU0	H	H041	48.1731	50.0388	51.9820	54.0114	56.1530		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.

City of Berkeley
Publicly Available Pay Schedule [NON-BENEFITED]
Revised 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	PAY BASIS	PAY GRADE	1/BAND MIN	2/BAND MAX	3	4	5	6	EFFECTIVE DATE	RESOLUTION
1112	HEALTH NUTRITION PROG COORD	PEU2	H	H038	48.2553	50.1552	52.1121	54.1158	56.2899		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2113	HEALTH PLNG, EDUCAT & PROMO SUP	PEU2	H	H039	49.8842	51.8220	54.0063	56.2322	58.5652		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1118	HEALTH SERVICES SUPERVISOR	PEU2	H	H041	60.0522	62.3774	64.9583	67.6992	70.4499		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2115	HEALTH SVC PROG SPEC	PEU2	H	H040	45.9774	47.7640	49.6165	51.5540	53.5960		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2117	HEARING EXAMINER	PEU2	H	H042	58.1900	61.9611	65.2320	68.1340	72.3026		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1120	HOME ENERGY ADMINISTRATOR	PEU2	H	H043	50.5584	52.7788	55.1468	57.5150	60.0392		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2119	HOMELESS SERVICES COORD	PEU2	H	H044	53.9782	56.5654	59.3432	62.2594	65.2675		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3024	HOUSING INSPECTOR	CSU0	H	H042	46.7377	48.7559	50.9711	53.1175	55.4510		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3026	HOUSING INSPECTOR (CERT)	CSU0	H	H043	48.6081	50.7152	53.0193	55.2538	57.6662		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1122	HOUSING INSPECTOR SUPERVISOR	PEU2	H	H045	51.7999	54.3336	56.9896	59.7403	62.5571		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2121	INFO SYSTEM SPECIALIST	CSU0	H	H044	46.4490	48.4579	50.6209	52.8207	55.1285		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3029	INFO SYSTEM SUPPORT TECH	CSU0	H	H045	38.5557	40.0034	41.4894	43.0453	44.6503		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
9002	INTERN	UNR5	H	H067		24.4953	24.4953	25.7376	27.5393		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6025	JANITOR	MC03	H	H029			30.6153	31.3811	32.2668		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6027	JANITOR SUPERVISOR	MC03	H	H030			35.6894	36.9431	38.0274		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2123	JR PUBLIC WORKS ENGINEER	PEU2	H	H046	45.1357	47.2154	49.4747	51.8473	54.3712		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6029	LABORER	MC03	H	H031			34.0752	35.0439	36.1676		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9033	LACTATION COUNSELOR	UNR5	H	H106	45.3473	47.6147	49.9955	52.4951	55.1200		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1130	LAND USE PLANNING MANAGER	PEU2	H	H047	76.6792	80.4979	84.5342	88.7500	91.5857		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2125	LANDSCAPE ARCHITECT	CSU0	H	H046	59.4063	62.1189	65.0877	68.2750	71.6326		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5031	LANDSCAPE EQUIPMENT OPERATOR	MC03	H	H032			41.8423	43.1152	44.3795		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6031	LANDSCAPE GARDENER	MC03	H	H033			38.2765	39.3411	40.6443		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6033	LANDSCAPE GARDENER SUPERVISOR	MC03	H	H034			48.4259	50.0568	51.4795		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6035	LANDSCAPE GARDENER TRAINEE	MC03	H	H035			32.2668	33.1717	34.0974		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2132	LIBRARIAN I	CSU0	H	H048	40.0230	41.9229	44.0395	45.9992	47.9880		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2134	LIBRARIAN II	CSU0	H	H049	44.0395	45.9992	47.9880	50.2230	52.3790		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4038	LIBRARY AIDE	CSU0	H	H050	24.4953	25.1854	26.2681	27.3909	28.1392		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4040	LIBRARY ASSISTANT	CSU0	H	H051	29.1926	30.4626	31.7917	33.1404	34.6964		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1132	LIBRARY INFO SYS ADMINISTRATOR	PEU2	H	H048	56.0262	61.6578	64.7650	68.0295	71.5249		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2136	LIBRARY LIT PROGRAM COORD	CSU0	H	H052	42.1789	44.0596	45.9795	48.0763	50.1737		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2137	LIBRARY LITERACY INSTRUCTOR	UNR5	H	H072	39.9657	41.9608	44.0622	46.2566	48.5706		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2138	LIBRARY PAGE	CSU0	H	H055	24.4953						7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1134	LIBRARY SERVICES MANAGER	PEU2	H	H049	56.4319	59.1259	62.0085	64.8259	68.0020		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2130	LIBRARY SPECIAL SERVICES COORD	CSU0	H	H047	47.4172	49.6813	52.0841	54.5160	57.1247		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4042	LIBRARY SPECIALIST I	CSU0	H	H053	32.9536	34.3616	35.8483	37.3644	39.3241		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4044	LIBRARY SPECIALIST II	CSU0	H	H054	34.6964	36.5570	38.1129	39.6881	41.6774		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4046	MAIL SERVICES AIDE	MC03	H	H036			32.3148	33.4554	34.7095		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1136	MANAGER FAM HEALTH & NURSING SVCS	PEU2	H	H057	68.5073	71.9349	75.5262	79.3043	83.2696		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1151	MANAGER OF AGING SERVICES	PEU2	H	H050	63.8655	66.5702	69.9009	73.3962	77.0649		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1153	MANAGER OF ECONOMIC DEVEL	PEU2	H	H051	68.8053	72.2651	75.8755	79.6190	83.6740		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1155	MANAGER OF ENGINEERING	PEU2	H	H052	78.2674	82.7854	87.5686	92.6446	98.0139		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1145	MANAGER OF ENVIRONMENT HEALTH	PEU2	H	H053	63.8709	66.9712	70.1476	73.5599	77.0669		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1147	MANAGER OF HOUSING & COMM SVCS	PEU2	H	H054	66.7361	70.0909	73.5924	77.2261	81.1609		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1149	MANAGER OF MENTAL HEALTH SERVICES	PEU2	H	H055	71.8773	75.2992	78.9573	82.8327	86.8596		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1143	MANAGER OF PUBLIC HEALTH SERVICES	PEU2	H	H056	67.2029	70.7443	74.4718	78.3914	82.5231		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7006	MARINA ASSISTANT	MC03	H	H037			35.7861	36.7928	37.9381		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6037	MEALSITE COORDINATOR	CSU0	H	H056			30.5808	31.2994	32.0474		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5035	MECHANIC	MC03	H	H039			47.0157	48.4374	49.8419		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5037	MECHANIC LEAD	MC03	H	H040			50.2965	51.8175	53.3462		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5039	MECHANIC SUPERVISOR	MC03	H	H041			53.8093	55.3955	57.0896		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6039	MECHANICAL SWEEPER OPERATOR	MC03	H	H038			41.0408	42.2720	43.4292		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9029	MEDICAL DIRECTOR	UNR5	H	H105	100.6691	114.3576					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1139	MENTAL HEALTH CLINIC SUPERVISOR	PEU2	H	H058	51.6292	54.3484	57.2123	60.2212	63.3912		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9041	MENTAL HEALTH NURSE	CSU0	H	H086	70.7125	74.2480	77.9605	81.8584	85.9547		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1141	MENTAL HEALTH PROGRAM SUPERVISOR	PEU2	H	H059	56.5700	59.1604	61.9597	64.7500	67.6860		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6041	MINI BUS DRIVER	CSU0	H	H058			30.9156	32.1164	33.4360		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2142	NUTRITIONIST	CSU0	H	H059	42.8584	44.5516	46.2355	47.9880	49.9571		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
4048	OFFICE SPECIALIST I	MC03	H	H042			29.4115	30.7244	32.0777		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.

City of Berkeley
Publicly Available Pay Schedule [NON-BENEFITED]
Revised 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	PAY BASIS	PAY GRADE	1/BAND MIN	2/BAND MAX	3	4	5	6	EFFECTIVE DATE	RESOLUTION
4052	OFFICE SPECIALIST II	MC03	H	H043			33.8489	35.3611	36.9330		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4056	OFFICE SPECIALIST III	MC03	H	H044			39.3210	41.0919	42.9329		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
4060	OFFICE SPECIALIST SUPERVISOR	MC03	H	H045	39.6889	41.6993	43.7687	45.9625	47.9436		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1157	PARKING ENFORCEMENT MANAGER	PEU2	H	H060	49.0591	51.2907	53.9922	56.8330	59.8283		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7009	PARKING ENFORCEMENT OFFICER	MC03	H	H046			36.4718	37.5129	38.5893		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7011	PARKING ENFORCEMENT SUPERVISOR	MC03	H	H047		39.8213	41.8083	43.9082	46.0952		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6043	PARKING METER COLLECT SUPERVISOR	MC03	H	H048	42.2066	44.3159	46.5345	47.9772	49.5093		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6045	PARKING METER MAINT WORKER	MC03	H	H051			33.4012	34.3263	35.4308		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5043	PARKING METER MECHANIC	MC03	H	H050			37.6394	38.8234	40.0774		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5041	PARKING METER MECHANIC TRAINEE	MC03	H	H049			33.4012	34.3263	35.4308		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1159	PARKING SERVICES MANAGER	PEU2	H	H061	56.3373	59.0974	61.9331	64.8634	68.0020		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1161	PARKS SUPERINTENDENT	PEU2	H	H062	61.6023	64.5894	67.6896	71.0360	74.4296		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1163	PERMIT CENTER COORDINATOR	PEU2	H	H063	61.1938	64.2107	67.2865	70.5531	73.8932		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3033	PERMIT SPECIALIST	CSU0	H	H060	36.5273	38.2702	39.9833	41.8543	43.8132		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1165	PH PROG PHYSICIAN/DEP HEALTH OFFICER	PEU2	H	H065	91.9716	96.5979	101.3696	106.4235	111.7223		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2148	PHYSICIAN	UNR5	H	H080	113.2046						7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3035	PLANNING TECHNICIAN	CSU0	H	H061	36.7568	38.6927	40.7282	42.8670	45.1200		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6046	PLAYGROUND LEADER TRAINEE	UNR5	H	H081				24.4953	24.4953		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7013	POLICE AIDE	UNR5	H	H084	24.4953	24.4953	24.4953	28.3981	32.6836		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1171	PRINCIPAL PLANNER	PEU2	H	H064		65.3317	68.3224	71.3122	74.5207		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2154	PUBLIC HEALTH NURSE	CSU0	H	H063	68.9140	71.3830	74.2571	77.3577	80.3894		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1175	PUBLIC SAFETY BUS MANAGER	PEU2	H	H066	62.3300	65.3077	68.5406	71.9151	75.3558		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7017	PUBLIC SAFETY DISPATCHER I	MC03	H	H052			34.9432	36.6548	38.1871		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7019	PUBLIC SAFETY DISPATCHER II	MC03	H	H053			48.4760	50.4947	52.6088		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1179	PUBLIC WORKS OPS MANAGER	PEU2	H	H068	65.8433	69.3118	72.9597	76.7995	80.8387		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1177	PUBLIC WORKS SUPERINTENDENT	PEU2	H	H067	57.9785	60.7963	63.6503	66.7766	69.9763		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5045	PUBLIC WORKS SUPERVISOR	MC03	H	H054			49.0240	50.6602	52.4287		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1181	REAL PROPERTY ADMINISTRATOR	PEU2	H	H069	61.6023	64.5894	67.6896	71.0360	74.4296		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1189	REC YOUTH SERVICES MANAGER	PEU2	H	H072	63.5686	66.3475	69.6654	73.1440	76.8116		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
4066	RECORDS ASSISTANT	MC03	H	H056		35.5205	37.5600	39.3507	40.2564		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1183	RECORDS MANAGER	PEU2	H	H070	52.5750	55.0706	57.8120	60.6570	63.5495		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6048	RECREATION ACTIVITY LEADER (R2)	CSPT	H	H001			28.1289	30.8462	34.3936		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1185	RECREATION COORDINATOR	MC03	H	H055	39.7589	41.3011	42.8431	44.5547	46.1564		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1187	RECREATION PROGRAM SUPERVISOR	PEU2	H	H071	44.1468	46.3558	48.6724	51.1127	53.6684		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2156	RECYCLING PROGRAM MANAGER	PEU2	H	H073	56.0442	58.7762	61.5364	64.5613	67.6614		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2160	REGISTERED NURSE	CSU0	H	H065		66.7522	69.0576	71.4168	73.9867		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6050	REGISTERED VET TECHNICIAN	MC03	H	H057			33.4158	35.1799	37.0326		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7020	RESERVE POLICE OFFICER	UNR5	H	H086	24.4953	38.6435					7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9003	RETIRED ANNUITANT	UNR5	H	H088	22.8300	148.4554					7/1/2025	Living Wage Increase to $22.83 Ordinance No. 7,640-N.S.
1194	REVENUE COLLECTION MANAGER	PEU2	H	H074	59.6835	62.6043	65.5536	68.7296	72.0283		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2162	REVENUE DEVELOPMENT SPECIALIST I	CSU0	H	H066	40.9534	42.7155	44.4394	46.3071	48.3413		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2164	REVENUE DEVELOPMENT SPECIALIST II	CSU0	H	H067	51.0611	53.2980	55.6919	58.0852	60.6349		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1196	REVENUE DEVELOPMENT SUPERVISOR	PEU2	H	H075	52.7224	55.2255	57.9489	60.7753	63.7262		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5047	ROSARIAN	MC03	H	H058			39.8781	41.1218	42.3857		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
7022	SCHOOL CROSSING GUARD	UNR5	H	H089	29.4079						7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2166	SENIOR ACCOUNTANT	PEU2	H	H076	52.7925	55.3352	58.0483	60.9029	63.8144		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
9005	SENIOR ANIMAL CONTROL OFFICER	MC03	H	H065			41.2115	42.4453	43.6690		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6052	SENIOR AQUATICS SPECIALIST	UNR5	H	H091				30.5401	32.4839		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2168	SENIOR AUDITOR	PEU2	H	H077	52.7170	55.2220	57.9441	60.7797	63.7198		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2170	SENIOR BEHAVIORAL HEALTH CLINICIAN	CSU0	H	H068	52.6759	54.8028	56.8393	59.0927	61.4914		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2172	SENIOR BLDG PLANS ENGINEER	PEU2	H	H079	69.7409	73.2475	76.8965	80.7436	84.2319		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3039	SENIOR BLDG PLANS EXAMINER	CSU0	H	H070	57.4202	59.9012	62.6183	65.2672	68.1615		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
3037	SENIOR BUILDING INSPECTOR	CSU0	H	H069	57.4202	59.9012	62.6183	65.2672	68.1615		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2174	SENIOR BUYER	PEU2	H	H080	44.2664	46.3650	48.5011	50.8551	53.1896		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1201	SENIOR CITIZEN CENTER DIRECTOR	PEU2	H	H081	44.0906	46.0446	47.9445	49.8624	52.4164		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1203	SENIOR ELECTRICAL SUPERVISOR	PEU2	H	H084			61.4327	64.2140	67.3770		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3041	SENIOR ENGINEERING TECH	PEU2	H	H083	41.9459	43.8817	47.4558	48.0353	50.3802		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1205	SENIOR EQUIPMENT SUPERVISOR	PEU2	H	H085	50.2027	52.5939	55.2029	57.8874	60.6949		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	PAY BASIS	PAY GRADE	1/BAND MIN	2/BAND MAX	3	4	5	6	EFFECTIVE DATE	RESOLUTION
4070	SENIOR FIELD REPRESENTATIVE	CSU0	H	H073			41.3224	43.1440	44.9061		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5051	SENIOR FORESTRY CLIMBER	MC03	H	H067			44.7846	46.1892	47.6353		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1207	SENIOR FORESTRY SUPERVISOR	PEU2	H	H086	53.4706	55.9971	58.7603	61.4871	64.3865		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6054	SENIOR GROUNDSKEEPER	MC03	H	H068			36.0875	37.1223	38.3561		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2180	SENIOR HEARING EXAMINER	PEU2	H	H088	66.2832	70.6229	74.3016	77.6298	82.3962		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6056	SENIOR LANDSCAPE GARDENER	MC03	H	H069			40.8234	42.0371	43.3905		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2190	SENIOR LIBRARIAN	CSU0	H	H076	46.0485	48.0372	50.1542	52.4581	54.7322		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
7028	SENIOR MARINA ASSISTANT	MC03	H	H070			36.4354	37.4603	38.6843		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2192	SENIOR MGMT ANALYST	PEU2	H	H090	54.3899	56.9896	59.7970	62.7271	65.7616		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3043	SENIOR PERMIT SPECIALIST	CSU0	H	H077	39.5049	41.4955	43.5598	45.7478	48.6685		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2196	SENIOR PLANNER	CSU0	H	H078	57.1838	59.7433	62.4710	65.2180	68.1324		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2198	SENIOR PUBLIC HEALTH NURSE	CSU0	H	H079	71.5679	74.3118	77.1404	80.4179	83.5083		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1211	SENIOR PUBLIC WORKS SUPERVISOR	PEU2	H	H091	48.0756	50.3535	52.8302	55.2880	57.8968		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6058	SENIOR SERVICE AIDE	CSU0	H	H080			27.7258	28.7393	29.8819		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6060	SENIOR SERVICE ASSISTANT	CSU0	H	H081			35.4056	36.3309	37.2072		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1215	SENIOR SYSTEMS ANALYST	PEU2	H	H093	59.2017	62.1506	65.2983	68.5974	72.1137		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1217	SENIORS NUTRITION PROG SUPERVISOR	PEU2	H	H094	45.8355	48.0283	50.2595	52.6602	55.3165		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5053	SERVICE TECHNICIAN	MC03	H	H059			39.4704	40.6770	41.8838		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5055	SEWER MAINT ASSISTANT SUPERVISOR	MC03	H	H060			46.0984	47.6190	49.1811		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6062	SKILLED LABORER	MC03	H	H061			36.7101	37.8341	39.0238		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2200	SOCIAL SERVICES SPECIALIST	CSU0	H	H082	40.9534	42.7154	44.4393	46.3070	48.3411		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6064	SOLID WASTE LOADER OPERATOR	MC03	H	H062	34.3978	36.9299	38.7790	40.7204	42.7459		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6066	SOLID WASTE SUPERVISOR	PEU2	H	H096			47.4174	49.2077	51.2438		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6068	SOLID WASTE TRUCK DRIVER	MC03	H	H063			41.9826	43.6934	44.8837		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6070	SOLID WASTE WORKER	MC03	H	H064			36.6716	38.3368	39.4524		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1218	SOLID WASTER RECYCLING MANAGER	PEU2	H	H095	71.8773	75.2992	78.9573	82.8327	86.8596		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6071	SPORTS FIELD MONITOR (R2)	CSPT	H	H002	24.4953	25.2302	25.9871				7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
6073	SPORTS OFFICIAL (R2)	CSPT	H	H003	24.4953	27.9280	31.9536	35.9287	39.9289		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1199	SR BLDG MAINTENANCE SUPERVISOR	PEU2	H	H078	48.0756	50.3535	52.8302	55.2880	57.8968		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2176	SR COMMUNITY DEVEL PROJ COORD	PEU2	H	H082	59.6835	62.6043	65.5536	68.7391	72.0283		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5049	SR COMMUNITY HEALTH SPECIALIST	CSU0	H	H071	36.1734	37.4433	38.6445	39.9538	41.9920		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
7026	SR CRIME SCENE TECHNICIAN	MC03	H	H066			47.3903	49.2312	51.1414		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
2178	SR ENVIRONMENTAL HEALTH SPECIALIST	CSU0	H	H072	52.0967	53.9247	55.9431	58.1787	60.3691		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2182	SR HEALTH MANAGEMENT ANALYST	CSU0	H	H074	52.6648	55.1948	57.8927	60.7576	63.6720		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2184	SR HEALTH SVCS PROG SPECIALIST	PEU2	H	H087	52.4429	54.4279	56.5453	58.9179	61.1769		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2188	SR INFO SYSTEMS SPECIALIST	CSU0	H	H075	51.2097	53.4902	55.8979	58.4230	61.0299		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
1209	SR LANDSCAPE GARDENER SUPERVISOR	PEU2	H	H089	53.4706	55.9971	58.7603	61.4871	64.3865		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1213	SR SOLID WASTE SUPERVISOR	PEU2	H	H092	48.5294	50.8263	53.3312	55.8082	58.4353		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1221	SUPERVISING BUILDING INSPECTOR	PEU2	H	H097	60.4682	63.4645	66.8864	69.7219	73.0781		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1223	SUPERVISING CIVIL ENGINEER	PEU2	H	H098	69.9396	73.3140	76.8589	80.5739	84.4492		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1225	SUPERVISING HEARING EXAMINER	PEU2	H	H099	71.6895	75.3584	79.1756	83.1654	87.3699		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2208	SUPERVISING LIBRARIAN	CSU0	H	H083	52.4676	54.8996	57.4889	60.2461	63.2093		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5003	SUPERVISING LIBRARIAN ASSISTANT	CSU0	H	H084	35.5825	37.0593	38.6736	40.3379	43.7906		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
2212	SUPERVISING PUBLIC HEALTH NURSE	PEU2	H	H100	65.9770	68.6038	71.4398	74.3844	77.4655		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
7024	SUPERVISING PUBLIC SAFETY DISPATCHER	MC03	H	H071			55.6033	57.9091	60.3388		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1227	SUPERVISING SYSTEMS ANALYST	PEU2	H	H101	70.6580	74.1268	77.6716	81.5001	85.4043		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1229	SUPERVISING TRANSPORTATION ENGINEER	PEU2	H	H102	70.4687	74.0609	77.8418	81.8117	86.0373		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
3045	SURVEY TECHNICIAN	PEU2	H	H103	40.1916	42.0638	43.9909	46.0632	48.3169		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2214	SYSTEMS ACCOUNTANT	PEU2	H	H104	60.0895	63.0829	66.2780	69.6262	73.1954		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6077	TOOL LENDING SPECIALIST	MC03	H	H072			37.6595	39.4761	41.3325		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6079	TRACTOR TRAILER DRIVER	MC03	H	H073	38.7790	40.7204	42.7459	44.8944	47.1312		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
3047	TRAFFIC ENGINEERING ASSISTANT	PEU2	H	H105			40.8822	42.8765	44.8336		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
5057	TRAFFIC MAINTENANCE SUPERVISOR	MC03	H	H074			46.5345	47.9673	49.5093		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6081	TRAFFIC MAINTENANCE WORKER I	MC03	H	H075			34.5455	35.5302	36.6845		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6083	TRAFFIC MAINTENANCE WORKER II	MC03	H	H076		36.6845	37.7990	38.9829	40.1072		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1231	TRANSPORTATION MANAGER	PEU2	H	H106	76.0921	79.8927	83.8907	88.0788	92.4892		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1232	TRANSPORTATION SERVICES COORD	PEU2	H	H107	42.8074	44.9534	47.1982	49.5613	52.0364		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1234	TREASURY MANAGER	PEU2	H	H108	63.9798	67.1698	70.5321	74.0540	77.7611		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.

City of Berkeley
Publicly Available Pay Schedule [NON-BENEFITED]
Revised 7/14/2025

Pay Basis Key
H = Hourly rate
D = Daily rate

JOB CLASS	CLASSIFICATION TITLE	GROUP/BU	PAY BASIS	PAY GRADE	1/BAND MIN	2/BAND MAX	3	4	5	6	EFFECTIVE DATE	RESOLUTION
4001	VECTOR CONTROL TECHNICIAN	CSU0	H	H085			36.3593	37.6174	38.7787		7/6/2025	Change was made by 4.0% Resolution No. 71,583-N.S.
5059	WAREHOUSE OPS SPECIALIST	MC03	H	H080		40.8035	42.8333	44.8630	46.8729		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
1236	WATERFRONT MANAGER	PEU2	H	H109	61.6023	64.5894	67.6896	71.0360	74.4296		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
1238	WATERFRONT SUPERVISOR	PEU2	H	H110	52.3123	55.0718	57.9707	61.0229	64.2354		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
2218	WATERSHED RESOURCES SPECIALIST	PEU2	H	H111	44.0888	46.4315	48.6066	51.0304	53.5861		7/6/2025	Change was made by 4.0% Resolution No. 71,586-N.S.
6087	WEIGHMASTER	MC03	H	H077		36.1472	38.2264	40.0475	40.9627		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6089	WEIGHMASTER TRAINEE	MC03	H	H078			35.2817	36.8838	37.9579		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
5061	WELDER MECHANIC	MC03	H	H079			47.6275	49.0736	50.5197		7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
6091	YARDMASTER	MC03	H	H081			40.8035	42.8333	44.8630	46.8729	7/6/2025	Change was made by 4.0000% Resolution No. 71,408-N.S.
9006	YOUTH ENROLLEE	UNR5	H	H103					19.1800		7/1/2025	Minimum Wage Ordinance No. 7,505-N.S. - Updated processed on 07/06/25

California Public Employees' Retirement System
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Payroll

Circular Letter

January 8, 2020
Circular Letter: 200-003-20
Distribution: IV, VI, X, XII, XVI

To: **All CalPERS Contracted Agencies (Public Agency, Schools, and State)**
Subject: **Statutory and Regulatory Requirements for Publicly Available Pay Schedules**

Purpose

The purpose of this Circular Letter is to inform all CalPERS Contracted Agencies of the requirements for providing CalPERS with a Publicly Available Pay Schedule in compliance with the Public Employees' Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR).

Purpose of Publicly Available Pay Schedules

Under the PERL and PEPRA, compensation earnable and pensionable compensation are determined in accordance with amounts identified on publicly available pay schedules.

Compensation Earnable

Under Government (Gov.) Code sections 20636 and 20636.1, compensation earnable means the pay rate and special compensation of the member, as further defined by those statutes.

Pay rate for contracting agency and school members is deemed the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules. Pay rate for contracting agency and school members who are not in a group or class is deemed the monthly rate of pay or base pay of the member, paid in cash and pursuant to publicly available pay schedules, for services rendered on a full-time basis during normal working hours, subject to specified limitations.

Pay rate for state members is deemed the average monthly remuneration paid in cash out of funds paid by the employer to similarly situated members of the same group or class of employment, in payment for the member's services or for time during which the member is excused from work, as further specified by subdivision (g) of Gov. Code 20636, pursuant to publicly available pay schedules.

Pensionable Compensation

Pursuant to Gov. Code section 7522.34, pensionable compensation of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules, subject to specified limitations.

Requirements of Publicly Available Pay Schedules

Subdivision (a) of CCR section 570.5 defines the requirements for a publicly available pay schedule used to determine pay rates.

Pay rates shall be limited to the amount listed on a pay schedule that must meet all the following eight (8) requirements:

1. Be duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws
2. Identify the position title for every employee position
3. Show the pay rate as a single amount or multiple amounts within a range for each identified position
4. Indicate the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually
5. Be posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's website
6. Indicate an effective date and date of any revisions
7. Is retained by the employer and available for public inspection for not less than five years
8. Does not reference another document in lieu of disclosing the pay rate

Here is an example of a compliant pay schedule, to the extent it has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meeting laws, it is posted on the employer's website, and it is retained by the employer and available for public inspection for not less than five years:

City of CalPERS Salary Schedule for Fiscal Year 17-18 Effective as of 07/01/2017						
Classification	**Rate Type**	**Step 1**	**Step 2**	**Step 3**	**Step 4**	**Step 5**
City Manager	Monthly	$10,500	$11,000	$11,500	$12,000	$12,500
City Counsel	Monthly	$10,000	$10,500	$11,000	$11,500	$12,000
City Clerk	Monthly	$5,500	$6,000	$6,500	$7,000	$7,500
Call Center Representative	Monthly	$5,000	$5,500	$6,000	$6,500	$7,000
Analyst	Monthly	$5,000	$5,500	$6,000	$6,500	$7,000
Assistant	Monthly	$4,500	$5,000	$5,500	$6,000	$6,500
Revised as of 09/01/2017 and adopted by the Board as of 09/15/2017						

Special Compensation

Pursuant to CCR section 571 for classic members, and CCR section 571.1 for new members under PEPRA, special compensation items are defined under an exclusive list. Each special compensation item shall be reported separately from pay rate, in accordance with the criteria described in those regulations. Therefore, a publicly available pay schedule in which the special compensation items are reflected in the pay rates does not comply with CCR section 570.5.

Absence of Publicly Available Pay Schedule

If an employer fails to meet the requirements of subdivision (a) of CCR section 570.5, under subdivision (b), the board may determine in its sole discretion an amount that will be considered as pay rate, taking into consideration all information it deems relevant including, but not limited to, the following:

- Documents approved by the employer's governing body in accordance with requirements of public meeting laws and maintained by the employer
- Last pay rate listed on a pay schedule that conforms to the requirements of subdivision (a) with the same employer for the position at issue
- Last pay rate for the member that is listed on a pay schedule that conforms with the requirements of subdivision (a) with the same employer for a different position
- Last pay rate for the member in a position that was held by the member and that is listed on a pay schedule that conforms to the requirements of subdivision (a) of a former CalPERS employer.

Importance of Publicly Available Pay Schedule

Publicly available pay schedules are required by CalPERS and are a critical component to verify all members' pay rates when calculating members' retirement benefits. Maintaining a compliant publicly available pay schedule will support transparency and expedite CalPERS' review process.

Failure to provide CalPERS with a compliant publicly available pay schedule may result in a retirement benefit being delayed.

Questions

It is the employer's responsibility to comply with all terms and conditions set forth in the employer's contract with CalPERS and to ensure all reportable information is compliant with the PERL, PEPRA, and the CCR.

If you have any questions or concerns, contact the CalPERS Customer Contact Center at **888 CalPERS** (or **888**-225-7377), or email MOU_Review@calpers.ca.gov.

Renee Ostrander, Chief
Employer Account Management Division

11

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Kevin C. Fong, Director of Information Technology

Subject: Contract: Infobond Inc. Leveraging the Omnia Partners Cooperative Contract for Information Technology Security Products, Licenses, and Support

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract with Infobond, Inc. ("Infobond") for the purchase of information technology security products, licenses, support and services utilizing the Omnia Partners contract #01-154 for a total not to exceed value of $1,000,000 commencing on July 1, 2025 through June 30, 2027.

FISCAL IMPACTS OF RECOMMENDATION

Funding in the amount of $1,000,000 is available in the Department of Information Technology's ("IT") FY 2026 and FY2027 IT Cost Allocation Fund (680) as outlined below. Spending for this contract in future fiscal years is subject to Council approval of the proposed citywide budget and annual appropriation ordinances.

FY26: Fund 680, Information Technology Cost Allocation	$500,000
FY27: Fund 680, Information Technology Cost Allocation	$500,000
Total FY 2026-2027	**$1,000,000**

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley ("City") currently uses a variety of security products to help maintain a safe and secure network. This is essential for staff to work efficiently and for the City to continue delivering reliable services to the public.

The City partners with Infobond, Inc., a trusted reseller of security-related products and services. In addition to supplying key technologies, Infobond also provides specialized expertise and resources that extend beyond the capabilities of current City staffing levels. This added support helps ensure that the City can respond effectively to evolving cybersecurity needs.

To continue keeping the City's network secure and accessible, additional funding is being requested for the next two fiscal years. This partnership with Infobond supports the City's Strategic Plan goal by helping to maintain a resilient, safe, connected and prepared City.

BACKGROUND

The City has experienced frequent malware and ransomware attacks in recent years, each requiring significant time and effort to recover. While staff were prepared to respond, these incidents still resulted in productivity losses and strained IT resources. It became clear that more advanced security tools were needed -- not just to prevent future attacks, but also to improve visibility into activity across the City's network.

To strengthen the City's cybersecurity posture, IT implemented a comprehensive suite of firewall, VPN, logging, and antivirus tools. Within weeks, the new systems successfully blocked ransomware attempts and helped identify the sources of the attack. This allowed IT to respond quickly, take corrective action, and enhance employee training to reduce future risk.

Since then, the City has continued to expand its security capabilities, including added protections for sensitive systems such as police and emergency services, as well as safeguards for remote access and public-facing websites. These tools have become a critical part of the City's overall security infrastructure.

However, as the City's cybersecurity systems have grown, so have the ongoing needs for support, maintenance, and updates. Maintaining a secure and resilient environment requires specialized expertise and consistent upkeep.

This is where Infobond plays a vital role. In addition to providing the necessary technology, Infobond offers the technical knowledge and support that go beyond what City IT staff can provide alone. Their services help ensure the City's security tools remain up to date, fully supported, and capable of defending against evolving cyber threats.

Omnia Partners is one of the largest cooperative purchasing organizations in the United States. They leverage the collective buying power of their vast network of members to negotiate favorable contracts with a wide range of suppliers for various products and services, allowing government agencies to access better pricing and streamlined procurement processes, saving time and money.

Infobond is listed as an authorized reseller partner on at least one Omnia Partners contract. Specifically, Infobond appears on the "Omnia Partners Contract 01-154 Authorized Reseller Partners" list, as well as the "NCPA An Omnia Partners Company 01-154 Authorized Reseller Partners" list. This indicates that Infobond can provide products and services under this specific cooperative contract.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
IT actively works to incorporate eco-friendly practices into its technology infrastructure and prioritizes the procurement of energy-efficient hardware that aligns with both its operational needs and City climate goals.

The security equipment in use – such as firewalls, VPNs, and web application firewalls – has been selected not only for its effectiveness in protecting sensitive City systems, but also for its energy efficiency, durability, and long-life cycle. These features help reduce the frequency of hardware replacements, lower power consumption, and minimize the City's overall environmental footprint. Additionally, compatibility with cloud services and virtualization allows for reduced reliance on physical equipment, further supporting sustainability efforts.

RATIONALE FOR RECOMMENDATION
Through the utilization of the competitively bid Infobond cooperative agreement, the City is able to procure technology products and services at highly competitive rates, benefiting from volume-based pricing and a streamlined procurement process. This contract facilitates efficient purchasing while ensuring access to high-quality, enterprise-grade security solutions at a cost-effective price.

As part of this initiative, the City acquires hardware equipped with automated update capabilities, which significantly reduces the manual effort traditionally required to maintain cybersecurity infrastructure. These updates are designed to be non-disruptive, thereby minimizing service interruptions and alleviating the operational burden on IT staff.

The financial efficiencies realized through the Infobond agreement – coupled with productivity gains from automation – enable the City to sustain a robust cybersecurity posture without incurring additional costs associated with system downtime. This approach represents a fiscally responsible and operationally sound long-term investment in the City's technology infrastructure.

ALTERNATIVE ACTIONS CONSIDERED
While City staff considered procuring and deploying these systems internally, City staff do not have the capacity or required specialized expertise to properly support these systems. To bridge this gap, the City partners with Infobond, a vendor that offers both advanced security products and access to highly qualified technical experts. Infobond also provides competitive pricing through cooperative agreements, making this partnership both cost-effective and operationally sound.
CONTACT PERSON
Kevin C. Fong, Director of Information Technology, (510) 981-6541

Attachments:

1: Resolution

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

CONTRACT: INFOBOND INC. LEVERAGING THE OMNIA PARTNERS COOPERATIVE CONTRACT FOR INFORMATION TECHNOLOGY SECURITY PRODUCTS, LICENSES, AND SUPPORT

WHEREAS, the City of Berkeley continues to face increasingly complex and evolving cybersecurity threats that require proactive and adaptive defense strategies; and

WHEREAS, it is critical to maintain a robust, enterprise-grade security infrastructure to protect City systems and data – including both internal operations and public-facing services such as City web applications, the 311 service portal, and other essential digital services; and

WHEREAS, legacy firewalls and security tools require frequent manual updates and oversight, resulting in increased staff workload, service interruptions, and overall inefficiencies; and

WHEREAS, following a thorough evaluation of leading cybersecurity solutions, the City's Information Technology Department ("IT") selected and deployed integrated firewall, VPN, and security services that have proven effective in minimizing downtime, reducing staff overhead, and protecting the City's network from malware and ransomware attacks; and

WHEREAS, the City requires a reliable technology partner that can provide not only cost-effective, enterprise-level security products but also specialized expertise and ongoing support that extends beyond the capacity of in-house resources; and

WHEREAS, Omnia Partners is one of the largest cooperative purchasing organizations in the United States that negotiates favorable contracts with a wide range of suppliers for various products and services, allowing government agencies to access better pricing and streamlined procurement processes, saving time and money; and

WHEREAS, Infobond is listed as an authorized reseller partner on the "Omnia Partners Contract 01-154 Authorized Reseller Partners" list, as well as the "NCPA An Omnia Partners Company 01-154 Authorized Reseller Partners" list indicating that Infobond can provide products and services under this specific cooperative contract;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or designee is authorized to execute a contract with Infobond, Inc. for the purchase of information technology security products, licenses, support, and related services utilizing the Omnia Partners cooperative contract #01-154 in an amount not to exceed $1,000,000, for the period of July 1, 2025 through June 30, 2027.

12

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Department of Public Works

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

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300096 with SCS Engineers for maintenance, monitoring, and compliance services related to the closed landfill at Cesar Chavez Park, increasing the contract amount by $1,834,000 for a total not to exceed amount of $4,078,022.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this amendment in the amount of $1,834,000 is available in the FY 2026 adopted budget in the Zero Waste Fund (601).

CURRENT SITUATION AND ITS EFFECTS

The City relies on the resources and expertise of qualified consultants to maintain the landfill gas collection and flare system at Cesar Chavez Park, and to monitor surface and subsurface conditions at the closed landfill in compliance with regulatory agencies.

The current contract with SCS Engineers ("SCS") for landfill post-closure maintenance, monitoring, and compliance services was authorized by Council on September 20, 2022, by Resolution No. 70,532-N.S. An amendment to the current contract was authorized by Council on May 14, 2024 by Resolution No. 71,330-N.S. This contract and second amendment cover services for the period of January 1, 2023 to June 30, 2026 in an amount not to exceed $2,244,022.

From January 1, 2023 to May 30, 2025, payment for services has been authorized to SCS for approximately 94% of the total approved contract amount. The expedited contract spending was triggered by a series of Notices of Violations ("NOVs") issued by the Bay Area Air Quality Management District (BAAQMD) Board to the City, preparations for a variance request to BAAQMD for these violations, and a subsequent hearing with the BAAQMD Hearing Board. Following the hearing, BAAQMD denied the City's variance request and issued an Abatement Order. The order mandates compliance actions and conditions beyond routine monitoring and maintenance activities that City staff can accomplish.

In addition to the Abatement Order, the San Francisco Bay Regional Water Quality Control Board (RWQCB) issued various requirements for the City for radiological testing at the closed landfill and reports summarizing the testing results and a requirement to address elevated leachate levels in the subsurface gas collection system. The radiological testing requirements are based on a January 18, 2024 letter from the RWQCB indicating that industrial waste materials from the Stauffer Chemical Company (later known as Zeneca) Richmond Plant may have been disposed at the former landfill between 1960 and 1971. The requirement to address elevated leachate levels is a result of an October 3, 2024 letter from RWQCB indicating that leachate must be collected and removed from the gas wells in order to allow proper function of the gas collection and flare system.

These additional contracted work items have also helped City staff to identify necessary long-term system upgrades and environmental improvements to enhance the efficiency and longevity of the gas collection system.

These actions and improvements are estimated to require $1,834,000 in additional funding over the next year.

In order to be compliant with the ongoing regulatory requirements and the City's permit to operate the closed landfill, staff proposes amending the contract for SCS to increase expenditure authority. If this contract is not amended, the City cannot remain compliant with mandatory regulations. This could result in additional NOVs and potential financial penalties.

The services provided by the SCS contract support the Strategic Plan goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

Cesar Chavez Park (previously known as North Waterfront Park) is located at the Berkeley Marina on the site of the former ninety-acre Berkeley Landfill. The Park has been open to the public for recreational use since 1991. BAAQMD issued the City an operations permit to monitor and maintain the landfill gas collection system, groundwater wells, leachate wells, and other surface and subsurface conditions in accordance with state regulations. Landfill post-closure compliance services are required for a forty to fifty-year period before the site can be permanently closed.

Beginning on November 22, 2021, the BAAQMD issued a series of NOVs related to non-compliant operation of the landfill gas collection system. On February 6, 2024, BAAQMD voted to issue an Abatement Order which requires the City to take a series of compliance actions to bring the closed landfill to full compliance. Actions include locating missing gas collection wells, testing, repairs of the gas collection system; and the development and implementation of a process to identify any gas seeping offsite.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Hiring SCS to continue providing landfill post-closure engineering services will help ensure that greenhouse gases that emanating from the closed landfill are captured and incinerated before entering the atmosphere.

RATIONALE FOR RECOMMENDATION

The services requested are required to comply with the landfill post-closure operations permit and the Abatement Order. Continuing with the same contractor ensures ongoing compliance measures are uninterrupted and consistent. The City lacks the in-house expertise or resources needed to fulfill these obligations.

ALTERNATIVE ACTIONS CONSIDERED

No alternative action was considered since compliance with federal, state, and regional regulatory requirements is mandatory.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works, (510) 981-6396
Ronald A. Nevels, Manager of Engineering, Public Works, (510) 981-6439

Attachments:
1: Resolution – Amendment to Contract with SCS Engineers

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

CONTRACT NO. 32300096 AMENDMENT: SCS ENGINEERS

WHEREAS, the City is required to maintain the landfill gas collection and flare system at Cesar Chavez Park, as well as monitor surface and subsurface conditions at the closed landfill, in accordance with a post-closure permit issued by the Bay Area Air Quality Management District ("Air District"); and

WHEREAS, the City does not have the resources or expertise to fulfill the obligations of the landfill post-closure permit and requires the services of qualified firms to fulfill these obligations; and

WHEREAS, on June 28, 2022, the City released a Request for Qualifications (Specification No. 22-11521-C) seeking firms to provide professional services for the landfill post-closure maintenance and monitoring project at Cesar Chavez Park and SCS Engineers was determined to be the best qualified bidder; and

WHEREAS, on September 20, 2022, by Resolution No. 70,532-N.S., the City Council authorized Contract No. 32300096 with SCS Engineers for landfill post-closure maintenance and monitoring, in an amount not to exceed $714,022 for the contract period of January 1, 2023 to June 30, 2026; and

WHEREAS, on May 14, 2024, by Resolution No. 71,330-N.S., the City Council amended Contract No. 32300096 with SCS Engineers for landfill post-closure maintenance and monitoring, increasing it by an amount of $1,530,000 for a total amount not to exceed $2,244,022; and

WHEREAS, an Abatement Order was issued for the closed landfill by the Air District on February 16, 2024, which mandates compliance actions and conditions beyond routine monitoring and maintenance activities; and various orders have been issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) requiring testing, reporting, and other work beyond routine monitoring, and these actions these actions are estimated to require $1,834,000 of additional funding over the remainder of the contract term; and

WHEREAS, $1,834,000 is available in FY 2026 adopted budget in Zero Waste Fund (601).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute an amendment to Contract No. 32300096 with SCS Engineers for continuing engineering, monitoring, maintenance, and compliance services for the closed landfill, increasing the amount by $1,834,000 for a

total amount not to exceed $4,078,022. A record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

13

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Trillium Compressed Natural Gas (CNG) 5-year Sole Source License and Operating Agreement

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a 5-year sole source license and operating agreement for compressed natural gas with Trillium CNG for the five-year period between FY2026 and FY2031, for a not-to-exceed amount of $250,000.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the purchase of compressed natural gas (CNG) fuel is available in the adopted FY2026 Equipment Maintenance Fund (Fund 672).

CURRENT SITUATION AND ITS EFFECTS

California has approximately 304 public-access CNG stations, according to the U.S. Department of Transportation. These stations primarily serve cars, light trucks, and vans, with a smaller number also dispensing liquefied natural gas (LNG) for heavy-duty vehicles. The stations are concentrated in metropolitan areas and along major transportation corridors.

The City has been using CNG to power most of its waste collection fleet since 2012. While fuel usage and associated costs have declined as the number of CNG vehicles in service has declined, there remains a broad community need for this resource. The City, Berkeley Unified School District, City residents, and residents from surrounding areas continue to rely upon CNG fuel. Since 1997, Trillium CNG has been managing and operating the only CNG fueling station system within City limits under a licensing agreement with the City. This licensing agreement expired June 30, 2024, and was not renewed. Therefore, Council approval for this request is needed to prevent disruption to the City's supply of CNG for its fleet, public, and community partner vehicles.

BACKGROUND

On August 29, 1997, the Department of Public Works issued a Request for Proposals (Specification No. F-8209-98) for the Fabrication, Installation, and

Operation/Management Service for Natural Gas Vehicle Fueling Equipment to be located at the City Transfer Station's Clementina Site. Two agencies responded: Pinnacle CNG Company and Trillium. Both applications were reviewed and evaluated by City staff, and Trillium was found to be the most responsive and responsible bidder.

On June 9, 1998, the City of Berkeley entered into a ten-year license agreement with Trillium to provide CNG fuel, and to build, operate and maintain a Compressed Natural Gas Facility located adjacent to the City's Transfer Station.

In 2008, the City extended the agreement an additional five years with a new expiration date of December 2013.

In FY2010, the projected expenditures for CNG were anticipated to exceed the City Manger's authorized threshold of $100,000. Therefore, the City Council approved Resolution 64,669-N.S. authorizing payment of $625,000 for the period FY 2010 through FY2014.

On September 13, 2016, by Council Resolution No. 67,662-N.S., the agreement was increased by $1,000,000 from $888,274 to $1,888,724 and extended through June 30, 2019. By mutual agreement, the term of the Contract was extended through June 30, 2024. The agreement expired on June 30, 2024 and Trillium interpreted the contract to be automatically extended. As a best practice, the City is executing a new sole source contract to retain services, rather than continuing to remain on the expired contract.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Natural gas is the cleanest burning alternative transportation fuel available today that can economically power light, medium, and heavy-duty vehicles. In comparison with diesel fuel, CNG significantly improves local air quality, reduces greenhouse gases (GHG), and minimizes the City's carbon footprint. CNG is a cleaner burning alternative fuel low in pollutants, which is more environmentally friendly than diesel and has a reliable domestic resource base. The City has committed to use of appropriate alternative fuels that reduce GHG as part its Climate Action Plan.

RATIONALE FOR RECOMMENDATION

Trillium will continue managing and operating the City's high volume CNG station. The Department of Public Works currently has a limited number of vehicles that use CNG fuel. However, while there are other CNG stations available in surrounding Bay Area cities, this high-volume station is open to the public and several private local entities (including Berkeley Unified School District) to fuel their vehicles.

ALTERNATIVE ACTIONS CONSIDERED

Closing the fueling station and ceasing to provide CNG on site at the Transfer Station is an alternative action. This would leave City fleet vehicles, particularly those involved in rubbish and recycling collection, Berkeley Unified School District, City residents and the surrounding areas without a local CNG fueling station. Decommissioning the fueling

station and issuing an RFP would require removal of the fueling station and would be cost prohibitive.

CONTACT PERSON
Leticia Jaurequi, Solid Waste & Recycling Manager, Public Works (510) 981-6362

Attachments:
1: Resolution

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

TRILLIUM COMPRESSED NATURAL GAS (CNG) 5-YEAR SOLE SOURCE LICENSE & OPERATING AGREEMENT

WHEREAS, on August 29, 1997, an invitation for bid was duly advertised, the City's Public Works staff evaluated all bids submitted; the bid was awarded to Trillium USA (now Trillium CNG), determined to be the most qualified bidder; and

WHEREAS, on June 14, 2005, the Berkeley City Council adopted Resolution No. 62,943-N.S., authorizing the City Manager to increase the purchase order for compressed natural gas (CNG) with Trillium CNG and authorizing expenditures not to exceed $200,000 annually for Fiscal Years 2006 through 2008; and

WHEREAS, on October 27, 2009, the Berkeley City Council adopted Resolution No. 64,669-N.S., authorizing the City Manager to increase the purchase order for compressed natural gas (CNG) with Trillium CNG and authorizing expenditures not to exceed $625,000 for Fiscal Years 2010 through 2014; and

WHEREAS, on September 13, 2016, by Council Resolution No. 67,662-N.S., the agreement was increased $1,000,000 from $888,274 to $1,888,724 and extended through June 30, 2019; and

WHEREAS, by mutual agreement, the term of the Contract was extended through June 30, 2024, and expired at the end of the term and Trillium interpreted the contract to be automatically extended; and

WHEREAS, the City will enter into a new contract with funds available in the Fiscal Year 2026 adopted budget in Equipment Maintenance Fund 672.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to enter into a five-year sole source license and operating agreement for compressed natural gas with Trillium CNG for the five-year period Fiscal Year 2026 through Fiscal Year 2031 for a not-to-exceed amount of $250,000.

14

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Contract Amendment No. 32100070: Urban Ore, Inc. for Salvage Operations at the City of Berkeley Transfer Station

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract amendment No. 32100070 with Urban Ore, Inc. for salvage operations of reusable materials at the City's Transfer Station, increasing the contract by $75,000 from $189,848 to $264,848, for a new not-to-exceed amount of $264,848 and extending the term through June 30, 2027.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this amendment is available in the FY2026 adopted budget in Zero Waste Fund 601.

CURRENT SITUATION AND ITS EFFECTS

For the past 25 years, Urban Ore has salvaged more than 800 tons annually of reusable materials from the City of Berkeley's Transfer Station. Those items are resold at Urban Ore's retail store located at the intersection of Ashby Avenue and 7th Street in West Berkeley.

This contract extension will allow the City to continue to reduce materials that would otherwise be sent to the landfill, supporting increased diversion and the City's Zero Waste Goal. The amendment will increase the not-to-exceed amount to cover regular operations and extend existing service levels until June 30, 2027.

The Urban Ore salvage program is a Strategic Plan Priority Project that advances our goal to be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

Since 2000, the Urban Ore Salvage and Recycling operation has stationed a box truck and staffing at the City's Transfer Station during regular business hours to salvage reusable household goods and building materials from discarded objects. Urban Ore staff identify reusable items from loads delivered to the Transfer Station by Zero Waste

employees. In many cases, discarded materials are salvaged and prepared for resale, which allows those materials to be diverted from waste streams.

For more than a decade, Urban Ore has been the only local salvage operation able to provide a suitable diversion service on-site at the City's Transfer Station, while maintaining a local retail outlet for salvaged goods and materials. Urban Ore's proven safety record, environmental commitment, and quality customer service have made them an important City partner.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The Urban Ore mission statement, "our purpose is to end the age of waste by advocating and developing total recycling," demonstrates a committed environmental vision with recycling as a key component to all aspects of their operation. Urban Ore has reclaimed more than 800 tons annually from the City's Transfer Station, which increases the City's diversion rate, and reduces greenhouse gas emissions.

RATIONALE FOR RECOMMENDATION

This salvage and reuse/recycling program supports increased diversion of materials from landfills and helps move the City toward its Zero Waste Goal. In addition, the Transfer Station's operational expenses associated with waste hauling are also reduced.

ALTERNATIVE ACTIONS CONSIDERED

Opting to discontinue this salvageable waste diversion program will increase City use of area landfills, increase greenhouse gas emissions from long-haul transportation of waste materials, and will negatively impact the Zero Waste Division budget. Alternative service providers to operate this contract have not been identifiable, due to the unique nature of this work and the requirements for a nearby storefront to resale the salvageable items.

CONTACT PERSON

Leticia Jauregui, Solid Waste and Recycling Division Manager (510) 981-6362

Attachments:
1: Resolution

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

CONTRACT NO. 3210070 AMENDMENT: URBAN ORE, INC.

WHEREAS, Urban Ore is the only local salvage operation able to provide a suitable diversion service on-site at the Transfer Station, which reduces landfill-bound waste by 800 tons each year by returning useable materials to the community; and

WHEREAS, this salvage and reuse/recycling program helps move the City toward its zero waste goals, while reducing the Transfer Station's operational expenses associated with increased landfill use, and reducing greenhouse gas emissions caused by long-haul trucks; and

WHEREAS, Urban Ore's proven safety record, environmental commitment, and quality customer service have made them an important zero waste partner; and

WHEREAS, Council on July 1, 2020, by Resolution 69,434-N.S. Council authorized Contract No. 32100070; and

WHEREAS, on June 1, 2023, the City Manager of the City of Berkeley authorized an amendment extending the Contract through June 30, 2025; and

WHEREAS, on July 25, 2023, by Resolution No. 71,003, the Berkeley City Council authorized an amendment of said Contract; and

WHEREAS, funding for this contract amendment is available in Zero Waste Fund 601.

WHEREAS, the Urban Ore salvage program is a Strategic Plan Priority Project that advances our goal to be a global leader in addressing climate change, advancing environmental justice, and protecting the environment; and

WHEREAS, opting to discontinue this salvageable waste removal and diversion program will increase City use of area landfills, and negatively impact the Zero Waste Division budget.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizes the City Manager or designee to execute a contract amendment with Urban Ore, Inc. for salvage operations at the City's Transfer Station increasing the Contract by $75,000 from $189,848 to $264,848 for a new not-to-exceed amount of $264,848 and a new term that extends the contract by two years through June 30, 2027. A record signature copy of said contract and any amendments to be on file in the Office of the City Clerk.

15

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Authorization to Apply for CalRecycle Waste Reduction, Reuse, Recycling, and Composting Grants and Payment Programs

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to submit grant applications, accept grant funds, and execute any resulting grant agreements, amendments and expenditure reports with the Department of Resource Recycling and Recovery (CalRecycle) for grant and payment programs related to waste reduction, reuse, recycling, and composting.

FISCAL IMPACTS OF RECOMMENDATION

The City of Berkeley is eligible to apply for various CalRecycle grants in amounts ranging from $10,000 to $500,000 annually. No matching funds are required. The grant funds are utilized to implement programs related to achieving the City's Zero Waste goals through source-reduction, reuse, recycling, and/or composting.

CURRENT SITUATION AND ITS EFFECTS

CalRecycle releases numerous grants and payment programs on an annual basis that help fund City of Berkeley waste reduction and recycling programs. CalRecycle requires an authorized Council Resolution to allow the City to apply for any CalRecycle competitive and non-competitive grants and payment programs. CalRecycle has also required that the City update its resolution for the SB 1383 Local Assistance Grant Program (LAGP).

CalRecycle routinely provides funds to support implementation of City ordinances, such as the Single Use Foodware and Litter Reduction Ordinance, and state legislative requirements, such as SB1383 the Short-Lived Climate Pollutants Reduction Act. The attached resolution meets CalRecycle's grant application requirements that will allow the City to apply for any available grants for which the City is eligible to apply within a five-year time frame. Five years is the maximum length of time for an authorizing City Council Resolution allowable by CalRecycle.

BACKGROUND

The Public Works Department applies for and manages CalRecycle non-competitive grants and payment programs, such as the Local Assistance Grant Program, City/County Beverage Container Recycling Payment Program and the Used Oil Payment Program.

The City has an existing Resolution authorizing the City Manager to apply for the City/County Beverage Container Recycling Payment Program (Resolution No. 68,698-N.S.), Used Oil Payment Program (Resolution No. 65,028-N.S.), and Local Assistance Grant Program (Resolution; No. 69,546-N.S.); however, these resolutions are specific to these payment programs and do not allow the City to apply for any other CalRecycle competitive or non-competitive grants, which often have short application timelines. The City has an existing Resolution authorizing the City Manager to apply for all CalRecycle grants (Resolution No. 56,776-N.S.); however, that resolution was approved November 24, 1992.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

CalRecycle grant funding is utilized to implement waste-reduction, reuse, recycling and composting programs that help achieve the City's Zero Waste goal and Climate Action Plan Goals.

RATIONALE FOR RECOMMENDATION

If approved, the attached resolution will allow staff to apply for CalRecycle grants and payment programs as they become available to help fund programs to reduce waste and benefit community members.

ALTERNATIVE ACTIONS CONSIDERED

None. Without an updated resolution, staff cannot apply for CalRecycle grant funding, or other available waste reduction, recycling, and composting grants.

CONTACT PERSON

Julia A. Heath, Recycling Program Manager, Public Works, (510) 981-6357.

Attachments:
1: Resolution

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

RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF BERKELEY IS ELIGIBLE

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various competitive, non-competitive grant and payment program funds in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the City of Berkeley authorizes the submittal of application(s) to CalRecycle for all grants for which the City of Berkeley is eligible.

BE IT FURTHER RESOLVED that the City Manager, or his/her designee, is hereby authorized and empowered to execute in the name of the City of Berkeley all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project.

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution.

16

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Contract: Environmental Logistics, Inc. and Advanced Chemical Transport, LLC for On-Call Hazardous Waste Management

RECOMMENDATION

Adopt two Resolutions authorizing the City Manager to:

1. Execute a three-year contract and any amendments with Environmental Logistics, Inc. to provide on-call hazardous waste disposal at various City facilities and locations for a total amount not to exceed $200,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions, for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the terms of the agreement.

2. Execute a three-year contract and any amendment with Advanced Chemical Transport, LLC to provide on-call hazardous waste disposal at various City facilities and locations for a total amount not to exceed $150,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions, for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the terms of the agreement.

FISCAL IMPACTS OF RECOMMENDATION

The execution of both contracts for on-call hazardous waste management will not exceed $350,000 in total. Annual expenditures are anticipated to be approximately $115,000. Funding in the amount of $350,000 is available in the Zero Waste Fund (Fund 601) FY2026 adopted budget. The available budget is sufficient to fund scheduled mandatory hazardous waste disposal services. Additional costs may include as needed hazardous waste management due to spill response or other emergencies. Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027-2028.

CURRENT SITUATION AND ITS EFFECTS

The City requires hazardous waste management contract services at various locations on an as-needed basis to recycle or dispose of both City generated and illegally dumped waste. Contractors must have the experience, qualifications, and capacity to collect, transport, and dispose of hazardous waste. The terms of these contracts include hazardous waste characterization and disposal, as well as providing handling materials for waste storage and transport.

On February 27, 2025, the City released Request for Proposal (RFP) #25-116705-C for hazardous waste management services. The solicitation was open for fifty-four days and the City received four responses. The evaluation criteria used to rate the proposals were as follows: Expertise & References (30%), Cost (30%), and Firm Qualifications and Experience (40%).

As a result of the competitive proposal solicitation that was conducted, Environmental Logistics Inc. and Advanced Chemical Transport LLC were determined to be the most responsive and responsible bidders. Both companies were highly recommended by professional references and had competitive pricing for services. These agreements are for a term of three years, with an option to extend by two, one-year extensions.

The On-Call Hazardous Waste Management Contracts are aligned with the City's Strategic Plan Priorities of advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities and to be a global leader in protecting the environment.

BACKGROUND

The City is responsible for ensuring proper disposal of abandoned hazardous waste found in the public right-of-way, illegally disposed of at the City's Transfer Station, and assisting in response to accidental spills or discharges on public property. In addition, the Public Works Department coordinates the disposal of City generated hazardous waste. The City also operates two public used oil take back programs; one at the City's Marina and the other at the City's Transfer Station. The used oil from these programs will be recycled by the contractor.

The hazardous waste contractor will provide proper clean-up, collection, storage, handling, recycling, reuse, treatment, packaging, documentation, transportation, transfer, and disposal of hazardous waste. The City does not operate a household hazardous waste facility and directs residents and businesses to utilize the County's facilities. In addition, there may be special projects such as storage tank cleaning, contaminated soil removal, and emergency response services requested of the contractor.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

State and federal requirements for environmental compliance and sustainability ensure minimal environmental impact from City activities. Public Works addresses these through contracting with vendors like Environmental Logistics Inc. and Advanced Chemical Transport LLC. Failure to manage hazardous waste could result in contamination of soil, surface or groundwaters by used oil or other hazardous waste.

RATIONALE FOR RECOMMENDATION

A contractor must be selected, as City staff do not have the equipment, capacity, or appropriate training certifications to ensure compliance with state and federal requirements for hazardous waste management. The selection of a contractor additionally ensures that there are no negative environmental impacts from hazardous waste that has been improperly disposed.

ALTERNATIVE ACTIONS CONSIDERED

No other alternative actions were considered due to the regulatory needs. The City issued a solicitation for proposals and exercised due diligence in evaluating the bids to satisfy the competitive process. Failure to execute these contracts will results in compliance issues and exposure to regulatory fines.

CONTACT PERSON

Robert Hernandez, Environmental Compliance Specialist, Department of Public Works (510) 981-6644
Joy Brown, Operations Manager, Department of Public Works (510) 981-6629

Attachments:
1: Resolution
2: Resolution
3: Abstract of Bid Worksheet

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

CONTRACT: ENVIRONMENTAL LOGISTICS INC. FOR ON-CALL HAZARDOUS WASTE MANAGEMENT

WHEREAS, hazardous waste management services are critical for regulatory compliance at various city locations; and

WHEREAS, the City does not have appropriately trained and certified staff or equipment to perform these services at these sites, which an outside vendor has traditionally served; and

WHEREAS, no City employees are displaced by this contract; and

WHEREAS, on February 27, 2025, the City released RFP #25-116705-C for hazardous waste management services. The solicitation was open for fifty-four days and the City received four responses; and

WHEREAS, as a result of the competitive proposal solicitation that was held for providing on-call hazardous waste management services to various city locations and facilities, both Environmental Logistics Inc. and Advanced Chemical Transport LLC were determined to be the most responsive and responsible bidders; and

WHEREAS, funding in the amount of $200,000 for the contract is available in Fiscal Year 2026 adopted budget in Zero Waste Fund 601; and

WHEREAS, additional funding for unforeseen emergency expenses or planned projects will be appropriated as part of the budget process; and

WHEREAS, funding for budget allocations for future fiscal years are subject to adoption of the budget by the Council.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to execute a contract with Environmental Logistics Inc. to provide on-call hazardous waste management services at various city facilities and locations for a total amount not to exceed $200,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years.

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

CONTRACT: ADVANCED CHEMICAL TRANSPORT, LLC FOR ON-CALL HAZARDOUS WASTE MANAGEMENT

WHEREAS, hazardous waste management services are critical for regulatory compliance at various city locations; and

WHEREAS, the City does not have appropriately trained and certified staff or equipment to perform these services at these sites, which an outside vendor has traditionally served; and

WHEREAS, no City employees are displaced by this contract; and

WHEREAS, on February 27, 2025, the City released RFP #25-116705-C for hazardous waste management services. The solicitation was open for fifty-four days and the City received four responses; and

WHEREAS, as a result of the competitive proposal solicitation that was held for providing on-call hazardous waste management services to various city locations and facilities, both Environmental Logistics, Inc. and Advanced Chemical Transport, LLC were determined to be the most responsive and responsible bidders; and

WHEREAS, funding in the amount of $150,000 for the contract is available in FY 2026 adopted budget in Zero Waste Fund 601; and

WHEREAS, additional funding for unforeseen emergency expenses or planned projects will be appropriated as part of the budget process; and

WHEREAS, funding for budget allocations for future fiscal years are subject to adoption of the budget by the City Council.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to execute a contract with Advanced Chemical Transport LLC to provide on-call hazardous waste management services at various city facilities and locations for a total amount not to exceed $150,000 for an initial three-year term from August 1, 2025 to August 1, 2028 with an option of two one-year extensions for a maximum term of five years.

17

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works Department

Subject: Approval and Levy of 2018 Clean Stormwater Fee in FY 2026

RECOMMENDATION

Adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2026.

FISCAL IMPACTS OF RECOMMENDATION

The Resolution would approve and order the levy of the 2018 Clean Stormwater Fee in Fiscal Year (FY) 2026. The fees are to be filed with the Alameda County Auditor and included in the County's assessment roll. After collection by the County the total amount of the assessment minus a collection fee is paid to the City of Berkeley. The revenue is posted in the Clean Storm Water Fund (Fund 616).

Approximately $3.35 million is expected to be collected from the 2018 Clean Stormwater Fee in FY 2026. Pursuant to the requirements of Article XIII D of the California Constitution, revenues derived from property-related fees shall not exceed the funds required to provide the service. The fund forecast included as Table 1 demonstrates compliance with this requirement.

Table 1 - FY 2026 Fund 616 Forecast

Beginning Balance	**$ 11,423,437**
Clean Stormwater Program Expenditures	**$ 7,260,350**
Revenue	
Clean Stormwater Fee (1991)	$ 1,914,061
2018 Clean Stormwater Fee	$ 3,196,656
2018 Clean Stormwater Fee - CPI increase	$ 153,321
Total Revenue	**$ 5,264,037**
To (from) Clean Storm Water Fund	**$ (1,996,313)**
Ending Balance	**$ 9,427,124**

A deficit of approximately $2 million is forecast for the Clean Storm Water Fund in FY 2026. The deficit can be covered by available fund reserves in the Clean Storm Water

Fund. The deficit is a result of an accumulation of capital expenditures expected for FY 2026. These capital expenditures include the construction phase of the FY 2025 Drainage Improvements Project, continued development of the Stormwater Master Plan, and the design phase of the West Berkeley & Aquatic Park Improvement Project.

CURRENT SITUATION AND ITS EFFECTS

The 2018 Clean Stormwater Fee ("2018 Fee") is subject to an annual adjustment tied to the Consumer Price Index - U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"). Per the voter approved measure, any increase in the CPI in excess of 3% shall be cumulatively reserved as "Unused CPI" and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. For the period beginning in December 2023 and ending in December 2024, the CPI increased by 2.38%. Using the current accumulated "Unused CPI" balance of 2.74%, the proposed adjustment for FY 2026 can be increased to the prescribed maximum of 3%. A balance of 2.12% "Unused CPI" remains to be used in future years.

As approved by voters, the annual adjustment may be calculated by taking the sum of the 1991 Clean Stormwater Fee ("1991 Fee") and the 2018 Clean Stormwater Fee and multiplying the sum by the allowable CPI increase. Calculating the adjustment in this manner allows for the inclusion of a 1991 Fee adjustment as part of the annual 2018 Fee increase. The cumulative adjustment of the 1991 Fee and the 2018 Fee, result in 2018 Fee increases of approximately 4.70%.

The table below details prior year and proposed FY 2026 annual rates for the property-related fee.

Table 2 - Summary of Annual Rates for 2018 Clean Stormwater Fee

Rate Category	FY 2025 Fee	Proposed FY 2026 Fee	Unit
Single-Family Residential			
Small	$ 46.42	$ 48.59	parcel
Medium	$ 58.03	$ 60.74	parcel
Large	$ 70.18	$ 73.45	parcel
Condominium	$ 46.42	$ 48.59	parcel
Single-Family Residential parcels with multiple single-family residences pay 22% higher rate			
Non-Single-Family Residential**			
Multi-Family Residential	$ 1,012.25	$ 1,059.59	acre
Comm / Industrial / Parking	$ 1,129.95	$ 1,182.79	acre
Office	$ 1,059.33	$ 1,108.87	acre
Institutional / Church	$ 965.17	$ 1,010.30	acre
School / Hospital	$ 882.77	$ 924.06	acre

Recreational	$ 682.68	$ 714.61	acre
Park	$ 70.62	$ 73.92	acre
Vacant (developed)	$ 58.85	$ 61.60	acre
Open Space / Agricultural	exempt		

* Single-Family Residential category also includes duplex, triplex and four-plex units.

** Non-Single-Family Residential parcel size is calculated to the tenth of an acre or portion thereof

Detailed calculations of the annual adjustment and the corresponding rate increases are included in the 2018 Clean Stormwater Fee - Fiscal Year 2026 Adjustment Report (Attachment 2). Adoption of the Resolution would approve and order the levy of the 2018 Fee in FY 2026 at the rates described in this report. Following adoption, the fees will be filed with the Alameda County Auditor and included on the County's assessment roll for collection. Revenue from the Fee will provide needed funding for the Stormwater Program which includes flood management, compliance with clean water requirements, operations and maintenance, and major capital improvements, all of which advance the City's Strategic Plan goals of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities; and being a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

In 1991, the City was required to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the San Francisco Bay Regional Water Quality Control Board to improve the water quality of urban runoff and discharge storm water runoff to the City's waterways. The permit requires that the City implement a stormwater control program and best management practices.

To meet the NDPES permit requirements, the City implemented a Clean Storm Water Fee in 1991 for all residences and businesses in the City. The City has been collecting approximately $2 million annually for this fee and rates have not been increased since the fee was established in 1991. Initially, collected revenues were sufficient to fund ongoing maintenance, operations, and capital improvements. However, beginning in Fiscal Year 2014, the program began operating at a deficit. In 2018, in an effort to increase revenues for the program, the City introduced the 2018 Clean Stormwater Initiative to establish a new property-related fee to be assessed separately and in addition to the existing 1991 Fee. Following a Proposition 218 process the initiative was approved by voters and the City Council adopted Resolution No. 68,483-N.S., ordering the levy. The assessment has been levied for the 2019 through 2025 fiscal years.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The 2018 Clean Stormwater Fee provides a secure funding source for environmental protection related to the impacts of stormwater on creeks and the San Francisco Bay.

The fee maintains operations and maintenance activities and reduces environmental impacts of flooding, sink holes, trash, and debris.

RATIONALE FOR RECOMMENDATION
The additional funding will allow the City to fund the operating deficit without the use of resources from the General Fund, continue maintenance service levels, meet clean water regulatory requirements, and develop a long-term financial plan for capital projects, to continue improving water quality and minimizing the impacts of flooding in local areas.

CONTACT PERSON
Wahid Amiri, Deputy Director, Department of Public Works, (510) 981-6396
Ronald Nevels, Manager of Engineering, Public Works, (510) 981-6439
Ricardo Salcedo, Acting Supervising Civil Engineer, Public Works, (510) 981-6407

Attachments:
1: Resolution – Ordering the Levy of 2018 Clean Stormwater Fee in Fiscal Year 2026
2: 2018 Clean Stormwater Fee – Fiscal Year 2026 Adjustment Report

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

APPROVING THE LEVY AND COLLECTION OF THE CITY OF BERKELEY 2018 CLEAN STORMWATER FEE IN FISCAL YEAR 2026

WHEREAS, on February 13, 2018, the Council adopted Resolutions No. 68,334-N.S. and No. 68,335-N.S., to initiate the property related fee process and establish the balloting procedures for the 2018 Clean Stormwater Initiative consistent with California Constitution Article XIII D; and

WHEREAS, on April 3, 2018, the council conducted a public hearing at which a majority protest was not achieved, and subsequently adopted Resolution No. 68,831-N.S. directing the mailing of fee ballots to all property owners of properties within the City subject to the fee; and

WHEREAS, on May 29, 2018, following tabulation of fee ballots and confirming voter approval of the 2018 Clean Stormwater Initiative, Council adopted Resolution No. 68,483-N.S. accepting the ballot tabulation and ordering the levy of the 2018 Clean Stormwater Fee; and

WHEREAS, pursuant to the authority granted by voters, the 2018 Clean Stormwater Fee is subject to an annual increase based on the San Francisco - U Consumer Price Index (CPI), not to exceed 3% per year; and any increase in excess of 3% shall be cumulatively reserved as “Unused CPI” and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. The maximum annual CPI adjustment for each property shall be calculated based upon the sum of the 1991 Clean Stormwater Fee and the 2018 Clean Stormwater Fee, and multiplying the sum by the CPI or 3% whichever is lower; and

WHEREAS, for the annual period ending in December 2024 the CPI increased by 2.38% and the Unused CPI was 2.74%, therefore the proposed annual adjustment can be applied at the maximum of 3.00%; and

WHEREAS, the proposed fee rate for FY 2026 of SIXTY DOLLARS AND SEVENTY-FOUR CENTS ($60.74) per single-family equivalent unit is in accordance with a City staff authored report dated May 2025 and titled “2018 Clean Stormwater Fee – Fiscal Year 2026 Fee Adjustment Report” (“Report”); and

WHEREAS, the rate increases and the methodology used in the calculation of the rates are described in the Report and are in accordance with the voter approved measure; and

WHEREAS, revenues derived from this property-related fee do not exceed the funds required to provide the service in compliance with Article XIII D of the California Constitution.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the levy and collection of fees for FY 2026 at the rates specified in the Report.

BE IT FURTHER RESOLVED that shortly after the adoption of this Resolution, but in no event later than August 10th following such adoption, the City Clerk shall file a certified copy of this Resolution and a fee levy roll with the Auditor of Alameda County ("County Auditor"). Upon such filing, the County Auditor shall enter on the County's assessment roll opposite each lot or parcel of land the amount of fee thereupon as shown in the levy roll.

CITY OF BERKELEY

2018 CLEAN STORMWATER FEE

Fiscal Year 2026
Fee Adjustment Report

May 2025

Prepared by

RICARDO SALCEDO, PE
CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TABLE OF CONTENTS

INTRODUCTION **1**

OVERVIEW *1*

CITY'S FACILITIES *2*

STORM DRAINAGE FUNDING *2*

FINANCIAL NEEDS SUMMARY **3**

2018 CLEAN STORMWATER FEE RATE STRUCTURE ANALYSIS **4**

SINGLE-FAMILY RESIDENTIAL PARCELS *4*

NON-SINGLE-FAMILY RESIDENTIAL PARCELS *5*

EFFECTS OF LOW IMPACT DEVELOPMENT *7*

STORM DRAINAGE FEE CALCULATION *7*

LIST OF TABLES

Table 1- FY 2026 Fund Forecast **3**

Table 2- Summary of Single-Family Residential Parcels **5**

Table 3 – Summary of Non-SFR Parcels **6**

Table 4 - Storm Drainage Fee Schedule **8**

INTRODUCTION

OVERVIEW

In 1991, the City of Berkeley was required to obtain a national Pollutant Discharge Elimination System (NPDES) permit from the San Francisco Bay Regional Water Quality Control Board to improve the water quality of urban runoff and discharge storm water runoff to the City's waterways. The permit requires that the City of Berkeley implement a stormwater control program and best management practices. The City adopted the Clean Stormwater Fee in 1991 to comply with clean water regulations and provide a secure funding source for stormwater operations, maintenance, and capital improvements. The program includes flood management, compliance with clean water requirements, operations and maintenance, and major capital improvements. Stormwater fees are paid by property owners and the fees have not been increased since the program's inception in 1991. The program has been running a deficit since 2014 attributable to basic operations, maintenance, and compliance with clean water regulations. The Stormwater program also faces a backlog in capital improvements, with more than $208 million in project costs identified in the 2011 Watershed Management Plan[1].

In order to increase revenues for the Stormwater program, the City adopted Resolutions No. 68,334-N.S. and Resolution No. 68,335-N.S., to initiate the property related fee process and establish balloting procedures for the 2018 Clean Stormwater Initiative consistent with California Constitution Article XIII D. A public hearing was conducted on April 3, 2018 at which a majority protest was not achieved, subsequently Resolution No. 68,381-N.S. was adopted ordering the mailing of fee ballots to all property owners of properties within the City subject to the fee. Following the tabulation of votes, and confirming approval of the measure, Council adopted Resolution No. 68,483-N.S., accepting the ballot tabulations and ordering the levy of the City of Berkeley's 2018 Clean Stormwater Fee.

As approved by voters, the 2018 Clean Stormwater Fee is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 3%. Per the voter approved measure any increase in the CPI in excess of 3% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized rate in years in which the CPI is less than 3%. The maximum authorized rate is equal to the maximum rate in the first fiscal year the Fee was approved adjusted annually by the lower of either 3% or the increase in the CPI plus any Unused CPI as described above. In order for the City's dedicated storm drainage revenue sources to satisfy costs requirement into the future, the annual

[1] Watershed Management Plan: https://berkeleyca.gov/your-government/our-work/adopted-plans/watershed-management-plan

adjustment for property may be calculated based upon the sum of the storm drainage fee and the existing Clean Storm Water Fee.

This abbreviated fee adjustment report, has been prepared by City staff to document the annual adjustment of the 2018 Clean Stormwater Fee for Fiscal Year 2026. The report also includes an abbreviated description of storm drainage infrastructure, the program's funding sources, and a fund forecast for Fiscal Year 2026.

CITY'S FACILITIES

The City operates and maintains a storm drainage system, as it is empowered to do so per Government Code Sections §38900 and §38901. It is comprised of an integrated system of storm drain pipes, culverts and ditches. Local creeks are not considered part of the City's storm drain system, although they receive most of the urban runoff and are impacted by how the City's storm drainage system functions.

The Berkeley area began experiencing residential development over one hundred years ago. As the community grew, the storm drainage system was developed along with the neighborhoods and commercial areas while still maintaining many native creek segments. Although the City is highly urbanized, there are a large number of open creek segments that cross streets, private properties and roadways through numerous culvert sections.

In the early 1990s, in response to the federal Clean Water Act amendment of 1987, municipalities were, for the first time, required to obtain an NPDES[2] permit from the California Regional Water Quality Control Board to address urban storm drainage runoff pollution. Under this permit, the City works to reduce stormwater pollution, protect and enhance its watersheds, preserve beneficial uses of local waterways, and implement State and federal water quality regulations within the limits of its jurisdiction. Over the years, the range of actions taken by the City has greatly increased in response to evolving regulatory requirements and community needs.

STORM DRAINAGE FUNDING

In response to the NPDES permit requirements, the City implemented a Clean Storm Water Fee in 1991 for all residences and businesses in the City. The City collects approximately $2 million annually from this fee which has not been increased since its 1991 inception. Initially, revenues were sufficient to fund ongoing maintenance, operations and capital improvement projects. However, beginning in Fiscal Year 2014,

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[2] NPDES stands for the National Pollutant Discharge Elimination System as specified in the Federal Clean Water Act. The City is one of the co-permittees named on the Alameda County NPDES permit issued by the Regional Water Board. The most recent MRP was issued in May 2022, however, these permits typically are renewed every five years, with each new iteration containing additional requirements.

the program began operating at a deficit. In response to this deficit, the City implemented the 2018 Clean Stormwater Fee.

FINANCIAL NEEDS SUMMARY

Pursuant to requirements of the Article XIII D of the California Constitution, revenues derived from property-related fees shall not exceed the funds required to provide the property related service. Table 1 provides a summary of forecasted revenues and expenditures for the 2018 Clean Stormwater Fee for FY 2026.

Table 1- FY 2026 Fund Forecast

Projected Beginning Fund Balance	**$**	**11,423,437**
Costs		
Personnel Costs	**$**	**1,590,367**
Non-Personnel Costs		
Capital Improvement Program	$	3,575,000
Non-Personnel	$	2,094,983
Subtotal Non-Personnel Costs	**$**	**5,669,983**
Total Costs	**$**	**7,260,350**
Revenue		
Clean Stormwater Fee (1991)	$	1,914,061
2018 Clean Stormwater Fee	$	3,196,656
2018 Clean Stormwater Fee – Proposed CPI increase for FY 2026.	$	153,321
Total Revenue	**$**	**5,264,037**
To (from) Clean Storm Fund Reserves	**$**	**(1,996,313)**
Projected Ending Fund Balance	**$**	**9,427,124**

2018 CLEAN STORMWATER FEE RATE STRUCTURE ANALYSIS

All properties which generate storm and urban runoff which flow into the City's MS4 are served by the system. The amount of use attributed to each parcel is proportional to the amount of storm and urban runoff flow contributed by the parcel, which is proportional to the amount of impervious surface area (e.g. building roofs, pavement, etc.) on a parcel.

In this Report, the median single-family residential parcel is used as the basic unit of measure, called the single-family equivalent, or "SFE." Accordingly, since the primary quantifiable attribute for this fee structure is impervious surface area, the amount of impervious surface area on the median SFR parcel serves as the basic unit of impervious area.

The basic unit of impervious area can be expressed by the following formula:

Median SFR Parcel Area

x Average SFR Impervious Percentage

= SFE Impervious Area

The median SFR parcel is 0.11 acres (4,792 square feet). Careful analysis revealed that the average percentage of impervious area ("%IA") of the medium class of SFR parcels is 44.82%. Therefore, the amount of impervious area for the SFE is 2,148 square feet. This becomes the basis for calculating the SFEs for all other types of land uses. In order to accomplish this, a representative sample of each land use category was studied through aerial photographs to measure the actual impervious area, which was, in turn, used to calculate the %IA for each land use category.

SINGLE-FAMILY RESIDENTIAL PARCELS

Berkeley has a wide range of sizes of SFR parcels, which have varying levels of %IA. Generally, smaller parcels tend to have a higher proportion of impervious area than larger parcels, which tend to have a lower percentage of impervious area. (This can be best visualized by the fact that larger residential properties tend to have a larger proportion of pervious landscaping, and therefore less impervious area.) Therefore, the range of SFRs were broken into three size categories as shown in Table 4 below. Since the size of a parcel is considered in finite groups, the resultant SFEs were calculated on a per-parcel basis for each size category using the formula above.

It should be noted that the SFR category also includes multiplex parcels of two, three or four units, since their lot development characteristics do not vary significantly from the SFR parcels of similar size. In all, this includes the approximately 3,400 multiplex parcels in the City. Any residential structure with five or more units is categorized as multi-family residential ("MFR"), which is calculated separately. For parcels with multiple SFRs, analysis showed that those parcels contained 22% more impervious area than single-home SFRs within the same size category. Therefore, multiple-SFR parcels are computed separately.

Special Notes On Condominiums

Condominium units are particularly difficult to categorize as they are often on very small individual parcels, yet share larger common areas that are made up of landscaped (pervious) areas; parking lots and shared roofs (impervious); and other recreational uses (either pervious or impervious). The data for these variables are not readily available, so it is assumed that overall their characteristics were most similar to the small lot make up. Overall, condominium units are smaller than the average SFR, and may include two or more stories of residences in some cases. When combined with the various common areas (which were exempted from the SFE process), the overall effect would be less runoff impact than the median size SFR. Thus, the Small SFR rate was used.

Table 2- Summary of Single-Family Residential Parcels

Lot Type	Parcel Size Range (sf)	Total Parcels	% Imperv Area	SFE per Parcel	
				Single Home	Multiple Homes
Small	Under 3,200	2,421	65.73%	0.80	0.98
Medium	3,200 to 7,200	16,373	44.82%	1.00	1.22
Large	7,200 and over	2,687	29.81%	1.21	1.48
Condos	n/a	2,510	n/a	0.80	n/a
	TOTAL	**23,991**			

NON-SINGLE-FAMILY RESIDENTIAL PARCELS

Unlike the SFR parcels, the non-SFR parcels can vary widely in size as well as characteristics. For this reason, the parcels have been grouped into land use categories according their %IA characteristics (as shown in Appendix B) so that SFE per acre can be computed for each category using the following formula:

$$\frac{(43{,}560\ sf/acre)\ x\ \%IA}{2{,}148\ sf/SFE} = SFE\ per\ Acre$$

Where 2,148 square feet is the amount of the impermeable area in one SFE.

Table 3 below shows a summary of the non-single-family parcel SFEs for each non-SFR land use category.

Table 3 – Summary of Non-SFR Parcels

Land Use Category	Total Parcels	% Imperv Area	SFE per Acre
Multi-Family (Apartments)	1,494	86%	17.44
Commercial / Retail / Industrial	1,606	96%	19.47
Office	241	90%	18.25
Institutional / Church	281	82%	16.63
School / Hospital	29	75%	15.21
Recreational	28	58%	11.76
Vacant (developed)	548	5%	1.01
Open Space / Agricultural	94	Exempt	
	4,321		

Each individual parcel's SFE is then calculated by multiplying the parcel size (in acres[3]) times the SFE per acre for that land use category, as shown in the following formula:

Developed Vacant Parcels

Developed vacant parcels are distinguished from undeveloped vacant land by one of several characteristics. Typically, a developed vacant parcel has been graded to be ready for building construction (possibly as part of the original subdivision or adjacent street grading). In some cases, the parcel was previously improved, but the improvement has been removed. Although developed vacant parcels may have significant vegetative cover, the underlying soil conditions resulting from grading work can usually cause some rainfall to run off into the storm drainage system. The %IA for developed vacant parcels is conservatively assumed to be 5%. Vacant parcels that have significant impervious paving remaining from prior improvements may be classified as Commercial or some other classification best representing the %IA of the parcel.

Open Space and Agricultural Parcels are Exempt

The City's MS4 was developed in response to land development over the past several decades. Tracts of land that have not yet been developed, or have been used primarily for agricultural purposes, have not created an impact on the drainage system beyond the natural condition, and are therefore considered to receive no service from the MS4.

[3] Parcel size for non-single-family residential parcels is calculated to the tenth of an acre or portion thereof.

In practical terms, these parcels generate no additional storm runoff beyond the natural condition. For these reasons, open space and agricultural parcels are exempt from the storm drainage fee.

Berkeley is a City with some open space land, which can be situated on portions of developed parcels. For parcels that have a significant portion that is considered open space (or agricultural), those portions have been taken into consideration in the calculations of the %IA and SFEs. For SFR parcels, these open space lands have been included in the sampled lots size when calculating the average %IA, which produced a lower %IA for the large parcel category, and, thus, a lower SFE and Fee to accommodate the open space areas. For non- SFR parcels the fees are calculated on individual acreage. However, the open space portion has been deducted from the acreage prior to all analyses including %IA as well as SFE and fee calculation.

EFFECTS OF LOW IMPACT DEVELOPMENT

The current NPDES Permit requires certain properties to construct storm drainage treatment and attenuation facilities, also known as low impact development ("LID"). These facilities often are designed to capture a portion of the storm flows, retain them, and enable them to infiltrate into the ground. While this is intended to help filter pollutants from the water, it also can reduce the parcel's storm drainage runoff quantity to some extent. However, LID is designed to capture, retain and treat frequent, but low intensity storms. Conversely, the MS4 is designed around the infrequent, high intensity storms, those storms which will typically overflow most LID facilities. For this reason, no discount in the storm drainage fees is made available for parcels with LID facilities.

STORM DRAINAGE FEE CALCULATION

The primary metric in this analysis is the SFE as illustrated above. To arrive at the fee amount for the various land use categories, the total SFEs must be divided into the total revenue requirement to arrive at the rate per SFE. That calculation is represented by the following formula:

$$\frac{Total\ Assessments\ to\ be\ Collected}{Total\ SFEs} = SFE\ Rate$$

The total assessment to be collected in FY 2026, includes an allowable adjustment. As described in the Overview section of this report, the fee is subject to an annual adjustment calculated by taking the sum of the 1991 Clean Stormwater Fee and the 2018 Clean Stormwater Fee and multiplying the sum by the allowable CPI increase not to exceed 3%. For the period beginning in December 2023 and ending in December 2024, the CPI increased by 2.38%. As discussed in the Overview section of this report, "Unused CPI" balance from previous years can be used to increase the annual adjustment in years with CPI increases less than 3%. Using the current accumulated "Unused CPI" balance of 2.75%, the proposed adjustment for FY 2026 can be increased to the prescribed maximum of 3%. A balance of 1.98% "Unused CPI" remains to be used in future years.

The SFE calculation can be rewritten as follows:

$$\frac{2018\ Fee\ in\ FY\ 25 + (2018\ Fee\ in\ FY\ 25 + 1991\ Fee\ in\ FY\ 25) \times \%\ Increase}{Total\ SFEs}$$

$$= SFE\ Rate\ in\ FY\ 26$$

Or, using numbers from the analysis, the SFE Rate is:

$$\frac{\$3{,}196{,}655.05 + (\$3{,}196{,}655.05 + \$1{,}914{,}060.84) \times 0.03}{55{,}149.478\ SFEs} = \$\mathbf{60.74}\ \boldsymbol{per\ SFE}$$

This SFE rate amount is then multiplied by the SFE per parcel or SFE per acre for the various land use categories to arrive at the Storm Drainage Fee Rate Schedule shown in Table 4 below.

Table 4 - Storm Drainage Fee Schedule

Rate Category	SFE Rate	Proposed Fee	Unit
Single-Family Residential			
Small	0.79992	$ 48.59	parcel
Medium	1.00000	$ 60.74	parcel
Large	1.20933	$ 73.46	parcel
Condominium	0.79992	$ 48.59	parcel
Multiple SFR on a single parcel pay 22% higher rate			
Non-Single-Family Residential**			
Multi-Family Residential	17.44360	$ 1,059.59	acre
Commercial / Industrial / Parking	19.47193	$ 1,182.79	acre
Office	18.25493	$ 1,108.87	acre
Institutional / Church	16.63227	$ 1,010.30	acre
School / Hospital	15.21244	$ 924.06	acre
Recreational	11.76429	$ 714.61	acre
Park	1.21700	$ 73.92	acre
Vacant (developed)	1.01416	$ 61.60	acre
Open Space / Agricultural		exempt	

* Single-Family Residential category also includes duplex, triplex and four-plex units.
** Non-Single-Family Residential parcel size is calculated to the tenth of an acre or portion thereof

The proposed $60.74 SFE rate is well within the range of storm drainage rates adopted by other municipalities.

18

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Contracts: Matrix HG Inc. and Prime Mechanical Service for Heating, Ventilation, and Air Conditioning (HVAC) Maintenance and Repair

RECOMMENDATION

Adopt two Resolutions authorizing the City Manager to:

1. Execute a contract with any amendments with Matrix HG Inc. to provide HVAC repairs and maintenance services for a three-year period from September 1, 2025 to August 31, 2028, in an amount not to exceed $150,000, with an option to extend for two additional one-year terms.

2. Execute a contract with any amendments with Prime Mechanical Service to provide HVAC repairs and maintenance services for a three-year period from September 1, 2025 to August 31, 2028, in an amount not to exceed $150,000, with an option to extend for two additional one-year terms.

FISCAL IMPACTS OF RECOMMENDATION

Funding necessary to support these contracts is available in the FY2026 Public Works Building Purchases and Management Fund (Fund 636) and Building Maintenance Fund (Fund 673) Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027-2028.

CURRENT SITUATION AND ITS EFFECTS

The existing contract for HVAC maintenance and repair was executed in 2015. To ensure compliance with City procurement policies and to avoid disruption in HVAC maintenance and repair services, it is necessary to execute a new contract based on the results of the recent competitive solicitation. HVAC maintenance and repair are critical to supporting the air quality and temperature control needs of City staff and community members.

The City conducted Invitation to Bid Specification No. 25-11724-C with Proposals due no later than May 15, 2025. The City received four proposals in response. The selection committee, composed of subject matter experts from Public Works, evaluated the

proposals and reported that three were responsive bids with competitive rates within the City's budget.

The evaluation criteria used to rate the proposals were as follows: Project Approach (30%), Expertise and References (15%), Cost (25%), and Ability to Perform Services Scope (30%). Matrix HG Inc. and Prime Mechanical Service were selected as the highest-scoring, responsive vendors.

These services support the City's facilities in alignment with the Strategic Plan Priority of advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

The City uses HVAC systems to provide a healthy and comfortable environment, while also regulating extreme heat or cold weather conditions. HVAC systems require routine maintenance to ensure optimal performance.

The selected vendors have the adequate staff and equipment necessary to provide City services. The new contracts will ensure clear guidelines and standardized prices for HVAC maintenance and repair services.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Regular maintenance and repair of HVAC systems is essential for optimizing performance, prolonging equipment lifespan, and minimizing the environmental impacts. Well-maintained HVAC systems operate more efficiently, which leads to reduced energy consumption and carbon emissions. Regular servicing prevents the leaking of refrigerants into the atmosphere, which are damaging to the ozone layer and contribute to climate change. Finally, optimized HVAC systems also improve indoor air quality and provide air circulation benefits.

RATIONALE FOR RECOMMENDATION

The City requires reliable and responsive HVAC maintenance and repair services to maintain the heating, ventilation and air-conditioning needs of City facilities. Executing new contracts ensures ongoing service and prevents potential disruption to fleet-dependent City operations.

The new HVAC maintenance and repair services contracts will address the City's needs, while stabilizing costs and fees. The selected HVAC service providers will be utilized as needed to ensure the City has adequate resources available for HVAC maintenance and repair.

ALTERNATIVE ACTIONS CONSIDERED

The City does not have existing staffing with the training or expertise to perform HVAC maintenance and repair work. Therefore, there are no viable alternatives at this time to contract services.

CONTACT PERSON
Joy Brown, Operations Manager, (510) 981-6629
Aaron Baker, Facilities Maintenance Superintendent, (510) 981-6452
Tucker Brofft, Senior Management Analyst, (510) 981-5375
Erika Barros, Associate Management Analyst, (510) 981-6462

Attachments:
1: Resolution
2: Resolution

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

CONTRACT: MATRIX HG INC. FOR HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR

WHEREAS, the City conducted RFP Solicitation No. 25-11724-C with bids due no later than May 15, 2025; and

WHEREAS, the City received four proposals and a selection committee, composed of subject matter experts from the Public Works Department, met to evaluate the bids; and

WHEREAS, Matrix HG Inc. and Prime Mechanical Service were selected as the most responsive and highest-scoring vendors; and

WHEREAS, funding is available in the Fiscal Year 2026 adopted budget in the Public Works Facilities Division Building Purchases and Management-Fund 636 and Building Maintenance-Fund 673. Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027-2028.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Matrix HG Inc. to provide HVAC maintenance and repair services for three years from September 1, 2025 to August 31, 2028 for an amount not to exceed $150,000 with the option to extend for two additional one-year terms.

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

CONTRACT: PRIME MECHANICAL SERVICE FOR HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR

WHEREAS, the City conducted RFP Solicitation No. 25-11724-C with bids due no later than May 15, 2025; and

WHEREAS, the City received four proposals and a selection committee, composed of subject matter experts from the Public Works Department, met to evaluate the bids; and

WHEREAS, Matrix HG Inc. and Prime Mechanical Service were selected as the most responsive and highest-scoring vendors; and

WHEREAS, funding is available in the Fiscal Year 2026 adopted budget in the Public Works Facilities Division Fund 636 and Fund 673 budget. Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027-2028.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Prime Mechanical Service to provide HVAC maintenance and repair services for three years from September 1, 2025 to August 31, 2028 for an amount not to exceed $150,000 with the option to extend for two additional one-year terms.

19

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Department of Public Works

Subject: Updated Sewer System Management Plan

RECOMMENDATION
Adopt a Resolution approving the update of the Sewer System Management Plan, as mandated by the State Water Resources Control Board.

FISCAL IMPACTS OF RECOMMENDATION
Approval of the updated Sewer System Management Plan (SSMP) has no direct fiscal impact. Staff will submit reports for Council approval when authority is required to implement specific work.

CURRENT SITUATION AND ITS EFFECTS
The State Water Resources Control Board (SWRCB) issued a new General Order WQ 2022-0103-DWQ which defines the statewide wastewater discharge requirements. This Order supersedes the previous Order 2006-0003-DWQ. The new Order requires the City to develop and implement an updated Sewer System Management Plan (SSMP).

Council last approved the SSMP in July 2019. Staff updated the attached SSMP to meet the requirements of General Order WQ 2022-0103-DWQ. The updating process includes staff implementing the new requirements through training, internal meetings, and continued sewer system maintenance. These steps were completed in May 2025. The last action required is council approval of the updated SSMP.

Council approval of the updated SSMP authorizes the Senior Public Works Supervisor to be the City's Legally Responsible Official (LRO) for the purpose of certifying sewer overflow reports to the SWRCB. It also delegates authority to the Public Works Director to make administrative and other minor procedural changes in order to keep the SSMP current.

BACKGROUND
In 2005, the San Francisco Bay Regional Water Quality Control Board (RWQCB) initiated a program that requires electronic reporting of Sanitary Sewer Overflows (SSOs) and development of SSMPs.

After the implementation of the RWQCB program, the SWRCB issued an order in May 2006. This order mandated a statewide program very similar to the RWQCB program, in that it required electronic reporting of all SSOs and the preparation and implementation of an SSMP. The RWQCB was replaced with the SWRCB program in 2006. The previous SWRCB program required collection agencies to present the SSMP to the agency's governing board for approval and re-approval every 5 years. The last approval happened in July 2019.

The SWRCB issued the current order WQ 2022-0103-DWQ which serves as statewide wastewater discharge requirements. This Order supersedes the previous Order 2006-0003-DWQ. Order WQ 2022-0103-DWQ introduced a new three-year internal audit period and requires the City to at a minimum update the SSMP every six years.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Adoption and implementation of the revised SSMP will improve the efficiency of the maintenance programs and will minimize the frequency of sanitary sewer overflows. Ultimately, it will minimize pollution impacts to the San Francisco Bay. The SSMP assists staff in properly managing, operating, and maintaining all portions of the City's wastewater collection system, and protecting the water quality.

RATIONALE FOR RECOMMENDATION

The City, as a sanitary sewer system collection agency is required to maintain and periodically update its SSMP, as well as recertify conditions set forth in the SWRCB Order WQ 2022-0103-DWQ.

ALTERNATIVE ACTIONS CONSIDERED

None. If the SSMP is not updated, the City will be out of compliance with the SWRCB requirements. A contractor was not needed to complete this task, as it is within the expertise of existing City staff.

CONTACT PERSON

Wahid Amiri, Deputy Director of Public Works, Public Works, (510) 981-6396
Ronald A. Nevels, Manager of Engineering, Public Works, (510) 981-6439
Daniel Akagi, Supervising Civil Engineer, Public Works, (510) 981-6394
Francisco Alonso, Junior Public Works Engineer, Public Works, (510) 981-6405

Attachments:
1: Resolution
2: Updated SSMP and Appendices
3: Record of Changes to the SSMP

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

UPDATED SANITARY SEWER SYSTEM MANAGEMENT PLAN

WHEREAS, in July 2005, the San Francisco Bay Regional Water Quality Control Board (RWQCB) required municipalities that own and operate sanitary sewer collection systems to prepare a Sewer System Management Plan (SSMP), and issued guidelines for the preparation of the SSMP; and

WHEREAS, in May 2006, the State Water Resources Control Board (SWRCB), issued Order No. 2006-0003 General Waste Discharge Requirements for Sanitary Sewer Systems (GWDR); and

WHEREAS, the City of Berkeley last updated the SSMP in June 2019, and posted the revised document on its website; and

WHEREAS, in December 2022, the State Water Resources Control Board (SWRCB), issued Order WQ 2022-0103-DWQ Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems (WDR); and

WHEREAS, pursuant to the statewide WDR, public agencies that own and operate sanitary sewer systems greater than one mile in length must develop an SSMP, and in accordance with SWRCB requirements, the agency must update, recertify, and have their governing body approve the SSMP every 6 years; and

WHEREAS, the City of Berkeley, Department of Public Works, updated the SSMP in May 2025, and will post the revised document on its website.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby approves the 2025 Sewer System Management Plan consisting of a comprehensive update of the existing 2019 SSMP to comply with the adopted statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order No. 2022-0103-DWQ.

City of Berkeley
Sewer System Management Plan

May 2025

Document Version Control

This Sewer System Management Plan (SSMP) is a living document that is anticipated change over time. This version control sheet is intended to support the City's efforts to keep the copies of the SSMP that have been assigned to City Staff current. Please contact Tiffany Pham at (510) 981-6427 prior to making copies for use by others, initiating changes, or for information regarding the current version of this document.

SSMP Copy No. _____

This copy assigned to _____ Telephone No. _____

SSMP Section	Original Version Date	Last Updated Version Date	Current Version Date
Title Page	April 16, 2009	May 31, 2019	May 2, 2025
1. Goal and Introduction	April 16, 2009	March 31, 2014	May 2, 2025
2. Organization	April 16, 2009	May 31, 2019	May 2, 2025
3. Legal Authority	April 16, 2009	March 31, 2014	May 2, 2025
4. Operation and Maintenance Activities	April 16, 2009	May 8, 2019	May 2, 2025
5. Design and Performance Provisions	April 16, 2009	May 8, 2019	May 2, 2025
6. Spill Emergency Response Plan	April 16, 2009	May 31, 2019	May 2, 2025
7. Sewer Pipe Blockage Control Program	April 16, 2009	May 31, 2019	May 2, 2025
8. System Evaluation and Capacity Assurance Plan	April 16, 2009	May 31, 2019	May 2, 2025
9. Monitoring, Measurement, and Program Modifications	April 16, 2009	May 8, 2019	May 2, 2025
10. Internal Audit	April 16, 2009	May 31, 2019	May 2, 2025
11. Communication Program	April 16, 2009	May 31, 2019	May 2, 2025

Table of Contents

Chapter 1 Goal and Introduction 1-1
1.1 Regulatory Context 1-1
1.2 Sewer System Management Plan Update Schedule 1-1
1.3 Sewer System Asset Overview 1-1
Chapter 2 Organization 2-1
Chapter 3 Legal Authority 3-1
Chapter 4 Operation and Maintenance Program 4-1
4.1 Updated Map of Sanitary Sewer System 4-1
4.2 Preventive Operation and Maintenance Activities 4-1
4.2.1 Overview of Sewer Maintenance Program 4-1
4.2.2 Sewer Preventive Maintenance 4-1
4.2.3 Non-Routine Maintenance 4-3
4.3 Training 4-4
4.4 Equipment Inventory 4-5
Chapter 5 Design and Performance Provisions 5-1
5.1 Updated Design Criteria and Construction Standards and Specifications 5-1
5.2 Procedures and Standards 5-1
Chapter 6 Spill Emergency Response Plan 6-1
6.1 Goals for SSO Response 6-1
6.2 Definitions 6-1
6.3 Response to Notification of Spill 6-3
6.3.1 Public Observation 6-3
6.3.2 City Staff Observation 6-3
6.3.3 Alarms 6-4
6.4 SSO Response Procedures 6-4
6.4.1 Customer Relations Practices 6-5
6.4.2 First Responder Priorities 6-5
6.4.3 Safety 6-6

6.4.4 Initial Response 6-6
6.4.5 Restore Flow 6-7
6.4.6 Initiate Spill Containment Measures 6-7
6.4.7 Equipment 6-8
6.5 SSO Volume Estimation 6-8
6.6 Water Quality Sampling and Monitoring Program 6-8
6.7 Recovery and Clean-Up 6-8
6.7.1 Recovery of Spilled Sewage 6-9
6.7.2 Clean-up and Disinfection 6-9
6.8 Public Notification 6-10
6.9 Failure Analysis Investigation 6-10
6.10 SSO Documentation and Reporting 6-11
6.10.1 Internal SSO Notification and Reporting Procedures 6-11
6.10.2 External SSO Reporting Procedures 6-12
6.10.3 Internal Procedures to Ensure Timely and Accurate CIWQS SSO Certification 6-2
6.10.4 Internal SSO Documentation 6-2
6.10.5 External SSO Record Keeping Requirements 6-3
6.11 Post SSO Event Debriefing 6-4
6.12 SSO Response Training 6-4
6.12.1 Initial and Annual Refresher Training 6-5
6.12.2 SSO Response Drills 6-5
6.12.3 SSO Training Record Keeping 6-5
6.13 Contractors Working On City Sewer Facilities 6-5
Chapter 7 Sewer Pipe Blockage Control Program 7-1
7.1 Nature and Extent of FOG Problem 7-1
7.2 FOG Source Control Program 7-1
7.3 Public Outreach Program 7-1
7.4 Acceptable FOG Disposal Facilities 7-2
7.5 FOG Preventive Maintenance 7-2
7.6 Legal Authorities 7-2

Chapter 8 System Evaluation and Capacity Assurance Plan 8-1
8.1 System Evaluation and Condition Assessment 8-1
8.2 Capacity Assessment and Design Criteria 8-1
8.3 Prioritization of Corrective Action 8-2
8.4 Capital Improvement Plan 8-2
Chapter 9 Monitoring, Measurement, and Program Modifications 9-1
9.1 Information Used to Monitor and Measure SSMP Performance 9-1
9.2 Annual Reporting 9-3
9.3 SSMP Updates ..... **Error! Bookmark not defined.**
Chapter 10 Internal Audits 10-1
10.1 Plan for SSMP Program Audits 10-1
Chapter 11 Communication Program 11-1
11.1 Communication with Public 11-1
11.2 Outside Owners/Operators and Satellite Systems 11-4

List of Tables

Table 2-1: Narrative Explanation of Responsibilities of SSMP Organization Positions 2-3
Table 2-2: Positions Responsible for SSMP Implementation 2-4
Table 3-1: Summary of City of Berkeley's Legal Authorities 3-2
Table 4-1: Training Resources 4-4
Table 6-1: Spill Category Definitions 6-2
Table 6-2: Notification, Reporting, Monitoring, and Record Keeping Requirements 6-12
Table 9-1: Performance Metrics for Monitoring and Measurement 9-2
Table 11-1: Strategies for Communication with Public on SSMP Development, Implementation and Performance 11-2
Table 11-2: Plan for Communication with Tributary and/or Satellite Agencies 11-4

List of Figures

Figure 2-1: SSMP Organization Lines of Authority 2-2

Figure 2-2: Chain of Communications for Reporting SSOs 2-5

Figure 6-1: Notification and Response Flow Chart 6-4

Figure 6-2: External Notification and Reporting Requirement Flow Chart 6-14

Appendices

Appendix A

SWRCB Order WQ 2022-0103-DWQ – Statewide Waste Discharge Requirements General Order For Sanitary Sewer Systems

Appendix B

SWRCB Order No. 2006-003 – Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

Chapter 1 Appendices

None

Chapter 2 Appendices

Appendix 2-A Key Staff Contact Information

Chapter 3 Appendices

None

Chapter 4 Appendices

Appendix 4-A Public Works Streets and Utilities Division Field Manual – Section IV, Sanitary Sewer Maintenance
Appendix 4-B Hot Spot Sewer Cleaning List
Appendix 4-C Routine Cleaning Sector List
Appendix 4-D Lift Station Maintenance Work Order Form
Appendix 4-E Manhole Inspection Form
Appendix 4-F Major Sewer Equipment List
Appendix 4-G Critical Sewer Replacement Parts Inventory

Chapter 5 Appendices

Appendix 5-A Standards for Sanitary Sewers
Appendix 5-B City of Berkeley Standard Details and Detail Specifications

Chapter 6 Appendices

Appendix 6-A Contact Information for Neighboring Agencies
Appendix 6-B Sewer Field Crew Report
Appendix 6-C Methods for Estimating Spill Volume
Appendix 6-D Sample Warning Sign

Chapter 7 Appendices

Appendix 7-A EBMUD Regional FOG Program
Appendix 7-B Example FOG Control Program Quarterly Summary Report
Appendix 7-C City of Berkeley FOG Brochure
Appendix 7-D EBMUD Approved Grease Haulers
Appendix 7-E Grease SSO and Blockage Reporting Form

Chapter 8 Appendices

Appendix 8-A Design Flow, Hydraulic, and Capacity Criteria
Appendix 8-B Status of Capacity Improvement Projects (May 2025)

Chapter 9 Appendices

Appendix 9-A SSMP Change Log

Chapter 10 Appendices

Appendix 10-A 2025 SSMP Audit Report

Chapter 11 Appendices

None

Abbreviations and Definitions

ACDEH	Alameda County Department of Environmental Health
AMIP	Asset Management Implementation Plan
AO	Administrative Order for Compliance
BMC	City of Berkeley Municipal Code
BMP	Best Management Practices. Refers to the procedures employed in commercial kitchens to minimize the quantity of fats, oils, and grease that are discharged to the sanitary sewer system. Examples include scraping food scraps into the garbage can and dry wiping dishes and utensils prior to washing.
CalOES	California Office of Emergency Services
CCTV	Closed-Circuit Television. Refers to the process and equipment that are used to internally inspect the condition of gravity sewers.
CDFW	California Department of Fish and Wildlife
CIP	Capital Improvements Plan
City	City of Berkeley
CIWQS	California Integrated Water Quality System. Refers to the SWRCB online electronic reporting system that is used to report SSOs, certify completion of the SSMP, and provide information on the sanitary sewer system.
CMMS	Computerized Maintenance Management System
Consent Decree	Since September 2014, the seven Satellites and EBMUD entered into a Consent Decree with EPA, the SWRCB, and the RWQCB, which established requirements for achieving the elimination of WWF discharges over the next 20 to 25 years.
CWEA	California Water Environment Association
CY	Calendar Year
Design Storm	A 7-hour rainfall event, as defined for the East Bay I/I Study conducted during the 1980s, which determines the peak flow rate that the City's sewer system must have capacity to convey. The design storm event is assumed to occur under saturated soil conditions and concurrently with the diurnal peak base wastewater flow.
EBMUD	East Bay Municipal Utility District
EPA	U.S. Environmental Protection Agency
First Responder	Refers to the City employee who provides the City's initial response to a sewer system event.

FOG	Fats, Oils and Grease
Force Main	Refers to a pressure sewer used to convey wastewater from a pump station to the point of discharge.
FSE or FHF	Food Service Establishment or Food Handling Facilities. Refers to commercial or industrial facilities where food is handled, prepared, and/or served that discharge to the sanitary sewer system.
FY	Fiscal Year
GIS	Geographic Information System. Refers to the City's system that is used to store, analyze, and manage geospatial data associated with the City's sanitary sewer system assets.
GPS	Global Positioning System
GRD	Grease Removal Device. Refers to grease traps or grease interceptors that are installed to remove FOG from the wastewater flow at food service establishments.
I/I	Infiltration and Inflow. Refers to storm water or groundwater that enter the sanitary sewer system through defects in pipes and manholes (infiltration) or direct drainage connections (inflow).
LBNL	Lawrence Berkeley National Laboratory
Lower Lateral	Refers to the portion of the sewer service lateral located in the public right-of-way, extending from the City Cleanout near the property line to the public sewer.
LRO	Legally Responsible Official. Refers to the individual who has the authority to certify reports and other actions that are submitted through CIWQS.
MH	Manhole or Maintenance Hole. Refers to an engineered structure that is intended to provide access to a sanitary sewer for maintenance and inspection.
MWWTP	EBMUD Main Wastewater Treatment Plant
NASSCO	National Association of Sewer Service Companies
OES	California State Office of Emergency Services
O&M	Operations and Maintenance
NPDES	National Pollutant Discharge Elimination System
PACP	Pipeline Assessment Certification Program
PLSD	Private Lateral Sewage Discharge

PSL	Private Sewer Lateral. Refers to the portion of the sewer service lateral that connects a building drain to the City's Lower Lateral or Yard Sewer Main.
PM	Preventive Maintenance
RWQCB	Regional Water Quality Control Board, San Francisco Bay Region
SECAP	System Evaluation and Capacity Assurance Plan
Sewer Main or Main Sewer	A sanitary sewer line directly controlled by the City of Berkeley and located in the public right-of-way or City easement that collects flow from more than one sewer lateral.
MWWTP	EBMUD Main Wastewater Treatment Plant
Sanitary Sewer System	Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility.
SERP	Spill Emergency Response Plan
SO	Stipulated Order for Preliminary Relief
SSMP	Sewer System Management Plan
SSO	Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundment, tanks, etc) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs. .
SWRCB	State Water Resources Control Board
UCB	University of California, Berkeley Campus
VCP	Vitrified Clay Pipe
WDR	Refers to SWRCB Order No. 2006-0003 Statewide General Waste Discharge Requirements for Sanitary Sewer Systems
Work Order	Refers to a document (paper or electronic) that is used to assign work and to record the results of the work.
WWF	Wet Weather Facility
Yard Sewer Main	A Sewer Main that is subject to the City's control and maintenance but that is not located in a public right-of-way.

Chapter 1 Goal and Introduction

The goal of the Sewer System Management Plan is to provide a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system to prevent SSOs and mitigate any SSOs that do occur.

1.1 Regulatory Context

The WDR includes the following goal for the SSMP:

The goal of the Sewer System Management Plan (Plan) is to provide a plan and schedule to: (1) properly manage, operate, and maintain all parts of the Enrollee's sanitary sewer system(s), (2) reduce and prevent spills, and (3) contain and mitigate spills that do occur.

1.2 Sewer System Management Plan Update Schedule

The City will conduct an internal Sewer System Management Plan Audit at a minimum frequency of once every three years as stated in section 5.4 of the WDR.

Audit No.	Due date
1	May 2025
2	May 2028
3	May 2031

The City will also update its Sewer System Management Plan every six years as stated in section 5.5 of the WDR, with the six-year period commencing on the due date identified in section 3.11 of Attachment E1 of the WDR.

Update No.	Due Date
1	May 2, 2025
2	May 2, 2031
3	May 2, 2037

1.3 Sewer System Asset Overview

The City's collection system located in Berkeley, Ca and part of Alameda County, includes approximately 254 miles of City-owned sanitary sewers, 7,200 manholes and other sewer structures, seven sewage pump stations, and approximately 31,600 service laterals. The City's service connections

are estimated to be 92% residential and the remaining 8% are a mix of commercial and industrial. The activities related to these assets are recorded using NexGen, for work orders, and Accela, for permitting. The City's Collection System serves approximately 125,354 residents. The City is responsible for maintenance and repair of the lower portion of the service laterals (located within the public right-of-way) from the property line cleanout to the connection to the City's sewer main. The collection system serving the University of California at Berkeley (UCB) campus, located within the City, is owned and maintained by the University but discharges to the City's sewer system, as do the sewer systems serving the Lawrence Berkeley National Laboratory (LBNL) and Golden Gate Fields. The City's system also receives wastewater from small adjacent areas of the City of Albany, City of Oakland, and the Stege Sanitary District (Kensington).

Wastewater generated in the City's collection system is conveyed to the East Bay Municipal Utility District (EBMUD) wastewater interceptor system, and is treated at EBMUD's Main Wastewater Treatment Plant (MWWTP) located near the eastern terminus of the San Francisco-Oakland Bay Bridge. EBMUD also receives flows from six other "Satellite" collection system agencies: the cities of Alameda, Albany, Emeryville, Oakland, and Piedmont, and the Stege Sanitary District. The City has unique service boundary conditions where the sewer system lies in areas that are regulated or affected by Caltrans, UC Berkeley, and Bart. The area in which the City is located brings issues such as being located near various earthquake fault lines, sea level rise, and high quantity of sewer mains in private property.

During the 1980s, EBMUD and the seven Satellite agencies conducted studies to address the problem of overflows and bypasses of untreated wastewater that occurred during large wet weather events due to excessive infiltration and inflow (I/I) into the collection systems. These studies resulted in a long-term program of construction of collection system relief sewers and sewer rehabilitation (called the East Bay I/I Correction Program), and construction by EBMUD of improvements at the MWWTP as well as three new remote Wet Weather Facilities (WWFs) designed to store, provide primary-level treatment, and discharge flows that exceeded the capacity of its interceptor system during wet weather.

Through the I/I Correction Program, the City has rehabilitated or replaced over 200 miles of its gravity sewers and associated lower laterals over the past 30 years. Since 2006, the City has also implemented a private sewer lateral (PSL) certification program requiring the inspection and/or repair or replacement of private (upper) sewer laterals at the time of property transfer or major building remodel. To date, approximately 7,000 private laterals have been certified for compliance under the program.

In 2009, the U.S Environmental Protection Agency (EPA), State Water Resources Control Board (SWRCB), and the San Francisco Bay Regional Water Quality Control Board (RWQCB) prohibited future discharges from the WWFs, and entered into a legal settlement with EBMUD to establish programs focused on reducing wet weather flows. Shortly thereafter, the EPA issued Findings of Violation and Orders for Compliance, also called Administrative Orders (AOs), to each of the seven EBMUD Satellite agencies requiring the development of specific plans and programs to reduce SSOs and control wet weather I/I into the collection systems. The AOs were subsequently replaced in 2011 by a Stipulated Order for Preliminary Relief (SO) with the EPA, SWRCB, and RWQCB. As required by the SO, the City has prepared various plans and reports related to the management, operation, and maintenance of its

sewer system, including an Asset Management Implementation Plan (AMIP), Inflow Identification and Elimination Plan, Subbasin Flow Monitoring and I/I Assessment Plan and Report, as well as annual progress reports.

The seven Satellites and EBMUD are currently in joint negotiations with EPA, the SWRCB, and the RWQCB on a Consent Decree, which will establish requirements for achieving the elimination of WWF discharges over the next 20 to 25 years. This SSMP will be updated as needed to incorporate any additional changes to sewer system programs and practices that are required as part of the final Consent Decree.

Chapter 2 Organization

This chapter identifies the City's authorized representatives and describes the organization of City staff, their chain of communication, and roles in implementation of the SSMP.

The duly authorized representative, also referred to as Legally Responsible Official (LRO), as defined in Section 5.1 of the WDR, is the Senior Public Works Supervisor.

Figure 2-1 is an organization chart summarizing positions and lines of authority for staff responsible for SSMP implementation. **Table 2-1** summarizes the roles and responsibilities relevant to the sanitary sewer system infrastructure of the key positions shown on the organization chart. The positions with overall responsibility for implementing the specific elements and measures of the SSMP are identified in **Table 2-2**. The names, telephone numbers, and emails for management, administrative, and maintenance positions are included in **Appendix 2-A**.

Figure 2-1: SSMP Organization Lines of Authority

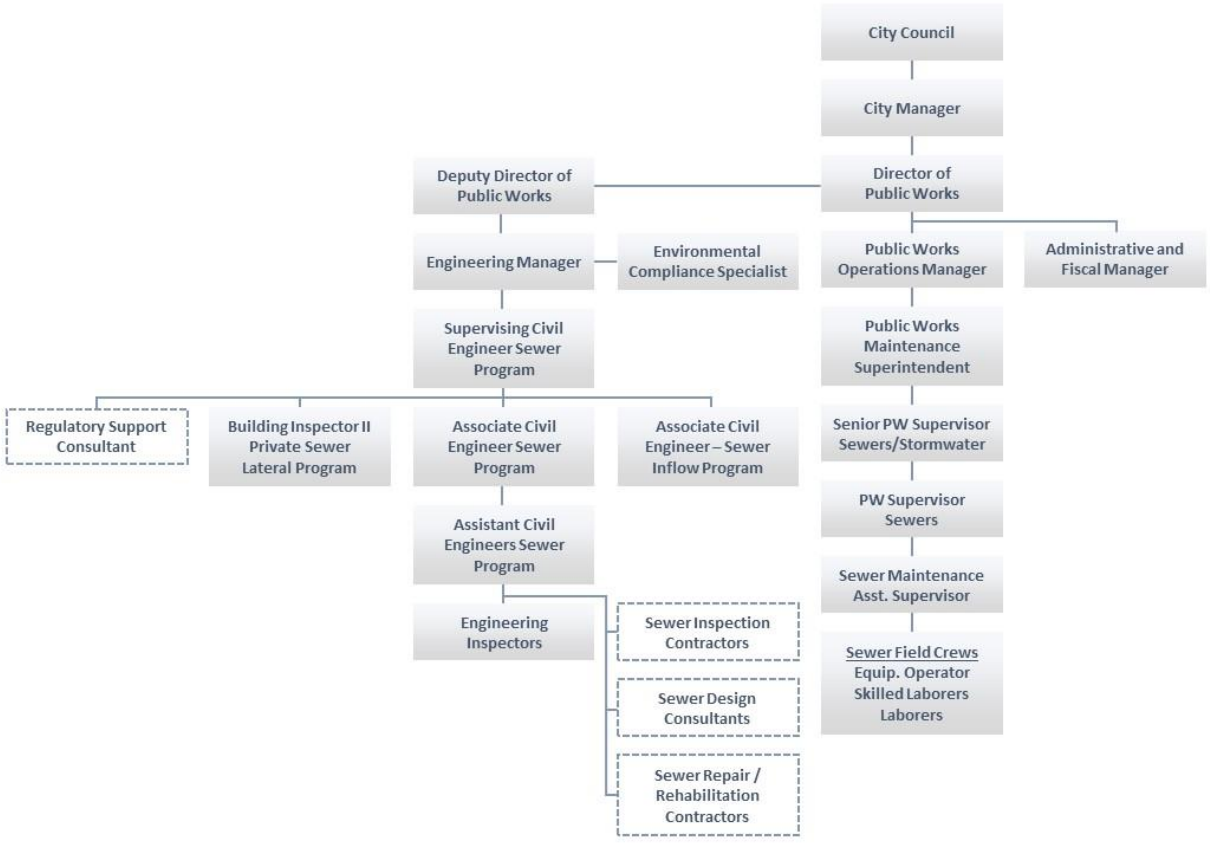


Table 2-1: Narrative Explanation of Responsibilities of SSMP Organization Positions

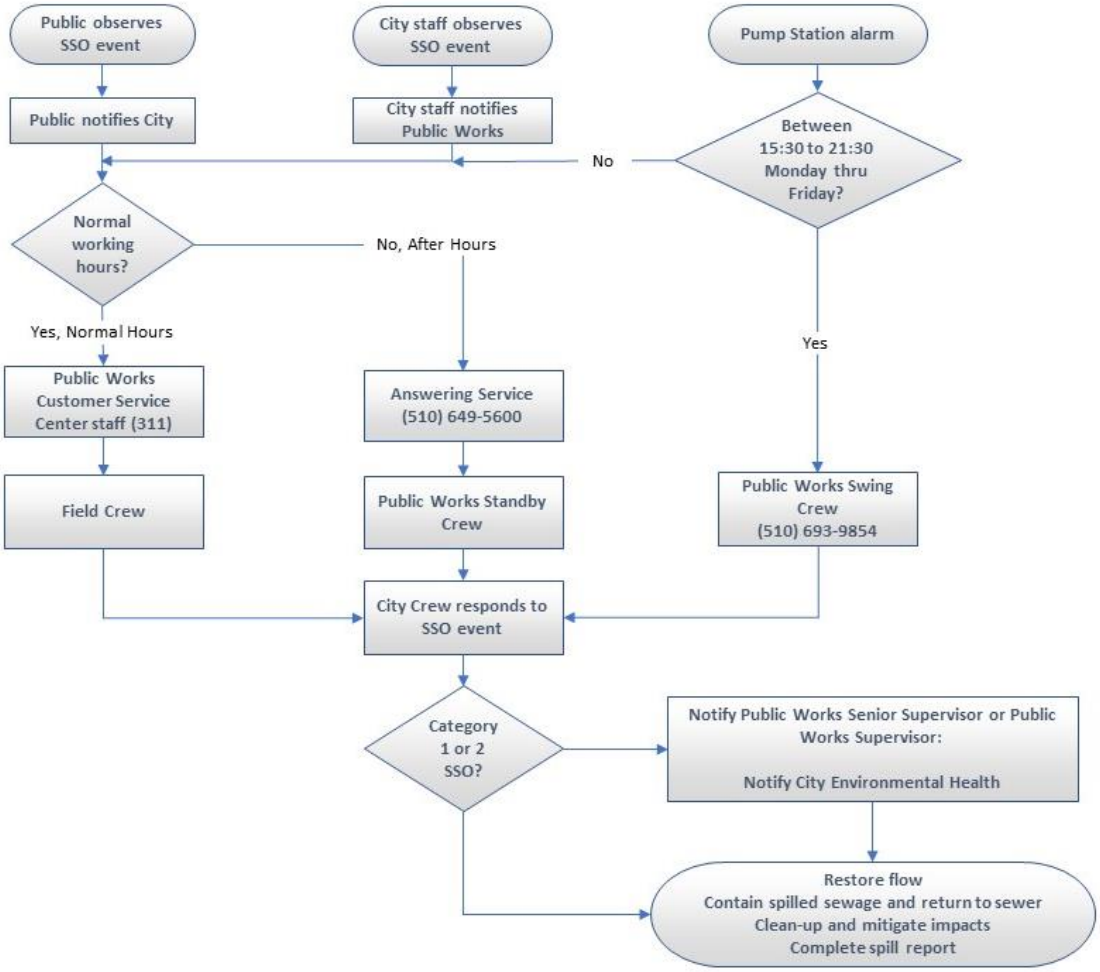
Position	Narrative Explanation
City Council	Provides policy direction, approves SSMP, and appropriates funds to implement SSMP activities
City Manager	Implements City Council policy
Director of Public Works	Supervises Public Works engineering, operations, and administrative staff. Regulatory agency liaison. Overall responsibility for capital and operating budgets.
Deputy Director of Public Works	Supervises Public Works engineering and administrative staff. Regulatory agency liaison.
Public Works Operations Manager	Oversees the O&M aspects of the SSMP. Supervises operations and maintenance staff.
Administrative and Fiscal Manager	Responsible for establishing sewer operating and capital budgets.
Manager of Engineering	Oversees programs related to the sewer rehabilitation and I/I correction programs, including sewer condition assessment, rehabilitation, inflow, and private sewer lateral compliance programs. Supervises engineering staff.
Supervising Civil Engineer	Supervises engineering staff working on the sewer program. Oversees preparation of plans and reports required by regulatory orders; serves as technical advisor to Director of Public Works on regulatory issues.
Associate Civil Engineer – Sewer CIP Program	Oversees sewer rehabilitation design and construction projects and GIS updates; coordinates with O&M staff on referrals for sewer repairs and map updates.
Associate Civil Engineer – Sewer Inflow Program	Manages smoke testing contractor, compiles and tracks smoke testing results and related enforcement activities, sends out notices and citations for violations
Assistant Civil Engineers – Sewer CIP Program	Manage sewer rehabilitation design and construction projects and contractor CCTV and manhole inspection. Perform GIS updates.
Engineering Inspectors	Inspect sewer rehabilitation construction.
Building Inspector II – Private Sewer Lateral Program	Manages the PSL compliance program, including issuing sewer lateral certificates, tracking compliance, and issuing notices and citations for violations.
Public Works Maintenance Superintendent	Oversees sewer system O&M program and supervises sewer system O&M staff. Responsible for City's reporting to CIWQS.
Senior Public Works Supervisor	LRO. Responsible for training and tracking performance of sewer O&M staff, maintaining and reporting O&M metrics. Authorized representative for reporting to CIWQS.
Public Works Supervisors	Supervise sewer field personnel; assign and track completion of work. Support planning, scheduling, dispatch, and tracking of sewer maintenance activities. Authorized representative for reporting to CIWQS.
Sewer Maintenance Assistant Supervisors	Assist in leading and supervising sewer field personnel.
Sewer Field Personnel	Perform sewer system emergency response, cleaning, inspection, and repair work.
Environmental Compliance Specialist	Provides data management support for tracking and reporting sewer maintenance activities; supports CMMS implementation. Authorized representative for reporting to CIWQS.

Table 2-2: Positions Responsible for SSMP Implementation

SSMP Element	SSMP Element/Measure	Responsible Position
1	Goal and Introduction	Director of Public Works
2	Organization	Director of Public Works
3	Legal Authority	Director of Public Works
4	Operations and Maintenance Program – Mapping	Supervising Civil Engineer - Sewers
4	Operations and Maintenance Program – Preventive and Routine Maintenance; Sewer Inspection	Public Works Maintenance Superintendent
4	Operations and Maintenance Program – Condition Assessment; Rehabilitation and Replacement Program	Supervising Civil Engineer - Sewers
4	Operations and Maintenance Program – CIP Program Funding	Director of Public Works
4	Operations and Maintenance Program – Field Crew Training; O&M Contractor Training	Public Works Maintenance Superintendent
4	Operations and Maintenance Program – Inspection and CIP Contractor Training	Supervising Civil Engineer - Sewers
4	Operations and Maintenance Program – Equipment and Replacement Parts Inventory	Public Works Maintenance Superintendent
5	Design and Performance Provisions	Supervising Civil Engineer - Sewers
6	Spill Emergency Response Plan	Public Works Maintenance Superintendent
7	Sewer Pipe Blockage Control Program	Public Works Maintenance Superintendent
8	System Evaluation, Capacity Assurance and Capital Improvements	Supervising Civil Engineer - Sewers
9	Monitoring, Measurement, and Program Modifications	Operations Manager
10	Internal Audits	Operations Manager and Engineering Manager
11	Communication Program	Deputy Director of Public Works

The City's chain of communications for reporting sewer overflows is shown in **Figure 2-2.** Refer to Chapter 6, Overflow Emergency Response Plan, for additional information on SSO notification and reporting.

Figure 2-2: Chain of Communications for Reporting SSOs



Chapter 3 Legal Authority

This section of the SSMP discusses the City's legal authority to comply with the SSMP requirements, as provided in its Municipal Code and agreements with other agencies.

The Berkeley Municipal Code (BMC) and the California Plumbing Code, which has been adopted by the City, provide the City with the required legal authorities. The City's legal authorities are also provided by EBMUD Ordinances and Regulations. The City's current legal authorities are summarized in **Table 3-1**. Each of the documents providing the City of Berkeley with required legal authorities can be accessed via the internet at the following websites:

- Berkeley Municipal Code: http://codepublishing.com/ca/berkeley/
- California Plumbing Code: https://epubs.iapmo.org/CPC/
- EBMUD Wastewater Control Ordinance: https://www.ebmud.com/wastewater/collection-treatment/wastewater-control-ordinance-discharge-limits

As noted previously, other public agency sewer systems discharging to the City's system include the University of California Berkeley (UCB), Lawrence Berkeley National Laboratory (LBNL), and small portions of the City of Albany, City of Oakland, and Stege Sanitary District. The City communicates with these agencies on a regular basis, as described in Section 11.2. The City plans to develop more formal agreements with these agencies in the future in order to better define their specific responsibilities with respect to sewer discharge into the City of Berkeley sewer system and, in applicable cases, each agency's responsibilities for jointly-used facilities.

Table 3-1: Summary of City of Berkeley's Legal Authorities

Requirement	Legal Authority Reference
ILLICIT DISCHARGES	
Prevent illicit discharges into the wastewater collection system	BMC 17.16.020, EBMUD Wastewater Control Ordinance
Limit the discharge of fats, oils, and grease and other debris that may cause blockages	BMC 17.16.020
Control infiltration and inflow (I/I) from private service laterals	BMC 17.24.050,060,070
PROPER DESIGN AND CONSTRUCTION	
Require that sewers and connection be properly designed and constructed	BMC 17.16.050
Require proper installation, testing, and inspection of new and rehabilitated sewers	BMC 17.16.050, 17.24.120
ACCESS TO LATERALS	
Clearly define City responsibility and policies	BMC 17.24.020
Ensure access for maintenance, inspection, or repairs for portions of the service lateral owned or maintained by the City	BMC 17.24.040
FOG SOURCE CONTROL	
Requirements to install grease removal devices (such as traps or interceptors)	EBMUD Wastewater Control Ordinance
Design standards for the grease removal devices	BMC 19.34.010
Maintenance requirements, BMP requirements, record keeping and reporting requirements for grease removal devices	EBMUD Wastewater Control Ordinance
Authority to inspect grease producing facilities	EBMUD Wastewater Control Ordinance
ENFORCEMENT	
Enforce any violations of its sewer ordinances	BMC 1.20

Chapter 4 Operation and Maintenance Program

This section of the SSMP provides an overview of the City's sewer system operations and maintenance (O&M) program. The elements of the City's sewer system O&M Program include maintenance of gravity sewers, operational inspection and maintenance of pump stations, and sewer and manhole inspection, rehabilitation and replacement. The details of the City's O&M programs are described in this section.

4.1 Updated Map of Sanitary Sewer System

The City has a geographic information system (GIS) that includes the information for its wastewater collection system assets. The GIS information is available to appropriate City staff.

The field crews use GIS sectional maps called sector maps. The sector maps contain individual segments as well as manhole structures and are updated as needed. Corrections that are identified by the field crews are entered on a single map set and referred to sewer engineering for GIS updating.

4.2 Preventive Operation and Maintenance Activities

4.2.1 Overview of Sewer Maintenance Program

The objectives for the City's sewer maintenance program are:

1. Clean each of the gravity sewer line segments on a preventive maintenance frequency that will minimize the occurrence of repeat blockages and/or overflows;
2. If determined necessary, modify preventive maintenance frequency following a blockage/SSO event or after a closed-circuit television (CCTV) inspection identifies a maintenance defect where the loss of flow area, based on pipe diameter, is greater than 20 percent;
3. The initial round of cleaning and inspections of the entire sewer system, which began in 2010, has been completed. The City will now clean or inspect each gravity sewer line segment at a future frequency determined by conditions that were observed and recorded during cleaning and inspection, with at least 60 miles of sewer cleaned or inspected per fiscal year.

Appendix 4-A contains the Sanitary Sewer Maintenance section of the Public Works Streets and Utilities Division Field Manual, which includes procedures for sewer maintenance activities conducted by the Division.

4.2.2 Sewer Preventive Maintenance

The City employs a preventive maintenance approach to maintaining the sewer system designed to minimize the occurrence of repeat blockages and/or SSOs from gravity sewer line segments with a known history of problems. It consists of cleaning problematic gravity sewer line segments on an aggressive preventive maintenance frequency of every 1, 2, 3, 6, 12, 18, 24 or 36 months and all other sewer line segments at a frequency determined by observed conditions. Sewer preventive maintenance activities

will be scheduled and recorded in the City's Nexgen computerized maintenance management system (CMMS). The City's standard operating procedure for sewer cleaning is included in **Appendix 4-A**.

Aggressive ("Hot Spot") Preventive Maintenance

The City's current sewer preventive maintenance program includes aggressive ("hot spot") preventive maintenance for all sewers that have experienced a blockage and/or SSO event since CY 2007, and where the underlying cause of the event has not been corrected through source control, chemical root control, repair, or rehabilitation/replacement. The gravity sewer line segments that are currently maintained on an aggressive preventive maintenance frequency are listed in **Appendix 4-B**.

Guidelines for managing aggressive preventive maintenance are as follows:

- Any gravity sewer line segment that experiences a blockage and/or SSO event will be cleaned during the City's response to the service call, and will be added to the hot spot program at an appropriate frequency (the default frequency will be 6 months, unless otherwise indicated by results of the investigation on the primary cause).
- A line segment may also be added to the hot spot program based on the results of CCTV inspection identifying an area where the loss of flow area, based on pipe diameter constriction, is greater than 20 percent.
- Field crew observations regarding the nature and extent of the materials removed from the gravity sewer line segment will be noted on the work orders associated with subsequent cleaning activities, and that information will be used to establish future cleaning frequencies and methods, following the process outlined in Appendix 4-A.
- The maintenance frequency for gravity sewer line segments may be reduced if the line has been rehabilitated; spot repaired; had a FOG case closure; or had a clear CCTV inspection one year after the last cleaning event. A reduction in maintenance frequency also requires approval of the Senior Public Works Supervisor or the Public Works Superintendent.

System-Wide Routine Maintenance

Sewer pipelines not assigned an aggressive preventive maintenance frequency will be cleaned as part of a system-wide preventive maintenance program. The City's gravity sewer system has been divided into 286 cleaning sectors for planning and scheduling system-wide preventive maintenance. These cleaning sectors were defined by field crews, based on being geographically related gravity sewer line segments with similar risk of blockage or SSOs, and based on their size and material. The sewer cleaning sectors have total lengths ranging from 440 feet to over 15,900 feet (over 3 miles). The cleaning sector for each pipe is identified in GIS. The cleaning sectors and their respective pipe length and scheduled or completed service date are listed in **Appendix 4-C**.

The cleaning sectors were developed using the following priorities:

- Age of pipe,
- Size of pipe, 6 inch diameter having the highest priority with priority decreasing by pipe size,
- Material, vitrified clay pipe (VCP) was the highest priority,
- Areas where FOG was problematic, i.e. in business areas, and
- Areas where roots are problematic.
- Pipe segments with a history of SSOs (hot spots)

The City performed spatial analysis of these factors to determine where high priority concerns overlapped. The City then divided geographically related line segments with similar risks into cleaning sectors that could be accomplished by a crew in a 1 to 4 day period.

System-wide preventive maintenance will be scheduled each month using the CMMS and will follow the completion of aggressive preventive maintenance activities (e.g., in the latter part of each month).

Root Control

The City employs both mechanical and chemical root control methods. Both the system-wide and hot spot cleaning programs address areas with root intrusion, particularly sewers located in easements. Chemical root control is used to maximize the remaining life of the sewers by minimizing damage to the pipe related to continuing root growth and frequent mechanical root cleaning activities

Pump Stations

The City conducts a weekly operational inspection of its pump stations including the wet well cleaning. The mechanical and electrical equipment preventive maintenance is scheduled annually. Lift station maintenance procedures are included in the Sanitary Sewer Maintenance Field Manual in Appendix 4-A. A copy of the City's lift station maintenance work order form is included in **Appendix 4-D.**

4.2.3 Non-Routine Maintenance

Non-routine maintenance activities include investigation and response to any complaints regarding a manhole overflow, missing or shifted manhole covers, manhole covers that are excessively noisy, residential plumbing troubles, pump station malfunction, unexpected sewer odor, etc. Sewer complaints

received by the Public Works Department are entered into the CMMS and investigated, and appropriate actions are taken to resolve the source of the problem.

4.3 Training

City Staff

The City uses a combination of in-house classes; on-the-job training; and conferences, seminars, and other training opportunities to train its wastewater collection system staff.

In most cases, equipment and operations training is initially provided by the vendor or manufacturer of the equipment. Ongoing technical training is provided through on-the-job training and rotation among the different maintenance crews and equipment. The City also relies on regional and statewide training available through seminars and conferences. The City has also provided training classes for California Water Environment Association (CWEA) collection system certification and NASSCO PACP certification. Training resources available through conferences, seminars, and educational institutions are shown in **Table 4-1**.

Staff Contracted for City Projects

The City's contract language requires contractors working in the wastewater collection system to provide training for their employees regarding the potential to cause SSOs and the importance of preventing non-stormwater discharges into the local waterways, as well as develop and submit a Spill Response Plan for review and approval.

The City construction specifications require that all contractors and subcontractors be experienced with sanitary sewer work and that they fully comply with all laws, regulations, and standards governing sewer work, sanitation, and public health.

Table 4-1: Training Resources

Sponsor	Event/Material	Timeframe	Reference
Bay Area Clean Water Agencies	Collection System Committee	Monthly	http://www.bacwa.org
California Water Environment Association	State Conference	April	www.cwea.org
	Northern Regional Training Conference	September	

	San Francisco Bay Section Collection System Committee	Quarterly	
California State University, Sacramento	Videos, manuals, home study courses		www.owp.csus.edu

4.4 Equipment Inventory

Appendix 4-F includes lists of the major equipment that the City uses in the operation and maintenance of its sewer system, and **Appendix4-G** is a list of critical sewer system replacement parts**.**

Chapter 5 Design and Performance Provisions

This element of the SSMP presents the City's Design and Construction Standards for sewer systems.

5.1 Updated Design Criteria and Construction Standards and Specifications

The City's standards pertaining to the design, construction, and inspection of gravity sewer systems, sewer force mains, and other facilities to be operated and maintained by the City consist of the *Standards for Sanitary Sewers* included in **Appendix 5-A**, the *California Plumbing Code*, the *City of Berkeley Specifications for Sanitary Sewer Rehabilitation* and associated Appendices, Details, and Detail Specifications included in **Appendix 5-B**, Regional Standards for Sanitary Sewer Installation, Rehabilitation and Repair, and the Standard Specifications for Public Works Construction by Public Works Standards, Inc., also known as the *Greenbook*.

5.2 Procedures and Standards

The City's standards pertaining to the inspection and testing of newly constructed, installed, repaired, or rehabilitated system sewers consist of the *California Plumbing Code,* the *City of Berkeley Specifications for Sanitary Sewer Rehabilitation* and associated Appendices, and the Standard Specifications for Public Works Construction by Public Works Standards, Inc., also known as the *Greenbook*.

Chapter 6 Spill Emergency Response Plan

The purpose of the Spill Emergency Response Plan (SERP) is to support an orderly and effective response to sanitary sewer overflows (SSOs). The SERP provides guidelines for City personnel to follow in responding to, cleaning up, and reporting SSOs that may occur within the City's service area.

6.1 Goals for SSO Response

The City's goals with respect to responding to SSOs are:

- Respond quickly to minimize the volume of the SSO;
- Eliminate the cause of the SSO;
- Contain the spilled wastewater to the extent feasible;
- Minimize public contact with the spilled wastewater;
- Mitigate the impact of the SSO; and
- Meet the regulatory reporting requirements.

6.2 Definitions

See **Table 6-1** for the definitions for the different spill categories.

Table 6-1: Spill Category Definitions

CATEGORIES	CATEGORY DEFINITIONS
CATEGORY 1	A spill of any volume of sewage from or caused by a sanitary sewer system regulated under the WDR that results in a discharge to: • A surface water, including a surface water body that contains no flow or volume of water; or • A drainage conveyance system that discharges to surface waters when the sewage is not fully captured and returned to the sanitary sewer system or disposed of properly. Any spill volume not recovered from a drainage conveyance system is considered a discharge to surface water, unless the drainage conveyance system discharges to a dedicated stormwater infiltration basin or facility. A spill from an Enrollee-owned and/or operated lateral that discharges to a surface water is a Category 1 spill; the Enrollee shall report all Category 1 spills per section 3.1 of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.
CATEGORY 2	A spill of 1,000 gallons or greater, from or caused by a sanitary sewer system regulated under this General Order that does not discharge to a surface water. A spill of 1,000 gallons or greater that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system, is a Category 2 spill.
CATEGORY 3	A spill of equal to or greater than 50 gallons and less than 1,000 gallons, from or caused by a sanitary sewer system regulated under this General Order that does not discharge to a surface water. A spill of equal to or greater than 50 gallons and less than 1,000 gallons, that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 3 spill.
CATEGORY 4	A spill of less than 50 gallons, from or caused by a sanitary sewer system regulated under this General Order that does not discharge to a surface water. A spill of less than 50 gallons that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 4 spill.

6.3 Response to Notification of Spill

The processes that are employed to notify the City of the occurrence of an SSO include observation by the public, receipt of an alarm, or observation by City staff during the normal course of their work.

The City of Berkeley has adopted service call/overflow response procedures requiring immediate response to minimize or eliminate an overflow. The City provides all necessary spill response supplies, which are available for use at any time.

When a notification of an SSO is received, it should be clearly communicated who will respond, the estimated time of arrival, and what areas will need to be accessed. The information provided by the caller should be verified before dispatching a field crew. This includes verifying the address and nearest cross street and making sure it is part of the City's collection system. If not, provide the caller with the phone number of the responsible agency and follow up by calling the agency and providing the details of the call. Contact information for neighboring agencies is included in **Appendix 6-A.**

6.3.1 Public Observation

Public observation is the most common way that the City is notified of blockages and spills. Contact information for reporting sewer spills and backups is in the phone book and on the City's website: https://berkeleyca.gov/. The City's telephone number for reporting sewer problems is (510) 981-6620 (8 am to 5 pm) or 311 Sewer calls that are received during normal working hours are routed through the City's 311 call center.

Normal Work Hours

The City's regular working hours are Monday through Friday from 7:30 a.m. to 3:30 p.m., except holidays. When a report of a sewer spill or backup is made during normal work hours, the Public Works Customer Service Call Center receives the call, takes the information from the caller, and communicates it to the field crew. The information regarding the service call is electronically documented.

After Hours

Service calls are forwarded to the Answering Service who receives the call, takes the information from the caller, and communicates it to the City's on call staff. The Answering Service confirms receipt of the service call with the pertinent information received from the caller is electronically is sent to Public Works Customer Service.

6.3.2 City Staff Observation

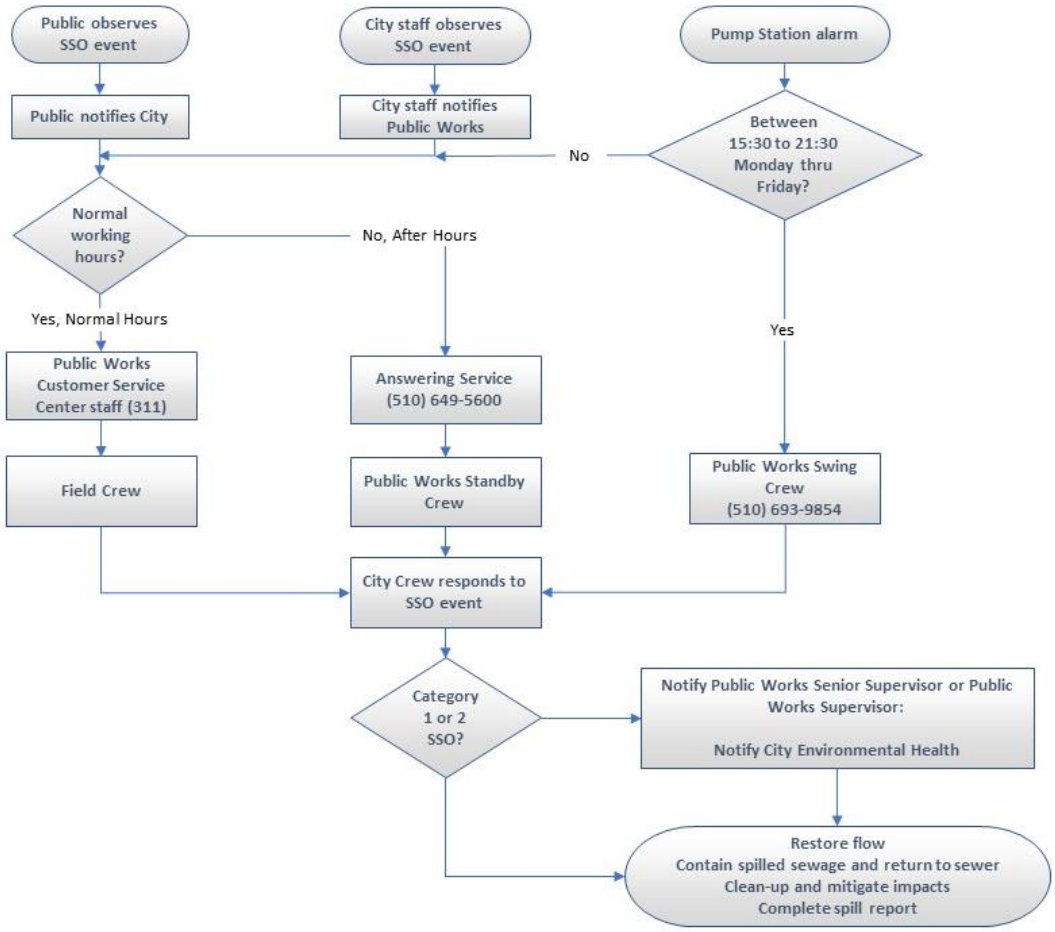
City staff conducts periodic inspections of its sewer system facilities as part of their routine activities. Any problems noted with the sewer system facilities are reported to appropriate City staff who, in turn, respond to emergency situations. Work orders are issued to correct non-emergency conditions.

6.3.3 Alarms

Pump station alarms are transmitted via autodialer to the City's Emergency Communication Center. The information is communicated to field crews or standby personnel for response as described above.

SSO Response Procedures Sewer service calls are considered high priority events that demand a prompt response. The notification and response procedure flow chart is shown in **Figure 6-1.**

Figure 6-1: Notification and Response Flow Chart



6.3.4 Customer Relations Practices

As representatives of the City, field staff will occasionally have to deal with an irate homeowner. A sewer backup is a stressful event and even a reasonable homeowner can become irate if it is perceived that staff members as being indifferent, uncaring, unresponsive, and/or unprepared.

Although sometimes difficult, effective management of a sewage backup situation is critical. If it is not managed well, the situation can end up in a costly, prolonged process with the homeowner. The homeowner should feel assured that the City is responsive and the homeowner's best interest is a top priority.

It is important for employees to communicate effectively with customers, especially in sewage backup situations. How they communicate – on the phone, in writing, or in person – is how the City is perceived. Good communication with the homeowner results in greater confidence in the City's ability to address the problem satisfactorily, less chance of having the homeowner prolong the claims process, and less chance of the customer exaggerating the damage done on the property. Some communication tips for City staff in dealing with homeowners affected by an SSO are listed below.

- Give the homeowner ample time to explain the situation or to vent. Show interest in what the homeowner has to say, no matter how many times you have heard it before, or how well you understand the problem.
- As soon as possible, let the customer know that you will determine if the source of the sewer backup is in the sewer main and, if it is, will have it corrected as quickly as you can.
- Acknowledge the homeowner's concerns. For example, if the homeowner appears angry or worried about property damage, respond with something like, "I understand that you're concerned about the possible damage to your property, but a professional cleanup crew can restore the area."
- Express understanding and empathy for any inconveniences caused by the incident, but do not admit fault. If it is determined that the City is at fault, the property owner has the right to file a claim for any reasonable repairs or losses resulting from the incident.
- As much as possible, keep the homeowner informed on what is being done and will be done to correct the problem.
- Keep focused on getting the job done in a very professional manner. Don't wander from the problem with too much unnecessary small talk with the homeowner.
- Don't find fault or lay blame on anyone.
- Provide Satisfaction Survey

6.3.5 First Responder Priorities

The first responder's priorities are:

- To follow safe work practices.

- To respond promptly with the appropriate equipment.
- To evaluate the cause of spill and determine responsibility.
- To contain the spill wherever feasible.
- To restore the flow as soon as practicable.
- To minimize public access to and/or contact with the spilled sewage.
- To promptly notify the Public Works Senior Supervisor or Public Works Supervisor and City Environmental Health Division, and City's Clean Storm Water Program in event of major SSO.
- To return the spilled sewage to the sewer system.
- To restore the area to its original condition (or as close as possible).

6.3.6 Safety

The first responder is responsible for following safety procedures at all times. Special safety precautions must be observed when performing sewer work.

There may be times when City personnel responding to a sewer system event are not familiar with potential safety hazards peculiar to sewer work. In such cases it is appropriate to take the time to discuss safety issues, consider the order of work, and check safety equipment before starting the job.

6.3.7 Initial Response

The first responder must respond to the reporting party/problem site and visually check for potential sewer stoppages or overflows.

The first responder should:

- Note arrival time at site using Sewer Field Crew Report form. A sample report is included as **Appendix 6-B**.
- Verify the existence of a sewer system spill or backup.
- Identify and assess the affected area and extent of spill.
- Contact caller if time permits.
- Notify the Public Works Senior Supervisor or Public Works Supervisor (working hours) or the On-Call Supervisor (after hours)
    - If the spill appears to be large, flowing to a storm drain, in a sensitive area, or there is doubt regarding the extent, impact, or how to proceed.
    - If additional help is needed.
- If the spill is large or in a sensitive area, document conditions upon arrival with photographs.

- Decide whether to proceed with clearing the blockage to restore the flow or to initiate containment measures. The guidance for this decision is:
    - Small spills – proceed with clearing the blockage.
    - Moderate or large spill where containment is anticipated to be simple – proceed with the containment measures.
    - Moderate or large spills where containment is anticipated to be difficult – proceed with clearing the blockage; however, call for additional assistance after 15 minutes without clearing the blockage and implement containment measures.

6.3.8 Restore Flow

Using the appropriate cleaning equipment, set up downstream of the blockage and hydro clean upstream from a clear manhole. Attempt to remove the blockage from the system and observe the flows to ensure that the blockage does not recur downstream.

If the blockage cannot be cleared within a reasonable time (15 minutes), or the sewer requires construction repairs to restore flow, then initiate containment and/or bypass pumping. If assistance is required, immediately contact other employees, contractors, and equipment suppliers.

6.3.9 Initiate Spill Containment Measures

The first responder should attempt to contain as much of the spilled sewage as possible using the following steps:

- Determine the immediate destination of the overflowing sewage.
- Plug storm drains using air plugs, sandbags, and/or plastic mats to contain the spill, whenever appropriate. If spilled sewage has made contact with the storm drainage system, attempt to contain the spilled sewage by plugging downstream storm drainage facilities.
- Contain/direct the spilled sewage using dike/dam or sandbags.
- Pump around the blockage/pipe failure/pump station or vacuum flow from upstream of the blockage and dispose of downstream of the blockage to prevent further overflow.
- When an SSO occurs inside of a house or building, the property owner should be instructed to follow these guidelines:
    - Keep all family members and pets away from the affected area.
    - Place towels, rags, blankets, etc between areas that have been affected and areas that have not been affected.
    - Do not remove any contaminated items
    - Turn off the HVAC system
    - Move any uncontaminated property away from the overflow area.

6.3.10 Equipment

The following is a list of specialized equipment that is required to support SSO response.

Camera -- A digital or disposable camera is required to record the conditions upon arrival, during clean up, and upon departure.

Emergency Response Truck -- A utility body pickup truck is required to store and transport the equipment needed to effectively respond to sewer emergencies. The equipment and tools should include containment and clean up materials.

Global Positioning System (GPS) Unit -- A hand held GPS unit is required to determine the coordinates of spills for use in meeting RWQCB SSO reporting requirements.

Portable Generators, Portable Pumps, Piping, and Hoses -- The list of portable equipment that is required to support this plan is included in the Public Works Standby procedures book.

Combination Sewer Cleaning Truck -- A combination high velocity sewer cleaning truck with vacuum tank is required to clear blockages in gravity sewers, vacuum spilled sewage, and wash down the impacted area following the SSO event.

Closed Circuit Television (CCTV) Inspection Unit – A CCTV Inspection Unit is required to determine the root cause for all SSOs from gravity sewers.

6.4 SSO Volume Estimation

An initial estimation of the volume of spilled sewage and determination of SSO category should be made by the first responder as soon as possible upon arriving at the SSO site. The first responder will use the initial estimation and determination to determine appropriate internal and external notifications. A final estimation should be based on the best available information. Methods that can be used for estimating spill volume are described in **Appendix 6-C** Wherever possible, document the estimate using photos of the SSO site before and during the recovery operation.

6.5 Water Quality Sampling and Monitoring Program

Water quality sampling and testing are required in order to determine the extent and impact of the SSO whenever 50,000 or more of spilled sewage enters a water body. Sampling will be done in accordance with Attachment E1 of the WDR see **Appendix A**. Water quality sampling may also be performed for smaller spills based on the recommendation of the City Environmental Health Division. Samples should be collected as soon as possible after the discovery of the SSO event. Environmental Health Division staff will be responsible for collection of samples.

6.6 Recovery and Clean-Up

The recovery and clean-up phase begins when the flow has been restored and the spilled sewage has been contained to the extent possible. The SSO recovery and clean-up procedures are:

6.6.1 Recovery of Spilled Sewage

Vacuum up and/or pump the spilled sewage and discharge it back into the sanitary sewer system.

If sewage has reached the storm drain system, the combination sewer cleaning truck should be used to vacuum/pump out the catch basin and any other portion of the storm drain that may contain sewage.

6.6.2 Clean-up and Disinfection

Clean-up and disinfection procedures should be implemented to reduce the potential for human health issues and adverse environmental impacts that are associated with an SSO event. The procedures described are for dry weather conditions and should be modified as required for wet weather conditions. In the event that an overflow occurs at night, the location should be reinspected first thing the following day. The operator should look for any signs of sewage solids and sewage-related material that may warrant additional cleanup activities. Where clean-up is beyond the capabilities of City staff, a clean-up contractor will be used.

Private Property

The City's procedures for responding to SSOs on private property are included in the Sanitary Sewer Maintenance Field Manual in Appendix 4-A.

Hard Surface Areas

- Collect all signs of sewage solids and sewage-related material with the use of rakes, shovels, and brooms.
- Wash down the affected area with clean water until the water runs clear. Take reasonable steps to contain and vacuum up the wastewater.
- Disinfect all areas that were contaminated from the overflow using disinfectant solution. Apply minimal amounts of the disinfectant solution using a hand sprayer. Document the volume and application method of disinfectant that was employed.
- Allow area to dry. Repeat the process if additional cleaning is required.

Landscaped and Unimproved Natural Vegetation

- Collect all signs of sewage solids and sewage-related material with the use of rakes, shovels, and brooms.
- If deemed necessary, wash down the affected area with clean water. Take reasonable steps to contain and vacuum up the wastewater.

Natural Waterways

The California Department of Fish and Wildlife (CDFW) should be notified in the event an SSO impacts any riparian habitat. CDFW will provide the professional guidance needed to effectively clean-up spills that occur in these sensitive environments.

Clean-up should proceed quickly in order to minimize negative impact. Any water that is used in the clean up should be de-chlorinated prior to use.

Storm Drain System

Flush the storm drain system catch basins and pipelines impacted by an SSO. Vacuum excess water utilized for flushing. In cases where the SSO travelled long distances through the storm drain system, dump a large volume of water into the storm drain system and set up a vacuum truck downstream to recover the flush water.

Wet Weather Modifications

Omit flushing and sampling during heavy storm events with heavy runoff where flushing is not required and sampling would not provide meaningful results.

6.7 Public Notification

Post signs and place barricades to keep vehicles and pedestrians away from contact with spilled sewage. Do not remove the signs until directed by the City Environmental Health Division. A sample warning sign is included as **Appendix 6-D**.

Creeks, streams and beaches that have been contaminated as a result of an SSO should be posted at visible access locations until the risk of contamination has subsided to acceptable background levels. The warning signs, once posted, should be checked every day to ensure that they are still in place.

In the event that an overflow occurs at night, the location should be inspected first thing the following day. The field crew should look for any signs of sewage solids and sewage-related material that may warrant additional clean-up activities.

Major spills may warrant broader public notice. The City Manager will authorize contact with local media when significant areas may have been contaminated by sewage.

6.8 Post-Spill Assessment

The objective of the Post-Spill Assessment is to determine the causes of the SSO and to identify corrective action(s) needed that will reduce or prevent a recurrence of that type of SSO.

The investigation should include reviewing all relevant data to determine appropriate corrective action(s) for the line segment. The investigation should include, but not be limited to:

- Reviewing and completing the Sewer Field Crew Report form,

- Reviewing past maintenance records,
- Reviewing available photographs,
- Conducting a CCTV inspection to determine the condition of the line segment immediately following the SSO and reviewing the video and logs, and
- Interviewing staff that responded to the spill.

The results of the investigation will be documented in an internal report and any Operations and Maintenance activities updates in the City's CMMS. If capital improvements are necessary the work will be scheduled in the next capital improvement cycle.

6.9 SSO Documentation and Reporting

All SSOs should be thoroughly investigated and documented for use in managing the sewer system and meeting established notification and reporting requirements. The procedures for documenting and reporting SSOs are described below.

6.9.1 Internal SSO Notification and Reporting Procedures

Category 1 and 2 SSOs

The field crew will immediately notify the Public Works Senior Supervisor or Public Works Supervisor (working hours) or the On Call Supervisor (after hours). The Supervisor will notify the Public Works Maintenance Superintendent or the Deputy Director of Public Works.

The field crew will fill out the Sewer Field Crew Report form and turn it in to the Public Works Senior Supervisor or Public Works Supervisor. The Public Works Senior Supervisor or Public Works Supervisor will forward the report to the Public Works Maintenance Superintendent.

The Public Works Senior Supervisor or Public Works Supervisor (working hours) or the On Call Supervisor (after hours) will meet with field crew(s) at the site of the SSO event to assess the situation and to document the conditions with photos.

In the event of a very large overflow or an overflow in a sensitive area, the Deputy Public Works Director or the Public Works Director will notify the City Manager. The City Manager may notify the City Council.

In the event of a Category 1 SSO, the first responder should notify the City Environmental Health Division to collect water samples for determining water quality impacts of the SSO. Samples should be collected as soon as possible after the discovery of the SSO event.

Category 3 and 4 SSOs

The field crew will fill out the Sewer Field Crew Report form and turn it in to the Public Works Senior Supervisor or the Public Works Supervisor. The Public Works Senior Supervisor or Public Works Supervisor will forward the report to the Public Works Maintenance Superintendent.

6.9.2 External SSO Reporting Procedures

The California Integrated Water Quality System (CIWQS) electronic reporting system is used for reporting SSO information to the SWRCB.

Table 6-2 summarizes notification, reporting, monitoring, and record keeping requirements as specified in **Appendix A**. A flow chart showing the external reporting response requirements based on the type of SSO is included as **Figure 6-2**.

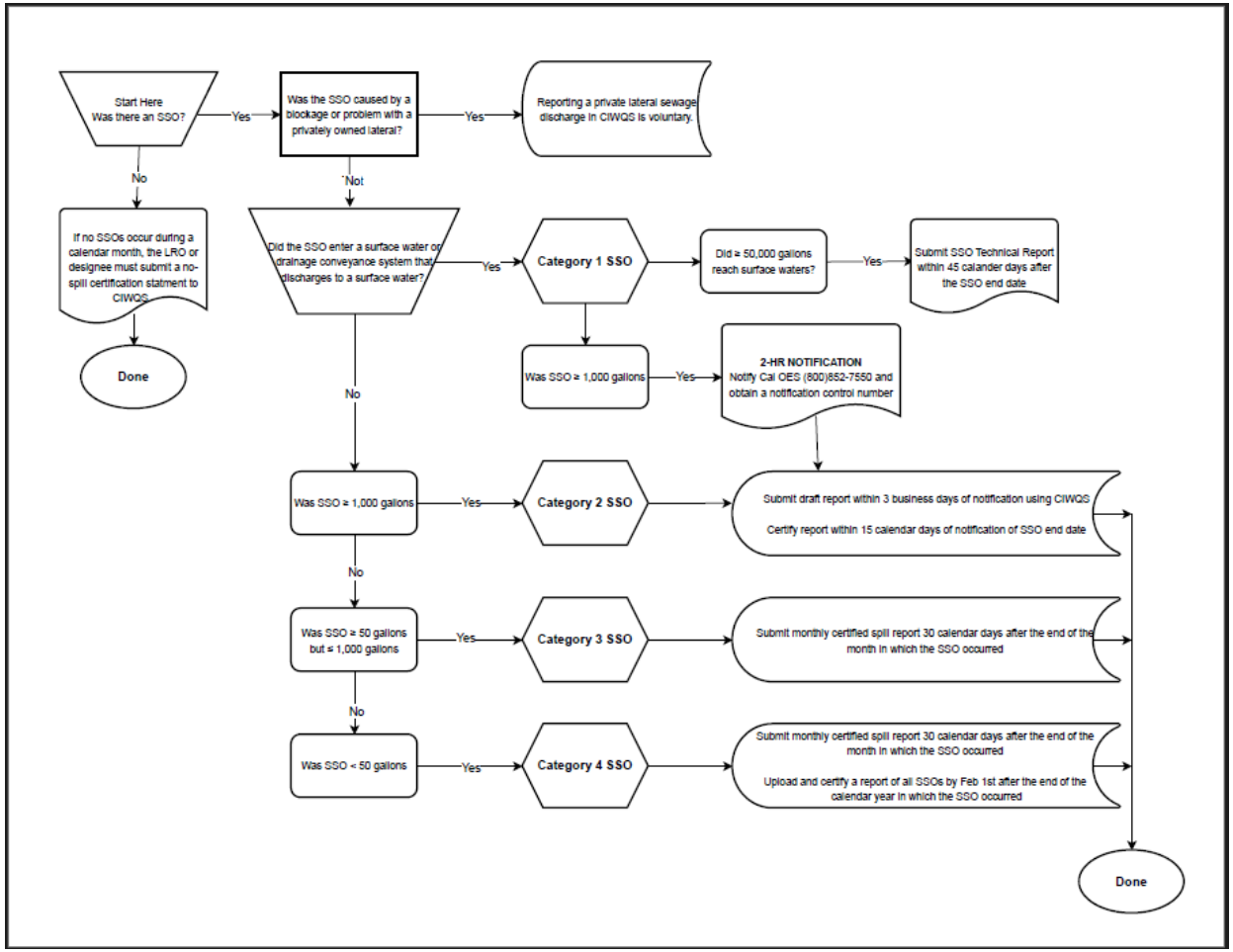
Table 6-2: Notification, Reporting, Monitoring, and Record Keeping Requirements

ELEMENT	REQUIREMENT	METHOD
NOTIFICATION (see Section 1*)	• Within 2 hours of the Enrollee's knowledge of a **Category 1 or Category 2 SSO of 1,000 gallons or greater,** discharging or threatening to discharge to surface waters, notify the California Office of Emergency Services (Cal OES) and obtain a notification control number.	Call Cal OES at: **(800) 852-7550**
REPORTING (see Section 3*)	• **Category 1 SSO**: Submit Draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date. Submit Amended Spill Report within 90 calendar days of SSO end date • **Category 2 SSO**: Submit Draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date. Submit Amended Spill Report within 90 calendar days of SSO end date • **Category 3 SSO**: Submit Certified report within 30 calendar days of the end of month in which SSO occurred. Submit Amended Spill Report within 90 calendar days of SSO end date • **Category 4 SSO**: Certify monthly, the estimated total spill volume exiting the sanitary sewer system, and the total number of all Category 4 spills into the online CIWQS Sanitary Sewer System Database, within 30 days after the end of the calendar month in which the spills occurred. Certify by February 1st after the end of calendar year in which the spills occur. • **SSO Technical Report**: Certify within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater is spilled to surface waters. • **"No Spill" Monthly Certification**: Certify that no SSOs occurred within 30 calendar days of the end of the month in which no SSOs occurred. • **Annual Report**: Update and Certify every 12 months.	Enter data into the California Integrated Water Quality System (CIWQS) Online SSO Database (http://ciwqs.waterboards.ca.gov/), certified by enrollee's Legally Responsible Official(s).

WATER QUALITY MONITORING (see Section 2*)	• Conduct water quality sampling of the receiving water **within 18 hours** of initial knowledge of **Category 1 SSOs** of **50,000 gallons or greater** to surface waters.	Water quality results are required to be uploaded into CIWQS for **Category 1 SSOs in which 50,000 gallons or greater** is spilled to surface waters.
RECORD KEEPING (see Section 4*)	• SSO event records. • Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to SSMP. • Records to document **Water Quality Monitoring for SSOs of 50,000 gallons or greater** spilled to surface waters. • Collection system telemetry records if relied upon to document and/or estimate SSO Volume.	Self-maintained records shall be available during inspections or upon request.

*Refers to section in Attachment E1, Notification, Monitoring, Reporting and Recordkeeping Requirements, of Order WQ 2022-0103-D

Figure 6-2: External Notification and Reporting Requirement Flow Chart



Category 1 SSOs

The following reporting requirements apply to any Category 1 SSO:

Within two hours of notification of the spill event, the Public Works Senior Supervisor or Public Works Supervisor will:

- Notify OES (and obtain spill number for use in other reports), and
- Notify the City Environmental Health Division

Within 3 business days of the spill event, the Public Works Maintenance Superintendent or his/her designee will submit the initial report using CIWQS.

Within 15 calendar days of the SSO end date, the Public Works Maintenance Superintendent or other authorized representative will submit the Final Certification.

The Public Works Maintenance Superintendent will attach additional information to the certified report, in the form of an attachment, as needed at any time.

Category 2 SSOs

The following reporting requirements apply to any Category 2 SSO:

Within 3 business days of the spill event, the Public Works Maintenance Superintendent or his/her designee will submit the initial report using CIWQS.

Within 15 calendar days of the SSO end date, the Public Works Maintenance Superintendent or other authorized representative will submit the Final Certification.

The Public Works Maintenance Superintendent will attach additional information to the certified report, in the form of an attachment, as needed at any time.

Category 3 SSOs

Within 30 calendar days after the end of the calendar month in which the SSO occurs, the Public Maintenance Superintendent or his/her designee will submit an electronic report using CIWQS. The Public Works Maintenance Superintendent or other authorized representative will certify the report.

Category 4 SSOs

Within 30 calendar days after the end of the calendar month in which the SSO occurred, the Public Maintenance Superintendent or his/her designee will certify the estimated total spill volume and total number of SSOs into CIWQS. The Public Works Maintenance Superintendent or other authorized representative will upload and certify the report for all category 4 SSOs that occurred by February 1st after the end of the calendar year in which the SSOs occurred.

SSO Technical Report

The City will submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report will include the following:

Causes and Circumstances of the SSO:

a) Complete and detailed explanation of how and when the SSO was discovered.

b) Diagram showing the SSO failure point, appearance point(s), and final destination(s).

c) Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.

d) Detailed description of the cause(s) of the SSO.

e) Copies of original field crew records used to document the SSO.

f) Historical maintenance records for the failure location.

City's Response to SSO:

a) Chronological narrative description of all actions taken by enrollee to terminate the spill.

b) Explanation of how the City's SERP was implemented to respond to and mitigate the SSO.

c) Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

Water Quality Monitoring:

a) Description of all water quality sampling activities conducted including analytical results and evaluation of the results.

b) Detailed location map illustrating all water quality sampling points.

Private Lateral Sewage Discharges

The Public Works Maintenance Superintendent or his/her designee may report private lateral SSOs using CIWQS **at the City's discretion**, specifying that the sewage discharge occurred and was caused by a private lateral and identifying the responsible party (other than the City), if known.

No Spill Certification (Monthly)

If there are no SSOs during the calendar month, the Public Works Senior Supervisor or Public Works Supervisor will submit an electronic report that the City did not have any SSOs The Public Works Maintenance Superintendent or his/her designee will certify the report **within 30 calendar days after the end of each calendar month**.

Amended SSO Report

The City may update or add additional information to a certified SSO report in CIWQS within 90 calendar days after the SSO end date. If update or additional information is needed, the Public Works Maintenance Superintendent will update or attach additional information to the certified report.

CIWQS Not Available

In the event that CIWQS is not available, the Public Works Senior Supervisor or Public Works Supervisor will fax all required information to the RWQCB office in accordance with the time schedules identified above. In such event, the City will submit the appropriate reports using CIWQS as soon as practical. The RWQCB fax number is (510) 622-2460.

6.9.3 Internal Procedures to Ensure Timely and Accurate CIWQS SSO Certification

The following are the internal procedures that ensure a timely and accurate CIWQS SSO certification:

- Responsibility for SSO Certification is assigned to the Senior Supervisor responsible for sewer maintenance; additionally, CIWQS SSO Certification training is provided to other senior staff.
- Status of the reporting and certification of SSOs is covered during regular Operations Sewer Staff meetings held every other week.
- Reporting on the status of SSO Certification is included as an agenda item to the standing monthly Sewer meeting between Operations and Engineering, including review of the CIWQS database to verify that it is up to date.
- A shared Operations/Sewer scheduling calendar is created in Outlook for the purpose of tracking the certification of SSOs in the CIWQS database.
- The City's Computerized Sewer Maintenance Management System, Nexgen, has been modified to include a mandatory SSO field; this field must be populated to close the incident in Nexgen, ensuring capture of SSO data.
- The Senior Sewer Supervisor retrieves regular reports from Nexgen to compare against CIWQS, verifying that all SSO data captured in Nexgen has been reported and certified in the CIWQS database.

6.9.4 Internal SSO Documentation

Category 1, 2 , 3 and 4 SSOs

The first responder will complete a work order and the Sewer Field Crew Report form and provide copies to the Public Works Senior Supervisor or Public Works Supervisor.

The Public Works Senior Supervisor or Public Works Supervisor will complete the Private Property Incident Form if an SSO has occurred in a residence or building.

The Public Works Senior Supervisor or Public Works Supervisor will create and maintain a file for each individual SSO. The file should include the following information:

- Initial service call information
- Sewer Field Crew Report form
- Copies of the CIWQS report forms
- Volume estimate
- Post-Spill Assessment results

The following are for Category 1 and 2 SSOs, but optional for Category 3 and 4 SSOs:

- Appropriate maps showing the spill location
- Photographs of spill location
- Water quality sampling and test results, if applicable

Private Lateral SSOs

The first responder will complete the Sewer Field Crew Report form and provide copies to Public Works Senior Supervisor or Public Works Supervisor.

A separate file will be prepared for each individual SSO, at the Public Works Maintenance Superintendent's discretion. The file should include any relevant information from the above list.

6.9.5 External SSO Record Keeping Requirements

Attachment E1 of the WDR requires that individual SSO records be maintained by the City for a minimum of **five years** from the date of the SSO.

All records (electronic or hard copies) shall be made available for review upon SWRCB or RWQCB staff's request during on-site inspection or through an information request. Records shall be retained for all SSOs, including but not limited to the following when applicable:

- Service call and complaint call records received by the City, documenting how the City responded to all notifications of possible or actual SSOs (including complaints that did not result in SSOs), including:
  - Date, time, and method of notification
  - Date and time the complainant or informant first noticed the SSO
  - Narrative description of the complaint, including any information the caller can provide regarding whether or no he/she knows if the SSO has reached surface waters, drainage channels, or storm drains

  - Follow-up return contact information for the caller for each service call and complaint call, if not reported anonymously
  - Final resolution
- Electronic monitoring records relied upon for documenting SSO events and/or estimating SSO volume discharged, including:
  - Supervisory Control and Data Acquisition (SCADA) systems
  - Alarm systems
  - Flow monitoring devices or other instruments used to estimate wastewater levels, flow rates, or volumes;
- Records documenting steps and/or remedial actions taken to control and terminate the SSO and recover as much of the discharged volume as possible;
- Records documenting how estimates of volume discharged and volume recovered were calculated.

When water quality sampling is conducted by the City or its agent(s) as a result of any SSO, records of monitoring information shall include:

- The date, location, and time of sampling or measurements;
- The individual(s) who performed the sampling or measurements;
- The date(s) analyses were performed;
- The individual(s) who performed the analyses;
- The analytical technique or method used; and
- The results of such analyses.

6.10 Post SSO Event Debriefing

Every SSO event is an opportunity to evaluate the response and reporting procedures. Each SSO event is unique, with its own elements and challenges including volume, cause, location, terrain, and other parameters.

As soon as possible after major SSO events, all of the participants, from the person who received the call to the last person to leave the site, should meet to review the procedures used and to discuss what worked and where improvements could be made in responding to and mitigating future SSO events. The results of the debriefing should be recorded and tracked to ensure the action items are completed.

6.11 SSO Response Training

This section provides information on the training that is required to support this SERP.

6.11.1 Initial and Annual Refresher Training

All City personnel who may have a role in responding to, reporting, and/or mitigating a sewer system overflow should receive training on the contents of this SERP. All new employees should receive training before they are placed in a position where they may have to respond. Current employees should receive annual refresher training on this plan and the procedures to be followed.

6.11.2 SSO Response Drills

Periodic training drills should be held to ensure that employees are up-to-date on the procedures, the equipment is in working order, and the required materials are readily available. The training drills should cover scenarios typically observed during sewer-related emergencies (e.g. mainline blockage, mainline failure, force main failure, pump station failure, and lateral blockage). The results and the observations during the drills should be recorded and action items should be tracked to ensure completion.

6.11.3 SSO Training Record Keeping

Records should be kept of all training that is provided in support of this plan. The records for all scheduled training courses and for each overflow emergency response training event and should include date, time, place, content, name of trainer(s), and names of attendees.

6.12 Contractors Working on City Sewer Facilities

All contractors working on City sewer facilities will be required to develop a project-specific SERP that is subject to City approval. All contractor personnel will be required to receive training in the contractor's SERP and to follow that SERP in the event that they cause or observe an SSO.

Chapter 7 Sewer Pipe Blockage Control Program

This section presents the City's Fats, Oils, and Grease (FOG) Control Program. This FOG Control Program will be managed, staffed, and administered by the East Bay Municipal Utility District (EBMUD), with the exception of enforcement, which is the City's responsibility. The City Environmental Health Division will assist EBMUD in investigating problem areas.

7.1 Nature and Extent of FOG Problem

Data on SSOs and causes were analyzed to define the nature and extent of the FOG problems in the City's sewer system. The City has reported 143 SSOs during the period 2014 through 2024, 68 of which were associated with sewer mainlines. Twenty-four of the 68 SSOs (16% of the total) were caused by grease. The City is currently experiencing one to two grease-related SSOs per year.

The City's preventive maintenance efforts combined with the EBMUD FOG Source Control Program appear to be effective in minimizing the problems associated with commercial FOG sources.

7.2 FOG Source Control Program

The City will continue to contract with EBMUD for FOG Source Control Program services. EBMUD's services include targeted FOG hot spot investigations (as reported by the City), food service establishment (FSE) and grease interceptor inspections, and public outreach and education. EBMUD also maintains a FOG control database to manage information about FSEs, inspections, FOG hotspots, and enforcement status. A quarterly report is prepared for each agency. The EBMUD Regional FOG Control Program is described in **Appendix 7-A**. An example quarterly report for Berkeley is included in **Appendix 7-B.**

The City Environmental Health Division has a Commercial Food Facility Inspection Program that inspects restaurants and other food service establishments within the City. The inspections for sanitation compliance include checking the food handling facilities practices and storm water inspections, as well as for wastewater discharge in order to control FOG in identified hot spots. The City Environmental Health Division will assist EBMUD in the investigation of problem restaurants and other food service establishments.

7.3 Public Outreach Program

City crews provide information on proper FOG disposal to residents that have experienced a FOG-related blockage or SSO.

EBMUD prepares materials to be used as the basis for a focused public education/outreach program. EBMUD and the City provide public education/outreach materials to commercial and residential sources

that are tributary to sewers that experience FOG-related stoppages and SSOs. The City's FOG brochure is included in **Appendix 7-C**.

7.4 Acceptable FOG Disposal Facilities

A list of grease haulers approved by EBMUD is included as **Appendix 7-D**. There is adequate disposal capacity for FOG from commercial sources within the City's service area.

7.5 FOG Preventive Maintenance

The City's preventive maintenance program is focused on the problematic sewer line segments. The City uses the results from the sewer cleaning operations to revise sewer cleaning frequencies as required to address maintenance issues. City staff provides the EBMUD FOG Source Control Program staff with timely notice when gravity sewers experience FOG-related blockages or SSOs. **Appendix 7-E** contains a copy of the form used to report grease SSOs and blockages to EBMUD for investigation.

7.6 Legal Authorities

The City's legal authorities to control the discharge of FOG to its sanitary sewer system are described in Chapter 3, Legal Authority. The Engineering Division is responsible for enforcement of FOG violations.

Chapter 8 System Evaluation and Capacity Assurance Plan

This section of the SSMP presents the City's approach to ensuring that its sanitary sewer system has adequate hydraulic capacity through a System Evaluation and Capacity Assurance Plan (SECAP) and a Masterplan.

8.1 System Evaluation and Condition Assessment

The City's system evaluation and condition assessment efforts are driven by the Consent Decree. The City inspects pipes no less than once every 20 years. The City has adopted the National Association of Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program (PACP) standards for inspection and condition assessment of sewer pipelines. Pipe line inspection frequency can be modified based on observed pipe conditions, SSO frequency, observations while cleaning pipes, known soil instability, etc. The information gathered during the condition assessment will be used to identify acute defects in need of near-term repair, pipes with maintenance issues requiring attention, and to prioritize gravity sewers for rehabilitation and replacement. CCTV data is stored in the City's POSM CCTV database. Additionally, the City conducts manhole inspections and smoke testing. These results are incorporated into Operation and Maintenance, and repairs as needed.

8.2 Capacity Assessment and Design Criteria

In October 2012, the City completed a *Sewer System Hydraulic Modeling and Capacity Assessment* study that included wet weather flow monitoring in the system, development of a dynamic hydraulic model of the collection system calibrated to the flow monitoring data, and use of the model to identify potential capacity deficiencies in the system. The results of this study are incorporated into this SSMP. The capacity analysis was based on use of winter water use data to estimate dry weather base wastewater flows for existing development and I/I rates determined based on the flow monitoring. The design storm used in the analysis is the 5-year return period event developed as part of the 1980s East Bay I/I Study. **Appendix 8-A** contains excerpts from the report describing the design flow, hydraulic, and capacity analysis criteria used for the analysis.

Capacity deficiencies were identified when the model predicted surcharge to within 5 feet of manhole rims during design storm peak wet weather flow conditions, and needed capacity improvements (either upsizing of existing pipes or flow diversions to route flow away from capacity-deficient pipes) were identified for each deficiency. The estimated amount of I/I reduction that would be required to eliminate the need for capacity improvements was also determined.

The City is currently updating its capacity assessment through an update of an all pipe Sewer System Master Plan. The City will provide the update once the master plan is complete.

Note that overflow events (SSOs) in the City's sewer system have generally been associated with maintenance or construction related issues (e.g., blockages due to roots, debris, or construction material or defects) rather than wet weather. As a result of the 1980s I/I studies conducted by EBMUD and the Satellites, the City constructed a number of relief trunk sewers, completed sewer rehabilitation to reduce I/I the system, and removed any wet weather bypasses that existed at the time. These efforts over the past 25 years have eliminated capacity-related overflows in the system. Some localized capacity restrictions may remain, as indicated by the model results; however, wet weather overflows have not been observed at these locations.

8.3 Prioritization of Corrective Action

The City has an annual sewer rehabilitation and replacement program to rehabilitate or replace the portions of its wastewater collection system where conditions warrant and to comply with the Consent Decree. During the condition assessment the City identifies acute defects that are either immediately repaired or included in the yearly Urgent Sewer Repair projects as required by the Consent Decree. The City's Operation and Maintenance Division has the ability to carry out any urgent repairs that are considered less complex. In the case that the Operation and Maintenance Division is not equipped to handle an urgent repair the City will have a contractor make the repair.

Sewer rehabilitation and replacement work includes sewer mainlines, manholes, and associated lower laterals. Since 1986, the City has rehabilitated over 95 percent of the sewers in its collection system. The City plans to complete rehabilitation of the remaining portions of the system at an average rate of approximately 4.2 miles per year.

8.4 Capital Improvement Plan

In October of 2012 The City evaluated each of the capacity deficient areas identified in the 2012 report and developed an approach for addressing each area. As of 2020 the 14 capacity upsize sewer projects identified in 2012 were either completed or were determined to have sufficient capacity based on the updated all pipe Sewer System Master Plan. The table in **Appendix 8-B** lists current and future capital improvement projects. The projects are fully funded by the City's sewer service fee. Additionally, the City sewer service fee fully funds the Capital Improvement Program and Operations and Maintenance. The sewer fund is an enterprise fund and sewer fees are established to meet projected needs. The City will update the CIP schedule on an on-going basis as planning and design is completed for each project.

Note also that as part of the work being conducted under the City's EPA Stipulated Order, the City is conducting smoke testing in areas with high peak I/I flows to identify potential sources of direct inflow and infiltration into the sewer system from both private property and the public portions of the system. The City is conducting follow-up notification and enforcement for sources of I/I found on private property, and investigating and correcting any such sources in the public system. The City's on-going sewer rehabilitation program and Private Sewer Lateral (PSL) compliance program will also serve to further reduce I/I in the system that may be contributing to capacity issues.

Chapter 9 Monitoring, Measurement, and Program Modifications

This section of the SSMP describes how the City uses adaptive management to assess effectiveness and identify steps necessary to improve the SSMP.

9.1 Maintaining Information to Establish and Prioritize Appropriate Activities

The City utilizes its geographical information system (GIS), computerized maintenance management system (CMMS), the State Water Resources Control Board's California Integrated Water Quality System (CIWQS) database, and the City's SSO records to monitor and measure its performance in implementing the SSMP. This information is used to accomplish the following:

- Establish and prioritize appropriate SSMP activities
- Monitor the implementation and effectiveness of the SSMP
- Assess the success of the preventive maintenance program
- Identify and illustrate SSO trends including frequency, volume, and location

The City monitors SSO performance and other sewer program parameters annually and documents performance in annual reports as required under its Stipulated Order.

9.2 Monitoring and Measuring Effectiveness of Each Plan Element

The City collects the information in **Table 9-1** and uses this information to monitor and measure each plan element on an annual basis. City's Engineering Division and Operations Division meets 6 to 12 times a month to review O&M activities, identify projects, and coordinate activities.

Table 9-1: Performance Metrics for Monitoring and Measurement

	Performance Measure	Source
System Statistics	Total miles of gravity sewer	GIS
	Total miles of pressure sewer	GIS
	Total number of manholes	GIS
	Total number of sewage pumping stations	GIS
Measures Based on SSO Characteristics	Total number and percentage of SSOs by Category	CIWQS
	Number and percentage of dry weather versus wet weather SSOs	CIWQS
	Number of SSOs by cause	CIWQS
	Number of SSOs per 100 miles of sewer per year	CIWQS
	Number of locations with repeat SSOs	CIWQS
	Number of locations where SSOs occurred in pipes previously rehabilitated	CIWQS and GIS
Measures Based on SSO Volume	Volume of SSOs per 100 miles per Year	CIWQS
	Number and percentage of SSOs by Volume	CIWQS
	Total volume of SSOs	CIWQS
	Mean and median SSO volume	CIWQS
	Total SSO volume recovered and percentage of overall total SSO volume	CIWQS
	Net volume of SSOs (total minus recovered) and percentage of overall total SSO volume	CIWQS
	Total volume reaching storm drainage channel and not recovered or reaching surface waters and percentage of overall total SSO volume	CIWQS
SSO Response Time	Average response time during business hours	CIWQS
	Average response time outside of business hours	CIWQS
Maintenance	Number of blockages in the past year by cause	Nexgen CMMS
	Amount of “hot spot” cleaning performed (LF)	Nexgen CMMS
	Amount of routine cleaning performed (LF)	Nexgen CMMS
	Amount of cleaning QA/QC CCTV performed (% of cleaning footage)	POSM
	Amount of root control performed (LF)	Nexgen CMMS
Condition Assessment, Rehabilitation, and I/I Control	Amount of CCTV inspection performed (LF)	POSM
	Number of manholes inspected	POSM
	Amount of mainlines (LF) and number of manholes and lower laterals rehabilitated	GIS, Contract Documents
	Number of inflow sources detected and corrected	Spreadsheet
	Number of PSLs repaired or replaced and certified	HTE

In addition to the parameters listed in the table, performance measures related to the FOG control program (e.g., number of reported FOG hotspots, inspections completed, etc.) are reported by EBMUD in its quarterly summary reports for Berkeley (see Appendix 7-B).

9.3 SSO Trends

The City annually reviews SSO trends to identify changes in SSO frequency, locations and volume. The City identifies SSOs that happen on pipes that have been rehabilitated with in the last 10 years. The City identifies SSOs that have occurred multiple times in the same location. The City correlates SSOs against unusual storm events such as the December 2022 event.

Chapter 10 Internal Audits

This section of the SSMP presents the process the City will follow to audit its SSMP and related programs.

10.1 Plan for SSMP Program Audits

The City will audit its SSMP and SSMP implementation every three years. The audit will evaluate the effectiveness of the SSMP using the criteria identified in Chapter 9 and will review whether the SSMP meets the current requirements of the WDR, whether the SSMP reflects the City's current practices, and whether the City is following the SSMP.

A team of Public Works staff will conduct the audit. The scope of the audit will cover each of the sections of the SSMP. The results of the audit will be included in an SSMP Program Audit Report. The SSMP Program Audit Report will focus on the effectiveness of the SSMP program, compliance with the WDR requirements, and identification of any deficiencies in the SSMP or SSMP implementation. The SSMP Program Audit Report will identify revisions that may be needed for a more effective program. The City will maintain copies of the SSMP Program Audit reports for a period of 5 years.

The City conducted the last audit in March, 2025. A copy of the Audit Report is included as **Appendix 10-A.** Deficiencies and recommendations identified in the Audit Report have been incorporated into this updated SSMP. Subsequent audits will be completed every three years (or at a higher frequency if deemed necessary).

Chapter 11 Communication Program

This section of the SSMP outlines the process involved in communicating with interested members of the public regarding the development, implementation, and performance of this plan. This Communication Program also addresses communication between Berkeley and its satellite sewer systems.

11.1 Communication with Public

The City procedures for communicating with the public regarding spills and discharges is primarily on the spot notification and barricades. These are further described in section 6.7.

The City communicates on a regular basis with the public on the development, implementation, and performance of it SSMP. The communication system provides the public the opportunity to provide input to the District's SSMP and SSMP implementation. This communication occurs in the form of public notices at City Hall and on the City's website on the Sanitary Sewer Program webpage. Both postings during the update of the SSMP read as follows:

> *The City of Berkeley is updating its Sewer System Management Plan (SSMP) to meet the requirements established by the State Water Resources Control Board Order WQ 2022-0103 DWQ, Statewide General Discharge Requirements of Sanitary Sewer Systems. The goal of the SSMP is to minimize the frequency and severity of sanitary sewer overflows. The SSMP will cover the management, planning, design, operation and maintenance of the City's sanitary sewer system. The update began in March 2025 and it is expected to be complete by May 2025. The City's draft updated SSMP is available for review at the Engineering Offices, 1947 Center Street, 4th Floor, during normal business hours. Interested parties can contact Francisco Alonso at (510) 981-6405 or falonso@berkeleyca.gov for additional information.*

The information provided to interested parties upon request included: a copy of the current SSMP and contact information and/or opportunities for input into the SSMP update and implementation process.

Table 11-1 lists the various strategies the City employs to communicate with the public on the development, implementation, and performance of the City's SSMP. The City's Sanitary Sewer Program webpage can be seen using the following link https://berkeleyca.gov/city-services/streets-sidewalks-sewers-and-utilities/sewers.

Table 11-1: Strategies for Communication with Public on SSMP Development, Implementation and Performance

Subject Matter	Strategy	Description	Frequency
SSMP Development	Public Posting and Website Posting	The City posted a notice on its website and with the official notices on the Bulletin Board at City Hall to inform interested members of the public it was updating the SSMP. The public was given the opportunity to request and review the draft SSMP and to provide the City with input in person, via mail, via e-mail, or via phone. Public comments were accepted via e-mail or via phone. The City evaluated public input when provided and addressed questions and comments as appropriate.	During development of SSMP update
SSMP Implementation	Website	The City has a Sanitary Sewer Program webpage (Sewers | City of Berkeley) dedicated to the City's sewer services. The page includes an e-mail address and phone number for whom to call to view or request a copy of the SSMP, as well as to ask questions regarding SSMP content, implementation, and performance.	Always available on City webpage

Subject Matter	Strategy	Description	Frequency
Private Sewer Lateral Compliance Policy	Website	The City website has a webpage (https://berkeleyca.gov/city-services/streets-sidewalks-sewers-and-utilities/private-sewer-lateral) providing information regarding recent changes to the City's private sewer lateral compliance policy. The webpage provides a Compliance Guide, section 17.24 of the Berkeley Municipal Code providing the City with authority to implement this program, and a phone number for the public to contact City staff for further information.	Always available on City webpage
SSMP Performance	CIWQS Website	Sewer overflow performance information is available to the public on the State Water Resources Control Board (SWRCB) California Integrated Water Quality System (CIWQS). Go to https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportAction=criteria&reportId=sso_main. Type in "2SSO10096" in the **Enter WDID** field. Click on "Generate Report" button.	Always available on internet

11.2 Outside Owners/Operators and Satellite Systems

The City of Berkeley has regular communication with systems that are tributary, satellite, and/or neighboring to the City's sanitary sewer system. Through the Consent Decree the City meets monthly with the City of Albany, EBMUD, City of Emeryville, and Stege Sanitary District. The City meets with the City of Oakland on an as needed basis.

Table 11-2: Plan for Communication with Tributary and/or Satellite Agencies

Agency	Relationship	Communication Plan
Cities of Albany and Oakland	Neighboring agencies. Some flow from these systems discharge into Berkeley's collection system and vice versa.	Regular communication at CSTAC meetings. Other meetings as needed.
East Bay Municipal Utility District (EBMUD)	Berkeley is a satellite of EBMUD.	Regular communication at Monthly CSTAC meetings and quarterly coordination meetings.
Alameda, Albany, Emeryville, Oakland, Piedmont, and Stege Sanitary District	Other satellite agencies of EBMUD that discharge to the EBMUD wastewater treatment plant and or EBMUD interceptors.	Regular communication at CSTAC meetings.
University of California, Berkeley (UCB)	UCB discharges into the City of Berkeley's wastewater collection system.	The City has a copy of UCB's SSMP and contact information and communicates when necessary.
Lawrence Berkeley National Laboratory (LBNL)	LBNL wastewater is conveyed through City of Berkeley and UCB wastewater collection systems.	The City has a copy of LBNL's SSMP and contact information and communicates when necessary.

City of Berkeley
Sewer System Management Plan

Appendices

May 2025

Document Version Control

This Sewer System Management Plan (SSMP) is a living document that is anticipated change over time. This version control sheet is intended to support the City's efforts to keep the copies of the SSMP that have been assigned to City Staff current. Please contact Adadu Yemane at (510) 981-6413 prior to making copies for use by others, initiating changes, or for information regarding the current version of this document.

SSMP Copy No. _____

This copy assigned to _____ Telephone No. _____

SSMP Section	Original Version Date	Last Updated Version Date	Current Version Date
Title Page	April 16, 2009	May 31, 2019	May 2, 2025
1. Goal and Introduction	April 16, 2009	March 31, 2014	May 2, 2025
2. Organization	April 16, 2009	May 31, 2019	May 2, 2025
3. Legal Authority	April 16, 2009	March 31, 2014	May 2, 2025
4. Operation and Maintenance Activites	April 16, 2009	May 8, 2019	May 2, 2025
5. Design and Performance Provisions	April 16, 2009	May 8, 2019	May 2, 2025
6. Spill Emergency Response Plan	April 16, 2009	May 31, 2019	May 2, 2025
7. Sewer Pipe Blockage Control Program	April 16, 2009	May 31, 2019	May 2, 2025
8. System Evaluation and Capacity Assurance Plan	April 16, 2009	May 31, 2019	May 2, 2025
9. Monitoring, Measurement, and Program Modifications	April 16, 2009	May 8, 2019	May 2, 2025
10. Internal Audit	April 16, 2009	May 31, 2019	May 2, 2025
11. Communication Program	April 16, 2009	May 31, 2019	May 2, 2025

Table of Contents

Appendix A
SWRCB Order WQ 2022-0103-DWQ – Statewide Waste Discharge Requirements General Order For Sanitary Sewer Systems
Appendix B
SWRCB Order No. 2006-003 – Statewide General Waste Discharge Requirements for Sanitary Sewer Systems
Chapter 1 Appendices
None
Chapter 2 Appendices
Appendix 2-A Key Staff Contact Information
Chapter 3 Appendices
None
Chapter 4 Appendices
Appendix 4-A Public Works Streets and Utilities Division Field Manual – Section IV, Sanitary Sewer Maintenance
Appendix 4-B Hot Spot Sewer Cleaning List
Appendix 4-C Routine Cleaning Sector List
Appendix 4-D Lift Station Maintenance Work Order Form
Appendix 4-E Manhole Inspection Form
Appendix 4-F Major Sewer Equipment List
Appendix 4-G Critical Sewer Replacement Parts Inventory
Chapter 5 Appendices
Appendix 5-A Standards for Sanitary Sewers
Appendix 5-B City of Berkeley Standard Details and Detail Specifications
Chapter 6 Appendices
Appendix 6-A Contact Information for Neighboring Agencies
Appendix 6-B Sewer Field Crew Report
Appendix 6-C Methods for Estimating Spill Volume
Appendix 6-D Sample Warning Sign
Chapter 7 Appendices
Appendix 7-A EBMUD Regional FOG Program
Appendix 7-B Example FOG Control Program Quarterly Summary Report
Appendix 7-C City of Berkeley FOG Brochure
Appendix 7-D EBMUD Approved Grease Haulers
Appendix 7-E Grease SSO and Blockage Reporting Form
Chapter 8 Appendices
Appendix 8-A Design Flow, Hydraulic, and Capacity Criteria
Appendix 8-B Status of Capacity Improvement Projects (May 2025)
Chapter 9 Appendices
Appendix 9-A SSMP Change Log
Chapter 10 Appendices
Appendix 10-A 2025 SSMP Audit Report
Chapter 11 Appendices
None

Appendix A

SWRCB Order WQ 2022-0103-DWQ – Statewide Waste Discharge Requirements General Order For Sanitary Sewer Systems

STATE WATER RESOURCES CONTROL BOARD
1001 I Street, Sacramento, California 95814
ORDER WQ 2022-0103-DWQ

STATEWIDE WASTE DISCHARGE REQUIREMENTS

GENERAL ORDER FOR SANITARY SEWER SYSTEMS

This Order was adopted by the State Water Resources Control Board on December 6, 2022.
This Order shall become effective **180 days after the Adoption Date of this General Order,** on June 5, 2023. The Enrollee shall comply with the requirements of this Order upon the Effective Date of this General Order.

This General Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, protect the Enrollee from liability under federal, state, or local laws, nor create a vested right for the Enrollee to continue the discharge of waste.

CERTIFICATION

I, Jeanine Townsend, Clerk to the Board, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the State Water Board on December 6, 2022.

AYE:	Chair E. Joaquin Esquivel Vice Chair Dorene D'Adamo Board Member Sean Maguire Board Member Laurel Firestone Board Member Nichole Morgan
NAY:	None
ABSENT:	None
ABSTAIN:	None

Courtney Tyler for
Jeanine Townsend
Clerk to the Board

Table of Contents

1. Introduction 4
2. Regulatory Coverage and Application Requirements 5
   2.1. Requirements for Continuation of Existing Regulatory Coverage 5
   2.2. Requirements for New Regulatory Coverage 5
   2.3. Regulatory Coverage Transfer 7
3. Findings 7
   3.1. Legal Authorities 7
   3.2. General 11
   3.3. Water Quality Control Plans, Policies and Resolutions 14
   3.4. California Environmental Quality Act 16
   3.5. State Water Board Funding Assistance for Compliance with Water Board Water Quality Orders 16
   3.6. Notification to Interested Parties 17
4. Prohibitions 17
   4.1 Discharge of Sewage from a Sanitary Sewer System 17
   4.2. Discharge of Sewage to Waters of the State 17
   4.3. Discharge of Sewage Creating a Nuisance 18
5. Specifications 18
   5.1. Designation of a Legally Responsible Official 18
   5.2. Sewer System Management Plan Development and Implementation 18
   5.3. Certification of Sewer System Management Plan and Plan Updates 19
   5.4. Sewer System Management Plan Audits 19
   5.5. Six-Year Sewer System Management Plan Update 21
   5.6. System Resilience 22
   5.7. Allocation of Resources 22
   5.8. Designation of Data Submitters 22
   5.9. Reporting Certification 22
   5.10. System Capacity 23
   5.11. System Performance Analysis 23
   5.12. Spill Emergency Response Plan and Remedial Actions 23
   5.13. Notification, Monitoring, Reporting and Recordkeeping Requirements 24
   5.14. Electronic Sanitary Sewer System Service Area Boundary Map 26
   5.15. Voluntary Reporting of Spills from Privately-Owned Sewer Laterals and/or Private Sanitary Sewer Systems 26
   5.16. Voluntary Notification of Spills from Privately-Owned Laterals and/or Systems to the California Office of Emergency Services 27
   5.17. Unintended Failure to Report 27

5.18. Duty to Report to Water Boards 27
5.19. Operation and Maintenance 27
6. Provisions 27
6.1. Enforcement Provisions 27
6.2. Other Regional Water Board Orders 30
6.3. Sewer System Management Plan Availability 31
6.4. Entry and Inspection 31

Table of Attachments

Attachment A – Definitions A-1
Attachment B – Application for Enrollment B-1
Attachment C - Notice of Termination C-1
Attachment D – Sewer System Management Plan – Required Elements D-1
Attachment E1 – Notification, Monitoring, Reporting and Recordkeeping Requirements E1-1
Attachment E2 – Summary of Notification, Monitoring and Reporting Requirements E2-1
Attachment F – Regional Water Quality Control Board Contact Information F-1

1. INTRODUCTION

This General Order regulates sanitary sewer systems designed to convey sewage. For the purpose of this Order, a sanitary sewer system includes, but is not limited to, pipes, valves, pump stations, manholes, siphons, wet wells, diversion structures and/or other pertinent infrastructure, upstream of a wastewater treatment plant headworks. A sanitary sewer system includes:

- Laterals owned and/or operated by the Enrollee;
- Satellite sewer systems; and/or
- Temporary conveyance and storage facilities, including but not limited to temporary piping, vaults, construction trenches, wet wells, impoundments, tanks and diversion structures.

Sewage is untreated or partially treated domestic, municipal, commercial and/or industrial waste (including sewage sludge), and any mixture of these wastes with inflow or infiltration of stormwater or groundwater, conveyed in a sanitary sewer system. Sewage contains high levels of suspended solids, non-digested organic waste, pathogenic bacteria, viruses, toxic pollutants, nutrients, oxygen-demanding organic compounds, oils, grease, pharmaceuticals, and other harmful pollutants.

For the purpose of this General Order, a spill is a discharge of sewage from any portion of a sanitary sewer system due to a sanitary sewer system overflow, operational failure, and/or infrastructure failure. Sewage and its associated wastewater spilled from a sanitary sewer system may threaten public health, beneficial uses of waters of the State, and the environment.

This General Order serves as statewide waste discharge requirements and supersedes the previous State Water Resources Control Board (State Water Board) Order 2006-0003-DWQ and amendments thereafter. All sections and attachments of this General Order are enforceable by the State Water Board and Regional Water Quality Control Boards (Regional Water Boards). Through this General Order, the State Water Board requires an Enrollee to:

- Comply with federal and state prohibitions of discharge of sewage to waters of the State, including federal waters of the United States;
- Comply with specifications, and notification, monitoring, reporting and recordkeeping requirements in this General Order that implement the federal Clean Water Act, the California Water Code (Water Code), water quality control plans (including Regional Water Board Basin Plans) and policies;
- Proactively operate and maintain resilient sanitary sewer systems to prevent spills;
- Eliminate discharges of sewage to waters of the State through effective implementation of a Sewer System Management Plan;
- Monitor, track, and analyze spills for ongoing system-specific performance improvements; and
- Report noncompliance with this General Order per reporting requirements.

An Enrollee is a public, private, or other non-governmental entity that has obtained approval for regulatory coverage under this General Order, including:

- A state agency, municipality, special district, or other public entity that owns and/or operates one or more sanitary sewer systems:
  - greater than one (1) mile in length (each individual sanitary sewer system);
  - one (1) mile or less in length where the State Water Board or a Regional Water Board requires regulatory coverage under this Order; or
- A federal agency, private company, or other non-governmental entity that owns and/or operates a sanitary sewer system of any size where the State Water Board or a Regional Water Board requires regulatory coverage under this Order in response to a history of spills, proximity to surface water, or other factors supporting regulatory coverage.

For the purpose of this Order, a sanitary sewer system includes only systems owned and/or operated by the Enrollee.

2. REGULATORY COVERAGE AND APPLICATION REQUIREMENTS

2.1. Requirements for Continuation of Existing Regulatory Coverage

To continue regulatory coverage from previous Order 2006-0003-DWQ under this General Order, **within the 60-days-prior-to the Effective Date of this General Order**, the Legally Responsible Official of an existing Enrollee shall electronically certify the Continuation of Existing Regulatory Coverage form in the online California Integrated Water Quality System (CIWQS) Sanitary Sewer System Database. The Legally Responsible Official will receive an automated CIWQS-issued Notice of Applicability email, confirming continuation of regulatory coverage under this General Order. All regulatory coverage under previous Order 2006-0003-DWQ will cease on the Effective Date of this Order.

An Enrollee continuing existing regulatory coverage is not required to submit a new application package or pay an application fee for enrollment under this General Order. The annual fee due date for continued regulatory coverage from previous Order 2006-0003-DWQ to this General Order remains unchanged.

A previous Enrollee of Order 2006-0003-DWQ that fails to certify the Continuation of Existing Regulatory Coverage form in the online CIWQS database by the Effective Date of this Order is considered a New Applicant, and will not have regulatory coverage for its sanitary sewer system(s) until:

- A new application package for system(s) enrollment is submitted per section 2.2 (Requirements for New Regulatory Coverage) below; and
- The new application package is approved per section 2.2.2 (Approval of Application Package (For New Applicants Only)).

2.2. Requirements for New Regulatory Coverage

No later than 60 days prior to commencing and/or assuming operation and maintenance responsibilities of a sanitary sewer system, a duly authorized representative that

maintains legal authority over the public or private sanitary sewer system is required to enroll under this General Order by submitting a complete application package as specified below and as provided in Attachment B (Application for Enrollment Form) of this General Order.

Unless required by a Regional Water Board, a public agency that owns a combined sewer system subject to the Combined Sewer Overflow Control Policy (33 U.S. Code § 1342(q)), is not required to enroll, under this Order, the portions of its sanitary sewer system(s) that collects combined sanitary wastewater and stormwater.

2.2.1. Application Package Requirements

The Application for Enrollment package for new applicants must include the following items:

- **Application for Enrollment Form**. The form in Attachment B of this General Order must be completed, signed, and certified by a Legally Responsible Official, in accordance with section 5.1 (Designation of a Legally Responsible Official) of this General Order. If an electronic Application for Enrollment form is available at the time of application, a new applicant shall submit its application form electronically; and
- **Application Fee**. A fee payable to the "State Water Resources Control Board" in accordance with the Fee Schedule in the California Code of Regulations, Title 23, section 2200, or subsequent fee regulations updates.

  The application fee for this General Order is based on the sanitary sewer system's threat to water quality and complexity designations of category 2C or 3C, which is assigned based on the population served by the system. The current Fee Schedule for sanitary sewer systems is listed under subdivision (a)(2) at the following website: Fee Schedule (https://www.waterboards.ca.gov/resources/fees/water_quality/).

2.2.2. Approval of Application Package (For New Applicants Only)

The Deputy Director of the State Water Board, Division of Water Quality (Deputy Director) will consider approval of each complete Application for Enrollment package. The Deputy Director will issue a Notice of Applicability letter which serves as approved regulatory coverage for the new Enrollee.

If the submitted application package is not complete in accordance with section 2.2.1 (Application Package Requirements) of this General Order, the Deputy Director will send a response letter to the applicant outlining the application deficiencies. The applicant will have 60 days from the date of the response letter to correct the application deficiencies and submit the identified items necessary to complete the application package to the State Water Board.

2.2.3. Electronic Reporting Account for New Enrollee

Within 30 days after the date of the Approval of Complete Application Package for System Enrollment, a duly authorized representative for the Enrollee shall obtain a CIWQS Sanitary Sewer System Database user account by clicking the "User Registration" button and following the directions on the CIWQS Login Page

(https://ciwqs.waterboards.ca.gov). If additional assistance is needed to establish an online CIWQS user account, contact State Water Board staff by email at CIWQS@waterboards.ca.gov. The online user account will provide the Enrollee secure access to the online CIWQS database for electronic reporting.

2.3. Regulatory Coverage Transfer

Regulatory coverage under this General Order is not transferable to any person or party except after an existing Enrollee submits a written request for a regulatory coverage transfer to the Deputy Director, at least 60 days in advance of any proposed system ownership transfer. The written request must include a written agreement between the existing Enrollee and the new Enrollee containing:

- Acknowledgement that the transfer of ownership is solely of an existing system with an existing waste discharge identification (WDID) number;
- The specific ownership transfer date in which the responsibility and regulatory coverage transfer between the existing Enrollee and the new Enrollee becomes effective; and
- Acknowledgement that the existing Enrollee is liable for violations occurring up to the ownership transfer date and that the new Enrollee is liable for violations occurring on and after the ownership transfer date.

The Deputy Director will consider approval of the written request. If approved, the Deputy Director will issue a Notice of Applicability letter which serves as an approved transfer of regulatory coverage to the new Enrollee.

3. FINDINGS

3.1. Legal Authorities

3.1.1. Federal and State Regulatory Authority

The objective of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the waters of the United States (33 U.S.C. 1251). The Water Code authorizes the State Water Board to implement the Clean Water Act in the State and to protect the quality of all waters of the State (Water Code sections 13000 and 13160).

3.1.2. Discharge of Sewage

A discharge of untreated or partially treated sewage is a discharge of waste as defined in Water Code section 13050(d) that could affect the quality of waters of the State and is subject to regulation by waste discharge requirements issued pursuant to Water Code section 13263 and Chapter 9, Division 3, Title 23 of the California Code of Regulations. A discharge of sewage may pollute and alter the quality of the waters of the State to a degree that unreasonably affects the beneficial uses of the receiving water body or facilities that serve those beneficial uses (Water Code section 13050(l)(1)).

3.1.3 Water Boards Authority to Require Technical Reports, Monitoring, and Reporting

Water Code sections 13267 and 13383 authorize the Regional Water Boards and the State Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. Water Code section 13267(b), authorizes the Regional Water Boards to "require any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region… or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of water within its region shall furnish, under penalty of perjury, technical or monitoring reports which the regional board requires…In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports." Water Code section 13267(f) authorizes the State Water Board to require this information if it consults with the Regional Water Boards and determines that it will not duplicate the efforts of the Regional Water Boards. The State Water Board has consulted with the Regional Water Boards and made this determination.

The technical and monitoring reports required by this General Order and Attachment E (Notification, Monitoring, Reporting and Recordkeeping Requirements) are necessary to evaluate and ensure compliance with this General Order. The effort to develop required technical reports will vary depending on the system size and complexity and the needs of the specific technical report. The burden and cost of these reports are reasonable and consistent with the interest of the state in protecting water quality, which is the primary purpose of requiring the reports.

Water Code section 13383(a) authorizes the Water Boards to "establish monitoring, inspection, entry, reporting, and recordkeeping requirements… for any person who discharges, or proposes to discharge, to navigable waters, any person who introduces pollutants into a publicly owned treatment works, any person who owns or operates, or proposes to own or operate, a publicly owned treatment works or other treatment works treating domestic sewage, or any person who uses or disposes, or proposes to use or dispose, of sewage sludge." Section 13383(b) continues, "the state board or the regional boards may require any person subject to this section to establish and maintain monitoring equipment or methods, including, where appropriate, biological monitoring methods, sample effluent as prescribed, and provide other information as may be reasonably required."

Reporting of spills from privately owned sewer laterals and systems pursuant to section 5.15 (Voluntary Reporting of Spills from Privately-Owned Sewer Laterals and/or Private Sanitary Sewer Systems) of this General Order is authorized by Water Code section 13225(c) and encouraged by the State Water Board, wherein a local agency may investigate and report on any technical factors involved in water quality control provided the burden including costs of such reports bears a reasonable relationship to the need for the report and the benefits to be obtained therefrom. The burden of reporting private spills under section 5.15 (Voluntary Reporting of Spills from Privately-Owned Sewer Laterals and/or Private Sanitary Sewer Systems) is minimal and is outweighed by the benefit of providing Regional Water Boards an opportunity to respond to these spills

when an Enrollee, which in many cases has a contractual relationship with the owner of the private system, has knowledge of the spills.

3.1.4. Water Board Authority to Prescribe General Waste Discharge Requirements

Water Code section 13263(i) provides that the State Water Board may prescribe general waste discharge requirements for a category of discharges if the State Water Board finds or determines that:

- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general waste discharge requirements than individual waste discharge requirements.

Since 2006, the State Water Board has been regulating over 1,100 publicly owned sanitary sewer systems (See section 3.1.5 (Previous Statewide General Waste Discharge Requirements) of this General Order). California also has a large unknown number of unregulated privately owned sanitary sewer systems. All waste conveyed in publicly owned and privately owned sanitary sewer systems (as defined in this General Order) is comprised of untreated or partially treated domestic waste and/or industrial waste. Generally, sanitary sewer systems are designed and operated to convey waste by gravity or under pressure; system-specific design elements and system-specific operations do not change the common nature of the waste, the common threat to public health, or the common impacts on water quality. Spills of waste from a sanitary sewer system prior to reaching the ultimate downstream treatment facility are unauthorized and enforceable by the State Water Board and/or a Regional Water Board. Therefore, spills from sanitary sewer systems are more appropriately regulated under general waste discharge requirements.

As specified in Water Code sections 13263(a) and 13241, the implementation of requirements set forth in this Order is for the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each Regional Water Board and take into account the environmental characteristics of sewer service areas and hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality, costs associated with compliance with these requirements, the need for developing housing within California, and the need to protect sources of drinking water and other water supplies.

3.1.5. Previous Statewide General Waste Discharge Requirements

On May 2, 2006, the State Water Board adopted Order 2006-0003-DWQ serving as Waste Discharge Requirements pursuant to Article 4, Chapter 4, Division 7 of the Water Code (commencing with section 13260) for inadvertent discharges to waters of the State. Order 2006-0003-DWQ prohibited discharges of untreated or partially treated sewage. Order 2006-0003-DWQ also required system-specific management, operation, and maintenance of publicly owned sewer systems greater than one mile in length.

To decrease the impacts on human health and the environment caused by sewage spills, the previous Order required enrollees to develop a rehabilitation and replacement plan that identifies system deficiencies and prioritizes short-term and long-term rehabilitation actions. The previous Order also required enrollees to:

1. Maintain information that can be used to establish and prioritize appropriate Sewer System Management Plan activities; and
2. Implement a proactive approach to reduce spills.

The previous Order required Sewer System Management Plan elements for "the proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management."

On July 30, 2013, the State Water Board amended General Order 2006-0003-DWQ with Order WQ 2013-0058-EXEC, Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.

Many enrollees of Order 2006-0003-DWQ have already implemented proactive measures to reduce sewage spills. Other enrollees, however, still need technical assistance and funding to improve sanitary sewer system operation and maintenance for the reduction of sewage spills.

3.1.6. Existing Memorandum of Agreement with California Water Environment Association

The California Water Environment Association is a nonprofit organization dedicated to providing water industry certifications, training, and networking opportunities. The Association's Technical Certification Program provides accredited sanitary sewer system operator certification for collection system operators and maintenance workers.

On February 10, 2016, the State Water Board entered into a collaborative agreement with the Association titled *Memorandum of Agreement Between the California State Water Resources Control Board and the California Water Environment Association - Training Regarding Requirements Set Forth in Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*. The Memorandum sets forth collaborative training necessary for regulated sanitary sewer system personnel to operate and maintain a well operating system and ensure full compliance with statewide sewer system regulations.

On March 15, 2018, the State Water Board and the California Water Environment Association amended the existing Memorandum of Agreement to include collaborative outreach and expand training needs associated with further updates to Water Board regulations for sanitary sewer systems. The State Water Board encourages further Agreement updates as necessary to support improved sewer system operations and the professionalism of collection system operators.

3.2. General

3.2.1. Waters of the State

Waters of the State include any surface water or groundwater, including saline waters, within the boundaries of the state as defined in Water Code section 13050(e), and are inclusive of waters of the United States.

3.2.2. Sanitary Sewer System Spill Threats to Public Health and Beneficial Uses

Sewage contains high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. Sewage spills may cause a public nuisance, particularly when sewage is discharged to areas with high public exposure such as streets and surface waters used for drinking, irrigation, fishing, recreation, or other public consumption or contact uses.

More specifically, sanitary sewer spills may:

- Adversely affect aquatic life and/or threaten water quality when reaching receiving waters;
- Inadvertently release trash, including plastics;
- Impair the recreational use and aesthetic enjoyment of surface waters by polluting surface water or groundwater;
- Threaten public health through direct public exposure to bacteria, viruses, intestinal parasites, and other microorganisms that can cause serious illness such as gastroenteritis, hepatitis, cryptosporidiosis, and giardiasis;
- Negatively impact ecological receptors and biota within surface waters; and
- Cause nuisance including odors, closure of beaches and recreational areas, and property damage.

Sanitary sewer system spills may pollute receiving waters and threaten beneficial uses of surface water and groundwater. Potentially threatened beneficial uses include, but are not limited to the following (with associated acronym representations as included in statewide water quality control plans and Regional Water Boards' Basin Plans):

- Municipal and Domestic Supply (MUN)
- Water Contact Recreation (REC-1) and Non-Contact Water Recreation (REC-2)
- Cold Freshwater Habitat (COLD)
- Warm Freshwater Habitat (WARM)
- Native American Culture (CUL)
- Wildlife Habitat (WILD)
- Rare, Threatened, or Endangered Species (RARE)
- Spawning, Reproduction, and/or Early Development (SPWN)
- Wetland Habitat (WET)
- Agricultural Supply (AGR)
- Estuarine Habitat (EST)

- Commercial and Sport Fishing (COMM)
- Subsistence Fishing (SUB)
- Tribal Tradition and Culture (CUL)
- Tribal Subsistence Fishing (T-SUB)
- Aquaculture (AQUA)
- Marine Habitat (MAR)
- Preservation of Biological Habitats of Special Significance (BIOL)
- Migration of Aquatic Organisms (MIGR)
- Shellfish Harvesting (SHELL)
- Industrial Process Supply (PROC)
- Industrial Service Supply (IND)
- Hydropower Generation (POW)
- Navigation (NAV)
- Flood Peak Attenuation/Flood Water Storage (FLD)
- Water Quality Enhancement (WQE)
- Fresh Water Replenishment (FRSH)
- Groundwater Recharge (GWR)
- Inland Saline Water Habitat (SAL)

3.2.3. Proactive Sanitary Sewer System Management to Eliminate Spill Causes

Finding 3 of the previous Order, 2006-0003-DWQ, states: “Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO [sanitary sewer overflow]. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.”

Many spills are preventable through proactive attention on sanitary sewer system management using the best practices and technologies available to address major causes of spills, including but not limited to:

- Blockages from sources including but not limited to:
  - Fats, oils and grease;
  - Tree roots;
  - Rags, wipes and other paper, cloth and plastic products; and
  - Sediment and debris.
- Sewer system damage and exceedance of sewer system hydraulic capacity from identified system-specific environmental, and climate-change impacts, including but not limited to:

  - Sea level rise impacts including flooding, coastal erosion, seawater intrusion, tidal inundation and submerged lands;
  - Increased surface water flows due to higher intensity rain events;
  - Flooding;
  - Wildfires and wildfire induced impacts;
  - Earthquake induced damage;
  - Landslides; and
  - Subsidence.
- Infrastructure deficiencies and failures, including but not limited to:
  - Pump station mechanical failures;
  - System age;
  - Construction material failures;
  - Manhole cover failures;
  - Structural failures; and
  - Lack of proper operation and maintenance.
- Insufficient system capacity (temporary or sustained), due to factors including but not limited to:
  - Excessive and/or increased storm or groundwater inflow/infiltration;
  - Insufficient capacity due to population increase and/or new connections from industrial, commercial and other system users; and
  - Stormwater capture projects utilizing a sanitary sewer system to convey stormwater to treatment facilities for reuse.
- Community impacts, including but not limited to:
  - Power outages;
  - Vandalism; and
  - Contractor-caused or other third party-caused damages.

3.2.4. Underground Sanitary Sewer System Leakage

Portions of some sanitary sewer systems may leak, causing underground exfiltration (exiting) of sewage from the system. Exfiltrated sewage that remains in the underground infrastructure trench and/or the soil matrix, and that does not discharge into waters of the State (surface water or groundwater) may not threaten beneficial uses.

Underground exfiltrated sewage may threaten beneficial uses if discharged to waters of the State. Exfiltrated sewage that discharges to groundwater may impact beneficial uses of groundwater and pollute groundwater supply. Additionally, if in close proximity, exfiltrated sewage may enter into a compromised underground drainage conveyance system that discharges into a water of the United States, or into groundwater that is hydrologically connected to (feeds into) a water of the United States, thus potentially causing: (1) a Clean Water Act violation, (2) threat and impact to beneficial uses, and/or (3) surface water pollution.

3.2.5. Proactive Sanitary Sewer System Management to Reduce Inflow and Infiltration

Excessive inflow (stormwater entering) and infiltration (groundwater seepage entering) to sanitary sewer systems is preventable through proactive sewer system management using the best practices and technologies available. The efficiency of the downstream wastewater treatment processes is dependent on the performance of the sanitary sewer system. When the structural integrity of a sanitary sewer system deteriorates, high volumes of inflow and infiltration can enter the sewer system. High levels of inflow and infiltration increase the hydraulic load on the downstream treatment plant, which can reduce treatment efficiency, lead to bypassing a portion of the treatment process, cause illegal discharge of partially treated effluent, or in extreme situations make biological treatment facilities inoperable (e.g., wash out the biological organisms that treat the waste).

3.3. Water Quality Control Plans, Policies and Resolutions

The nine Regional Water Boards have adopted region-specific water quality control plans (commonly referred to as Basin Plans) that designate beneficial uses, establish water quality objectives, and contain implementation programs and policies to achieve those objectives. The State Water Board has adopted statewide water quality control plans, policies and resolutions establishing statewide water quality objectives, implementation programs and initiatives.

3.3.1. State Water Board Antidegradation Policy

On October 28, 1968, the State Water Board adopted Resolution 68-16, titled Statement of Policy with Respect to Maintaining High Quality of Waters in California, which incorporates the federal antidegradation policy. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings.

The continued prohibition of sewage discharges from sanitary sewer systems into waters of the State aligns with Resolution 68-16. A sewage discharge from sanitary sewers to waters of the State is prohibited by this Order. Therefore, this Order does not allow degradation of waters of the State. In addition, this Order: (1) further expands the existing prohibition of sewage discharges to include waters of the State, in addition to waters of the United States as provided in previous Order 2006-0003-DWQ, and (2) enhances the ability for Water Board enforcement of violations of the established prohibitions.

3.3.2. State Water Board Sources of Drinking Water Policy

On May 19,1988, the State Water Board adopted Resolution 88-63 (amended on February 1, 2006), titled Sources of Drinking Water, establishing state policy that all waters of the State, with certain exceptions, are suitable or potentially suitable for municipal or domestic supply.

3.3.3. State Water Board Cost of Compliance Resolution

On September 24, 2013, the State Water Board adopted Resolution 2013-0029, titled Directing Actions in Response to Efforts by Stakeholders on Reducing Costs of

Compliance While Maintaining Water Quality Protection. Through this resolution, the State Water Board committed to continued stakeholder engagement in identifying and implementing measures to reduce costs of compliance with regulatory orders while maintaining water quality protection and improving regulatory program outcomes.

3.3.4. State Water Board Human Right to Water Resolution

On February 16, 2016, the State Water Board adopted Resolution 2016-0010, titled Adopting the Human Right to Water as a Core Value and Directing its Implementation in Water Board Programs and Activities, addressing the human right to water as a core value and directing Water Board programs to implement requirements to support safe drinking water for all Californians.

On November 16, 2021, the State Water Board adopted Resolution 2021-0050 titled Condemning Racism, Xenophobia, Bigotry, and Racial Injustice, and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-racism. Among other actions, through Resolution 2021-0050, the State Water Board, in summary as corresponding to this General Order, reaffirms its commitment to its Human Right to Water resolution, upholding that every human being in California deserves safe, clean, affordable, and accessible water for human consumption, cooking, and sanitation purposes. Resolution 2021-0050 provides the State Water Board commitment to:

- Protect public health and beneficial uses of waterbodies in all communities, including communities disproportionately burdened by wastes discharge of waste to land and surface water;
- Restore impaired surface waterbodies and degraded aquifers; and
- Promote multi-benefit water quality projects.

Through Resolution 2021-0050, the State Water Board also commits to expanding implementation of its Climate Change Resolution to address the disproportionate effects of extreme hydrologic conditions and sea-level rise on Black, Indigenous, and people of color communities, prioritizing:

- The right to safe, clean, affordable, and accessible drinking water and sanitation;
- Sustainable management and protection of local groundwater resources;
- Healthy watersheds; and
- Access to surface waterbodies that support subsistence fishing.

On June 7, 2022, the State Water Board adopted a Resolution, titled Authorizing the Executive Director or Designee to Enter into One or More Multi-Year Contracts Up to a Combined Sum of $4,000,000 for a Statewide Wastewater Needs Assessment, supporting the equitable access to sanitation for all Californians and implementation of Resolutions 2016-0010 and 2021-0050.

This General Order supports the State Water Board priority in collecting a comprehensive set of data for California's wastewater systems, including sanitary sewer systems. Data reported per the requirements of this Order will be used with data from other Water Boards' programs, to further develop criteria and create a statewide risk

framework to prioritize critical funding and infrastructure investments for California's most vulnerable populations, including disadvantaged or severely disadvantaged communities with inadequate or failing sanitation systems and threatened access to healthy drinking water supplies.

3.3.5. State Water Board Open Data Resolution

On July 10, 2018, the State Water Board adopted Resolution 2018-0032, titled Adopting Principles of Open Data as a Core Value and Directing Programs and Activities to Implement Strategic Actions to Improve Data Accessibility and Associated Innovation, directing regulatory programs to assure all monitoring and reporting requirements support the State Water Boards' Open Data Initiative.

3.3.6. State Water Board Response to Climate Change

On March 7, 2017, the State Water Board adopted Resolution 2017-0012, titled Comprehensive Response to Climate Change, requiring a proactive response to climate change in all California Water Board actions, with the intent to embed climate change consideration into all programs and activities.

3.4. California Environmental Quality Act

The adoption of this Order is an action to reissue general waste discharge requirements that is exempt from the California Environmental Quality Act (Public Resources Code section 21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment (Cal. Code Regs., Title 14, section 15308). In addition, the action to adopt this Order is exempt from CEQA pursuant to Cal. Code Regs., Title 14, section 15301, to the extent that it applies to existing sanitary sewer collection systems that constitute "existing facilities" as that term is used in sections 15301 and 15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

3.5. State Water Board Funding Assistance for Compliance with Water Board Water Quality Orders

The State Water Board, Division of Financial Assistance administers the implementation of the State Water Board financial assistance programs, per Board-adopted funding policies. Among other funding areas, the Division administers loan and grant funding for the planning and construction of wastewater and water recycling facilities per funding program-specific policies and guidelines. Applicants may apply for Clean Water State Revolving Fund low-interest loan, Small Community Wastewater grant funding assistance, and other funding available at the time of application, for some of the costs associated with complying with this General Order.

Funding applicants may obtain further information regarding current funding opportunities, and Division of Financial Assistance staff contact information at the following website: Financial Assistance Funding - Grants and Loans | California State Water Resources Control Board.
(https://www.waterboards.ca.gov/water_issues/programs/grants_loans/)

Section 13477.6 of the Water Code authorizes the Small Community Grant Fund. The Small Community Grant Fund allows the State Water Board to provide grant funding assistance to small, disadvantaged communities and small severely disadvantaged communities that may not otherwise be able to afford a loan or similar financing for projects to comply with requirements of this General Order. The State Water Board also considers loan forgiveness on a disadvantaged community-specific basis.

For disadvantaged communities' wastewater needs, the State Water Board places priority on the funding of projects that address:

- Public health;
- Violations of waste discharge requirements and National Pollutant Discharge Elimination System (NPDES) permits;
- Providing sewer system service to existing septic tank owners; and
- High priority public health and water quality concerns identified by a Regional Water Board.

3.6. Notification to Interested Parties

On January 31, 2022, the State Water Board notified interested parties and persons of its intent to reissue Sanitary Sewer Systems General Order 2006-0003-DWQ by issuing a draft General Order for a 60-day public comment period. State Water Board staff conducted extensive stakeholder outreach and encouraged public participation in the adoption process for this General Order. On March 15, 2022, the State Water Board held a public meeting to hear and consider oral public comments. The State Water Board considered all public comments prior to adopting this General Order.

THEREFORE, IT IS HEREBY ORDERED, that pursuant to Water Code sections 13263, 13267, and 13383 this General Order supersedes Order 2006-0003-DWQ, Order WQ 2013-0058-EXEC, and any amendments made to these Orders thereafter, except for enforcement purposes and to meet the provisions contained in Division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, the Enrollee shall comply with the requirements in this Order.

4. PROHIBITIONS

4.1 Discharge of Sewage from a Sanitary Sewer System

Any discharge from a sanitary sewer system that has the potential to discharge to surface waters of the State is prohibited unless it is promptly cleaned up and reported as required in this General Order.

4.2. Discharge of Sewage to Waters of the State

Any discharge from a sanitary sewer system, discharged directly or indirectly through a drainage conveyance system or other route, to waters of the State is prohibited.

4.3. Discharge of Sewage Creating a Nuisance

Any discharge from a sanitary sewer system that creates a nuisance or condition of pollution as defined in Water Code section 13050(m) is prohibited.

5. SPECIFICATIONS

5.1. Designation of a Legally Responsible Official

The Enrollee shall designate a Legally Responsible Official that has authority to ensure the enrolled sanitary sewer system(s) complies with this Order, and is authorized to serve as a duly authorized representative. The Legally Responsible Official must have responsibility over management of the Enrollee's entire sanitary sewer system, and must be authorized to make managerial decisions that govern the operation of the sanitary sewer system, including having the explicit or implicit duty of making major capital improvement recommendations to ensure long-term environmental compliance. The Legally Responsible Official must have or have direct authority over individuals that:

- Possess a recognized degree or certificate related to operations and maintenance of sanitary sewer systems, and/or
- Have professional training and experience related to the management of sanitary sewer systems, demonstrated through extensive knowledge, training and experience.

For example, a sewer system superintendent or manager, an operations manager, a public utilities manager or director, or a district engineer may be designated as a Legally Responsible Official.

The Legally Responsible Official shall complete the electronic CIWQS "User Registration" form (https://ciwqs.waterboards.ca.gov/ciwqs/newUser.jsp). A Legally Responsible Official that represents multiple enrolled systems shall complete the electronic CIWQS "User Registration" form for each system.

The Enrollee shall submit any change to its Legally Responsible Official, and/or change in contact information, to the State Water Board within 30 calendar days of the change by emailing ciwqs@waterboards.ca.gov and copying the appropriate Regional Water Board as provided in Attachment F (Regional Water Quality Control Board Contact Information) of this General Order.

5.2. Sewer System Management Plan Development and Implementation

To facilitate adequate local funding and management of its sanitary sewer system(s), the Enrollee shall develop and implement an updated Sewer System Management Plan. The scale and complexity of the Sewer System Management Plan, and specific elements of the Plan, must match the size, scale and complexity of the Enrollee's sanitary sewer system(s). The Sewer System Management Plan must address, at minimum, the required Plan elements in Attachment D (Sewer System Management Plan – Required Elements) of this General Order. To be effective, the Sewer System Management Plan must include procedures for the management, operation, and maintenance of the sanitary sewer system(s). The procedures must: (1) incorporate the

prioritization of system repairs and maintenance to proactively prevent spills, and (2) address the implementation of current standard industry practices through available equipment, technologies, and strategies.

For an existing Enrollee under Order 2006-0003-DWQ that has certified its Continuation of Existing Regulatory Coverage, per section 2.1 (Requirements for Continuation of Existing Regulatory Coverage) of this General Order:

Within six (6) months of the Adoption Date of this General Order:

- The Legally Responsible Official shall upload the Enrollee's existing Sewer System Management Plan to the online CIWQS Sanitary Sewer System Database.

For a new Enrollee:

Within twelve (12) months of the Application for Enrollment approval date:

- The governing entity of the new Enrollee shall approve its Sewer System Management Plan; and
- The Legally Responsible Official shall certify and upload its Sewer System Management Plan to the online CIWQS Sanitary Sewer System Database.

5.3. Certification of Sewer System Management Plan and Plan Updates

The Legally Responsible Official shall certify and upload its Sewer System Management Plan and all subsequent updates to the online CIWQS Sanitary Sewer System Database.

5.4. Sewer System Management Plan Audits

The Enrollee shall conduct an internal audit of its Sewer System Management Plan, and implementation of its Plan, at a minimum frequency of once every three years. The audit must be conducted for the period after the end of the Enrollee's last required audit period. **Within six months after the end of the required 3-year audit period**, the Legally Responsible Official shall submit an audit report into the online CIWQS Sanitary Sewer System Database per the requirements in section 3.10 (Sewer System Management Plan Audit Reporting Requirements) of Attachment E1 of this General Order.

Audit reports submitted to the CIWQS Sanitary Sewer System Database will be viewable only to Water Boards staff.

The internal audit shall be appropriately scaled to the size of the system(s) and the number of spills. The Enrollee's sewer system operators must be involved in completing the audit. At minimum, the audit must:

- Evaluate the implementation and effectiveness of the Enrollee's Sewer System Management Plan in preventing spills;
- Evaluate the Enrollee's compliance with this General Order;
- Identify Sewer System Management Plan deficiencies in addressing ongoing spills and discharges to waters of the State; and

- Identify necessary modifications to the Sewer System Management Plan to correct deficiencies.

The Enrollee shall submit a complete audit report that includes:

- Audit findings and recommended corrective actions;
- A statement that sewer system operators' input on the audit findings has been considered; and
- A proposed schedule for the Enrollee to address the identified deficiencies.

A new Enrollee of this General Order (that did not have a sanitary sewer system enrolled in the previous State Water Board Order 2006-0003-DWQ) shall conduct its first internal Sewer System Management Plan audit for the time period between the date of submittal of its certified Sewer System Management Plan and the third subsequent December 31st date. The audit report must be submitted into the online CIWQS Sanitary Sewer System Database **by July 1 of the following calendar year**.

See the following tables for clarification:

Initial Audit Period and Audit Due Date for New Enrollees

	Audit Period	Audit Due Date
New Enrollee	Certified Sewer System Management Plan Submittal Date through the third subsequent December 31st date	July 1st date after audit period
Example	*Certified Sewer System Management Plan Submittal Date of August 2, 2025* *Audit Period of August 2, 2025 through December 31, 2027*	*July 1, 2028*

Initial Audit Period for Transition from 2-Year Audit Required in Previous Order 2006-0003-DWQ to 3-Year Audit Required in this General Order

	Audit Period	Audit Due Date
An Enrollee previously regulated by Order 2006-003-DWQ	A 3-year period starting from the end of last required 2-year Audit Period	Within six months after end of 3-year Audit Period
Example	*Last required Audit Period start date of August 2, 2021;* *Audit Period of August 2, 2021 through August 1, 2024*	*February 1, 2025*

Three-Year Ongoing Audit Period

	Audit Period	Audit Due Date
Each Enrollee	A 3-year period starting from the end of last required Audit Period	Within six months after end of 3-year Audit Period

5.5. Six-Year Sewer System Management Plan Update

At a minimum, the Enrollee shall update its Sewer System Management Plan every six (6) years after the date of its last Plan Update due date. (For an Enrollee previously regulated by Order 2006-0003-DWQ, the six-year period shall commence on the due date identified in section 3.11 of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this Order. The Updated Sewer System Management Plan must include:

- Elements required in Attachment D (Sewer System Management Plan – Required Elements) of this Order;
- Summary of revisions included in the Plan update based on internal audit findings; and
- Other sewer system management-related changes.

The Enrollee's governing entity shall approve the updated Plan. The Legally Responsible Official shall upload and certify the approved updated Plan in the online CIWQS Sanitary Sewer System Database in accordance with section 3.11 (Sewer System Management Plan Reporting Requirements) of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order. During the time period in between Plan updates, the Enrollee shall continuously document changes to its Sewer System Management Plan in a change log attached to the Plan.

5.6. System Resilience

The Enrollee shall include and implement system-specific procedures in its Sewer System Management Plan to proactively prioritize: (1) operation and maintenance, (2) condition assessments, and (3) repair and rehabilitation, to address ongoing system resilience, as specified in Attachment D (Sewer System Management Plan – Required Elements) of this General Order.

5.7. Allocation of Resources

The Enrollee shall:

- Establish and maintain a means to manage all necessary revenues and expenditures related to the sanitary sewer system; and
- Allocate the necessary resources to its sewer system management program for:
  - Compliance with this General Order,
  - Full implementation of its updated Sewer System Management Plan,
  - System operation, maintenance, and repair, and
  - Spill responses.

5.8. Designation of Data Submitters

The Legally Responsible Official may designate one or more individuals as a Data Submitter for reporting of spill data. The Legally Responsible Official shall authorize the designation of Data Submitter(s) through the online CIWQS database (https://ciwqs.waterboards.ca.gov) prior to the individuals establishing a CIWQS user account (https://ciwqs.waterboards.ca.gov/ciwqs/newUser.jsp) and entering spill data into the online CIWQS Sanitary Sewer System Database.

The Legally Responsible Official shall submit any change to its Data Submitter(s), and/or change in Data Submitter contact information, to the State Water Board within 30 calendar days of the change, by emailing ciwqs@waterboards.ca.gov and copying the appropriate Regional Water Board as provided in Attachment F (Regional Water Quality Control Board Contact Information) of this General Order.

5.9. Reporting Certification

The Legally Responsible Official shall electronically certify, on the Enrollee's behalf, all applications, reports, the Sewer System Management Plan(s) and corresponding updates, and other information submitted electronically into the online CIWQS Sanitary Sewer System Database, as follows:

"I certify under penalty of perjury under the laws of the State of California that the electronically submitted information was prepared under my direction or supervision. Based on my inquiry of the person(s) directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete, and complies with the Statewide Sanitary Sewer Systems General Order. I am aware that there are significant penalties for submitting false information."

Hardcopy submittals to the State Water Board must be accompanied by the above certification statement.

5.10. System Capacity

The Enrollee shall maintain the system capacity necessary to convey: (1) base flows during dry weather conditions, and (2) wet weather peak flows consistent with designated local historic storms. Design storms must take into account system-specific stormwater contributions via inflow and infiltration, and location-specific depth of groundwater and storm frequencies. The Enrollee shall implement capital improvements to provide adequate hydraulic capacity to:

- Meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance element of its Sewer System Management Plan; and
- Prevent system capacity-related spills, and adverse impacts to the treatment efficiency of downstream wastewater treatment facilities.

5.11. System Performance Analysis

The Enrollee shall include a running 10-year system performance analysis in its Annual Report. The analysis must include two CIWQS-generated graphs presenting the following information:

Graph 1 – Total Spill Volume per Year:

X axis: A 10-year period which includes the current calendar year and the nine previous calendar years;

Y axis: The total spill volume, per Spill Category, for each calendar year.

Graph 2 – Total Number of Spills per Year:

X axis: A 10-year period which includes the current calendar year and the nine previous calendar years;

Y axis: The total number of spills, per Spill Category, for each calendar year.

The current calendar year is the calendar year covered in the Annual Report.

The Enrollee shall generate the graphs in CIWQS, using the existing data in the online CIWQS Sanitary Sewer System Database at the following graph generation link: (https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportAction=criteria&reportId=sso_operation_report).

5.12. Spill Emergency Response Plan and Remedial Actions

For Existing Enrollees (with regulatory coverage under Order 2006-0003-DWQ):

Within six (6) months of the Adoption Date of this General Order, the Enrollee shall update and implement its Spill Emergency Response Plan, per Attachment D, section 6 (Spill Emergency Response Plan) of this General Order.

For New Enrollees:

Within six (6) months of the Application for Enrollment approval date, the Enrollee shall develop and implement a Spill Emergency Response Plan, per Attachment D, section 6 (Spill Emergency Response Plan) of this General Order.

The Enrollee shall certify, in its Annual Report, that its Spill Emergency Response Plan is up to date.

The Spill Emergency Response Plan shall include measures to protect public health and the environment. The Enrollee shall respond to spills from its system(s) in a timely manner that minimizes water quality impacts and nuisance by:

- Immediately stopping the spill and preventing/minimizing a discharge to waters of the State;
- Intercepting sewage flows to prevent/minimize spill volume discharged into waters of the State;
- Thoroughly recovering, cleaning up and disposing of sewage and wash down water; and
- Cleaning publicly accessible areas while preventing toxic discharges to waters of the State.

5.13. Notification, Monitoring, Reporting and Recordkeeping Requirements

The Enrollee shall comply with notification, monitoring, reporting, and recordkeeping requirements in Attachment E1 of this General Order.

5.13.1. Spill Categories

Individual spill notification, monitoring and reporting must be in accordance with the following spill categories:

- **Category 1 Spill**

  A Category 1 spill is a spill of any volume of sewage from or caused by a sanitary sewer system regulated under this General Order that results in a discharge to:

  - A surface water, including a surface water body that contains no flow or volume of water; or
  - A drainage conveyance system that discharges to surface waters when the sewage is not fully captured and returned to the sanitary sewer system or disposed of properly.

    Any spill volume not recovered from a drainage conveyance system is considered a discharge to surface water, unless the drainage conveyance system discharges to a dedicated stormwater infiltration basin or facility.

A spill from an Enrollee-owned and/or operated lateral that discharges to a surface water is a Category 1 spill; the Enrollee shall report all Category 1 spills per section 3.1 of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.

- **Category 2 Spill**

  A Category 2 spill is a spill of 1,000 gallons or greater, from or caused by a sanitary sewer system regulated under this General Order that does not discharge to a surface water.

  A spill of 1,000 gallons or greater that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system, is a Category 2 spill.

- **Category 3 Spill**

  A Category 3 spill is a spill of equal to or greater than 50 gallons and less than 1,000 gallons, from or caused by a sanitary sewer system regulated under this General Order that does not discharge to a surface water.

  A spill of equal to or greater than 50 gallons and less than 1,000 gallons, that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 3 spill.

- **Category 4 Spill**

  A Category 4 spill is a spill of less than 50 gallons, from or caused by a sanitary sewer system regulated under this General Order that does not discharge to a surface water.

  A spill of less than 50 gallons that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 4 spill.

5.13.2. Annual Report

The Enrollee shall submit an Annual Report (previously termed as Collection System Questionnaire in Order 2006-0003-DWQ) as specified in section 3.9 (Annual Report) of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.

For new Enrollees: Within 30 days of obtaining a CIWQS account, a new Enrollee shall submit its initial Annual Report, as specified in section 3.9 (Annual Report) of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.

5.14. Electronic Sanitary Sewer System Service Area Boundary Map

For continuing enrollees, starting on July 1, 2025, and no later than December 31, 2025:

For new enrollees – no earlier than July 1, 2025, or within 12 months of the Application for Enrollment approval date, whichever date is later:

The Legally Responsible Official shall submit, to the State Water Board, geospatial data detailing the locations of the Enrollee's sanitary sewer system service area boundary, per the required content and specifications in section 3.8 (Electronic Sanitary Sewer System Service Area Boundary Map) of Attachment E1 of this General Order, for each system identified by a WDID number.

An Enrollee of a disadvantaged community that may need assistance developing an electronic map to comply with this requirement, may contact State Water Board staff for assistance at SanitarySewer@waterboards.ca.gov.

5.15. Voluntary Reporting of Spills from Privately-Owned Sewer Laterals and/or Private Sanitary Sewer Systems

Within 24 hours of becoming aware of a spill (as described below) from a private sewer lateral or private sanitary sewer system that is not owned/operated by the Enrollee, the Enrollee is encouraged to report the following observations to the online CIWQS Sanitary Sewer System Database at the following link: https://ciwqs.waterboards.ca.gov:

- A spill equal or greater than 1,000 gallons that discharges (or has a potential to discharge) to a water of the State, or a drainage conveyance system that discharges to waters of the State; **or**
- Any volume of sewage that discharges (or has a potential to discharge) to surface waters.

In the CIWQS module, the Enrollee is encouraged to identify:

- Time of observation;
- Description of general spill location (for example, street name and cross street names);
- Estimated volume of spill;
- If known, general description of spill destination (for example, flowing into drainage channel, flowing directly into a creek, etc.); and
- If known, name of private system owner/operator.

The CIWQS database will make the name and contact information of the entity voluntarily reporting a private spill, accessible to State and Regional Water Board staff only. The CIWQS database will only make information regarding the actual spill, accessible to the public.

5.16. Voluntary Notification of Spills from Privately-Owned Laterals and/or Systems to the California Office of Emergency Services

Upon observing or acquiring knowledge of any of the following from a private sewer lateral or private sanitary sewer system that is not owned/operated by the Enrollee, the Enrollee is encouraged to notify the California Office of Emergency Services (as provided by Health and Safety Code section 5410 et. seq. and Water Code section 13271), or inform the responsible party that State law requires such notification to the Office of Emergency Services by any person that causes or allows a sewage discharge to waters of the State:

- A spill equal to 1,000 gallons or more that discharges (or has a potential to discharge) to waters of the State, or a drainage conveyance system that discharges to waters of the State; or
- A spill of any volume to surface waters.

5.17. Unintended Failure to Report

If an Enrollee becomes aware that they unintentionally failed to submit relevant facts in any report required in this General Order, the Enrollee shall promptly notify Regional Water Board and State Water Board staff. Regional Water Board contact information is included in Attachment F of this Order. State Water Board staff shall be contacted by email at SanitarySewer@waterboards.ca.gov for assistance in formally amending the corresponding report(s) in the online CIWQS Sanitary Sewer System Database.

5.18. Duty to Report to Water Boards

In accordance with Water Code section 13267 and/or section 13383, upon request by the State Water Board Executive Director (or designee) or a Regional Water Board Executive Officer (or designee), the Enrollee shall provide the requested information which the State or Regional Water Board deems necessary to determine compliance with this General Order.

5.19. Operation and Maintenance

To prevent discharges to the environment, the Enrollee shall maintain in good working order, and operate as designed, any facility or treatment and control system designed to contain sewage and convey it to a treatment plant.

6. PROVISIONS

6.1. Enforcement Provisions

The following enforcement provisions are based on existing federal and state regulations, laws and policies, including the federal Clean Water Act, the state Water Code and the State Water Board Enforcement Policy.

6.1.1. Enforceability of Clean Water Act and Water Code Violations

Noncompliance with requirements of this General Order or discharging sewage without enrolling in this General Order constitutes a violation of the Water Code and a potential

violation of the Clean Water Act and is grounds for an enforcement action by the State Water Board or the applicable Regional Water Board. Failure to comply with the notification, monitoring, inspection, entry, reporting, and recordkeeping requirements may subject the Enrollee to administrative civil liabilities of up to $10,000 a day per violation pursuant to Water Code section 13385; up to $1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement. Discharging waste not in compliance with the requirements of this General Order or the Clean Water Act may subject the Enrollee to administrative civil liabilities up to $10,000 a day per violation and additional liability up to $10 per gallon of discharge not cleaned up after the first 1,000 gallons of discharge; up to $5,000 a day per violation pursuant to Water Code section 13350 or up to $20 per gallon of waste discharged; or referral to the Attorney General for judicial civil enforcement.

6.1.2. Monetary Penalties

The Water Code provides the State and Regional Water Boards the authority to pursue formal enforcement actions, including imposing administrative liability and civil monetary penalties, for non-compliance with the requirements of this General Order and violations of the Clean Water Act.

6.1.3. Falsifying or Failure to Report

The Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this General Order, or falsifying any information provided in the technical or monitoring reports is subject to administrative liability and civil monetary penalties. Any person who knowingly fails or refuses to furnish technical or monitoring program reports or falsifies any information provided in reports required by this General Order is subject to criminal penalties.

6.1.4. Severability of General Order

The provisions of this General Order are severable; if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected thereby.

6.1.5. Indirect Discharges

In the event that a spill enters into a drainage conveyance system, the Enrollee shall take all feasible steps to prevent discharge of sewage into waters of the State by blocking or redirecting the flow in the drainage conveyance system, removing the sewage from the drainage conveyance system, and cleaning the system in a manner that does not inadvertently impact beneficial uses of the receiving water body.

6.1.6. Water Boards' Considerations for Discretionary Enforcement

Consistent with the State Water Board Enforcement Policy, when considering Water Code section 13327 factors, the State Water Board or a Regional Water Board may consider the Enrollee's efforts to contain, control, clean up, and mitigate spills. In assessing the factors, the State Water Board or the applicable Regional Water Board will consider:

- The Enrollee's compliance with this General Order with a focus on compliance with reporting requirements;
- The Enrollee's provision of adequate funding to implement the requirements of this General Order;
- The Enrollee's compliance with providing a complete and updated Sewer System Management Plan;
- The Enrollee's compliance with implementing its Sewer System Management Plan;
- The overall effectiveness of the Enrollee's Sewer System Management Plan with respect to:
    - System management, operation, and maintenance,
    - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent spills (e.g. adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow, etc.),
    - Preventive maintenance (including cleaning, root grinding, and fats, oils, and grease control) and source control measures,
    - Implementation of backup equipment,
    - Inflow and infiltration prevention and control,
    - Appropriate sanitary sewer system capacity to prevent spills, and
    - The Enrollee's responsiveness to stop and mitigate the impact of the discharge;
- The Enrollee's compliance with identifying the cause of the spill;
- The Enrollee's use of available information and observations to accurately estimate the spill volume and identify the affected or potentially affected receiving waters;
- The Enrollee's thoroughness of cleaning up sewage in drainage conveyance systems after the spill(s);
- The Enrollee's use of water quality and biological monitoring and assessment to determine the short-term and long-term impacts to beneficial uses and the environment;
- The Enrollee's follow up actions to improve system performance;
- The Enrollee's implementation of feasible alternatives to prevent spills, such as:
    - Use of temporary storage or waste retention,
    - Reduction of system inflow and infiltration,
    - Collection and hauling of waste to a treatment facility,
    - Prevention of and/ or containment of spills due to a design storm event identified in the Enrollee's Sewer System Management Plan,

- Implementation of available equipment, technologies, strategies, and recommended industry practices for maintaining and managing sewer systems to prevent spills, and contain and eliminate discharges to waters of the State; and

- The spill duration and factors beyond the reasonable control of the Enrollee causing the event.

6.1.7. Enforcement Discretion Based on Reporting Compliance

Consistent with the State Water Board Enforcement Policy, the State Water Board or a Regional Water Board may consider the Enrollee's efforts to comply with spill reporting requirements when determining compliance with Water Code section 13267 and section 13383. When assessing Water Code section 13227 factors, the State Water Board or the applicable Regional Water Board will consider:

- The Enrollee's diligence to comply with all reporting requirements in this General Order;
- The use of best available information for the Enrollee's reporting of spill start date and start time in which the release of sewage from the sanitary sewer system initiated;
- The Enrollee's reporting of spill end date, and end time to be the date and time in which the release of sewage from the sanitary sewer system was stopped;
- The Enrollee's diligence to accurately estimate and report spill volumes;
- The Enrollee's subsequent verification and/or updates to initial Draft Spill Reports in accordance with this General Order; and
- The Enrollee's timely certification of required spill reports.

Consistent with Water Code section 13267 and section 13383, the State Water Board or a Regional Water Board may require an Enrollee to report the results of a condition assessment of a specified portion of the Enrollee's sanitary sewer system.

6.2. Other Regional Water Board Orders

It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with federal and state regulations. This Order will not be interpreted or applied:

- In a manner inconsistent with the federal Clean Water Act;
- To authorize a spill or discharge that is illegal under either the Clean Water Act, the Water Code, and/or an applicable Basin Plan prohibition or water quality standard;
- To prohibit a Regional Water Board from issuing an individual National Pollutant Discharge Elimination System (NPDES) permit or individual waste discharge requirements superseding an Enrollee's regulatory coverage under this General Order for a sanitary sewer system authorized under the Clean Water Act or Water Code;

- To supersede any more specific or more stringent waste discharge requirements or enforcement orders issued by a Regional Water Board; or
- To supersede any more specific or more stringent state or federal requirements in existing regulation, an administrative/judicial order, or Consent Decree.

6.3. Sewer System Management Plan Availability

The Enrollee's updated Sewer System Management Plan must be maintained for public inspection at the Enrollee's offices and facilities and must be available to the public through CIWQS and/or on the Enrollee's website, in accordance with section 3.8 (Sewer System Management Plan Reporting Requirements) of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.

6.4. Entry and Inspection

6.4.1. Entry and Availability of Information

The Enrollee shall allow State and Regional Water Board staff, upon presentation of credentials and other documents as may be required by law, to:

- Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the requirements of this General Order;
- Have access to and reproduce any records required to be maintained by this General Order;
- Inspect any facility and/or equipment (including monitoring and control equipment), practices, or operations required in this General Order; and
- Sample or monitor substances or parameters for assuring compliance with this General Order, or as otherwise authorized by the Water Code.

6.4.2. Pre-Inspection Questionnaire

The Enrollee shall provide pre-inspection information to State and Regional Water Board staff through the completion of a Pre-Inspection Questionnaire provided by Water Board staff.

ATTACHMENT A - DEFINITIONS

Annual Report

An Annual Report (previously termed as Collection System Questionnaire in Order 2006-0003-DWQ) is a mandatory report in which the Enrollee provides a calendar-year update of its efforts to prevent spills.

Basin Plan

A Basin Plan is a water quality control plan specific to a Regional Water Quality Control Board (Regional Water Board), that serves as regulations to: (1) define and designate beneficial uses of surface and groundwaters, (2) establish water quality objectives for protection of beneficial uses, and (3) provide implementation measures.

Beneficial Uses

The term “Beneficial Uses” is a Water Code term, defined as the uses of the waters of the State that may be protected against water quality degradation. Examples of beneficial uses include but are not limited to, municipal, domestic, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

California Integrated Water Quality System (CIWQS)

CIWQS is the statewide database that provides for mandatory electronic reporting as required in State and Regional Water Board-issued waste discharge requirements.

Data Submitter

A Data Submitter is an individual designated and authorized by the Enrollee’s Legally Responsible Official to enter spill data into the online CIWQS Sanitary Sewer System Database. A Data Submitter does not have the authority of a Legally Responsible Official to certify reporting entered into the online CIWQS Sanitary Sewer System Database.

Disadvantaged Community

A disadvantaged community is a community with a median household income of less than eighty percent (80%) of the statewide annual median household income.

For the purpose of this General Order, there is no differentiation between a small and large disadvantaged community.

Drainage Conveyance System

A drainage conveyance system is a publicly- or privately-owned separate storm sewer system, including but not limited to drainage canals, channels, pipelines, pump stations, detention basins, infiltration basins/facilities, or other facilities constructed to transport stormwater and non-stormwater flows.

Enrollee

An Enrollee is a public, private, or other non-governmental entity that has obtained approval for regulatory coverage under this General Order, including:

- A state agency, municipality, special district, or other public entity that owns and/or operates one or more sanitary sewer systems:
  - greater than one (1) mile in length (each individual sanitary sewer system);
  - one mile or less in length where the State Water Resources Control Board or a Regional Water Quality Control Board requires regulatory coverage under this Order, or
- A federal agency, private company, or other non-governmental entity that owns and/or operates a sanitary sewer system of any size where the State Water Resources Control Board or a Regional Water Quality Control Board requires regulatory coverage under this Order in response to a history of spills, proximity to surface water, or other factors supporting regulatory coverage.

Environmentally Sensitive Area

An environmentally sensitive area is a designated agricultural and/or wildlife area identified to need special natural landscape protection due to its wildlife or historical value.

Exfiltration

Exfiltration is the underground exiting of sewage from a sanitary sewer system through cracks, offset or separated joints, or failed infrastructure due to corrosion or other factors.

Flood Control Channel

A flood control channel is a channel used to convey stormwater and non-stormwater flows through and from areas for flood management purposes.

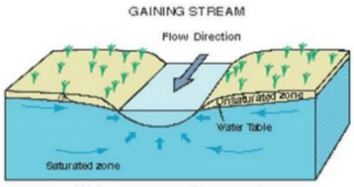
Governing Entity

A governing entity includes but is not limited to the following:

- A publicly elected governing board, council, or commission of a municipal agency;
- A Department or Division director of a federal or state agency that is not governed by a board;
- A governing board or commission of an organization or association; and
- A private system owner/manager that is not governed by a board.

Hydrologically Connected

Two waterbodies are hydrologically connected when one waterbody flows, or has the potential to flow, into the other waterbody. For the purpose of this General Order, groundwater is hydrologically connected to a surface water when the groundwater feeds into the surface water. (The surface waterbody in this example is termed a gaining stream as it gains flow from surrounding groundwater.)



Lateral (including Lower and Upper Lateral)

A lateral is an underground segment of smaller diameter pipe that transports sewage from a customer's building or property (residential, commercial, or industrial) to the Enrollee's main sewer line in a street or easement. Upper and lower lateral boundary definitions are subject to local jurisdictional codes and ordinances, or private system ownership.

A lower lateral is the portion of the lateral located between the sanitary sewer system main, and either the property line, sewer clean out, curb line, established utility easement boundary, or other jurisdictional locations.

An upper lateral is the portion of the lateral from the property line, sewer clean out, curb line, established utility easement boundary, or other jurisdictional locations, to the building or property.

Legally Responsible Official

A Legally Responsible Official is an official representative, designated by the Enrollee, with authority to sign and certify submitted information and documents required by this General Order.

Nuisance

For the purpose of this General Order, a nuisance, as defined in Water Code section 13050(m), is anything that meets all of the following requirements:

- Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property;
- Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; and
- Occurs during, or as a result of, the treatment or disposal of wastes.

Private Sewer Lateral

A private sewer lateral is the privately-owned lateral that transports sewage from private property(ies) into a sanitary sewer system.

Private Sanitary Sewer System

A private sanitary sewer system is a sanitary sewer system of any size that is owned and/or operated by a private individual, company, corporation, or organization. A private sanitary sewer system may or may not connect into a publicly owned sanitary sewer system.

Potential to Discharge, Potential Discharge

Potential to Discharge, or Potential Discharge, means any exiting of sewage from a sanitary sewer system which can reasonably be expected to discharge into a water of the State based on the size of the sewage spill, proximity to a drainage conveyance system, and the nature of the surrounding environment.

Receiving Water

A receiving water is a water of the State that receives a discharge of waste.

Resilience

Resilience is the ability to recover from or adjust to adversity or change, and grow from disruptions. Resilience can be built through planning, preparing for, mitigating, and adapting to changing conditions.

Sanitary Sewer System

A sanitary sewer system is a system that is designed to convey sewage, including but not limited to, pipes, manholes, pump stations, siphons, wet wells, diversion structures and/or other pertinent infrastructure, upstream of a wastewater treatment plant headworks, including:

- Laterals owned and/or operated by the Enrollee;
- Satellite sewer systems; and/or
- Temporary conveyance and storage facilities, including but not limited to temporary piping, vaults, construction trenches, wet wells, impoundments, tanks and diversion structures.

For purpose of this Order, sanitary sewer systems include only systems owned and/or operated by the Enrollee.

Satellite Sewer System

A satellite sewer system is a portion of a sanitary sewer system owned or operated by a different owner than the owner of the downstream wastewater treatment facility ultimately treating the sewage.

Sewer System Management Plan

A sewer system management plan is a living document an Enrollee develops and implements to effectively manage its sanitary sewer system(s) in accordance with this General Order.

Sewage

Sewage, and its associated wastewater, is untreated or partially treated domestic, municipal, commercial and/or industrial waste (including sewage sludge), and any mixture of these wastes with inflow or infiltration of stormwater or groundwater, conveyed in a sanitary sewer system.

Spill

A spill is a discharge of sewage from any portion of a sanitary sewer system due to a sanitary sewer system overflow, operational failure, and/or infrastructure failure. Exfiltration of sewage is not considered to be a spill under this General Order if the exfiltrated sewage remains in the subsurface and does not reach a surface water of the State.

Training

Training is in-house or external education and guidance needed that provides the knowledge, skills, and abilities to comply with this General Order.

Wash Down Water

Wash down water is water used to clean a spill area.

Waste

Waste, as defined in Water Code section 13050(d), includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

Waste Discharge Identification Number (WDID)

A waste discharge identification number (WDID) identifies each individual sanitary sewer system enrolled under this General Order. A WDID number is assigned to each enrolled system upon an Enrollee's approved regulatory coverage.

Waters of the State

Waters of the State are surface waters or groundwater within boundaries of the state as defined in Water Code section 13050(e), in which the State and Regional Water Boards have authority to protect beneficial uses. Waters of the State include, but are not limited to, groundwater aquifers, surface waters, saline waters, natural washes and pools, wetlands, sloughs, and estuaries, regardless of flow or whether water exists during dry conditions. Waters of the State include waters of the United States.

Waters of the United States

Waters of the United States are surface waters or waterbodies that are subject to federal jurisdiction in accordance with the Clean Water Act.

Water Quality Objective

A water quality objective is the limit or maximum amount of pollutant, waste constituent or characteristic, or parameter level established in statewide water quality control plans and Regional Water Boards' Basin Plans, for the reasonable protection of beneficial uses of surface waters and groundwater and the prevention of nuisance.

ATTACHMENT B – APPLICATION FOR ENROLLMENT

1. **Enrollment Status:** (Mark only one item)

   ☐ New Enrollee

   ☐ New Enrollee with previous regulatory coverage under Order 2006-0003-DWQ
   (that failed to certify continuation of coverage in CIWQS per Order 2022-XXXX-DWQ)
   Existing WDID Number: _____

2. **Applicant Information:**

   Legally Responsible Official Submitting Application

   First and Last Name: _____

   Title: _____

   Phone: _____

   Email: _____

   System Owner/Operator Name: _____

   Mailing Address:_____

   City, State, Zip:_____

   County:_____

   Sanitary Sewer System Name: _____

   Regional Water Quality Control Board(s): _____

   Signature and Date: _____

3. **Applicant Type (Check one):**

   ☐ City ☐ County ☐ State ☐ Federal ☐ Special District

   ☐ Government Combination ☐ Private ☐ Other Non-governmental Entity

4. **Wastewater Treatment Plant Receiving Sanitary Sewer System Waste:**

   Wastewater Treatment Plant Permittee:_____

   WDID No.: _____

5. Billing Information

Billing Address: _____

City, State, Zip: _____

Billing Contact Person and Title: _____

Phone and Email Address: _____

6. Application Fee:

The application fee, as required by Water Code section 13260, is based on the daily population served by the sanitary sewer system. See updated Fee Schedule. (https://www.waterboards.ca.gov/resources/fees/water_quality/)

Check one of the following and enter fee amount:

☐ Population Served < 50,000 – Total Fee submitted: $ _____

☐ Population Served ≥ 50,000 – Total Fee submitted: $ _____

Make the fee payment payable to the State Water Resources Control Board and mail the complete application package to:

State Water Resources Control Board, Accounting Office
P. O. Box 1888
Sacramento, CA 95812-1888

Attention: Statewide Sanitary Sewer System Program

7. Application Submittal Certification

I certify under penalty of perjury under the laws of the State of California that to the best of my knowledge and belief, the information in the submitted application package is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

Print Name: _____

Title: _____

Signature: _____Date: _____

ATTACHMENT C - NOTICE OF TERMINATION

1. Enrollee Information

Enrollee Name: _____

WDID No:_____

Legally Responsible Official Requesting Termination of Coverage: _____

First and Last Name: _____

Title: _____

Phone: _____

Email: _____

Mailing Address: _____

City, State, Zip: _____

County: _____

Sanitary Sewer System Name(s) or Unique Identifier(s): _____

Regional Water Quality Control Board(s): _____

Signature and Date:_____

2. Basis of Termination

Explanation of termination, including subsequent regulatory coverage and subsequent owner/operator of enrolled sanitary sewer system, as applicable:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

3. Regulatory Coverage Termination Certification

I certify under penalty of perjury under the laws of the State of California that to the best of my knowledge: 1) the sanitary sewer system I officially represent is not required to be regulated under the Statewide Waste Discharge Requirements for Sanitary Sewer Systems Order 2022-XXXX-DWQ, and 2) the information submitted in this Notice of Termination is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment. Additionally, I understand that the submittal of this Notice of Termination does not release sanitary sewer system agencies from liability for any violations of the Clean Water Act.

Print Name: _____

Title: _____

Signature: _____Date: _____

For State Water Board Use Only

☐ Approved for Termination ☐ Denied and Returned to Enrollee

Deputy Director of Water Quality Signature: _____

Date: _____Notice of Termination Effective Date: _____

ATTACHMENT D – SEWER SYSTEM MANAGEMENT PLAN – REQUIRED ELEMENTS

Table of Contents

1. Sewer System Management Plan Goal And Introduction D-2
   1.1. Regulatory Context D-2
   1.2. Sewer System Management Plan Update Schedule D-3
   1.3. Sewer System Asset Overview D-3
2. Organization D-3
3. Legal Authority D-4
4. Operation And Maintenance Program D-4
   4.1. Updated Map of Sanitary Sewer System D-4
   4.2. Preventive Operation and Maintenance Activities D-4
   4.3. Training D-5
   4.4. Equipment Inventory D-5
5. Design And Performance Provisions D-5
   5.1. Updated Design Criteria and Construction Standards and Specifications D-5
   5.2. Procedures and Standards D-5
6. Spill Emergency Response Plan D-6
7. Sewer Pipe Blockage Control Program D-7
8. System Evaluation, Capacity Assurance and Capital Improvements D-7
   8.1 System Evaluation and Condition Assessment D-7
   8.2. Capacity Assessment and Design Criteria D-8
   8.3. Prioritization of Corrective Action D-9
   8.4. Capital Improvement Plan D-9
9. Monitoring, Measurement and Program Modifications D-9
10. Internal Audits D-10
11. Communication Program D-10

ATTACHMENT D – SEWER SYSTEM MANAGEMENT PLAN – REQUIRED ELEMENTS

A Sewer System Management Plan (Plan) is a living planning document that documents ongoing local sewer system management program activities, procedures, and decision-making – at the scale necessary to address the size and complexity of the subject sanitary sewer system(s). This Plan may incorporate other programs and other plans by reference, to address short-term and long-term system resilience through:

- Proactive planning and decision-making;
- Local government ordinances;
- Updated operations and maintenance activities and procedures;
- Implementation of capital improvements;
- Sufficient local budget to support staff resources, contractors, equipment, and training; and
- Updated training of staff and contractors.

The Enrollee's development, update, and implementation of a Sewer System Management Plan addressing the requirements of this Attachment is an enforceable component of this General Order. As specified in Provision 6.1 (Enforcement Provisions) of this General Order, consistent with the Water Code and the State Water Board Enforcement Policy, the State Water Board or a Regional Water Board may consider the Enrollee's efforts in implementing an effective Sewer System Management Plan to prevent, contain, control, and mitigate spills when considering Water Code section 13327 factors to determine necessary enforcement of this General Order.

This Attachment includes the following required elements that the Enrollee shall address in its Plan and subsequent updates. The Enrollee shall identify any requirement in this Attachment that is not applicable to the Enrollee's sewer system and shall explain in its Plan why the requirement is not applicable.

1. SEWER SYSTEM MANAGEMENT PLAN GOAL AND INTRODUCTION

The goal of the Sewer System Management Plan (Plan) is to provide a plan and schedule to: (1) properly manage, operate, and maintain all parts of the Enrollee's sanitary sewer system(s), (2) reduce and prevent spills, and (3) contain and mitigate spills that do occur.

The Plan must include a narrative Introduction section that discusses the following items:

1.1. Regulatory Context

The Plan Introduction section must provide a general description of the local sewer system management program and discuss Plan implementation and updates.

1.2. Sewer System Management Plan Update Schedule

The Plan Introduction section must include a schedule for the Enrollee to update the Plan, including the schedule for conducting internal audits. The schedule must include milestones for incorporation of activities addressing prevention of sewer spills.

1.3. Sewer System Asset Overview

The Plan Introduction section must provide a description of the Enrollee-owned assets and service area, including but not limited to:

- Location, including county(ies);
- Service area boundary;
- Population and community served;
- System size, including total length in miles, length of gravity mainlines, length of pressurized (force) mains, and number of pump stations and siphons;
- Structures diverting stormwater to the sewer system;
- Data management systems;
- Sewer system ownership and operation responsibilities between Enrollee and private entities for upper and lower sewer laterals;
- Estimated number or percent of residential, commercial, and industrial service connections; and
- Unique service boundary conditions and challenge(s).

Additionally, the Plan Introduction section must provide reference to the Enrollee's up-to-date map of its sanitary sewer system, as required in section 4.1 (Updated Map of Sanitary Sewer System) of this Attachment.

2. ORGANIZATION

The Plan must identify organizational staffing responsible and integral for implementing the local Sewer System Management Plan through an organization chart or similar narrative documentation that includes:

- The name of the Legally Responsible Official as required in section 5.1 (Designation of a Legally Responsible Official) of this General Order;
- The position titles, telephone numbers, and email addresses for management, administrative, and maintenance positions responsible for implementing specific Sewer System Management Plan elements;
- Organizational lines of authority; and
- Chain of communication for reporting spills from receipt of complaint or other information, including the person responsible for reporting spills to the State and Regional Water Boards and other agencies, as applicable. (For example, county

health officer, county environmental health agency, and State Office of Emergency Services.)

3. LEGAL AUTHORITY

The Plan must include copies or an electronic link to the Enrollee's current sewer system use ordinances, service agreements and/or other legally binding procedures to demonstrate the Enrollee possesses the necessary legal authority to:

- Prevent illicit discharges into its sanitary sewer system from inflow and infiltration (I&I); unauthorized stormwater; chemical dumping; unauthorized debris; roots; fats, oils, and grease; and trash, including rags and other debris that may cause blockages;
- Collaborate with storm sewer agencies to coordinate emergency spill responses, ensure access to storm sewer systems during spill events, and prevent unintentional cross connections of sanitary sewer infrastructure to storm sewer infrastructure;
- Require that sewer system components and connections be properly designed and constructed;
- Ensure access for maintenance, inspection, and/or repairs for portions of the service lateral owned and/or operated by the Enrollee;
- Enforce any violation of its sewer ordinances, service agreements, or other legally binding procedures; and
- Obtain easement accessibility agreements for locations requiring sewer system operations and maintenance, as applicable.

4. OPERATION AND MAINTENANCE PROGRAM

The Plan must include the items listed below that are appropriate and applicable to the Enrollee's system.

4.1. Updated Map of Sanitary Sewer System

An up-to-date map(s) of the sanitary sewer system, and procedures for maintaining and providing State and Regional Water Board staff access to the map(s). The map(s) must show gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities within the sewer system service area boundaries.

4.2. Preventive Operation and Maintenance Activities

A scheduling system and a data collection system for preventive operation and maintenance activities conducted by staff and contractors.

The scheduling system must include:

- Inspection and maintenance activities;

- Higher-frequency inspections and maintenance of known problem areas, including areas with tree root problems;
- Regular visual and closed-circuit television (CCTV) inspections of manholes and sewer pipes.

The data collection system must document data from system inspection and maintenance activities, including system areas/components prone to root-intrusion potentially resulting in system backup and/or failure.

4.3. Training

In-house and external training provided on a regular basis for sanitary sewer system operations and maintenance staff and contractors. The training must cover:

- The requirements of this General Order;
- The Enrollee's Spill Emergency Response Plan procedures and practice drills;
- Skilled estimation of spill volume for field operators; and
- Electronic CIWQS reporting procedures for staff submitting data.

4.4. Equipment Inventory

An inventory of sewer system equipment, including the identification of critical replacement and spare parts.

5. DESIGN AND PERFORMANCE PROVISIONS

The Plan must include the following items as appropriate and applicable to the Enrollee's system:

5.1. Updated Design Criteria and Construction Standards and Specifications

Updated design criteria, and construction standards and specifications, for the construction, installation, repair, and rehabilitation of existing and proposed system infrastructure components, including but not limited to pipelines, pump stations, and other system appurtenances. If existing design criteria and construction standards are deficient to address the necessary component-specific hydraulic capacity as specified in section 8 (System Evaluation, Capacity Assurance and Capital Improvements) of this Attachment, the procedures must include component-specific evaluation of the design criteria.

5.2. Procedures and Standards

Procedures, and standards for the inspection and testing of newly constructed, newly installed, repaired, and rehabilitated system pipelines, pumps, and other equipment and appurtenances.

6. SPILL EMERGENCY RESPONSE PLAN

The Plan must include an up to date Spill Emergency Response Plan to ensure prompt detection and response to spills to reduce spill volumes and collect information for prevention of future spills. The Spill Emergency Response Plan must include procedures to:

- Notify primary responders, appropriate local officials, and appropriate regulatory agencies of a spill in a timely manner;
- Notify other potentially affected entities (for example, health agencies, water suppliers, etc.) of spills that potentially affect public health or reach waters of the State;
- Comply with the notification, monitoring and reporting requirements of this General Order, State law and regulations, and applicable Regional Water Board Orders;
- Ensure that appropriate staff and contractors implement the Spill Emergency Response Plan and are appropriately trained;
- Address emergency system operations, traffic control and other necessary response activities;
- Contain a spill and prevent/minimize discharge to waters of the State or any drainage conveyance system;
- Minimize and remediate public health impacts and adverse impacts on beneficial uses of waters of the State;
- Remove sewage from the drainage conveyance system;
- Clean the spill area and drainage conveyance system in a manner that does not inadvertently impact beneficial uses in the receiving waters;
- Implement technologies, practices, equipment, and interagency coordination to expedite spill containment and recovery;
- Implement pre-planned coordination and collaboration with storm drain agencies and other utility agencies/departments prior, during, and after a spill event;
- Conduct post-spill assessments of spill response activities;
- Document and report spill events as required in this General Order; and
- Annually, review and assess effectiveness of the Spill Emergency Response Plan, and update the Plan as needed.

7. SEWER PIPE BLOCKAGE CONTROL PROGRAM

The Sewer System Management Plan must include procedures for the evaluation of the Enrollee's service area to determine whether a sewer pipe blockage control program is needed to control fats, oils, grease, rags and debris. If the Enrollee determines that a program is not needed, the Enrollee shall provide justification in its Plan for why a program is not needed.

The procedures must include, at minimum:

- An implementation plan and schedule for a public education and outreach program that promotes proper disposal of pipe-blocking substances;
- A plan and schedule for the disposal of pipe-blocking substances generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of substances generated within a sanitary sewer system service area;
- The legal authority to prohibit discharges to the system and identify measures to prevent spills and blockages;
- Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, best management practices requirements, recordkeeping and reporting requirements;
- Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the fats, oils, and grease ordinance;
- An identification of sanitary sewer system sections subject to fats, oils, and grease blockages and establishment of a cleaning schedule for each section; and
- Implementation of source control measures for all sources of fats, oils, and grease reaching the sanitary sewer system for each section identified above.

8. SYSTEM EVALUATION, CAPACITY ASSURANCE AND CAPITAL IMPROVEMENTS

The Plan must include procedures and activities for:

- Routine evaluation and assessment of system conditions;
- Capacity assessment and design criteria;
- Prioritization of corrective actions; and
- A capital improvement plan.

8.1 System Evaluation and Condition Assessment

The Plan must include procedures to:

- Evaluate the sanitary sewer system assets utilizing the best practices and technologies available;

- Identify and justify the amount (percentage) of its system for its condition to be assessed each year;
- Prioritize the condition assessment of system areas that:
  - Hold a high level of environmental consequences if vulnerable to collapse, failure, blockage, capacity issues, or other system deficiencies;
  - Are located in or within the vicinity of surface waters, steep terrain, high groundwater elevations, and environmentally sensitive areas;
  - Are within the vicinity of a receiving water with a bacterial-related impairment on the most current Clean Water Act section 303(d) List;
- Assess the system conditions using visual observations, video surveillance and/or other comparable system inspection methods;
- Utilize observations/evidence of system conditions that may contribute to exiting of sewage from the system which can reasonably be expected to discharge into a water of the State;
- Maintain documents and recordkeeping of system evaluation and condition assessment inspections and activities; and
- Identify system assets vulnerable to direct and indirect impacts of climate change, including but not limited to: sea level rise; flooding and/or erosion due to increased storm volumes, frequency, and/or intensity; wildfires; and increased power disruptions.

8.2. Capacity Assessment and Design Criteria

The Plan must include procedures to identify system components that are experiencing or contributing to spills caused by hydraulic deficiency and/or limited capacity, including procedures to identify the appropriate hydraulic capacity of key system elements for:

- Dry-weather peak flow conditions that cause or contributes to spill events;
- The appropriate design storm(s) or wet weather events that causes or contributes to spill events;
- The capacity of key system components; and
- Identify the major sources that contribute to the peak flows associated with sewer spills.

The capacity assessment must consider:

- Data from existing system condition assessments, system inspections, system audits, spill history, and other available information;
- Capacity of flood-prone systems subject to increased infiltration and inflow, under normal local and regional storm conditions;

- Capacity of systems subject to increased infiltration and inflow due to larger and/or higher-intensity storm events as a result of climate change;
- Increases of erosive forces in canyons and streams near underground and above-ground system components due to larger and/or higher-intensity storm events;
- Capacity of major system elements to accommodate dry weather peak flow conditions, and updated design storm and wet weather events; and
- Necessary redundancy in pumping and storage capacities.

8.3. Prioritization of Corrective Action

The findings of the condition assessments and capacity assessments must be used to prioritize corrective actions. Prioritization must consider the severity of the consequences of potential spills.

8.4. Capital Improvement Plan

The capital improvement plan must include the following items:

- Project schedules including completion dates for all portions of the capital improvement program;
- Internal and external project funding sources for each project; and
- Joint coordination between operation and maintenance staff, and engineering staff/consultants during planning, design, and construction of capital improvement projects; and Interagency coordination with other impacted utility agencies.

9. MONITORING, MEASUREMENT AND PROGRAM MODIFICATIONS

The Plan must include an Adaptive Management section that addresses Plan-implementation effectiveness and the steps for necessary Plan improvement, including:

- Maintaining relevant information, including audit findings, to establish and prioritize appropriate Plan activities;
- Monitoring the implementation and measuring the effectiveness of each Plan Element;
- Assessing the success of the preventive operation and maintenance activities;
- Updating Plan procedures and activities, as appropriate, based on results of monitoring and performance evaluations; and
- Identifying and illustrating spill trends, including spill frequency, locations and estimated volumes.

10. INTERNAL AUDITS

The Plan shall include internal audit procedures, appropriate to the size and performance of the system, for the Enrollee to comply with section 5.4 (Sewer System Management Plan Audits) of this General Order.

11. COMMUNICATION PROGRAM

The Plan must include procedures for the Enrollee to communicate with:

- The public for:
  - Spills and discharges resulting in closures of public areas, or that enter a source of drinking water, and
  - The development, implementation, and update of its Plan, including opportunities for public input to Plan implementation and updates.
- Owners/operators of systems that connect into the Enrollee's system, including satellite systems, for:
  - System operation, maintenance, and capital improvement-related activities.

ATTACHMENT E1 – NOTIFICATION, MONITORING, REPORTING AND RECORDKEEPING REQUIREMENTS

Table of Contents

1. Notification Requirements E1-3
   1.1. Notification of Spills of 1,000 Gallons or Greater to the California Office of Emergency Services E1-3
   1.2. Spill Notification Information E1-4
   1.3. Notification of Spill Report Updates E1-4
2. Spill-Specific Monitoring Requirements E1-5
   2.1 Spill Location and Spread E1-5
   2.2 Spill Volume Estimation E1-5
   2.3. Receiving Water Monitoring E1-5
   2.4. Safety and Access Exceptions E1-8
3. Reporting Requirements E1-8
   3.1. Reporting Requirements for Individual Category 1 Spill Reporting E1-8
   3.2. Reporting Requirements for Individual Category 2 Spill Reporting E1-12
   3.3. Monthly Certified Spill Reporting for Category 3 Spills E1-14
   3.4. Monthly Certified Spill Reporting for Category 4 Spills E1-16
   3.5. Amended Certified Spill Reports for Category 3 Spills E1-16
   3.6. Annual Certified Spill Reporting of Category 4 and/or Lateral Spills E1-16
   3.7. Monthly Certification of “No-Spills” or “Category 4 Spills” and/or “Non-Category 1 Lateral Spills” E1-16
   3.8. Electronic Sanitary Sewer System Service Area Boundary Map E1-17
   3.9. Annual Report (Previously termed as Collection System Questionnaire in General Order 2006-0003-DWQ) E1-17
   3.10. Sewer System Management Plan Audit Reporting Requirements E1-19
   3.11. Sewer System Management Plan Reporting Requirements E1-19
4. Recordkeeping Requirements E1-20
   4.1. Recordkeeping Time Period E1-20
   4.2. Availability of Documents E1-20
   4.3. Spill Reports E1-20
   4.4. Recordkeeping of Category 4 Spills and Non-Category 1 Lateral Spills E1-21
   4.5. Sewer System Telemetry Records E1-22
   4.6. Sewer System Management Plan Implementation Records E1-22
   4.7. Audit Records E1-23

4.8. Equipment Records E1-23
4.9. Work Orders E1-23

ATTACHMENT E1– NOTIFICATION, MONITORING, REPORTING AND RECORDKEEPING REQUIREMENTS

The Notification Requirements (section 1), Spill-specific Monitoring Requirements (section 2), Reporting Requirements (section 3) and Recordkeeping Requirements (section 4) in this Attachment are pursuant to Water Code section 13267 and section 13383, and are an enforceable component of this General Order. For the purpose of this General Order, the term:

- Notification means the notifying of appropriate parties of a spill event or other activity.
- Spill-specific Monitoring means the gathering of information and data for a specific spill event to be reported or kept as records.
- Reporting means the reporting of information and data into the online California Integrated Water Quality System (CIWQS) Sanitary Sewer System Database.
- Recordkeeping means the maintaining of information and data in an official records storage system.

Failure to comply with the notification, monitoring, reporting and recordkeeping requirements in this General Order may subject the Enrollee to civil liabilities of up to $10,000 a day per violation pursuant to Water Code section 13385; up to $1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement.

Water Code section 13193 et seq. requires the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Resources Control Board (State Water Board) to collect sanitary sewer spill information for each spill event and make this information available to the public. Sanitary sewer spill information for each spill event includes but is not limited to: Enrollee contact information for each spill event, spill cause, estimated spill volume and factors used for estimation, location, date, time, duration, amount discharged to waters of the State, response and corrective action(s) taken.

1. NOTIFICATION REQUIREMENTS

1.1. Notification of Spills of 1,000 Gallons or Greater to the California Office of Emergency Services

Per Water Code section 13271, for a spill that discharges in or on any waters of the State, or discharges or is deposited where it is, or probably will be, discharged in or on any waters of the State, the Enrollee shall notify the California Office of Emergency Services and obtain a California Office of Emergency Services Control Number as soon as possible **but no later than two (2) hours** after:

- The Enrollee has knowledge of the spill; and
- Notification can be provided without substantially impeding cleanup or other emergency measures.

The notification requirements in this section apply to individual spills of 1,000 gallons or greater, from an Enrollee-owned and/or operated laterals, to a water of the State.

1.2. Spill Notification Information

The Enrollee shall provide the following spill information to the California Office of Emergency Services before receiving a Control Number, as applicable:

- Name and phone number of the person notifying the California Office of Emergency Services;
- Estimated spill volume (gallons);
- Estimated spill rate from the system (gallons per minute);
- Estimated discharge rate (gallons per minute) directly into waters of the State or indirectly into a drainage conveyance system;
- Spill incident description:
  - Brief narrative of the spill event, and
  - Spill incident location (address, city, and zip code) and closest cross streets and/or landmarks;
- Name and phone number of contact person on-scene;
- Date and time the Enrollee was informed of the spill event;
- Name of sanitary sewer system causing the spill;
- Spill cause or suspected cause (if known);
- Amount of spill contained;
- Name of receiving water body receiving or potentially receiving discharge; and
- Description of water body impact and/ or potential impact to beneficial uses.

1.3. Notification of Spill Report Updates

Following the initial notification to the California Office of Emergency Services and until such time that the Enrollee certifies the spill report in the online CIWQS Sanitary Sewer System Database, the Enrollee shall provide updates to the California Office of Emergency Services regarding substantial changes to:

- Estimated spill volume (increase or decrease in gallons initially estimated);
- Estimated discharge volume discharged directly into waters of the State or indirectly into a drainage conveyance system (increase or decrease in gallons initially estimated); and
- Additional impact(s) to the receiving water(s) and beneficial uses.

2. SPILL-SPECIFIC MONITORING REQUIREMENTS

2.1 Spill Location and Spread

The Enrollee shall visually assess the spill location(s) and spread using photography, global positioning system (GPS), and other best available tools. The Enrollee shall document the critical spill locations, including:

- Photography and GPS coordinates for:
  - The system location where spill originated.

    For multiple appearance points of a single spill event, the points closest to the spill origin.
- Photography for:
  - Drainage conveyance system entry locations,
  - The location(s) of discharge into surface waters, as applicable,
  - Extent of spill spread, and
  - The location(s) of clean up.

2.2 Spill Volume Estimation

To assess the approximate spill magnitude and spread, the Enrollee shall estimate the total spill volume using updated volume estimation techniques, calculations, and documentation for electronic reporting. The Enrollee shall update its notification and reporting of estimated spill volume (which includes spill volume recovered) as further information is gathered during and after a spill event.

2.3. Receiving Water Monitoring

2.3.1. Receiving Water Visual Observations

Through visual observations and use of best available spill volume-estimating techniques and field calculation techniques, the Enrollee shall gather and document the following information for spills discharging to surface waters:

- Estimated spill travel time to the receiving water;
- For spills entering a drainage conveyance system, estimated spill travel time from the point of entry into the drainage conveyance system to the point of discharge into the receiving water;
- Estimated spill volume entering the receiving water; and
- Photography of:
  - Waterbody bank erosion,
  - Floating matter,
  - Water surface sheen (potentially from oil and grease),

- Discoloration of receiving water, and
- Impact to the receiving water.

2.3.2. Receiving Water – Water Quality Sampling and Analysis

For sewage spills in which an estimated 50,000 gallons or greater are discharged into a surface water, the Enrollee shall conduct the following water quality sampling no later than **18 hours** after the Enrollee's knowledge of a potential discharge to a surface water:

- Collect one water sample, each day of the duration of the spill, at:
  - The DCS-001 location as described in section 2.3.4 (Receiving Water Sampling Locations) of this Attachment, if sewage discharges to a surface water via a drainage conveyance system; and/or
  - Each of the three receiving water sampling locations in section 2.3.4 (Receiving Water Sampling Locations) of this Attachment;

    If the receiving water has no flow during the duration of the spill, the Enrollee must report "No Sampling Due To No Flow" for its receiving water sampling locations.

The Enrollee shall analyze the collected receiving water samples for the following constituents per section 2.3.3 (Water Quality Analysis Specifications) of this Attachment:

- Ammonia, and
- Appropriate bacterial indicator(s) per the applicable Basin Plan water quality objectives, including one or more of the following, unless directed otherwise by the Regional Water Board:
  - Total Coliform Bacteria
  - Fecal Coliform Bacteria
  - *E-coli*
  - Enterococcus

  Dependent on the receiving water(s), sampling of bacterial indicators shall be sufficient to determine post-spill (after the spill) compliance with the water quality objectives and bacterial standards of the California Ocean Plan or the California Inland Surface Water Enclosed Bays, and Estuaries Plan, including the frequency and/or number of post-spill receiving water samples as may be specified in the applicable plans.

The Enrollee shall collect and analyze additional samples as required by the applicable Regional Water Board Executive Officer or designee.

2.3.3. Water Quality Analysis Specifications

Spill monitoring must be representative of the monitored activity (40 Code of Federal Regulations section 122.41(j)(1)).

Sufficiently Sensitive Methods

Sample analysis must be conducted according to sufficiently sensitive test methods approved under 40 Code of Federal Regulations Part 136 for the sample analysis of pollutants. For the purposes of this General Order, a method is sufficiently sensitive when the minimum level of the analytical method approved under 40 Code of Federal Regulations Part 136 is at or below the receiving water pollutant criteria.

Environmental Laboratory Accreditation Program-Accredited Laboratories

The analysis of water quality samples required per this General Order must be performed by a laboratory that has accreditation pursuant to Article 3 (commencing with section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. (Water Code section 13176(a).) The State Water Board accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).

2.3.4. Receiving Water Sampling Locations

The Enrollee shall collect receiving water samples at the following locations.

Sampling of Flow in Drainage Conveyance System (DCS) Prior to Discharge

Sampling Location	Sampling Location Description
DCS-001	A point in a drainage conveyance system before the drainage conveyance system flow discharges into a receiving water.

Receiving Surface Water Sampling (RSW)[1]

Sampling Location	Sampling Location Description
RSW-001 Point of Discharge	A point in the receiving water where sewage initially enters the receiving water.
RSW-001U: Upstream of Point of Discharge	A point in the receiving water, upstream of the point of sewage discharge, to capture ambient conditions absent of sewage discharge impacts.

Sampling Location	Sampling Location Description
RSW-001D: Downstream of Point of Discharge	A point in the receiving water, downstream of the point of sewage discharge, where the spill material is fully mixed with the receiving water.

[1] The Enrollee must use its best professional judgment to determine the upstream and downstream distances based on receiving water flow, accessibility to upstream/downstream waterbody banks, and size of visible sewage plume.

2.4. Safety and Access Exceptions

If the Enrollee encounters access restrictions or unsafe conditions that prevents its compliance with spill response requirements or monitoring requirements in this General Order, the Enrollee shall provide documentation of access restrictions and/or safety hazards in the corresponding required report.

3. REPORTING REQUIREMENTS

All reporting required in this General Order must be submitted electronically to the online CIWQS Sanitary Sewer System Database (https://ciwqs.waterboards.ca.gov), unless specified otherwise in this General Order. Electronic reporting may solely be conducted by a Legally Responsible Official or Data Submitter(s) previously designated by the Legally Responsible Official, as required in section 5.8 (Designation of Data Submitters) of this General Order.

The Enrollee shall report any information that is protected by the Homeland Security Act, by email to SanitarySewer@waterboards.ca.gov, with a brief explanation of the protection provided by the Homeland Security Act for the subject report to be protected from unauthorized disclosure and/or public access, and for official Water Board regulatory purposes only.

3.1. Reporting Requirements for Individual Category 1 Spill Reporting

3.1.1. Draft Spill Report for Category 1 Spills

Within three (3) business days of the Enrollee's knowledge of a Category 1 spill, the Enrollee shall submit a Draft Spill Report to the online CIWQS Sanitary Sewer System Database.

The Draft Spill Report must, at minimum, include the following items:

1. Contact information: Name and telephone number of Enrollee contact person to respond to spill-specific questions;
2. Spill location name;
3. Date and time the Enrollee was notified of, or self-discovered, the spill;
4. Operator arrival time;

5. Estimated spill start date and time;
6. Date and time the Enrollee notified the California Office of Emergency Services, and the assigned control number;
7. Description, photographs, and GPS coordinates of the system location where the spill originated;
    - If a single spill event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the spill appearance point explanation field;
8. Estimated total spill volume exiting the system;
9. Description and photographs of the extent of the spill and spill boundaries;
10. Did the spill reach a drainage conveyance system? If Yes:
    - Description of the drainage conveyance system transporting the spill;
    - Photographs of the drainage conveyance system entry location(s);
    - Estimated spill volume fully recovered from the drainage conveyance system;
    - Estimated spill volume remaining within the drainage conveyance system;
11. Description and photographs of all discharge point(s) into the surface water;
12. Estimated spill volume that discharged to surface waters; and
13. Estimated total spill volume recovered.

3.1.2. Certified Spill Report for Category 1 Spills

Within 15 calendar days of the spill end date, the Enrollee shall submit a Certified Spill Report for Category 1 spills, to the online CIWQS Sanitary Sewer System Database. Upon completion of the Certified Spill Report, the online CIWQS Sanitary Sewer System Database will issue a final spill event identification number.

The Certified Spill Report must, at minimum, include the following mandatory information in addition to all information in the Draft Spill Report per section 3.1.1 (Draft Spill Report for Category 1 Spills) above:

1. Description of the spill event destination(s), including GPS coordinates if available, that represent the full spread and reach of the spill;
2. Spill end date and time;
3. Description of how the spill volume estimations were calculated, including at a minimum:
    - The methodology, assumptions and type of data relied upon, such as supervisory control and data acquisition (SCADA) records, flow monitoring or other telemetry information used to estimate the volume of the spill discharged, and the volume of the spill recovered (if any volume of the spill was recovered), and
    - The methodology(ies), assumptions and type of data relied upon for estimations of the spill start time and the spill end time;

4. Spill cause(s) (for example, root intrusion, grease deposition, etc.);
5. System failure location (for example, main, lateral, pump station, etc.);
6. Description of the pipe material, and estimated age of the pipe material, at the failure location;
7. Description of the impact of the spill;
8. Whether or not the spill was associated with a storm event;
9. Description of spill response activities including description of immediate spill containment and cleanup efforts;
10. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the spill, and a schedule of major milestones for those steps;
11. Spill response completion date;
12. Detailed narrative of investigation and investigation findings of cause of spill;
13. Reasons for an ongoing investigation (as applicable) and the expected date of completion;
14. Name and type of receiving water body(s);
15. Description of the water body(s), including but not limited to:
    - Observed impacts on aquatic life,
    - Public closure, restricted public access, temporary restricted use, and/or posted health warnings due to spill,
    - Responsible entity for closing/restricting use of water body, and
    - Number of days closed/restricted as a result of the spill.
16. Whether or not the spill was located within 1,000 feet of a municipal surface water intake; and
17. If water quality samples were collected, identify sample locations and the parameters the water quality samples were analyzed for. If no samples were taken, Not Applicable shall be selected.

3.1.3. Spill Technical Report for Individual Category 1 Spill in which 50,000 Gallons or Greater Discharged into a Surface Water

For any spill in which 50,000 gallons or greater discharged into a surface water, **within 45 calendar days** of the spill end date, the Enrollee shall submit a Spill Technical Report to the online CIWQS Sanitary Sewer System Database. The Spill Technical Report, at minimum, must include the following information:

1. Spill causes and circumstances, including at minimum:
    - Complete and detailed explanation of how and when the spill was discovered;

- Photographs illustrating the spill origin, the extent and reach of the spill, drainage conveyance system entrance and exit, receiving water, and post-cleanup site conditions;
- Diagram showing the spill failure point, appearance point(s), the spill flow path, and ultimate destinations;
- Detailed description of the methodology employed, and available data used to calculate the discharge volume and, if applicable, the recovered spill volume;
- Detailed description of the spill cause(s);
- Description of the pipe material, and estimated age of the pipe material, at the failure location;
- Description of the impact of the spill;
- Copy of original field crew records used to document the spill; and
- Historical maintenance records for the failure location.

2. Enrollee's response to the spill:
   - Chronological narrative description of all actions taken by the Enrollee to terminate the spill;
   - Explanation of how the Sewer System Management Plan Spill Emergency Response Plan was implemented to respond to and mitigate the spill; and
   - Final corrective action(s) completed and a schedule for planned corrective actions, including:
     - Local regulatory enforcement action taken against an illicit discharge in response to this spill, as applicable,
     - Identifiable system modifications, and operation and maintenance program modifications needed to prevent repeated spill occurrences, and
     - Necessary modifications to the Emergency Spill Response Plan to incorporate lessons learned in responding to and mitigating the spill.
3. Water Quality Monitoring, including at minimum:
   - Description of all water quality sampling activities conducted;
   - List of pollutant and parameters monitored, sampled and analyzed; as required in section 2.3 (Receiving Water Monitoring) of this Attachment;
   - Laboratory results, including laboratory reports;
   - Detailed location map illustrating all water quality sampling points; and
   - Other regulatory agencies receiving sample results (if applicable).
4. Evaluation of spill impact(s), including a description of short-term and long-term impact(s) to beneficial uses of the surface water.

3.1.4. Amended Certified Spill Reports for Individual Category 1 Spills

The Enrollee shall update or add additional information to a Certified Spill Report within **90 calendar days** of the spill end date by amending the report or by adding an attachment to the Spill Report in the online CIWQS Sanitary Sewer System Database. The Enrollee shall certify the amended report.

After **90 calendar days**, the Enrollee shall contact the State Water Board at SanitarySewer@waterboards.ca.gov to request to amend a Spill Report. The Legally Responsible Official shall submit justification for why the additional information was not reported within the Amended Spill Report due date.

3.2. Reporting Requirements for Individual Category 2 Spill Reporting

3.2.1. Draft Spill Report for Category 2 Spills

Within three (3) business days of the Enrollee's knowledge of a Category 2 spill, the Enrollee shall submit a Draft Spill Report to the online CIWQS Sanitary Sewer System Database.

The Draft Spill Report must, at minimum, include the following items:

1. Contact information: Name and telephone number of Enrollee contact person to respond to spill-specific questions;
2. Spill location name;
3. Date and time the Enrollee was notified of, or self-discovered, the spill;
4. Operator arrival time;
5. Estimated spill start date and time;
6. Date and time the Enrollee notified the California Office of Emergency Services, and the assigned control number;
7. Description, photographs, and GPS coordinates of the system location where the spill originated;

   If a single spill event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the spill appearance point explanation field;
8. Estimated total spill volume exiting the system;
9. Description and photographs of the extent of the spill and spill boundaries;
10. Did the spill reach a drainage conveyance system? If Yes:
    - Description of the drainage conveyance system transporting the spill;
    - Photographs of the drainage conveyance system entry location(s);
    - Estimated spill volume fully recovered from the drainage conveyance system;
    - Estimated spill volume remaining within the drainage conveyance system;

- Estimated spill volume discharged to a groundwater infiltration basin or facility, if applicable; and

11. Estimated total spill volume recovered.

3.2.2. Certified Spill Report for Category 2 Spills

Within 15 calendar days of the spill end date, the Enrollee shall submit a Certified Spill Report for the Category 2 spill, to the online CIWQS Sanitary Sewer System Database (https://ciwqs.waterboards.ca.gov). Upon completion of the Certified Spill Report, the online CIWQS Sanitary Sewer System Database will issue a final spill event identification number.

The Certified Spill Report must, at minimum, include the following mandatory information in addition to all information in the Draft Spill Report per section 3.2.1 (Draft Spill Report for Category 2 Spills) above:

1. Description of the spill event destination(s), including GPS coordinates if available, that represent the full spread and reach of the spill;
2. Spill end date and time;
3. Description of how the spill volume estimations were calculated, including at a minimum:
   - The methodology, assumptions and type of data relied upon, such as supervisory control and data acquisition (SCADA) records, flow monitoring or other telemetry information used to estimate the volume of the spill discharged, and the volume of the spill recovered (if any volume of the spill was recovered), and
   - The methodology(ies), assumptions and type of data relied upon for estimations of the spill start time and the spill end time;
4. Spill cause(s) (for example, root intrusion, grease deposition, etc.);
5. System failure location (for example, main, pump station, etc.);
6. Description of the pipe/infrastructure material, and estimated age of the pipe material, at the failure location;
7. Description of the impact of the spill;
8. Whether or not the spill was associated with a storm event;
9. Description of spill response activities including description of immediate spill containment and cleanup efforts;
10. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the spill, and a schedule of major milestones for those steps;
11. Spill response completion date;
12. Detailed narrative of investigation and investigation findings of cause of spill;
13. Reasons for an ongoing investigation (as applicable) and the expected date of completion; and

14. Whether or not the spill was located within 1,000 feet of a municipal surface water intake.

3.2.3. Amended Certified Spill Reports for Individual Category 2 Spills

The Enrollee shall update or add additional information to a Certified Spill Report within **90 calendar days** of the spill end date by amending the report or by adding an attachment to the Spill Report in the online CIWQS Sanitary Sewer System Database. The Enrollee shall certify the amended report.

After **90 calendar days**, the Enrollee shall contact the State Water Board at SanitarySewer@waterboards.ca.gov to request to amend a Spill Report. The Legally Responsible Official shall submit justification for why the additional information was not reported within the Amended Spill Report due date.

3.3. Monthly Certified Spill Reporting for Category 3 Spills

The Enrollee shall report and certify all Category 3 spills to the online CIWQS Sanitary Sewer System Database within 30 calendar days after the end of the month in which the spills occurred. (For example, all Category 3 spills occurring in the month of February shall be reported and certified by March 30th). After the Legally Responsible Official certifies the spills, the online CIWQS Sanitary Sewer System Database will issue a spill event identification number for each spill.

The monthly reporting of all Category 3 spills must include the following items for each spill:

1. Contact information: Name and telephone number of Enrollee contact person to respond to spill-specific questions;
2. Spill location name;
3. Date and time the Enrollee was notified of, or self-discovered, the spill;
4. Operator arrival time;
5. Estimated spill start date and time;
6. Description, photographs, and GPS coordinates where the spill originated:
   - If a single spill event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the spill appearance point explanation field;
7. Estimated total spill volume exiting the system;
8. Description and photographs of the extent of the spill and spill boundaries;
9. Did the spill reach a drainage conveyance system? If Yes:
   - Description of the drainage conveyance system transporting the spill;
   - Photographs of the drainage conveyance system entry locations(s);
   - Estimated spill volume fully recovered from the drainage conveyance system; and

- Estimated spill volume discharged to a groundwater infiltration basis or facility, if applicable.

10. Estimated total spill volume recovered;
11. Description of the spill event destination(s), including GPS coordinates, if available, that represent the full spread and reaches of the spill;
12. Spill end date and time;
13. Description of how the spill volume estimations were calculated, including, at minimum:
    - The methodology and type of data relied upon, including supervisory control and data acquisition (SCADA) records, flow monitoring or other telemetry information used to estimate the volume of the spill discharged, and the volume of the spill recovered (if any volume of the spill was recovered), and
    - The methodology and type of data relied upon to estimate the spill start time, on-going spill rate at time of arrival (if applicable), and the spill end time;
14. Spill cause(s) (for example, root intrusion, grease deposition, etc.);
15. System failure location (for example, main, pump station, etc.);
16. Description of the pipe/infrastructure material, and estimated age of the pipe/infrastructure material, at the failure location;
17. Description of the impact of the spill;
18. Whether or not the spill was associated with a storm event;
19. Description of spill response activities including description of immediate spill containment and cleanup efforts;
20. Description of spill corrective actions, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the spill, and a schedule of the major milestones for those steps; including, at minimum:
    - Local regulatory enforcement action taken against an illicit discharge in response to this spill, as applicable, and
    - Identifiable system modifications, and operation and maintenance program modifications needed to prevent repeated spill occurrences at the same spill event location, including:
      - Adjusted schedule/method of preventive maintenance,
      - Planned rehabilitation or replacement of sanitary sewer asset,
      - Inspected, repaired asset(s), or replaced defective asset(s),
      - Capital improvements,
      - Documentation verifying immediately implemented system modifications and operating/maintenance modifications,
      - Description of spill response activities,

- Spill response completion date, and
- Ongoing investigation efforts, and expected completion date of investigation to determine the full cause of spill;

21. Detailed narrative of investigation and investigation findings of cause of spill.

3.4. Monthly Certified Spill Reporting for Category 4 Spills

The Enrollee shall report and certify the estimated total spill volume exiting the sanitary sewer system, and the total number of all Category 4 spills to the online CIWQS Sanitary Sewer System Database, within 30 calendar days after the end of the month in which the spills occurred.

3.5. Amended Certified Spill Reports for Category 3 Spills

Within 90 calendar days of the certified Spill Report due date, the Enrollee may update or add additional information to a certified Spill Report by amending the report or by adding an attachment to the Spill Report in the online CIWQS Sanitary Sewer System Database. The Enrollee shall certify the amended report.

After 90 calendar days, the Legally Responsible Official shall contact the State Water Board at SanitarySewer@waterboards.ca.gov to request to amend a certified Spill Report. The Legally Responsible Official shall submit justification for why the additional information was not reported within the 90-day timeframe for amending the certified Spill Report, as provided above.

3.6. Annual Certified Spill Reporting of Category 4 and/or Lateral Spills

For all Category 4 spills and spills from its owned and/or operated laterals that are caused by a failure or blockage in the lateral and that do not discharge to a surface water, the Enrollee shall:

- Maintain records per section 4.4. of this Attachment;

  The Enrollee shall provide records upon request by State Water Board or Regional Water Board staff.

- Annually upload and certify a report, in an appropriate digital format, of all recordkeeping of spills to the online CIWQS Sanitary Sewer System Database, by February 1st after the end of the calendar year in which the spills occurred.

A spill from an Enrollee-owned and/or operated lateral that discharges to a surface water is a Category 1 spill; the Enrollee shall report all Category 1 spills per section 3.1 of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.

3.7. Monthly Certification of "No-Spills" or "Category 4 Spills" and/or "Non-Category 1 Lateral Spills"

If either (1) no spills occur during a calendar month or (2) only Category 4, and/or Enrollee-owned and/or operated lateral spills (that do not discharge to a surface water) occur during a calendar month, the Enrollee shall certify, within 30 calendar days after

the end of each calendar month, either a “No-Spill” certification statement, or a “Category 4 Spills” and/or “Non-Category 1 Lateral Spills” certification statement, in the online CIWQS Sanitary Sewer System Database, certifying that there were either no spills, or Category 4 and/or Non-Category 1 Lateral Spills that will be reported annually (per section 3.6 of this Attachment) for the designated month.

If a spill starts in one calendar month and ends in a subsequent calendar month, and the Enrollee has no further spills of any category, in the subsequent calendar month, the Enrollee shall certify “no-spills” for the subsequent calendar month.

If the Enrollee has no spills from its systems during a calendar month, but the Enrollee voluntarily reported a spill from a private lateral or a private system, the Enrollee shall certify “no-spills” for that calendar month.

If the Enrollees has spills from its owned and/or operated laterals during a calendar month, the Enrollee shall not certify “no spills” for that calendar month.

3.8. Electronic Sanitary Sewer System Service Area Boundary Map

The Legally Responsible Official shall submit, to the State Water Board, an up-to-date electronic spatial map of its sewer system service area boundaries. The map must be in accordance with section 5.14 (Electronic Sanitary Sewer System Service Area Boundary Map) of this General Order and the specification provided on the statewide Sanitary Sewer Systems program website. The map must include the location of wastewater treatment facility(ies) that treats the sewer system waste, if in the same sewer service boundary.

By the Effective Date of this General Order, specifications for the electronic sanitary sewer service area boundary map format will be provided on the statewide Sanitary Sewer Systems Order program website.

3.9. Annual Report (Previously termed as Collection System Questionnaire in General Order 2006-0003-DWQ)

A new Enrollee shall complete and submit its first certified Annual Report into the online CIWQS Sanitary Sewer System Database, **within 30 days of obtaining a CIWQS account**; Subsequent Annual Reports are due by April 1 of each year.

All enrollees shall update their previous year’s Annual Report, **by April 1 of each year after the Effective Date of this General Order,** for each calendar year (January 1 through December 31)**.**

The Annual Report must be entered directly into the online CIWQS Sanitary Sewer System Database. The Enrollee’s Legally Responsible Official shall certify the Annual Report as instructed in CIWQS;

The Annual Report must address, and update as applicable, the following items:

- Population served;

- Updated sewer system service area boundary map, if service area boundary has changed from original map submitted per section 5.14 (Electronic Sanitary Sewer System Service Area Boundary Map) of this General Order;
- Number of system operation and maintenance staff:
  - Entry level (less than two years of experience),
  - Journey level (greater than two years of experience),
  - Supervisory level, and
  - Managerial level;
- Number of operation and maintenance staff certified as a certified collection system operator by the California Water Environmental Association (CWEA), with:
  - Corresponding number of certified collection system operator grade levels (Grade I, II, III, IV, and V);
- System information:
  - Miles of system gravity and force mains,
  - Number of upper and lower service laterals connected to system,
  - Estimated number of upper and lower laterals owned and/or operated by the Enrollee,
  - Portion of laterals that is Enrollee's responsibility,
  - Average age the major components of system infrastructure,
  - Number and age of pump stations, and
  - Estimated total miles of the system pipeline not accessible for maintenance;
- Name and location of the treatment plant(s) receiving sanitary sewer system's waste;
- Name of satellite sewer system tributaries;
- Number of system's gravity sewer above or underground crossings of water bodies throughout system;
- Number of force main (pressurized pipe) above or underground crossings of water bodies throughout system;
- Number of siphons used to convey waste throughout the sewer system;
- Miles of sewer system cleaned;
- Miles of sewer system video inspected, or comparable (i.e., video closed-circuit television or alternative inspection methods);
- System Performance Evaluation as specified in section 5.11 (System Performance Analysis) of this General Order;
- Major spill causes (for example, root intrusion, grease deposition);

- System infrastructure failure points (for example, main, pump station, lateral, etc.);
- Ongoing spill investigations; and
- Actions taken to address system deficiencies.

3.10. Sewer System Management Plan Audit Reporting Requirements

The Enrollee shall submit its Sewer System Management Plan Audit and other pertinent audit information, in accordance with section 5.4 (Sewer System Management Plan Audits) of this General Order, to the online CIWQS Sanitary Sewer System Database **by six (6) months after the end of the 3-year audit period**.

If a Sewer System Management Plan Audit is not conducted as required: the Enrollee shall:

- Update the online CIWQS Sanitary Sewer System Database and select the justification for not conducting the Audit; and
- Notify its corresponding Regional Water Board (see Attachment F (Regional Water Quality Control Board Contact Information)) of the justification for the lapsed requirements.

The Enrollee's reporting of a justification for not conducting a timely Audit does not justify non-compliance with this General Order. The Enrollee shall:

- Submit the late Audit as required in this General Order; and
- Comply with subsequent Audit requirements and due dates corresponding with the original audit cycle.

3.11. Sewer System Management Plan Reporting Requirements

For an Existing Enrollee previously regulated by Order 2006-0003-DWQ: **Within every six (6) years after the required due date of its last Plan Update**, the Legally Responsible Official shall upload and certify a local governing entity-approved Sewer System Management Plan Update to the online CIWQS Sanitary Sewer System Database. If the electronic document format or size capacity prevents the electronic upload of the Plan, the Legally Responsible Official shall report an electronic link to its updated Sewer System Management Plan posted on its own website.

Order 2006-0003-DWQ required each enrollee to develop its initial Sewer System Management Plan per the following schedule, with required Plan updates at a frequency of 5-years thereafter:

Systems serving populations: Greater than 100,000: May 2, 2009

Between 100,000 and 10,000: August 2, 2009

Between 10,000 and 2,500: May 2, 2010

Less than 2,500: August 2, 2010

This Order carries forth the previously-required Plan Update schedule per Order 2006-0003-DWQ. Per the six-year Plan Update frequency required in this Order, the Enrollee shall upload and certify its first Plan Update, to the online CIWQS Sanitary Sewer System Database by the following due dates, with subsequent Plan Updates at the frequency of six years thereafter:

Systems serving populations: Greater than 100,000: May 2, 2025

Between 100,000 and 10,000: August 2, 2025

Between 10,000 and 2,500: May 2, 2026

Less than 2,500: August 2, 2026

For a New Enrollee: **Within twelve (12) months of its Application for Enrollment Approval date**, the Legally Responsible Official of a new Enrollee shall upload and certify a local governing entity-approved Sewer System Management Plan to the online CIWQS Sanitary Sewer System Database. If electronic document format or size capacity prevents the electronic upload of the Plan, the Legally Responsible Official shall report an electronic link to its Sewer System Management Plan posted on its own website. The due date for subsequent 6-year Plan updates, is six (6) years from the submittal due date of the new Enrollee's first Sewer System Management Plan.

4. RECORDKEEPING REQUIREMENTS

The Enrollee shall maintain records to document compliance with the provisions of this General Order, and previous General Order 2006-0003-DWQ as applicable, for each sanitary sewer system owned, including any required records generated by an Enrollee's contractor(s).

4.1. Recordkeeping Time Period

The Enrollee shall maintain records of documents required in this Attachment, including records collected for compliance with this General Order, and records collected in accordance with previous General Order 2006-0003-DWQ, for five (5) years.

4.2. Availability of Documents

The Enrollee shall make the records required in this General Order readily available, either electronic or hard copies, for review by Water Board staff during onsite inspections or through an information request.

4.3. Spill Reports

The Enrollee shall maintain records for each of the following spill-related events and activities:

- Spill event complaint, including but not limited to records documenting how the Enrollee responded to notifications of spills. Each complaint record must, at a minimum, include the following information:
    - Date, time, and method of notification,

- Date and time the complainant first noticed the spill, if available,
- Narrative description of the complaint, including any information the caller provided regarding whether the spill has reached surface waters or a drainage conveyance system, if available,
- Complainant's contact information, if available, and
- Final resolution of the complaint;

- Records documenting the steps and/or remedial action(s) undertaken by the Enrollee, using all available information, to comply with this General Order, and previous General Order 2006-0003-DWQ as applicable;
- Records documenting how estimate(s) of volume(s) and, if applicable, volume(s) of spill recovered were calculated;
- All California Office of Emergency Services notification records, as applicable; and
- Records, in accordance with the Monitoring Requirements in this Attachment.

4.4. Recordkeeping of Category 4 Spills and Non-Category 1 Lateral Spills

An Enrollee must maintain the following records for each individual Category 4 spill and for each individual non-Category 1 Enrollee-owned and/or operated lateral spill, and report in accordance to section 3.6 (Annual Certified Spill Reporting of Category 4 and/or Lateral Spills) of this Attachment.

Recordkeeping of Individual Category 4 Spill Information:

1. Contact information: Name and telephone number of Enrollee contact person to respond to spill-specific questions;
2. Spill location name;
3. Description and GPS coordinates for the system location where the spill originated;
4. Did the spill reach a drainage conveyance system? If Yes:
   - Description of drainage conveyance system location,
   - Estimated spill volume fully recovered within the drainage conveyance system, and
   - Estimated spill volume remaining within the drainage conveyance system;
5. Estimated total spill volume exiting the sanitary sewer system;
6. Spill date and start time;
7. Spill cause(s) (for example, root intrusion, grease deposition, etc.);
8. System failure location (for example, main, pump station, etc.);
9. Description of spill response activities including description of immediate spill containment and cleanup efforts;
10. Description of how the volume estimation was calculated, including, at minimum:

- The methodology and type of data relied upon, including supervisory control and data acquisition (SCADA) records, flow monitoring or other telemetry information used to estimate the volume of the spill discharged, and the volume of the spill recovered (if any volume of the spill was recovered), and
- The methodology and type of data relied upon to estimate the spill start time, on-going spill rate at time of arrival (if applicable), and the spill end time;

11. Description of implemented system modifications and operating/maintenance modifications.

Recordkeeping of Individual Lateral Spill Information:

1. Date and time the Enrollee was notified of, or self-discovered, the spill;
2. Location of individual spill;
3. Estimated individual spill volume;
4. Spill cause(s) (for example, root intrusion, grease deposition, etc.); and
5. Description of how the volume estimations were calculated.

Total Annual Spill Information:

1. Estimated total annual spill volume;
2. Description of spill corrective actions, including at minimum:
   - Local regulatory enforcement action taken against the sewer lateral owner in response to a spill, as applicable, and
   - System operation, maintenance and program modifications implemented to prevent repeated spill occurrences at the same spill location.

4.5. Sewer System Telemetry Records

The Enrollee shall maintain the following sewer system telemetry records if used to document compliance with this General Order, and previous General Order 2006-0003-DWQ as applicable, including spill volume estimates:

- Supervisory control and data acquisition (SCADA) system(s);
- Alarm system(s);
- Flow monitoring device(s) or other instrument(s) used to estimate sewage flow rates, and/or volumes;
- Computerized maintenance management system records; and
- Asset management-related records.

4.6. Sewer System Management Plan Implementation Records

The Enrollee shall maintain records documenting the Enrollee's implementation of its Sewer System Management Plan, including documents supporting its Sewer System Management Plan audits, corrections, modifications, and updates to the Sewer System Management Plan.

4.7. Audit Records

The Enrollee shall maintain, at minimum, the following records pertaining to its Sewer System Management Plan audits, and other internal audits:

- Completed audit documents and findings;
- Name and contact information of staff and/or consultants that conducted or involved in the audit; and
- Follow-up actions based on audit findings.

4.8. Equipment Records

The Enrollee shall maintain a log of all owned and leased sewer system cleaning, operational, maintenance, construction, and rehabilitation equipment.

4.9. Work Orders

The Enrollee shall maintain record of work orders for operations and maintenance projects.

ATTACHMENT E2 – SUMMARY OF NOTIFICATION, MONITORING AND REPORTING REQUIREMENTS

This Attachment provides a summary of notification, monitoring and reporting requirements, by spill category, and for Enrollee-owned and/or operated laterals as required in Attachment E1 of this General Order, for quick reference purposes only.

Table E2-1

Spill Category 1: Spills to Surface Waters

Spill Requirement	Due	Method
Notification	**Within two (2) hours** of the Enrollee's knowledge of a Category 1 spill of 1,000 gallons or greater, discharging or threatening to discharge to surface waters: Notify the California Office of Emergency Services and obtain a notification control number.	California Office of Emergency Services at: (800) 852-7550 (Section 1 of Attachment E1)
Monitoring	• Conduct spill-specific monitoring; • Conduct water quality sampling of the receiving water within **18 hours** of initial knowledge of spill of 50,000 gallons or greater to surface waters.	(Section 2 of Attachment E1)
Reporting	• Submit Draft Spill Report **within three (3) business days** of the Enrollee's knowledge of the spill; • Submit Certified Spill Report **within 15 calendar days** of the spill end date; • Submit Technical Report **within 45 calendar days** after the spill end date for a Category 1 spill in which **50,000 gallons or greater** discharged to surface waters; and • Submit Amended Spill Report **within 90 calendar days** after the spill end date.	(Section 3.1 of Attachment E1)

Table E2-2
Spill Category 2: **Spills of 1,000 Gallons or Greater That Do Not Discharge to Surface Waters**

Spill Requirements	Due	Method
Notification	**Within two (2) hours** of the Enrollee's knowledge of a Category 2 spill of 1,000 gallons or greater, discharging or threatening to discharge to waters of the State: Notify California Office of Emergency Services and obtain a notification control number.	California Office of Emergency Services at: (800) 852-7550 (Section 1 of Attachment E1)
Monitoring	Conduct spill-specific monitoring.	(Section 2 of Attachment E1)
Reporting	• Submit Draft Spill Report **within three (3) business days** of the Enrollee's knowledge of the spill; • Submit Certified Spill Report **within 15 calendar days** of the spill end date; and • Submit Amended Spill Report **within 90 calendar days** after the spill end date.	(Section 3.2 of Attachment E1)

Table E2-3
Spill Category 3: Spills of Equal or Greater than 50 Gallons and Less than 1,000 Gallons That Does Not Discharge to Surface Waters

Spill Requirements	Due	Method
Notification	Not Applicable	Not Applicable
Monitoring	Conduct spill-specific monitoring.	(Section 2 of Attachment E1)
Reporting	• Submit monthly Certified Spill Report to the online CIWQS Sanitary Sewer System Database within **30 calendars days** after the end of the month in which the spills occur; and • Submit Amended Spill Reports **within 90 calendar days** after the Certified Spill Report due date.	(Section 3.3 and 3.5 of Attachment E1)

Table E2-4
Spill Category 4: Spills Less Than 50 Gallons That Do Not Discharge to Surface Waters

Spill Requirements	Due	Method
Notification	Not Applicable	Not Applicable
Monitoring	Conduct spill-specific monitoring.	(Section 2 of Attachment E1)
Reporting	• If, during any calendar month, Category 4 spills occur, certify monthly, the estimated total spill volume exiting the sanitary sewer system, and the total number of all Category 4 spills into the online CIWQS Sanitary Sewer System Database, within 30 days after the end of the calendar month in which the spills occurred. • Upload and certify a report, in an acceptable digital format, of all Category 4 spills to the online CIWQS Sanitary Sewer System Database, by February 1st after the end of the calendar year in which the spills occur.	(Section 3.4, 3.6, 3.7 and 4.4 of Attachment E1)

Table E2-5
Enrollee Owned and/or Operated Lateral Spills That Do Not Discharge to Surface Waters

Spill Requirements	Due	Method
Notification	**Within two (2) hours** of the Enrollee's knowledge of a spill of 1,000 gallons or greater, from an enrollee-owned and/or operated lateral, discharging or threatening to discharge to waters of the State: Notify California Office of Emergency Services and obtain a notification control number. Not applicable to a spill of less than 1,000 gallons.	California Office of Emergency Services at: (800) 852-7550 (Section 1 of Attachment E1)
Monitoring	Conduct visual monitoring.	(Section 2 of Attachment E1)
Reporting	• Upload and certify a report, in an acceptable digital format, of all lateral spills (that do not discharge to a surface water) to the online CIWQS Sanitary Sewer System Database, by February 1st after the end of the calendar year in which the spills occur. • Report a lateral spill of any volume that discharges to a surface water as a Category 1 spill.	(Sections 3.6, 3.7 and 4.4 of Attachment E1)

ATTACHMENT F – REGIONAL WATER QUALITY CONTROL BOARD CONTACT INFORMATION

This Attachment provides a map, list of counties, and contact information to assist the Enrollee in identifying the corresponding Regional Water Quality Control Board office, for all Regional Water Board notification requirements in this General Order.

Region 1 -- North Coast Regional Water Quality Control Board:
Del Norte, Glenn, Humboldt, Lake, Marin, Mendocino, Modoc, Siskiyou, Sonoma, and Trinity counties.

RB1SpillReporting@waterboards.ca.gov or (707) 576-2220

Region 2 -- San Francisco Bay Regional Water Quality Control Board:
Alameda, Contra Costa, San Francisco, Santa Clara (Northern most part of Morgan Hill), San Mateo, Marin, Sonoma, Napa, Solano counties.

RB2SpillReports@waterboards.ca.gov or (510) 622-2369

Region 3 -- Central Coast Regional Water Quality Control Board:
Santa Clara (most of Morgan Hill), San Mateo (Southern portion), Santa Cruz, San Benito, Monterey, Kern (small portions), San Luis Obispo, Santa Barbara, Ventura (Northern portion) counties.

CentralCoast@waterboards.ca.gov or (805) 549-3147

Region 4 -- Los Angeles Regional Water Quality Control Board:
Los Angeles, Ventura counties (small portions of Kern and Santa Barbara counties).

rb4-ssswdr@waterboards.ca.gov or (213) 576-6600

Region 5 -- Central Valley Regional Water Quality Control Board:

Rancho Cordova (Sacramento) Office: Colusa, Lake, Sutter, Yuba, Sierra, Nevada, Placer, Yolo, Napa, (North East), Solano (West), Sacramento, El Dorado, Amador, Calaveras, San Joaquin, Contra Costa (East), Stanislaus, Tuolumne counties.

RB5sSpillReporting@waterboards.ca.gov or (916) 464-3291

Fresno Office: Fresno, Kern, Kings, Madera, Mariposa, Merced, and Tulare counties, and small portions of San Benito and San Luis Obispo counties.

RB5fSpillReporting@waterboards.ca.gov or (559) 445-5116

Redding Office: Butte, Glen, Lassen, Modoc, Plumas, Shasta, Siskiyou, and Tehama counties.

RB5rSpillReporting@waterboards.ca.gov or (530) 224-4845

Region 6 -- Lahontan Regional Water Quality Control Board:
Lake Tahoe Office: Alpine, Modoc (East), Lassen (East side and Eagle Lake), Sierra, Nevada, Placer, El Dorado counties.

RB6sSpillReporting@waterboards.ca.gov or (530) 542-5400

Victorville Office: Mono, Inyo, Kern (East), San Bernardino, Los Angeles (North East corner) counties.

RB6vSpillReporting@waterboards.ca.gov or (760) 241-6583

Region 7 -- Colorado River Basin Regional Water Quality Control Board:
Imperial county and portions of San Bernardino, Riverside, San Diego counties.

RB7SpillReporting@waterboards.ca.gov or (760) 346-7491

Region 8 -- Santa Ana Regional Water Quality Control Board:
Orange, Riverside, San Bernardino counties.

RB8SpillReporting@waterboards.ca.gov or (951) 782-4130

Region 9 -- San Diego Regional Water Quality Control Board:
San Diego county and portions of Orange and Riverside counties.

RB9Spill_Report@waterboards.ca.gov or (619) 516-1990

End of Order 2022-0103-DWQ

Appendix B

SWRCB Order No. 2006-003 – Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

STATE WATER RESOURCES CONTROL BOARD
ORDER NO. 2006-0003-DWQ

STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

The State Water Resources Control Board, hereinafter referred to as “State Water Board”, finds that:

1. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order. Such entities are hereinafter referred to as “Enrollees”.

2. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.

3. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.

4. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor- caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

SEWER SYSTEM MANAGEMENT PLANS

5. To facilitate proper funding and management of sanitary sewer systems, each Enrollee must develop and implement a system-specific Sewer System Management Plan (SSMP). To be effective, SSMPs must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.

6. Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with this Order. Others, however, still require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to reduce SSOs.

7. SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.

8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs to augment existing information and to determine the full extent of SSOs and consequent public health and/or environmental impacts occurring in the State.

9. Both uniform SSO reporting and a centralized statewide electronic database are needed to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached Monitoring and Reporting Program No. 2006-0003-DWQ, are necessary to assure compliance with these waste discharge requirements (WDRs).

10. Information regarding SSOs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.

11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more prescriptive WDRs for sanitary sewer systems.

Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to this Order, the Regional Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting.

REGULATORY CONSIDERATIONS

12. California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

    - The discharges are produced by the same or similar operations;
    - The discharges involve the same or similar types of waste;
    - The discharges require the same or similar treatment standards; and
    - The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

    This Order establishes requirements for a class of operations, facilities, and discharges that are similar throughout the state.

13. The issuance of general WDRs to the Enrollees will:

    a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;

    b) Provide for a unified statewide approach for the reporting and database tracking of SSOs;

    c) Establish consistent and uniform requirements for SSMP development and implementation;

    d) Provide statewide consistency in reporting; and

    e) Facilitate consistent enforcement for violations.

14. The beneficial uses of surface waters that can be impaired by SSOs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply. Surface and ground waters throughout the state support these uses to varying degrees.

15. The implementation of requirements set forth in this Order will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect

water quality in the area, costs associated with compliance with these requirements, the need for developing housing within California, and the need to develop and use recycled water.

16. The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of sewage effluent to waters of the United States must comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act. In addition, many Basin Plans adopted by the Regional Water Boards contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a waiver of WDRs.

17. California Water Code section 13263 requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. The requirements shall, among other things, take into consideration the need to prevent nuisance.

18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:

    a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

    b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

    c. Occurs during, or as a result of, the treatment or disposal of wastes.

19. This Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State Water Board or Regional Water Board plans and policies.

20. The action to adopt this General Order is exempt from the California Environmental Quality Act (Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment.

(Cal. Code Regs., tit. 14, §15308). In addition, the action to adopt this Order is exempt from CEQA pursuant to Cal.Code Regs., title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute "existing facilities" as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

21. The Fact Sheet, which is incorporated by reference in the Order, contains supplemental information that was also considered in establishing these requirements.

22. The State Water Board has notified all affected public agencies and all known interested persons of the intent to prescribe general WDRs that require Enrollees to develop SSMPs and to report all SSOs.

23. The State Water Board conducted a public hearing on February 8, 2006, to receive oral and written comments on the draft order. The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.

IT IS HEREBY ORDERED, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

A. DEFINITIONS

1. **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:
   (i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;
   (ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
   (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.
2. **Sanitary sewer system** – Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

For purposes of this Order, sanitary sewer systems include only those systems owned by public agencies that are comprised of more than one mile of pipes or sewer lines.

3. **Enrollee** - A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order.

4. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is http://ciwqs.waterboards.ca.gov. This online database is maintained on a secure site and is controlled by unique usernames and passwords.

5. **Untreated or partially treated wastewater** – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.

6. **Satellite collection system** – The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.

7. **Nuisance** - California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:

    a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

    b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

    c. Occurs during, or as a result of, the treatment or disposal of wastes.

B. APPLICATION REQUIREMENTS

1. Deadlines for Application – All public agencies that currently own or operate sanitary sewer systems within the State of California must apply for coverage under the general WDRs within six (6) months of the date of adoption of the general WDRs. Additionally, public agencies that acquire or assume responsibility for operating sanitary sewer systems after the date of adoption of this Order must apply for coverage under the general WDRs at least three (3) months prior to operation of those facilities.

2. Applications under the general WDRs – In order to apply for coverage pursuant to the general WDRs, a legally authorized representative for each agency must submit a complete application package. Within sixty (60) days of adoption of the

general WDRs, State Water Board staff will send specific instructions on how to apply for coverage under the general WDRs to all known public agencies that own sanitary sewer systems. Agencies that do not receive notice may obtain applications and instructions online on the Water Board's website.

3. Coverage under the general WDRs – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

C. PROHIBITIONS

1. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.

2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

D. PROVISIONS

1. The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action.

2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the general WDRs. Nothing in the general WDRs shall be:

   (i) Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree;

   (ii) Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition or water quality standard, or the California Water Code;

   (iii) Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDR, superseding this general WDR, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or

   (iv) Interpreted or applied to supersede any more specific or more stringent WDRs or enforcement order issued by a Regional Water Board.

3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.

4. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging from storm drains into flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.

5. All SSOs must be reported in accordance with Section G of the general WDRs.

6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. And, consistent with the Enforcement Policy, the State and/or Regional Water Boards must consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards will also consider whether:

   (i) The Enrollee has complied with the requirements of this Order, including requirements for reporting and developing and implementing a SSMP;

   (ii) The Enrollee can identify the cause or likely cause of the discharge event;

   (iii) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems.

   (iv) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee;

   (v) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:

   - Proper management, operation and maintenance;
   - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
   - Preventive maintenance (including cleaning and fats, oils, and grease (FOG) control);
   - Installation of adequate backup equipment; and
   - Inflow and infiltration prevention and control to the extent practicable.

   (vi) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs.

(vii) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible.

7. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

   The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

   (i) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;

   (ii) Vacuum truck recovery of sanitary sewer overflows and wash down water;

   (iii) Cleanup of debris at the overflow site;

   (iv) System modifications to prevent another SSO at the same location;

   (v) Adequate sampling to determine the nature and impact of the release; and

   (vi) Adequate public notification to protect the public from exposure to the SSO.

8. The Enrollee shall properly, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities.

9. The Enrollee shall allocate adequate resources for the operation, maintenance, and repair of its sanitary sewer system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must be in compliance with applicable laws and regulations and comply with generally acceptable accounting practices.

10. The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned or operated by the Enrollee.

11. The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.

12. In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.

13. The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule below.

Sewer System Management Plan (SSMP)

(i)**Goal:** The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.

(ii)**Organization:** The SSMP must identify:

(a) The name of the responsible or authorized representative as described in Section J of this Order.

(b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and

(c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).

(iii)**Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

(a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);

(b) Require that sewers and connections be properly designed and

constructed;

(c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;

(d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and

(e) Enforce any violation of its sewer ordinances.

(iv) **Operation and Maintenance Program.** The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:

(a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;

(b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;

(c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;

(d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and

(e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

(v)**Design and Performance Provisions:**

(a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and

(b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

(vi)**Overflow Emergency Response Plan -** Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

(a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;

(b) A program to ensure an appropriate response to all overflows;

(c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;

(d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;

(e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and

(f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

(vii) **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:

(a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;

(b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;

(c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;

(d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;

(e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;

(f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and

(g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.

(viii) **System Evaluation and Capacity Assurance Plan:** The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:

(a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

(b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and

(c) **Capacity Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.

(d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.

(ix) **Monitoring, Measurement, and Program Modifications:** The Enrollee shall:

(a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;

(b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;

(c) Assess the success of the preventative maintenance program;

(d) Update program elements, as appropriate, based on monitoring or performance evaluations; and

(e) Identify and illustrate SSO trends, including: frequency, location, and volume.

(x) **SSMP Program Audits -** As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

(xi)**Communication Program –** The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

14. Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth above and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided in subsection D.15, below.

    In order to complete this certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

    State Water Resources Control Board
    Division of Water Quality
    Attn: SSO Program Manager
    P.O. Box 100 Sacramento, CA 95812

    The SSMP must be updated every five (5) years, and must include any significant program changes. Re-certification by the governing board of the Enrollee is required in accordance with D.14 when significant updates to the SSMP are made. To complete the re-certification process, the Enrollee shall enter the data in the Online SSO Database and mail the form to the State Water Board, as described above.

15. The Enrollee shall comply with these requirements according to the following schedule. This time schedule does not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

Sewer System Management Plan Time Schedule

Task and Associated Section	**Completion Date**			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage ***Section C***	6 months after WDRs Adoption	6 months after WDRs Adoption	6 months after WDRs Adoption	6 months after WDRs Adoption
Reporting Program ***Section G***	6 months after WDRs Adoption[1]	6 months after WDRs Adoption[1]	6 months after WDRs Adoption[1]	6 months after WDRs Adoption[1]
SSMP Development Plan and Schedule ***No specific Section***	9 months after WDRs Adoption[2]	12 months after WDRs Adoption[2]	15 months after WDRs Adoption[2]	q18 months after WDRs Adoption[2]
Goals and Organization Structure ***Section D 13 (i) & (ii)***	12 months after WDRs Adoption[2]	12 months after WDRs Adoption[2]	18 months after WDRs Adoption[2]	18 months after WDRs Adoption[2]
Overflow Emergency Response Program ***Section D 13 (vi)***	24 months after WDRs Adoption[2]	30 months after WDRs Adoption[2]	36 months after WDRs Adoption[2]	39 months after WDRs Adoption[2]
Legal Authority ***Section D 13 (iii)***	24 months after WDRs Adoption[2]	30 months after WDRs Adoption[2]	36 months after WDRs Adoption[2]	39 months after WDRs Adoption[2]
Operation and Maintenance Program ***Section D 13 (iv)***	24 months after WDRs Adoption[2]	30 months after WDRs Adoption[2]	36 months after WDRs Adoption[2]	39 months after WDRs Adoption[2]
Grease Control Program ***Section D 13 (vii)***	24 months after WDRs Adoption[2]	30 months after WDRs Adoption[2]	36 months after WDRs Adoption[2]	39 months after WDRs Adoption[2]
Design and Performance ***Section D 13 (v)***	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
System Evaluation and Capacity Assurance Plan ***Section D 13 (viii)***	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
Final SSMP, incorporating all of the SSMP requirements ***Section D 13***	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption

1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:

Reporting Program ***Section G***	
Regional Boards 4, 8, and 9	8 months after WDRs Adoption
Regional Boards 1, 2, and 3	12 months after WDRs Adoption
Regional Boards 5, 6, and 7	16 months after WDRs Adoption

If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.

2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.

E. WDRs and SSMP AVAILABILITY

1. A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee's offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

F. ENTRY AND INSPECTION

1. The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:
    a. Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
    b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

G. GENERAL MONITORING AND REPORTING REQUIREMENTS

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information that the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by this Order.

2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. 2006-0003 and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 2006-0003. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.

3. All Enrollees must obtain SSO Database accounts and receive a “Username” and “Password” by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the “Collection System Questionnaire”, which collects pertinent information regarding a Enrollee’s collection system. The “Collection System Questionnaire” must be updated at least every 12 months.

4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State, as soon as that person has knowledge of the discharge, shall immediately notify the local health officer of the discharge. Discharges of untreated or partially treated wastewater to storm drains and drainage channels, whether man-made or natural or concrete-lined, shall be reported as required above.

   Any SSO greater than 1,000 gallons discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State shall also be reported to the Office of Emergency Services pursuant to California Water Code section 13271.

H. CHANGE IN OWNERSHIP

1 This Order is not transferable to any person or party, except after notice to the Executive Director. The Enrollee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of this Order's responsibility and coverage between the existing Enrollee and the new Enrollee. This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

I. INCOMPLETE REPORTS

1. If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under this Order, the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

J. REPORT DECLARATION

1. All applications, reports, or information shall be signed and certified as follows:

   (i) All reports required by this Order and other information required by the State or Regional Water Board shall be signed and certified by a person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in paragraph (ii) of this provision. (For purposes of electronic reporting, an electronic signature and accompanying certification, which is in compliance with the Online SSO database procedures, meet this certification requirement.)

   (ii) An individual is a duly authorized representative only if:

   (a) The authorization is made in writing by a person described in paragraph (i) of this provision; and

   (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of this Order.

2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or

falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

L. SEVERABILITY

1. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

2. This order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

CERTIFICATION

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of general WDRs duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None

Song Her
Clerk to the Board

Chapter 1 Appendices

None

Chapter 2 Appendices

Appendix 2-A Key Staff Contact Information

Position	Name	Phone Number	Email
Public Works Director	Terrance Davis	(510) 981-6303	TDavis@berkeleyca.gov
Deputy Public Works Director	Wahid Amiri	(510) 981-6396	WAmiri@berkeleyca.gov
Manager of Engineering	Ronald Nevels	(510) 981-6439	RNevels@berkeleyca.gov
Supervising Civil Engineer	Daniel Akagi	(510) 981-6394	DAkagi@berkeleyca.gov
Associate Civil Engineer	Adadu Yemane	(510) 981-6413	AYemane@berkeleyca.gov
Associate Civil Engineer	Felix Meneau	(510) 981-6399	FMeneau@berkeleyca.gov
Public Works Operations Manager	Joy Brown	(510) 981-6629	EJBrown@berkeleyca.gov
Public Works Maintenance Superintendent	John Hurtado	(510) 981-6484	jhurtado@berkeleyca.gov
Public Works Senior Supervisor	Jesus Sandoval	(510) 981-6676	jsandoval@berkeleyca.gov
Public Works Supervisor	Jaime Valencia	(510) 981-6669	JValencia@berkeleyca.gov

Chapter 3 Appendices

None

Chapter 4 Appendices

Appendix 4-A Public Works Streets and Utilities Division Field Manual – Section IV, Sanitary Sewer Maintenance

Public Works
STREETS and Utilities
DIVISION
FIELD MANUAL

SECTION IV
SANITARY SEWER MAINTENANCE

REVISED 2/18/14

The Sewer Division of Public Works looks to the Sewer System Management Plan and the Sewer Cleaning and Inspection Work Plan as guiding documents. The following pages are guidelines for work in conjunction with those documents.

Working safely is a key component of the Sewer Division's goals. Staff are provided any necessary personal protective equipment. Training is required for all sewer staff including but not limited to:

- Trenching, Excavation
- Confined Space
- Hazardous Communication
- Blood Borne Pathogen
- Gas Monitoring
- Traffic Control

Additionally, Staff are encouraged to become certified through the California Water Environmental Association and are encouraged to become PACP certified as well.

Standard Operating Procedure for Sewer Cleaning

Purpose

The purpose of this Standard Operating Procedure is to ensure that sewer cleaning is performed in a manner that will produce a high quality work product. Quality is important because it ensures that the sanitary sewers will not experience problems prior to their next scheduled cleaning.

Goal

The goal of cleaning a gravity sewer is to restore the flow area to 95% of the original flow area of the pipe.

Required Equipment and Tools

1. Personal protective equipment (hardhat, steel toe boots, gloves, eye/face protection, hearing protection)
2. Calibrated gas detector
3. Proper safety cones, barricades, flagging, signs, or other traffic control devices
4. Confined space equipment (tripod, harness, and ventilation blower)
5. Block Books (sanitary sewer system maps)
6. Combo sewer cleaner
7. Warthog sewer cleaning nozzle
8. Six-wire skid ("proofer") in sizes that will be encountered during the day
9. Root saw
10. Debris traps in the sizes that will be encountered during the day
11. Manhole hook or pick-axe
12. Measuring wheel
13. Disinfectant

Required Forms

1. Cleaning Work Order
2. Pre-Trip Inspection Form
3. Injury/Damage Report Form

Procedures for Sewer Cleaning Crew

Prior to Leaving the Yard

1. Plan the work so that it starts in the upstream portion of the area and moves downstream. Wherever possible, plan to clean sewers from the downstream manhole.
2. Inspect the sewer cleaning nozzles for wear. Replace nozzles that are excessively worn.
3. If this is the first day that this cleaning unit is being used this week, inspect the first 200 feet of hose and couplings for damage or wear.

At the Jobsite

1. Wear proper personnel protective equipment (PPE).
2. Fill the water tank at or near the first jobsite.
3. Determine and confirm location of upstream and downstream manholes (use street addresses, if possible).
4. Look for any overhead utilities that may come into contact with the vacuum boom during the cleaning operation.
5. Set up proper traffic control by placing traffic signs, flags, cones and other traffic control devices.
6. Move the cleaning unit into the traffic control so that the hose reel is positioned over the manhole.
7. Open the manhole and use the gas detector to determine if it is safe to proceed with the cleaning operation.
8. Install the Warthog nozzle on the hose.

Cleaning Operation

1. Insert the debris trap.
2. Start the auxiliary engine.
3. Lower the hose, with a guide or roller to protect the hose, into the manhole and direct it into the sewer to be cleaned.
4. Start the high pressure pump and set the engine speed to provide adequate pressure for the sewer cleaning operation.
5. Open the water valve and allow the hose to proceed up the sewer. The hose speed should not exceed 3 feet per minute.
6. Allow the hose to proceed 25% of the length of the sewer and pull the hose back.
7. Observe the nature and the quantity of debris pulled back to the manhole.
8. If there is little or no debris, allow the hose to proceed to the upstream manhole.
9. If there is moderate to heavy debris, clean the remaining portion of the sewer in steps not to exceed 25% of the length of the sewer.
10. Open the upstream manhole and verify that the nozzle is at or past the manhole.
11. The sewer has been adequately cleaned when:

    Successive passes with a cleaning nozzle do not produce any additional debris; and

    The sewer is able to pass a full size, six-wire skid (“proofer”) for its entire length.
12. Determine the nature and quantity of the debris removed during the cleaning operation. Use the codes in Table 4-A-1 to report the nature and quantity of debris. Table 4-A-2 is adapted from the CWEA “Hydroflush Best Practices Manual” publication and sets guidelines for coding debris found during field work.
13. Remove the debris from the manhole using the vacuum unit.
14. Rewind the hose on the reel.

15. Remove the debris trap.
16. Clean the mating surface and close the manhole. Ensure that the manhole is properly seated.
17. Enter the results on the Work Order.
18. Move the cleaning unit and break down and stow the traffic controls.
19. Proceed to the next cleaning jobsite.

At the End of the Day

1. Inspect the equipment and tools for problems.
2. Report any problems with equipment, tools, or sewers that were cleaned during the day to the Supervisor.
3. Turn in all completed Cleaning Work Orders to the Supervisor at end of shift.

Table 1: Criterion for Coding Debris Found During Cleaning

Type of Debris	Clear (no debris)	Light	Moderate	Heavy
Sand, grit, rock	C	L	M	H
Grease	C	L	M	H
Roots	C	L	M	H
Other (specify)	C	L	M	H

Table 2: Categorization of Sewer Cleaning Results

	Clear	Light	Moderate	Heavy
Debris	Code: **C** • No observable debris	Code: **L** • Minor amount of debris • 15 minutes or less to clean • 1 pass	Code: **M** • Less than 5 gallons of debris per line segment • 15-30 minutes to clean • 2-3 passes	Code: **H** • More than 5 gallons of debris per line segment • More than 30 minutes to clean • More than 4 passes • Operator concern for future stoppage
Grease	Code: **C** • No observable grease	Code: **L** • Minor amounts of grease • 15 minutes or less to clean • 1 pass	Code: **M** • Small “chunks” • No “logs” • 15-30 minutes to clean • 2-3 passes	Code: **H** • Big “chunks” or “logs” • More than 30 minutes to clean • More than 4 passes • Operator concern for future stoppage
Roots	Code: **C** • No observable roots	Code: **L** • Minor amounts of roots • 15 minutes or less to clean • 1 pass	Code: **M** • Thin stringy roots • No “clumps” • 15-30 minutes to clean • 2-3 passes	Code: **H** • Thick roots • Large “clumps” • More than 30 minutes to clean • More than 4 passes • Operator concern for future stoppage
Other: Pipe wall fragments Soil/dirt/ rock	Code: **C** • No observable materials	Code: **L** • Specify material (if possible) • Minor amounts of material	Code: **M** • Specify material • Less than 5 gallons of material per line segment	Code: **H** • Specify material • More than 5 gallons of material per line segment • Operator concern for future stoppage
This table was adapted from *Best Practices Manual: Hydroflush Cleaning of Small Diameter Sewers*, California Collection System Collaborative Benchmarking Group, February 2001.				

Table 3: Cleaning Schedule Changes Based on Cleaning Results

Clear	Light	Moderate	Heavy
Decrease frequency to next lower frequency after 2 consecutive C results (e.g. 6 mos. to 12 mos.) and CCTV inspection data showing no remaining defects that would cause a blockage or an SSO.	Continue current maintenance frequency.	Increase current maintenance frequency to next higher frequency (e.g. 6 mos. to 3 mos.)	Increase current maintenance frequency to next higher frequency (e.g. 6 mos. to 3 mos.)

Activity: Service Calls

Description:

Investigation of complaints and identification of major problems and correction of minor problems such as plugged sewers and flooded basements and loose manhole covers.

Service Level:

- Service calls are performed on an as required basis and at the direction of the P.W supervisor or senior supervisor

Personnel:

- 1 sewer maintenance assistant supervisor (SMAS)
- 1 Skilled Laborer or Laborer

Equipment / Materials/ Safety items:

- Various equipment depending on requirement
- Shovels
- Sewer tools
- Hand rods
- Gas Monitors
- Brooms
- Camera Lateral (If necessary)
- Ladder
- Personal protective equipment
- Cones
- Disinfectant/Deodorizer

Work Method:

- Receive assignment at beginning of day from senior supervisor, supervisor or via radio if in field.
- Identify problem and determine need for right equipment
- Method of work will vary depending on problem.
- If blockage, perform hand rodding or use jet flushing trailer
- If problem cannot be solved, call supervisor or senior supervisor for assistance.
- If there is an SSO, follow SSO procedures from the Sewer System Management Plan.
- If restoration of building or home is needed contact supervisor or senior supervisor to contact Restoration Contractor.
- Activate SSO trailer (if necessary)

Average Daily Production:
5 Service Calls

Effective Date: February 18, 2014

Activity: Machine Rodding

Description:

Cleaning of sanitary mains and where possible, sideline, sidewalk. street and backline with power (machine) rodding equipment to remove debris, mud and cut any roots that have infiltrated line.

Service Level:

- Sanitary sewer main lines will be cleaned per the Sewer Cleaning and Inspection Plan and as scheduled. Mainlines that have deteriorated or are known to be problem areas will be rodded more frequently.

Personnel:

- 1 Sewer Maintenance Assistant Supervisor (SMAS)
- 1 Laborer or Skilled Laborer
- 1 Laborer or Skilled Laborer (as required for traffic)

Equipment/ Materials/ Safety Items

- 1 Mechanical Rodding truck
- Flashing light
- Gas monitor
- Ladder
- Personal protective equipment

Work Method:

- Check truck and equipment before leaving yard.
- Park truck near manhole and set up safety cones, signs, safety perimeter.
- Perform necessary safety tests before entering sub surface structure.
- Remove manhole cover, lower rod guide hose to proper depth and place boot.
- Push or rotate auger as needed
- Remove auger and rods after desired footage has been reached
- Clean up work site and place equipment back on truck
- Pick up cones and signs and move to the next location

NOTES: Machine Rodding is normally done for pipe size from 6 inches to 12 inches in street or sidewalk areas where trucks can access.

Average Daily Production:
2000 - 3000 Linear Feet

Effective Date: February 18, 2014

ACTIVITY: Jet Rodding (Hydro)

Description:

High pressure cleaning of sewer lines to remove silt, grease, roots and debris accumulated in sewer mains and backlines.

Service Level:

- Jet rodding is performed in accordance with Sewer Cleaning and Inspection Plan and for specific sewer mains prior to CCTV, root foaming or identified as problematic.

Personnel:

- 1 Sewer Maintenance Assistant Supervisor (SMAS)
- 1 Skilled Laborer or Laborer

Equipment/ Materials/ Safety Items

- 1 Combination Truck
- 11500 gallons of water and proper nozzles
- Gas detector
- Rope
- Ladder
- Personal protective equipment

Work Method:

- Check truck equipment before leaving yard.
- Move to site. Place signs and safety devices as required. Perform necessary safety tests before entering subsurface structures.
- Position truck next to manhole
- Install nozzle and root cutter (if necessary) and place tiger tail.
- Follow manufacturer's recommendation with regard to water pressure. Adjust working pressure to meet needs of specific work site.
- Feed hose into line and begin rodding operations.
- Remove debris from manhole.
- Float line or tie off after flushing if preparing for TV crew.
- Secure manhole cover, clean up area and move to next site.
- Refill water tank before moving to new location when water is below minimum level mark.

Average Daily Production:
2,500 - 4,000 Linear Feet
Effective Date: ***February 18, 2014***

ACTIVITY: Investigation of water/sewer leaks

Description:

Use of dyes to locate leaks in sewer lines and determine origin of leaks so that repairs can be accomplished at correct locations

Service Level:

- Performance inspections and tests on sewer lines as required by engineering division, senior supervisor or PW supervisor. Respond to complaints as directed.

Personnel:

- 1 Sewer Maintenance Assistant Supervisor (SMAS)
- 1 Skilled Laborer or Laborer

Equipment/ Safety Items:

- 1 utility truck
- Materials used should be appropriate for type inspection
- Personal Protective Equipment

Work Method:

- Work includes, but not limited to:
- Visually inspecting sewer and dye tests
- Check maps and review site to determine best method to use for testing specific area.
- Place signs and safety devices, as required.
- Fill out and submit required forms.
- Report work activity for the day on daily work

NOTES: For Dye Testing, Place dye in line on upstream side and check at outflow point.

Average Daily production:
1 - 4 Inspections

Effective Date: February 18, 2014

ACTIVITY: Hand Rodding

Description:

Cleaning of sanitary sewer mains, laterals and backlines with hand Roding equipment to remove debris, mud and to cut out roots that have Infiltrated the line.

Service Level:

- Perform in accordance with preventive maintenance program. Backline and laterals which have record of poor flow will be rodded on a rotating schedule once per month to once per year.

Personnel:

- 1 Sewer Maintenance Assistant Supervisor (SMAS)
- 1 Skilled Laborer
- 1 Laborer

Equipment/ Material/ Safety Items

- 1 utility truck
- Hand Roding equipment
- Hand tools
- Personal protective equipment
- Gas Monitor

Work Method:

- Check truck, equipment and sewer maps before leaving yard
- Plan work site from higher elevations to lower elevations
- Notify property owner of crew presence if on private property
- Locate structure, position rod guide and begin Roding
- Remove rod after desired footage has been reached
- If rod will not go through pipe, notify supervisor of problem and put on digs list
- Clean up work site and restore to safe condition

NOTES:

AVERAGE DAILY PRODUCTION:
1,500 Linear Feet

EFFECTIVE DATE: February 18, 2014

Activity: Digs and repairs

Description:

Perform repair of sewer mains, laterals, back lines, manhole or other structure.

Service Level:

- Digs and repairs to all sewer lines will be performed on an as needed basis to restore proper operating condition. Does not include reconstruction of lines under improvement programs**.**

Personnel:

- Sewer Maintenance Assistant Supervisor (SMAS)
- 2 Skilled Laborer (if needed)
- 1 Laborer
- 1 Equipment Operator

Equipment/ Materials/ Safety Items

- 2 Dump trucks (one truck empty and the other fill with A.B. Rock).
- 1 Back hole with 1ft/2ft bucket and breaking gun
- 1 Air compressor
- Pumps
- Hand tools
- Pipe
- Couplings
- Personal protective equipment
- Ladder
- Shoring
- Pump
- Flags
- Cones

Work Method:

- Identify type of problem. Acquire proper tools, equipment and material before leaving yard.
- Block off area to be dug. Place cones, warning signs and barricades
- Call U.S.A before digging. Phone 800-227-2600 or 811 and receive authorization number.
- If utility clearance is ok begin dig to sewer grade
- Dewater trench or hole. After opening hole, repair and replace pipe as necessary.
- Backfill dig with import fill for street excavation or native soil in landscaped area.
- Compact backfill to within four inches of grade.
- Add cut back to grade.
- Clean up

Notes: If location left overnight, be sure that it is properly signed, barricaded and covered with steel plate. Final repair of trench is to be completed byt paving crew.

Average Daily Production:
1.5 to 2 Digs/Repairs

Effective Date: February 18, 2014

Activity: Marina Pump/Lift Station Maintenance Procedures

Description:

Inspection and preventative maintenance to lift pumps and chambers at marina in order to maintain efficient operation and reduce possibility of blockage or failure.

Service Level:

- Lift pump stations, grease traps and force pumps will be inspected and cleaned once per week to extent necessary to ensure a fully operational system.

Personnel:

- 1 Sewer Maintenance Assistant Supervisor (SMAS)
- 2 Laborers or Skilled Laborer

Equipment:

- 1 Utility Truck
- 1 Vactor Truck

Materials:

- Degreaser
- Disinfectant
- Bio blocks

Safety Items:

- Personal protective equipment
- Tripod (If needed)
- Harness (If needed)
- Gas detector
- Cones

Work Method:

The following maintenance procedures must be followed when performing operational maintenance at each of the Marina Pump Stations to include the two (2) stations at Aquatic Park. The employee performing operational maintenance on the system must contact Berkeley PolicelFire Alarm Communication Center via Corp Yard Customer Service or two-way radio to alert the Center of the hours of maintenance and to ignore any alarms during such hours. The Communication Center must also be contacted when operational maintenance is completed.

- Check equipment for effective operation before leaving yard
- Move to site and set up safety cones and signs
- Check condition of manhole before entering.
- Set up and use tripod if entry to manhole is necessary.
- Clean walls of chamber with pressure washer
- Check operation of pump and probe.
- Clean pump and probes.
- Vacuum to remove debris and grease from chamber

- Note any operational problems with pump or electrical system
- Clean up work site, secure manhole or chamber covering
- Jet rod sewer mains and move to next lift station.
- Report work accomplished

Additional Items:

I. ELECTRICAL SYSTEM
   a. Check main electrical switch.
      i. Switch should operate electrically turning the power on and off
   b. Check alarm system
      i. Pump the water level down in the wet well to the low water alarm
      ii. Raise 'the water level to the high alarm by turning the power off and then on at high level
      iii. In each case the alarm system should sound
      iv. Make sure the power is on and reset each pump to automatic alarm

II. OPERATION OF THE FLOAT SYSTEM
   a. Check high water float
      i. With power on, manually raise high water float until pump turns on
   b. Check mid-level floats
      i. Floats should activate pumps at normal cycle
      ii. Pumps should alternate at each pumping cycle

   Note: The high and low water floats should sound the alarm system.

III. MAINTENANCE OF WET WELLS
   a. Remove grease form floats
      i. All floats should be free of grease
   b. Remove grease from wet wells
      i. Remove grease from wet wells only if there are large accumulations in wells

IV. SAFETY EQUIPMENT
   a. Confined space gas monitors - Monitors must be pre-checked and used throughout the maintenance operation
   b. Harness and safety winch - harness and winch must be checked to ensure safety
   c. Air blowers - Blowers must be checked to ensure good working order, operate in both suction and blowing mode
   d. Manhole rails - Manhole safety rails must be placed around open manholes at all times
   e. Safety person - A safety person (employee) must be present at any open manhole for the following:
      i. To observe employee/employees in the wet well
      ii. For the general safety of the public

V. POWER OUTAGE/SYSTEM FAILURE
   a. Use the following procedure
      i. Get Hatz Diesel Pump and the small Honda pump
      ii. Set up the large Hatz Diesel Pump at Lift Station #5 and set up the small
      iii. Honda pump at Lift Station #2.
      iv. Go to Lift stations #1, #3, #4 and set pumps to the off position, so that when the power is restored you will have control of the stations.
      v. Pump the stations #2 & #5 with the portable pumps until power is restored at the Marina.
      vi. When the power is restored, go to Station #3 **first.**
      vii. Turn one pump on because the main will not be able to handle the flow of (2)
      viii. Two pumps in the auto position.

ix. Check the manhole in the parking lot frequently while pumping to ensure that sewage has not overflowed into the Bay.
x. When the station water level has been pumped down, reset to auto position and go to station #4. Turn (1) one pump on until station is down. When down, reset **both** pumps to the auto position.
xi. Go to Station # 1 and turn to Auto mode.
xii. When complete, reset the alarms and notify the Communications Center at
xiii. 981-5900 that the lift stations are back in service.
xiv. Remove pumps, from Stations #2 & #5. Job is complete.

***NOTES*:**
Average Weekly Production:
7 Stations

Effective Date: February 18, 2014

Activity: Closed Caption TV Inspection

Description:

CCTV inspection sewer, storm mains and laterals

Service Level:

- Sewer main and sewer lateral or storm systems will be inspected as needed or on a routine schedule to the extent necessary required by Engineering Division and Sr. Supervisor or P.W. Supervisor.

Personnel:

- 1 Sewer maintenance assistant supervisor (SMAS)
- 1 Laborer or skilled laborer

Equipment:

- CCTV Truck
- Portable Jet Rodder or Utility Truck

Materials:

Safety Items:

- Personal Protective equipment
- Wheel block
- Gas monitors (If necessary)
- Ladder
- Cones
- Safety Flags

Work Method:

- Check equipment operation before leaving yard Move to site and set up safety cones and signs check condition of manhole before entering Begin recording defects and report on daily work reports
- Use POSM and follow sync procedures update data

NOTES:

Average Daily Production:
To Be Determined

Effective Date: February 18, 2014

Activity: Responding to SSO on Private Property

Description: When there is a report of a SSO and upon investigation by a sewer crew it is ascertained that private property has been affected as a result of a problem with the City portion of the sewer line, the following procedure will be used.

Service Level:

- SSO Response is performed on an as required basis and at the direction of the P.W supervisor or senior supervisor

Personnel:

- 1 sewer maintenance assistant supervisor (SMAS)
- 1 Skilled Laborer or Laborer

Equipment / Materials/ Safety items:

- Various equipment depending on requirement
- Shovels
- Sewer tools
- Hand rods
- Gas Monitors
- Brooms
- Camera Lateral (If necessary)
- Ladder
- Personal protective equipment
- Cones
- Disinfectant/Deodorizer

Work Method:

- SMAS or crew leader will contact their supervisor and report that private property has been affected.
- After the overflowing sewage has been stopped. SMAS or Supervisor should initiate contact with the affected resident(s) and wi ll request to see overflow location and inspect damage.
- Overflow and any area contacted by sewage should be photographed and incident should be recorded on a SSO form.
- If resident wants to know the cause of the SSO, resident should be informed that we are currently investigating the cause of the SSO.
- If the resident requests a cleanup of the area. Crews may perform a full sewage cleanup in the public right of way. They may also perform minor clean-ups on private property (outside of the house). In the event sewage enters a building or structure and resident request area to be cleaned, resident should be informed that our staff is not able to provide professional cleaning. The Senior Supervisor or Superintendent may allow the City’s contracted restoration contractor to perform work on an as needed basis. Resident should be referred to the City Attorney's Office (981-6950) for claims assistance.

Appendix 4-B Hot Spot Sewer Cleaning List

Active Hotspots

Item No.	Segment ID	Approx. Length	Material - Size	Construct Date	Street Name or Location	Activity	Monthly Frequency	Date Added	Reason for Adding
2	17-503-26-17-503-93	122	6" VCP	FY 2013	Orchard Lane	Jet Flush	1	2010	Service Call
9	15-004-95-15-004-94A	0	8" HDPE	2009	Bonita Avenue	Jet Flush	3	2010	
10	17-005-28-17-005-42	414	8" HDPE	2000	Carleton Street (btwn Fulton & Shattuck)	Jet Flush	3	2010	Routine Maintenance
11	17-005-42A-17-005-28	169	8" HDPE	2000	Carleton Street (btwn Fulton & Shattuck)	Jet Flush	6	2010	Service Call
16	13-000-03-13-000-02	254	21" HDPE	1989	Cedar Street (4th to 2nd)	Jet Flush	3	2010	
17	13-000-06-13-000-05	225	21" HDPE	1990	Cedar Street (4th to 2nd)	Jet Flush	3	2010	
42	13-006-19-13-006-18	681	8" HDPE	2001	Monterey Avenue	Jet Flush	3	2010	
43	17-503-17-17-503-16	142	10" VCP	FY 2013	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
44	17-503-18-17-503-17	129	10" PVC	2000	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
45	17-503-19-17-503-18	108	6" HDPE	1999	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
46	17-503-20-17-503-19	201	6" HDPE	1999	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
47	17-503-21-17-503-20	100	6" HDPE	1999	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
48	17-503-22-17-503-21	94	6" HDPE	1999	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
52	17-503-26A-17-503-26	52	8" PVC	2002	Panoramic/Mosswood/Prospect	Jet Flush	3	2010	
53	17-503-95-17-503-22	130	6" HDPE	1999	Panoramic - Back line	Hand Rod	3	2010	
61	17-503-A5-17-503-A4	21	8" VCP	FY 2014	Panoramic - Back line	Hand Rod	3	2010	
94	17-013-41A-17-013-41	72	6" PVC	1997	Arch Street	Jet Flush	6	2010	
96	10-222-47B-10-222-47A	246	6" PVC	1992	Arlington Avenue	Jet Flush	6	2010	
99	10-215-21-10-215-20	103	6" HDPE	1998	Boynton Avenue	Jet Flush	6	2010	Condition Assessment 2013
103	17-019-11-17-019-10A	201	8" HDPE	1996	Cragmont Avenue	Jet Flush	6	2010	SSO
104	17-006-32-17-006-31	291	14" PVC	2003	Durant Avenue	Jet Flush	6	2010	
105	17-006-31-17-006-29	0	14" HDPE	2003	Durant Avenue	Jet Flush	6	2010	
106	15-103-01A-15-103-01	190	10" HDPE	2005	Dwight Way	Jet Flush	6	2010	
108	17-501-22-17-501-10	293	8" HDPE	1993	Hillegass Avenue	Jet Flush	6	2010	
109	13-006-51-13-006-07	198	8" PVC	1993	Sutter Street	Jet Flush	6	2010	
112	17-016-74-17-016-71	89	6" HDPE	2002	Keith Avenue	Hand Rod	6	2010	
114	13-003-18-13-000-33	160	8" PVC	1995	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
115	13-003-19-13-003-18	355	8" PVC	1995	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
116	13-003-20-13-003-19	359	8" PVC	1995	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
118	13-003-23-13-003-20	310	8" PVC	1995	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
119	13-003-24-13-003-23	136	8" VCP	1967	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
120	13-003-25-13-003-24	249	8" PVC	1995	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
121	13-003-26-13-003-25	24	8" PVC	1995	Neilson Street (btw Albany Line & Hopkins)	Jet Flush	6	2010	
124	17-103-64-17-103-05	300	8" VCP	1989	Parker Street	Jet Flush	6	2010	
127	17-702-B1-17-702-24A	272	6" HDPE	1998	Queens Road	Jet Flush	6	2010	
131	14-001-02-14-001-01	10	8" VCP	not listed	Virginia/4th to 2nd	Jet Flush	6	2010	
132	14-001-03-14-001-03A	89	8" VCP	not listed	Virginia/4th to 2nd	Jet Flush	6	2010	
133	14-001-03A-14-001-02	288	8" HDPE	2003	Virginia/4th to 2nd	Jet Flush	6	2010	
134	14-001-04-14-001-03	275	10" HDPE	2003	Virginia/4th to 2nd	Jet Flush	6	2010	
142	15-002-13-15-002-12	190	6" VCP	not listed	Dwight Way (4th to Railroad Tracks)	Jet Flush	12	2010	

Active Hotspots

Item No.	Segment ID	Approx. Length	Material - Size	Construct Date	Street Name or Location	Activity	Monthly Frequency	Date Added	Reason for Adding
147	17-101-27-17-101-26	300	10" HDPE	1999	Bayer - Carleton / 7th to Rail Road Tracks	Jet Flush	12	2010	
148	17-101-28-17-101-27	42	10" HDPE	1999	Bayer - Carleton / 7th to Rail Road Tracks	Jet Flush	12	2010	
149	17-101-29-17-101-28	172	10" HDPE	1999	Bayer - Carleton / 7th to Rail Road Tracks	Jet Flush	12	2010	
150	17-101-30-17-101-29	75	10" HDPE	1999	Bayer - Carleton / 7th to Rail Road Tracks	Jet Flush	12	2010	
151	17-101-31-17-101-30	343	10" HDPE	1999	Bayer - Carleton / 7th to Rail Road Tracks	Jet Flush	12	2010	
152	17-101-32-17-101-31	310	10" HDPE	1999	Bayer - Carleton / 7th to Rail Road Tracks	Jet Flush	12	2010	
153	17-101-44-17-101-25	309	12" VCP	FY 2017	Rail Road Tracks (Parker / Carleton)	Jet Flush	12	2010	
154	17-101-45-17-101-44	17	12" VCP	FY 2017	Rail Road Tracks (Parker / Carleton)	Jet Flush	12	2010	
155	17-101-46-17-101-45	317	12" VCP	FY 2017	Rail Road Tracks (Parker / Carleton)	Jet Flush	12	2010	
156	17-101-47-17-101-46	13	8" VCP	FY 2017	Rail Road Tracks (Parker / Carleton)	Jet Flush	12	2010	
166	17-001-27-17-001-21	132	6" VCP		San Pablo/Burnett/Ward (ES)	Jet Flush	12	2010	
167	17-100-31-17-040-15	15	12" PVC	1989	San Pablo/Burnett/Ward (ES)	Jet Flush	12	2010	
168	17-102-15-17-040-15	6	10" VCP	1990	San Pablo/Burnett/Ward (ES)	Jet Flush	12	2010	
171	17-103-01-17-100-31	216	12" CIPP	1989	San Pablo/Burnett/Ward (ES)	Jet Flush	12	2010	
176	15-004-18-15-004-17	310	8" CIPP	2005	Shattuck Avenue	Jet Flush	12	2010	
177	15-004-19-15-004-18	344	8" CIPP	2005	Shattuck Place	Jet Flush	12	2010	
197	15-004-73-1807	8	4" HDPE	2003	Martin Luther King Jr. Way	Hand rod	1	1/5/10	
203	11-106-03A-961	3	4" HDPE	1995	Tulare Avenue	Hand Rod	3	1/10/11	SSO
204	15-102-11-2230	8	4" VCP	1964	Byron Street	Hand Rod	3	1/10/11	SSO
205	17-014-38-1523	9	6" VCP	2013	Walnut Street	Hand Rod	3	1/10/11	SSO
210	15-201-34A-1745	9	8" VCP	1994	Delaware Street	Hand Rod	3	1/10/11	SSO
212	17-604-61-17-604-06	25	6" HDPE	1990	Campus Drive	Jet Flush	6	1/10/11	SSO 6/2/14 Service Call
213	17-014-26-17-014-01	68	6" HDPE	2005	Shattuck Avenue	Jet Flush	3	1/10/11	SSO
214	10-224-09-10-224-08	49	6" HDPE	1996	Southampton Avenue	JET FLUSH	6	1/10/11	SSO
215	17-410-41-17-410-05	214	8" HDPE	2005	Ashby Avenue	Jet flush	6	2/17/11	SSO
228	17-304-14-17-304-41	331	10" HDPE	2003	Milvia Street	Jet Flush	3	2/21/12	FOG
229	17-304-41-17-304-40	335	10" HDPE	2003	Milvia Street	Jet Flush	3	2/21/12	FOG
241	10-213-28-10-213-27	129	6" PVC	1999	Vincente Avenue	Jet Flush	3	2013	
243	10-215-20-NS-10-215-04B	74	6" HDPE	1998	Boynton Avenue	Jet Flush	6	6/2/2014	Condition Assessment 2013
244	10-215-21A-10-215-21	34	8" HDPE	1998	Boynton Avenue	Hand Rod	6	6/2/2014	Condition Assessment 2013
245	10-215-23-10-215-22	22	6" VCP	FY 2017	Florida Avenue	Hand Rod	6	6/2/2014	Condition Assessment 2013
246	17-018-78-17-018-77	50	6" VCP	1999	Alamo Avenue	Hand Rod	6	6/2/14	Service Call
247	17-018-77-17-018-76	25	6" VCP	1999	Alamo Avenue	Hand Rod	6	6/2/14	Service Call
249	17-014-26-17-014-01	223	6" HDPE	2005	Shattuck Avenue	Jet Flush	6	6/3/14	SSO
250	17-712-02-17-712-01	394	8" VCP	not listed	Euclid Avenue	Jet Flush	3	6/4/14	Service Call
251	17-712-01-17-710-11	131	8" VCP	not listed	Euclid Avenue	Jet Flush	3	6/4/14	Service Call
254	13-102-89-13-102-88A	145	8" HDPE	2005	Bonita Avenue	Jet Flush	6	1/10/11	Claim

Active Hotspots

Item No.	Segment ID	Approx. Length	Material - Size	Construct Date	Street Name or Location	Activity	Monthly Frequency	Date Added	Reason for Adding
256	17-001-21-17-000-23	178'	6"VCP		SAN PABLO	Jet Flush	1	7/15/14	SSO
258	17-013-46A-17-600-09	203	8"		SPRUCE	Jet Flush	1	7/15/14	SSO
79	CURRENT TOTAL HOTSPOTS								
	BLACK		Action Item. Need to CCTV to confirm if this can be removed from hotspot list or frequency of MTCE should be revised, or other action.						
	BLUE		CCTV completed. Action in the office needed to revise MTCE frequency or remove from hotspot list.						
	FY 20XX		Sewer Main scheduled for Rehab. Leave on MTCE and come back to check if this can be removed after rehab is done.						
Last Updated: May 2025									

Appendix 4-C Routine Cleaning Sector List

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
1	36	6	16	9	6,662	Jet Flush	Neilson, Thousand Oaks, Visalia
2	47	6	10	8	5,124	Jet Flush	Vincente, Menlo, Thousand Oaks
3	55	6	10	8	7,127	Jet Flush	Santa Clara, San Fernando, Thousand Oaks
4	57	6	10	8	7,969	Jet Flush	Arlington, San Antonio, San Luis
5	65	6	12	7	7,378	Jet Flush	Santa Barbara,Florida,Colorado,Maryland,Arlington
6	56	4	8	7	5,196	Jet Flush	Michigan,Kentucky, Vassar
7	48	6	8	7	5,828	Jet Flush	Arlington, San Luis,Northampton
8	60	6	8	7	7,831	Jet Flush	Indian Rock, San Luis, Santa Barbara
9	90	6	10	7	10,986	Jet Flush	Arlington, Yosemite,San Diego,Southampton,San Mateo
10	66	6	10	8	9,893	Jet Flush	The Alameda,Contra Costa
11	75	6	10	8	12,304	Jet Flush	Catalina,San Pedro,Tacoma,Capristrano,San Lorenzo,Yosemite
12	43	6	8	8	6,602	Jet Flush	Peralta,Colusa,Vincente,Portland,Ensenada
13	44	6	12	9	8,681	Jet Flush	San Lorenzo, Capistrano,Tacoma
14	26	6	10	9	5,636	Jet Flush	Solano,Marin
15	32	6	10	7	6,900	Jet Flush	Sonoma,Monterey,Madera,Merced,Sierra,Tulare,Colusa
16	71	6	18	9	15,897	Jet Flush	Hopkins,Monterey,Sonoma,Beverly,Carlotta
17	53	6	12	8	9,469	Jet Flush	Marin,The Alameda,Hopkins
18	53	6	14	8	7,867	Jet Flush	Berryman,Josephine,MLK,Bonita,Henry,Eunice
19	77	6	21	10	12,565	Jet Flush	Spruce, Eunice,Rose
20	59	6	8	8	9,210	Jet Flush	Shattuck,Eunice,Oxford,Walnut
21	75	6	8	8	11,620	Jet Flush	Marin,Los Angeles,Sutter
22	69	6	18	9	8,729	Jet Flush	Keith,Cragmont,Regal
23	76	6	15	9	10,468	Jet Flush	Spruce,Cragmont,
24	56	6	15	9	7,771	Jet Flush	Spruce,Cragmont,Grizzly,Woodmont
25	43	6	12	9	5,790	Jet Flush	Wildcat Canyon,Vistamont,Woodmont
26	53	6	12	9	6,264	Jet Flush	Wildcat Canyon,Sunset
27	43	6	8	7	5,864	Jet Flush	Overlook,Middlefield,Park Hills,Crescent
28	38	6	8	7	4,571	Jet Flush	Overlook,Woodside,Hillview
29	49	6	8	7	8,549	Jet Flush	Euclid,Hilldale,Keeler
30	37	6	8	7	6,181	Jet Flush	Grizzly Peak,Creston
31	28	6	8	7	5,377	Jet Flush	Grizzly,Marin,Creston,Forest
32	47	6	8	8	6,266	Jet Flush	Hilldale,Miller,Forest
33	42	6	12	8	6,798	Jet Flush	Euclid,Regal,Poppy
34	49	4	12	9	5,620	Jet Flush	Euclid,Keith
35	49	6	8	7	7,247	Jet Flush	Shasta,Tamalpais,Keith
36	43	6	12	8	7,692	Jet Flush	Cragmont,Keeler,Bret Harte
37	84	6	8	7	11,738	Jet Flush	Grizzly Peak,Miller,Sterling,Campus,Keeler,Northgate

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
38	76	6	10	8	9,444	Jet Flush	Grizzly Peak,Fairlawn,Queens,Campus,Hill
39	146	4	8	7	15,540	Jet Flush	Grizzly Peak,Avenida,Olympus,Fairlawn,Campus,
40	67	6	12	8	7,954	Jet Flush	La Loma,Buena Vista
41	38	6	8	8	6,461	Jet Flush	Euclid,Buena Vista,LeRoy
42	81	6	12	8	9,859	Jet Flush	Virginia,Hilgard,Cedar,La Loma,La Vereda
43	45	6	15	8	6,737	Jet Flush	Hearst,Ridge,LeConte
44	25	6	15	8	4,444	Jet Flush	Hearst,LeConte,Arch,Ridge
45	31	6	15	10	6,098	Jet Flush	Arch,Cedar,Hilgard,Virginia
46	36	6	8	7	7,095	Jet Flush	Arch,Vine,Scenic,Hawthorne
47	25	6	21	13	5,688	Jet Flush	Oxford, Rose, Spruce
48	27	6	21	10	5,865	Jet Flush	Cedar,Shattuck,Vine,Walnut,Oxford,Spruce
49	29	6	21	13	5,100	Jet Flush	Virginia,Shattuck,Walnut,Oxford,Spruce
50	30	6	27	13	5,532	Jet Flush	Walnut, Oxford, Hearst
51	21	6	27	13	4,318	Jet Flush	Shattuck, University, Milvia
52	16	6	8	7	4,550	Jet Flush	Vine,Milvia,Rose,Henry
53	20	6	8	8	5,202	Jet Flush	Milvia,Shattuck,Cedar,Lincoln,Virginia
54	19	8	8	8	5,382	Jet Flush	Shattuck,Delaware,Francisco,Virginia
55	30	8	8	8	4,612	Jet Flush	University,MLK,Bonita,Hearst,Berkeley
56	22	6	10	8	5,107	Jet Flush	MLK,Bonita,Vine,Rose,Cedar
57	19	6	8	7	4,119	Jet Flush	Josephine,Grant,Rose,Vine
58	14	8	12	10	3,111	Jet Flush	Cedar, Grant, Josephine
59	39	6	10	8	6,706	Jet Flush	Rose, California, McGee, Edith
60	42	6	18	8	10,327	Jet Flush	Sacramento,Hopkins,McGee,Carlotta,Ada,Holly
61	13	6	8	8	3,661	Jet Flush	MLK,Virginia,McGee,Edith,Josephine
62	20	6	15	9	4,366	Jet Flush	Cedar,Sacramento,Lincoln,Grant,California,Edith,Mcgee
63	22	6	10	8	5,548	Jet Flush	Francisco,Virginia,Sacramento,California
64	19	8	10	8	4,800	Jet Flush	Delaware,Grant,Sacramento,California
65	18	8	12	9	4,562	Jet Flush	Hearst,Sacramento,Berkeley
66	22	6	8	8	5,812	Jet Flush	University,Berkeley,California,McGee
67	30	6	15	10	7,326	Jet Flush	Addison
68	18	6	33	12	4,445	Jet Flush	Oxford,University,Shattuck,Addison,Center
69	47	6	33	9	7,041	Jet Flush	Allston, Fulton, Bancroft
70	31	6	36	16	6,012	Jet Flush	Shattuck, Milvia, Bancroft
71	32	6	10	8	6,625	Jet Flush	Center, Allston, MLK, Shattuck
72	21	6	8	8	5,396	Jet Flush	Bancroft,McGee,Roosevelt,Grant
73	31	6	12	8	6,435	Jet Flush	Bancroft,Allston,Spaulding,California
74	23	6	15	9	6,346	Jet Flush	MLK,Channing,McKinley,Roosevelt

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
75	23	6	15	10	5,489	Jet Flush	Channing,Sacramento,Spaulding,California,Jefferson,McGee
76	29	6	15	10	7,966	Jet Flush	Dwight,Spaulding,California,Jefferson,McGee
77	18	8	10	9	5,168	Jet Flush	California,Carleton,Parker,Blake
78	24	6	10	8	6,236	Jet Flush	McGee,Carleton,Parker,Blake,Grant
79	16	8	12	9	4,199	Jet Flush	Dwight,Shattuck
80	20	6	10	8	5,102	Jet Flush	Channing,Haste,MLK,Milvia,Durant,McKinley
81	16	4	8	7	3,985	Jet Flush	Blake,Parker,Carleton,Milvia
82	18	6	36	18	4,290	Jet Flush	Fulton,Derby,Carleton,Parker
83	19	6	33	14	5,206	Jet Flush	Fulton,Derby,Durant,Shattuck
84	19	8	33	14	4,404	Jet Flush	Durant,Channing,Fulton
85	22	6	33	10	5,942	Jet Flush	Dwight,Haste,Ellsworth,Dana,Fulton
86	21	6	8	8	5,195	Jet Flush	Carleton,Blake,Fulton,Dana
87	40	6	18	11	7,515	Jet Flush	Parker,Fulton,Ellsworth
88	58	6	18	9	10,623	Jet Flush	Dwight,Telegraph,Bowditch,Bancroft,Haste
89	30	8	12	9	5,832	Jet Flush	Parker,Dwight,Regent,Hillgrass,Benvenue,College
90	30	6	8	7	8,088	Jet Flush	Parker,College,Etna,Piedmont,Warring,Regent,Hillegrass,Benvenue
91	44	6	14	8	7,734	Jet Flush	Bancroft,Piedmont,Prospect, Dwight,Hillside,Channing,Warring
92	64	6	10	6	7,505	Jet Flush	Canyon,Panoramic,Arden,Dwight
93	46	6	8	7	8,594	Jet Flush	Forest, Derby, Claremont
94	23	6	8	7	5,844	Jet Flush	College,Garber,Stuart,Piedmont,
95	29	6	8	7	5,784	Jet Flush	Russell,Ashby,Pine,
96	28	6	14	10	5,153	Jet Flush	Claremont,Hazel,Ashby
97	43	6	12	8	6,553	Jet Flush	Tunnel,Roble,Bridge
98	26	6	8	8	4,922	Jet Flush	Vicente,Alvarado
99	44	6	8	8	6,648	Jet Flush	Domingo,El Camino Real,The Uplands,The Plaza
100	41	6	10	8	6,636	Jet Flush	Oakvale,The Plaza,Parkside,The Uplands,Encina
101	43	6	10	8	5,237	Jet Flush	Hillcrest,Claremont,Chabolyn,The Footway,The Uplands
102	42	6	10	8	6,528	Jet Flush	College,Alcrataz,Lewiston,Eton,Claremont
103	19	8	15	10	5,432	Jet Flush	Prince, Woolsey, Claremont
104	36	8	10	8	7,167	Jet Flush	Webster,College,Elmwood,Piedmont,Pine
105	32	6	12	9	8,419	Jet Flush	Russell,Benvenue,Hillegrass,Regent,Telegraph
106	23	6	18	10	5,183	Jet Flush	Ashby,Telegraph,College
107	46	6	21	10	8,419	Jet Flush	Regent, Hillegass, College
108	29	6	21	11	5,620	Jet Flush	Telegraph,Woolsey,Prince
109	16	6	8	8	3,333	Jet Flush	Webster,Ashby,Howe,Ellsworth,Telegraph
110	21	8	21	13	4,914	Jet Flush	Woolsey,Prince,Deakin,Fulton
111	23	6	21	12	5,442	Jet Flush	Woolsey, Prince,Tremont,Wheeler

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
112	22	6	45	11	4,552	Jet Flush	Emerson,Essex,Wheeler,Adeline
113	20	6	39	12	5,791	Jet Flush	Ashby,Adeline,Deakin
114	26	8	36	10	7,369	Jet Flush	Russell,Oregon,Adeline,Ellsworth
115	24	8	36	16	6,574	Jet Flush	Stuart,Ward,Adeline,Fulton
116	24	6	8	8	6,144	Jet Flush	Ward,Derby,Ellsworth,Telegraph
117	22	6	8	8	5,120	Jet Flush	Derby,Ward,Stuart,MLK,Grant
118	17	6	8	7	3,380	Jet Flush	Oregon,Grant Stuart,MLK
119	18	6	15	11	4,557	Jet Flush	Grant, Russell, Adeline
120	19	6	45	15	5,059	Jet Flush	Harper, MLK, Ashby
121	21	6	15	9	4,700	Jet Flush	Adeline, Harmon, Alcatraz
122	11	8	48	37	3,094	Jet Flush	Adeline/MLK
123	15	6	8	8	3,381	Jet Flush	California, King, 62nd, 63rd
124	18	6	15	10	4,873	Jet Flush	Alcatraz, Ellis, Adeline
125	18	6	18	9	4,595	Jet Flush	Idaho, Harmon, King
126	15	6	8	8	4,131	Jet Flush	Fairview
127	15	8	48	23	3,721	Jet Flush	Woosley,Sacramento
128	19	6	39	11	4,760	Jet Flush	Prince,Sacramento,Tyler,Ellis
129	22	6	39	13	5,529	Jet Flush	Julia,Ashby,California,King,Ellis
130	19	6	10	8	4,591	Jet Flush	Russell,Oregon,California,McGee
131	16	8	10	9	4,796	Jet Flush	Stuart,Ward, California,McGee
132	22	8	30	15	4,872	Jet Flush	Sacramento,Derby
133	21	6	18	12	5,021	Jet Flush	Haskell,66th,67th,Mabel,Acton
134	19	8	14	9	5,563	Jet Flush	San Pablo,Carrison,Mabel,Acton,Dohr,Stanton
135	24	6	36	22	5,706	Jet Flush	Ashby, Sacramento
136	17	6	10	8	4,273	Jet Flush	Burnett,Russell,San Pablo,Dohr,Stanton,Acton
137	22	6	8	8	5,041	Jet Flush	Russell,Oregon,Park,Acton,Dohr,Mabel,Mathews
138	16	6	12	8	4,538	Jet Flush	Oregon, San Pablo, Wallace
139	25	6	12	8	5,805	Jet Flush	Ward,Derby,San Pablo,Sacramento
140	25	6	12	9	4,890	Jet Flush	Carleton, San Pablo
141	23	6	8	8	5,271	Jet Flush	Parker,Blake
142	27	6	10	9	6,493	Jet Flush	Dwight, San pablo,Acton
143	20	8	10	8	5,126	Jet Flush	Channing,Sacramento,Valley,Edwards
144	33	6	8	8	7,919	Jet Flush	Sacramento, Acton,Bancroft,West,Edwards,North Valley
145	23	6	10	8	5,069	Jet Flush	Bancroft,Curtis,Browning,Bonar
146	19	6	12	8	5,380	Jet Flush	Allston, San Pablo, West
147	39	6	24	12	5,915	Jet Flush	Folger, Murray, San Pablo
148	30	8	45	24	7,609	Jet Flush	San Pablo, Ashby, Potter

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
149	26	6	21	12	6,031	Jet Flush	Heinz, 10th, 7th
150	27	6	21	10	6,623	Jet Flush	Pardee,Grayson,San Pablo,7th-10th
151	21	8	10	9	4,766	Jet Flush	Carleton,8th,9th,10th
152	29	6	8	7	8,372	Jet Flush	Parker, 5th, 10th
153	16	6	10	8	5,052	Jet Flush	Dwight, 6th, San Pablo
154	20	6	15	9	4,065	Jet Flush	Channing,Dwight,4th,5th
155	20	6	12	9	4,700	Jet Flush	Bancroft,7th-10th,San Pablo
156	17	4	18	11	4,553	Jet Flush	Union Pacific,Bancroft,4th,5th,6th
157	17	6	8	7	3,639	Jet Flush	Allston,9th,10th,San Pablo
158	19	8	18	11	5,258	Jet Flush	Union Pacific,Allston,4th,5th,6th,7th
159	18	6	18	12	4,130	Jet Flush	Addison, Curtis, Sacramento
160	23	6	18	10	4,950	Jet Flush	San Pablo, Byron, University
161	27	6	22	11	6,628	Jet Flush	University,Addison,6th-10th
162	32	2.5	42	13	3,445	Jet Flush	Eastshore Pedestrian,University,Addison
163	31	6	66	19	7,515	Jet Flush	2nd, 4th, 5th, Hearst
164	30	6	12	9	5,170	Jet Flush	University
165	23	6	12	7	6,637	Jet Flush	Delaware, Hearst, 6th
166	22	6	8	8	5,369	Jet Flush	San Pablo,Hearst,Sacramento
167	24	8	12	9	4,791	Jet Flush	Berkeley,University,Curtis,Chestnut,West
168	19	6	8	7	4,517	Jet Flush	Delaware, Chestnut, Acton
169	19	6	8	7	4,037	Jet Flush	Francisco,San Pablo
170	26	6	12	10	4,389	Jet Flush	Virginia
171	35	6	30	12	9,199	Jet Flush	Virginia,6th-10th,San Pablo
172	50	6	48	18	9,679	Jet Flush	Virginia, Cedar, 2nd
173	33	6	27	12	8,337	Jet Flush	Cedar,8th,9th,10th,San Pablo
174	21	8	15	10	4,519	Jet Flush	Cedar, Stannage, Cornell
175	26	6	24	11	4,559	Jet Flush	Curtis, Cedar, Belvedere
176	44	6	15	8	8,069	Jet Flush	Cedar,Acton
177	20	8	18	10	4,848	Jet Flush	Rose,Hopkins,Cornell
178	34	6	18	10	7,739	Jet Flush	Hopkins,Ordway Acton,Albina,Ada
179	33	6	24	12	6,960	Jet Flush	Hopkins,Ada,Peralta,Nothside
180	35	6	18	9	6,602	Jet Flush	Curtis,Neilson,Hopkins
181	20	8	10	8	5,421	Jet Flush	San Pablo,Santa Fe,Page,Jones
182	21	6	12	8	5,841	Jet Flush	Jones,Union Pacific,San Pablo
183	22	8	12	9	6,123	Jet Flush	Union Pacific,Page,4th-10th
184	31	6	12	8	6,283	Jet Flush	Union Pacific,Camelia,4th,6th,7th,9th,10th,San Pablo
185	34	6	48	17	8,215	Jet Flush	2nd, Page, Gilman

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
186	22	6	10	8	6,288	Jet Flush	Harrison,4th,5th,6th,7th,10th,San Pablo
187	27	6	15	9	5,797	Jet Flush	Gilman,5th-10th
188	23	6	10	8	6,136	Jet Flush	San Pablo,Kains,Stannage,Cornell Gilman
189	18	6	10	8	4,821	Jet Flush	Cornell,Gilman,Talbot,Evelyn,Masonic
190	38	6	16	12	10,247	Jet Flush	Seawall, Marina,University
191	69	10	42	21	14,893	Jet Flush	Washington,Portland
301	14	6	8	6	1,769	Handrod	Btw Curtis & Vicente
302	16	6	8	7	1,614	Handrod	Btw Claremont & The Footway
303	11	6	6	6	1,099	Handrod	Btw Vincente & Menlo
304	10	6	6	6	1,409	Handrod	Btw Ensenada & Vincente
305	11	6	6	6	1,403	Handrod	Btw The Alameda & Vincente
306	6	6	6	6	954	Handrod	Btw Tacoma & San Lorenzo
307	10	6	8	6	1,558	Handrod	Btw Catalina & San Lorenzo
308	13	6	6	6	1,127	Handrod	Btw The Alameda & Yosemite
309	8	6	6	6	990	Handrod	Btw Vallejo & Thousand Oaks
310	11	6	6	6	1,400	Handrod	Btw San Antonio & Yosemite
311	15	6	8	8	1,312	Handrod	Kensington Border
312	12	6	8	6	1,414	Handrod	Btw Yosemite &
313	17	6	8	7	1,225	Handrod	Btw Arlington & San Luis
314	14	6	8	6	1,515	Handrod	Btw The Alameda & Yosemite
315	12	6	8	6	1,151	Handrod	Btw San Diego & Santa Barbara
316	18	6	6	6	1,424	Handrod	Btw Santa Barbara & Spruce
317	18	6	6	6	1,360	Handrod	Btw San Luis & Santa Barbara
318	17	6	10	7	1,370	Handrod	Btw Santa Barbara & Boynton
319	15	6	8	7	1,059	Handrod	Btw Boynton & Vermont
320	20	6	6	6	1,881	Handrod	Btw Vermont & Kentucky
321	16	6	6	6	1,717	Handrod	Btw Santa Barbara & Michigan
322	13	6	6	6	1,309	Handrod	Btw Kentucky & Spruce
323	11	6	8	7	1,089	Handrod	Btw Spruce & Grizzly Peak
324	16	4	6	6	1,527	Handrod	Btw Spruce & Cragmont
325	12	6	8	7	1,286	Handrod	Btw Cragmont & Euclid
326	6	6	6	6	1,118	Handrod	BTW Euclid & Grizzly
327	6	6	6	6	1,062	Handrod	Btw Grizzly & Fairlawn
328	10	6	6	6	500	Handrod	Btw Vistamont & Wildcat Canyon
329	10	6	6	6	1,047	Handrod	Btw Keeler & Grizzly Peak
330	14	6	6	6	1,389	Handrod	Btw Euclid & Keeler
331	10	6	8	6	1,420	Handrod	Btw Spruce & Euclid

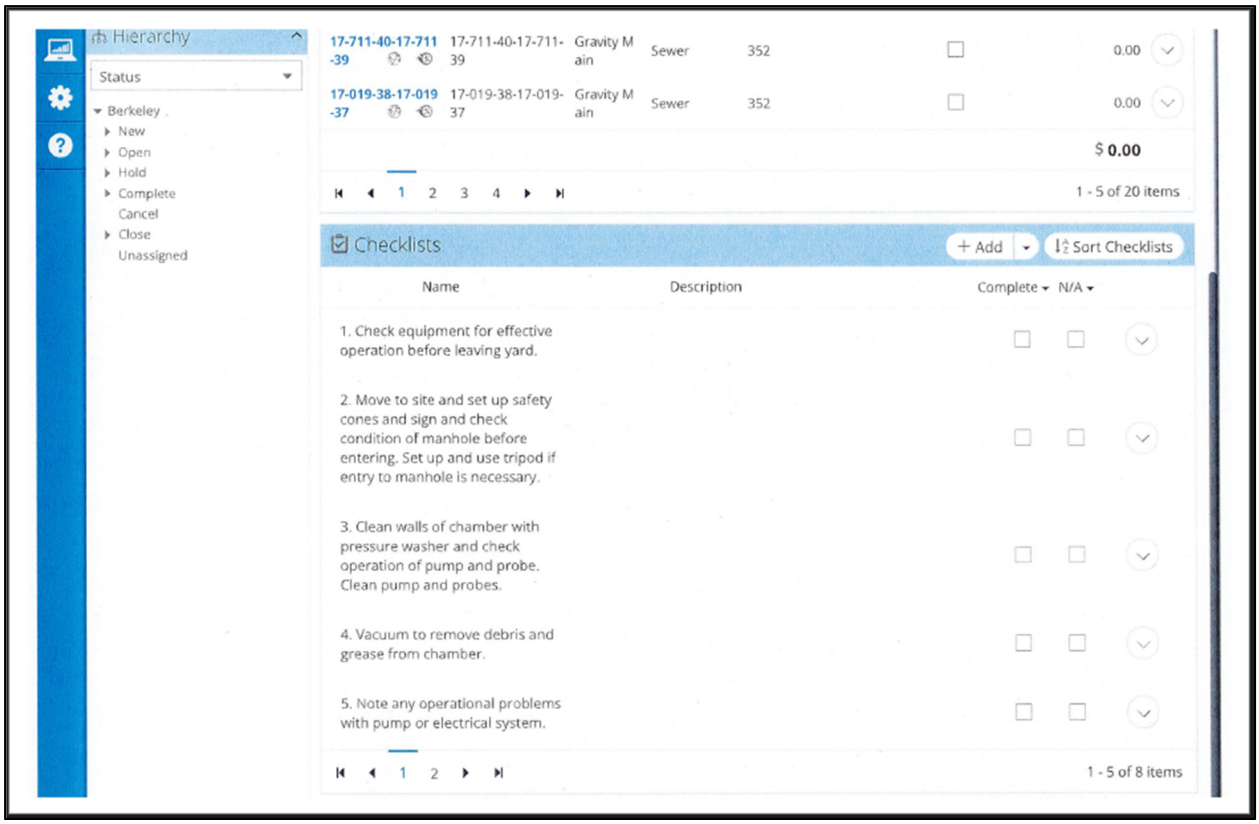
Sewer Routine Maintenance Sector List

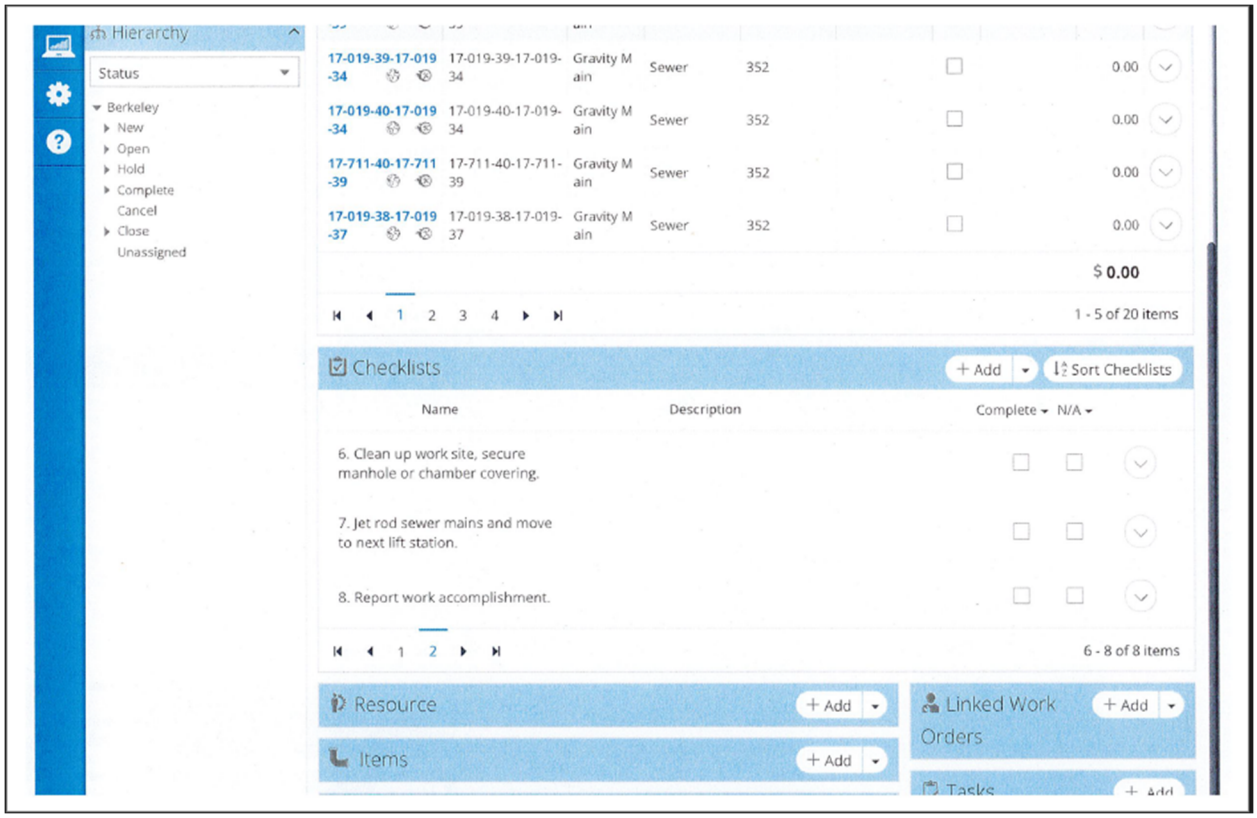
Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
332	12	6	8	6	1,367	Handrod	Btw Rock & Hilldale
333	10	6	8	7	1,047	Handrod	Btw Santa Barbara & Cragmont
334	12	6	6	6	1,167	Handrod	Btw Indian Rock & Marin
335	14	6	8	6	1,255	Handrod	Btw Arlington & Indian Rock/San Diego
336	10	6	6	6	1,371	Handrod	Btw Mendocino & Indian Rock
337	11	6	8	6	1,426	Handrod	Btw Contra Costa & Arlington
338	8	6	8	6	1,443	Handrod	Btw Fresno & Alameda and Alameda & Contra Costa
339	15	6	8	7	1,449	Handrod	Btw Carlotta & Josephine
340	11	6	6	6	1,424	Handrod	Btw Shattuck & The Alameda
341	19	6	8	7	1,136	Handrod	Btw The Alameda & Walnut
342	19	6	8	6	1,595	Handrod	Btw Scenic & Euclid
343	7	6	8	6	1,141	Handrod	Btw Mariposa & Shattuck
344	13	6	6	6	1,326	Handrod	Btw Spruce & Del Norte
345	7	6	6	6	803	Handrod	Btw Oxford & Shattuck
346	7	6	8	6	990	Handrod	Btw Oxford & Spruce
347	9	6	6	6	1,147	Handrod	Btw San Benito & Cragmont
348	12	6	6	6	1,171	Handrod	Btw Spruce & Euclid
349	5	6	6	6	1,077	Handrod	Btw Sprucec & Bret Harte
350	16	6	8	7	1,256	Handrod	Btw Keith & Euclid
351	8	6	6	6	1,231	Handrod	Btw Cragmont & Keith
352	13	6	6	6	1,326	Handrod	Btw Cragmont & Euclid
353	9	6	8	6	1,280	Handrod	Btw Bonnie/Euclid & Hilldale
354	13	6	8	6	1,595	Handrod	Btw Hilldale & Grizzly Peak
355	13	6	8	7	1,254	Handrod	Btw Euclid & Miller
356	8	6	6	6	1,341	Handrod	Btw Grizzly & Creston
357	17	6	8	7	1,510	Handrod	Btw Overlook & Wildcat Canyon
358	14	6	6	6	1,219	Handrod	Btw Park Hills & Hillview
359	7	6	6	6	1,119	Handrod	Btw Miller & Grizzly
360	17	4	6	6	1,490	Handrod	Btw Cragmont & Miller
361	15	6	8	7	1,354	Handrod	Btw Euclid & Keeler
362	8	6	6	6	1,109	Handrod	Btw Keith & Keeler
363	12	6	6	6	1,126	Handrod	Btw Keller & Sterling/Campus
364	14	6	6	6	1,398	Handrod	Btw Sterling & Grizzly Peak
365	9	6	8	6	1,152	Handrod	Btw Campus & Grizzly Peak
366	16	6	8	7	1,178	Handrod	Btw Keith & Northgate/Keeler
367	7	6	6	6	984	Handrod	Btw Euclid & Keith
368	9	6	8	8	1,165	Handrod	Btw Glen & Euclid

Sewer Routine Maintenance Sector List

Sector No.	No. of Assets	Smallest Pipe (In.)	Largest Pipe (in.)	Average Pipe Size (in.)	Total Pipe Length (ft.)	Activity	Streets in Sector
369	8	6	8	7	1,378	Handrod	Btw Euclid & Tamalpais
370	14	6	8	6	1,168	Handrod	Btw Campus & Queens
371	22	6	8	7	1,479	Handrod	Btw Queens & Fairlawn
372	14	6	8	6	1,287	Handrod	Btw Summit & Fairlawn
373	12	6	8	6	968	Handrod	Btw Avenida & Summit
374	11	6	6	6	964	Handrod	Btw Olympus & Summit
375	17	6	8	6	1,092	Handrod	Btw Queens & Fairlawn
376	11	6	8	7	1,136	Handrod	Btw Queens & Glendale
377	14	6	6	6	1,098	Handrod	Btw Campus & Fairlawn
378	11	4	6	6	905	Handrod	Btw Parnassus & Olympus
379	19	6	8	7	1,570	Handrod	Btw Buena Vista & Parnassus
380	27	6	8	6	1,642	Handrod	Btw La Vereda & Campus
381	5	6	8	7	421	Handrod	Btw La Loma & Buena Vista
382	13	6	8	6	1,367	Handrod	Btw Oxford & Arch
383	15	6	8	7	1,387	Handrod	Btw Panoramic & Arden
384	10	6	6	6	1,532	Handrod	Btw Derby & Garber
385	12	6	6	6	1,356	Handrod	Btw Garber & Ashby
386	12	6	8	6	1,701	Handrod	Btw The Plaza & El Camino Real
387	8	6	6	6	1,355	Handrod	Btw Tunnel & Vicente
388	7	6	6	6	877	Handrod	Btw Tunnel & El Camino Real
389	15	4	8	7	2,191	Handrod	Btw Roanoke & Roble
390	7	6	6	6	767	Handrod	Claremont & Brookside
391	6	8	18	13	1,200	Handrod	Union Pacific
392	4	8	8	8	948	Handrod	Btw Carleton & Grayson
393	5	10	27	19	1,624	Handrod	Union Pacific
394	17	6	16	8	2,105	Handrod	Various Locations

Appendix 4-D Lift Station Maintenance Work Order Form


Hierarchy
Status
Berkeley
New
Open
Hold
Complete
Cancel
Close
Unassigned
17-711-40-17-711-39 17-711-40-17-711-39 Gravity Main Sewer 352 0.00
17-019-38-17-019-37 17-019-38-17-019-37 Gravity Main Sewer 352 0.00
$ 0.00
1 2 3 4
1 - 5 of 20 items
Checklists
+ Add
Sort Checklists
Name
Description
Complete
N/A
1. Check equipment for effective operation before leaving yard.
2. Move to site and set up safety cones and sign and check condition of manhole before entering. Set up and use tripod if entry to manhole is necessary.
3. Clean walls of chamber with pressure washer and check operation of pump and probe. Clean pump and probes.
4. Vacuum to remove debris and grease from chamber.
5. Note any operational problems with pump or electrical system.
1 2
1 - 5 of 8 items


Hierarchy
Status
Berkeley
New
Open
Hold
Complete
Cancel
Close
Unassigned
17-019-39-17-019-34 17-019-39-17-019-34 Gravity Main Sewer 352 0.00
17-019-40-17-019-34 17-019-40-17-019-34 Gravity Main Sewer 352 0.00
17-711-40-17-711-39 17-711-40-17-711-39 Gravity Main Sewer 352 0.00
17-019-38-17-019-37 17-019-38-17-019-37 Gravity Main Sewer 352 0.00
$ 0.00
1 2 3 4
1 - 5 of 20 items
Checklists
+ Add
Sort Checklists
Name
Description
Complete
N/A
6. Clean up work site, secure manhole or chamber covering.
7. Jet rod sewer mains and move to next lift station.
8. Report work accomplishment.
1 2
6 - 8 of 8 items
Resource
+ Add
Items
+ Add
Linked Work Orders
+ Add
Tasks
+ Add

Appendix 4-E Manhole Inspection Form

City of Berkeley

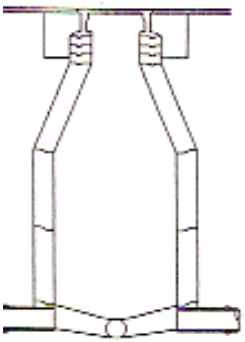
MANHOLE NUMBER:

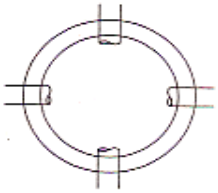
Overall Rating (New to failing) 0 to 5 _____

MANHOLE INSPECTION FORM

Inspection Date:
Inspector:
Man Hole Depth:
Street Name:
Nearest Address:
GPS:
GPS:

Cannot Inspect CNL CNA CNO





Overflow/Diversion Lines Present ?
- ☐ Yes
- ☐ No

Other Utility Lines Present?
- ☐ Yes
- ☐ No

Drop Connection Present?
- ☐ No
- ☐ Inside
- ☐ Outside

I. MANHOLE INITIAL INSPECTION

A - Location
1. ☐ Roadway
2. ☐ Gutter
3. ☐ Paved Alley
4. ☐ Unpaved Alley
5. ☐ Easement
6. ☐ Other _____

B - Manhole Cover
1. ☐ Serviceable
2. ☐ Damaged
3. ☐ Missing
4. ☐ Loose
5. ☐ Sealed
6. ☐ Holes _____

C - Ring and Frame
1. ☐ Serviceable
2. ☐ Loose
3. ☐ Displaced
4. ☐ Missing Grout
5. ☐ Raise
6. ☐ Lower

D - Manhole Material
1. ☐ Brick
2. ☐ Concrete

E - Manhole Cover Size
1. ☐ 24"
2. ☐ 30"

F - Manhole Barrel Size
1. ☐ 48"
2. ☐ 60"
3. ☐ Other _____

G- Grade
1. ☐ At
2. ☐ Below
3. ☐ Above

II. STRUCTURAL INSPECTION

A - Rungs Pic.#_____
1. ☐ Serviceable
2. ☐ Unsafe
3. ☐ Missing (No.)
4. ☐ Corroded
5. ☐ No rungs

B - Cone Pic#____
1. ☐ Serviceable
2. ☐ Cracked/Broken
3. ☐ Corroded
4. ☐ Misaligned
5. ☐ Infiltration
6. ☐ Roots at joints

C - Riser Pic.#____
1. ☐ Serviceable
2. ☐ Cracked/Broken
3. ☐ Corroded
4. ☐ Misaligned
5. ☐ Infiltration
6. ☐ Roots at joints

D - Shelf Pic.#____
1. ☐ Serviceable
2. ☐ Cracked/Broken
3. ☐ Dirty
4. ☐ Corroded
5. ☐ Bad Base Joint

E - Channel Pic. #____
1. ☐ Serviceable
2. ☐ Obstructed
3. ☐ Corroded
4. ☐ Bad Pipe Joint(s)
5. ☐ Silt/Debris
6. ☐ Poor Struc. Cond.

F- Barrel Pic.#____
1. Serviceable
2. Cracked/Broken
3. Corroded
4. Misaligned
5. Infiltration
6. Roots at Joints

III. HYDRAULIC INSPECTION

A - Surcharge Indications
1. ☐ Grease/Debris on Sides/Rungs
2. ☐ Grease/Debris on Shelf

B - Clarity of Flow
1. ☐ Turbid Sewage Appearance
2. ☐ Clear Water Appearance

C - Flow Conditions
1. ☐ Steady
2. ☐ Pulsing
3. ☐ Turbulent
4. ☐ Surcharging
5. ☐ Sluggish

Recommendations (Note I, II, or III and letter and number):

General Observations

Appendix 4-F Major Sewer Equipment List

Number of Units	Equipment Type
2	Combination Sewer Cleaning Units
2	CCTV Van

Appendix 4-G Critical Sewer Replacement Parts Inventory

Inventory/Condition Checked by: Jaime Valencia Inventory

Date: 04/21/2025

Part Description	Quantity in Inventory	Location
Flygt Sub Pump, 5hp, 60hz/240v/3ph	5	Streets Warehouse
Flygt Sub Pump, 20hp, 60hz/240v/3ph	2	Streets Warehouse
Multitrode 10” Water level Probes	2	Electrical Warehouse

Chapter 5 Appendices

Appendix 5-A Standards for Sanitary Sewers

Public Sanitary Sewer System – General

The City is fully developed (i.e., there are very few vacant lots) and therefore, the majority of the current and future sewer system design and construction projects consist of rehabilitation of the existing sewers. The design, construction, and inspection of new or rehabilitated public sewers (mains and lower laterals) shall conform to the *City of Berkeley Specifications for Sanitary Sewer Rehabilitation,* including Appendices, Standard Details and Detail Specifications, Regional Standards for Sanitary Sewer Installation, Rehabilitation and Repair, and the "*Greenbook"* Standard Specifications for Public Works Construction.

Materials

Gravity sewer mains shall be High-Density Polyethylene (HDPE) pipe with a minimum standard diameter ratio (SDR) of 17, or Cured-In-Place-Pipe (CIPP). Lower laterals shall be HDPE pipe (minimum SDR-17). Other materials may be used based on site conditions, and as approved by the City.

Sewer force mains shall be Ductile Iron Pipe (DIP) with an appropriate coating for sanitary sewer application, or HDPE (minimum SDR-17).

Alignment

Location of rehabilitated sewer mains shall follow the existing alignment as much as practicable to conform to the State of California, Department of Health Services, Guidance for the "Criteria for the Separation of Water Mains and Non-Potable Pipelines.

Location of new sewer mains shall conform to the State of California, Department of Health Services, Guidance for the "Criteria for the Separation of Water Mains and Non-Potable Pipelines.

Horizontal

1. Horizontal separation from storm drains or other sewer mains shall be a minimum of five feet clear between pipes except at crossings.
2. Horizontal separation from other utilities, such as gas, underground electric, underground television cable, etc., shall be a minimum of four feet clear between the pipes except at crossings.
3. Horizontal curves in new gravity sewer mains are not allowed.
4. All sewer main trenches that are parallel to and deeper than the footing of any adjacent structure must be at least 45 degrees from the footing as required in the California Plumbing code.

Vertical

1. Provide a minimum of twelve inches of vertical separation from potable water and six inches of vertical separation from storm drains or other utilities, such as gas, underground electric, underground television cable, etc. When the minimum cannot be maintained, plans shall indicate installation of felt expansion material or equivalent between facilities. To protect the sewer main from distorting under extreme loads, other measures, such as concrete encasement or ductile iron pipe, may be utilized.

2. Vertical curves in gravity sewer mains are not allowed.

Pipe Sizing Criteria

Design Flow

The design flows shall be based on the criteria developed for the City's *Sewer System Hydraulic Modeling and Capacity Assessment* (October 2012) and shall be determined based on the current version of the hydraulic model.

A. For any new connections to the system, the average daily wastewater flow, in gallons per day (GPD) shall be:

Single Family Residential	280 GPD per unit
Multi-Family Residential	200 GPD per unit
Non-residential	0.15 GPD/square foot of building floor space
Hotel	150 GPD/room
School	20 GPD per student

However, the City may require site-specific flow estimates on a case-by-case basis.

B. Peak dry weather flow will be based on the diurnal wastewater flow profiles used in the hydraulic model or 3 times the average daily wastewater flow if the model is not used.

C. Sewers that connect to existing sewers shall be designed to carry infiltrated water in addition to the volumes above, based on the I/I parameters in the hydraulic model applied to the City's design rainfall event.

Design Velocity

New gravity sewer mains shall be designed to achieve a minimum velocity of 2 fps during peak flow..

For the analysis of existing or proposed sewer systems, use the Manning Equation. Manning's Equation is:

$$V = \frac{1.486}{n}(r)^{\frac{2}{3}} \bullet (s)^{\frac{1}{2}} \qquad Q = AV$$

where:

V is the velocity of flow measured in feet per second.

r represents the hydraulic radius of the wetted cross-section of the pipe measured in feet. It is obtained by dividing the flow area by the length of the wetted perimeter.

s represents the slope of the energy gradient. It is numerically equal to the slope of the invert and the hydraulic surface in uniform flow.

A represents the cross-sectional area of the flowing water in square feet.

Q is the quantity of flow measured in cubic feet per second.

n is the coefficient of roughness which is used in Manning's Equation to calculate flow in a pipe. The coefficient of roughness shall be based on pipe material and shall be determined by the manufacturer. However, for design purposes, the coefficient shall not be less than the following:

For new pipe: $n = 0.011$ For existing pipe: $n = 0.013$

Pipe Size

Gravity sewer mains shall be designed to flow 75% full at the future Peak Wet Weather Flow.

Minimum Pipe Size

Gravity sewer mains shall have a pipe size of no less than eight (8) inches in diameter.

The minimum pipe size for a lower lateral serving a single-family house is four (4) inches in diameter. The pipe size for a lower lateral serving an apartment building or a large complex shall be determined based on the calculated peak flows. Peak flows are determined by counting units and plumbing fixtures as the basis for the flow estimate, in accordance with the California Plumbing Code.

Minimum Pipe Slope

The pipe slope for gravity sewer mains shall facilitate the minimum design velocity, but shall also maintain a minimum slope as follows:

Pipe Size, inches	Minimum Slope, ft/ft
8	0.0035
10	0.0025
12	0.0020
15	0.0015

Sewer Main and Lateral Pipe Trench Cover and Bedding

A. Cover is the distance from the top of the pipe to final finished grade measured directly over the pipe.
B. Minimum cover for all sewer mains and laterals shall be 36 inches.
C. Where cover is less than 36 inches, special construction techniques must be approved such as concrete encasement, use of ductile iron pipe, concrete cap over the trench or the use of controlled density fill (CDF).
D. Backfill for the new sewer trench must have a relative compaction of 90% in unpaved area and a minimum of 95% relative compaction in the vehicular traffic area.
E. Sewer pipe bedding shall be an imported mixture of combined mineral aggregates conforming to the requirements in the *City of Berkeley Specifications for Sanitary Sewer Rehabilitation*.
F. Trench cover or backfill material shall be either native material or imported material conforming to the requirements in the *City of Berkeley Specifications for Sanitary Sewer Rehabilitation*.

Connection to an Existing Sewer Main

A. Connect new mains to existing manholes or by constructing a new manhole over the point of connection. Elevations of new mains connecting to existing sewer mains shall be as follows:

Side sewer mains connecting to an existing main at an angle of 30 degrees or greater shall be at least 0.1 foot higher than existing.

Connect sewer mains so that the crown of the smaller main is no lower than the crown of the larger main.

B. Where laterals are the same size as the main, connection must be made with a manhole. Use a wye for all other lateral connections.

Manholes and Rodding Inlets

A. A manhole is required at every horizontal or vertical change in alignment.
B. Maximum distance between manholes is 400 feet.
C. A manhole is required at the end of every main in excess of 200 feet in length.
D. Rodding inlets may be installed in lieu of manholes at the end of a sewer main where the distance is less than 200 feet to the nearest manhole and the main size is 10-inch or less.
E. The manhole shall be designed such that the angle in the horizontal plane between the downstream and any incoming sewer is a minimum of 90 degrees.
F. Stubs provided out of manholes for future extensions shall have rodding inlets provided when more than one length of pipe is installed or where service laterals are connected to the stub.
G. Private sewer mains must connect to the public main at a manhole.
H. Standard drop manhole installations are required when the difference in elevation between the incoming and outgoing sewer is greater than 18 inches.
I. Manholes shall have a minimum barrel of 48 inches for sewer pipe 30 inches and less.

Sewer Laterals

A. The minimum sewer lateral size is 4-inch.
B. The minimum slope of sewer laterals is 2 percent or ¼-inch per foot for 4-inch laterals.
C. All sewer laterals, from property line or edge of easement to the point of connection with the main line or a manhole, shall generally be perpendicular to the curb alignment or easement and will have an angle of intersection with the downstream section of sewer of no less than 90 degrees.
D. No lateral alignments adverse to the flow of the main will be permitted.
E. Lateral connections must be accessible and easy to locate.

Abandonment

A. Existing sewer mains and lower laterals that will not be used shall be abandoned in accordance with the *City of Berkeley Specifications for Sanitary Sewer Rehabilitation*. Additionally, abandonment of lower laterals shall conform to the prescriptions given in the City of Berkeley memorandum, dated December 9, 1985, with the subject of "NEW POLICY, BUILDING SEWER LATERAL ABANDONMENT AND RE-USE".

B. Manhole abandonment shall, at a minimum, require removal of the upper portion (down to 3 feet from finish grade) and perforation of the bottom, either by using a jack hammer or any other tools or equipment, and shall be filled with backfill material and compacted to 90 percent relative compaction.

Appendix 5-B City of Berkeley Standard Details and Detail Specifications

STANDARD DETAILS
AND
DETAIL SPECIFICATIONS

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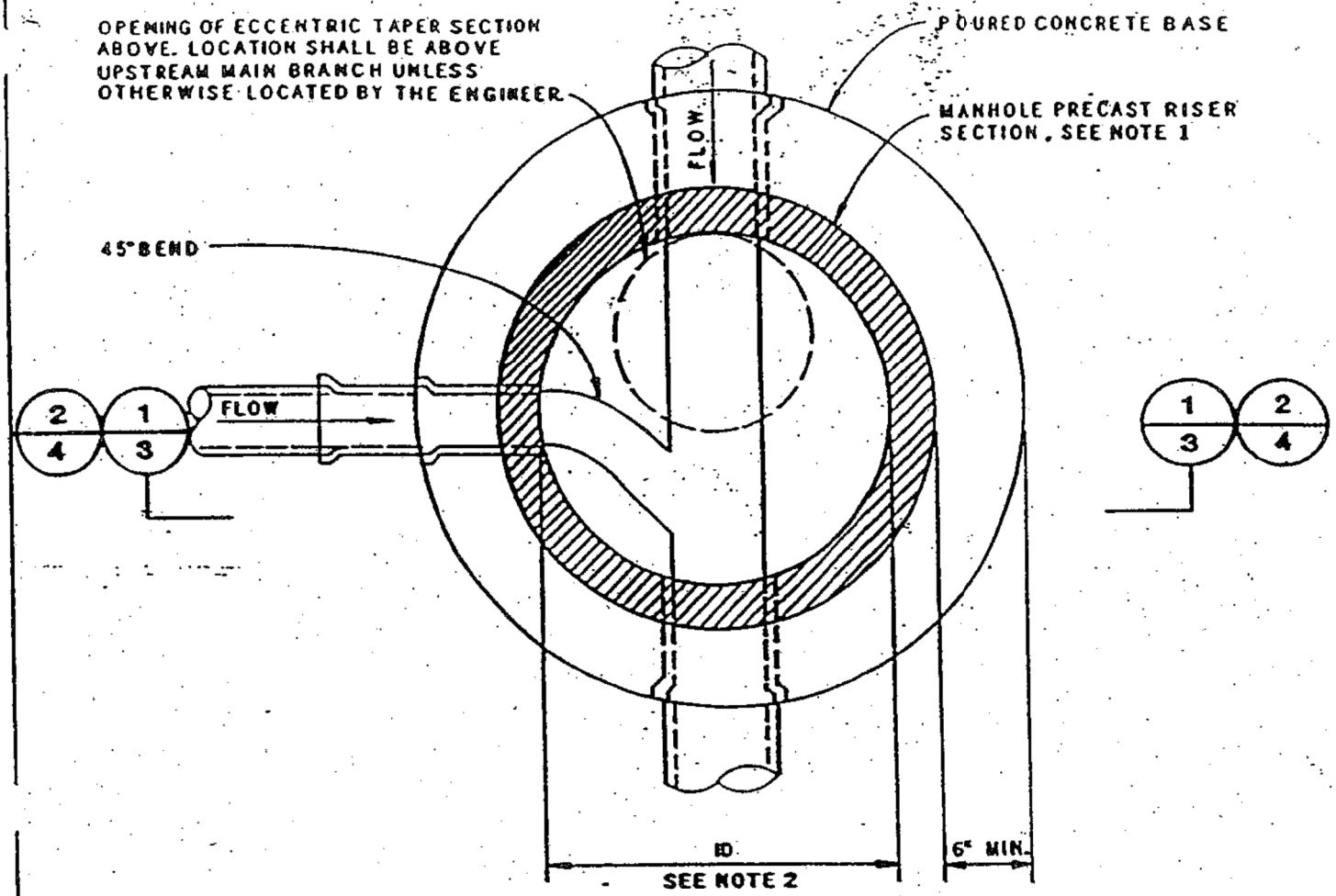


PLAN
NTS

NOTES

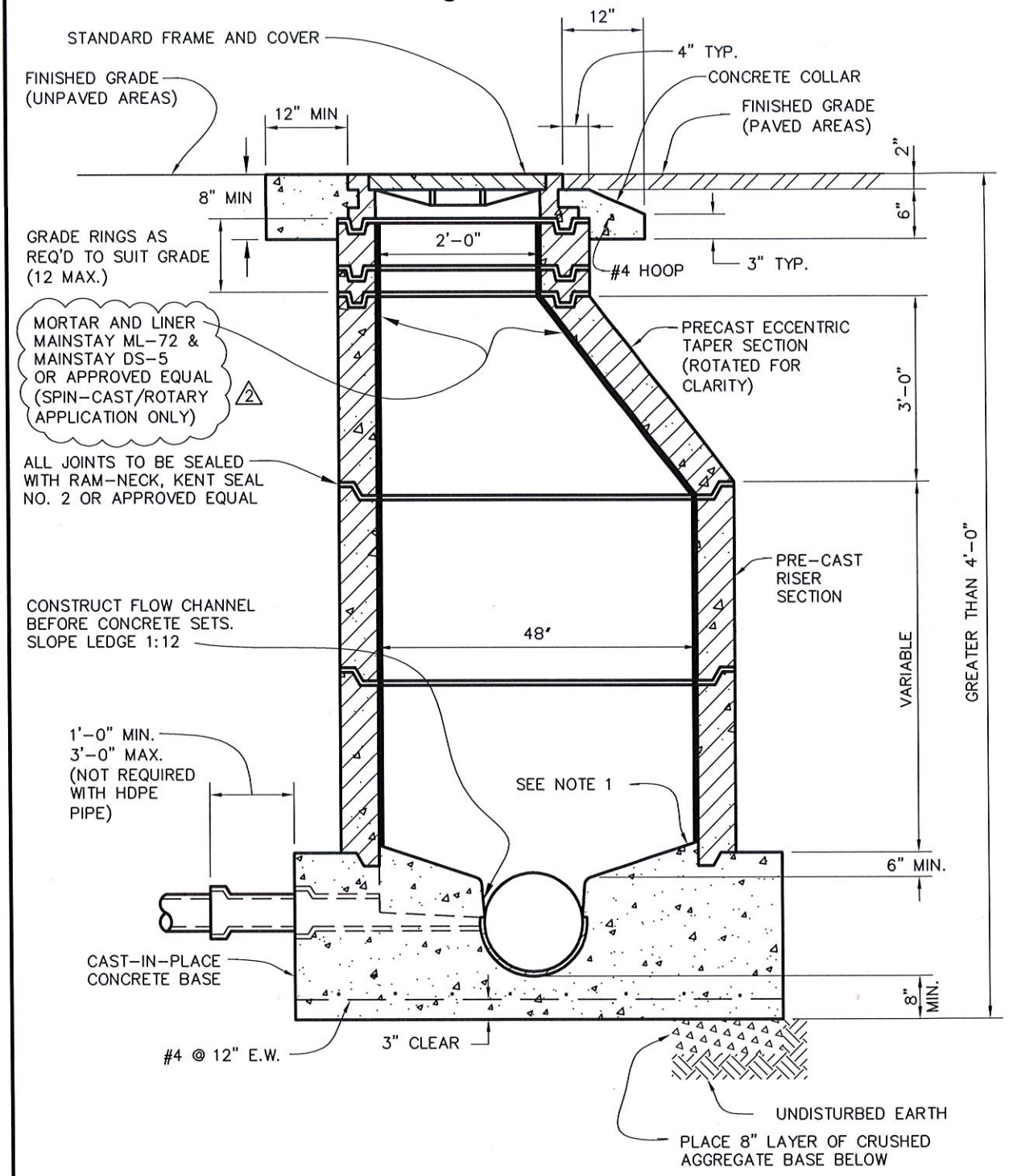
1. PRECAST CONCRETE GRADE RINGS, RISER SECTIONS AND CONE SECTIONS SHALL BE MANUFACTURED IN ACCORDANCE WITH ASTM C478, SEE DWGS. 3 & 4.
2. FOR SEWER PIPES 30 INCHES AND LESS: 60-48 INCHES: FOR SEWER PIPES 33 INCHES AND GREATER USE CONCRETE MANHOLE DETAILS AS SHOWN IN DWGS. 11 TO 12.
3. ALL MANHOLES SHALL BE PROVIDED WITH STEPS UNLESS OTHERWISE NOTED.
4) ALL MANHOLES FOR SEWER PIPE 33 INCHES AND GREATER SHALL BE 60 ID.

EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

STANDARD DETAIL

MANHOLE BASE

DATE:	RECOMMENDED:	APPROVED:	RCE	DWG NO. 2



NOTES

1. SET RISER SECTION IN 1:3 MORTAR MIX AND IN GROOVE FORMED IN BASE, OR POUR MONOLITHICALLY WITH BASE.
2. CAST-IN-PLACE CONCRETE FOR MANHOLE BASES AND CONCRETE COLLARS SHALL CONFORM TO SPEC. SECTION 201-1.1.2 AND BE CLASS 560-B-3250.

2 4/21/15 ADDED MORTAR & LINER
1 10/8/08 UPDATE AND REVISED TITLE BLOCK

PMHEC

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

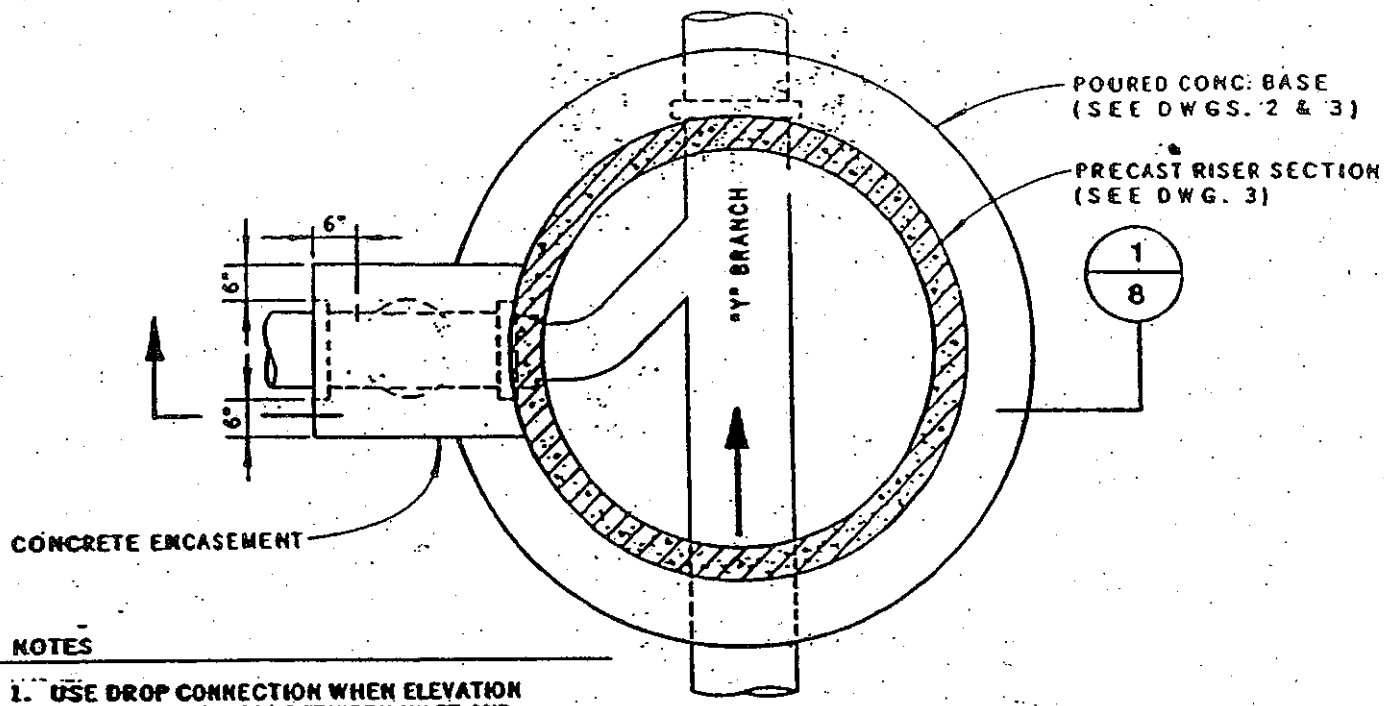
STANDARD DETAIL

PRECAST MANHOLE ECCENTRIC CONE

SUBMITTED: _____ DATE: 5/12/15
SUPERVISING CIVIL ENGINEER R.C.E. 54937 EXP. 6/30/16

APPROVED: _____ DATE: 5/12/15
MANAGER OF ENGINEERING R.C.E. 64314 EXP. 6/30/15

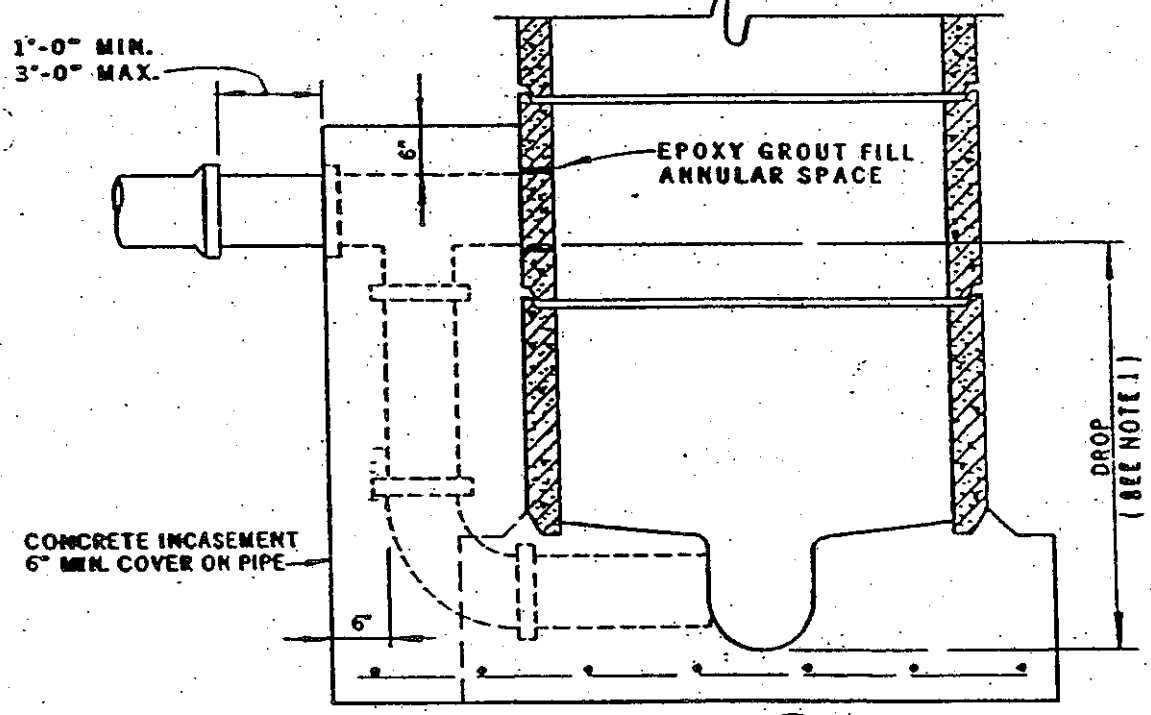
DESIGN: JR DRAWN: MS CHECK: _____
DATE: 1/02 SCALE: N.T.S. BOOK: _____
PLAN: 7895 Page 862 20-B-147



PLAN
N.T.S.

NOTES

1. USE DROP CONNECTION WHEN ELEVATION DIFFERENCE (DROP) BETWEEN INLET AND OUTLET SEWERS AT MANHOLES IS AT LEAST THE DISTANCE FOR THE REQUIRED FITTINGS AND THE DROP IS 1'-6" OR GREATER.



SECTION 1/8
N.T.S.

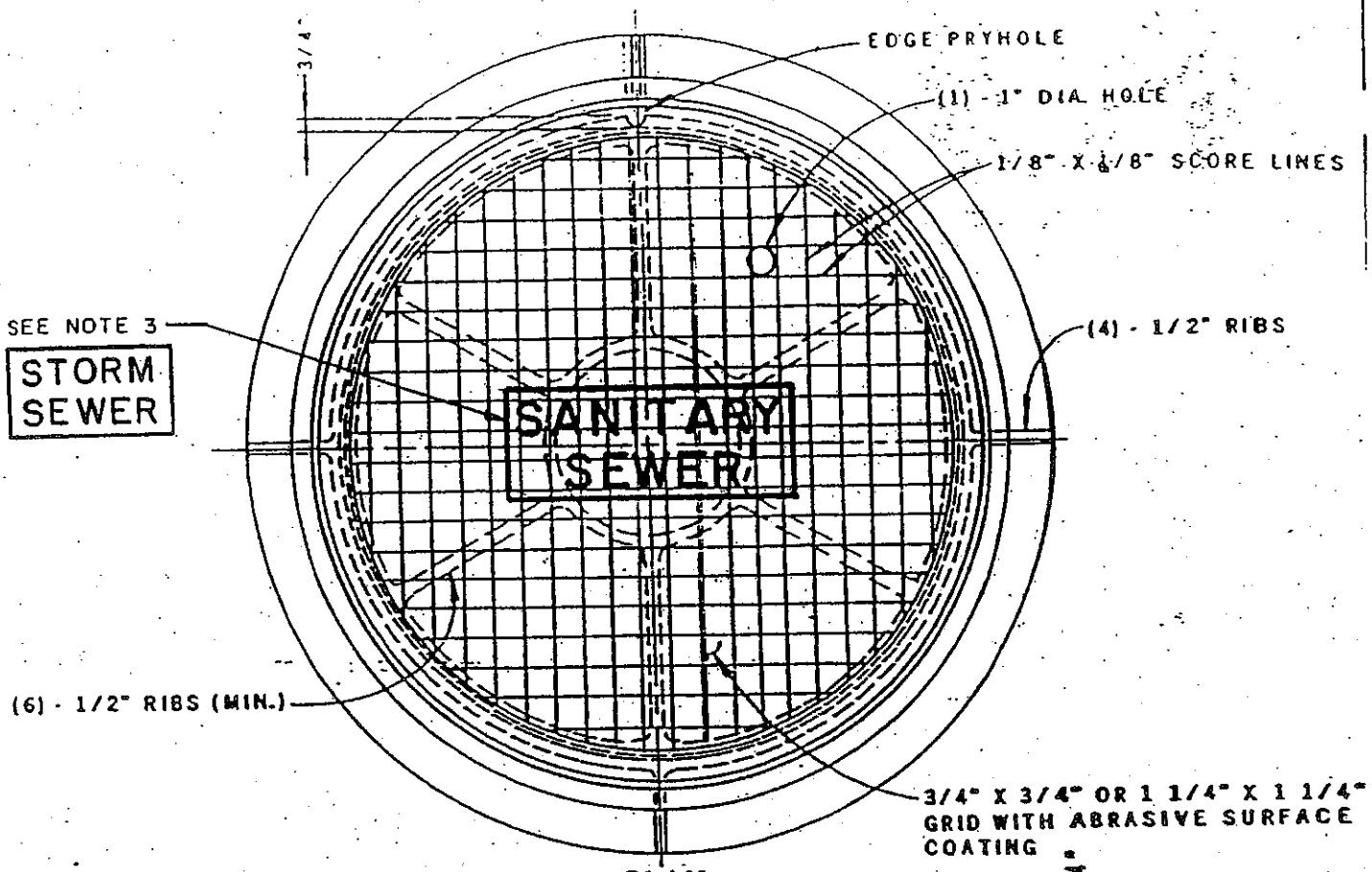
EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

STANDARD DETAIL

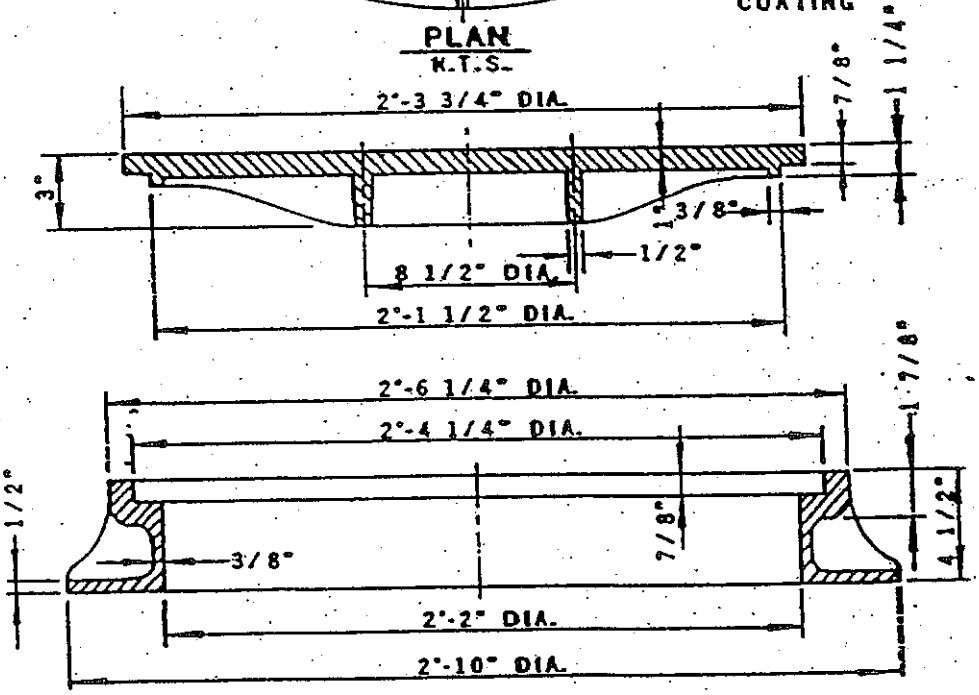
OUTSIDE DROP CONNECTION - CONCRETE ENCASED

DATE:	RECOMMENDED:	APPROVED:	RCE

DWG NO. 8



PLAN
N.T.S.



SECTIONS
N.T.S.

NOTES

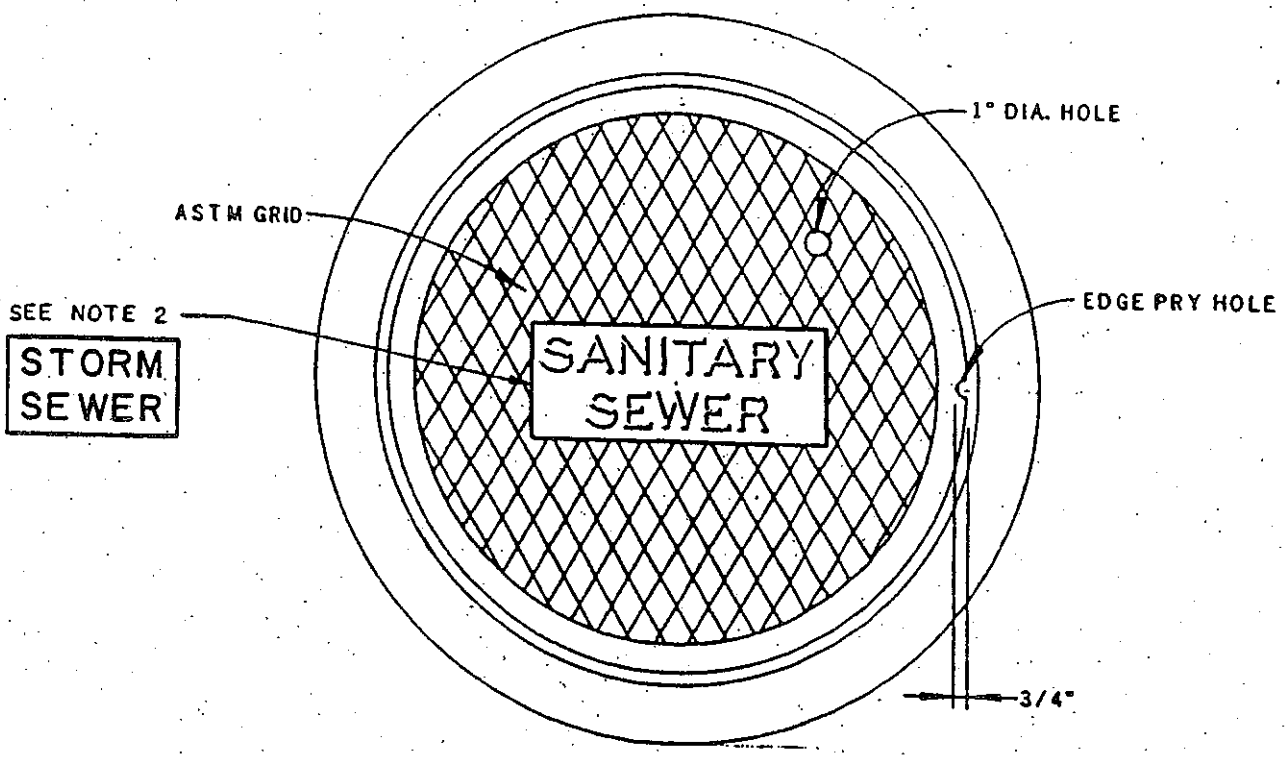
1. CONTACT AND BEARING SURFACES OF FRAME AND COVER SHALL BE MACHINED TO FIT ACCURATELY.
2. SHAFT OPENING OF MANHOLES SHALL BE 2'-0".
3. COVER TO BE MARKED IN RAISED LETTERS: "SANITARY SEWER" OR "STORM SEWER".
4. ALL MANHOLE COVERS SHALL HAVE CLOSED PICK-HOLES.

EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

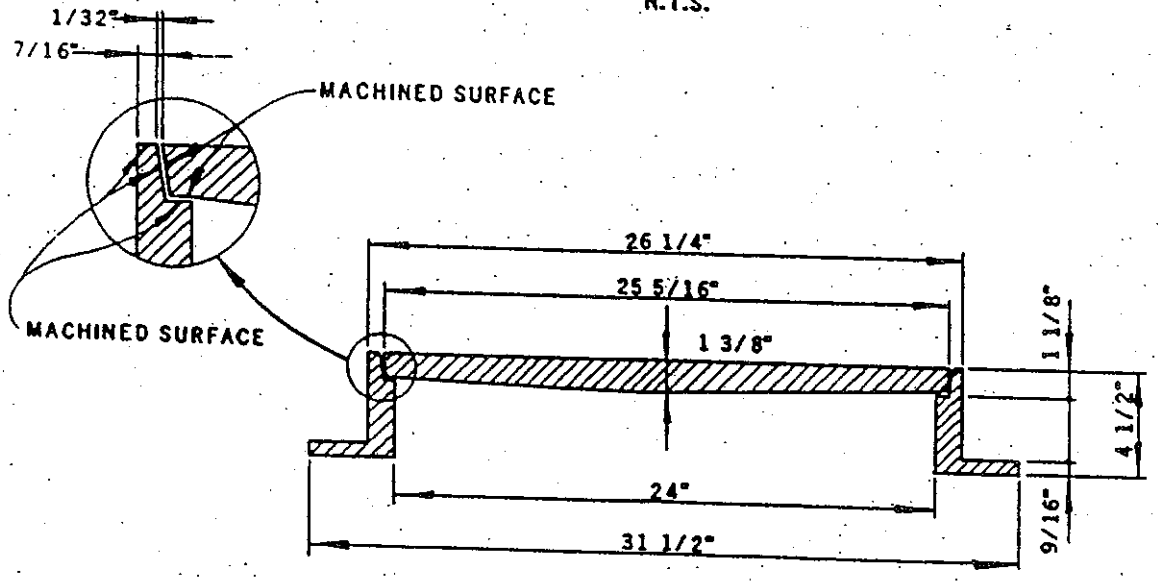
STANDARD DETAIL

MANHOLE COVER AND FRAME - TYPE A

DATE: | RECOMMENDED: | APPROVED: | RCE | DWG NO. 14



PLAN
N.T.S.



SECTION
N.T.S.

NOTE:
USE LIMITED TO PARKS, EASEMENTS AND OTHER AREAS

NOTES:

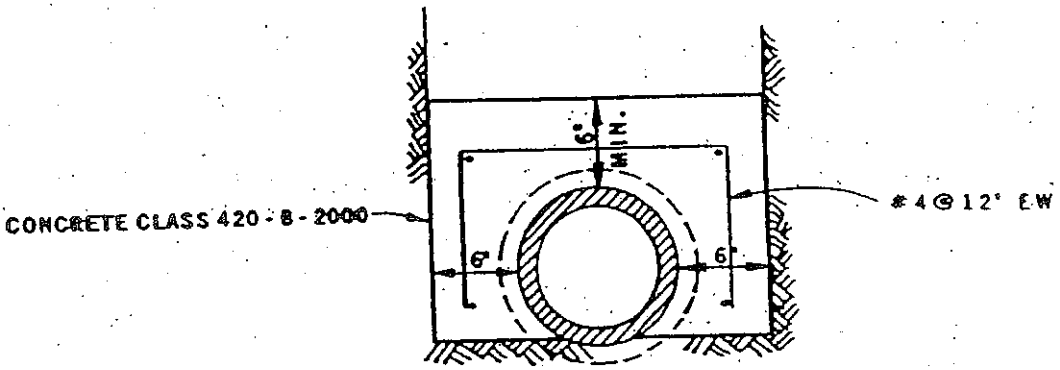
1. FRAME AND COVER DESIGN CONFORMS TO: AB & 1 NO. AB15005 OR AB 15007, PHOENIX NO P-1090, PINKERTON NO. A-64(
   OLYMPIC NO. 58222M, SOUTH BAY NO. 1900, OR OTHER APPROVED EUQAL.
2. COVER TO BE MARKED IN RAISED LETTERS: " SANITARY SEWER " OR "STORM SEWER".
3. ALL MANHOLE COVERS SHALL HAVE CLOSED PICK-HOLES.

EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

STANDARD DETAIL

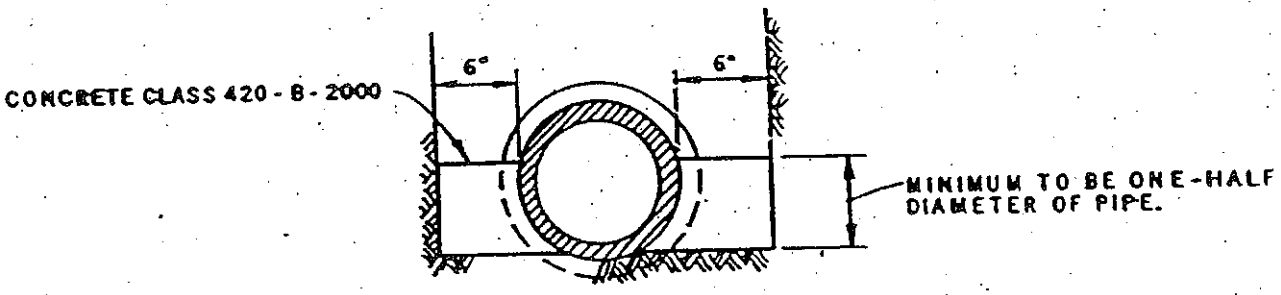
MANHOLE COVER AND FRAME - TYPE B

DATE: | RECOMMENDED: | APPROVED: -- RCE | DWG NO. 15



CONCRETE ENCASEMENT

TO BE USED WHERE PIPE COVER IS 3 FT. OR LESS
OR WHERE SPECIFIED ON PLAN.



CONCRETE BEDDING

TO BE USED WHERE COVER IS 13' - 6" OR GREATER
OR WHERE SPECIFIED ON PLAN.

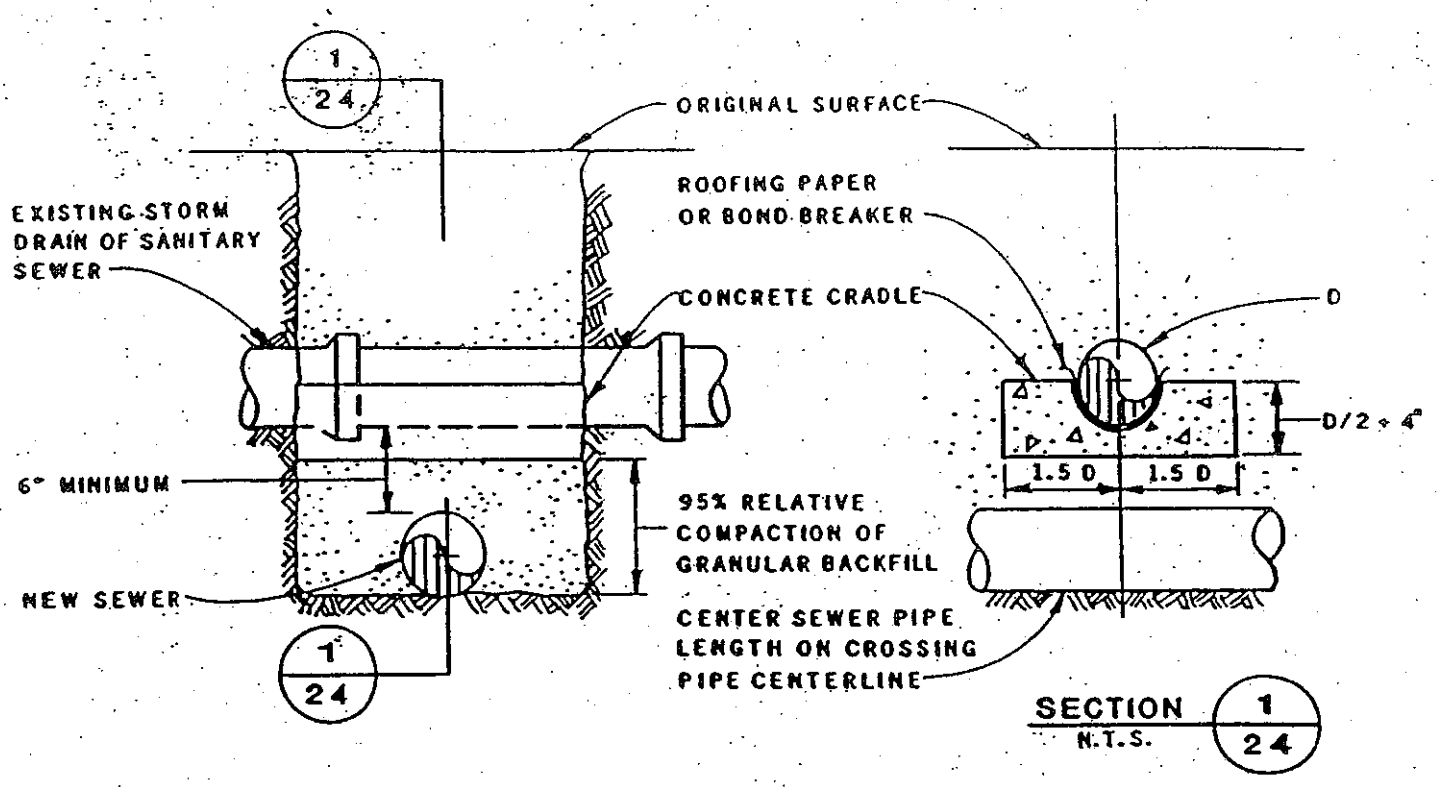
EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

STANDARD DETAIL

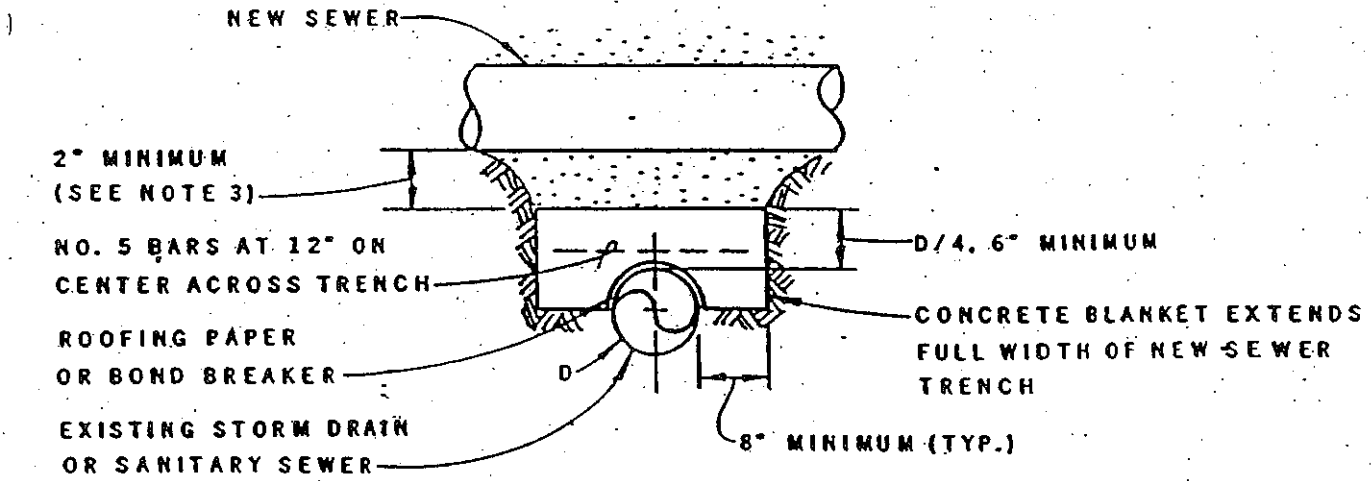
CONCRETE ENCASEMENT AND BEDDING

DATE: | RECOMMENDED: | APPROVED: | RCE

DWG NO. 23



SANITARY SEWER CROSSING UNDER EXISTING STORM DRAIN OR SANITARY SEWER



SANITARY SEWER CROSSING OVER EXISTING STORM DRAIN OR SANITARY SEWER

N.T.S.

NOTES

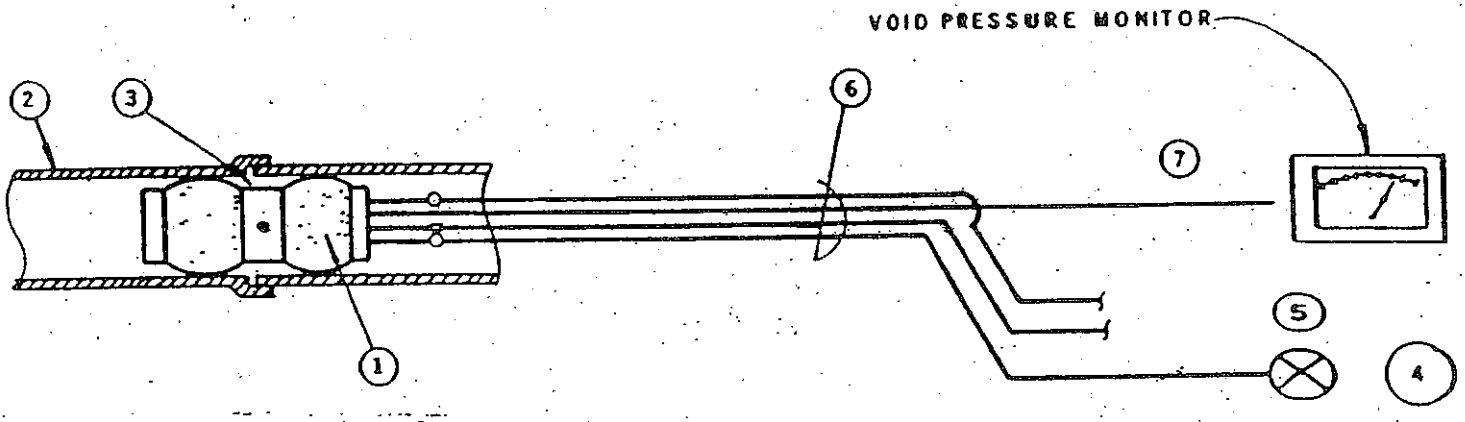
1. SANITARY SEWERS CROSSING WATER MAINS: SEPARATION, CONSTRUCTION, AND PIPE MATERIAL CRITERIA SHALL BE AS REQUIRED BY THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES.
2. MINIMUM CLEARANCE BETWEEN CROSSING PIPELINES SHALL BE 6".
3. IF LESS THAN 2" BEDDING MATERIAL, RAISE CONCRETE BLANKET TO CONTACT LOWER HALF OF SEWER PIPE. PROVIDE ROOFING PAPER OR BOND BREAKER BETWEEN SEWER PIPE AND CONCRETE.

EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

STANDARD DETAIL

CLOSE CROSSING DETAIL

DATE:	RECOMMENDED:	APPROVED:	RCE	DWG NO. 24



PIPE JOINT AIR TEST SCHEMATIC

AIR TEST EQUIPMENT - LEGEND

1. JOINT TESTING DEVECE (e.g.: PACKER).
2. SEWER WITH JOINT TO BE TESTED.
3. VOID BETWEEN EXPANDED ENDS OF TESTING DEVECE.
4. AIR SUPPLY (PRESSURIZED).
5. AIR SHUT-OFF VALVE.
6. AIR / WATER / SEALANT HOSES AND ELETRICAL TRANSMISSION LINES.
7. ELECTRICAL TRANSMISSION OF VOID PRESSURE FROM THE VOID.

EAST BAY INFILTRATION/INFLOW CORRECTION PROGRAM

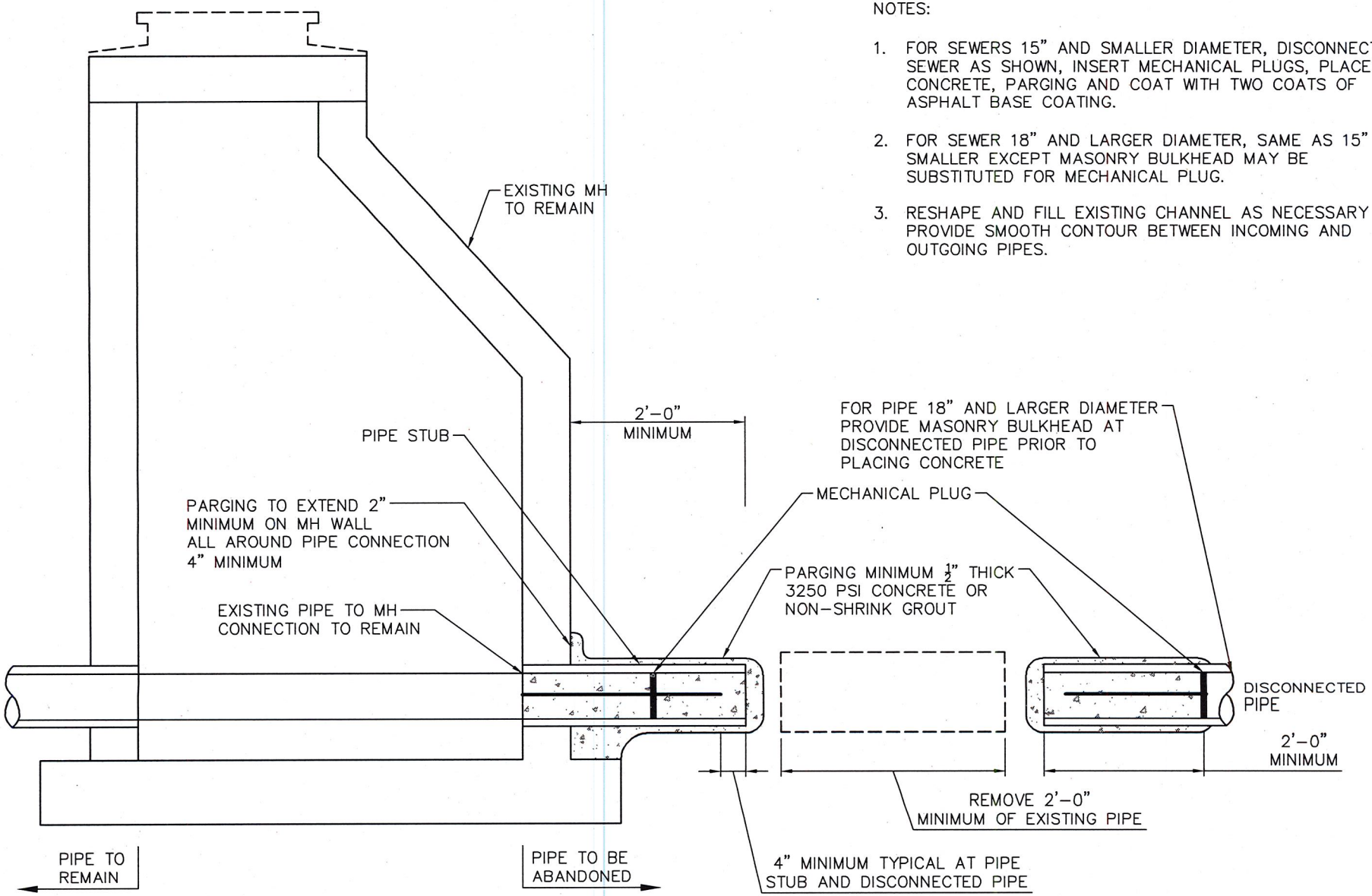
STANDARD DETAIL

PIPE JOINT AIR TEST SCHEMATIC

DATE: | RECOMMENDED: | APPROVED: | RCE | DWG NO. 29

NOTES:

1. FOR SEWERS 15" AND SMALLER DIAMETER, DISCONNECT SEWER AS SHOWN, INSERT MECHANICAL PLUGS, PLACE CONCRETE, PARGING AND COAT WITH TWO COATS OF ASPHALT BASE COATING.
2. FOR SEWER 18" AND LARGER DIAMETER, SAME AS 15" AND SMALLER EXCEPT MASONRY BULKHEAD MAY BE SUBSTITUTED FOR MECHANICAL PLUG.
3. RESHAPE AND FILL EXISTING CHANNEL AS NECESSARY TO PROVIDE SMOOTH CONTOUR BETWEEN INCOMING AND OUTGOING PIPES.



STANDARD DETAIL
ABANDONMENT OF PIPE AT SANITARY SEWER MAINTENANCE HOLE

SUBMITTED: _____ DATE: 10-4-19
ASSOCIATE CIVIL ENGINEER R.C.E. 73714

APPROVED: _____ DATE: 10-4-19
MANAGER OF ENGINEERING R.C.E. 72491

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

DESIGN:	RS	DATE:	09/2019	PLAN:	8224
DRAWN:	TMP	SCALE:	NTS	FILE:	502-698
CHECK:	NP	BOOK:		SHEET:	1 OF 1

GENERAL NOTES FOR CONCRETE FLAT WORK

1. CURB RAMPS SHALL CONFORM TO THE LATEST EDITION AND REVISED STANDARD PLAN (RSP) OF THE (CALIFORNIA DEPARTMENT OF TRANSPORTATION) STANDARD SPECIFICATIONS AND STANDARD PLAN A88A AND A88B.

2. PORTLAND CEMENT CONCRETE FOR SIDEWALK, CURB, DRIVEWAY, GUTTER AND VALLEY GUTTER SHALL BE MINOR CONCRETE CONFORMING TO THE REQUIREMENTS OF SECTION 90-2 "MINOR CONCRETE" OF THE (CALIFORNIA DEPARTMENT OF TRANSPORTATION) STANDARD SPECIFICATIONS. NO BAGGED MIX IS PERMITTED.

3. BUS PAD CONCRETE SHALL BE DESIGNED WITH A MINIMUM COMPRESSIVE STRENGTH OF 3,500 PSI AND SHALL BE SAMPLED (3 CYLINDERS REQ'D) AND TESTED.

4. EXISTING SUBGRADE SURFACE SHALL BE RE-GRADED (IF NECESSARY) AND RE-COMPACTED (MIN 95% RELATIVE COMPACTION) TO CONFORM TO THE GRADES SHOWN ON THE PLANS.

5. NEW CONCRETE WORK SHALL MATCH EXISTING IN FINISH, SCORE PATTERN, AND COLOR, OR AS SHOWN ON THE PLANS, OR AS DIRECTED BY THE ENGINEER.
   a) ROSE COLORED CONCRETE SHALL CONTAIN 6 POUNDS OF DAVIS #160 (ROSE) PER CUBIC YARD.
   b) ALL OTHER CONCRETE SHALL CONTAIN 1.5 POUND OF LAMPBLACK PER CUBIC YARD.

6. NO ADMIXTURES SHALL BE USED WITHOUT APPROVAL OF THE ENGINEER.

7. CURBS, SIDEWALKS, DRIVEWAYS, AND CURB RAMPS SHALL HAVE FORMS REMOVED AND BE BACKFILLED WITHIN 3 DAYS AFTER PLACING CONCRETE. CONCRETE SHALL BE ALLOWED TO CURE FOR AT LEAST 48 HOURS PRIOR TO BACKFILLING.

8. MAXIMUM SLUMP OF FRESH CONCRETE PERMITTED IN THESE ITEMS SHALL BE 4 INCHES. SLUMP SHALL BE DETERMINED BY EITHER ASTM C-143 OR CALIFORNIA TEST METHOD NO. 520 AT THE ENGINEER'S DISCRETION. CONCRETE SHALL BE TRANSPORTED IN TRUCK MIXERS OR AGITATORS AND DISCHARGED WITHIN 70 MINUTES OF LEAVING THE PLANT.

9. WEAKENED PLANE JOINTS AT LEAST 1-1/2 INCHES DEEP AND 1/8 INCHES WIDE SHALL BE PLACED AT 10 FEET MAXIMUM SPACING.

10. EXPANSION JOINT FILLER FOR CONCRETE (BITUMINOUS TYPE) MUST BE IN COMPLIANCE WITH ASTM D 994.

11. ALL NEW CURB, SIDEWALK, VALLEY GUTTER AND DRIVEWAYS CONSTRUCTED ADJACENT TO EXISTING CONCRETE CURB OR SIDEWALK SHALL BE DOWELLED TO THE EXISTING CONCRETE. THE DOWELS SHALL BE #4 REBAR, 18 INCHES LONG AT 18 INCHES MAXIMUM SPACING. DOWELS SHALL BE EMBEDDED A MINIMUM OF 8-INCHES IN A 5/8 INCH DRILLED HOLE (EXIST. CONC.).

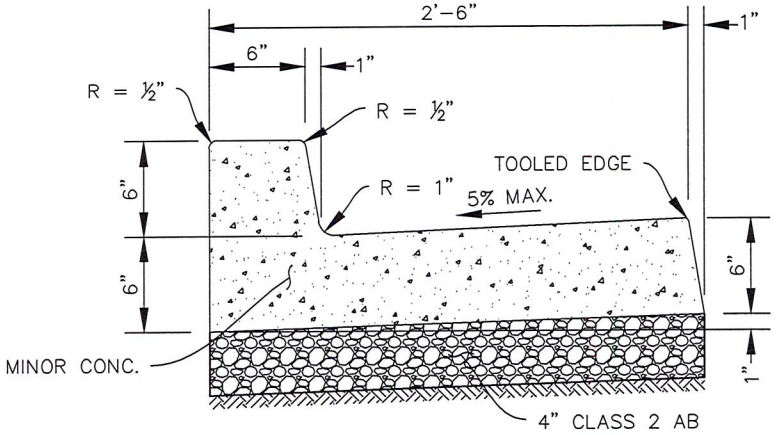
12. SIDEWALK SHALL BE CONSTRUCTED WITH EXPANSION JOINTS AT EACH BEGINNING OF CURVE (BC) AND END OF CURVE (EC).

13. CURB AND GUTTER, SIDEWALKS AND DRIVEWAYS SHALL BE GIVEN A MEDIAN BROOM FINISH. THE SURFACE SHALL FIRST BE GIVEN A FLOATED FINISH AND FINAL TROWELING SHALL BE DONE WITH A STEEL TROWEL. THE FINISHED SURFACE SHALL BE FREE OF ALL TROWEL MARKS AND SHALL BE UNIFORM IN TEXTURE AND APPEARANCE, BROOM TEXTURE SHALL BE IN THE LONGITUDINAL DIRECTION.

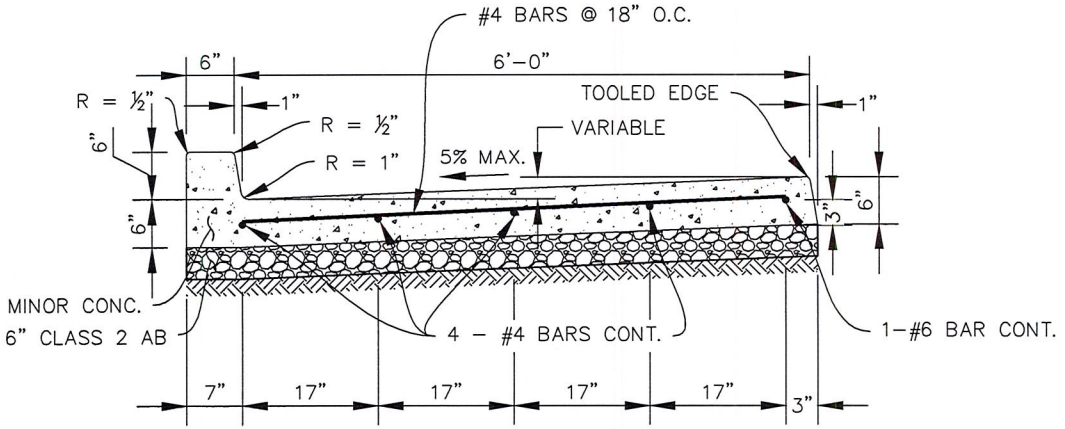
14. CLASS 2 AGGREGATE BASE (CL 2 AB) SHALL CONFORM TO THE CALTRANS STANDARD SPECIFICATIONS (LATEST EDITION) AND SHALL BE COMPACTED TO A MINIMUM DENSITY OF 95% RELATIVE COMPACTION.

15. EXISTING ASPHALT CONCRETE SHALL BE SAWCUT, REMOVED AND RECONSTRUCTED FOR A MINIMUM OF 2-FEET WITHIN EDGES OF CONCRETE WORK. HOT MIX ASPHALT SHALL BE A MINIMUM THICKNESS OF 8" AND CL 2 AB SHALL MATCH EXISTING THICKNESS. AS APPROVED BY THE CITY ENGINEER. SEE PLAN 8148 "CURB AND GUTTER RETROFIT" FOR ADDITIONAL REQUIREMENTS.

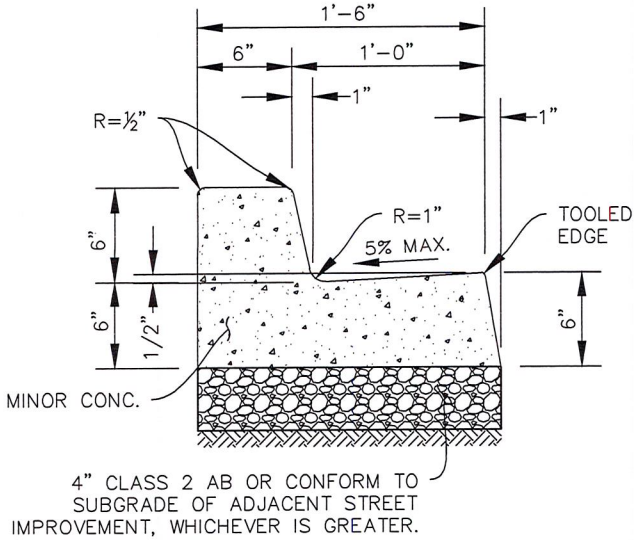
CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS			STANDARD DETAIL CONCRETE WORK NOTES		
SUBMITTED: D. Donahue SUPERVISING CIVIL ENGINEER	DATE: 2/27/17 R.C.E. 64582				
APPROVED: MANAGER OF ENGINEERING	DATE: 2/28/17 R.C.E. 66014	DESIGN: HEI DRAWN: HEI CHECK: MS	DATE: 01/26/17 SCALE: N.T.S. BOOK:	PLAN: 8144 FILE: 20B-156 SHEET: 1 OF 1	



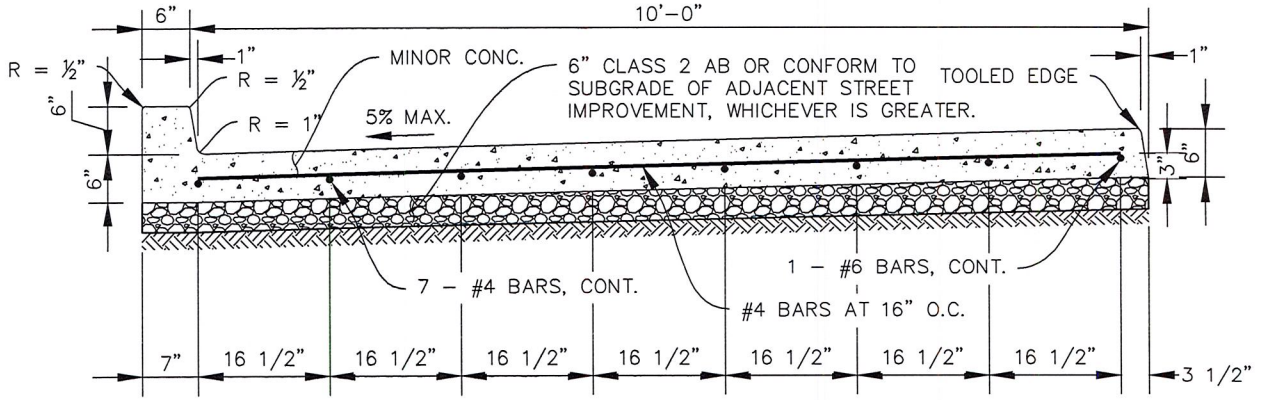
STANDARD CURB AND GUTTER DETAIL



CURB AND 6 FOOT GUTTER DETAIL



CURB AND 1 FOOT GUTTER DETAIL



CURB AND 10 FOOT GUTTER DETAIL

NOTE:
1. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

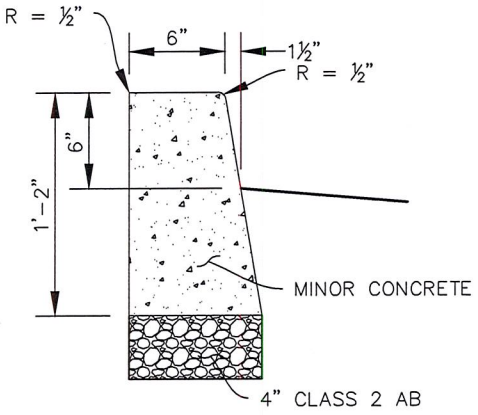
STANDARD DETAIL
CURB AND GUTTER

SUBMITTED: Don Ruby — DATE: 2/27/17
SUPERVISING CIVIL ENGINEER — R.C.E. 64582

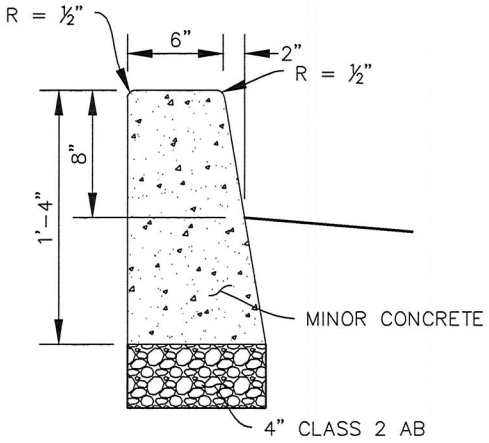
APPROVED: — DATE: 2/28/17
MANAGER OF ENGINEERING — R.C.E. 66014

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

DESIGN:	HEI	DATE:	01/26/17	PLAN:	8145
DRAWN:	HEI	SCALE:	N.T.S.	FILE:	20B–157
CHECK:	MS	BOOK:		SHEET:	1 OF 1



STANDARD 6" VERTICAL CURB DETAIL

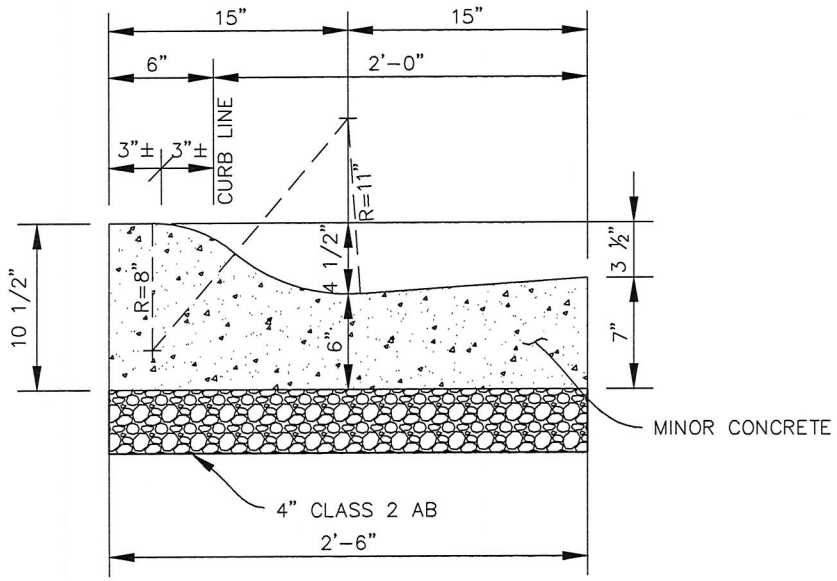


STANDARD 8" VERTICAL CURB DETAIL

NOTE:
1. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

STANDARD DETAIL VERTICAL CONCRETE CURB	SUBMITTED: Don Zerby SUPERVISING CIVIL ENGINEER DATE: 2/27/17 R.C.E. 64582	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS	
	APPROVED: MANAGER OF ENGINEERING DATE: 2/28/17 R.C.E. 66014	DESIGN: HEI DRAWN: HEI CHECK: MS	DATE: 01/26/17 SCALE: N.T.S. BOOK:

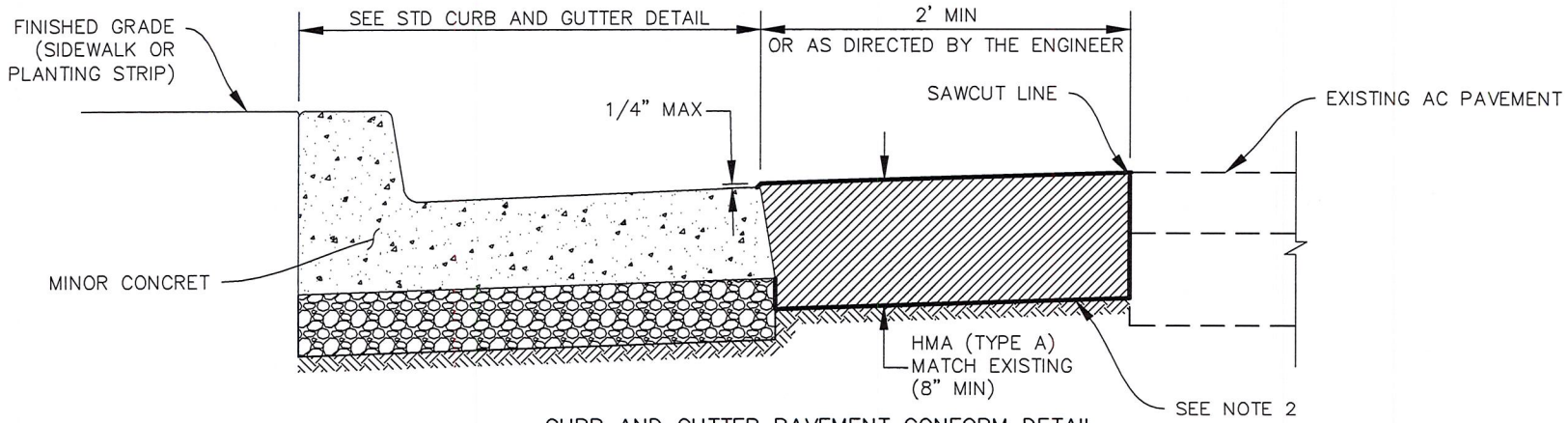
PLAN: 8146
FILE: 20B–158
SHEET: 1 OF 1



ROLL TYPE DETAIL

NOTE:
1. TO BE USED ONLY WITH SPECIAL PERMISSION FROM THE CITY ENGINEER.
2. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

STANDARD DETAIL ROLLED CURB	SUBMITTED: Don Irby SUPERVISING CIVIL ENGINEER	DATE: 2/27/17 R.C.E. 64582	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS			
	APPROVED: MANAGER OF ENGINEERING	DATE: 2/28/17 R.C.E. 66014	DESIGN: HEI DRAWN: HEI CHECK: MS	DATE: 01/26/17 SCALE: N.T.S. BOOK:	PLAN: 8147 FILE: 20B-159 SHEET: 1 OF 1	



CURB AND GUTTER PAVEMENT CONFORM DETAIL

NOTES:
1. PAVEMENT CONFORM SHALL BE PAVED IN 2 INCH MAXIMUM LIFTS.
2. APPLY ASPHALTIC EMULSION PAINT BINDER (TACK COAT) TO ALL EXISTING AC AND CONCRETE SURFACES IN ACCORDANCE WITH THE LATEST EDITION OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS.
3. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

STANDARD DETAIL
CURB AND GUTTER RETROFIT

SUBMITTED: Dan Irby — DATE: 2/27/17
SUPERVISING CIVIL ENGINEER — R.C.E. 64582

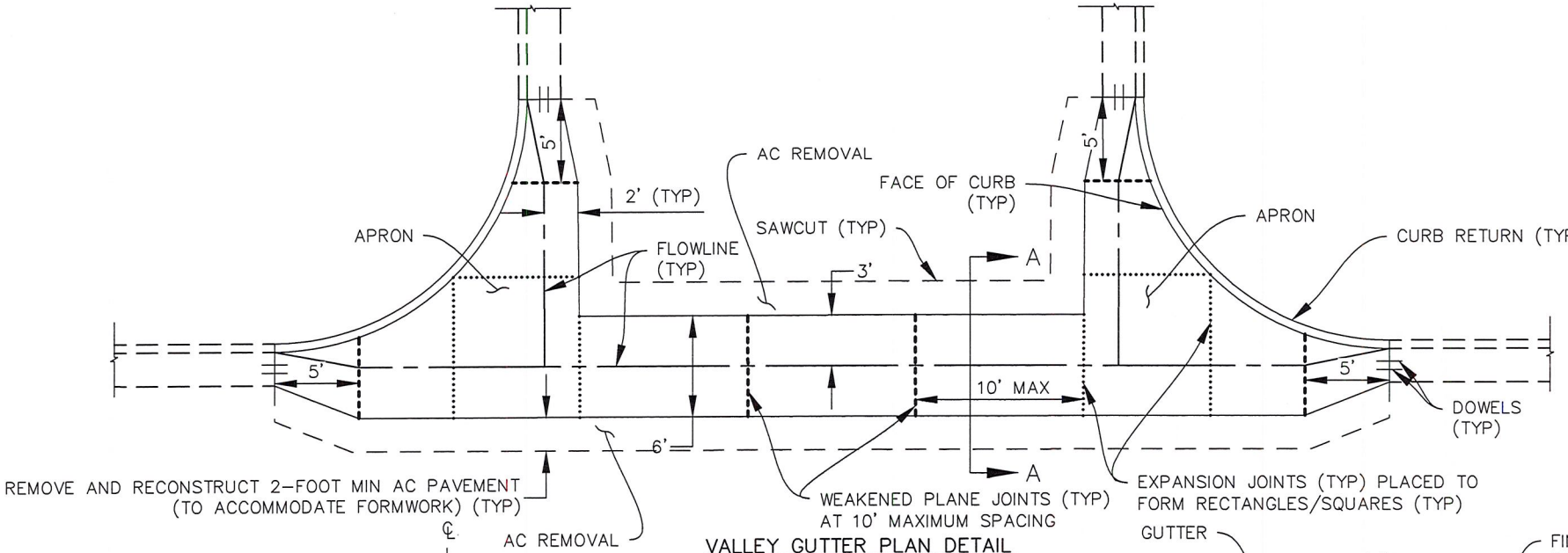
APPROVED: — DATE: 2/28/17
MANAGER OF ENGINEERING — R.C.E. 66014

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

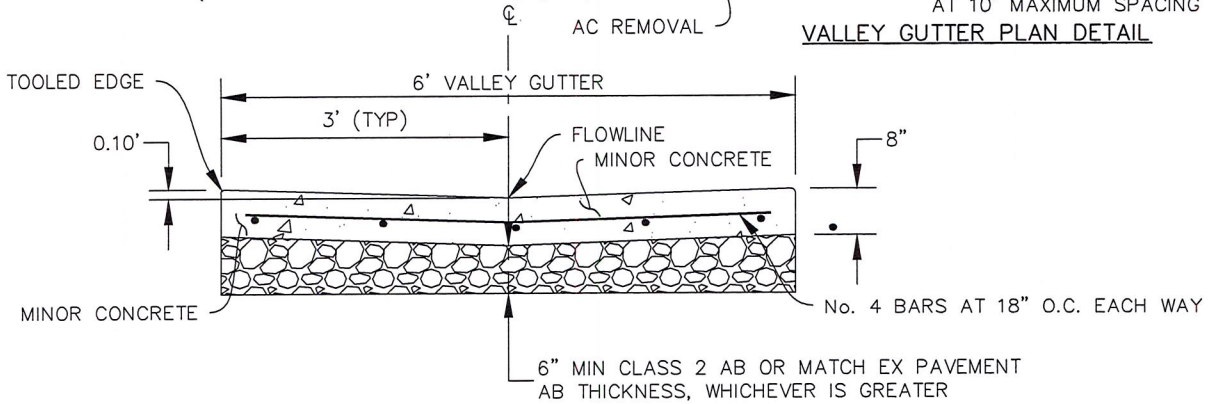
DESIGN: HEI
DRAWN: HEI
CHECK: MS

DATE: 01/26/17
SCALE: N.T.S.
BOOK:

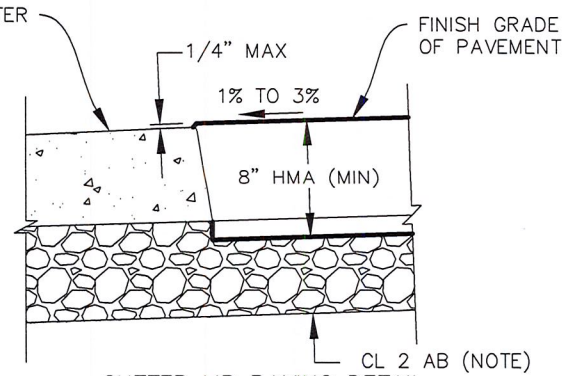
PLAN: 8148
FILE: 20B-160
SHEET: 1 OF 1



VALLEY GUTTER PLAN DETAIL



SECTION A-A



GUTTER LIP PAVING DETAIL

NOTE:
1. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

NOTE:
1. PAVEMENT SECTION SHALL BE AS APPROVED BY THE CITY ENGINEER. LAYERS SHALL NOT BE LESS THAN THE EXISTING THICKNESS.

STANDARD DETAIL
VALLEY GUTTER

SUBMITTED: Dan Ruby — DATE: 2/27/17
SUPERVISING CIVIL ENGINEER — R.C.E. 64582

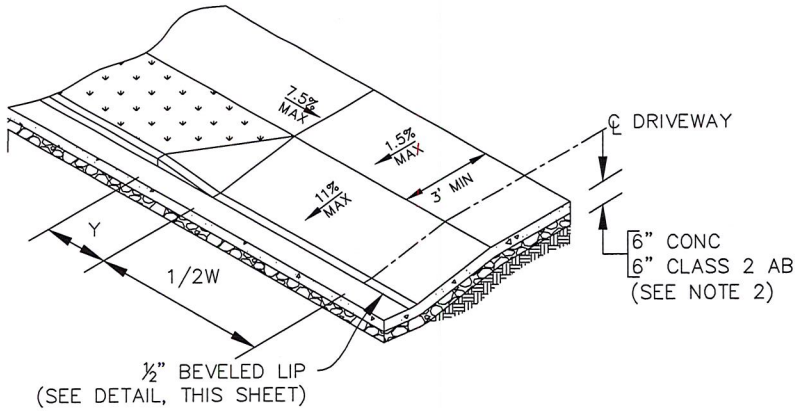
APPROVED: — DATE: 2/28/17
MANAGER OF ENGINEERING — R.C.E. 66014

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

DESIGN: HEI
DRAWN: HEI
CHECK: MS

DATE: 01/26/17
SCALE: N.T.S.
BOOK:

PLAN: 8149
FILE: 20B-161
SHEET: 1 OF 1

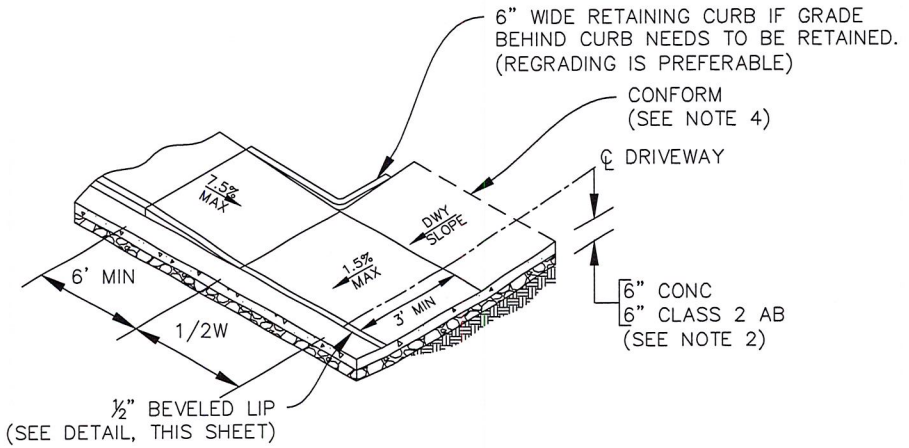


DRIVEWAY WITH SEPARATED SIDEWALK

W=DRIVEWAY WIDTH (SEPARATED SIDEWALK)

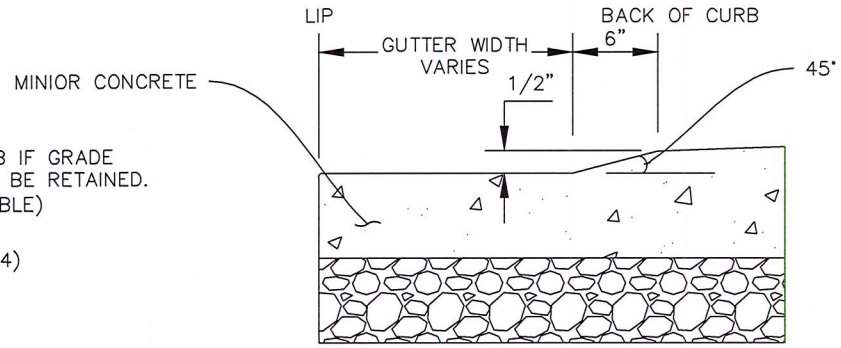
NOTES:

1. REFER TO GENERAL NOTES FOR CONCRETE WORK.
2. RESIDENTIAL DRIVEWAYS SHALL BE 6 INCHES THICK PORTLAND CEMENT CONCRETE (PCC). COMMERCIAL AND INDUSTRIAL DRIVEWAYS SHALL BE 6 INCHES THICK REINFORCED CONCRETE. REINFORCEMENT SHALL BE 6"X6" WELDED WIRE FABRIC, #10 GAUGE MESH OR #4 BARS AT 18 INCH O.C. EACH WAY. THE REQUIRED STRUCTURAL SECTION FOR ANY DRIVEWAY SHALL BE CONTINUOUS FROM THE CURB TO THE BACK OF SIDEWALK.
3. DEPTH OF GUTTER FLOWS SHALL BE CALCULATED AND COMPARED TO PROPOSED SIDEWALK ELEVATIONS DURING DESIGN TO ENSURE GUTTER FLOWS ARE CONTAINED AND RUNOFF WITHIN THE PUBLIC RIGHT OF WAY DOES NOT DRAIN ONTO PRIVATE PROPERTY.
4. RETAINING CURBS AND DRIVEWAY CONFORMS AS REQUIRED.
5. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."



DRIVEWAY WITH MONOLITHIC SIDEWALK

W=DRIVEWAY WIDTH (MONOLITHIC SIDEWALK)



BEVELED LIP

TABLE OF DRIVEWAY DIMENSIONS		
Dimension	Commercial & Industrial	Residential
Y	5' MIN	2' MIN
W	12' MIN	8' MIN

STANDARD DETAIL
DRIVEWAY

SUBMITTED: Dan Barb — SUPERVISING CIVIL ENGINEER — DATE: 2/27/17 — R.C.E. 64582

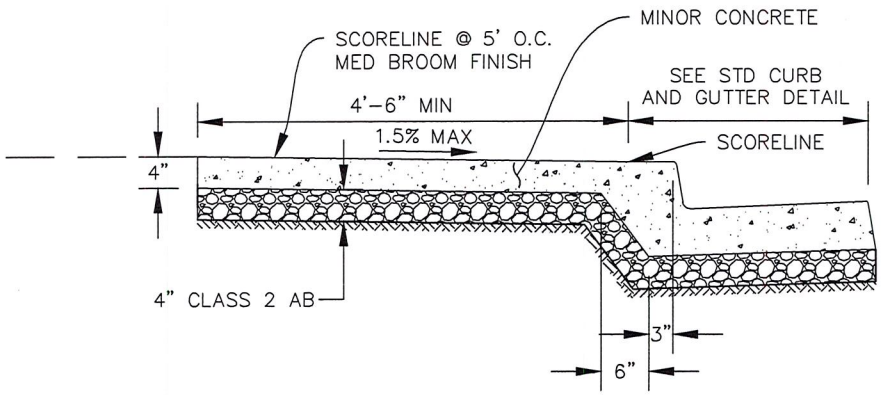
APPROVED: — MANAGER OF ENGINEERING — DATE: 2/28/17 — R.C.E. 66014

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

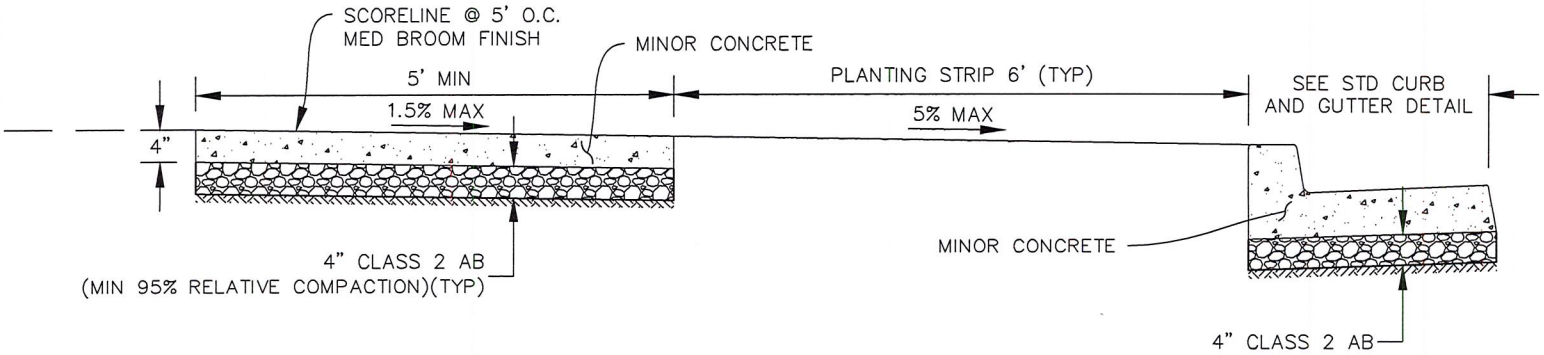
DESIGN: HEI
DRAWN: HEI
CHECK: MS

DATE: 01/26/17
SCALE: N.T.S.
BOOK:

PLAN: 8151
FILE: 20B-163
SHEET: 1 OF 1



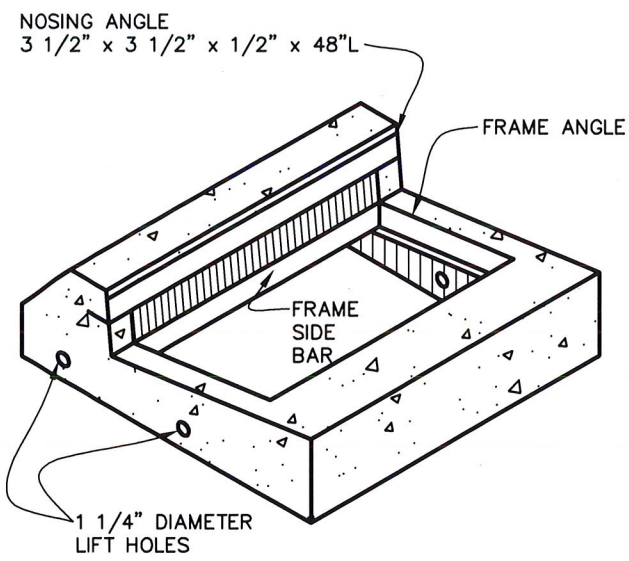
STANDARD SIDEWALK DETAIL

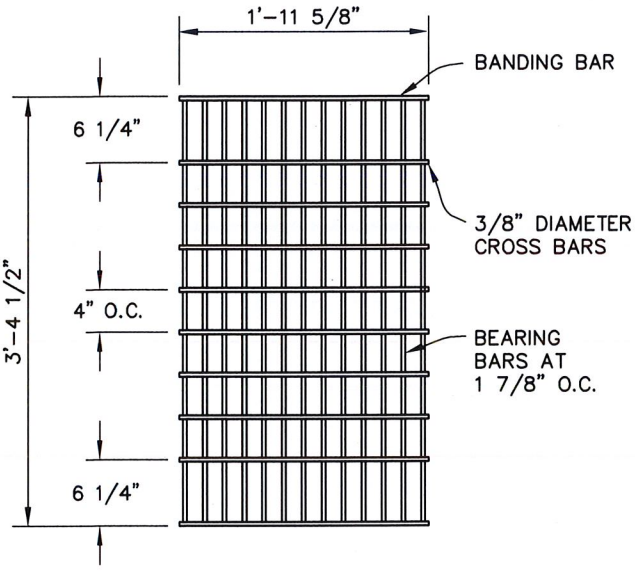


STANDARD SIDEWALK WITH PLANTING STRIP DETAIL

NOTE:
1. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

STANDARD DETAIL SIDEWALK	SUBMITTED: Don Dsb SUPERVISING CIVIL ENGINEER DATE: 2/27/17 R.C.E. 64582	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS	
	APPROVED: R-LO MANAGER OF ENGINEERING DATE: 2/28/17 R.C.E. 66014	DESIGN: HEI DRAWN: HEI CHECK: MS	DATE: 01/26/17 SCALE: N.T.S. BOOK:
			PLAN: 8153 FILE: 20B-165 SHEET: 1 OF 1





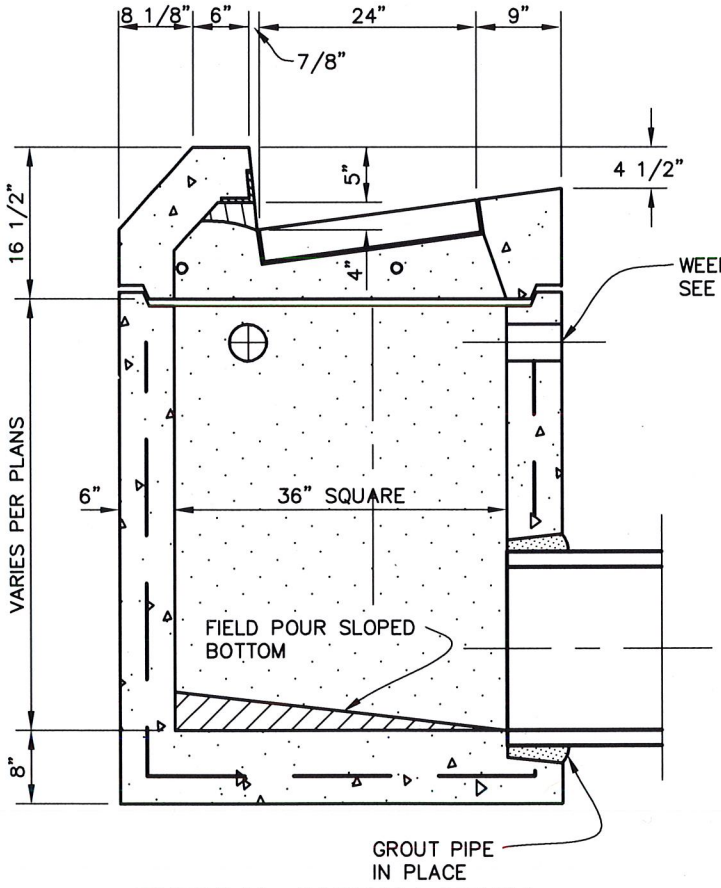
PRECAST TYPE V TOP

GRATE TYPE V

13 BEARING BARS 3 1/2" x 3/8"
2 BANDING BARS 2 1/2" x 3/8"

FRAME

4" x 3" x1/2" ANGLES
3 1/2" x 1/2" SIDE BARS



TYPICAL INSTALLATION ON PRECAST BASE

NOTES:

1. CONCRETE SHALL TEST 3000 PSI AT 28 DAYS.
2. ALL METAL SHALL BE STRUCTURAL GRADE STEEL AND BE GALVANIZED AFTER FABRICATION PER ASTM A123.
3. REQUIREMENTS FOR AND LOCATION OF 4" DIA. WEEP HOLES TO BE VERIFIED BY CONTRACTOR.
4. WALLS AND FLOOR ARE REINFORCED WITH 4"x4" W6–W6 WWF.
5. WEIGHT OF PRECAST TOP WITHOUT GRATE = 1350 LBS. GRATE = 210 LBS.

CBWCI

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

STANDARD DETAIL
CATCH BASIN
WITH CURB INLET

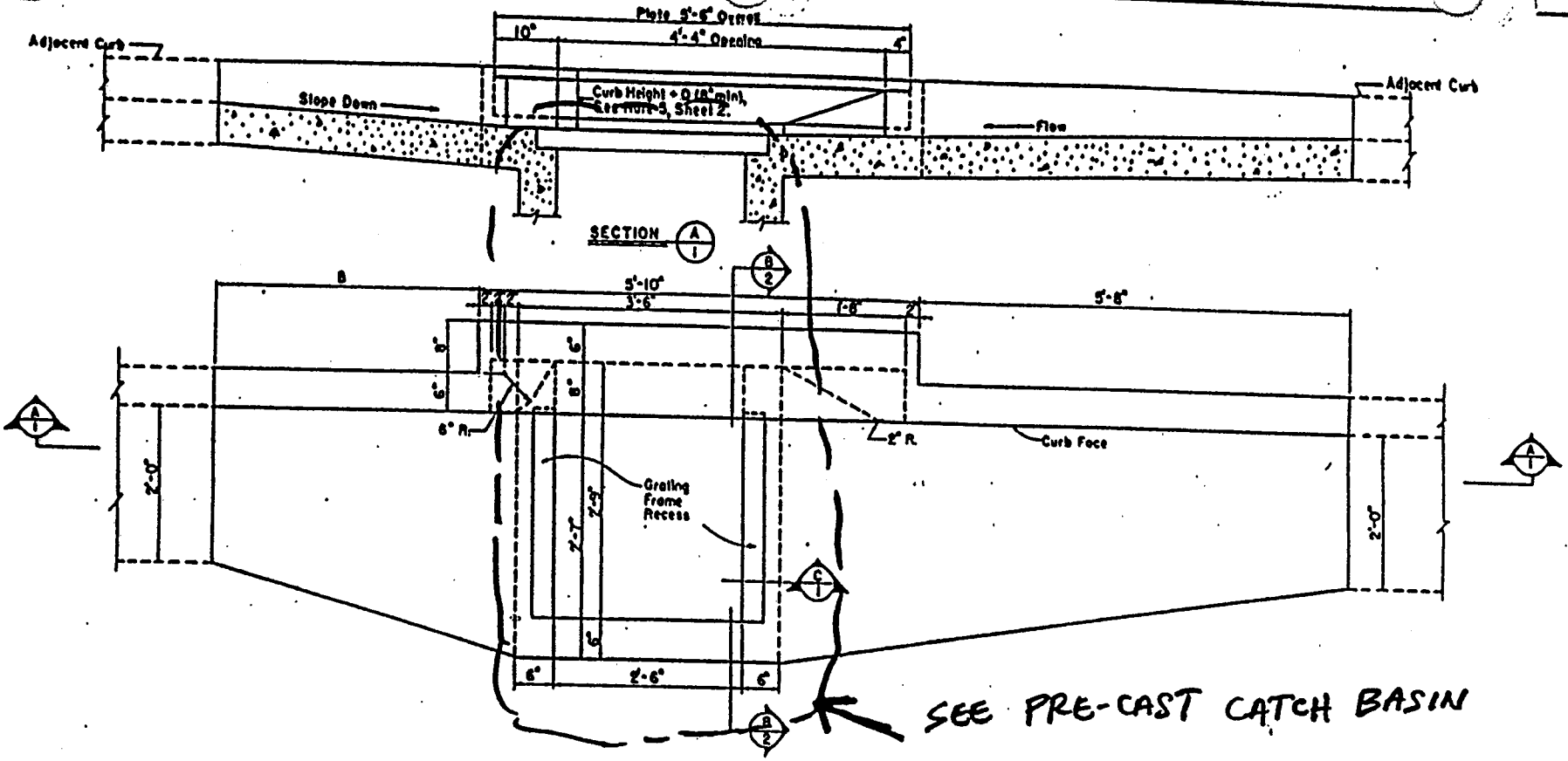
SUBMITTED: DATE: 10/4/17
SUPERVISING CIVIL ENGINEER R.C.E. 64582 EXP. 6/30/19

APPROVED: DATE: 10/6/17
MANAGER OF ENGINEERING R.C.E. 72491 EXP. 6/30/18

DESIGN: DA
DRAWN: JP
CHECK:

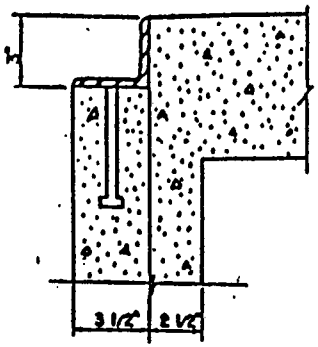
DATE: 10/17
SCALE: N.T.S.
BOOK:

PLAN: 6166
FILE: 20-B-105



CURB SLOPE %		D	B
GREATER THAN	TO AND INCLUDING	INCHES	FEET
0.0	2.5	2	3.5
2.5	4.0	3	3.5
4.0	5.5	3	3.5
5.5	7.5	3	2.5
7.5	9.0	3	2.0
9.0	12.0	3	1.5
12.0	16.0	4	1.5
16.0	20.5	5	1.5

Dimension "B" Not Applicable To Two-way Catch Basin — See Sheet 2.



SECTION C/1

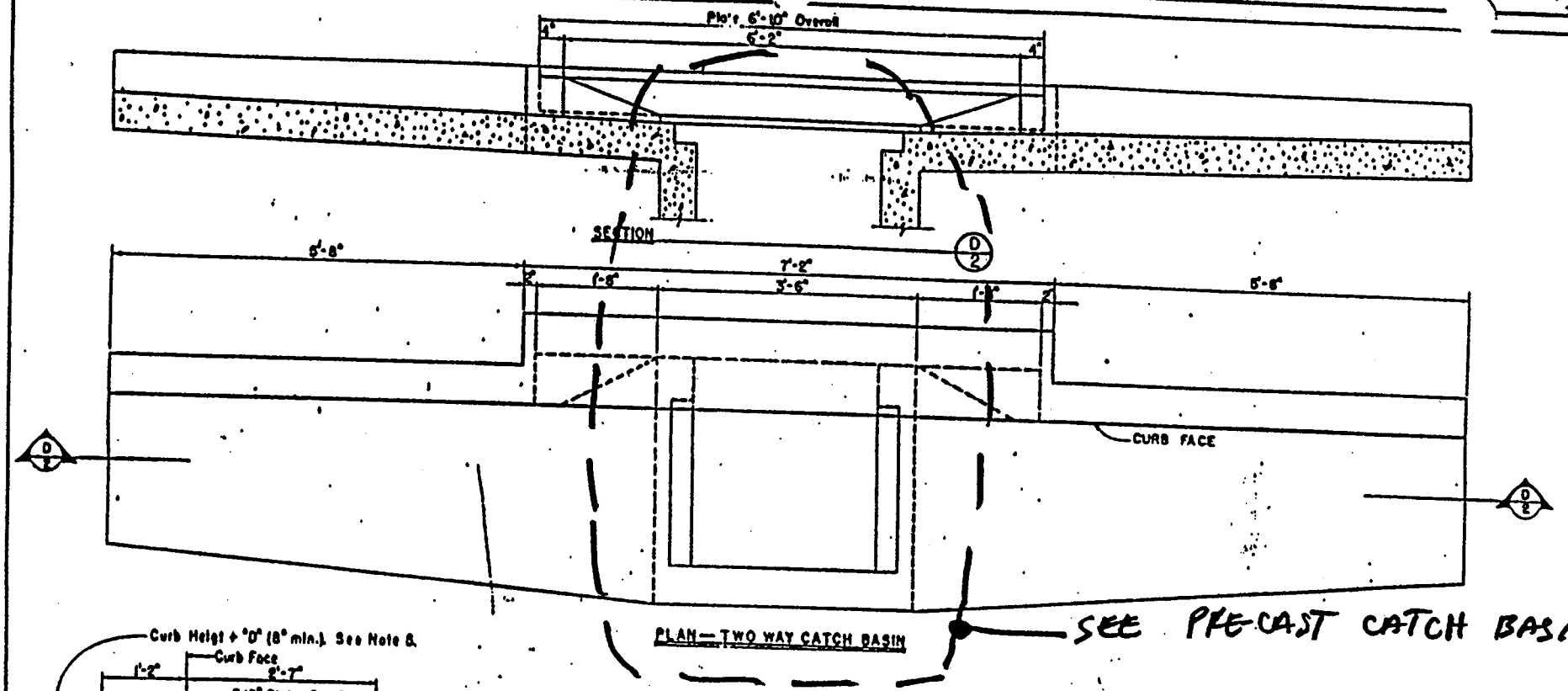
NOTES:
1. ALL CONCRETE SHALL BE 6-C-3000, 3" MAX. SLUMP.
2. ALL CURB AND GUTTER SHOWN BY SOLID LINE IS A PART OF THE CATCH BASIN FOR PAYMENT PURPOSES.
3. VIBRATE CONCRETE AS IT IS PLACED.
4. FOR 2 WAY CATCH BASINS, SEE SHEET 2.
5. ALL WORK TO BE IN ACCORDANCE WITH "APWA STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION."

RECOMMENDING APPROVAL — DATE 10-12-72 — CITY ENGINEER
APPROVED — DATE 10-18-72 — DIRECTOR OF PUBLIC WORKS

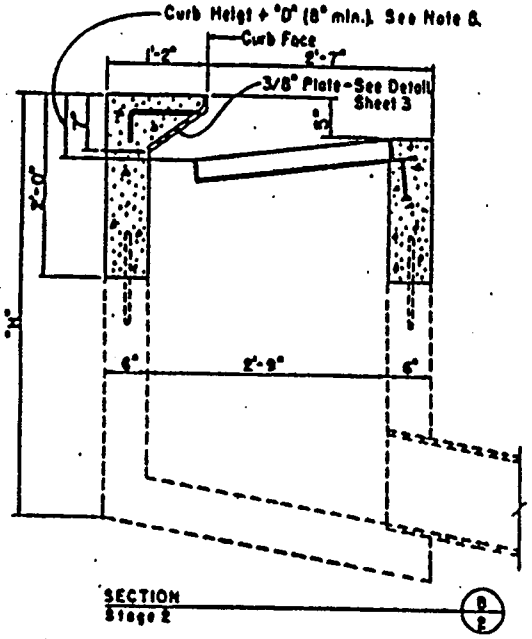
CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

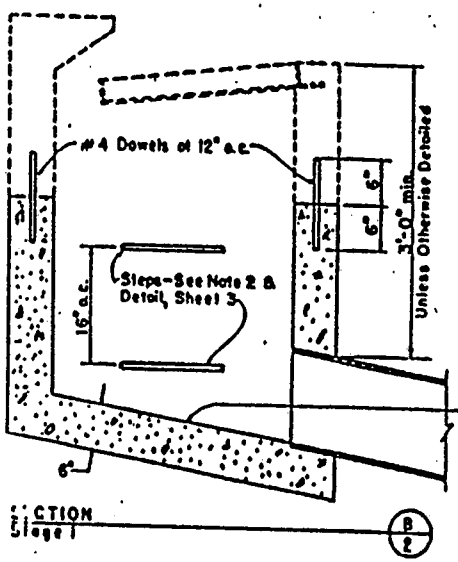
STANDARD CATCH BASIN
TOP & APRON DETAILS

DESIGN — DRAWN EED — CHECK — AS BUILT
HORIZ. None — VERT. None — BOOK — DATE Oct '72
PLAN 5166 — FILE ~~101-67~~ — SHEET 1 OF 3



SEE PRE-CAST CATCH BASIN





NOTES

1. Where "H" Exceeds 8', Place No. 4 Bars At 12" o.c. Both Ways In Walls & Floor.
2. All Catch Basins Exceeding 5' Depth Shall Have 3/4" ø "H" Galvanized Steel Steps Placed As Directed On 16" Centers.
3. Reinforcing Steel Shall Conform To ASTM A615, Grade 40, Deformed.
4. If Stage Construction Is Used, It May Be Divided Into Stages 1 & 2, As Shown.
5. Place 3/4" ø Galvanized Rod Across Gallery Opening When Curb Height + "D" Exceeds 10". Place So That Clear Opening Is Not Less Than 5" Nor More Than 7". Install Rod 2" Behind Curb Face.
6. All Dimensions For Two-Way Catch Basins Not Shown Are Same As One-Way Catch Basin.

RECOMMENDED APPROVAL — DATE 12-20-56 — [illegible] — [illegible] — [illegible]
APPROVED — DATE 12-20-56 — [illegible] — DIRECTOR OF PUBLIC WORKS

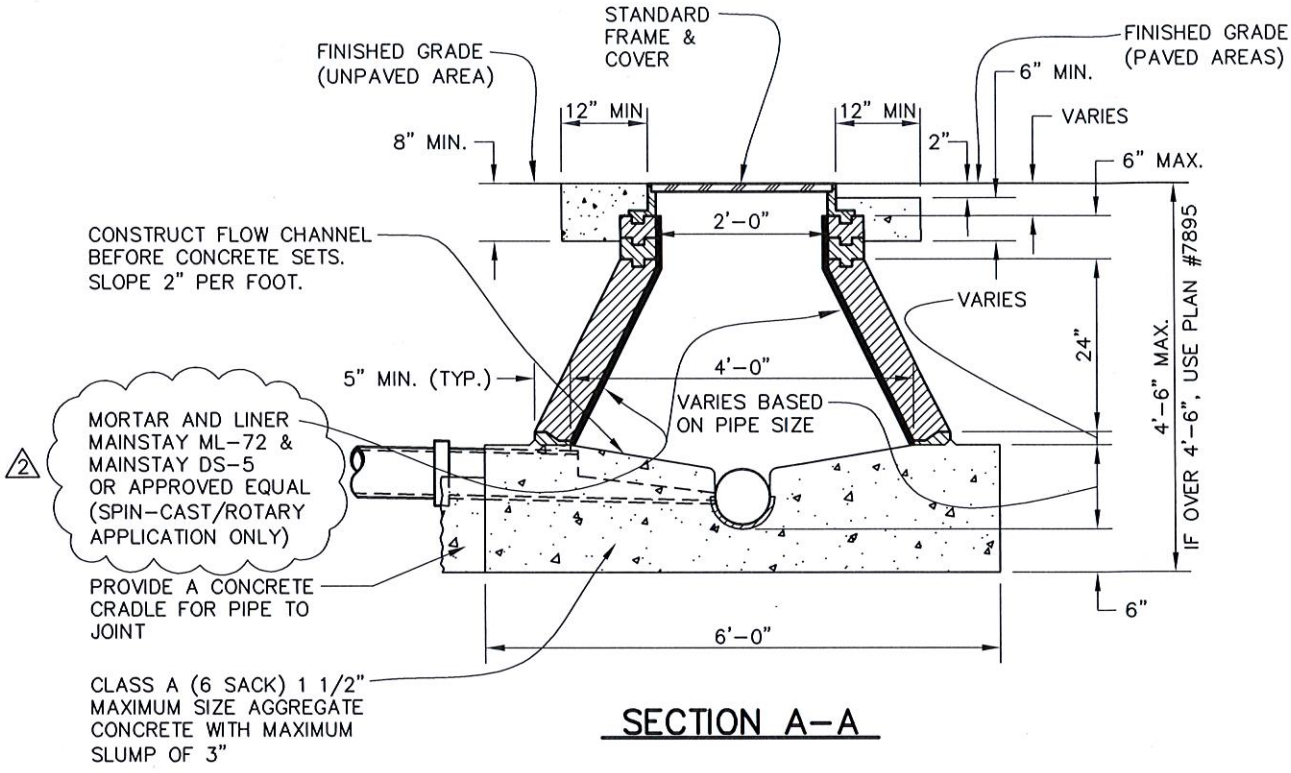
CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

STANDARD CATCH BASIN
CONSTRUCTION DETAILS

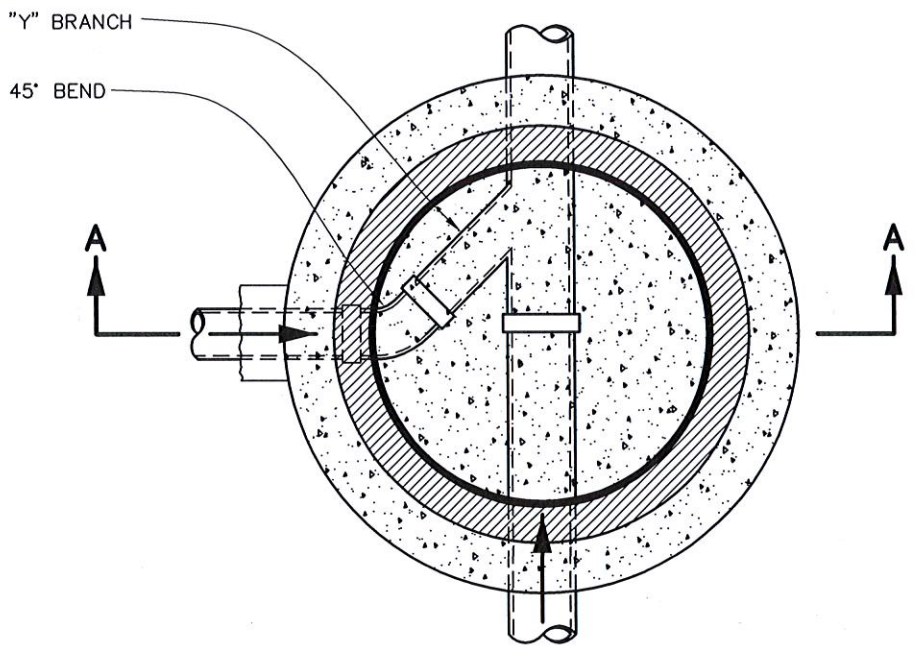
DESIGN
DRAWN
CHECK
AS BUILT

FED

NO. 6166
PLAN
PLS
SHEET 2 OF 3



SECTION A-A



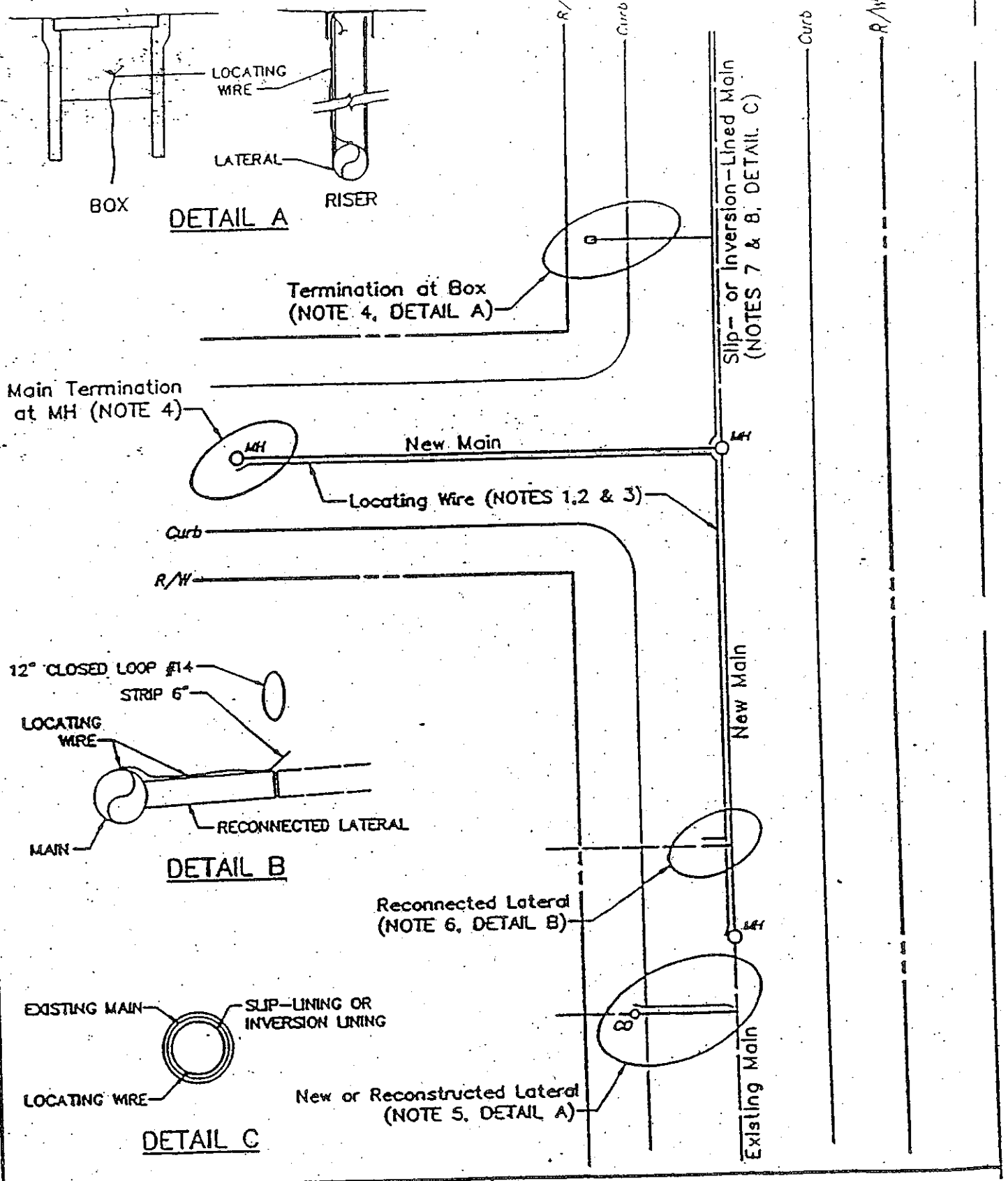
PLAN

2	4/20/15 ADDED MORTAR & LINER
1	10/8/08 UPDATE AND REVISED TITLE BLOCK

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

STANDARD DETAIL SHALLOW PRECAST CONCRETE MANHOLE

SUBMITTED: SUPERVISING CIVIL ENGINEER	DATE: 5/12/15 R.C.E. 54937 EXP. 6/30/16				
APPROVED: MANAGER OF ENGINEERING	DATE: 5/12/15 R.C.E. 64314 EXP. 6/30/15	DESIGN: JR DRAWN: MS CHECK:	DATE: 2/97 SCALE: N.T.S. BOOK:	PLAN: 6653 Page 886	20-B-110



CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

SUBMITTED: DATE:

R.C.E. 23,616

ASSISTANT CITY ENGINEER EXP. 12/31/89

APPROVED: DATE:

26,573

LOCATING WIRE FOR SANITARY SEWER AND STORM DRAIN SYSTEMS

DESIGN: WOH | DATE: 4/68 | PLAN: 6905

DRAWN: lfm | SCALE: none

LOCATING WIRE FOR SANITARY SEWER AND STORM DRAIN SYSTEMS

GENERAL NOTES

1. FOR LATERALS USE AVG. NO. 14 COPPER WIRE TW, BLUE. FOR MAINS USE AVG. NO. 10 COPPER WIRE TW, RED.

2. ALL WIRE SPLICES WILL BE SOLDERED AND WRAPPED WITH TAC-TAPE OR AQUA SEAL OR EQUAL. SPLICES SHALL THEN BE WRAPPED WITH ELECTRICAL TAPE. COMPRESSION FITTING MAY BE USED IN PLACE OF SOLDERING.

3. THE LOCATING WIRE SHALL BE STRAPPED TO THE TOP OF THE MAIN AND LATERALS AT INTERVALS SUFFICIENT TO ENSURE THAT THE LOCATING WIRE REMAINS ON TOP OF THE PIPE.

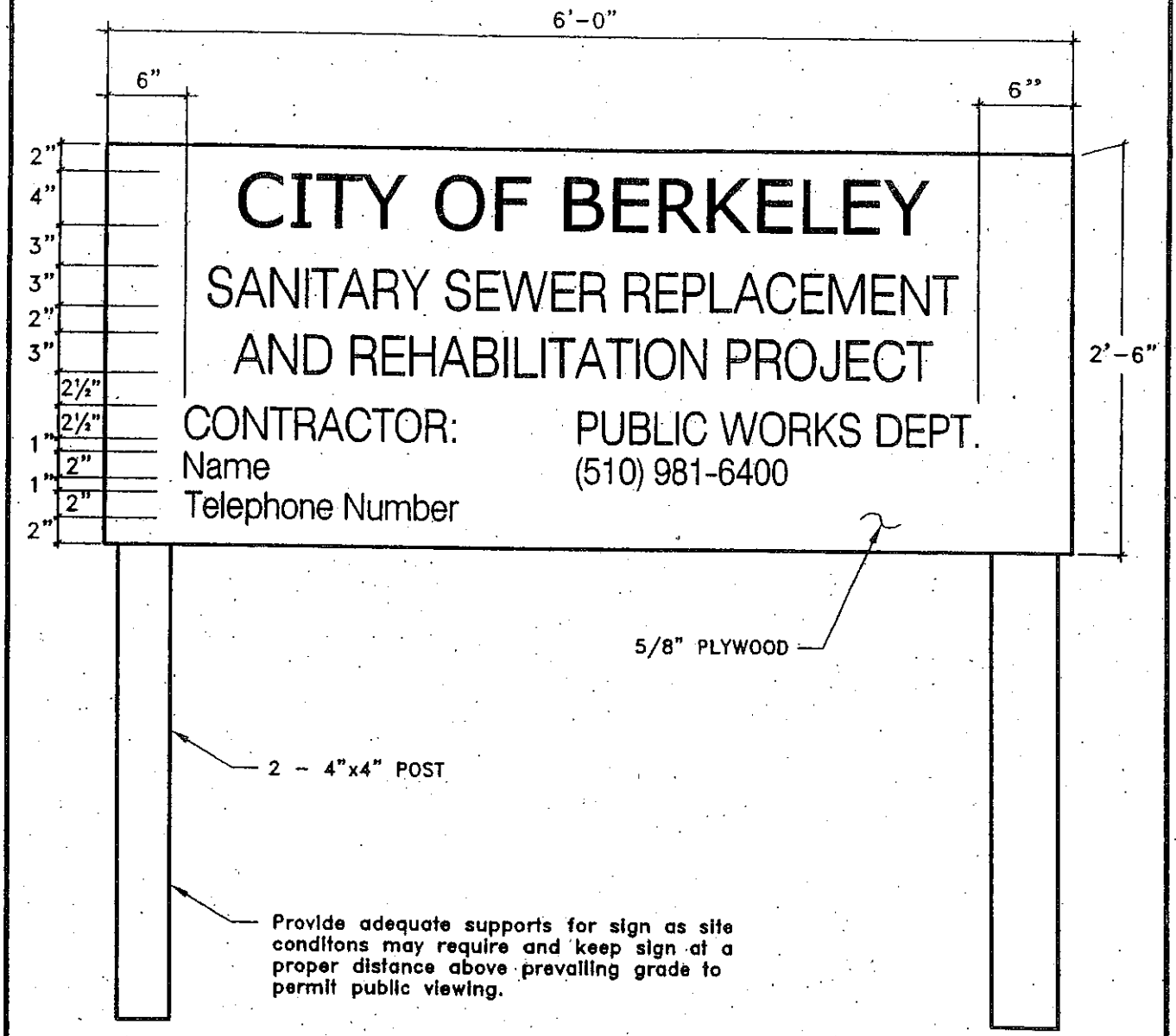
4. TERMINATE LOCATING WIRES FOR ALL NEW SANITARY SEWER AND STORM SYSTEMS IN A BOX OR AT A CLEANOUT RISER AT LOCATIONS SHOWN ON PROJECT DRAWINGS OR AS DIRECTED BY THE RESIDENT ENGINEER (SEE DETAIL A). THERE SHALL BE A MINIMUM OF ONE STATION PER BLOCK. THE LOCATING WIRE AT A MANHOLE AT THE END OF A MAIN SHALL BE STRIPPED 6 INCHES AND TERMINATED IN THE SOIL.

5. WHEN A NEW SANITARY SEWER LATERAL IS INSTALLED OR WHEN AN EXISTING LATERAL IS RECONSTRUCTED BY A CONTRACTOR OR CITY CREW, A LOCATING WIRE SHALL BE INSTALLED. THE END OF THE WIRE AT THE MAIN SHALL BE STRIPPED 6 INCHES AND TERMINATED IN THE SOIL. TERMINATE THE END LOCATED AT THE RISER AS SHOWN IN DETAIL A.

6. WHERE A LATERAL IS TO BE RECONNECTED TO A MAIN, A LOCATING WIRE SHALL BE TERMINATED AT THE END OF THE LATERAL RECONNECTION (SEE DETAIL B). IN ADDITION, INSTALL A SEPARATE 12-INCH CLOSED LOOP OF NO. 14 WIRE AT THE END OF THE STUB AND ABOUT A FOOT ABOVE IT; THIS LOOP CAN BE LOCATED USING A PIPE LOCATOR.

7. WHEN SLIP-LINING IS TO BE USED THE LOCATING WIRE IS SECURED TO THE LEADING END OF THE LINER. LOCATING WIRE SHALL THEN BE INSERTED SIMULTANEOUSLY WITH THE SLIP-LINER.

8. WHEN AN INVERSION LINING IS TO BE USED THE LOCATING WIRE SHALL BE PLACED INTO THE EXISTING MAIN PRIOR TO THE INSERTION OF THE LINER.

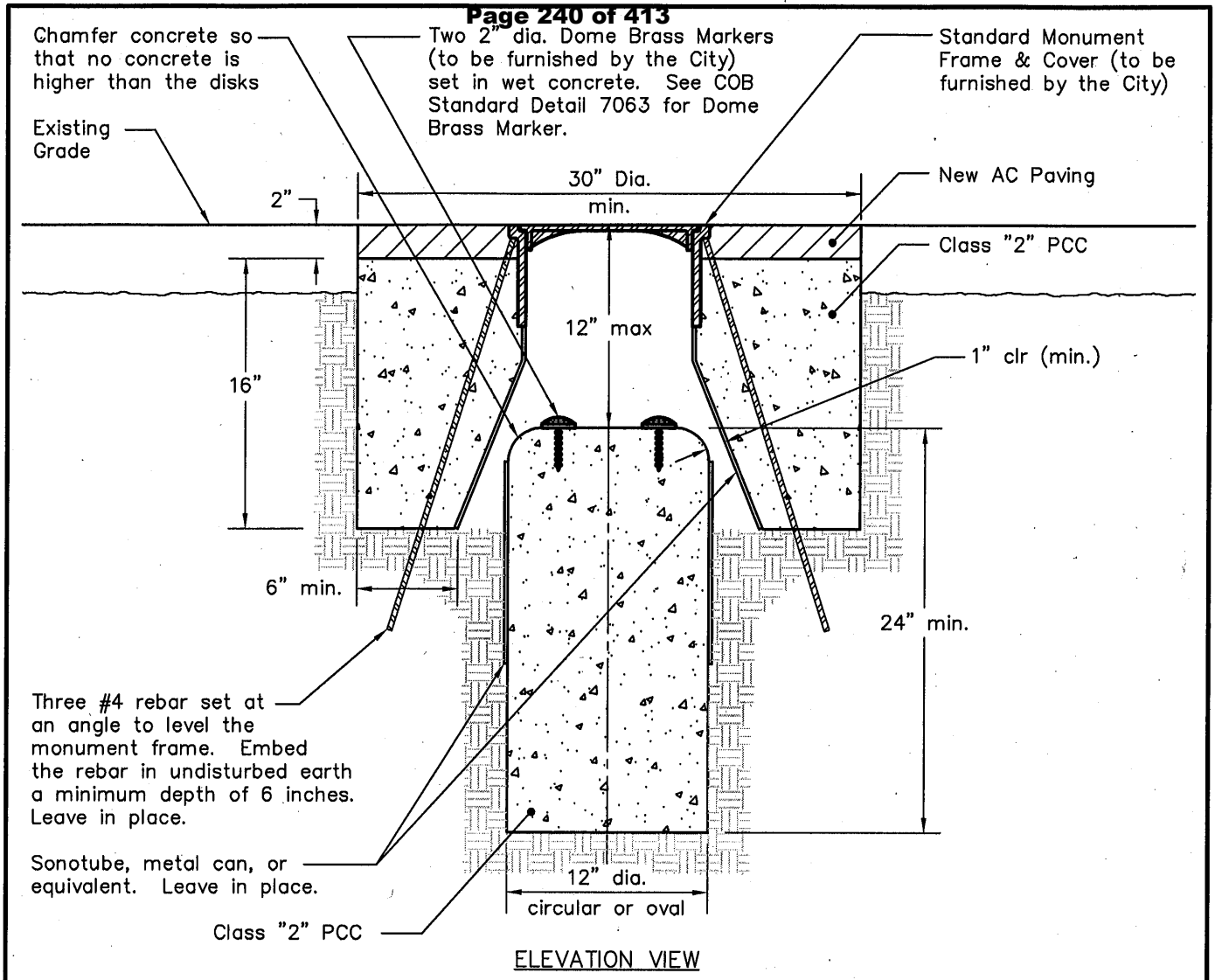


NOTES:

1. LETTERS ARE TO BE PRINTED BLACK ACRYLIC LATEX FLAT AND ARE TO BE UNIFORMLY APPLIED.
2. BACKGROUND AND ALL OTHER SIGN COMPONENT NOT DESIGNATED ARE PAINTED WHITE ACRYLIC EMULSION LATEX FLAT.

CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS				CONSTRUCTION SITE SIGN SANITARY SEWER PROJECT
SUBMITTED: MANAGER OF ENGINEERING	DATE: R.C.E. EXP.			
APPROVED:	DATE: R.C.E.	DESIGN: JR DRAWN: INC	DATE: 8/99 SCALE: N.T.S.	PLAN: 7129

Autodesk\VRC-Proto\SIGN1.dwg [Model] 7-17-02 01:37:13 PM INC1

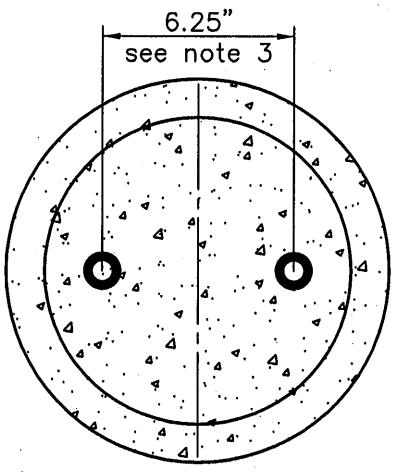


ELEVATION VIEW

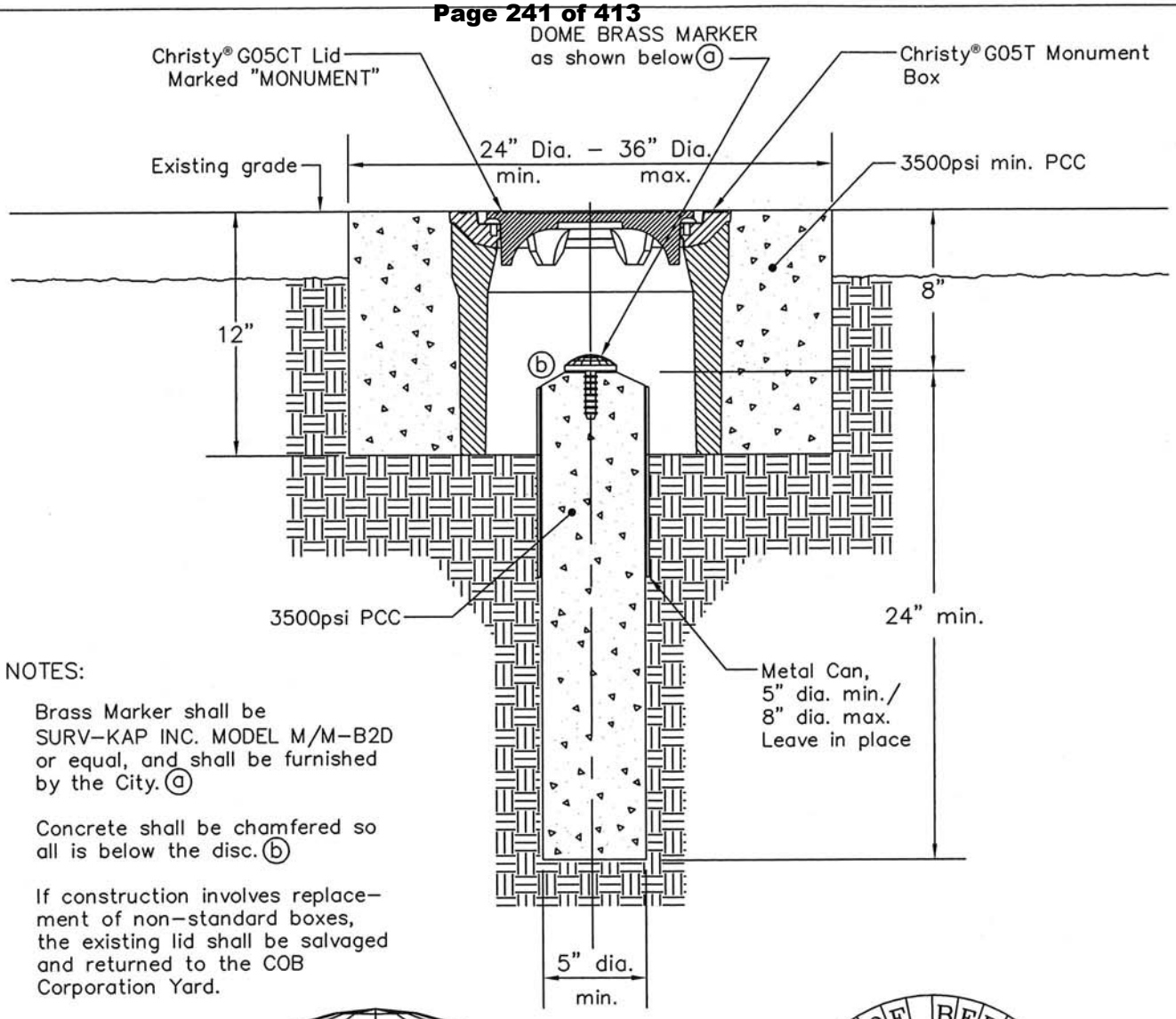
NOTES:

1. The existing frame & cover shall be salvaged and returned to the City of Berkeley Corporation Yard.
2. Disks shall be precisely placed in wet concrete from straddler points set by the City Surveyor or his/her designee.
3. This double pin monument is located at the intersection of Haskell Street and Mabel Street, COB Monument No. B0030 and No. B0057.

PLAN VIEW



CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS		STANDARD DETAIL DOUBLE PIN CITY MONUMENT			
SUBMITTED: K Ewing SUPERVISING CIVIL ENGINEER	DATE: 12/4/09 R.C.E. 54937 EXP. 06/30/10				
APPROVED: MANAGER OF ENGINEERING	DATE: 12/04/09 R.C.E. 23818 EXP. 12/31/09	DESIGN: EC/BB/AK DRAWN: EC CHECK: KE	DATE: 12/09 SCALE: N.T.S. BOOK:	PLAN: 7940 FILE: 20 B-149	

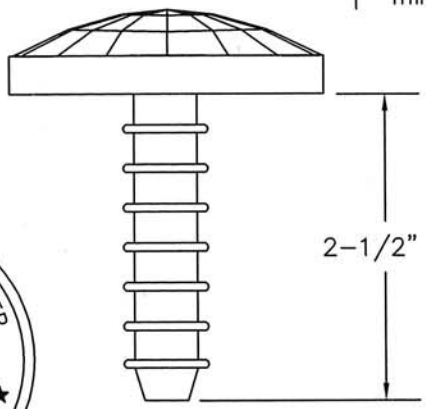


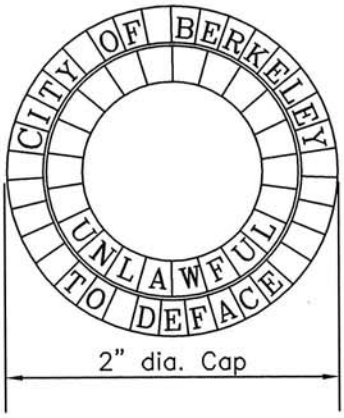
NOTES:

Brass Marker shall be SURV–KAP INC. MODEL M/M–B2D or equal, and shall be furnished by the City. ⓐ

Concrete shall be chamfered so all is below the disc. ⓑ

If construction involves replacement of non–standard boxes, the existing lid shall be salvaged and returned to the COB Corporation Yard.



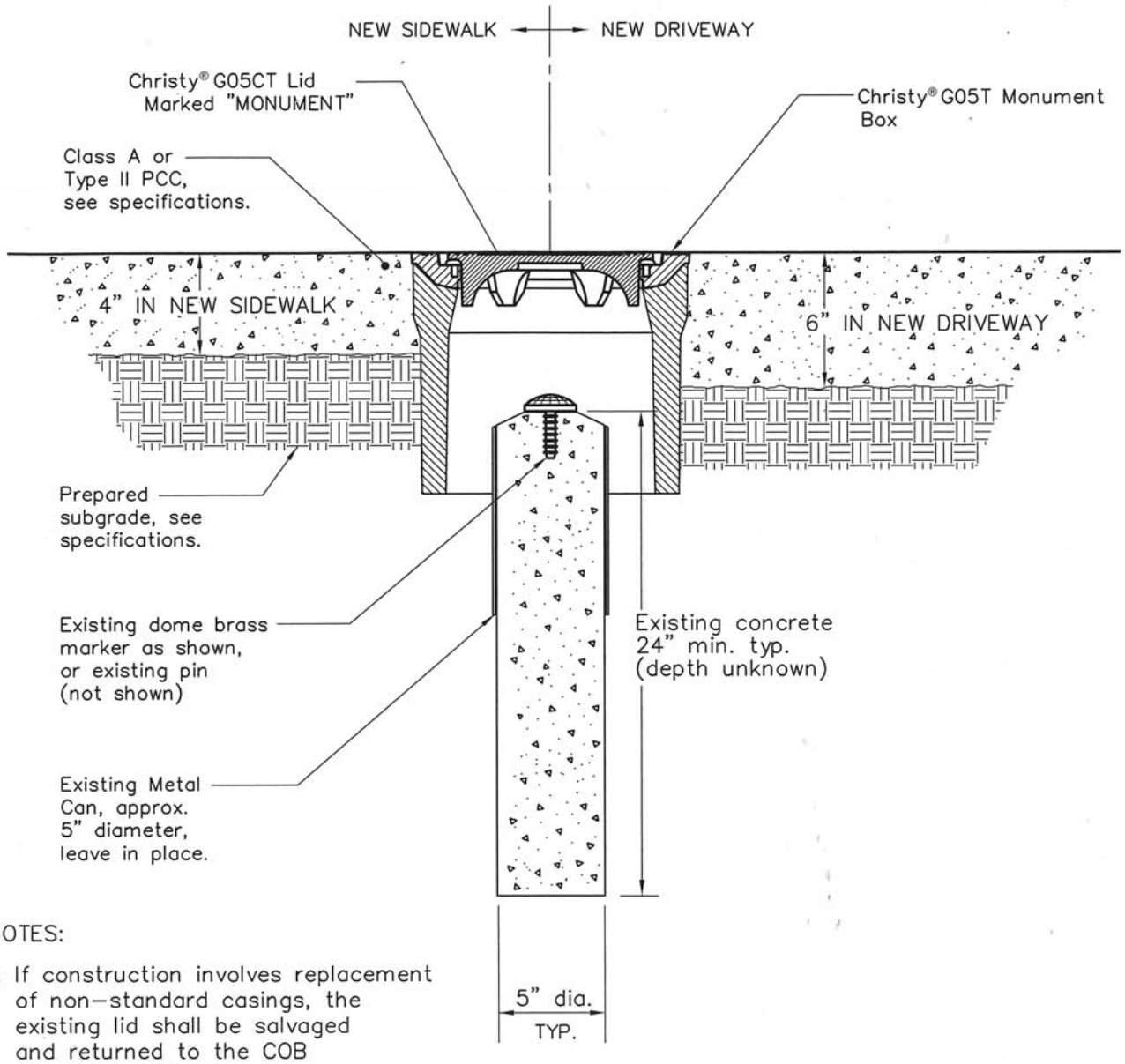


DOME BRASS MARKER

NOTE: This Drawing Supersedes COB Plan 7063, File: 20 B–120 MCT–12/2013

1	DOME BRASS MARKER TO BE FURNISHED BY THE CITY	DATE: 11/2010
2	REVISED DETAIL TO INCLUDE NEW STANDARD CHRISTY®G05T BOX & LID	DATE: 12/2013
3	UPDATE STANDARD SETTING AND REVISED TITLE BLOCK	DATE: 12/2015
4	REVISED STANDARD SETTING TO FULL CONCRETE COLLAR FLUSH w/EX. GRADE	DATE: 11/2017

DESIGN: MCT DRAWN: MCT CHECK: NAP	DATE: 11/2017 SCALE: N.T.S.	PLAN: 8090 FILE: 20–B–153	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS STANDARD DETAIL
APPROVED: 11-17-17 CITY ENGINEER DATE:			STANDARD CITY MONUMENT



NOTES:

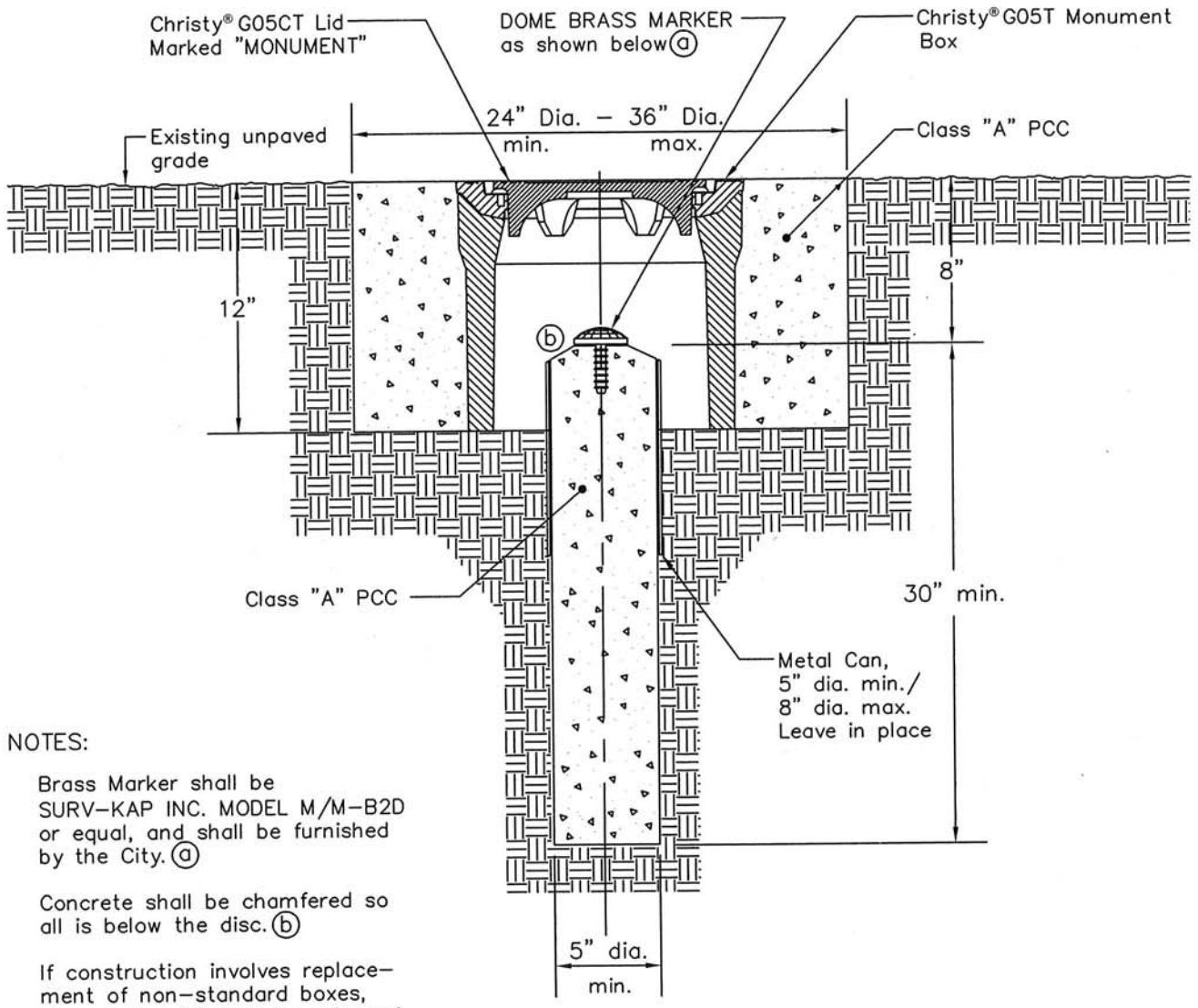
1. If construction involves replacement of non-standard casings, the existing lid shall be salvaged and returned to the COB Corporation Yard.

PROFESSIONAL ENGINEER
SEAN R. ROSE
C64314
EXP. 06/30/17
CIVIL
STATE OF CALIFORNIA

NOTE: This Drawing Supersedes COB Plan 7987, File: 20 B-150 MCT-12/2013

1	DOME BRASS MARKER TO BE FURNISHED BY THE CITY	DATE: 11/2010
2	REVISED DETAIL TO INCLUDE NEW STANDARD CHRISTY® G05T BOX & LID	DATE: 12/2013
3	UPDATE STANDARD SETTING AND REVISED TITLE BLOCK	DATE: 12/2015

DESIGN: EC/MCT DRAWN: EC/MCT CHECK: SRR	DATE: 12/2015 SCALE: N.T.S.	PLAN: 8091 FILE: 20-B-154	**CITY OF BERKELEY** **DEPARTMENT OF PUBLIC WORKS** **STANDARD DETAIL**
APPROVED: _____ 12/23/15 CITY ENGINEER DATE:			**CITY MONUMENT REHAB IN NEW SIDEWALK OR DRIVEWAY**

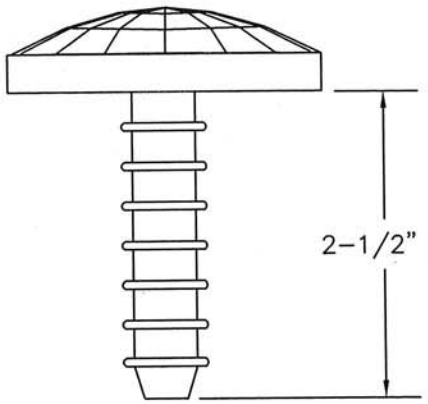


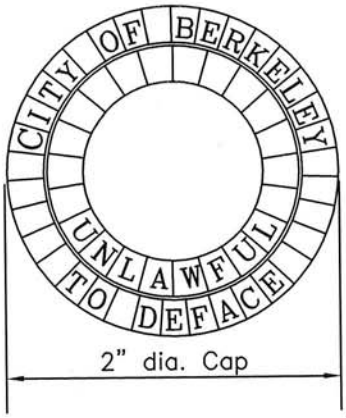
NOTES:

Brass Marker shall be SURV-KAP INC. MODEL M/M-B2D or equal, and shall be furnished by the City. ⓐ

Concrete shall be chamfered so all is below the disc. ⓑ

If construction involves replacement of non-standard boxes, the existing lid shall be salvaged and returned to the COB Corporation Yard.

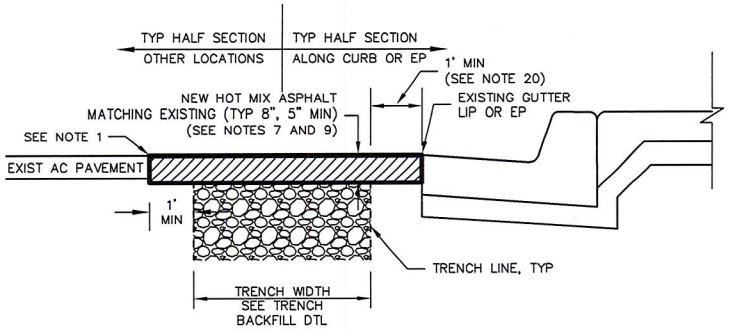




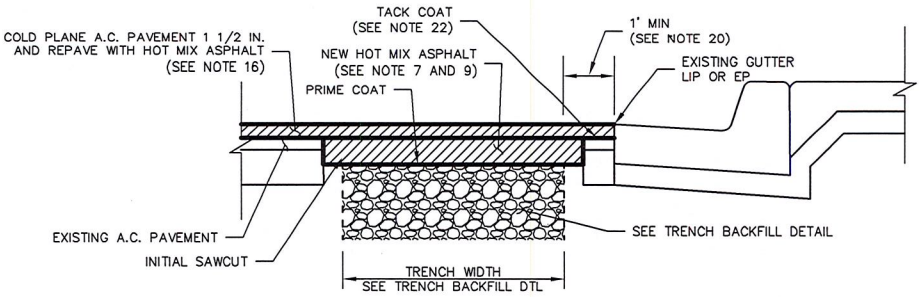
DOME BRASS MARKER

PROFESSIONAL ENGINEER
NISHA A. PATEL
C72491
CIVIL
STATE OF CALIFORNIA

DESIGN: MCT DRAWN: MCT CHECK: NAP	DATE: 11/2017 SCALE: N.T.S.	PLAN: 8179 FILE: 20-B-167	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS STANDARD DETAIL
APPROVED: 11-17-17 CITY ENGINEER	DATE:		CITY MONUMENT INSTALLATION IN UNPAVED SURFACE

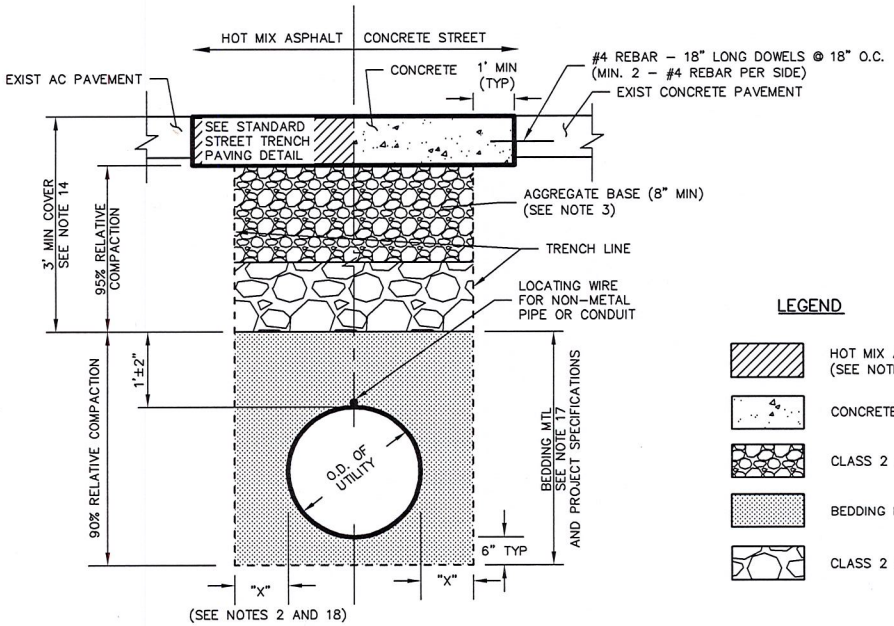


STANDARD STREET TRENCH PAVING DETAIL



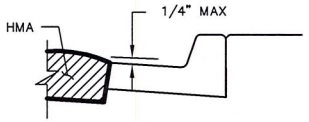
MORATORIUM STREET TRENCH PAVING DETAIL

(SEE NOTE 13 AND 16 FOR MORATORIUM STREETS)



TRENCH BACKFILL DETAIL

TYPICAL HALF SECTIONS



DETAIL A

GUTTER LIP PAVING

LEGEND

- HOT MIX ASPHALT (HMA) PAVING (SEE NOTE 9)
- CONCRETE PAVEMENT
- CLASS 2 AGGREGATE BASE (AB)
- BEDDING MATERIAL (SEE NOTE 17)
- CLASS 2 AGGREGATE BASE (AB)

STANDARD DETAIL
TRENCH EXCAVATION AND SURFACE RESTORATION

SUBMITTED: Don Ray — DATE: 7/6/16
SUPERVISING CIVIL ENGINEER — R.C.E. 64582

APPROVED: — DATE: 7/6/16
MANAGER OF ENGINEERING — R.C.E. 66014

CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

DESIGN: HEI	DATE: 06/2016	PLAN: 8136
DRAWN: HEI	SCALE:	FILE: 20-B-155
CHECK:	BOOK:	SHEET: 1 OF 2

NOTES:

1. TRENCH EXCAVATION IN THE PUBLIC RIGHT OF WAY SHALL CONFORM TO THE CITY OF BERKELEY GENERAL REGULATIONS FOR TRENCH EXCAVATION AND SURFACE RESTORATION IN THE PUBLIC RIGHT OF WAY. CUT THROUGH THE FULL DEPTH OF EXISTING SURFACING TO A NEAT STRAIGHT LINE AT LEAST 1.0 FOOT OUTSIDE THE TRENCH LINE. RECUT PAVEMENT EDGES DAMAGED DURING CONSTRUCTION TO NEAT LINES PRIOR TO PAVING. APPLY PAINT BINDER (TACK COAT) TO ALL VERTICAL SURFACES IN ACCORDANCE WITH THE LATEST EDITION OF CALTRANS STANDARD SPECIFICATIONS.

2. MINIMUM WIDTH OF TRENCH SHALL BE IN ACCORDANCE WITH THE DIMENSION SHOWN ON THE TRENCH BACKFILL DETAIL. DIMENSIONS "X" IS SHOWN BELOW FOR THE UTILITY "O.D."

UTILITY O.D.	"X" MIN
UNDER 1.0'	0.5'
1.0' TO 4.5'	1.0'
OVER 4.5'	2.0'

3. CLASS 2 AGGREGATE BASE (AB) SHALL BE INSTALLED IMMEDIATELY BELOW THE PAVEMENT SECTION TO BE REPLACED. THE AB QUALITY, GRADATION AND THE METHOD OF INSTALLATION SHALL BE IN CONFORMANCE WITH SECTION 26 OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATION. THE DEPTH OF THE AB SHALL BE IN ACCORDANCE WITH THE TRENCH BACKFILL DETAIL. 95% RELATIVE COMPACTION IS REQUIRED.

4. RELATIVE COMPACTION SHALL BE DETERMINED BY CALIFORNIA TEST NUMBER 231 (NUCLEAR GAUGE) OR APPROVED EQUAL. PERMITTEE SHALL ARRANGE AND PAY FOR THE TEST FOR RELATIVE COMPACTION WHEN ORDERED BY THE ENGINEER. THE TEST SHALL BE PERFORMED BY A QUALIFIED MATERIAL TESTING LABORATORY AND TEST RESULTS BE SUBMITTED TO ENGINEERING FORTY-EIGHT (48) HOURS IN ADVANCE OF PERMANENT PAVING OPERATION.

5. PERMITTEE SHALL PLACE TEMPORARY BITUMINOUS RESURFACING TWO (2) INCHES IN THICKNESS OVER THE COMPACTED BACKFILL AREAS. GREATER THICKNESS MAY BE REQUIRED FOR MAJOR INTERSECTIONS AND OTHER CRITICAL AREAS BY THE ENGINEER AS NECESSARY. STEEL PLATES MAY BE USED AS AN ALTERNATIVE IF APPROVED BY ENGINEER.

6. TEMPORARY BITUMINOUS RESURFACING (CUT-BACK) SHALL BE MECHANICALLY COMPACTED IN PLACE TO A UNIFORM, EVEN SURFACE AND SHALL BE TRUE TO STREET GRADE AND CROSS SECTION. THE PERMITTEE SHALL REGULARLY INSPECT AND MAINTAIN THE TEMPORARY BITUMINOUS RESURFACING UNTIL THE EXCAVATION IS PERMANENTLY PAVED. THE SURFACING SHALL NOT VARY TO MORE THEN 1/2" FROM THE EDGE OF A 10 FOOT STRAIGHT EDGE. UPON NOTIFICATION, THE PERMITTEE SHALL CORRECT THE SURFACE DEFICIENCY WITHIN 48 HOURS. LOOSE ROCKS AND OTHER DEBRIS GENERATED FROM TEMPORARY RESURFACING OPERATIONS SHALL BE IMMEDIATELY REMOVED FROM THE WORKSITE.

7. TEMPORARY BITUMINOUS RESURFACING SHALL BE REMOVED BEFORE PLACEMENT OF FINAL PAVING. FINAL PAVING SHALL BE MINIMUM FIVE (5) INCHES THICK OR SAME AS THE EXISTING PAVEMENT, WHICHEVER IS GREATER. THE PAVEMENT SHALL BE PLACED ON UNDISTURBED PREVIOUSLY COMPACTED BACKFILL AREAS.

8. PAVEMENT OUTSIDE OF THE FINAL CUT LINE DAMAGED BY THE PERMITTEE'S OPERATIONS SHALL BE REMOVED BY SAW-CUTTING IN LINES PERPENDICULAR OR PARALLEL TO THE ORIGINAL TRENCH LINES. NO DIAGONAL CUTS WILL BE PERMITTED.

9. HOT MIX ASPHALT (HMA) SHALL BE TYPE A IN CONFORMANCE WITH SECTION 39 OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS, UNLESS OTHER WISE SPECIFIED IN THE ENCROACHMENT PERMIT CONDITIONS OR AS DIRECTED BY THE PUBLIC WORKS DEPARTMENT. HMA SHALL BE COMPACTED TO 95% RELATIVE COMPACTION.

10. THE TOP 1 1/2" OF HMA SHALL HAVE A MAXIMUM AGGREGATE SIZE OF 1/2" UNLESS OTHERWISE SPECIFIED. THE HMA BENEATH THE TOP LAYER SHALL HAVE A MAXIMUM AGGREGATE SIZE OF 3/4".

11. UPON COMPLETION OF PAVING OPERATIONS THE PERMITTEE SHALL IMMEDIATELY REPLACE ALL PAVEMENT MARKING AND TRAFFIC STRIPING DAMAGED OR REMOVED BY HIS OPERATIONS. PAVEMENT MARKINGS AND TRAFFIC STRIPINGS SHALL BE REPLACED IN KIND OR WITH SUBSTITUTE MATERIAL APPROVED BY THE ENGINEER.

12. WHEN ANY PORTION OF THE CURB AT A LEGAL PEDESTRIAN CROSSWALK OR ANY PORTION OF THE SIDEWALK IN IMMEDIATE CONTACT WITH SUCH CURB IS REMOVED BY THE PERMITTEE OPERATIONS, THE PERMITTEE SHALL CONSTRUCT, AS PART OF HIS REPLACEMENT OPERATIONS, A CURB RAMP AS SHOWN IN CITY OF BERKELEY STANDARD DETAIL NO. 6780.

13. EXCAVATION ON STREETS RECONSTRUCTED OR RESURFACED WITHIN THE LAST 5 YEARS WILL NOT BE PERMITTED EXCEPT FOR CONDITIONS ENUMERATED IN THE CITY OF BERKELEY GENERAL REGULATIONS AND FOR TRENCH EXCAVATION AND SURFACE RESTORATION IN THE PUBLIC RIGHT OF WAY.

14. MINIMUM COVER OVER UTILITIES IS GOVERNED BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION. UTILITY OWNERS SHALL CONSIDER PLACING THEIR UTILITY LINE AT A GREATER DEPTH TO AVOID FUTURE RELOCATION DUE TO STREET/ROAD RECONSTRUCTION. THE INCREASED DEPTH SHOULD INCLUDE SUFFICIENT CLEARANCE BETWEEN THE UTILITY AND PAVEMENT STRUCTURAL SECTION UPGRADE TO PREVENT DAMAGE BY CONSTRUCTION EQUIPMENT. THE PUBLIC WORKS DEPARTMENT RECOMMENDS A MINIMUM OF 36 INCHES OF COVER BELOW THE PAVEMENT SURFACE IN ROADWAYS AND 24 INCHES BELOW FINISH GRADE IN SIDEWALKS AND OTHER PUBLIC RIGHT OF WAY.

15. RESTORATION OF THE TRENCH EXCAVATION ON CALTRANS RIGHT OF WAY (SAN PABLO AVE., ASHBY AVE., AND TUNNEL RD.) SHALL BE IN ACCORDANCE WITH CALTRANS ENCROACHMENT PERMIT.

16. RESTORE PAVEMENT AS FOLLOWS: FOR TRENCHES PARALLEL WITH THE CENTERLINE OF THE STREET, COLD PLANE AND REPAVE THE LANE IN WHICH THE TRENCH LIES. FOR TRANSVERSE TRENCHES, COLD PLANE AND REPAVE 1/2 LANE WIDTH ON EACH SIDE OF THE TRENCH. FOR BELL HOLES, COLD GRIND AND PAVE 1 LANE WIDTH ON EACH SIDE OF THE EXCAVATION. PRIOR TO COLD PLANING, THE TRENCH SHALL BE PAVED IN 3 INCH MAXIMUM LIFTS TO THE ORIGINAL SURFACE GRADES OR TO WITHIN 1 1/2 INCHES OF THE EXISTING SURFACE. IF THE CONTRACTOR ELECTS TO PAVE WITHIN 1 1/2 INCHES OF THE EXISTING SURFACE, THE REMAINING 1 1/2 INCHES MUST BE PAVED WITH CUT BACK ASPHALT UNTIL THE SURFACE IS PLANED. FINAL PAVING SHALL COMMENCE WITHIN 3 DAYS AFTER COLD GRINDING. ALL LOOSE MATERIAL SHALL BE REMOVED FROM THE AREA TO BE REPAVED PRIOR TO REPAVING.

17. BEDDING MATERIAL SHALL BE CLASS 2 AB OR CRUSHED ROCK PER 2015 GREENBOOK, TABLE 200-1.2.1(A), 3/4" SIEVE SIZE. ALTERNATIVE MATERIALS SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT. IN NO CASE SHALL "PEA" GRAVEL BE ALLOWED. A MAXIMUM OF 6 INCHES OF SAND MAY BE USED AS A BEDDING MATERIAL FOR COMMUNICATION, GAS AND ELECTRIC CONDUITS ONLY.

18. FOR GAS, ELECTRIC AND COMMUNICATION CONDUITS WITH AN OUTSIDE DIAMETER EQUAL TO OR LESS THAN 4 INCHES, THE TRENCH WIDTH MAY BE REDUCED TO NO LESS THAN 12 INCHES.

19. UNSUITABLE NATIVE MATERIAL SHALL BE EXCAVATED BELOW THE LIMIT OF EXCAVATION AND REPLACED WITH SUITABLE BACKFILL MATERIAL WHEN DIRECTED BY THE PUBLIC WORKS DEPARTMENT.

20. WHERE THE TRENCH PARALLELS CURB AND THE NEAREST TRENCH LINE IS LESS THAN 3 FEET FROM THE GUTTER LIP, ALL EXISTING HMA SHALL BE REPLACED TO THE GUTTER LIP.

21. SLURRY CEMENT BACKFILL SHALL COMPLY WITH SECTION 19-3.02E OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS.

22. APPLY PAINT BINDER (TACK COAT) TO ALL EXISTING AC AND CONCRETE SURFACES IN ACCORDANCE WITH THE LATEST EDITION OF CALIFORNIA DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS

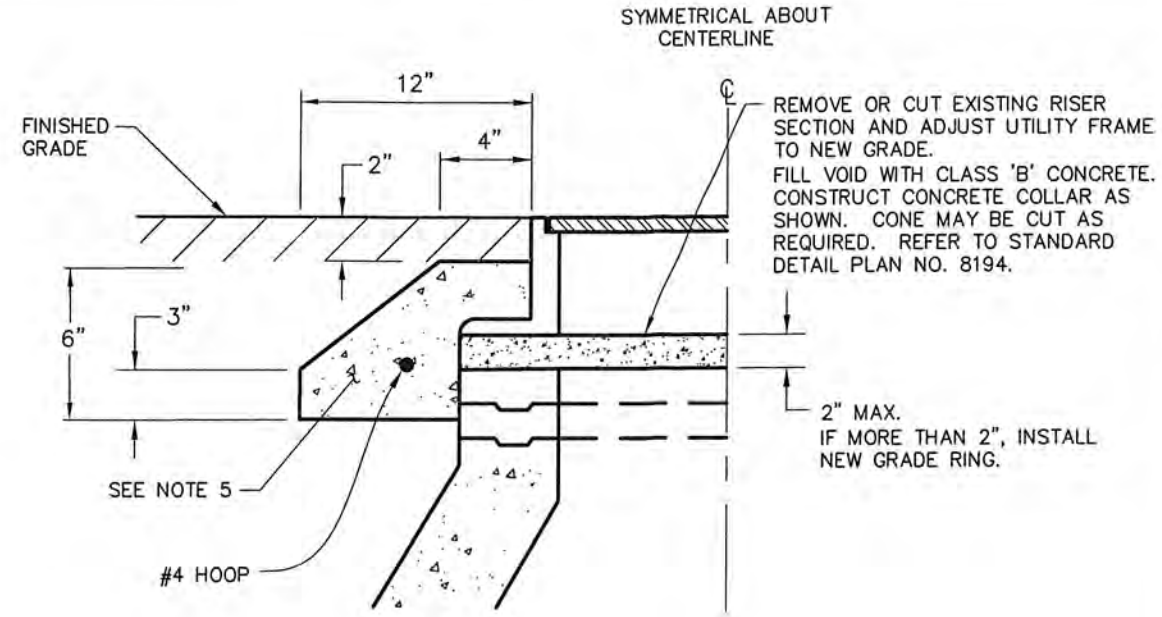
CITY OF BERKELEY
DEPARTMENT OF PUBLIC WORKS

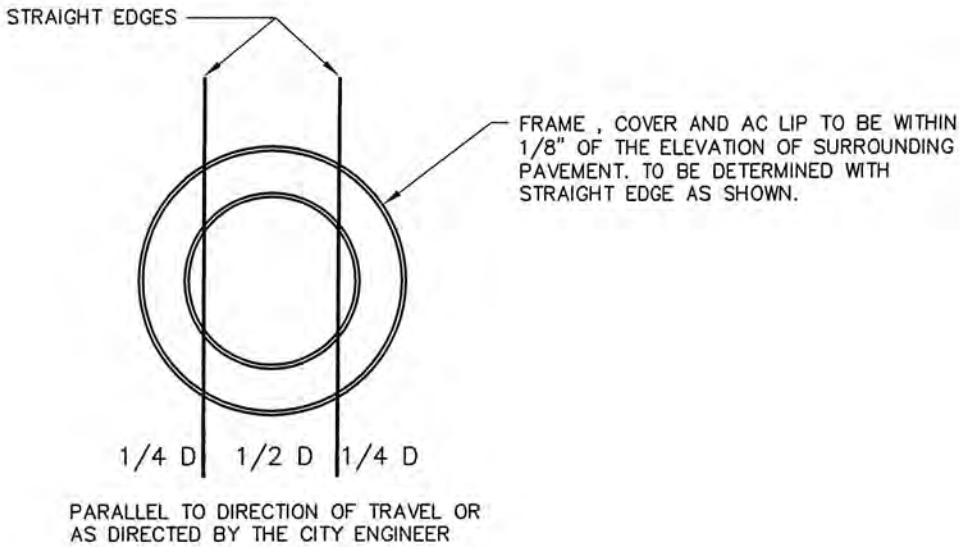
SUBMITTED: Dan Ruby — DATE: 7/1/16
SUPERVISING CIVIL ENGINEER — R.C.E. 64582

APPROVED: — DATE: 7/6/16
MANAGER OF ENGINEERING — R.C.E. 66014

STANDARD DETAIL
TRENCH EXCAVATION AND SURFACE RESTORATION

DESIGN:	HEI	DATE:	06/2016	PLAN:	8136
DRAWN:	HEI	SCALE:		FILE:	20-B-155
CHECK:		BOOK:		SHEET:	2 OF 2

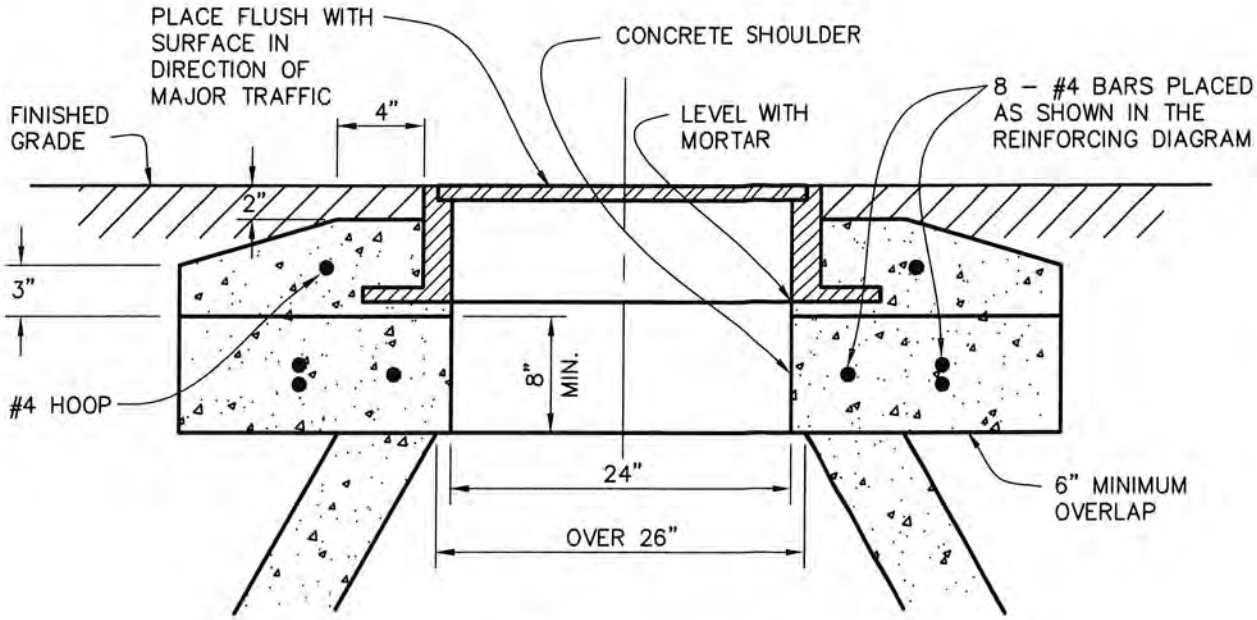




NOTES:

1. ALL SURFACE STRUCTURES EXTENDING 2" ABOVE THE NEW SUBGRADE OR MILLING PLANE SHALL BE LOWERED BY CONTRACTOR OR UTILITY OWNER TO THE NEW SUBGRADE BEFORE PAVING. STRUCTURES PROJECTING LESS THAN 2" ABOVE THE SUBGRADE MAY BE PAVED OVER AND LATER ADJUSTED TO GRADE.
2. ADJUST FRAME AND COVER TO FINISHED GRADE AFTER FINAL LIFT OF PAVING.
3. TRAFFIC CONTROL APPROVAL IS REQUIERED PRIOR TO ANY TRAFFIC LANE OBSTRUCTION.
4. PLACE TEMPORARY AC (CUT BACK) AROUND UTILITY FRAME UNTILL PERMANENT PAVING IS IN PLACED.
5. CAST-IN-PLACE CONCRETE COLLARS SHALL CONFORM TO STANDARD SPECIFCATIONS (GREENBOOK) SECTION 201-1.1.2 AND BE CLASS 560-B-3250.

DESIGN: TP DRAWN: LG CHECK: KE	DATE: 5/23 SCALE: N.T.S.	PLAN: 8193 FILE: 20B-169	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS STANDARD DETAIL
APPROVED: 5-23-18 CITY ENGINEER DATE:			MANHOLE FRAME & COVER ADJUSTMENT



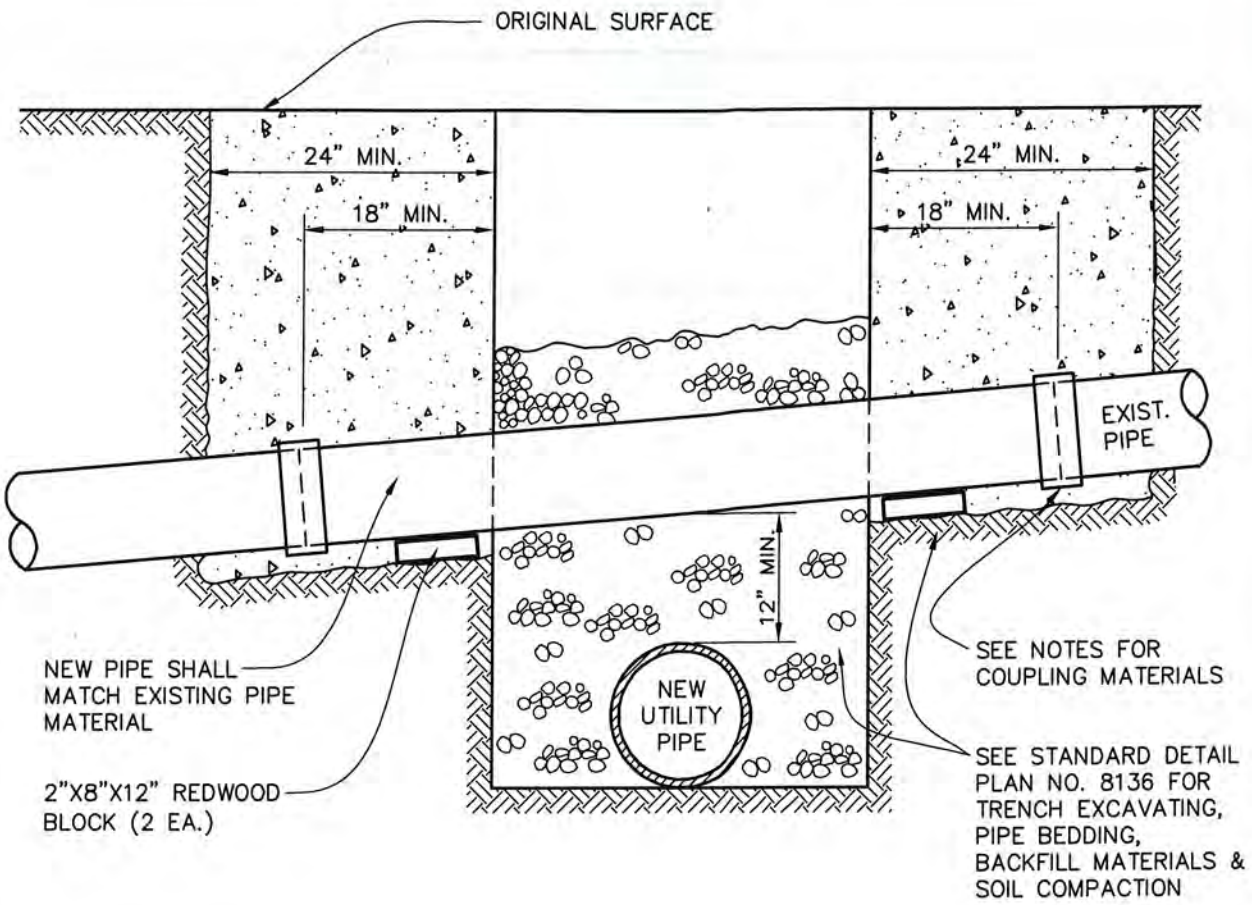
SECTION A–A

REINFORCING DIAGRAM

NOTES:

1. WHEN THE MANHOLE HAS TO BE CUT DOWN SO THAT THE TAPERED SECTION AT THE TOP OF THE EXISTING MANHOLE EXCEEDS 26 INCHES, A CONCRETE SHOULDER MUST BE CONSTRUCTED AS SHOWN ABOVE.
2. WHEN DIRECTED BY THE ENGINEER, THE EXISTING FRAME AND COVER SHALL BE SALVAGED AND RETURNED TO THE CITY CORPORATION YARD, 1326 ALLSTON WAY.
3. CAST–IN–PLACE CONCRETE COLLARS SHALL CONFORM TO SPECIFICATIONS (GREENBOOK) SECTION 201–1.1.2 AND BE CLASS 560–B–3250.

DESIGN: TP DRAWN: MS CHECK: KE	DATE: 5/18 SCALE: N.T.S.	PLAN: 8194 FILE: 20B–170	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS STANDARD DETAIL
APPROVED: 5-23-18 CITY ENGINEER DATE:			MANHOLE FRAME & COVER ADJUSTMENT – LOWERING



NOTES:

1. FOR HDPE PIPE USE ELECTROFUSION COUPLING.
2. FOR PIPE MATERIALS OTHER THAN HDPE USE FERNCO COUPLING STRONG BACK (RC) 5000 SERIES OR APPROVED EQUAL.
3. SEWER LATERAL SHALL REMAIN IN SERVICE AT ALL TIMES.

DESIGN: TP DRAWN: MS CHECK: NP	DATE: 4/2019 SCALE: N.T.S.	PLAN: 8214 FILE: 20B-174	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS STANDARD DETAIL
APPROVED: _____ CITY ENGINEER	DATE: 4-29-19		SEWER LATERAL REPAIR

G:\ENGINEER\StandardDetails\Sanitary Sewer\SewerLateralRepair-8214.dwg

SUBMITTAL TRANSMITTAL FORM

SUBMITTAL NO.: _____ Date: _____

To: City of Berkeley
Department of Public Works
Engineering Division
1947 Center Street, 4th Floor
Berkeley, CA 94704-1155
Attn.: _____

From: _____

PROJECT NAME: SS Rehab - _____

SPECIFICATION NO.: _____

☐ Original Submittal ☐ 2nd Submittal ☐ 3rd Submittal Copies Sent: _____

ITEM DESCRIPTION: _____

SPECIFICATION SECTION – PAGE NUMBER/PARAGRAPH: _____

We have verified that the material transmitted herein is in compliance with the contract specifications:

☐ With no exceptions

☐ Except for the following deviations:

_____

_____

_____
Contractor's Signature

City Use Only:

Remarks:

_____

REVIEW OF SHOP DRAWINGS
AND SUBMITTALS

☐ NO EXCEPTIONS TAKEN
☐ EXCEPTIONS AS NOTED
☐ SUBMIT SPECIFIED ITEM
☐ REVISE AND RESUBMIT
☐ REJECTED

Review is only for general conformance with the design concept, dimensions, equipment, and materials as presented in the Plans and Specifications. Markings or comments made during the review do not relieve the Contractor of his/her responsibility to comply with the requirements of the Contract Documents. The Contractor is responsible for the details and dimensions of fabrication and manufacture, the means, methods, techniques, sequences, or procedures of construction, and performing the work in a safe and satisfactory manner.

By: _____
Date: _____

CITY OF BERKELEY
Oppressive States Compliance Statement for Personal Services

The undersigned, an authorized agent of_____(hereafter "Vendor"), has had an opportunity to review the requirements of Berkeley City Council Resolution Nos. 59,853-N.S., 60,382-N.S., and 70,606-N.S., (hereafter "Resolutions"). Vendor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with those Business Entities which maintain business relationships with morally repugnant regimes. Vendor understands the meaning of the following terms used in the Resolutions:

"Business Entity" means "any individual, firm, partnership, corporation, association or any other commercial organization, including parent-entities and wholly-owned subsidiaries" (to the extent that their operations are related to the purpose of the contract with the City).

"Oppressive State" means: **Tibet Autonomous Region, the provinces of Ado, Kham, and U-Tsang; and Burma (Myanmar)**

“Personal Services” means “the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual relationship.”

Contractor understands that it is not eligible to receive or retain a City contract if at the time the contract is executed, or at any time during the term of the contract it provides Personal Services to:

a. The governing regime in any Oppressive State.
b. Any business or corporation organized under the authority of the governing regime of any Oppressive State.
c. Any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

Vendor further understands and agrees that Vendor's failure to comply with the Resolution shall constitute a default of the contract and the City Manager may terminate the contract and bar Vendor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

The undersigned is familiar with, or has made a reasonable effort to become familiar with, Vendor's business structure and the geographic extent of its operations. By executing the Statement, Vendor certifies that it complies with the requirements of the Resolution and that if any time during the term of the contract it ceases to comply, Vendor will promptly notify the City Manager in writing.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: _____Title:_____

Signature: _____ Date:_____

Business Entity: _____

I am unable to execute this Statement; however, Vendor is exempt under Section VII of the Resolution. I have attached a separate statement explaining the reason(s) Vendor cannot comply and the basis for any requested exemption.

Signature: _____ Date:_____

Contract Description/Specification No.:_____

Attachment D

PEDESTRIAN ACCESS DURING CONSTRUCTION PROJECTS

- **The purpose of these standards for construction in the public right-of-way is to ensure pedestrian safety and access**
- **Standards apply to City of Berkeley crews, Contractors with the City, and all others working in the right-of-way**
- **Each project is unique and requires thorough review to ensure complete, safe, usable and accessible paths of travel**

MAINTENANCE OF A CLEAR AND ACCESSIBLE PEDESTRIAN CORRIDOR

The Contractor or permittee shall maintain an accessible corridor that provides at least one safe path of travel for all pedestrians at all times for the duration of the project.

- Pedestrian corridor shall be a nominal width of 6' whenever feasible, and shall conform to ADAAG guidelines. It shall not be less than 48" wide at single point of contact or obstruction.
- Accessible pedestrian corridor shall connect with facilities throughout the project area.
- Equipment, debris, construction materials or vehicles shall not obstruct the corridor.
- No parked vehicles can obstruct blue curb parking spaces unless permitted by the City.
- Temporary closure of designated pedestrian routes and crossings shall be allowed only when flaggers are present and safely directing pedestrians around hazards.

TEMPORARY RAMPS CONFORMING TO ACCESSIBLITY STANDARDS

The Contractor or permittee shall install and maintain temporary concrete, asphalt or wood ramps to provide a safe path of travel for mobility-impaired pedestrians at all locations where ramps have been temporarily removed OR needed to route pedestrians.

- Temporary ramps shall be constructed so installation and removal will not damage existing pavement, curb and/or gutter.
- Ramps shall have a minimum 4' wide walking surface and a slope not to exceed 8%.
- Ramps shall snugly meet existing surfaces without gaps. When required for drainage
- Schedule 40 PVC pipe minimum 2" diameter shall be installed through ramp.
- Transitions between ramps and the street surface shall be smooth such that no lip exists at the base of the ramp.
- Sides of a ramp shall be protected where there is any drop-off.

CONSTRUCTION OF SIGNPOSTS, BARRICADES AND FENCING

Barricades that are impenetrable shall be used to separate pedestrians from hazards on all sides of excavations that may be exposed to pedestrians. Use materials and methods suitable to site conditions. Signs and fencing material shall not protrude into the clear pathway.

- A-frames used for defining path of travel (not barricading trenches) shall be placed end-to-end without spacing, shall be connected and maintained to ensure stability to help a person who is blind negotiate a safe path while using a cane.
- Caution Tape shall NOT be used by itself to delineate the path of travel or create a barricade.
- Fencing material requires a minimum 3" height, solid, uninterrupted toe-board.
- Signposts, scaffolding and fencing supports shall be placed entirely outside the pedestrian path of travel, minimum 4' wide and 80" high without obstruction.
- Construction barriers shall be maintained in a sound, neat and clean condition.

IDENTIFICATION OF SAFE PATH OF TRAVEL

If a portion of the pedestrian way is rerouted due to construction, the path of travel shall be clearly defined. Traffic Engineer shall review any pedestrian access limitations and notification requirements for pedestrians with mobility or vision impairments.

- Paths of travel that DO NOT continue to the next corner or to a safe crosswalk shall be closed to pedestrian traffic. Signs a minimum of 36" x 36" must be posted stating the sidewalk is closed and detour pedestrians to accessible sidewalk.
- Pedestrian access corridors shall be clearly delineated with cones or barricades, as approved by the Engineer.
- If a crosswalk is closed, curb ramps leading into that crosswalk must be barricaded in such a manner that walkways that are not closed remain accessible to use.
- Caution Tape shall NOT be used by itself to delineate the path of travel or create a barricade

SURFACING OF PEDESTRIAN CORRIDORS

During construction, tripping hazards and barriers for people with mobility impairments must be removed to maintain an accessible pedestrian corridor.

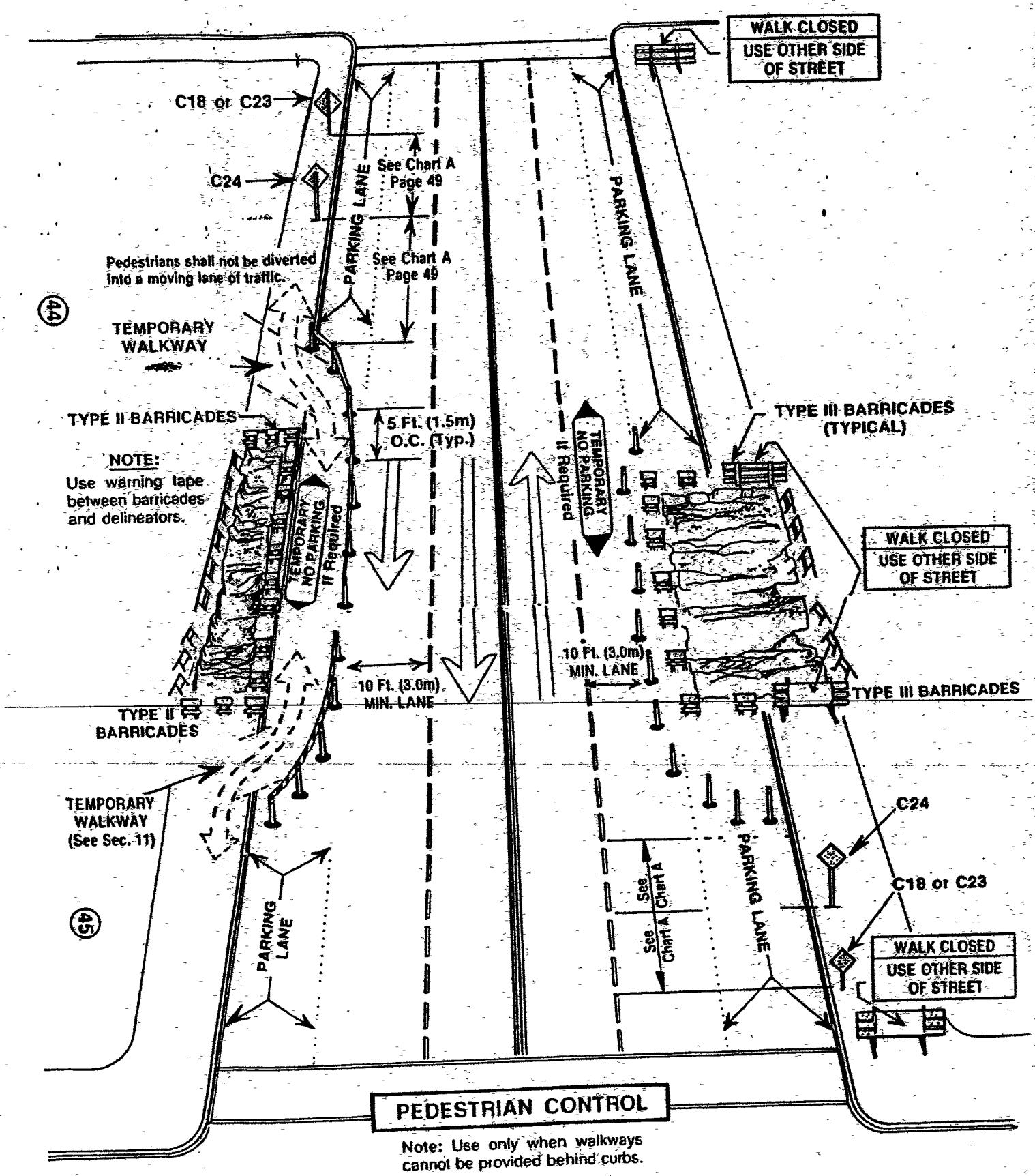
- Any change of level, which exceeds 1/4" height, must be beveled at 45°.
- Closed trenches, temporary paving surfaces, walking surfaces, steel plates; etc. shall have a smoothly finished, firm walking surface made even w/surrounding walkways.
- Aisle or loading area adjacent to a parking space is part of the pedestrian corridor.

RESTORATION OF PEDESTRIAN ROUTES

After construction, the site shall be returned to its former condition, or new condition as required.

- Temporary ramps shall be removed as soon as construction and approval of permanent ramp is completed.
- After work is completed, surface of the pedestrian path shall be restored free from all ridges, gaps, bumps and rough edges.
- Construction that affects existing curb ramp shall include replacement or repair of the curb ramp to meet current City standards.

PLEASE NOTE: City of Berkeley Engineers may stop work when any hazardous conditions are present.


WALK CLOSED
USE OTHER SIDE OF STREET
C18 or C23
C24
See Chart A Page 49
PARKING LANE
See Chart A Page 49
Pedestrians shall not be diverted into a moving lane of traffic.
44
TEMPORARY WALKWAY
TYPE II BARRICADES
5 Ft. (1.5m) O.C. (Typ.)
NOTE:
Use warning tape between barricades and delineators.
TEMPORARY NO PARKING If Required
TEMPORARY NO PARKING If Required
PARKING LANE
TYPE III BARRICADES (TYPICAL)
WALK CLOSED
USE OTHER SIDE OF STREET
10 Ft. (3.0m) MIN. LANE
10 Ft. (3.0m) MIN. LANE
TYPE III BARRICADES
TYPE II BARRICADES
TEMPORARY WALKWAY (See Sec. 11)
45
PARKING LANE
See Chart A
See Chart A
PARKING LANE
C24
C18 or C23
WALK CLOSED
USE OTHER SIDE OF STREET
PEDESTRIAN CONTROL
Note: Use only when walkways cannot be provided behind curbs.

04/88

ASPHALT CONCRETE

DETAIL SPECIFICATION NO. 16

1601 DESCRIPTION

1601.1 DESCRIPTION Asphalt concrete shall be designated as Type A, B, or Open Graded and shall conform to the general and specific requirements specified herein. The type of asphalt to be used and the thickness of the courses to be placed will be designated in the special provisions or on the plans.

1602 MATERIALS

1602.1 ASPHALTS

1602.11 Asphalt Cement (paving asphalt) to be mixed with mineral aggregate in the manufacture of asphalt concrete shall be steam refined paving asphalt having a RTFC AR 4000 or AR 8000. Generally, the RTFC AR 4000 will be designated for light to medium traffic and RTFC AR 8000 will be designated for heavy traffic. The range of the AR value will be designated in the Special Provisions or by the Engineer. Asphalt cement shall conform to the provisions of subsections 92-1.01, 92-1.02, and 92-1.03 of the CALTRANS Standard Specifications and the following provisions.

1602.12 Prime Coat shall be used on non-asphalt base course prior to placement of asphalt concrete. Prime coat shall be liquid asphalt, Grade SC-70, conforming to provisions of subsections 93-1.01, 93-1.02 and 93-1.03 of the CALTRANS Standard Specifications and to the following provisions. When approved by the Engineer, Asphaltic Emulsion Grade SS-1 conforming to the provisions of subsection 94-1.01 through subsection 94-1.06 of the CALTRANS Standard Specifications, may be substituted for the said Grade SC-70 liquid asphalt. When an asphaltic emulsion is used, it must be mixed into the base material by a motor grader, rotary mixer, or other type of equipment as approved by the Engineer.

1602.13 Tack Coat shall be used on existing asphalt concrete prior to placement of an additional asphalt concrete course. Tack coat shall be emulsified liquid asphalt grade SS-1 conforming to provisions of subsections 94-1.01 through subsection 94-1.06 of the CALTRANS Standard Specifications. Bituminous base used on Manufacturing SS-1 type emulsion shall be paving asphalt, with RTFC AR value of 8000, conforming to provisions of subsection 92-1.02 of the CALTRANS Standard Specifications.

1602.2 Types A and B Asphalt Concrete

1602.21 Mineral Aggregate. Mineral aggregate for Type A or B asphalt concrete shall consist of a mixture of coarse and fine aggregates and if required, a filler material conforming to the following requirements.

1602.22 Coarse Aggregate. Coarse aggregate shall consist of broken stone, crushed gravel, or both. If crushed gravel is used, not less than ninety (90) percent by weight of the individual pieces shall have at least one (1) fractured face. The aggregate shall be clean, tough, durable and sound; and shall be of uniform quality and free from disintegrated materials, lumps or

coatings of clay, vegetable matter and other deleterious substances.

1602.23 Fine Aggregate. Fine aggregate shall consist of material containing not less than 70 percent by weight of crushed particles in the portion passing the No. 4 sieve and retained in the No. 8 sieve.

1602.24 Filler Material. If the crushed material is deficient in fines, commercial filler material may be added. Such filler material shall consist entirely of crushed material and the final combination of materials shall conform to all the quality and grading requirements herein specified.

1602.25 Gradings. The combined mineral aggregate shall be of such size that the percentage composition by weight as determined by laboratory sieves, shall conform to one of the following gradings:

TYPE A AND B
Percentage Passing Sieves

SIEVE SIZE	3/4" Max.	1/2" Max.	3/8" Max.	No. 4 Max.
1	100	-	-	-
3/4"	95 - 100	100	-	-
1/2"	-	95 - 100	100	-
3/8"	65 - 80	85 - 95	95 - 100	100
No. 4	45 - 60	55 - 72	65 - 85	95 - 100
No. 8	30 - 45	38 - 55	50 - 70	70 - 80
No. 30	15 - 25	18 - 33	28 - 40	35 - 50
No. 200	3 - 8	3 - 8	7 - 14	7 - 16

The grading limits specified are based on materials having a specific gravity of 2.65. Corrections shall be made to compensate for variations in specific gravity.

The grading limits are master ranges and the component materials shall be so proportioned that when the combined sieve analysis is plotted on semi-log paper, a uniform concave curve results, which has the same general shape as the proposed limits and falls within the limits at all points.

1602.26 Tests. The combined mineral aggregate shall conform to all of the quality requirements designated in subsection 39-2.02 of the CALTRANS Standard Specification.

1602.3 Open Graded Asphalt Concrete

1602.31 Mineral Aggregate. Mineral aggregate for open graded asphalt concrete shall consist of broken stone, crushed gravel or both. If crushed gravel is used, not less than 90 percent, by weight, of the individual pieces shall have at least one fractured face.

The material shall be tough, durable and sound, and shall be of uniform quality and free from disintegrated materials, adobe, vegetable matters and other deleterious materials.

1602.32 Grading. The combined mineral aggregate shall be of such size that the percentage composition by weight, as determined by laboratory sieves, shall conform to the following grading:

Sieve Sizes	Percentage Passing Sieves
1/2"	100
3/8"	90 - 100
1/4"	55 - 75
No. 4	30 - 50
No. 8	15 - 32
No. 16	0 - 15
No. 200	0 - 3

1602.33 Tests. The combined mineral aggregate shall conform to all of the quality requirements designated in subsection 39-2.02 of the CALTRANS Standard Specifications.

1603 PROPORTIONING AND MIXING

1603.1 Storage and Drying. Aggregates shall be stored in accordance with subsection 39-3.01 and dried in accordance with subsection 39-3.02 of the CALTRANS Standard Specifications.

1603.2 Proportioning. After being dried and in advance of mixing with asphalt cement, the mineral aggregate shall be separated into sizes, stored in separate bins and proportioned in accordance with the provisions of subsection 39-3.03 of the CALTRANS Standard Specifications.

1603.21 If the mineral aggregate is deficient in fines, filler material conforming to the requirements specified Section 1602.2 for Mineral Aggregate shall be added in sufficient quantity to provide aggregate conforming to the specified gradings. The filler material shall be thoroughly dry and shall be added to the aggregate at the mixing plant by thoroughly pre-mixing it with the other fine aggregate or by feeding it separately into either the hot or cold elevator. Spreading filler material over the tops of the aggregate pits or dumping it indiscriminately into the hopper at crushing plants will not be permitted.

1603.22 In placing materials in storage or in moving them from storage to the plant, bulldozers or other similar equipment which may cause the segregation of the material of any grading, or the combining of materials of different gradings, will not be permitted.

1603.23 The amount of asphalt cement to be added to Type A or B asphalt concrete shall be between four (4) percent and six (6) percent, by weight, of the dry mineral aggregate. The amount of asphalt cement to be added to open graded asphalt concrete shall be between six (6) percent and six and one-half (6 1/2) percent by weight, of the dry mineral aggregate. The exact amount of asphalt cement to be added to the mineral aggregate will be determined by the Engineer, at the time of mixing.

1603.24 The Contractor shall advise the Engineer in writing not less than 21 calendar days prior to placement of asphalt concrete of the retail source of supply of the mixture to be used and of the sources of its constituents. The Engineer will obtain samples of the mixture to be used and will prepare laboratory samples for correlation of field measurements to be made during production and placement. Once the Contractor has designated the mixture supplier, the supplier and sources shall not be changed without written approval of the Engineer.

1603.3 Mixing. Aggregates and Asphalt Cement shall be mixed in accordance with subsection 39-3.04 and one of the following appropriate subsections of the CALTRANS Standard Specifications: 39-3.04A, 39-3.04B and 39-3.04C.

1603.31 The temperature of the mineral aggregate at the time of adding the asphalt cement shall not be in excess of three hundred twenty-five (325) degrees F.

Asphalt cement shall be added to the mineral aggregate at a temperature of not less than two hundred seventy-five (275) degrees F., nor more than three hundred twenty-five (325) degrees F.

1603.32 All scales shall be certified as to accuracy by the California State Department of Agriculture, Bureau of Weights and Measures, or by the Alameda County Sealer of Weights and Measures, or by other organizations acceptable to the Engineer. The Contractor shall, at his own expense, furnish for use in testing scales one standard 50-pound weight for each 500 pounds of batch scale capacity for each individual installation.

The City reserves the right to order the use of any drying, proportioning, and mixing equipment discontinued which, in the opinion of the Engineer, fails to properly dry and proportion the aggregate or fails to produce a satisfactory mixture.

1604 CONSTRUCTION METHODS

1604.1 Prime Coat and Tack Coat. In advance of spreading the surfacing material, a prime coat of liquid asphalt or a tack coat of asphaltic emulsion shall be applied to the areas to be surfaced in accordance with the provisions of section 1602.1 and the following provisions:

1604.11 Prime coat shall be spread on non-asphaltic base at the approximate total rate of 0.25 gallon per square yard of surface covered. The exact rate and number of applications will be determined by the Engineer.

1604.12 Tack Coat shall be applied on asphaltic base in one application at a rate of from 0.02 to 0.10 gallon per square yard of surface covered. The exact rate of application will be determined by the Engineer.

1604.13 Non-asphalt bases to receive prime coat should not have a moisture content in the upper three inches in excess of 4% as determined by either California Test Method 226 or ASTM test designation C-70.

1604.14 Immediately before applying a prime coat or tack coat, the area to be surfaced shall be cleaned of all loose material by means of power brooms supplemented by hand-brooming if necessary. Prime coat or tack coat shall not be applied until subgrade preparation has been completed, and only so far in advance of placing the surfacing as is ordered by the Engineer.

1604.15 Liquid asphalt prime coat and asphaltic emulsion tack coat shall be applied at the appropriate following listed temperatures:

Grade	Application Temperatures	
	Min. °F	Max. °F
SC-70 Liquid Asphalt	105	175
MC-250 Liquid Asphalt	140	225

SS-1 Asphaltic Emulsion 75 130

1604.16 After the prime coat or tack coat has penetrated the surface, and if, and only if, ordered by the Engineer, the primed area shall be covered with an approved sandy material. All loose sand shall be completely removed before placing any asphalt concrete thereon.

1604.17 Asphaltic emulsion tack coat shall be applied to all vertical surfaces of existing pavement, curbs, gutters and construction joints in the surfacing against which additional asphalt concrete is to be placed, and to other surfaces designated by the Engineer.

1604.18 Immediately in advance of placing asphalt concrete, additional prime coat or tack coat shall be applied as directed to areas where the priming has been damaged, and loose or extraneous material shall be removed, and no additional compensation will be allowed for such work and materials.

1604.2 Spreading and Compacting Equipment. Spreading equipment shall conform to the provisions of subsection 39-5.01 of CALTRANS Standard Specifications.

1604.21 All rolling equipment shall be self-propelled and reversible. Rollers used for initial or breakdown rolling shall be equipped with wheels having a diameter of 40 inches or more.

1604.22 Pneumatic-tired rollers shall have a minimum width of 6 feet and be equipped with pneumatic tires of equal size and diameter having treads satisfactory to the Engineer. Tires shall have a minimum outside diameter of 40 inches and inflation pressure of 90 p.s.i.g. Tires shall be so spaced that the gap between adjacent tires shall be covered by the tread of the following tire. Operating weight shall be not less than 2,000 pounds per tire and be not less than nine (9) tons total weight.

1604.23 Two-axle steel-tired tandem rollers shall weigh not less than eight (8) tons.

1604.24 Three-wheel steel-tired rollers shall weigh not less than 12 tons with a compression of the rear wheels of not less than 325 pounds per linear inch of tire width.

1604.25 Three-axle steel-tired tandem rollers shall weigh not less than 12 tons.

1604.26 The Contractor shall supply a public weighmaster certificate which identifies and establishes the true operating weight on each axle of each and every roller used on the work.

1604.27 The Contractor shall furnish a minimum of one 9-ton pneumatic-tired roller and one 8-ton 2-axle tandem roller for each asphalt paver laying Type A asphalt concrete and furnish a minimum of one 8-ton 2-axle tandem roller for each paver laying Open Graded asphalt concrete.

1604.28 When, in the opinion of the Engineer, production rate exceeds the compactive capacities of the rollers and operators provided, additional rolling equipment of a type to be designated by the Engineer shall be supplied by the Contractor or production rate shall be reduced or stopped.

1604.29 Asphalt concrete areas which, in the opinion of the Engineer, are inaccessible and cannot be compacted satisfactorily with the above specified

rollers shall be compacted with a ramming or impact type of compactor having minimum impact power of 900 ft. lbs. per second and energy of 1500 ft. lbs. per blow exerted on a ramming shoe of 248 square-inch area.

1604.3 Spreading and Compacting. All types of Asphalt Concrete shall be spread only when the weather is satisfactory to the Engineer. Tarpaulins shall be furnished and used to cover all loads during transportation. Types A or B asphalt concrete shall be spread at a minimum temperature of 275 degrees F., and when the atmospheric temperature is above 40 degrees F. Open Graded asphalt concrete shall be spread at a minimum temperature of 225 degrees F and when the atmospheric temperature is above 60 degrees F.

1604.31 Longitudinal joints in the top course shall coincide with the edges of proposed traffic lanes, unless excepted by the Engineer. Longitudinal joints in all courses shall be offset not less than 0.5-foot alternately so that no joint is coincident with the joint in the underlying course.

Before placing the top course adjacent to cold transverse construction joints, such joints shall be neatly trimmed to a vertical face in a neat line transverse to the surfacing. Top joints shall be tested with a 10-foot straight-edge and cut back as required if the surface varies more than one-eighth (1/8) inch from the lower edge of the straight-edge. All longitudinal and transverse joints shall be fully compressed and where the asphaltic surfacing is placed adjacent to an existing pavement, the roller on the initial pass shall be supported by the new surface high enough that the roller will ride just clear of the old surface. Transverse joints in the top course shall be offset from joints in the base course by at least six (6) feet. Wherever the wearing surface is brought to a thin edge (feather edge) the existing surface shall be thinly tack coated and the coarse aggregate shall be raked out of the mixture.

Unless specifically approved by the Engineer, the surface course shall be placed so that no longitudinal joints remain after the end of a normal operating day.

1604.32 All layers, except as otherwise provided in section 1604.33 or in the Special Provisions, shall be spread with an asphalt paver. Asphalt paver shall be operated in such a manner as to insure continuous and uniform movement of the paver. The paver shall not start any single pass until sufficient hot material is on the job site to lay down a minimum length of pass of 100 feet in one continuous motion of the paver.

1604.33 In advance of placing asphalt concrete over an existing base or surfacing or pavement, and after the base or surfacing or pavement has been prepared as hereinbefore specified, and, if ordered by the Engineer, surfacing mixture shall be spread as directed to level irregularities, dips, depressions, sags, and excessive crown and to provide a smooth base of uniform grade and cross-section, in order that subsequent layers of surfacing will be of uniform thickness. This leveling course may be placed either by hand or by blade. No additional compensation will be allowed for placing asphalt concrete as above specified and full compensation for all work incidental to such operations shall be considered as included in the contract price or prices paid for the surfacing material.

1604.34 Initial or breakdown rolling shall consist of one complete coverage of asphalt mixtures and shall be performed with a pneumatic-tired roller on base or leveling courses and with a steel-tired roller on top courses. Rolling

shall commence at the lower edge and shall progress toward the highest portion. Under no circumstances shall the center be rolled first. Rollers shall be operated so that the driving axle is the first axle to pass over the uncompacted material. The movement of the roller shall be slow and uniform to secure maximum compression. Each movement of the roller shall lap the path of the preceding one by half the width of the roller. The roller shall operate in a straight line with a minimum of turning, stopping and starting. Turning shall be done on the compacted surface. After the initial pass on the uncompacted material, the roller shall retrace its path over compacted material back to previously compacted areas before starting the next pass.

1604.35 The minimum length of pass for breakdown roll shall be 100 feet, unless excepted by the Engineer. The breakdown pass shall be made in one smooth and continuous motion of the roller with reversal of direction to be made once near the paver. Direction reversal shall not be made more than once at the same place on the mat.

1604.36 Pneumatic-tired rollers shall operate immediately after the paver, and the tires shall remain dry and be allowed to attain the temperature of the hot mixture. The use of water on pneumatic tires will not be allowed. Pneumatic-tired rollers shall not be used on Open-Graded asphalt concrete.

1604.37 Rollers shall be used continuously on the hot mat until the temperature of the mat has dropped below 200 degrees F. or until the compacted density is determined satisfactory by the Engineer.

1604.38 The porosity of each compacted course of Type A Asphalt Concrete may be measured immediately after rolling and while the fresh mat is still above 200 degrees F and compactable. The acceptable void content shall be between 5% and 9% and will be correlated with the compacted laboratory samples of the mix. The desired compacted-in-place void content of each course will be determined by the Engineer.

1604.39 Any ridges, indentations, or other objectionable marks left in the surfacing shall be eliminated either by rolling or some other approved means. The surfacing shall have the average thickness specified and shall not vary more than one-quarter (1/4) inch from the specified thickness. The surface of the pavement shall be true to grade, have a uniform and smooth contour, and be free from depressions exceeding one-quarter (1/4) inch as measured from a 10-foot straight-edge.

1604.40 Obstructions. After placing the final lift of asphalt concrete, the Contractor shall be required to reset, in a workmanlike manner, all metal frames and covers, sewer manholes, lampholes, catch basins, junction boxes, storm water inlets, monuments and sewer cleanouts along the line of the work which are not now at the required grade and line. Concrete around these facilities shall be six (6) sack concrete with 2% calcium chloride added. All manholes within the limits of the construction shall be kept clean of earth materials. Frames and covers broken or damaged by the Contractor shall be replaced by him, at no extra expense to the City, with the present City of Berkeley standards. The Engineer may require that any sewer frame and cover to be reset by the Contractor be replaced with a new frame and cover to be furnished by the City. The size, number and location of metal covers, sewer manholes, lampholes, catch basins, junction boxes, storm water inlets, monuments and sewer cleanouts as shown on the plans are from the best information available, but not guaranteed by the City.

1604.41 Frames and covers belonging to the Utilities will be adjusted by them. The Contractor shall be responsible for notifying the utility companies.

1604.42 As part of the asphalt concrete surfacing work, the Contractor shall restore all property affected by the Contractor's operations to a condition approved by the Engineer.

1605 METHOD OF MEASUREMENT

1605.1 Measurement. The weight of asphalt concrete shall be determined as provided in applicable portions of subsection 9-1.01 "Measurement and Payment" of the CALTRANS Standard Specifications, except as herein noted:

The City reserves the right to appoint a weigher compensated by the City, to weigh all materials weighed on scales furnished by the Contractor.

A maximum tonnage will be allowed based on 12.5 pounds of asphalt concrete surfacing for each square foot of one (1) inch thick pavement placed. The thickness of pavement shall be as designated on the plans and specification plus the thickness tolerance of one-quarter (1/4) inch allowed in paragraph 1604.39, and the area shall be measured in a horizontal plane in square feet. An increase of density will be allowed if the Contractor can establish by approved testing procedures that the density is greater.

1606 BASIS OF PAYMENT

1606.1 Basis of Payment. Asphalt concrete will be paid for at the unit price bid per ton, which price shall include full compensation for furnishing all labor, materials, tools and equipment, and doing all the work necessary in constructing the pavement complete in place, including traffic control and incidental work. No payment will be made for tonnage over the maximum as defined above, except that asphalt concrete used in leveling irregularities as directed by the Engineer and described in section 1604.33 will not be totaled into or used with the maximum tonnage figure. Payment for asphalt cement, prime coat, and tack coat will be included in the price bid for asphalt concrete.

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APPENDICES

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APPENDIX 1

CRITERIA FOR THE SEPARATION OF WATER MAINS AND SANITARY SEWERS

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CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

December 14, 2017

Separation of Water Mains and Non-Potable Pipelines – Requests for Alternatives to the Waterworks Standards

Dear Public Water System Owners and Operators:

This letter supersedes prior guidance regarding the separation of water mains and non-potable pipelines, including Guidance Memo 2003-02, dated October 16, 2003. Guidance Memo 2003-02 and previous versions should be discarded.

The California Waterworks Standards (California Code of Regulations (CCR), Title 22, Division 4, Chapter 16, Section 64572) establish criteria for the separation of new water mains from non-potable pipelines. Public water systems should ensure that these distances are met, whenever feasible, for all new construction. The Division of Drinking Water (Division) recognizes that certain conditions may call for the installation of pipelines with less separation distance than what is required by the regulations. In these situations, the water system may propose an alternative pursuant to CCR, Title 22, Section 64551.100:

§64551.100. Waivers and Alternatives.

(a) A water system that proposes to use an alternative to a requirement in this chapter shall:
(1) Demonstrate to the State Board that the proposed alternative would provide at least the same level of protection to public health; and
(2) Obtain written approval from the State Board prior to implementation of the alternative.

In proposing an alternative to the Waterworks Standards, water systems should observe the following:

- The water system must accept responsibility for the adequacy of the proposed alternative. The Division may require a written statement, signed by the water system's management, certifying that the proposed alternative adequately protects public health.
- In most circumstances, the Division cannot offer technical assistance with pipeline or infrastructure design. The water system proposing an alternative must demonstrate adequate expertise on the part of its own personnel or its hired consultants.
- The water system should describe how the proposed alternative provides at least the same level of protection to public health as the minimum separation distances prescribed in the regulation.
- While exorbitant cost may present a hardship in meeting the regulatory separation requirements and can be considered, public health must be prioritized above construction costs in determining an acceptable alternative.

The Division has prepared an application checklist that may be used by water systems in proposing an alternative to the Waterworks Standards (Enclosure). The purpose of the checklist is to ensure that the Division has sufficient information to evaluate the proposal. **The water system may submit the information in a different format from the checklist, provided that the submittal provides adequate information.** The checklist may also be used to provide written certification that the proposed alternative adequately protects public health.

If you have any questions, please contact the Division office that oversees your water system.

Sincerely,

Darrin Polhemus, P.E.
Deputy Director
Division of Drinking Water

Enclosure: Waterworks Standards Main Separation Alternative Request Example Checklist

STATE WATER RESOURCES CONTROL BOARD
Division of Drinking Water
Waterworks Standards Main Separation Alternative
Request Checklist

Water System Name/Number: Click here to enter text.

Name of Applicant: Click here to enter text.

Phone Number and Email Address: Click here to enter text.

Project Name and Location: Click here to enter text.

Attach plans or field drawings to show the standard installation and the proposed installation for which the alternative is being requested. (e.g. vertical profile and horizontal alignment, specifications, and other exhibits, as appropriate).

The Waterworks Standards in the California Code of Regulations (CCR) Title 22, Chapter 16, Section 64572 provide separation criteria for new construction. When buried water mains are in close proximity to non-potable pipelines, the water mains are vulnerable to contamination that can pose a risk of waterborne disease outbreaks.

Per CCR Title 22, Chapter 16, Section 64551.100, a water system that proposes to use an alternative to a requirement in Chapter 16 shall: 1) demonstrate to the State Board that the proposed alternative would provide at least the same level of protection to public health; and 2) obtain written approval from the State Board prior to implementation of the alternative. Requests for alternatives to the Waterworks Standards must consist of information outlined in at least four of the attachments below. Information contained in Attachments A, B and E will be required for all alternative requests. Information contained in Attachments C and/or D will also be needed depending on your particular situation. Please review all the attachments and submit the information for your specific project. The information must be submitted to your local Division of Drinking Water District Office for review and approval prior to construction.

Attachment A represents the standard pipe material and construction that would be used if the standard separation criteria can be met by the utility.

Attachment B represents information on the current pipe in the ground that is being crossed by a new pipeline or being paralleled by a new pipeline.

Attachments C and **D** represent information on the new pipeline being installed. Attachment C is for parallel construction and Attachment D is for crossings.

Attachment E is certification language that is needed to consider the Waterworks Standard alternative application.

Please Note: <u>The information may be submitted using this checklist or another format, but all relevant information must be provided to the Division of Drinking Water District Office for consideration.</u> If multiple crossings or parallel pipelines in multiple locations are part of the application, please indicate in the comments field of the applicable attachment or submittal. Alternatively, the applicant can provide an attachment or separate submittal for each location.

Attachment A
(All Cases)

Water System's Standard Pipe Material and Construction Details

Attach the water system's standard pipe specification and construction details to this as Exhibit 1 and describe below.

Liquid Conveyed By New Pipeline:

☐ Domestic Water ☐ Raw Water ☐ Recycled Water

☐ Sewer ☐ Force Sewer ☐ Storm Drain

☐ Other (describe) Click here to enter text.

Nominal Size: Click here to enter text. inches

Operating Pressure: Click here to enter text. psi or ☐ Gravity flow/atmospheric

Pipe Material: ☐ Ductile Iron ☐ Cast Iron ☐ Welded Steel

☐ HDPE ☐ PVC ☐ Concrete ☐ Clay

☐ Other describe Click here to enter text.

AWWA Material Designation Code: Click here to enter text.

Pressure Class/Thickness/Coating Click here to enter text.

Joint Type Construction: ☐ Push On ☐ Restrained ☐ Welded Joints ☐ Fused

☐ Other describe Click here to enter text.

Depth of Cover: Click here to enter text.

Comments:
Click here to enter text.

Attachment B
(All Cases)

Existing Pipeline Material – Paralleling or Crossing the Proposed Pipe

List the condition of the existing pipeline being paralleled or crossed.

Liquid Conveyed By Existing Pipeline:

☐ Domestic Water ☐ Raw Water ☐ Recycled Water

☐ Sewer ☐ Force Sewer ☐ Storm Drain

☐ Other (describe) Click here to enter text.

Nominal Size: Click here to enter text. inches

Operating Pressure: Click here to enter text. psi or ☐ Gravity flow/atmospheric

Pipe Material: ☐ Ductile Iron ☐ Cast Iron ☐ Welded Steel

☐ HDPE ☐ PVC ☐ Concrete ☐ Clay

☐ Other (describe) Click here to enter text.

AWWA Material Designation Code: Click here to enter text.

Pressure Class/Thickness/Coating Click here to enter text.

Joint Type Construction: ☐ Push On ☐ Restrained ☐ Welded Joints ☐ Fused

☐ Other (describe) Click here to enter text.

Length of Project: Click here to enter text.

Age/Condition: Click here to enter text.

Depth of Cover: Click here to enter text.

Separation from proposed pipeline

Note: all distances are measured from the outside walls of both pipelines.

Vertical: Click here to enter text.

Horizontal: Click here to enter text.

Have there been many repairs on the existing pipeline in this area? ☐Yes ☐ No

If yes, explain: Click here to enter text.

COMMENTS:

Click here to enter text.

Attachment C
Proposed Parallel Pipeline Material and Construction Information

Where the Waterworks Standards cannot be met, it is the responsibility of the water system proposing an alternative to demonstrate that its proposed construction will have at least the "same level of protection to public health" as the minimum separation distances prescribed in the regulations.

Intended Use of New Pipeline: ☐ Distribution ☐ Transmission ☐ Storage

☐ Other (describe) Click here to enter text.

Liquid Conveyed:

☐ Domestic Water ☐ Raw Water ☐ Recycled Water

☐ Sewer ☐ Force Sewer ☐ Storm Drain

☐ Other (describe) Click here to enter text.

Nominal Size: Click here to enter text. inches Flow rate: Click here to enter text. gpm
Operating Pressure: Click here to enter text. psi or ☐ Gravity flow/atmospheric

Pipe Material: ☐ Ductile Iron ☐ Cast Iron ☐ Welded Steel

☐ HDPE ☐ PVC ☐ Concrete ☐ Clay

☐ Other describe Click here to enter text.

AWWA Material Designation Code: Click here to enter text.

Pressure Class/Thickness/Coating Click here to enter text.

Joint Type Construction: ☐ Push On ☐ Restrained ☐ Welded Joints ☐ Fused

☐ Other describe Click here to enter text.

Length of Project: Click here to enter text.

Depth of Cover: Click here to enter text.

Separation From Existing Non- Potable Pipeline

Note: all distances are measured from the outside walls of both pipelines.

Vertical: Click here to enter text.

Horizontal: Click here to enter text.

Is this a temporary installation? ☐ Yes ☐ No

If yes, how long will it be in place? Click here to enter text.

Can the new pipeline be installed in accordance with the Waterworks Standards? If not explain below:

Click here to enter text.

Proposed additional protective measures (*material construction methods, operational considerations, etc.*):

Attachment C

Click here to enter text.

Attach additional exhibits as necessary

Attachment D
Proposed Pipeline Crossing Material and Construction Information

Where the Waterworks Standards cannot be met, it is the responsibility of the water system proposing an alternative to demonstrate that its proposed construction will have at least the “same level of protection to public health” as the minimum separation distances prescribed in the regulations.

Intended Use of New Pipeline: ☐ Distribution ☐ Transmission ☐ Storage

☐ Other (describe) Click here to enter text.

Liquid Conveyed:

☐ Domestic Water ☐ Raw Water ☐ Recycled Water

☐ Sewer ☐ Force Sewer ☐ Storm Drain

☐ Other (describe) Click here to enter text.

Nominal Size: Click here to enter text. inches
Operating Pressure: Click here to enter text. psi or ☐ Gravity flow/atmospheric

Pipe Material: ☐ Ductile Iron ☐ Cast Iron ☐ Welded Steel

☐ HDPE ☐ PVC ☐ Concrete ☐ Clay

☐ Other describe Click here to enter text.

AWWA Material Designation Code: Click here to enter text.

Pressure Class/Thickness/Coating Click here to enter text.

Joint Type Construction: ☐ Push On ☐ Restrained ☐ Welded Joints ☐ Fused

☐ Other describe Click here to enter text.

Length of Project: Click here to enter text.

Depth of Cover: Click here to enter text.

Number of Crossings: Click here to enter text.

Angle of Crossings: Click here to enter text.

Description of crossing pipelines:
Click here to enter text.

Can the new pipeline be installed in accordance with the Waterworks Standards? If not explain below:

Click here to enter text.

Proposed additional protective measures (*material construction methods, operational considerations, etc.*):

Click here to enter text.

Attach additional exhibits as necessary

Attachment E
Certification

CERTIFYING SIGNATURE:

For consultants, contractors, and developers: attach written concurrence from the governing water system and pipeline owners stating that the selected project alternative is the preferred alternative.

Attached concurrence?: ☐ YES ☐ NO ☐ N/A

I certify that the forgoing information is true and correct to the best of my ability, and that I believe this alternative would provide at least the same level of protection to public health as the minimum separation distances prescribed in the California Waterworks Standards (CCR, Title 22, Section 64572)..

_____

Signature

Name and Title Click here to enter text.
Date Click here to enter a date.

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APPENDIX 2

RESOLUTION NO. 59,853 – N.S.
REFERENCE TO OPPRESSIVE STATES STATEMENT

RESOLUTION NO. 60,382 – N.S.
AMENDMENT TO APPENDIX A OF RESOLUTION NO. 59,853 – N.S.

RESOLUTION NO. 70,606 – N.S.
AMENDMENT TO APPENDIX A OF RESOLUTION NO. 59,853 – N.S.

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RESOLUTION NO. 59,853-N.S.

EXPRESSING SUPPORT FOR A NATIONAL FOREIGN POLICY WHICH PLACES PARAMOUNT IMPORTANCE ON HUMAN RIGHTS BY PROHIBITING THE EXPENDITURE OF PUBLIC FUNDS FOR PERSONAL SERVICES OR FOR THE PROCUREMENT OF GOODS OR FOR DEPOSIT OR INVESTMENT IN ACCORDANCE WITH THE STANDARDS ENUMERATED IN THIS RESOLUTION AND REPEALING RESOLUTION NOS. 57,881-N.S., 59,009-N.S. AND 59,107-N.S.

WHEREAS, the Council of the City of Berkeley finds as follows:

SECTION I. PREAMBLE

A. The citizens of the City of Berkeley, believing that their quality of life is diminished when peace and justice are not fully present in the world, adopted Ordinance No. 5985-N.S. to promote universal respect for human rights and fundamental freedoms, and to stimulate public debate regarding the paramount importance of the rule of law and the need to end injustices and egregious violations of human rights wherever they may occur.

B. The citizens of the City of Berkeley believe that the foreign policy of the United States of America should be grounded upon equality, respect for human rights and the abhorrence of exploitation and all forms of oppression. However, the foreign policy of the United States of America with regard to particular countries, or governments, fails to accord sufficient importance to promoting equality, respect for human rights and the abhorrence of exploitation and all forms of oppression.

C. The citizens of the City of Berkeley believe that the expenditure, and the withholding, of public funds derived from their taxes constitutes an expression of their civic conscience regarding a subject of legitimate public debate and, therefore, can influence the views of their fellow American citizens.

D. The citizens of the City of Berkeley believe that effective advocacy of both public and private points of view is undeniably enhanced by group association, including their association as electors and taxpayers in the City of Berkeley.

E. The citizens of the City of Berkeley reaffirm that the right of the people peaceably to assemble for the purpose of petitioning Congress for a redress of grievances, or for anything else connected with the powers and duties of the national government, is an attribute of American citizenship, and, as such, under the protection of, and guaranteed by, the United States.

F. The citizens of the City of Berkeley are cognizant of the fact that in the global marketplace the City's expenditures for services, goods, deposits and investments subject to this Resolution are not substantial enough to have even an indirect coercive effect on foreign governments and, therefore, the policies established herein represent principally a symbolic gesture rather than an economic threat, a regulatory action or an act to change the domestic policies of any foreign country.

G. The citizens of the City of Berkeley desire to establish the policies herein for the purposes of stimulating public discussion, influencing the views of their fellow American citizens, and affecting the formulation and implementation of foreign policy by the United States Congress.

H. The procurement of personal services and commodities, and the deposit and investment of public funds are municipal affairs of the City of Berkeley and the policies established herein are not established for the benefit of contractors submitting bids, but for the benefit of the Citizens of the City of Berkeley.

I. The citizens of the City of Berkeley believe that like any participant in the global marketplace, the City of Berkeley possesses the right to consider the moral character of its business partners in determining with whom it seeks to maintain business relations and therefore to refrain from contracting with those entities which maintain business relationships with morally repugnant regimes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley as follows:

SECTION II. DEFINITIONS

"City" or "City of Berkeley" shall mean the City of Berkeley, or any entity acting under the direction of the City Council of the City of Berkeley.

"City Manager" shall mean the City Manager of the City of Berkeley, or any authorized representative of the City Manager.

"Peace and Justice Commission" shall mean the City of Berkeley's Peace and Justice Commission established pursuant to Chapter 3.68 of the Berkeley Municipal Code.

"Commodities" shall include, but not be limited to, any tangible supplies, goods, vehicles, machinery, or equipment.

"Oppressive State" shall mean the territory, or any portion of the territory, of a foreign government designated in the Oppressive States List.

"Business Entity" shall mean any individual, firm, partnership, corporation, association, or any other commercial organization, and including parent-entities and wholly-owned subsidiaries to the extent that their operations are related to the purpose of its contract with the City. The term "Business Entity" does not include not-for-profit community based organizations, the United States of America, any State, municipality or other public corporation or agency.

"Personal Services" shall mean the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual agreement.

"Oppressive States List" shall mean Appendix A to this Resolution, as amended from time to time, and consisting of a compilation of Oppressive States and their respective Delisting Criteria.

"Delisting Criteria" shall mean the standard or standards which must be met in order for a government to be removed from the Oppressive States List.

"Remote Transaction" shall mean a sale of Commodities initiated and consummated completely by means of postal or Internet service and not exceeding the sum of $10,000 U.S. Dollars to a single purchaser in a 12 month period.

"Loan" shall mean purchasing securities, investing in assets, lending monies, making interest-bearing deposits, extending lines of credit, or any other such transaction that is anticipated to result in a return, directly or indirectly, of assets.

All terms used in the Resolution shall be construed in a manner consistent with the intent of this Resolution.

SECTION III. PROVISION OF PERSONAL SERVICES

A. General Prohibited Transactions

The City is prohibited from entering into any contractual agreement for the provision of Personal Services with any Business Entity that is providing or is willing to provide personal services to:

(i) the governing regime in any Oppressive State;

(ii) any business or corporation organized under the authority of the governing regime of any Oppressive State;

(iii) any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

B. Contract Stipulation

Any Business Entity contracting with the City for the provision of Personal Services shall be required as a material condition of any such contract to represent and certify that said Business Entity has reviewed this Resolution, that said Business Entity does not provide Personal Services to any entity described in Section III.A. and will not provide Personal Services to any such entity during the term of said contract; and that in the event of violation of the terms of this Resolution, the Business Entity will be subject to the remedies provided in Section VIII. The provisions of this section shall apply to renewals of existing contracts as well as to new contracts.

C. Disclosure Statement Required

Before any contract for the provision of Personal Services is awarded by the City pursuant to a formal or informal bid or proposal solicitation, the City Manager shall obtain from the prospective supplier of Personal Services a statement disclosing information sufficient for the City Manager to ascertain whether said supplier maintains any of the relationships described in Section III.A or is otherwise exempt from requirements of this Resolution pursuant to Section VII. The statement shall be signed and certified by an employee of the prospective supplier of Personal Services with sufficient legal authority to obligate the prospective supplier under the laws of the State of California. The Statement shall require the prospective supplier of Personal Services to notify the City Manager by written communication if the information disclosed in the statement is subsequently materially changed.

SECTION IV. SELECTIVE PURCHASE OF COMMODITIES

A. General Prohibited Transactions

1. The City shall not purchase any Commodity that is manufactured, assembled, extracted, harvested or refined in any Oppressive State;

2. The City shall not purchase any Commodity that is manufactured, assembled, extracted, harvested or refined by any Business Entity that buys, sells, leases or distributes Commodities in the conduct of business with, or who provides or is willing to provide Personal Services to:

   (i) the governing regime in any Oppressive State;

   (ii) any business or organization organized under the authority of the governing regime in any Oppressive State;

   (iii) any Business Entity for the purpose of assisting in business operations or trading with any public or private entity located in an Oppressive State.

3. For the purposes of this Section only, a Remote Transaction(s) shall not be deemed selling, leasing, or distributing Commodities in the conduct of business.

B. Disclosure Statement Required

Each prospective supplier of Commodities that submits a formal or informal bid or proposal for a contract to supply Commodities shall include with its bid or proposal documents a statement disclosing information sufficient for the City Manager to ascertain whether or not said supplier of Commodities complies with the requirements of this Resolution or is exempt under Section VII. The statement shall be signed and certified by an employee of the prospective supplier of Commodities with sufficient legal authority to obligate the prospective supplier of Commodities under the laws of the State of California. The statement shall require the prospective supplier of Commodities to notify the City Manager by written communication if the information disclosed in the statement is subsequently materially changed.

C. Contract Stipulation

Any Business Entity contracting with the City for the provision of Commodities shall be required as a material condition of any such contract to represent and certify that said Business Entity has reviewed this Resolution; that the Commodities it provides to the City comply with the standards set forth in Section IV.A above; that the Business Entity will continue to comply with this Resolution during the term of said contract; and that in the event of violation of the terms of this Resolution, the Business Entity will be subject to the remedies provided Section VIII. The provisions of this section shall apply to renewals of existing contracts as well as to new contracts.

D. Selective Purchasing Process

The ability of a bidder to comply with the requirements of this Resolution is a material term of every bid solicited by the City pursuant to City Charter Section 67 or Ordinance No. 6420-N.S. Therefore, if the Commodity offered thereunder is manufactured, extracted, harvested or refined in any Oppressive State, or by an entity having any of the relationships described in Section IV.A above, said bid shall be deemed "non-responsive."

SECTION V. DEPOSIT AND INVESTMENT OF CITY FUNDS

A. General Prohibited Transaction

1. No City funds shall be deposited or remain deposited in any bank or financial institution which has any outstanding Loan to:

(i) the governing regime in any Oppressive State;

(ii) any business or entity organized under the authority of the governing regime of any Oppressive State;

(iii) any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

2. No City funds shall be invested or remain invested in the stocks, bonds, securities, notes, debentures, certificates of indebtedness, or other obligations of any bank or financial institution which has any outstanding Loan to:

(i) the governing regime in any Oppressive State;

(ii) any business or entity organized under the authority of the governing regime of any Oppressive State;

(iii) any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

3. The prohibitions of this Section shall not apply to City funds invested under a trust indenture or investment agreement or otherwise invested by the City under a pre-existing contractual obligation, provided that such funds, if invested or deposited in non-compliance with this Resolution, shall be withdrawn or divested at the earliest possible maturity date.

B. Disclosure Statement Required

1. Before any City funds can be deposited or invested in any bank or financial institution, the City Manager shall obtain from each bank or financial institution a statement certifying that it does not have any outstanding loan of the type listed in subsection A of this Section, or, in the alternative, the City Manager shall obtain from each bank or financial institution a statement stating that the policy of the bank or financial institution is to not make any such future loans during the period that it holds City funds. The statement shall require the bank or financial institution to notify the City Manager if it subsequently enters into any loan described in this subsection, or if the policy prohibiting such loans is changed.

2. The requirements of this Section shall be satisfied by ensuring that no City funds are invested or deposited by banks or financial institutions which fail to submit the Statements required by this Section.

C. Compliance

1. The withdrawal or divestiture required by this Section shall be completed within one hundred twenty (120) days after the effective date of this Resolution.

2. When the City Manager determines that City funds must be withdrawn or divested from banks or financial institutions for noncompliance with the provisions of this Resolution, the City Manager shall advise the bank or financial institution that the withdrawal or divestiture of City funds is required by this Resolution.

3. If the City Manager determines that City funds have been deposited or invested in a bank or financial institution which subsequently fails to comply with this Resolution, the City Manager shall require the withdrawal or divestment of those funds within one hundred twenty (120) days after the date of determination of noncompliance.

D. The prohibitions of Subsection V.A.1. and V.A.2 shall not apply if the City Manager finds that:

1. no bank or financial institution is available which is capable of performing the desired function, or

2. the City will incur a significant financial loss as a consequence of said prohibitions.

SECTION VI. CITY REAL PROPERTY MANAGEMENT

To the maximum extent permitted by law, it shall be the policy of the City of Berkeley that the City Manager shall not sell, rent, or dispose of any real property including, but not limited to, granting the right to lay, construct, maintain, or operate pipelines through, over, across, or under land, water, park, reservation or highway of the City of Berkeley, to any entity which meets the criteria set forth in Sections III.A and IV.A of this Resolution. For the purposes of City Charter Section 76, the City Council will determine in each individual case whether the public interest is served by applying the terms of this Resolution to the grant of a franchise. The City Manager may sell, rent, or dispose of said property or grant said rights to said entity only if he or she finds such action is essential to protect the health, safety and welfare of the public.

SECTION VII. WAIVERS AND EXEMPTIONS

A. The prohibitions of this Resolution shall not apply if the City Manager makes one or more of the following findings:

1. The special characteristics of the particular Personal Services or Commodities offered by the Business Entity are necessary for the efficient operation of the City or the health, safety, and welfare of the City, or no comparable Personal Service or Commodity is available without financial loss occurring. The City Manager shall periodically report to the City Council his or her exercise of the waiver authority granted pursuant to this subsection.

2. The Business Entity offering the particular Personal Services or Commodities to the City is operating in an Oppressive State exclusively for the one or more of the following purposes :

(i) providing medical goods or services; or

(ii) providing emergency or humanitarian goods or services; or

(iii) news reporting or publishing.

SECTION VIII. REMEDIES

A. Upon a finding by the City Manager that a person has violated the terms of this Resolution, the City Manager shall be authorized to terminate said contract and bar the Business Entity from bidding on future contracts with the City for five years from the effective date of the contract termination. The City Council may, in its discretion, waive or modify such punitive action if the Business Entity can demonstrate to the City Council's satisfaction that the person did not knowingly violate the contract stipulation and has taken appropriate steps to prevent future violations.

B. In addition to the above, the City Council or City Manager may take any such actions as deemed necessary to recover damages resulting from the violations of contractual agreements as specified in Sections IV.C or V.C above.

SECTION IX. RULES AND REGULATION

The City Manager shall be authorized to promulgate any rules and regulations not in conflict with the purposes of this Resolution.

SECTION X. EFFECTIVE DATE

This Resolution shall take effect and apply to all bids and proposals due to the City, and contracts executed, on or after March 1, 1999. Any contract already executed at the effective date of this Resolution shall remain in full force and effect and not be subject to the provisions of this Resolution until such a time as the existing contract is renewed. At the time of the renegotiation, extension, or other similar action to effect the continuation or renewal of any existing contract, all provisions of this Resolution shall apply to such contract.

SECTION XI. AMENDMENT PROCESS

The City Council may alter the Oppressive States List only by amendment to this Resolution. Said amendment shall identify the country or territory to be added to, or removed from, the Oppressive States List, the basis for said action, and the applicable Delisting Criteria.

SECTION XII. PUBLIC AWARENESS

In furtherance of the purposes of this Resolution, the City Clerk shall distribute copies of the text of this Resolution, and any amendments thereto: (1) on or about the Independence Day holiday as observed each year; and (2) whenever the Council adopts an amendment to this Resolution. Copies shall be distributed by mail to the following officials: California's U.S. Senate delegation, the member(s) of the U.S. House of Representatives from the congressional district(s) representing the citizens of the City of Berkeley, the President of the United States, the U.S. Secretary of State, to a local newspaper of general circulation, and to a newspaper of national circulation.

SECTION XIII. SEVERABILITY

This Resolution shall be enforced to the full extent of the authority of the City of Berkeley. If any section, subsection, clause, sentence, paragraph or word of this Resolution or the application thereof to any entity or circumstances is deemed to be invalid or beyond the authority of the City of Berkeley by any court or agency of competent jurisdiction, such invalidity shall not affect the validity of the remaining sections, subsections, clauses, sentences, paragraphs or words of this Resolution, and the applications thereof; and to this end, the sections, subsections, clauses, sentences, paragraphs and words of this Resolution are declared to be separate, distinct, independent, and severable.

SECTION XIV. OVERSIGHT

A. Public Hearing and Reports

Pursuant to Section 3.68.070(L) of the Berkeley Municipal Code, the Peace and Justice Commission is directed to review the implementation of this Resolution on a regular basis as described below. One month prior to each public hearing, the City Manager shall provide a written report to the Peace and Justice Commission on the implementation of this Resolution.

B. Schedule of Hearings

The Peace and Justice Commission shall hold public hearings at least annually on the implementation of the Resolution with the first public hearing taking place at the first Peace and Justice Commission meeting in May after the effective date of the Resolution.

SECTION XV. REPEAL.

The following resolutions are hereby repealed upon the effective date of this Resolution: Resolution No. 57,881-N.S., Resolution No. 59,009-N.S., Resolution No. 59,107-N.S. However, the repeal of said resolutions is not intended to amend or modify the terms of any existing City contract and the terms of the such contracts will remain enforceable according to the resolutions in effect at the date of their execution.

* * * * * * * * * * * * * * *

The foregoing Resolution was adopted by the Berkeley City Council on January 12, 1999 by the following vote:

Ayes: Councilmembers Breland, Maio, Olds, Shirek, Spring, Woolley, Worthington and Mayor Dean.

Noes: None.

Abstain: Councilmember Armstrong.

Absent: None.

Shirley Dean, Mayor

Attest: _____
Sherry M. Kelly, City Clerk

Section 2.84 Appendix A RESCINDED BY RES. # 60,382

APPENDIX A

OPPRESSIVE STATES LIST

1. Country/Region: **Union of Myanmar (Burma).**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States regarding the Union of Myanmar embodies an effective strategy for bringing about democratic government for the People of Burma.

2. Country/Region: **Federal Republic of Nigeria.**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States regarding the Federal Republic of Nigeria embodies an effective strategy for bringing about democratic government for the Nigerian People.

3. Country/Region: **Tibet Autonomous Region and the provinces of Ado, Kham, and U-Tsang.**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States regarding the Tibet Autonomous Region and the provinces of Ado, Kham, and U-Tsang embodies an effective strategy for bringing about democratic government for the Tibetan People.

4. Country/Region: **Republic of Indonesia**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States embodies an effective strategy for bringing about East Timorese self-determination and independence in a referendum agreeable to, and supervised by, the United Nations, as called for in United Nations General Assembly Resolutions 31/53 of 1 December 1976, 32/34 of 28 November 1977, 33/39 of 13 December 1978, 34/40 of 21 November 1979, 35/27 of 11 November 1980, 36/50 of 24 November 1981, and 37/30 of 23 November 1982, as well as in United Nations Security Council Resolutions 384 of 22 December 1975 and 389 of 22 April 1976, which, together with United Nations Human Rights Commission Resolution 1997/63 of 16 April 1997, co-sponsored by the United States, must be fully complied with by the Republic of Indonesia.

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RESOLUTION NO. 60,382-N.S.

AMENDING APPENDIX A OF RESOLUTION NO. 59,853-N.S. TO REMOVE THE FEDERAL REPUBLIC OF NIGERIA AND THE REPUBLIC OF INDONESIA FROM THE OPPRESSIVE STATES LIST

WHEREAS, the Council of the City of Berkeley adopted Resolution No. 59,853-N.S. to express support for a national foreign policy which places paramount importance on human rights by prohibiting the expenditure of public funds for personal services or for the procurement of goods or for deposit or investment; and

WHEREAS, the Peace and Justice Commission has determined that the foreign policy of the United States regarding the Federal Republic of Nigeria embodies an effective strategy for bringing about the democratic government for the people of Nigeria; and

WHEREAS, the Peace and Justice Commission has determined that the foreign policy of the United States embodies an effective strategy for bringing about East Timorese self-determination and independence in a referendum agreeable to, and supervised by, the United Nations, as called for in United Nations General Assembly Resolutions 31/53 of December 1, 1976, 32/34 of November 28, 1977, 33/39 of December 13, 1978, 34/40 of November 21, 1979, 35/27 of November 11, 1980, 36/50 of November 24, 1981, and 37/30 of November 23, 1982, as well as in United Nations Security Council Resolutions 384 of December 22, 1975 and 389 of April 22, 1976, which, together with United Nations Human Rights Commission Resolution 1997/63 of April 16, 1997, co-sponsored by the United States, must be fully complied with by the Republic of Indonesia.

NOW THERFORE, BE IT RESOLVED by the Council of the City of Berkeley that Appendix A of Resolution No. 59,853-N.S. is hereby amended to remove the Federal Republic of Nigeria and the Republic of Indonesia from the Oppressive States List.

The foregoing Resolution was adopted by the Berkeley City Council on January 11, 2000 by the following vote:

Ayes: Councilmembers Breland, Maio, Olds, Shirek, Spring, Worthington and Mayor Dean.

Noes: None.

Absent: Councilmembers Armstrong and Woolley.

Shirley Dean, Mayor

Attest: _____
Sherry M. Kelly, City Clerk

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RESOLUTION NO. 70,606-N.S.

RESOLUTION TO REINSTATE BURMA (MYANMAR) ON BERKELEY'S OPPRESSIVE STATES LIST

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070); and

WHEREAS, the Peace and Justice Commission mandate, as amended in 1990, includes Function K of BMC section 3.68.070: "Advise the City Council on matters relating to the responsible investment of public funds in accordance with the responsible investment policy established by Resolution No. 55,141A-NS;" and

WHEREAS, in 1990 the Berkeley City Council passed the Oppressive States Contract Prohibition (Res. 59,853-N.S.), banning contracts with companies doing business in several countries including Burma (Myanmar);[1] and

WHEREAS, in 2003 President George W Bush signed the Burma Freedom and Democracy Act (BFDA) into law, including a ban on all imports from Myanmar and imposed other sanctions; and.

WHEREAS, the Berkeley City Council therefore removed Burma from the Oppressive States list in deference to the federal action; and

WHEREAS, on June 10, 2008, the Berkeley City Council approved a series of resolutions proposed by the Peace and Justice Commission commending the people of Burma for 46 years of struggle against dictatorship, honoring the 20th anniversary of the 1988 popular uprising and declaring August 8 as "Burma Day," to be marked by raising Burmese freedom flags at Berkeley City Hall every August 8;[2] and

WHEREAS, in July 2012, the U.S. formally eased sanctions on Myanmar in response to a perceived democratization process, but between 2017 and 2021 the situation in Myanmar deteriorated, with 600,000 Rohingya refugees displaced, and finally State Counsellor Aung San Suu Kyi was overthrown and imprisoned in a military coup in February 2021, whereupon the U.S. gradually resumed aspects of the former sanctions regime; and

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[1] https://en.wikipedia.org/wiki/Myanmar%E2%80%93United_States_relations#:~:text=The%20political%20relationship%20between%20the,2007%2C%20further%20strained%20the%20relationship.

[2] "US City Declares August 8 'Burma Day,"
https://www2.irrawaddy.com/article.php?art_id=12680Day','https://www2.irrawaddy.com/article.php?art_id=12680

WHEREAS, the renewed sanctions grant an exception for investment in the Myanmar Oil and Gas Enterprises (MOGE), a partner of Chevron Corporation, prompting criticism from human rights groups including Human Rights Watch, which stated, "By allowing deals with Myanmar's state-owned oil company, the U.S. looks like it caved to industry pressure and undercut Aung San Suu Kyi and others in Myanmar who are promoting government accountability;"[3] and Chevron and Total own a majority controlling interest in a huge oil project that has generated billions of dollars for the regime;[4] and

WHEREAS, since its 2021 coup that toppled Burma's democratic government, the terrorist Myanmar military council has killed more than 2,000 civilians including trade unionists and children, arrested more than 14,000, and displaced more than 1 million people; and

WHEREAS, in 2022, in a new wave of violence and impunity, the military council has publicly executed four democracy activists, and is planning to execute 41 more political prisoners; the dictatorship has also sentenced State Counsellor Aung San Suu Kyi to ten years in prison at hard labor and dismissed the international community's demand for peace talks, including what it has committed to under the ASEAN's five-point consensus;[5] and

WHEREAS, credible allegations of crimes documented in the present and previous reports represent only a fraction of the violations and abuses that the people of Myanmar have had to endure since February 1, 2021. Patterns of arbitrary arrest and detention, of torture and other cruel, inhuman or degrading treatment or punishment and of killings, particularly in Yangon, Mandalay, Sagaing, Bago, Magway and Tanintharyi Regions, seem to indicate that individuals have been targeted for their political or professional affiliation or for exercising their political rights;[6] and

WHEREAS, Burmese civil society is calling for the UN Credential Committee to re-elect U Kyaw More Tun the Ambassador from Burma to the UN;[7] and.

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[3] "US to Invest in Burma's Oil," https://www.rfa.org/english/news/myanmar/sanctions-07112012185817.html

[4] "Chevron, in partnership with Total, PTT, and Myanmar Oil and Gas Enterprise (MOGE), holds equity in one of the largest investment projects in Myanmar (Burma): the Yadana gas field and pipeline that has generated billions of dollars for the Myanmar military junta. Together, Total and Chevron have a majority controlling interest in the Yadana project. Since it seized power in the February 2021 coup d'etat, the Myanmar military now holds total control over MOGE," Human Rights Watch, https://www.hrw.org/news/2022/04/22/myanmar-aseans-failed-5-point-consensus-year

[5] "UN Security Council Calls For Five-point ASEAN Consensus To Cease Myanmar Crisis," https://www.republicworld.com/world-news/rest-of-the-world-news/un-security-council-calls-for-five-point-asean-consensus-to-cease-myanmar-crisis.html#:~:text=The%20ASEAN%20five-point%20consensus%20states%20that%20there%20should,peaceful%20solution%20in%20the%20interests%20of%20the%20people

[6] "Press briefing notes on Myanmar," UN Office of the High Commissioner on Human Rights, March 16, 2021, https://www.ohchr.org/en/taxonomy/term/762?page=16

[7] https://specialadvisorycouncil.org/2022/09/united-nations-general-assembly-accept-credentials-nug/; https://actionnetwork.org/petitions/myanmar-for-u-kyaw-moe-tun;

WHEREAS, the UN Human Rights Council recently called on the international community to "Take immediate action to prevent the supply of arms to the military of Myanmar or other armed parties in the country, in accordance with the call made by the General Assembly, and apply other targeted sanctions on military and economic interests, as appropriate."[8]

THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council urges the U.S. Congress to require and President Joe Biden to extend sanctions to Myanmar's state-owned oil company, Myanmar Oil and Gas Enterprises (MOGE), and any other state-owned companies in Myanmar; and to provide support for and recognize the Burma National Unity Government (NUG), formed by the representatives rightfully chosen in the 2020 elections.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that Council urge the U.S. Ambassador to the United Nations to ensure the continued representation of Burma by U Kyaw More Tun.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the country of Burma (Myanmar) be reinstated on Berkeley's Oppressive States list and be fully subject to the City's Oppressive States Ordinance.

BE IT FURTHER RESOLVED that the City Clerk send a copy of this resolution to Berkeley's congressional delegation, Senator Dianne Feinstein, Senator Alex Padilla, and Representative Barbara Lee, Representatives Jackie Speier and Ro Khanna, Secretary of State Antony Blinken, and U.S. Ambassador to the United Nations Linda Thomas-Greenfield.

The foregoing Resolution was adopted by the Berkeley City Council on November 15, 2022 by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

Jesse Arreguin, Mayor

Attest: Mark Numainville, City Clerk

https://www.passblue.com/2022/09/13/the-un-general-assembly-must-fix-myanmars-muddled-representation-and-send-a-profound-message-to-the-junta/; https://burmacampaign.org.uk/civil-society-calls-on-un-to-retain-myanmars-ambassador-u-kyaw-moe-tuns-accreditation-to-the-un/

[8] https://www.ohchr.org/en/press-releases/2022/09/un-report-calls-urgent-action-halt-access-revenue-and-arms-supplies-myanmar

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APPENDIX 3

ORDINANCE NO. 6623 – N.S.
CHAPTER 13.29
PROVISION OF EQUAL BENEFITS TO EMPLOYEES OF CITY CONTRACTORS

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ORDINANCE NO. 6623-N.S.

AMENDING BERKELEY MUNICIPAL CODE TITLE 13 BY ADDING CHAPTER 13.29 ESTABLISHING A REQUIREMENT THAT SPECIFIED CITY CONTRACTORS PROVIDE EQUAL BENEFITS TO EMPLOYEES WITH SPOUSES AND EMPLOYEES WITH DOMESTIC PARTNERS AND TO THE SPOUSES AND DOMESTIC PARTNERS OF SUCH EMPLOYEES, INCLUDING PROCEDURE FOR ADMINISTRATION AND ENFORCEMENT, AND AUTHORIZING THE CITY MANAGER TO PROMULGATE REGULATIONS CONSISTENT HEREWITH

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

Section 1. That Chapter 13.29 is hereby added to the Berkeley Municipal Code to read as follows:

Chapter 13.29

PROVISION OF EQUAL BENEFITS TO EMPLOYEES OF CITY CONTRACTORS

Sections:

13.29.010 Title and Purpose.
13.29.020 Definitions.
13.29.030 Contractors Subject to the Requirements of this Chapter.
13.29.040 Non-discrimination in Provision of Benefits Under this Chapter.
13.29.050 Required Contract Provisions.
13.29.060 Waivers and Exemptions.
13.29.070 Retaliation and Discrimination Prohibited.
13.29.080 Employee Complaints to City.
13.29.090 Remedies.
13.29.100 Effective Date.
13.29.110 Severability.

13.29.010 Title and Purpose.

This Ordinance shall be known as the "Berkeley Equal Benefits Ordinance." The purpose of this Ordinance is to protect the public health, safety and welfare by requiring that public funds be expended in such a manner as to prohibit discrimination in the provision of employee benefits by City contractors between employees with spouses and employees with domestic partners, and/or between domestic partners and spouses of such employees.

13.29.020 Definitions.

The following definitions shall apply throughout this Ordinance:

A. "Contractor" shall mean any person or persons, firm, partnership, corporation, or combination thereof, who enters into a contract with the City.

B. "Domestic Partner" shall mean any person who has a currently registered domestic partnership with a governmental body pursuant to state or local law authorizing such registration or with his or her employer or his or her domestic partner's employer.

C. "Non-profit " shall mean a non-profit organization described in Section 501c(3) of the Internal Revenue Code of 1954 which is exempt from taxation under Section 501(c)(3) of that code, or any nonprofit educational organization qualified under Section 23701(d) of the Revenue and Taxation Code.

13.29.030 Contractors Subject to the Requirements of this Chapter.

A. The following Contractors are subject to this Chapter:

1. For-profit entities which enter into an agreement with the City for public works or improvements to be performed, or for goods or services to be purchased, for an amount of $25,000 or more; and

2. Non-profit entities which enter into an agreement with the City for public works or improvements to be performed, or for goods or services to be purchased, for an amount of $100,000 or more; and

3. Entities which generate $350,000 or more in annual gross receipts and which occupy City property pursuant to a written agreement for the exclusive use or occupancy of said property for a term exceeding 29 days in any calendar year; and

4. Entities which receive a grant agreement for an amount of $100,000 or more.

B. The requirements of this Chapter shall only apply to those portions of a Contractor's operations that occur (i) within the City; (ii) on real property outside the City if the property is owned by the City or if the City has a right to occupy the property, and if the Contractor's presence at that location is connected to a contract with the City; and (iii) elsewhere in the United States where work related to a City contract is being performed. The requirements of this Chapter shall not apply to subcontracts or subcontractors of any contract or Contractor.

13.29.040 Non-discrimination in Provision of Benefits Under this Chapter.

A. No Contractor subject to this Chapter pursuant to Section 13.29.030 shall discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pensions and retirement benefits or travel benefits or in the provision of any benefits other than bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pensions and retirement benefits or travel benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, except as set forth in subsections 13.29.040(A)(1) and (2), below:

1. In the event that the Contractor's actual cost of providing a particular benefit for the domestic partner of an employee exceeds that of providing it for the spouse of an employee, or the Contractor's actual cost of providing a particular benefit for the spouse of an employee exceeds that of providing it for the domestic partner of an employee, the Contractor shall not be deemed to discriminate in the provision of employee benefits if the Contractor conditions providing such benefit upon the employee agreeing to pay the excess costs.

2. The Contractor shall not be deemed to discriminate in the provision of employee benefits if, despite taking reasonable measures to do so, the Contractor is unable to extend a particular employee benefit to domestic partners, so long as the Contractor provides the employee with a cash equivalent.

B. Provided that a Contractor does not discriminate in the provision of benefits between employees with spouses and employees with domestic partners, a Contractor may:

1. Elect to provide benefits to individuals in addition to employees' spouses and employees' domestic partners;

2. Allow each employee to designate a legally domiciled member of the employee's household as being eligible for spousal equivalent benefits; or

3. Provide benefits neither to employees' spouses nor to employees' domestic partners.

C. A Contractor will not be deemed to be discriminating in the provision of benefits where the implementation of policies ending discrimination in benefits is delayed following the first award of a City contract to a Contractor after the effective date of this Chapter:

1. Until the first effective date after the first open enrollment process following the date the contract with the City is executed, provided that the Contractor submits evidence that it is making reasonable efforts to end discrimination in benefits. This delay may not exceed two (2) years from the date the contract with the City is executed and only applies to benefits for which an open enrollment process is applicable.

2. Until administrative steps can be taken to incorporate nondiscrimination in benefits in the Contractor's infrastructure. The time allotted for these administrative steps shall apply only to those benefits for which administrative steps are necessary and may not exceed three (3) months. An extension of this time may be granted at the discretion of the City Manager upon the written request of a Contractor, setting forth the reasons that additional time is required.

3. Until the expiration of a Contractor's current collective bargaining agreement(s) where all of the following conditions have been met:

a. The provision of benefits is governed by one or more collective bargaining agreement(s); and

b. The Contractor takes all reasonable measures to end discrimination in benefits by either requesting that the Union(s) involved agree to reopen the agreement(s) in order for the Contractor to take whatever steps are necessary to end discrimination in benefits or by ending discrimination in benefits without reopening the collective bargaining agreement(s); and

c. In the event that the Contractor cannot end discrimination in benefits despite taking all reasonable measures to do so, the Contractor provides a cash equivalent to eligible employees for whom benefits are not available. Unless otherwise authorized, in writing by the City Manager, this cash equivalent payment must begin at the time the Union(s) refuse to allow the collective bargaining agreement(s) to be reopened, or in any case no longer than three (3) months from the date the contract with the City was executed. This cash equivalent payment shall not be required where it is prohibited by federal labor law.

D. Employers subject to this Chapter pursuant to Section 13.29.030 shall give written notification to each current and new employee of his or her potential rights under this Chapter in a form specified by the City. Such notice shall also be posted prominently in areas where it may be seen by all employees.

13.29.050 Required Contract Provisions.

Every contract subject to this Chapter shall contain provisions requiring it to comply with the provisions of this Chapter as they exist on the date when the Contractor entered the contract with the City or when such contract is amended. Such contract provisions may include but need not be limited to the Contractor's duty to promptly provide to the City documents and information verifying its compliance with the requirements of this Chapter and sanctions for non-compliance.

13.29.060 Waivers and Exemptions.

A. The City may waive the requirements of this Chapter where the City Manager makes one or more of the following findings:

1. Award of a contract or amendment is necessary to respond to an emergency;

2. The Contractor is a sole source;

3. No compliant Contractors are capable of providing goods or services that respond to the City's requirements;

4. The Contractor is a public entity;

5. The requirements of this Chapter are inconsistent with a grant, subvention or agreement with a public agency;

6. The City is purchasing through a cooperative or joint purchasing agreement;

7. The contract involves specialized litigation requirements such that it would be in the best interests of the City to waive the requirements of this Chapter, as determined by the City Attorney;

8. The contract involves investment of trust moneys or agreements relating to the management of trust assets, City moneys invested in U.S. government securities or under pre-existing investment agreements, or the investment of City moneys where no person, entity or financial institution doing business with the City which is in compliance with this Chapter is capable of performing the desired transactions or the City will incur a financial loss if the requirements of this Chapter are enforced;

9. After taking all reasonable measures to find an entity that complies with this Chapter, the City may waive any or all requirements of this Chapter for any contract or bid package advertised and made available to the public, or any competitive or sealed bids received by the City as of the effective date of this Ordinance under the following circumstances:

a. There are no qualified responsive bidders or prospective contractors who comply with this Chapter and the contract is for goods, a service or a project that is essential to the City or City residents; or

b. The requirements of this Chapter would result in the City's entering into a contract with an entity that was set up, or is being used for the purpose of evading the intent of this Chapter.

B. The requirements of this Chapter shall not be applicable to contracts executed or amended prior to the effective date of this Chapter, or to bid packages advertised and made available to the public, or any competitive or sealed bids received by the City prior to the effective date of this Chapter, unless and until such contracts are amended after the effective date of this Chapter and would otherwise be subject to this Chapter.

13.29.070 Retaliation and Discrimination Prohibited.

A. No employer shall retaliate or discriminate against an employee in his or her terms and conditions of employment by reason of the person's status as an employee protected by the requirements of this Chapter.

B. No employer shall retaliate or discriminate against a person in his or her terms and conditions of employment by reason of the person reporting a violation of this Chapter or for prosecuting an action for enforcement of this Chapter.

13.29.080 Employee Complaints to City.

A. An employee who alleges violation of any provision of the requirements of this Chapter may report such acts to the City. The City Manager may establish a procedure for receiving and investigating such complaints and take appropriate enforcement action.

B. The City shall have the power to examine Contractors' benefit programs covered by this Chapter.

C. Any complaints received shall be treated as confidential matters, to the extent permitted by law. Any complaints received and all investigation documents related thereto shall be deemed exempt from disclosure pursuant to California Government Code Sections 6254 and 6255.

13.29.090 Remedies.

A. Upon a finding by the City Manager that a Contractor has violated the requirements of this Chapter, the City shall have the rights and remedies described in this Section, in addition to any rights and remedies provided at law or in equity.

1. The City Manager shall be authorized to terminate said contract and bar the Contractor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination; and

2. In the City Manager's sole discretion, a Contractor found to have willfully violated the requirements of this Chapter may be required to pay liquidated damages.

3. Reasonable attorneys' fees and costs.

B. An employee claiming violation of this Chapter may bring an action in the appropriate division of the Superior Court of the State of California against an employer and obtain the following remedies:

1. Reinstatement, injunctive relief, compensatory damages and punitive damages.

2. Reasonable attorneys' fees and costs.

C. Notwithstanding any provision of this Ordinance or any other ordinance to the contrary, no criminal penalties shall attach for any violation of this Chapter.

D. No remedy set forth in this Chapter is intended to be exclusive or a prerequisite for asserting a cause of action to enforce any rights hereunder in a court of law. This Chapter shall not be construed to limit an employee's right to bring a common law cause of action for wrongful termination.

E. Nothing in this Chapter shall be interpreted to authorize a right of action against the City.

13.29.100 Effective Date.

The provisions of this Chapter shall apply to any contract awarded on or after July 1, 2001.

13.29.110 Severability.

In the event any court of competent jurisdiction holds any provision of this Ordinance invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provisions hereof.

13.29.120 Reserved.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King, Jr. Way. Within fifteen (15) days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley, held on April 17, 2001 this Bill was passed to print and ordered published by posting by the following vote:

Ayes: Councilmembers Armstrong, Breland, Hawley, Maio, Olds, Shirek, Spring, Worthington and Mayor Dean.

Noes: None.

Absent: None.

At a regular meeting of the Council of the City of Berkeley held on April 24, 2001 this Ordinance was adopted by the following vote:

Ayes: Councilmembers Armstrong, Breland, Hawley, Maio, Olds. Shirek, Spring, Worthington and Mayor Dean.

Noes: None.

Absent: None.

Shirley Dean, Mayor

ATTEST: Sherry M. Kelly, City Clerk

In effect: May 24, 2001

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APPENDIX 4

CITY OF BERKELEY
MONUMENT REFERENCING GUIDELINES

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City of Berkeley
Monument Reference Guidelines

A guide to Monument Referencing in the City of Berkeley as required by the Professional Land Surveyors' Act (Business and Professions Code) Section 8771 et. seq.

City of Berkeley Monument Reference Guidelines

May 13, 2019

GENERAL

City Monuments consist of many different kinds of physical objects but regardless of the specific description of the object deemed to be a City Monument, the actual physical location must be accurately preserved.

STANDARD PRACTICE

Standard Practices detailed below are to be followed when referencing a City of Berkeley Monument.

FIELD PRACTICES

Whenever a monument appears to be threatened with removal or disturbance, the monument must be referenced, both horizontally and vertically, by or under the direction of a licensed land surveyor or civil engineer legally authorized to practice land surveying in the State of California. For each monument referenced, a minimum of four (4) reference points must be set and tagged with the appropriate license number of the land surveyor or civil engineer. All reference points shall be durable and have a known location relative to the monument so that the monument can be accurately replaced from the references. When available, sound concrete is the best site for setting reference points. Brass or bronze disks, Mag Nails (or similar concrete nail) with washers, surveyor's nails & tags, etc., should be used in those cases where the reference can be set on sound concrete curb, gutter, sidewalk, wall, etc. In no case shall lead be used as any part of the reference point. The important criteria are that any concrete structure meets the following basic tests:

1. Good condition (not cracked, lowered or raised as compared to the adjacent concrete, or otherwise damaged);

2. Accessible for setup, not blocking traffic and preferably on public right of way. If a reference point must be set outside the public right of way, permission to do so must be acquired by the surveyor performing the referencing. The City of Berkeley, by promulgation of these standards, is not giving permission to perform any task on private property;

3. Positioned to survive the conditions that put the original monument at risk, such as a street rehabilitation

project, a sanitary sewer rehabilitation project, etc.;

4. Positioned to survive any foreseeable (as evidenced by a visual inspection of the site) construction such as curb ramp construction/replacement, curb replacement, sidewalk replacement, utility relocation, etc. The City of Berkeley has a strong commitment to insuring accessibility throughout the City. Existing curb ramps are frequently replaced with code compliant curb ramps with truncated domes. Damaged sidewalks and curbs are replaced as well. Additionally the City commonly installs curb ramps at crosswalks where none currently exist, therefore those locations shall be avoided when placing reference points;

5. The primary consideration in choosing the placement of a reference point shall be to assure its safety and stability in perpetuity. For example, no reference point should be set near any trees with roots likely to raise or damage the surface upon which the reference point has been set.

If no suitable concrete is available, a metal bar or pipe, with a tagged cap or plug, may be used provided that it is set flush in sound soil or pavement. Setting metal bars or pipes has the possibility of damaging subsurface infrastructure. It shall be the duty of the surveyor performing the referencing to assure that the site is properly evaluated for subsurface infrastructure. Sole responsibility for any resulting damage thereto shall be borne by the surveyor responsible for the damage. No reference point shall be set on private property without the surveyor performing the referencing first obtaining permission from the property owner.

DOCUMENTATION

Within two (2) weeks of the completion of any monument referencing, a Corner Record for each monument referenced shall be filed with Alameda County, and copies of the signed sealed submittals of the Corner Record(s) shall be provided to the City of Berkeley, Public Works Department, Engineering Division, Survey Section.

CORNER RECORD MONUMENT AND REFERENCE POINT CONDITIONS AND DESCRIPTIONS

Corner Records shall include a detailed description of the monument referenced and reference points set:

1. Description of monument character and setting (2" brass disc stamped CITY OF BERKELEY UNLAWFUL TO DEFACE in monument well, 3/4" brass pin in monument well, 1" square iron bar in monument well, 1-1/2" iron pipe in soil, etc.);

2. Description of monument reference point character and setting (1" brass disc stamped LS #### in concrete, mag nail & washer stamped LS #### in top of curb, nail & tag LS #### in concrete walk, rebar & cap LS #### in asphalt pavement, etc.);

3. Labeled with the official City of Berkeley monument designation (B####);

4. North arrow and graphic scale;

5. Note pertaining to the method used for establishing the reference point elevations.

UNACCEPTABLE REFERENCE POINTS

In no case will lead, or any other material that may cause harm, be used in any portion of the referencing process. Sole responsibility for the removal of such products and any harm they cause will be borne by the surveyor responsible for using the product in the referencing process.

Cut crosses, scribed lines, permanent marker, paint, wood hubs, etc., due to their limited lifecycle, may not be used as a reference point.

No reference point may be set on any fire hydrant or similarly temporary fixture.

VERTICAL REFERENCE POINTS

When performing the vertical referencing of a monument, differential leveling practices shall be used. The Corner Record shall include a minimum of four (4) vertical reference points. It is preferable that the horizontal reference points also be used for the vertical referencing.

All vertical references shall be based on a value and datum provided by the City of Berkeley, Public Works Department, Engineering Division, Survey Section, at the time of the request for referencing. Note that the value associated with any control point in the City's vertical and horizontal network is subject to change as the City periodicallyrecalculates its position.

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APPENDIX 5

RESOLUTION NO. 70,926 – N.S.
CONTRACT: COMMUNITY WORKFORCE AGREEMENT WITH BUILDING TRADES COUNCIL ET. AL. FOR CONSTRUCTION PROJECTS OVER $500,000

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RESOLUTION NO. 70,926-N.S.

CONTRACT AMENDMENT: COMMUNITY WORKFORCE AGREEMENT EXTENSION WITH BUILDING AND CONSTRUCTION TRADES COUNCIL ET AL. FOR CONSTRUCTION PROJECT AT OR ABOVE $500,000

WHEREAS, since its January 18, 2011 adoption, the Community Workforce Agreement (hereafter CWA) has incorporated community interests by providing Berkeley residents access to quality union jobs with better standards for pay and benefits; and

WHEREAS, by Resolution No. 65,157-N.S. on January 18, 2011, Council approved the CWA for a term of three years and authorized the City Manager to execute the Agreement with the Alameda County Building and Construction Trades Council, AFL-CIO and twenty-two labor organizations regarding the provision of union labor to City construction projects in excess of $1 million dollars; and

WHEREAS, on May 15, 2012, City Council maintained the CWA's $1 million dollar threshold for publicly-funded construction projects for an additional twelve months; and

WHEREAS, on June 23, 2015, Council approved Resolution No. 67,111-N.S. reducing the threshold from $1 million to $500,000, with that threshold continuing to be based on the engineer's estimate and authorizing the City Manager to extend the then-current CWA for three years; and

WHEREAS, on January 23, 2018, and December 15, 2020, City Council again authorized the City Manager to extend the CWA, the latter extension until June 30, 2023; and

WHEREAS, the CWA will support the efforts of the City to increase employment opportunities for Berkeley residents, including youth, through apprenticeship and pre-apprenticeship programs; and

WHEREAS, the CWA helps to provide for peaceful settlement of labor disputes and grievances without strikes or lockouts, thus promoting the public interest in assuring the timely and economical completion of the projects.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract amendment with the Building Trades Council and twenty-two labor organizations regarding the provision of labor to construction projects in Berkeley with an estimated value in excess of $500,000 for a three-year term that will expire June 30, 2026.

The foregoing Resolution was adopted by the Berkeley City Council on June 27, 2023 by the following vote:

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

Noes: None.

Absent: None.

Jesse Arreguin, Mayor

Attest:
Mark Numainville, City Clerk

- **Local Workforce Hiring Goals**
  The City of Berkeley's local workforce-hiring goal is 20% of craft hours worked, on a craft by craft basis on locally funded projects. City Staff will provide a template to be used by the general contractor (GC) for reporting the summary of the total work hours and total number of Berkeley residents, this report is to be submitted with each certified payroll (CP), including CP for each subcontractor. GC can compile the report for the subcontractors or can require each sub to prepare their own report. Please include documentation detailing efforts to meet the local hire goals, i.e., dispatch requests to the unions. Please note the GC is responsible for the local hire component for the entire project. This report will be reviewed by the Joint Administrative Committee (JAC) to monitor compliance of the local workforce hiring goals. The JAC may periodically request contractors to attend a JAC meeting to describe and discuss their local hire efforts. GC and the subs are strongly encouraged to utilize the city-funded pre-apprenticeship program, Rising Sun Energy Center, for the hiring of Berkeley residents on the projects. Rising Sun staff will work closely with the trades and the contractor to facilitate the hiring of the program graduates for entry into the trades. City staff will conduct periodic interviews of workers throughout the project.

- **Certified Payrolls**
  Contractors are required to submit certified payrolls (CP) on a monthly basis to the Public Works Project Manager. The monthly report described above shall reflect the information provided on the Certified Payrolls. Address & trade for each worker must be included in Certified Payroll and is subject to verification by City staff. Please redact Social Security Numbers from CP prior to sending to city staff. When submitting CP, please attach any documentation pertinent to your good faith efforts, such as dispatch requests & union hall responses to those requests.

- **Core (Regular, experienced) Employees**
  A non-signatory contractor may use up to five (5) of its own "core" employees provided that the first worker hire comes from the union, second worker is "core", third worker from the union, fourth worker is "core", and so forth. The contractors' worker must comply with the Union Hall's registration process; the contractor and subcontractor may request by name, and the local will honor, referral of the core employee(s) who have applied to the local union hall for work on the project and who demonstrate the following qualifications: 1) possess any license required by state or federal law, 2) have worked at least 1,000 hours in the construction craft during the prior three years, 3) have been on the Contractor's active payroll for at least sixty (60) out of the one hundred and eighty (180) hours in the calendar year immediately prior to contract award, 4) must have the ability to safely perform the basic functions of the applicable trade, and 5) must reside in Berkeley.

- **Hiring Plan**
  A hiring plan is to be submitted prior to the Notice to Proceed date, with the understanding that the workforce may change during the project. The hiring plan is used as baseline information, with the monthly workforce utilization reports, certified payroll and dispatch request documentation serving as confirmation of good faith efforts to hire locally.

- **Apprentices**
  Consistent with the requirements of California Labor Code § 1776, 1777.5 and 1777.6, contractors and their subcontractors are required to hire at least one Berkeley resident as a First Period Apprentice for $500,000 or more of total bid amount, thereafter, for every five million dollars of the total bid amount the Prime Contractor and their subcontractors are required to hire one additional first period apprentice. Berkeley residents that participate in local workforce development programs will be screened and referred for the apprenticeship opportunities, city staff, union halls & training programs will facilitate this process.

- **California Prevailing Wages**
  All construction workers will be paid prevailing wages as determined by the State of California. Benefits are the established labor-management vacation, pension or other form of deferred compensation plan, apprenticeship and health benefit funds for each hour worked. Any local collectively bargained wage and/or fringe benefit increase shall be recognized on the date on which they become effective.

- **Agreement to be Bound**
  All general contractors and all sub-contractors, including trucking, and regardless of tier, must sign an *Agreement to be Bound* to the CWA. This agreement binds the contractor to the terms of the CWA for the awarded project only. It does not bind any contractor to a union agreement for any other project.

- **Pre-Job Conference**
  Prior to start of construction, the successful general contractor and all subcontractors are required to attend a pre-job conference with the affected Building & Construction Trades Council. The Pre-Job request form shall include subcontractor information including scopes of work. The Agreements to be Bound shall be submitted **prior** to the Pre-job Conference. General Contractor and subcontractors will make craft/trade work assignments at this meeting. Should any union disagree, it may follow the established jurisdictional dispute resolution process provided in the Community Workforce Agreement. The pre-job conference may be held via conference call arranged by the building trades, city staff will also participate in the pre-job conference.

- **Joint Administrative Committee**
  This Committee shall be comprised of up to two (2) representative selected by the City; up to two (2) representatives of the signatory Unions and Alameda County Building and Construction Trades Council; and one (1) contractor representative, mutually selected by the City and the Alameda County Building and Construction Trades Council. Each representative shall designate an alternate who shall serve in his or her absence for any purpose contemplated by this Agreement. The Joint Administrative Committee shall meet regularly to review the implementation of the Agreement and the progress of the Projects including, but not limited to, compliance with Article 8, prevailing wage, safety, craft workforce levels and construction progress. The JAC may contact the Contractor and/or their subcontractors in writing to request their presence at a JAC meeting to describe good faith efforts throughout the project or at the end of a project.

CWA Administration
Department of Health, Housing and Community Services
2180 Milvia Street, 2nd floor
Berkeley, CA 94704
localhire@cityofberkeley.info

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CITY OF BERKELEY

COMMUNITY WORKFORCE AGREEMENT

Table of Contents

Preamble

Purpose

Recitals

Article 1 Definitions

Article 2 Scope of Agreement

Article 3 Effect of Agreement/Subcontractors

Article4 Work Stoppages, Sympathy Strikes and Lockouts

Article5 Pre-Job Conference

Article 6 No Discrimination

Article 7 Union Security

Article 8 Referral and Local Hiring Program

Article 9 Helmets to Hardhats

Article 10 Grievance Procedure

Article 11 Joint Administrative Committee

Article 12 Grievance Arbitration Procedure

Article 13 Jurisdictional Disputes

Article 14 Apprentices

Article 15 Management Rights

Article 16 Wage/ Benefits

Article 17 Modified Master Labor Agreements

Article 18 Drug and Alcohol Testing

Article 19 Savings Clause

Article 20 Entire Agreement

Article 21 Term

Signatures

Agreement to be Bound

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COMMUNITY WORKFORCE AGREEMENT
For the
City of Berkeley

This Agreement is made and entered into retroactively from July 1, 2020, by and between the City of Berkeley ("City") together with other contractors and/or sub-contractors, who shall become parties to this Agreement by signing the "Agreement to be Bound" (Attachment A), and the Local Unions signatory hereto and the Alameda County Building & Construction Trades Council ("Council") and its affiliated local unions who have executed this Agreement.

PURPOSE

The purpose of this Agreement is to support the efforts of the City to increase employment opportunities for workers who reside in Berkeley, to help increase training and employment opportunities for Berkeley residents in the construction trades through apprenticeship and pre-apprentice programs as the students graduate from the City's schools, to promote efficiency of construction operations performed for and within the City of Berkeley and to provide for peaceful settlement of labor disputes and grievances without strikes or lockouts, thereby promoting the public interest in assuring the timely and economical completion of the projects.

RECITALS

WHEREAS, the successful completion of the City's construction projects is of the utmost importance to the City of Berkeley; and

WHEREAS, the interests of the general public, the City, the Unions and Contractor(s) would be best served if the construction work proceeded in an orderly manner without disruption because of strikes, sympathy strikes, work stoppages, picketing, lockouts, slowdowns or other interferences with work; and

WHEREAS, the Contractor(s) and the Unions desire to mutually establish and stabilize wages, hours and calendar conditions for the workers employed on construction work for and within the City of Berkeley by the Contractor(s), and further, to encourage close cooperation among the Contractor(s) and the Union(s) to the end that a satisfactory, continuous and harmonious relationship will exist among the parties to this Agreement; and

WHEREAS, contracts for construction work within the City of Berkeley will be awarded in accordance with the applicable provisions of the Charter of the City of Berkeley, the California State Public Contract Code and the Labor Code, including but not limited to requiring competitive bidding and prevailing wages; and

WHEREAS, the City of Berkeley has the absolute right to select the lowest responsive and responsible bidder for the award of the construction contracts on the Projects; and

WHEREAS, the parties signatory to this Agreement pledge their full good faith and trust to work towards a mutually satisfactory completion of the Projects;

NOW, THEREFORE, IT IS AGREED BETWEEN AND AMONG THE PARTIES HERETO, AS FOLLOWS:

ARTICLE 1
DEFINITIONS

1.1 “Agreement” means this Community Workforce Agreement.

1.2 "Berkeley Resident" means any individual who is a current resident of Berkeley can certify through a utility bill, or other similar means acceptable to the parties to this Agreement that the individual resides within the boundaries of the Berkeley City Limits.

1.4 “City” means the City of Berkeley.

1.5 “Completion” means that point at which the City accepts a project at issue by filing a Notice of Completion, or as otherwise provided by applicable state law. “Punch list” items and any other work within the scope of this Agreement not completed prior to commencement of revenue service shall nonetheless be included within the scope of this Agreement. It is understood by the parties that portions of the Projects may be completed in phases and Completion of any such phase may occur prior to Completion of the Projects.

1.6 “Contractor(s)” and/or “Subcontractor(s)” means any individual, firm, partnership or corporation, or combination thereof, including joint ventures, which is an independent business enterprise and has entered into a contract with the City or any of its contractors or subcontractors of any tier, with respect to the construction work necessary for any part of the Projects. This shall include subcontractors not required to be listed in the bid documents. As applicable depending on its context, “Contractor” shall refer to Contractor or Contractor and Subcontractor.

1.7 “Construction Contract(s)” means all of the contract(s) for construction of any of the Projects.

1.8 “Council” means the Alameda County Building and Construction Trades Council, AFL-CIO.

1.9 "New Apprentice” is a Berkeley Resident who is enrolled in a State of California approved apprenticeship program that is a joint labor management apprentice program for no more than twenty-four months

1.11 “Projects” mean any construction project of the City whose value as estimated by the City meets or exceeds $500,000 (Five hundred thousand) dollars.

1.12 “Union” or “Unions” means the Council and any other labor organization signatory to this Agreement, acting on their own behalf and on behalf of their respective affiliates and member organizations whose names are subscribed hereto and who have through their officers executed this Agreement.

1.13 “Project Manager” means the person or persons or business entity designated by the City to oversee all phases of construction on the Projects.

1.14 “Master Labor Agreement” or “MLA” shall mean the collective bargaining agreement of each craft Union that is Signatory to this Agreement

1.15 “Calendar Day” shall mean any day, relating to any day of the week including Saturday, Sunday and public holidays.

1.16 “ Apprenticeship Program” -Recognizing the need to develop adequate numbers of competent workers in the construction industry, the Contractor(s)/Employer(s) shall employ apprentices of a California State-approved Joint Apprenticeship Program in the respective crafts to perform such work as is within their capabilities and which is customarily performed by the craft in which they are indentured.

The apprentice ratios will be in compliance with the applicable provisions of the applicable “Master Labor Agreement”.

ARTICLE 2
SCOPE OF AGREEMENT

2.1 Parties: This Agreement shall apply and is limited to all Contractors and subcontractors performing Construction Contracts necessary for the Projects, the City, the Council and any other labor organization signatory to this Agreement, acting in their own behalf and behalf of their respective affiliates and member organizations whose names are subscribed hereto and who have through their officers executed this Agreement.

2.2 Project Description: This Agreement shall govern the award of all of the Construction Contracts identified by the City as part of the Projects. The City has the absolute right to combine, change, consolidate, suspend or cancel Construction Contract(s) or portions of Construction Contract(s) identified as part of the Projects. Should the City suspend or remove any contract from the Projects and thereafter authorize that construction work be commenced on such contract, then such contract shall be performed under the terms of this Agreement. Once a Construction Contract is completed it is no longer covered by this Agreement except when a Contractor is directed to engage in repairs, warranty work or modifications required by its

Construction Contract with the City. For the purposes of this Agreement, a Construction Contract shall be considered Completed as set forth in Section 1.5 of this Agreement.

2.3 Covered work:

2.3.1 This Agreement covers, without limitation, all on-site construction, demolition, alteration, painting or repair of buildings, structures, landscaping, temporary fencing and other works and related activities for the Projects that is within the craft jurisdiction of one of the Unions and that is part of the Projects, including, without limitation, pipelines, site preparation, survey work, demolition of existing structures and all construction, demolition or improvements required to be performed as a condition of approval by any public agency. This scope of work includes all soils and materials testing and inspection where such testing and inspection is a classification in which a prevailing wage determination has been published.

2.3.2 The Projects include work necessary for the Projects and/or in temporary yards or areas adjacent to and dedicated to the Projects, and at any on-site batch plant(s) constructed solely to supply materials to the Projects, when those sites are dedicated exclusively to the Projects. This Agreement covers all on-site fabrication work over which the City, Contractor(s) or subcontractor(s) possess the right of control (including work done for the Projects in any temporary yard or area established for the Projects.)

2.3.3 The furnishing of supplies, equipment or materials which are stockpiled for later use shall in no case be considered subcontracting. Construction trucking work, such as the delivery of ready-mix, asphalt, aggregate, sand or other fill material which are directly incorporated into the construction process as well as the off-hauling of debris and excess fill material and/or mud, shall be covered by the terms and conditions of this Agreement, to the fullest extent provided by law and by prevailing wage determinations of the California Department of Industrial Relations. Employers, including brokers, of persons providing construction trucking work shall provide certified payroll records to the City within ten (10) calendar days of written request or as required by bid specifications.

2.4 Exclusions: The following shall be excluded from the scope of this Agreement:

2.4.1 This Agreement is not intended to, and shall not affect or govern the award of public works contracts by the City which are outside the identified scope of work of the Projects.

2.4.2 This Agreement is not intended to, and shall not affect the current or anticipated operation, maintenance, access or use of any of the City's buildings or facilities, whether or not such facilities are identified in Section 1.7 above.

2.4.3 This Agreement shall not apply to a Contractor or subcontractor’s executives, managerial employees, engineering employees, design employees, supervisors (except

those covered by existing building and construction trades collective bargaining agreements), office and clerical employees.

2.4.4 This Agreement shall not apply to any work performed on or near or leading to the site of work covered by this Agreement that is undertaken by state, county or other governmental bodies or their contractors; or by public or private utilities or their contractors; or by the City or its contractors for work not part of the scope of the Projects. Parties performing work shall notify in writing, The Council and The District of any work being performed near or leading to the site work that is not covered by this agreement. Further, this Agreement shall not be construed to prohibit or restrict the City or its employees from performing work on or around the Project construction sites or from entering the sites for any purposes deemed necessary or appropriate by the City.

2.4.5 This Agreement shall not apply to the off-site maintenance of leased equipment or the on-site supervision of such work.

2.4.6 This Agreement shall not apply to any start-up, calibration, performance testing, repair, maintenance, operational revisions to systems and/or subsystems performed after Completion.

2.5 Termination, Suspension and/or Delay of Work: It is understood and agreed that the City, at its sole option, may change, terminate, delay and/or suspend any and all portions of the covered work at any time. Further, the City may prohibit some or all work on certain days or during certain hours of the day to comply with applicable codes, laws or regulations, permits or to accommodate the ongoing operations of the City's facilities and/or to mitigate the effect of the ongoing Projects' work on the businesses and residents in the neighborhood of the Project sites; and/or require such other operational or schedule changes that it may be deemed necessary, in its sole judgment, to effectively maintain the primary purpose of the City's facilities and to remain a good neighbor to the residents and businesses in the area of any Projects. In order to permit the Contractors and Unions to make appropriate scheduling plans, the City will provide the affected Contractor and Union(s) with reasonable notice of any changes it requires pursuant to this Section.

2.6 Work covered by this Agreement within the following craft jurisdictions shall be performed under the terms of their National Agreements as follows: the NTL Articles of Agreement, the National Stack/Chimney Agreement, the National Cooling Tower Agreement, and the National Agreement of Elevator Constructors, and any instrument calibration work and loop checking shall be performed under the terms of the UA/IBEW Joint National Agreement for Instrument and Control Technicians, with the exception that Articles 4, 8,12 and 13 of this Agreement shall apply to such work.

ARTICLE 3
EFFECT OF AGREEMENT/SUBCONTRACTORS

3.1 By executing this Agreement, the Unions and the City agree to be bound by each and every provision of this Agreement.

3.2 By accepting the award of a Construction Contract for the Projects, whether as contractor or subcontractor at any tier, the Contractor/Subcontractor agrees to be bound by each and every provision of this Agreement.

3.3 This Agreement shall only be binding on the signatory parties hereto and shall not apply to the parents, affiliates, subsidiaries, or other ventures of any other party.

3.4 It is understood that this Agreement, together with the referenced MLA , constitute an integrated, self-contained, stand-alone agreement, and that by virtue of having become bound to this Agreement, the Contractor will not be obligated to sign any other local, area, or national agreement as a condition of performing work within the scope of this Agreement. In addition, it is understood and agreed that all grievances and disputes involving the interpretation or application of this Agreement, including the MLA, shall be resolved according to the procedures set forth in Article 12 of this Agreement; provided, however, that should a dispute involve a single MLA and a Contractor signatory thereto, and not involve interpretation or application of this Agreement, then such dispute shall be processed and resolved pursuant to the grievance provisions of that MLA. Should there be a dispute in the first instance as to whether the provisions of Article 12 of this Agreement or the grievance procedures of a MLA apply, the dispute shall be presented initially to arbitrator Judge William Cahill or, if unavailable, arbitrator Earnest Brown, for resolution as to the applicable procedure. Such referral of a dispute as to the applicable procedures shall be done by an immediate conference call among the parties and the arbitrator, and heard and decided within three (3) calendar days. Should the arbitrator hold that Article 12 applies, the parties may, by mutual agreement, submit the issue to the same arbitrator pursuant to the provisions of Article 12, or, absent mutual agreement, commence processing the dispute at Step 1 of that Article.

3.5 Subcontractors. At the time that any Contractor enters into a subcontract with any subcontractor of any tier for the performance of construction or construction trucking work within the scope of this Agreement, the Contractor shall provide a copy of this Agreement, as it may from time to time be modified by the negotiating parties, to said subcontractor and shall require the subcontractor as a part of accepting an award of a construction subcontract to agree to be bound by each and every provision of the Agreement prior to the commencement of work.

3.5.1 Each Contractor and Subcontractor shall evidence their agreement to be bound to this Agreement by executing the Agreement To Be Bound form attached hereto as Appendix A. A copy of the Agreement To Be Bound executed by the Contractors and Subcontractors shall be submitted to the Union(s) prior to both the commencement of work and the Pre-Job Conference and will be a required submittal within the City's bid packages. If the Contractor or Subcontractor refuses to execute the Agreement To Be

Bound, then such Contractor or Subcontractor shall not be awarded a Construction Contract to perform work on the Projects. A Contractor or Subcontractor who executes the Agreement to Be Bound shall be considered a signatory party to this Agreement.

3.6 It is understood that the liability of each Contractor and Subcontractor and the liability of each Union under this Agreement shall be several and not joint. The Unions agree that this Agreement does not have the effect of creating any joint employment status between or among the City and/or any Contractor or Subcontractor.

3.7 With regard to any Contractor or subcontractor that is independently signed to any MLA, this Agreement shall in no way supersede or prevent the enforcement of any subcontracting clause contained in such MLA, except as specifically set forth in section 3.7.1 of this Agreement. Any such subcontracting clause in a MLA shall remain and be fully enforceable between each craft union and its signatory employers and no provision of this Agreement shall be interpreted and/or applied in any manner that would give this Agreement precedence over subcontracting obligations and restrictions that exist between craft Unions and their respective signatory employers under a MLA, except as specifically set forth in section 3.7.1 in this Agreement. To the extent that the provisions of this Agreement are inconsistent with any other provisions contained in a MLA, the provisions of this Agreement shall prevail

3.7.1 If a craft Union ("Aggrieved Union") believes that an assignment of work on this Project has been made improperly by a Contractor or subcontractor, even if that assignment was as a result of another craft Union's successful enforcement of the subcontracting clause in its MLA, as permitted by section 3.7 of this Agreement, the Aggrieved Union may submit a claim under the jurisdictional dispute resolution procedure contained in Article 13 of this Agreement and the decision rendered as part of that process shall be enforceable to require the Contractor or subcontractor that made the work assignment to assign that work prospectively to the Aggrieved Union. An award made to a craft Union under the subcontracting clause of its MLA, as permitted under section 3.7 of this Agreement, shall be valid and fully enforceable by that craft Union unless it conflicts with a jurisdictional award made pursuant to Article 12 of this Agreement. If the award made under MLA conflicts with the jurisdictional award, the award of any damages under the former shall be null and void *ab initio.*

ARTICLE 4
WORK STOPPAGES, STRIKES, SYMPATHY STRIKES, JURISDICTIONAL DISPUTES AND LOCKOUTS

4.1 The Unions, City and Contractor agree that for the duration of the Projects:

4.1.1 There shall be no strikes, sympathy strikes, work stoppages, picketing, hand-billing or otherwise advising the public that a labor dispute exists, or slowdowns of any kind, for any reason, by the Unions or construction persons employed on the Projects, at a job site of the Projects or at any other facility of the City because of a dispute on the Projects. Nor shall the Unions or construction persons employed on the Projects participate in any strikes, sympathy strikes, work stoppages, picketing, hand billing,

slowdowns, or otherwise advising the public that a labor dispute exists at a Project jobsite because of a dispute between Unions and Contractor(s) on any other project.

4.1.2 As to construction persons employed on the Projects, there shall be no lockout of any kind by a Contractor covered by this Agreement. It shall not be a violation of this Article if a Contractor or Subcontractor (1) suspends or terminates a portion of the Project work or (2) discharges an employee for just cause.

4.1.3 If a MLA between a Contractor and the Union expires before the Contractor completes the performance of a Construction Contract and the Union or Contractor gives notice of demand for a new or modified MLA, the Union agrees that it will not strike, picket, hand-bill, slowdown or engage in any other disruptive activity against the Contractor and the Contractor will not lockout construction persons of the Union on said Construction Contract for work covered under this Agreement and the Union and the Contractor agree that the expired MLA shall continue in full force and effect for work covered under this Agreement until a new or modified MLA is reached between the Union and Contractor. If the new or modified MLA reached between the Union and Contractor provides that any terms of the new MLA shall be retroactive, the Contractor agrees to comply with any retroactive terms of the new or modified MLA which are applicable to construction persons employed on the Projects within seven (7) calendar days.

4.2 A party to this Agreement shall institute the following procedure, prior to invoking any other action at law or equity when a breach of this Article 4 is alleged to have occurred:

4.2.1 A party invoking this procedure shall notify, by the most expeditious means available, with notice by facsimile, electronic mail or telephone to the City, to the party alleged to be in violation, to the Council and to the involved local Union if a Union is alleged to be in violation.

4.2.2 Upon receipt of said notice, the City will contact the designated permanent arbitrator, Judge William Cahill, or if unavailable, his alternate Ernest Brown, who shall attempt to convene a hearing within twenty-four (24) hours if it is contended that the violation still exists.

4.2.3 The Arbitrator shall notify the parties by facsimile, electronic mail or telephone of the place and time for the hearing. Said hearing shall be completed in one session, which, with appropriate recesses at the arbitrator's discretion, shall not exceed twenty-four (24) hours unless otherwise agreed upon by all parties. A failure of any party to attend said hearings shall not delay the hearing of evidence or the issuance of any award by the arbitrator.

4.2.4 The sole issue at the hearing shall be whether or not a violation of Article 4, Section 4.1 of this Agreement has occurred. The arbitrator shall have no authority to consider any matter of justification, explanation or mitigation of such violation or to

award damages, which issue is reserved for court proceedings, if any. The award shall be issued in writing within three (3) hours after the close of the hearing, and may be issued without a written opinion. If any party desires a written opinion, one shall be issued within fifteen (15) calendar days, but its issuance shall not delay compliance with or enforcement of the award. The arbitrator may order cessation of the violation of this Article 4 and other appropriate relief and such award shall be served on all parties by hand or registered mail upon issuance.

4.2.5 Such award may be enforced by any Court of competent jurisdiction upon the filing of this Agreement and all other relevant documents referred to above in the following manner. Written notice of the filing of such enforcement proceedings shall be given to the other party. In the proceeding to obtain a temporary order enforcing the arbitrator's award as issued under Section 4.2.4 of this Article 4, all parties waive the right to a hearing and agree that such proceedings may be ex parte. Such agreement does not waive any party's right to participate in a hearing for a final order or enforcement. The Court's order or orders enforcing the arbitrator's award shall be served on all parties by hand or delivered by certified mail.

4.2.6 Any rights created by statute or law governing arbitration proceedings inconsistent with the above procedure or which interfere with compliance are waived by the parties.

4.2.7 The fees and expenses of the arbitrator shall be divided equally between the party instituting the arbitration proceedings provided in this Article and the party alleged to be in breach of its obligations under this article.

4.3 Liquidated Damages. If the arbitrator determines that a violation of Section 4.1 has occurred, the breaching party shall, within eight (8) hours of the issuance of the decision take all steps necessary to immediately cease such activities and return to work. If the breaching party involved does not cease such activities by the beginning of the next regularly scheduled shift following the expiration of the eight (8) hour period after the arbitrator's issuance of the decision, then the breaching party shall pay the sum of ten thousand dollars ($10,000) as liquidated damages to the City per shift until the breach is remedied. The arbitrator shall retain jurisdiction for the sole purpose of determining compliance with this obligation and determining the amount of liquidated damages, if any; but such retention shall not prevent the moving party from seeking judicial enforcement of the initial decision.

ARTICLE 5
PRE-JOB CONFERENCE

5.1 A mandatory pre-job conference shall be held prior to the commencement of each Construction Contract. Such conference shall be attended by a representative each from the participating Contractor(s) and Union(s) and the Project Manager. All efforts will be made to hold the pre-job conference in sufficient time to ensure all parties the ability to properly raise and resolve any issue that may arise out of such meeting, with a

goal that such conferences will be held at least 21 work days before the work commences.

ARTICLE 6
NO DISCRIMINATION

6.1 The Contractors and Unions agree not to engage in any form of discrimination on the ground of or because of race, color, creed, national origin, ancestry, age, religious or political affiliation, gender, sexual orientation or disability against any person, or applicant for employment on the Projects.

ARTICLE 7
UNION SECURITY

7.1 The Contractors recognize the Union(s) as the sole bargaining representative of all construction persons working within the scope of this Agreement.

7.2 All construction persons who are employed by the Contractor(s) shall, as a condition of employment, on or before the eighth (8th) day of consecutive or cumulative employment on the Projects, be responsible for the payment of the applicable monthly working dues and any associated fees uniformly required for union membership in the applicable local union which is signatory to this Agreement. Further, there is nothing in this Agreement that would prevent non-union construction persons from joining the local union.

ARTICLE 8
REFERRAL AND LOCAL HIRE PROGRAM

8.1 Referral

8.1.1 Contractor (s) performing construction work on the Projects described in the Agreement shall, in filling craft job requirements, utilize and be bound by the registration facilities and referral systems established or authorized by the Unions signatory hereto ("Job Referral System"). Such Job Referral System will be operated in a non-discriminatory manner and in full compliance with all federal, state, and local laws and regulations, including those which require equal employment opportunities and nondiscrimination.

8.1.2 The Contractor(s) shall have the right to reject any applicant referred by the Union(s), in accordance with the applicable Master Agreement.

8.1.3 The Contractor(s) shall have the unqualified right to select and hire directly all supervisors above general foreman it considers necessary and desirable, without such persons being referred by the Unions(s).

8.1.4 In the event that referral facilities maintained by the Union(s) are unable to fill the requisition of a Contractor(s) for employees within a seventy-two (72) hour period after

such requisition is made by the Contractor(s), the Contractor(s) shall be free to obtain employees from any source. Contactor(s) shall promptly notify the Union(s) of any applicants hired from other sources. This provision does NOT affect core employees as defined below.

8.1.5 Unions shall exert their utmost efforts to recruit sufficient numbers of skilled craft persons to fulfill the requirements of the Contractor(s).

8.1.6 Core Employees

All parties agree to make a good faith effort to refer on a priority basis, consistent with the non-discriminatory referral procedures of the hall, qualified and available, and bona-fide Berkeley Residents for Project work.

8.1.7 The parties also recognize and support the City's commitment to provide opportunities for participation on the Projects to Berkeley Residents who are regular, experienced employees ("Core" employees) of contractors and subcontractors awarded work on the Projects and who do not traditionally work under a local collective bargaining agreement(s). In furtherance of this commitment, the parties agree that such contractors and subcontractors awarded work on the Projects may request by name, and the local will honor, referral of persons who have applied to the local union for Project work and who demonstrate the following qualifications:

(1) Possess any license required by state or federal law for the Project work to be performed;

(2) Have worked a total of at least one thousand (1,000) hours in the construction craft during the prior three (3) years;

(3) Were on the Contractor's active payroll for at least sixty (60) out of the one hundred and eighty (180) calendar days prior to the contract award;

(4) Have the ability to perform safely the basic functions of the applicable trade, and

(5) Are Berkeley residents.

The Union will refer to such Contractor one journeyman employee from the hiring hall out-of-work list for the affected trade or craft, and will then refer one of such Contractor's "core" employees as a journeyman and shall repeat the process, one and one, until such Contractor's crew requirements are met or until such Contractor has hired five (5) "core" employees, whichever occurs first. Thereafter, all additional employees in the affected trade or craft shall be hired exclusively from the hiring hall out-of-work list(s). For the duration of the Contractor's work the ratio shall be maintained and when the Contractor's workforce is reduced, employees shall be reduced in the same ratio of core employees to hiring hall referrals as was applied in the initial hiring.

8.1.8 The Contractor shall notify the appropriate Union of the name and social security number of each direct hire and each direct hire shall register with the Union's hiring hall before commencing Project work. If there is any question regarding an employee's eligibility under this Subsection 8.2.1, the City Representative, at a Union's request, shall obtain satisfactory proof of such from the Contractor.

8.2 Local Hire

8.2.1 To the extent allowed by law and consistent with the non-discriminatory referral procedures of the Union hiring halls, the Parties agree to a goal that Berkeley Residents will perform a minimum of 20% of the hours worked, on a craft by craft basis for the Projects. The Contractor(s) shall make good faith efforts to reach this goal through the utilization of the Unions' hiring hall procedures. The Unions shall exercise their best efforts in their recruiting and training of Berkeley Resident workers and in their hiring hall procedures to facilitate this 20% goal on the Projects. In the event that referral facilities maintained by the Union(s) are unable to fulfill the 20% local hire requirement, paragraph 8.2.2 of this Article shall not apply. Contractors shall document all efforts to hire locally and provide such documents to the City of Berkeley. The Council will provide an annual census of Berkeley residents, in each of the crafts party to this agreement, to the City of Berkeley. This report will be provided by August 1 of each year of this agreement.

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8.2.2 Should any of the contractors performing work on the Projects fail to meet this 20% goal and fail to demonstrate efforts to do so, through a specific submittal process to be included in their contractual requirements and enforced by the grievance procedure. The contract's 10% retention will be held until such time that this failure is remedied, but not longer than sixty (60) calendar days after the date of substantial completion of the Projects or as required by law, in addition to the breach of contract remedies available to the parties for non-performance under this Agreement.

8.2.3 Apprenticeship & Workforce Development

A) Consistent with the requirements of California Labor Code §§ 1776, 1777.5 and 1777.6, Contractor(s) will be required to hire 1 New Apprentice Berkeley resident as for every $500,000 dollars or more of total construction bid amount. The New Apprentice(s) must work a minimum of 10% of the projects work hours. The contractor may deploy the apprentice to work on another concurrent project in order to meet the minimum hours, and those hours will be counted towards the total hours of the craft on the Berkeley project. Certified Payroll must reflect the hours worked.

Contractor must fully document efforts to hire a New Apprentice, through the following steps: 1) requesting New Apprentices through the Union dispatch procedure, 2) contacting a minimum of three MC3-approved pre-apprenticeship training programs for referral of Berkeley residents. Unions shall provide written documentation to the contractor in response to dispatch requests to fulfill the New Apprentice requirement, the next tier of residents will come from the Green Corridor.

B) There can be no more than 1 entry-level New Apprentices for each craft, provided said crafts have apprenticeship openings and the general contractor will be able to include New Apprentices hired by their subcontractor to meet this requirement. Unions will agree to cooperate with Contractor(s) in furnishing apprentices as requested and the hiring of the apprentices will be in accordance to the Apprenticeship provisions listed in the Master Agreements and or the union agreements with the division of apprenticeship standards, and the apprentices shall be properly supervised and paid in accordance with provisions contained within the MLA'S. The Unions and Contractors will agree to cooperate with local pre-apprenticeship programs to ensure Berkeley residents have the opportunity to apply for and enter the into the apprenticeship programs.

C) The intent of this provision is to utilize Berkeley Resident New Apprentices to the fullest extent permissible by state law and the MLA. Failure of Contractor(s) and their subcontractors to maintain qualified apprentices on the job will be subject to further penalties as determined by the Grievance Committee as identified in Article 12.

8.11 Enforcement, Compliance & Reporting.

Contractors will be required to submit Certified Weekly Payrolls to the City along with monthly workforce utilization reports documenting the Contractor's compliance with the requirements described in this article. At a minimum the monthly reports must include 1) data on Berkeley Resident's work hour utilization on a craft by craft basis, 2) number of New Apprentices hired and the hours they have worked, 3) documentation showing any requests made to the union dispatchers for Berkeley Residents and the Union's response to the request. Enforcement of this article shall be according to the Grievance and Arbitration procedure outlined in Article 12.

ARTICLE 9
HELMETS TO HARDHATS

9.1 The parties recognize a desire to facilitate the entry into the Building and Construction Trade Union(s) of Veterans who are interested in careers in the building and construction industry. The parties agree to utilize the services of the Center for Military Recruitment, Assessment and Veteran's Employment ("Center") and the Center's "Helmets to Hardhats" program to serve as a resource for preliminary orientation, assessment of construction aptitude, referral to apprenticeship programs or hiring halls, counseling and mentoring, support network, employment opportunities and other needs as identified by the parties.

9.2 The Union(s) and Contractor(s) agree to coordinate with the Center to participate in an integrated database of Veterans interested in working on this Project and of apprenticeship and employment opportunities for this Project. To the extent permitted by law, the Union(s) will give credit to such Veterans for bona fide, provable past experience.

ARTICLE 10
GRIEVANCE PROCEDURE

10.1 Any Contractor which is not otherwise bound through an agreement with a Union to a grievance procedure which confers jurisdiction to consider and resolve disputes over the imposition of discipline or dismissal of its construction persons working on this Project shall be bound to the arbitration procedure contained in the MLA of the craft representing the employee(s) involved in the dispute. For the purposes of this Article, such grievance procedure shall be limited to disputes regarding the imposition of discipline or dismissal arising from work covered by the Agreement. Such Contractor shall not impose discipline or dismissal on its construction persons covered by this Agreement without just cause.

ARTICLE 11
JOINT ADMINISTRATIVE COMMITTEE

11.1 The parties to this Agreement shall establish a five (5) person Joint Administrative Committee comprised of at least one and up to two (2) representatives representing the City; two (2) representatives of the signatory Unions and The Council; and one industry representative, mutually selected by the City and The Council. Each representative shall designate an alternate who shall serve in his or her absence for any purpose contemplated by this Agreement.

11.2 The Joint Administrative Committee shall meet at the request of either party, but not less than once each quarter, to review the implementation of the Agreement and the progress of the Projects including, but not limited to, compliance with Article 8, prevailing wage, safety, Workforce development and Industry trends. Requests for certified payroll made by a Joint Labor/Management Committee to which the Union(s) signatory to this Agreement are a party shall be provided as allowed by law.

ARTICLE 12
GRIEVANCE ARBITRATION PROCEDURE

12.1 The parties understand and agree that in the event any dispute arises out of the meaning, interpretation or application of the provisions of this Agreement, the same shall be settled by means of the procedures set out herein. No grievance shall be recognized unless the grieving party provides notice in writing to the signatory party with whom it has a dispute within seven (7) calendar days after becoming aware of the dispute, but in no event more than thirty (30) calendar days after it reasonably should have become aware of the event giving to the dispute. The time limits in this Article 12 may be extended by mutual written agreement of the parties.

12.2 Grievances shall be settled according to the following procedures:

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Step 1: Within seven (7) calendar days after the receipt of the written notice of grievance, the Business Representative of the involved Local Union, the City's authorized representative, representative of the construction person, and the representative of the involved Contractor shall confer and attempt to resolve the grievance.

Step 2: In the event that the representatives are unable to resolve the dispute within seven (7) calendar days after its referral to Step 1, either involved party may submit it within three (3) calendar days to Grievance Committee. The Grievance Committee shall consist of one (1) person selected by the City and one (1) person selected by the Council, which shall meet within seven (7) calendar days after such referral (or such longer time as mutually agreed upon by all representatives of the subcommittee), to confer in an attempt to resolve the grievance. The decision of the Grievance Committee shall be legal, final and binding. If the dispute is not resolved within such time seven (7) calendar days after its referral or such longer time as mutually agreed upon) it may be referred within seven (7) calendar days by either party to Step 3.

Step 3: Within seven (7) seven calendar days after referral of a dispute to Step 3, the representatives shall submit the matter to the designated permanent Arbitrator, Judge William Cahill.

12.3 In the event that Judge Cahill is unavailable, the arbitrator shall be Earnest Brown.

12.4 The Arbitrator shall arrange for a hearing no later than fourteen days (14) calendar days after the matter has been submitted to arbitration. A decision shall be given to the parties within five (5) calendar days after completion of the hearing unless such time is extended by mutual agreement. A written opinion may be requested by a party from the Arbitrator. The time limits specified in any step of the Grievance Procedure set forth in Section 12.1 may be extended by mutual agreement of the parties initiated by the written request of one party to the other, at the appropriate step of the Grievance Procedure. However, failure to process a grievance, or failure to respond in writing within the time limits provided above, without the request for an extension of time, shall be deemed a waiver of such grievance without prejudice, or without precedent to the processing of and/or resolution of like or similar grievances or disputes.

12.5 The decision of the Arbitrator shall be binding by all parties. The Arbitrator shall not have authority to change, amend, add, or detract from any of the provisions of the Agreement. The expense of the Arbitrator shall be borne equally by both parties.

12.6 In order to encourage the resolution of disputes and grievances at Step 1 and 2 of this Grievance Procedure, the parties agree that such settlements shall not be precedent-setting.

ARTICLE 13
JURISDICTIONAL DISPUTES

13.1 The assignment of Covered Work will be solely the responsibility of the Contractor/Employer(s) performing the work involved; and such work assignments will be in accordance with the Plan for the Settlement of Jurisdictional Disputes in the Construction Industry (the "Plan") or any successor Plan.

13.2 All jurisdictional disputes on this Project between or among the Union(s) and the Contractor/Employer(s), parties to this Agreement, shall be settled and adjusted according to the present Plan established by the Building and Construction Trades Department, or any other plan or method of procedure that may be adopted in the future by the Building and Construction Trades Department. Decisions rendered shall be final, binding and conclusive on the Contractor/Employer(s) and Union(s) parties to this Agreement.

13.2.1 If a dispute arising under this Article involves the Northern California Carpenters Regional Council or any of its subordinate bodies, an Arbitrator shall be chosen by the procedures specified in Article V, Section 5, of the Plan from a list composed of John Kagel, Thomas Angelo, Robert Hirsch and Thomas Pagan and the Arbitrator's hearing on the dispute shall be held at the offices of the California State Building and Construction Trades Council in Sacramento, California, within fourteen (14) calendar days of the selection of the Arbitrator. All other procedures shall be as specified in the Plan.

13.3 All jurisdictional disputes shall be resolved without the occurrence of any strike, work stoppage, or slow-down of any nature, and the Contractor/Employer(s)' assignment shall be adhered to until the dispute is resolved. Individuals violating this Section shall be subject to immediate discharge.

13.4 Each Contractor/Employer(s) shall conduct a Pre-Job Conference with the Council prior to commencing Covered Work. The Primary Employer, Coordinator and the District will be advised in advance of all such conferences and may participate if they wish. Pre-job conferences for different Contractor(s) may be held together.

ARTICLE 14
APPRENTICES

14.1 Recognizing the need to maintain continuing support of programs designed to develop adequate numbers of competent workers in the construction industry, the Contractor (s) shall employ apprentices in the respective crafts to perform such work as is within their capabilities and which is customarily performed by the craft in which they are indentured.

14.2 The apprentice ratios will be in compliance with the applicable provisions of the California Labor Code and Prevailing Wage Rate Determination.

14.3 There shall be no restrictions on the utilization of apprentices in performing the work of their craft provided they are properly supervised.

14.4 All Apprentices will come from a State approved Labor Management Apprenticeship program.

ARTICLE 15
MANAGEMENT RIGHTS

15.1 The Contractor shall retain full and exclusive authority for the management of their operations, including the right to direct their work force in their sole discretion with regard to the following: the hiring, promotion, transfer, layoff, corrective action or discharge for just cause of its employees (in accordance with Article 9); the determination of the number of employees needed for the Project work; the selection/hiring of foremen and supervisors; the assignment and schedule of work; the requirement of overtime work, the determination of when it will be worked, and the number of employees engaged in such work, except as otherwise limited by the terms of this Agreement and/or the MLA. No rules, customs or practices shall be permitted or observed which limit or restrict production, or limit or restrict the working efforts of construction persons except that the lawful manning provisions of the MLA shall be recognized.

ARTICLE 16
WAGES/BENEFITS

16.1 **Wages.** All construction persons covered by this Agreement shall be classified in accordance with work performed and paid the hourly wage rates for those classifications in the applicable MLA for such craft work and in compliance with the applicable prevailing wage rate determination.

16.2 **Benefits.** Contractor agrees to pay contributions into established construction person benefit funds in the amounts designated in the appropriate MLA; provided, however, that each Contractor and Union agree that only such bona fide construction person benefits as included in the prevailing wage determination shall be included in this requirement and required to be paid by the Contractor under this Agreement; provided further, however, that this provision does not relieve Contractors signatory to a local collective bargaining agreement with a signatory Union which would be applicable to the Projects from making

any other fund contributions (including, but not limited to, those for contract administration), required by such local agreement. Contractor shall not be required to pay contributions to any other trust funds to satisfy their obligation under this Article. By signing this Agreement, the Contractors adopt and agree to be bound by the written terms of the legally established Trust Agreements, specifying the detailed basis on which the payments are to be made into, and the benefits paid out of, such Trust Funds.

16.3 **Compliance.** It shall be the responsibility of the Contractor(s) and Unions to investigate and monitor compliance with the provisions of the agreement contained in Article 15. Nothing in this agreement shall be construed to interfere with or supersede the usual and customary legal remedies available to the Unions and/or employee benefit Trust Funds to collect delinquent Trust Fund contributions from Contractors on the Project.

ARTICLE 17
MODIFIED MASTER LABOR AGREEMENTS

17.1 Certain Provisions Shall Not Apply. Provisions negotiated into the new or modified MLA which are less favorable to the Contractor than those uniformly required of employers for construction work normally covered by those agreements or which may be construed to apply exclusively or predominately to work covered by this Agreement shall not apply to work covered by this Agreement. Any disagreement between the parties regarding the application of the provisions of any new or modified collective bargaining agreement to work covered by this Agreement shall be resolved under the dispute and grievance arbitration procedures set forth in Article 12 hereof.

ARTICLE 18
DRUG and ALCOHOL TESTING

18.1 The use, sale, transfer, purchase and/or possession of a controlled substance, alcohol and/or firearms at any time during the work day is prohibited.

18.2 Employer shall be allowed to utilize employment drug screens. All personnel are subject to random alcohol and drug/alcohol testing at any time, except, the following changes will apply. Employer shall follow said Unions Master Labor Agreement drug polices, regulations and limits. Body fluid tests will utilize urine and saliva specimens. Employer may also selectively require an employee to undergo alcohol or drug/alcohol testing if Employer has reasonable cause to believe that an employee's ability to work safely may be impaired. All requirements and activities of the Employer with regard to drug/alcohol testing shall comply with the provisions of State law.

ARTICLE 19
SAVINGS CLAUSE

19.1 The parties agree that in the event any article, provision, clause, sentence or word of this Agreement is determined to be illegal or void as being in contravention of any applicable law, by a court of competent jurisdiction the remainder of the Agreement shall remain in full force and effect. The parties further agree that if any article, provision, clause, sentence or word of the Agreement is determined to be illegal or void, by the court of competent jurisdiction, the parties shall substitute, by mutual agreement, in its place and stead, an article, provision, clause, sentence or word which will meet the objections to its validity and which will be in accordance with the intent and purpose of the article, provision, clause, sentence or word in question.

19.2 The parties also agree that in the event that a decision of a court of competent jurisdiction materially alters the terms of this Agreement such that the intent of the parties is defeated, then the entire Agreement shall be null and void.

ARTICLE 20
ENTIRE AGREEMENT

20.1 This Agreement represents the complete understanding of the parties. The provisions of this Agreement, including the MLA, shall apply to the work covered by this Agreement. Where a subject covered by the provisions of this Agreement is also covered by a MLA, the provisions of this Agreement shall prevail. Where a subject is covered by the provisions of a MLA and is not covered by this Agreement, the provisions of the MLA shall prevail. Nothing contained in a MLA, working rule, by-laws, constitution or other similar document of the Unions shall in any way affect, modify or add to this Agreement unless otherwise specifically set forth in this Agreement or mutually agreed to in writing executed by the parties.

20.2 The parties agree that this Agreement covers all matters affecting wages, hours, and other terms and conditions of employment and that during the term of this Agreement the parties will not be required to negotiate on any further matters affecting these or any other subject not specifically set forth in this Agreement except by mutual agreement of the parties.

20.3 This Agreement may be executed in counterparts, such that original signatures may appear on separate pages and when bound together all necessary signatures shall constitute an original. Facsimile signature pages transmitted to other parties to this Agreement shall be deemed the equivalent to original signatures.

ARTICLE 21
TERM

21.1 The Agreement shall be included as a condition of the award of the Construction Contracts.

21.2 The Agreement shall continue in full force and effect for a term of three years from the Effective Date of June 30, 2020 through June 30, 2023 and shall be applicable to all Projects until completion that are advertised for bidding during the term.

21.3 This Agreement shall continue in full force and effect until Completion of the Project. The parties may mutually agree to extend and/or amend this Agreement.

SIGNATURES

City of Berkeley

By: Dee Williams-Ridley

Dee Williams-Ridley, City of Berkeley City Manager

Date: 2/10/21

Alameda County Building & Construction Trades Council, AFL-CIO

DocuSigned by:
Andreas Cluver
By: 5C9F6AE6571848E...

Andreas Cluver, Secretary-Treasurer for the Building Trades Council of Alameda County on behalf of the Signatory Unions

Date: 1/26/2021

Signatory Unions

Asbestos Workers, Local 16 Boilermakers, Local 549

Bricklayers & Allied Craftsmen

Local 3 Cement Masons, Local 300

Electrical Workers, Local 595

Elevator Constructors, Local 8

Hod Carriers, Local 166

Iron Workers, Local 378

Laborers, Local 67

Laborers, Local 304

Operating Engineers,

Local 3 Plasterers, Local 66

Roofers, Local 81

Sheet Metal Workers, Local 104

Sign Display, Local 510

Sprinkler Fitters, Local 483

Teamsters, Local 853

United Association of Journeymen and Apprentices Fitting Industry, Underground Utility & Landscape, Local 355

United Association of Steamfitters, Ironworkers City and the RDA Council of Pipefitters, Plumbers, & Gas California Fitters, Local 342

Council No. 16 Northern California

International Union of Laborers
Painters & Allied Trades (On behalf of Painters, Local 3; Carpet & Linoleum Layers, Local 12; Glass Workers, Local 169; Auto& Marine Painters, Local 1176)

Northern California Carpenters
Regional Council (on behalf of Carpenters, Local 713; Carpenters, Local 2236; Lathers, Local 68L; Millwrights, Local 102; Pile Drivers, Local 34)

AGREEMENT TO BE BOUND

The undersigned, as a Contractor or Subcontractor ("Contractor") on a City Project (“Project”), for and in consideration of the award to it of a contract to perform work on said Project, and in further consideration of the mutual promises made in the Project’s Community Workforce Agreement ("Agreement"), a copy of which was received and is acknowledged, hereby:

1. Accepts and agrees to be bound by the terms and conditions of the Agreement, together with any and all amendments and supplements now existing or which are later made to said Agreement.

2. Certifies that it has no commitments or agreements which would preclude its full and complete compliance with the terms and conditions of said Agreement;

3. Agrees to secure from any Contractor (as defined in said Agreement) which is or becomes a subcontractor (of any tier) to it, and from any successors, a duly executed Agreement to be bound in form identical to this document.

4. Contractor agrees that it shall be bound by all applicable trust agreements and plans for the provision of such fringe benefits as accrue to the direct benefit of the construction persons, including Health and Welfare, Pension, Training, Vacation, and/or other direct benefits provided pursuant to the appropriate craft agreement contained in Schedule "A" of Agreement.

Date: _____

Company Name: _____

Name of Prime Contractor or Higher Level Subcontractor:

_____

Name of Project: _____

Signature:_____

Print Name: _____

Title: _____

Contractor’s License #: _____

Motor Carrier Permit (CA) #: _____

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APPENDIX 6

BAY AREA RAPID TRANSIT (BART) DISTRICT
PERMIT TO ENTER

(NOT USED)

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APPENDIX 7

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

ENCROACHMENT PERMIT

(NOT USED)

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APPENDIX 8

CITY OF OAKLAND
ENROACHMENT PERMIT

(NOT USED)

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APPENDIX 9

CITY OF BERKELEY
TYPICAL PROPERTY ACCESS AGREEMENT

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Public Works Department
Engineering Division

Sanitary Sewer Rehabilitation Project
MLK Jr. Way, Cedar Street, et al.
Specification Number: 20-11412-C

PROPERTY ACCESS AGREEMENT

Property Address:_____

This agreement entered between the undersigned property owner and the City of Berkeley, does hereby grant temporary access to the City, its agents, employees, contractors, and assigns for the purpose of inspection, replacement, or the rehabilitation of the existing sanitary sewer line in the sewer easement in or adjacent to the above address or on private property.

The work to be performed will consist of inspection, replacement, or rehabilitation of the aged or damaged sanitary sewer line. No interruption of sanitary sewer services, water, gas, or telephone services is anticipated.

Upon completion of construction, the City of Berkeley will restore existing surface improvements, including fencing, retaining walls, concrete flatwork, asphalt concrete pavement and landscaping. Restoration will be to a condition and appearance as near as practicable to that existing prior to construction, except that plant materials may be replaced with commercially available plant materials acceptable to the property owner.

The rights of the undersigned property owner to make claims and/or bring actions for damage from the said entry or work with respect to the subject property are not waived by execution of this agreement. However, it is expressly understood and agreed that the City of Berkeley is not liable or responsible for any damaged property or appurtenances from any cause not resulting from performance of the sanitary sewer work by the City, its agents, employees, contractors and assigns.

This agreement will be in full force and effect for four months following the issuance of the Notice to Proceed.

Approved by:

_____	_____
City Engineer	Property Owner (print name)
_____	_____
Date	Signature and Date

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APPENDIX 10

CITY OF BERKELEY
CITY OF BERKELEY PEDESTRIAN, BYCYCLE, AND BUS FACILITY ACCOMODATION IN CONSTRUCTION ZONES

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Supplemental Design Guidelines: Accommodating pedestrians, bicyclists, and bus facilities in construction zones

Every reasonable effort should be made to avoid and minimize construction impacts on pedestrian, bicycle, and bus facilities in Berkeley.

This document provides engineering and design guidance on temporary traffic control measures used to accommodate pedestrians, bicyclists, and bus facilities through construction zones in Berkeley. The guidance supplements the guidance in Part 6 of the California Manual on Uniform Traffic Control Devices (CA MUTCD)[1], which specifies that bicyclists and pedestrians must be safely accommodated through construction zones, and the City of Berkeley's "TRAFFIC CONTROL PLAN PREPARATION GUIDELINES" This supplemental guidance specifies when and where pedestrian, bicycle, and bus facilities may be relocated, detoured, modified, and closed in Berkeley. This guidance applies to all sidewalks and all roads on which bicyclists are legally allowed to travel, including designated bikeways. The guidance applies to any entity ("construction sponsor") performing construction work in the public right-of-way, including utility companies, private land use development, and the City of Berkeley.

Any construction sponsor submitting for any permit[2] for work in the public right-of-way to the City of Berkeley that will result in the blockage of a sidewalk, bicycle lane, vehicle travel lane, bus stop, or other public bicycle or pedestrian path must submit a Temporary Traffic Control Plan (TCP) to Public Works Traffic Engineering for review and approval. The guidance in this document is intended to direct the development of the construction sponsor's TCP.

The two major types of temporary traffic control (TTC) for pedestrians are adjacent sidewalk diversions and sidewalk detours (see Figure 1). To determine which temporary facility is appropriate, refer to Table 1.

Pedestrian Accommodation

All temporary pedestrian facilities and alternate paths must be ADA-compliant, and all pedestrian-related signage shall be as permanent as the other TTC signage. Any diversions, detours, or full closures must be approved as part of a Traffic Control Plan. Refer to the CalTrans Temporary Pedestrian Access Routes Handbook[3], for guidelines on these standards.

- Sidewalk Diversion - A temporary, protected pedestrian route shall be provided adjacent to the sidewalk in a parking lane (if present), travel lane, or bicycle lane. It shall be protected from moving traffic by an approved barricade device that is detectable by people with visual disabilities. If the pedestrian diversion takes up a bike lane, bike accommodation must be maintained (see Bicyclist Accommodation below). All sidewalk diversion routes must keep and maintain minimum 5 feet clear width, but shall provide up to 6' where feasible for pedestrian access.
    - The preferred treatment for long-term pedestrian diversions in construction zones in downtown Berkeley and other areas with significant pedestrian activity is a covered pedestrian walkway. Covered walkways shall conform with Berkeley's Pedestrian Access During Construction Projects (see attachment), the CalTrans Temporary Pedestrian Access Routes Handbook, ADA accessibility standards, and OSHA structural specifications for

[1] California Manual on Uniform Traffic Control Devices (CA MUTCD) 2009 Edition Part 6: https://dot.ca.gov/-/media/dot-media/programs/safety-programs/documents/ca-mutcd/rev6/camutcd2014-part6-rev6.pdf

[2] Permits include but are not limited to Concrete Permits for Sidewalk, Curb, Gutter and Driveway Approaches, Utility Excavation Permits, Miscellaneous Permits to Obstruct, Excavate and/or Construct in the right of way, Street and Sidewalk Use Permits, etc.

[3] CalTrans Safety / Traffic Webpage: https://dot.ca.gov/programs/construction/safety-traffic

scaffolding[4]. Design of the walkway should ensure limited obstruction between the top of railing and walkway cover to allow passive surveillance into and from the walkway, and should have a maximum exit access travel distance of 100 feet. Construction sponsors are responsible for maintaining adequate lighting within the covered walkway at all times and for removal of graffiti and cleaning of debris.

- Construction sponsors may alternatively propose uncovered diversions using longitudinal channelizing devices, such as concrete k-rails, if permitted under the requirements listed by Berkeley's Pedestrian Access During Construction Projects. Channelizing devices used to separate a pedestrian diversion from moving traffic must fully protect pedestrians from motor vehicle impacts. Bases of temporary cyclone fences shall not extend over any adjacent traffic, bicycle lane, or pedestrian path of travel.

- Pedestrian diversions shall always be clearly identified, wheelchair usable, shielded from motor vehicle traffic, and free of pedestrian hazards such as holes, debris, gravel, mud, etc.

- **Sidewalk detours are not acceptable in downtown Berkeley, nor in areas where significant pedestrian activity occurs, such as near BART stations, near the University of California, Berkeley campus and in neighborhood commercial areas and are up to the discretion of the City's Traffic Engineer, or their designee.** All detours should ensure accessible conditions. Sponsor may be required to make appropriate repairs to the detour route. Signage shall be provided at closest intersections to alert pedestrians of the sidewalk closure and direct them to the detour. Advance notification to pedestrians of any sidewalk detours or diversions shall be provided at the nearest crosswalk that meets minimum safety requirements on either side of the detour or diversion.

  - In areas where long-term sidewalk detours are not acceptable, sidewalk detours may be approved for limited duration when full closure of a sidewalk is required for intermittent and unavoidable construction activity. Refer to Table 1 for the maximum acceptable duration and conditions per project location.

- In areas where sidewalk diversions or detours impact access to AC Transit, Berkeley Lab, or Bear Transit bus and shuttle stops the Contractor must receive written confirmation from affected parties regarding stop relocations. See "Bus Stop Relocation or Closure" subsection below.

[4] OSHA Standard 1910-28: Duty to have fall protection and falling object protection: https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.28

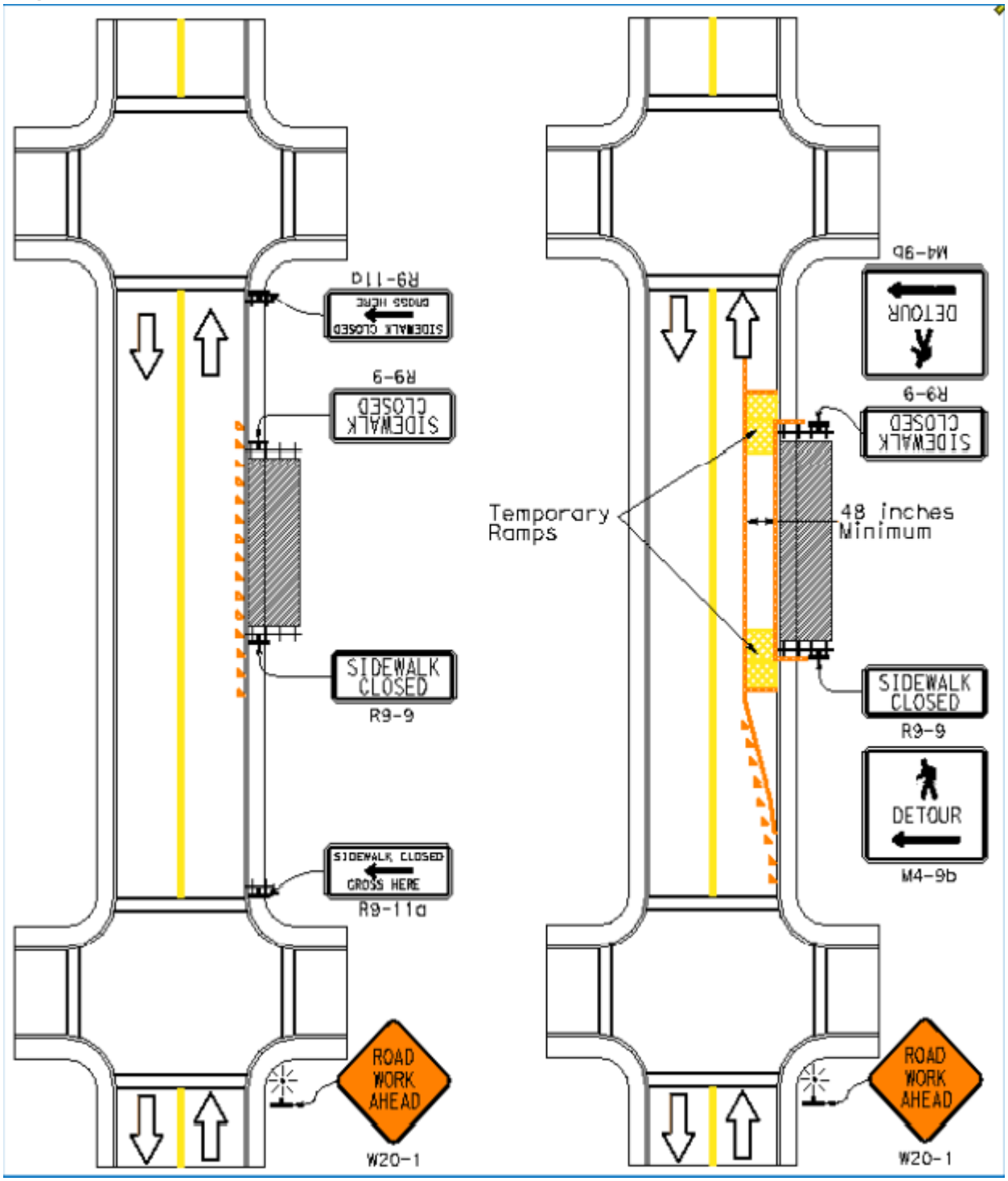
Table 1: Reasonable Accommodation for Pedestrians

Treatment*	Construction Project Location		
	Downtown & within 0.25 miles of a BART station or UC Berkeley campus	Neighborhood commercial areas and major transit corridors	All other areas
Sidewalk diversion (temporary ADA walkway provided)*	Acceptable†	Acceptable†	Acceptable†
Sidewalk detour (no walkway provided)*	Prohibited	Prohibited	Acceptable†
Maximum duration of temporary sidewalk detour	4 hours Flagger required throughout duration of closure.	24 hours Flagger required throughout duration of closure.	One week Flagger required during peak traffic hours only.

* "Sidewalk diversion" and "Sidewalk detour" are defined in Figure 1.

† Acceptable only if TCP is deemed sufficient and approved by the City's Traffic Engineer, or their designee.

Figure 1: Sidewalk Detour and Sidewalk Diversion[5]



SIDEWALK DETOUR

SIDEWALK DIVERSION

[5] Caltrans Pedestrian Temporary Access Routes Handbook (2020): https://dot.ca.gov/-/media/dot-media/programs/construction/documents/policies-procedures-publications/temp-ped-access-routes-handbook-2020-a11y.pdf

Bicyclist Accommodation

As with pedestrian facilities, bike lane closures should be avoided. Existing bike lanes must remain clear (minimum 5') unless the bike lane closure is specifically approved as part of a Temporary Traffic Control Plan (TCP) and a reasonable accommodation for an alternate bicycle path of travel is implemented, defined and prioritized below:

1. Closing a parking lane and keeping the adjacent bicycle lane open;
2. Shifting the bicycle lane to a location on the same roadway to bypass the work zone or obstruction, and if necessary, shifting and narrowing the adjacent motor vehicle traffic lanes; provided the adjacent motor vehicle travel lanes shall be maintained at no less than ten feet (10 ft.) wide;
3. Closing the adjacent motor vehicle travel lane to provide space for a bicycle lane, provided that a minimum of one (1) motor vehicle travel lane shall remain in the same direction of travel;
4. Merging the bicycle lane and the adjacent motor vehicle travel lane into a shared travel lane adjacent to the work zone or other obstruction, installing shared travel lane markings (sharrows) in the shared travel lane and installing signage directing bicyclists to merge into the shared travel lane; provided the shared travel lane shall be maintained at no less than fourteen feet (14 ft.) wide; and
5. As a last resort, detouring bicyclists onto an adjacent roadway, in which case the detour route shall be adequately signed and replicate, as closely as practicable, the level of safety found on the bicycle route being blocked.

Note: if a bike lane closure is needed, the alternate path of travel must be implemented at the same level of protection as the existing facility. For example, if an existing protected bike lane must be closed, then a temporary protected bike lane shall be provided.

Any TCP that identifies bike lane closures, detours, or other bike facility changes is subject to approval and shall address the following guidance:

1. Active bike lanes must remain clear (5' minimum). Signage, channelizing devices, barriers, and other equipment shall not be placed in active bike lanes or in locations that would block bicyclists' path of travel.
2. Bike lanes shall not be closed for construction activities unless the closure is documented and approved in a TCP.
3. TCPs shall indicate the length and duration of all bike lane closures.
4. Where bike lanes must be closed, advance notification and tapers shall be provided with sufficient length to allow bicyclists to merge into the adjoining travel lane in advance of the bike lane closure.
5. TCPs that include bike lane closures shall post construction zone speed limits of 25 mph or less.
6. All bicycle-related signage shall be as permanent as the other TTC signage in the construction zone.
7. If the TCP includes roadway striping, temporary bike lanes and/or sharrows shall be installed.
8. The City's Traffic Engineer, or their designee, shall review TCPs that include bikeway detours or bike lane closures of longer than one week.

Refer to temporary traffic control details for Multi-lane Roadway with Travel Lane Closure, Temporary Bike Lane, and Parking Lane Closure and Single-lane Roadway with Bike Lane Closure and Parking Lane Closure (attachments).

Bus Stop Relocation or Closure

Temporary relocation of a bus or shuttle stop for construction activity requires written approval from AC Transit, Berkeley Lab, and/or Bear Transit, submitted at the time of a TCP submission. Temporary bus stops must also be approved by Public Works Traffic Engineering and must be noted on the TCP. Any parking obstruction, sidewalk obstruction, travel lane obstruction, or other accommodation required for the temporary bus stop shall be proposed through an Engineering Permit application at the sponsors' expense.

Lane Closures

On multi-lane roadways, traffic lanes may be converted to a bike lane or pedestrian diversion, as specified in an approved TCP. Below is a set of guidance related to lane closures:

- As a general rule, no more than one lane fewer than the total lanes per direction may be closed. For example, a four-lane roadway with two lanes in each direction shall provide a minimum of one lane in each direction.
- Different guidance applies to lane closures on multi-lane one-way streets in downtown Berkeley. So long as a minimum of one travel lane remains open, the closure of two or more travel lanes may be approved upon request.
- The minimum width of a temporarily narrowed traffic lane is 10' (12' for streets serving AC Transit bus routes), clear of any obstructions, including traffic cones or delineators. Fire Department may have additional clear width requirements for emergency vehicle access.
- Existing left turn lanes shall be maintained. Left turn lanes should not be used for temporary through travel lanes.
- Completely closing any direction of traffic is generally not allowed. This includes any plan which allows one lane to be used for two directions of traffic ("Two-Way Flag Control"). An approved TCP is required to use "Two-Way Flag Control."
- When any movement is reduced to a single lane that includes left and through movements at an intersection, the TCP may need to prohibit the left turn movement to facilitate efficient traffic flow. The TCP should include a recommended detour of the left turn.

Developing a Traffic Control Plan

Reflecting the above guidance in addition to the "Traffic Control Plan Preparation Guidelines", Traffic Control Plans shall be prepared by a certified traffic engineer. The proposed design and placement of the temporary traffic control signs, devices, and roadway markings shall be in compliance with the most recent edition of the CA MUTCD.

Subject to the conditions in Table 1, periodic full closures of streets and sidewalks may be approved. Note: the safe and reasonable flow of pedestrian and bicycle traffic is to be maintained in preference to construction activities and the flow of construction vehicles. If periodic full closures are necessary and anticipated, the construction sponsor shall indicate the following within the TCP, subject to approval:

1. The proposed location of flaggers or spotters to be posted at each end of the closed pedestrian or cycle route for the entire duration of time the intermittent closure is in place; and
2. The times of day when intermittent closure may occur; and
3. Acknowledgement that advance notice to Public Works Traffic Engineering, Berkeley Police Department, and emergency services is required for each full closure, subject to fine and/or revocation of the Engineering Permit.

Display of Permitted Temporary Traffic Control Plan

After an obstruction permit and TCP is approved and before commencing any activities that result in the blockage of a pedestrian or bicycle facility, construction sponsors must display a copy of the Engineering Permit at a prominent, publicly accessible location near the construction site entrance. Additionally, the following information must be simultaneously displayed:

1. The range of dates during which the permit is valid;
2. The name and contact information of the party requesting the permit;
3. A clear description of the approved temporary traffic control plan
4. A Berkeley Public Works Traffic Engineering phone number and email address to direct questions, comments, and concerns regarding the blockage.

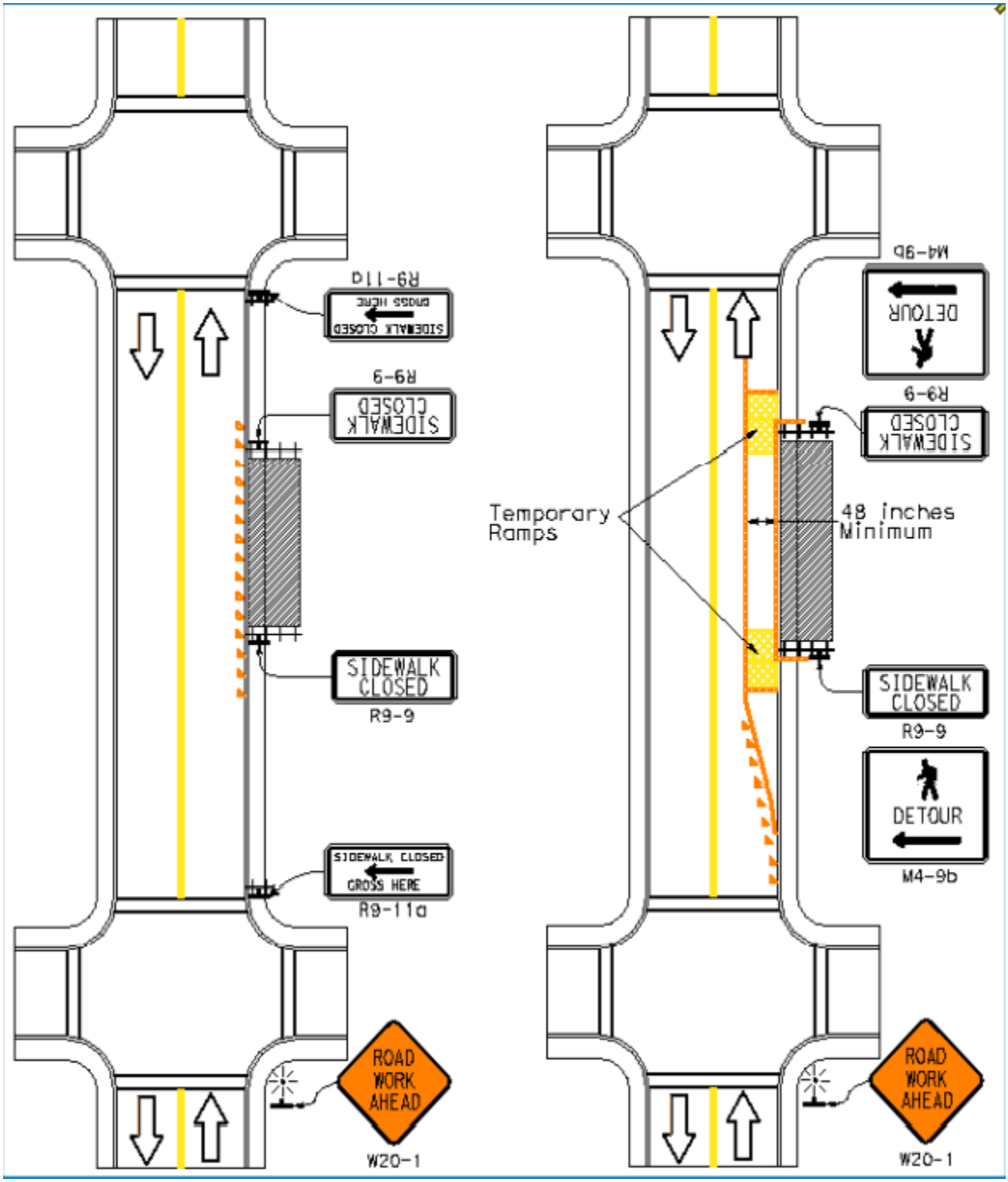
Planning Appropriately for Temporary Traffic Control Plan Review

Every reasonable effort should be made to avoid and minimize construction impacts on pedestrian, bicycle, and bus facilities in Berkeley. As such, construction sponsors for land use development projects may elect to propose and receive feedback on preliminary plans for temporary traffic control within a land use development planning application. At minimum, construction sponsors should submit TCP proposals 60 days before desired construction start date.

Attachments

- *Figure 1: Sidewalk Detour and Sidewalk Diversion*
- *Pedestrian Access During Construction Projects*
- *Detail TTC-1: Multi-lane Roadway with Travel Lane Closure, Temporary Bike Lane, and Parking Lane Closure*
- *Detail TTC-2: Single-lane Roadway with Bike Lane Closure and Parking Lane Closure*
- *Signs: Temporary Traffic Control Sign Details for Bikeway Detours and Long-Term Bike Lane Closures*

Figure 1: Sidewalk Detour and Sidewalk Diversion[6]



SIDEWALK DETOUR

SIDEWALK DIVERSION

[6] Caltrans Pedestrian Temporary Access Routes Handbook (2022): https://dot.ca.gov/-/media/dot-media/programs/construction/documents/policies-procedures-publications/temp-ped-access-routes-handbook-2020-a11y.pdf

PEDESTRIAN ACCESS DURING CONSTRUCTION PROJECTS

Public Works Engineering

The purpose of these standards for construction in the public right-of-way is to ensure pedestrian safety and access.

Standards apply to City of Berkeley crews, Contractors with the City, and all others working in the right-of-way.

Each project is unique and requires thorough review to ensure complete, safe, usable, and accessible paths of travel.

Please note: City of Berkeley Engineers may stop work when any hazardous conditions are present.

Permit Service Center
1947 Center St. 3rd floor
Berkeley, CA 94704
510-981-7500 TTY 6903
permits@cityofberkeley.info

MAINTENANCE OF A CLEAR AND ACCESSIBLE PEDESTRIAN CORRIDOR

The Contractor or permittee shall maintain an accessible corridor that provides at least one safe path of travel for all pedestrians at all times for the duration of the project.

- ☐ Pedestrian corridor shall be a nominal width of 6' whenever feasible, and shall conform to ADAAG guidelines. It shall not be less than 48" wide at single point of contact or obstruction.
- ☐ Accessible pedestrian corridor shall connect with facilities within the project area.
- ☐ Equipment, debris, construction materials or vehicles shall not obstruct the corridor.
- ☐ No parked vehicles can obstruct blue curb parking spaces unless permitted.
- ☐ Temporary closure of designated pedestrian routes and crossings shall be allowed only when flaggers are present and safely directing pedestrians around hazards.

TEMPORARY RAMPS CONFORMING TO ACCESSIBLITY STANDARDS

The Contractor or permittee shall install and maintain temporary concrete, asphalt or wood ramps to provide a safe path of travel for mobility-impaired pedestrians at all locations where ramps have been temporarily removed OR needed to route pedestrians.

- ☐ Temporary ramps shall be constructed so installation and removal will not damage existing pavement, curb and/or gutter.
- ☐ Ramps shall have a minimum 4' wide walking surface and a maximum slope of 8%.
- ☐ Ramps shall snugly meet existing surfaces without gaps for drainage as required.
- ☐ Schedule 40 PVC pipe minimum 2" diameter shall be installed through ramp.
- ☐ Transitions between ramps and the street surface shall be smooth such that no lip exists at the base of the ramp.
- ☐ Sides of a ramp shall be protected where there is any drop-off.

CONSTRUCTION OF SIGNPOSTS, BARRICADES AND FENCING

Barricades that are impenetrable shall be used to separate pedestrians from hazards on all sides of excavations that may be exposed to pedestrians. Use materials and methods suitable to site conditions. Signs and fencing material shall not protrude into the clear pathway.

- ☐ A-frames used for defining path of travel (not barricading trenches) shall be placed end-to-end without spacing, shall be connected and maintained to ensure stability to help a person who is blind negotiate a safe path while using a cane.

- [ ] Caution Tape shall NOT be used by itself to delineate the path of travel or create a barricade.
- [ ] Fencing material requires a minimum 3” height, solid, uninterrupted toe-board.
- [ ] Signposts, scaffolding and fencing supports shall be placed entirely outside the pedestrian path of travel, minimum 4’ wide and 80” high without obstruction.
- [ ] Construction barriers shall be maintained in a sound, neat and clean condition.

IDENTIFICATION OF SAFE PATH OF TRAVEL

If a portion of the pedestrian way is rerouted due to construction, the path of travel shall be clearly defined. Traffic Engineer shall review any pedestrian access limitations and notification requirements for pedestrians with mobility or vision impairments.

- [ ] Paths of travel that DO NOT continue to the next corner or to a safe crosswalk shall be closed to pedestrian traffic. Signs a minimum of 36” x 36” must be posted stating the sidewalk is closed and detour pedestrians to accessible sidewalk.
- [ ] Pedestrian access corridors shall be clearly delineated with cones or barricades, as approved by the Engineer.
- [ ] If a crosswalk is closed, curb ramps leading into that crosswalk must be barricaded in such a manner that walkways that are not closed remain accessible to use.
- [ ] Caution Tape shall NOT be used by itself to delineate the path of travel or create a barricade.

SURFACING OF PEDESTRIAN CORRIDORS

During construction, tripping hazards and barriers for people with mobility impairments must be removed to maintain an accessible pedestrian corridor.

- [ ] Any change of level, which exceeds 1/4” height, must be beveled at 45º.
- [ ] Closed trenches, temporary paving surfaces, walking surfaces, steel plates; etc. shall have a smoothly finished, firm walking surface made even w/surrounding walkways.
- [ ] Aisle or loading area adjacent to a parking space is part of the pedestrian corridor.

RESTORATION OF PEDESTRIAN ROUTES

After construction, the site shall be returned to its former condition, or new condition as required.

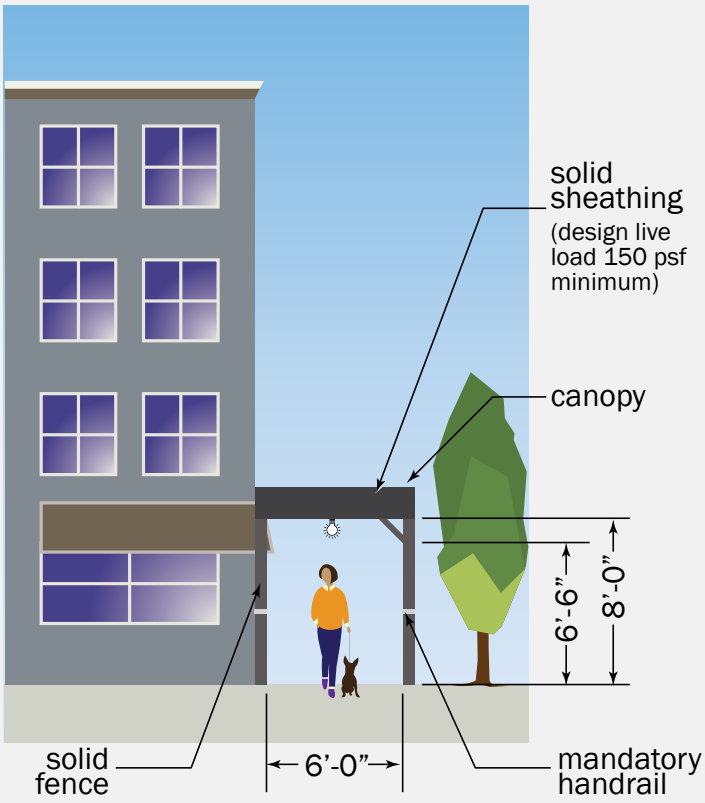
- [ ] Temporary ramps shall be removed as soon as construction and approval of permanent ramp is completed.
- [ ] After work is completed, surface of the pedestrian path shall be restored free from all ridges, gaps, bumps and rough edges.
- [ ] Construction that affects existing curb ramp shall include replacement or repair of the curb ramp to meet current City standards.

TABLE 3306.1 PROTECTION OF PEDESTRIANS

Height of Construction	Distance from Construction to Lot Line	Type of Protection Required
8 feet or less	Less than 5 feet	Construction Railings (see Figure C)
	5 feet or more	None
More than 8 feet	Less than 5 feet (see Figure A)	Barrier and covered walkway
	5 feet or more, but not more than ¼ the height of construction	Barrier and covered walkway
	5 feet or more, but between ¼ and ½ the height of construction	Barrier (see Figure B)
	5 feet or more, but exceeding ½ the height of construction	None

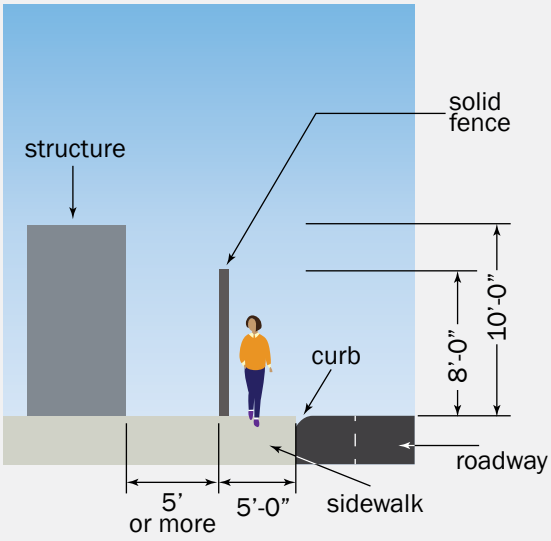
Figure A

Construction height greater than 8’



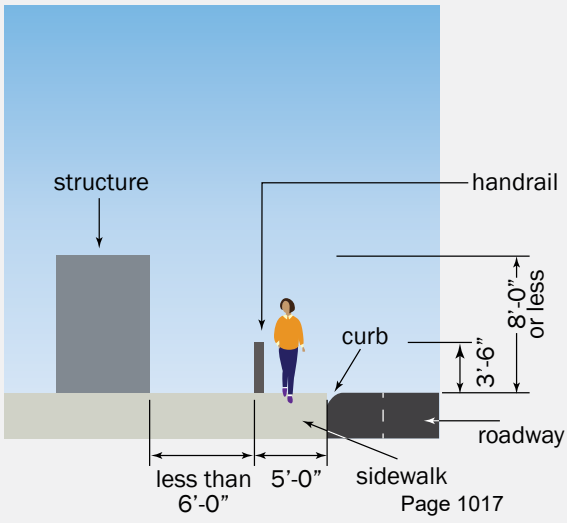
Type B

5 feet or more, but between ¼ and ½ the height of construction



Type C

Less than 5 feet



3306.2 WALKWAYS

☐ A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the applicable governing authority authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accomodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface. Walkways shall be accessible in accordance with Chapter 11 and shall be designed to support all imposed loads and in no case shall the design live load be less than 150 pounds per square foot (psf) (7.2 kN/m^2).

3306.3 DIRECTIONAL BARRICADES

☐ Pedestrian traffic shall be protected by a directional barricade where the walkway extends into the street. The directional barricade shall be of sufficient size and construction to direct vehicular traffic away from the pedestrian path.

3306.4 CONSTRUCTION RAILINGS

☐ Construction railings shall be not less than 42 inches (1067 mm) in height and shall be sufficient to direct pedestrians around construction areas.

3306.5 BARRIERS

☐ Barriers shall be not less than 8 feet (2438 mm) in height and shall be placed on the side of the walkway nearest the construction. Barriers shall extend the entire length of the construction site. Openings in such barriers shall be protected by doors that are normally kept closed.

3306.6 BARRIER DESIGN

Barriers shall be designed to resist loads required in Chapter 16 unless constructed as follows:

☐ Barriers shall be provided with 2-inch by 4-inch (51 mm by 102 mm) top and bottom plates.

☐ The barrier material shall be boards not less than 3/4-inch (19.1 mm) thick or wood structural panels not less than 1/4-inch (6.4 mm) thick.

☐ Wood structural use panels shall be bonded with an adhesive identical to that for exterior wood structural use panels.

☐ Wood structural use panels 1/4 inch (6.4 mm) or 5/16-inch (23.8 mm) in thickness shall have studs spaced not more than 2 feet (610 mm) on center.

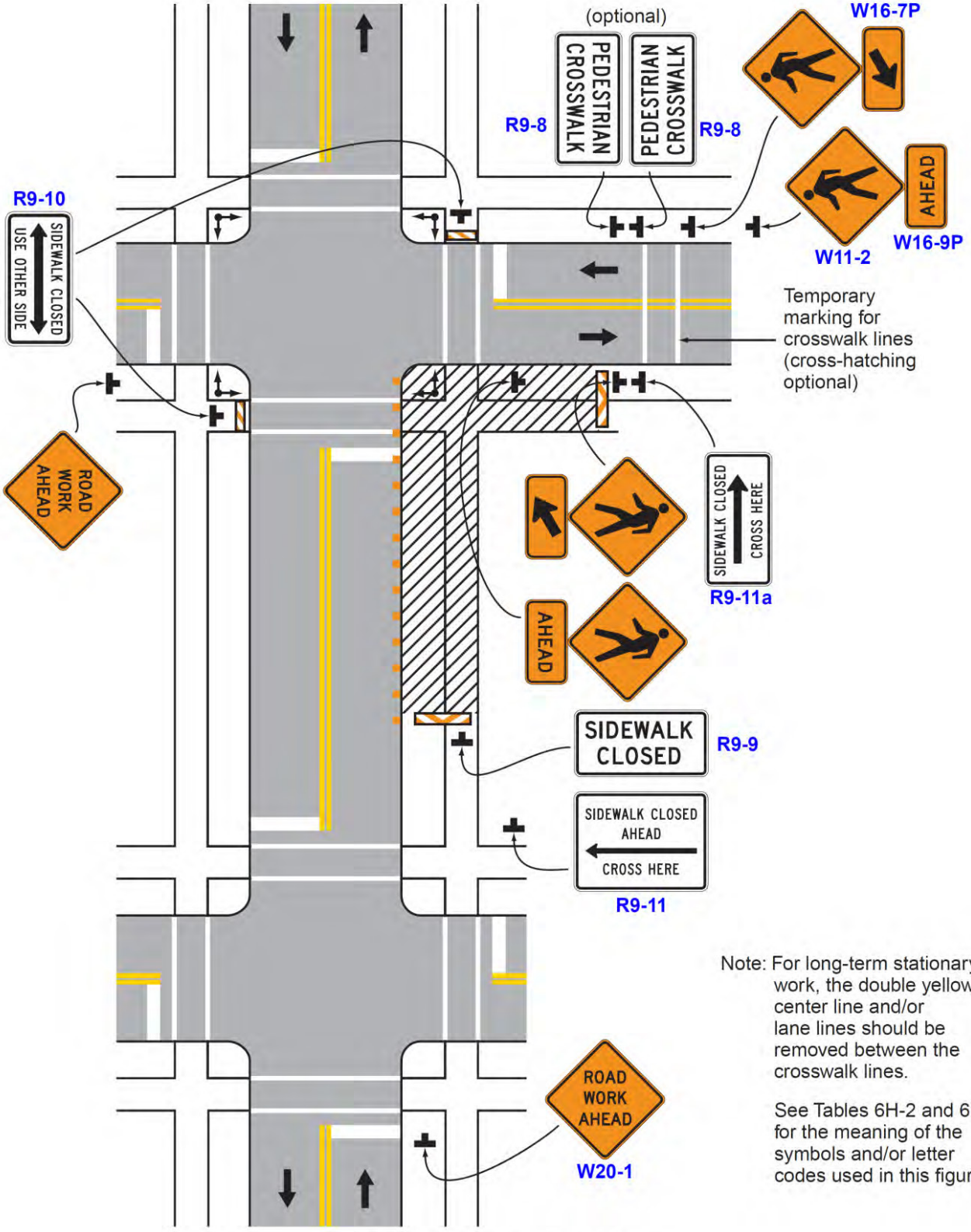
☐ Wood structural use panels 3/8 inch (9.5 mm) or 1/2 inch (12.7 mm) in thickness shall have studs spaced not more than 4 feet (1219 mm) on center provided a 2-inch by 4-inch (51 mm by 102 mm) stiffener is placed horizontally at mid-height where the stud spacing is greater than 2 feet (610 mm) on center.

☐ Wood structural use panels 5/8 inch (15.9 mm) or thicker shall not span over 8 feet (2438 mm).

Check One: ☐ Contractor ☐ Owner ☐ Owner's Agent

Name	Signature	Date

Figure 6H-29. Crosswalk Closures and Pedestrian Detours (TA-29)

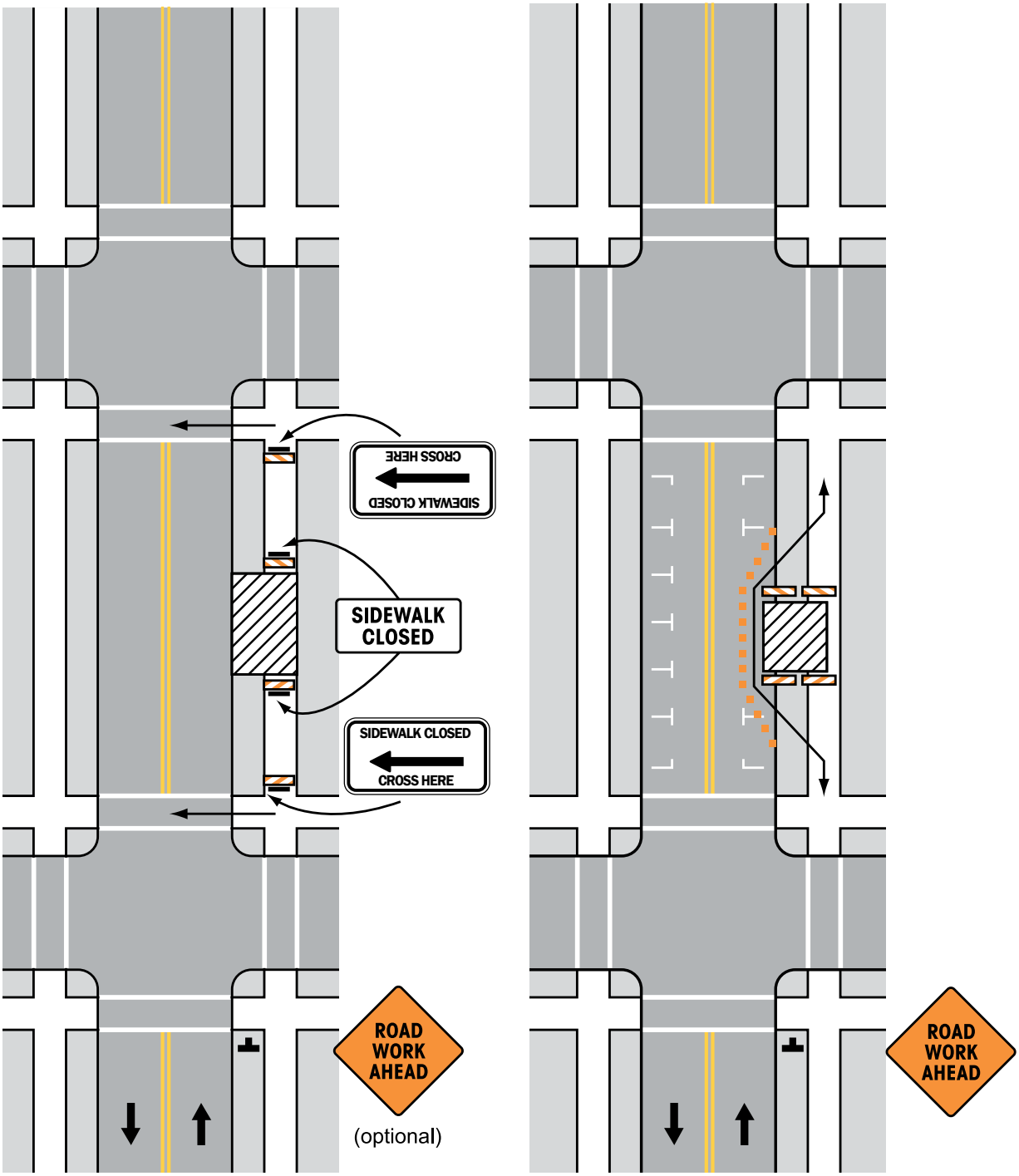


Note: For long-term stationary work, the double yellow center line and/or lane lines should be removed between the crosswalk lines.

See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

Typical Application 29

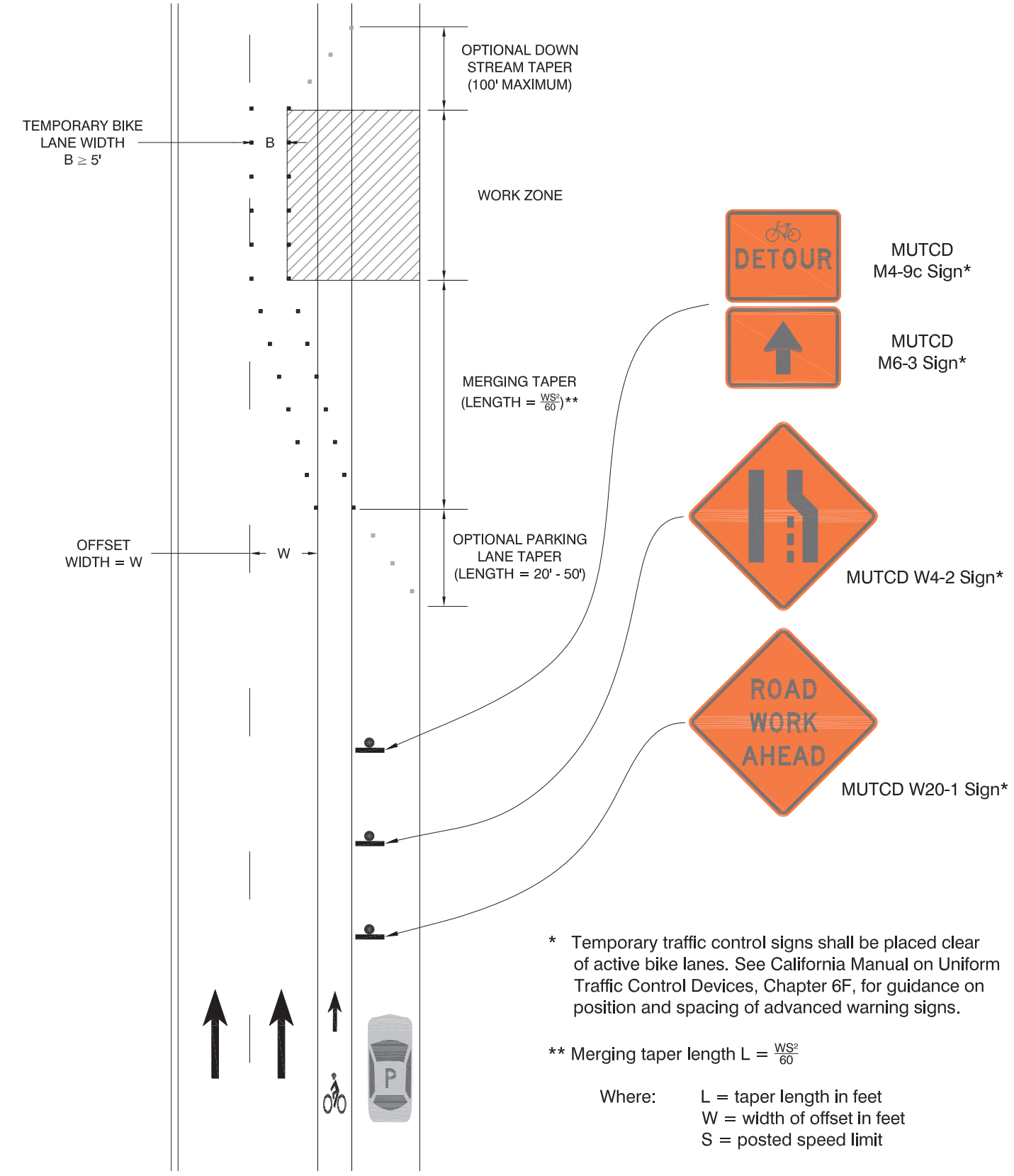
Figure 6H-28. Sidewalk Detour or Diversion (TA-28)



SIDEWALK DETOUR **SIDEWALK DIVERSION**

Typical Application 28

Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.



* Temporary traffic control signs shall be placed clear of active bike lanes. See California Manual on Uniform Traffic Control Devices, Chapter 6F, for guidance on position and spacing of advanced warning signs.

** Merging taper length $L = \frac{WS^2}{60}$

Where: L = taper length in feet
W = width of offset in feet
S = posted speed limit

CITY OF OAKLAND
BUREAU OF ENGINEERING AND CONSTRUCTION
BICYCLE FACILITIES PROGRAM
250 FRANK H. OGAWA PLAZA, SUITE 4344 * OAKLAND CA, 94612
(510) 238-3466 * FAX (510) 238-7415

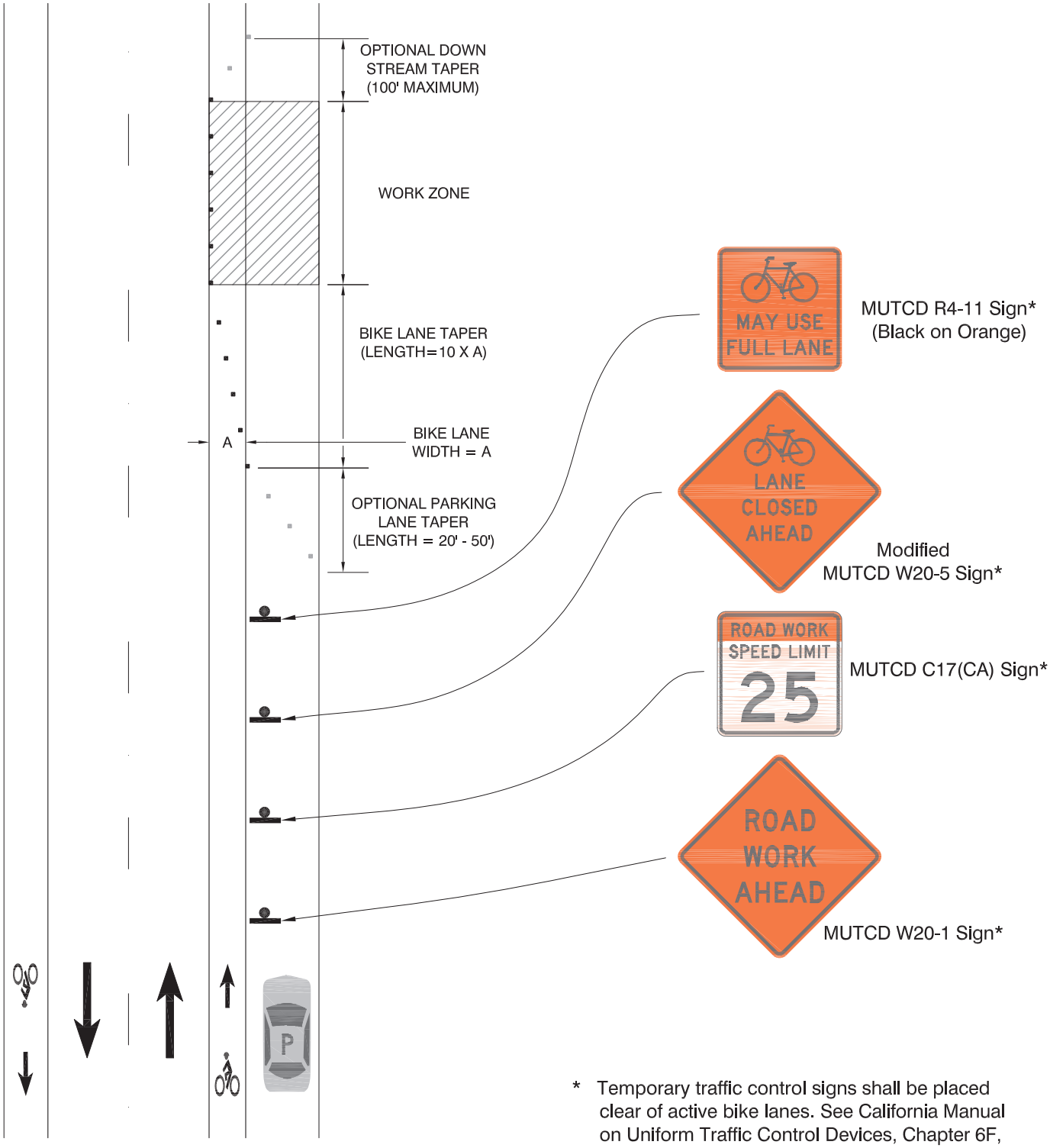
MULTI-LANE ROADWAY WITH TRAVEL LANE CLOSURE, TEMPORARY BIKE LANE, AND PARKING LANE CLOSURE

TEMPORARY TRAFFIC CONTROL DETAILS

SCALE: NOT TO SCALE

DWG. NO. TTC-1

DATE: OCT 2016



* Temporary traffic control signs shall be placed clear of active bike lanes. See California Manual on Uniform Traffic Control Devices, Chapter 6F, for guidance on position and spacing of advanced warning signs.

CITY OF OAKLAND
BUREAU OF ENGINEERING AND CONSTRUCTION
BICYCLE FACILITIES PROGRAM
250 FRANK H. OGAWA PLAZA, SUITE 4344 * OAKLAND CA, 94612
(510) 238-3466 * FAX (510) 238-7415

SINGLE-LANE ROADWAY WITH BIKE LANE CLOSURE AND PARKING LANE CLOSURE

TEMPORARY TRAFFIC CONTROL DETAILS

SCALE: NOT TO SCALE

DWG. NO. TTC-2

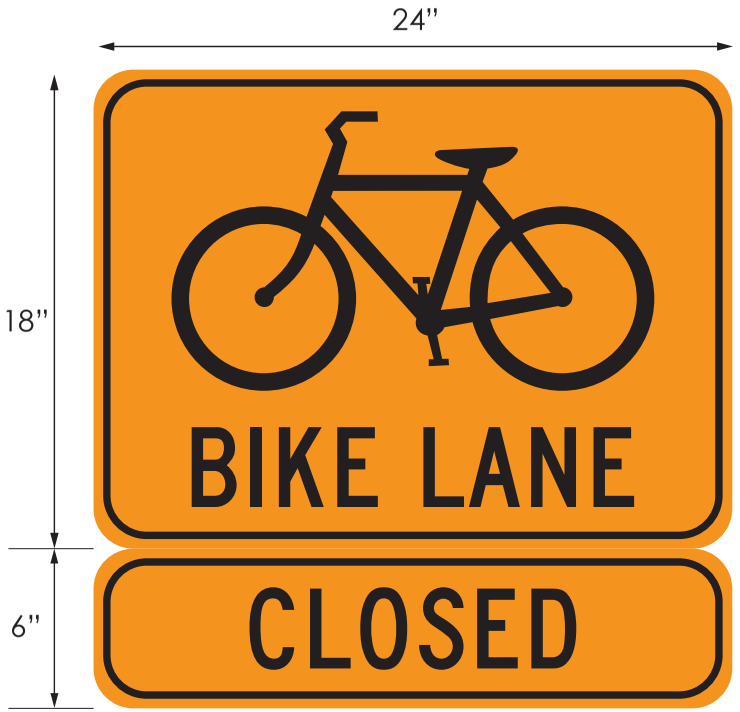
DATE: OCT 2016

Assemblies for Long-Term Bike Lane Closures

Sign blades/assemblies based on those in the MUTCD (sign numbers indicated, except where noted), modified for traffic control use. All signs shall have a black legend and border on an orange background and use FHWA Series C typeface.

R81/Custom Supplemental "CLOSED AHEAD" Plaque
- 3" letter height, all CAPS

R81/Custom Supplemental "CLOSED" Plaque
- 3" letter height, all CAPS



Assemblies for Streets Without Bike Lanes

Sign blades/assemblies based on those in the MUTCD (sign numbers indicated, except where noted), modified for traffic control use. All signs shall have a black legend and border on an orange background and use FHWA Series C typeface.

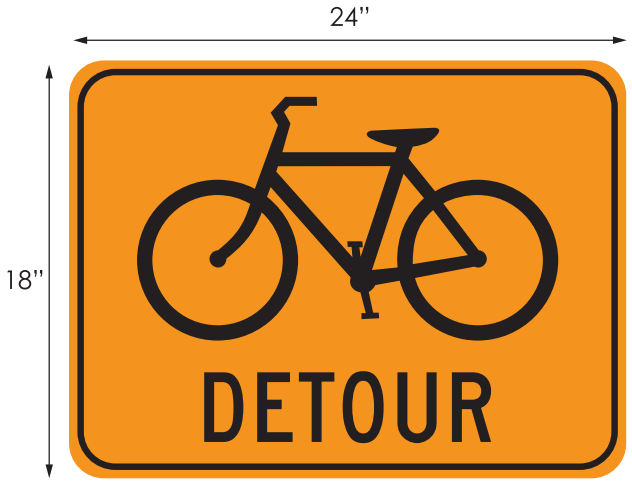
R4-11 (BIKES MAY USE FULL LANE)
- Use: roads with two or more lanes per direction
- 4" letter height, all CAPS

W11-1 (bike warning) / W16-1 (SHARE THE ROAD) assembly
- Use: roads with one lane per direction
- W16-1: 5" letter height, all CAPS

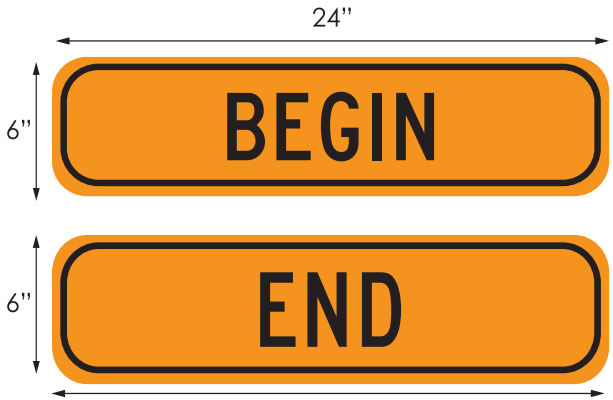
Blade Layout Details

Sign blades/assemblies based on those in the MUTCD (sign numbers indicated, except where noted), modified for traffic control use. All signs shall have a black legend and border on an orange background and use FHWA Series C typeface.

D11-1
- 3" letter height, CAPS

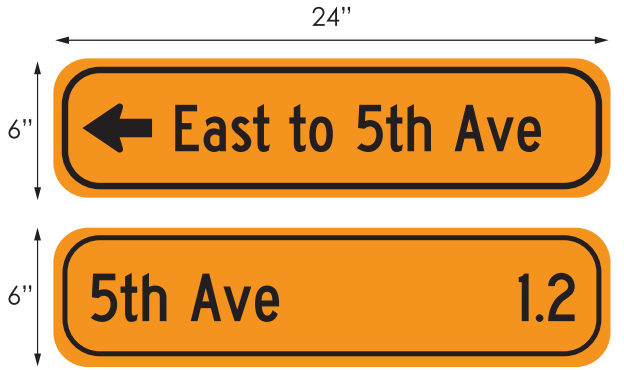


M4 series
- 3" letter height, CAPS

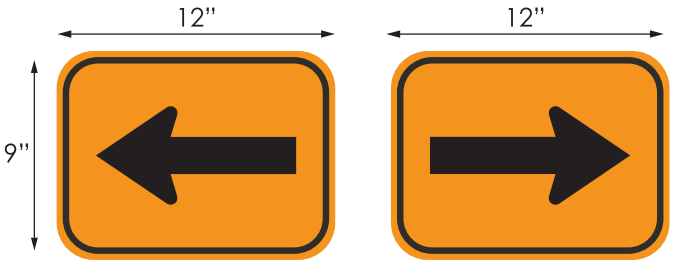


S17 (CA)
- 2.5" letter height, CAPS
  (example route name shown)

D1-1b
- 24" wide, 6" high (one-line); 10" high (two-line, not shown)
- 2" letter height, Title Case
  (example text shown)



M7-1 (L/R)



Example Assemblies for Bikeway Detours *

Sign blades/assemblies based on those in the MUTCD (sign numbers indicated, except where noted), modified for traffic control use. All signs shall have a black legend and border on an orange background and use FHWA Series C typeface.

A

- 30" wide; height varies based on content
- Min 2.5 letter height, all CAPS

B

- 24" wide x 36" high

C

- 24" wide x 33" high

D

- 24" wide x 30" high

E

- 24" wide x 30" high

** Example assemblies shown above are from a project-specific detour. Assemblies will vary by project.*

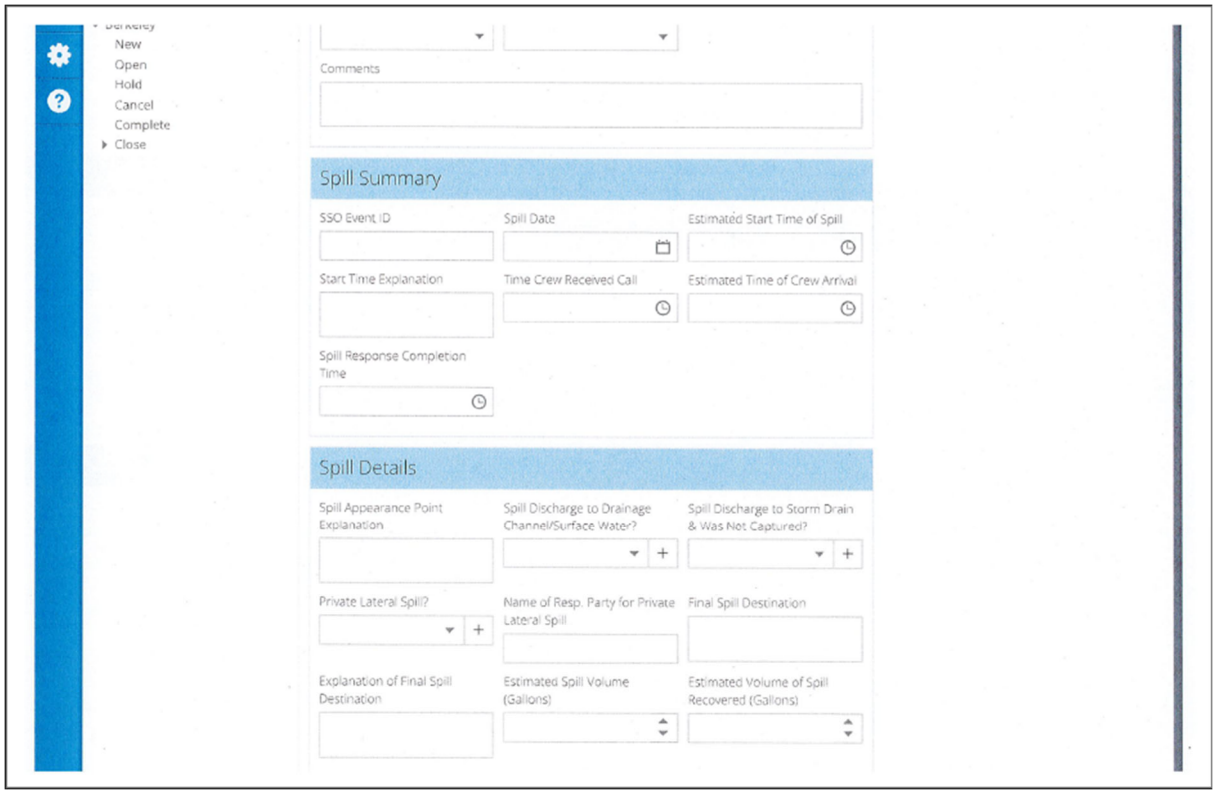
Chapter 6 Appendices

Appendix 6-A Contact Information for Neighboring Agencies

Agency	Name	Phone Number	Email Address
City of Albany	Mark Hurley 8am to 4:30	510-559-7255	mhurley@albanyca.org
	Police Department Non-Business Hours	510-525-7300	
East Bay Regional Parks District	Park Supervisor-Tilden Park	510-544-2711	shuerta@ebparks.org
	Matt Norton, Sanitation Supervisor	510-690-6680	MNorton@ebparks.org
	Eric Bowman, Maintenance Superintendent	510-690-6641	EBowman@ebparks.org
	Kelly Barrington, Chief of Maintenance	510-544-2561	kbarrington@ebparks.org
	Police Dispatch	(510) 881-1833	
City of El Cerrito	Stege Call Center	510-524-4667	Staff@StegeSan.org
City of Emeryville	Call Center M-F 9:00 to 5:00PM After-Hours	510-596-4330 510-596-3700	public_works@ci.emeryville.ca.us
Kensington	Stege Call Center	510-524-4667	Staff@StegeSan.org
Lawrence Berkeley National Lab	Ron Pauer	Office 510-486-7614 Cell 510-289-9324	
	Ned Borglin Cell	510-486-4332	
	Dean Sedlachek – Environmental Health and Safety	510-486-4216 Cell 510-289-7569	
Stege Sanitary District	Stege Call Center	510-524-4667	Staff@StegeSD.dst.ca.us
	Dennis Wright (Superintendent)		Dennis@StegeSan.org
City of Oakland	Public Works Call Center	510-615-5566	pwacallcenter@oaklandnet.com
	Tyree Jackson		tajackson@oaklandca.gov
University of California	Greg Haet Environmental Protection	Office 510-642-4848 Cell 510-812-1541	
	Bernadette Santos Environmental Specialist, Office of Environment, Health & Safety	Office 510-642-6568 Cell 510-385-4757	bsantos@berkeley.edu

Agency	Name	Phone Number	Email Address
	Office of Environment, Health & Safety	510-642-3073	
	UC Police Department	510-642-3333	

Appendix 6-B Sewer Field Crew Report



Appendix 6-C Methods for Estimating Spill Volume

A variety of approaches exist for estimating the volume of a sanitary sewer spill. This appendix documents the three methods that are most often employed. The person preparing the estimate should use the method most appropriate to the sewer overflow in question and use the best information available.

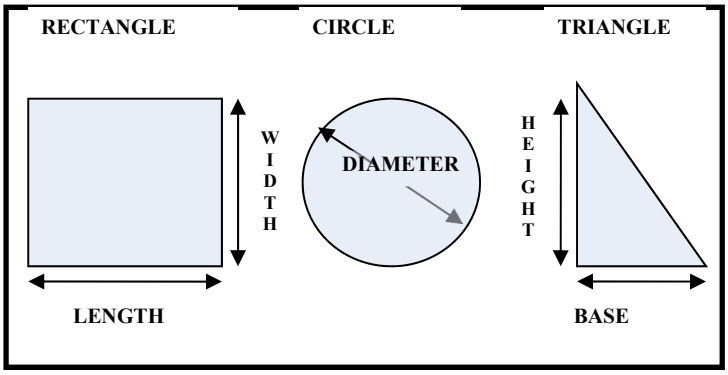
Method 1 Eyeball Estimate

The volume of small spills can be estimated using an "eyeball estimate". To use this method imagine the amount of water that would spill from a bucket or a barrel. A bucket contains 5 gallons and a barrel contains 50 gallons. If the spill is larger than 50 gallons, try to break the standing water into barrels and then multiply by 50 gallons. This method is useful for contained spills up to approximately 200 gallons.

Method 2 Measured Volume

The volume of most small spills that have been contained can be estimated using this method. The shape, dimensions, and the depth of the contained wastewater are needed. The shape and dimensions are used to calculate the area of the spills and the depth is used to calculate the volume.

Common Shapes and Dimensions



Step 1 Sketch the shape of the contained sewage (see figure above).

Step 2 Measure or pace off the dimensions.

Step 3 Measure the depth at several locations and select an average.

Step 4 Convert the dimensions, including depth, to feet.

Step 5 Calculate the area in square feet using the following formulas:

Rectangle: Area = length (feet) x width (feet)

Circle: Area = diameter (feet) x diameter (feet) x 0.79

Triangle: Area = base (feet) x height (feet) x 0.5

Step 6 Multiply the area (square feet) times the depth (in feet) to obtain the volume in cubic feet.

Step 7 Multiply the volume in cubic feet by 7.5 to convert it to gallons

Method 3 Duration and Flowrate

Calculating the volume of larger spills, where it is difficult or impossible to measure the area and depth, requires a different approach. In this method, separate estimates are made of the duration of the spill and the flowrate. The methods of estimating duration and flowrate are:

Duration: The duration is the elapsed time from the time the spill started to the time that the flow was restored.

Start time: The start time is sometimes difficult to establish. Here are some approaches:

Local residents can be used to establish start time. Inquire as to their observations. Spills that occur in rights-of-way are usually observed and reported promptly. Spills that occur out of the public view can go on longer. Sometimes observations like odors or sounds (e.g. water running in a normally dry creek bed) can be used to estimate the start time.

Changes in flow on a downstream flowmeter can be used to establish the start time. Typically the daily flow peaks are "cut off" or flattened by the loss of flow. This can be identified by comparing hourly flow data during the spill event with flow data from prior days.

Conditions at the spill site change over time. Initially there will be limited deposits of toilet paper and other sewage solids. After a few days to a week, the sewage solids form a light-colored residue. After a few weeks to a month, the sewage solids turn dark. The quantity of toilet paper and other materials of sewage origin increase over time. These observations can be used to estimate the start time in the absence of other information. Taking photographs to document the observations can be helpful if questions arise later in the process.

It is important to remember that spills may not be continuous. Blockages are not usually complete (some flow continues). In this case the spill would occur during the peak flow periods (typically 10:00 to 12:00 and 13:00 to 16:00 each day). Spills that occur due to peak flows in excess of capacity will occur only during, and for a short period after, heavy rainfall.

End time: The end time is usually much easier to establish. Field crews on-site observe the "blow down" that occurs when the blockage has been removed. The "blow down" can also be observed in downstream flowmeters.

Flow Rate: The flowrate is the average flow that left the sewer system during the time of the spill.

There are three common ways to estimate the flowrate:

The San Diego Manhole Flowrate Chart: This chart, shown in Figure 6-F-1, shows sewage flowing from manhole covers at a variety of flowrates. The observations of the field crew can be used to select the appropriate flowrate from the chart. If possible, photographs are useful in documenting basis for the flowrate estimate.

Flowmeter: Changes in flows in downstream flowmeters can be used to estimate the flowrate during the spill.

Counting Connections: Once the location of the spill is known, the number of upstream connections can be determined from the sewer maps. Multiply the number of connections by 200 to 250 gallons per day per connection or 8 to 10 gallons per hour per connection.

For example: 22 upstream connections x 9 gallons per hour per connection

= 198 gallons per hour / 60 minutes per hour

= 3.3 gallons per minute

Spill Volume: Once duration and flowrate have been estimated, the volume of the spill is the product of the duration in hours or days and the flowrate in gallons per hour or gallons per day.

For example:

Spill start time = 11:00

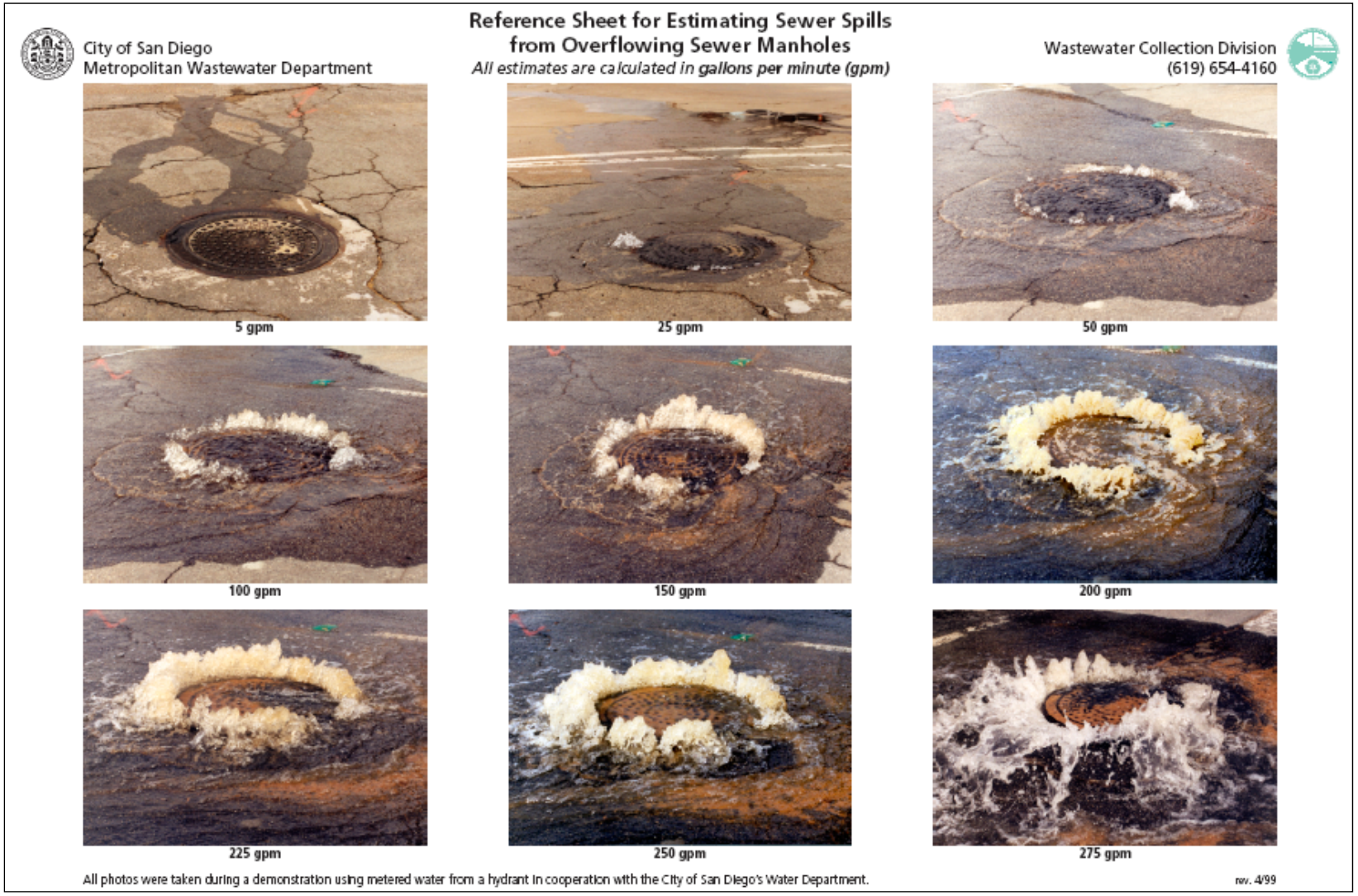
Spill end time = 14:00

Spill duration = 3 hours

3.3 gallons per minute x 3 hours x 60 minutes per hour

= 594 gallons

Figure 6-D-1: Manhole Overflow Flowrate Guide



Appendix 6-D Sample Warning Sign

Chapter 7 Appendices

Appendix 7-A EBMUD Regional FOG Program

EAST BAY REGIONAL FATS, OILS AND GREASE (FOG) CONTROL PROGRAM
SCOPE OF SERVICES

Scope of Services
The purpose of this Scope of Services is to continue ongoing FOG control activities to help reduce FOG related SSOs in the agencies' community sewer system. This Scope of Services clarifies the roles and responsibilities of EBMUD and the agencies in this collaborative effort and identifies the tasks to be conducted by each party.

The agencies authorize EBMUD to implement a regional FOG control program as described in this Scope of Services. To facilitate implementation of FOG control activities outlined in the scope of services, agencies will continue to provide EBMUD with the following information:

a) Completed grease SSO and blockage reporting forms for areas in which the agency wants EBMUD to conduct hotspot investigations;
b) Electronic and/or hard copies of community sewer maps that include manhole identification numbers and their locations, sewer pipes size, and flow direction.
c) Residential addresses, including apartment numbers, for hotspot areas in which the agency wishes FOG information to be delivered.

Each agency is responsible for the costs of implementing the FOG control program in its service area as established in the attached FOG Control Program Budget which is approved as part of the CSTAC annual budgeting process.

Termination
Any of the Parties may terminate its obligations under this Scope of Services by giving all other parties at least ninety (90) days written notice.

EBMUD's Scope of Services
EBMUD is the technical service provider for the agencies' FOG program requirements. EBMUD also leads inter-agency coordination for the regional FOG control program to maximize consistency and efficiency. EBMUD is responsible for the following activities:

1. FOG HOTSPOT INVESTIGATIONS

EBMUD will initiate an investigation after receiving a completed grease SSO and blockage reporting form from agency. The investigation will:

d)
e) Identify the sewer drainage basin contributing to the location of the blockage, SSO, or increased sewer maintenance (FOG hotspot area).
f) Determine if the FOG hotspot area is in a residential, commercial, or combined residential/commercial drainage basin.
g) Identify commercial FSEs that discharge in the sewer drainage basin.
    - If FSEs are identified in the sewer drainage basin, the following field activities may be performed to identify FSEs that caused or contributed to the SSO, blockage, or increased sewer maintenance:
    - Field inspection of the FSEs
    - Grease interceptor inspection

2. GRAVITY GREASE INTERCEPTOR INSPECTIONS (a) EBMUD will perform periodic gravity grease interceptor inspections for FSEs in hotspots as well as for FSEs that are not in hotspots. EBMUD will also inspect newly installed grease interceptors upon notification from Satellite agencies.

3. RESIDENTIAL HOTSPOT RESPONSE (a) EBMUD will provide targeted outreach in identified residential FOG hotspots.. Residential outreach information will be distributed based on the residential addresses, including apartment numbers, in identified hot spot areas based on agency's requests.

4. COMMUNICATIONS TO FSE and ENFORCEMENT SUPPORT

   a) EBMUD will send grease interceptor maintenance and grease control device installation requirement letters to FSEs where a correction is identified after completion of an EBMUD inspection.
   b) EBMUD will send other notifications to FSEs based on agency-specific requirements. These notifications may include requirement letters, notices of non-compliance and other follow-up documents.
   c) EBMUD will support agencies in any enforcement actions and proceedings taken by agencies (e.g. if agency initiates hearing, EBMUD will present findings of hotspot investigation).

6. REPORTING

   a) EBMUD will submit to agencies quarterly FOG hotspot investigation summary reports. These reports include:

      i. A summary of all FOG hotspots that were investigated during the quarter describing the activities performed and the FOG hotspot status at the end of the quarter.
      ii. The number of inspections performed, FSEs identified to cause or contribute FOG related blockages/SSOs, GCDs confirmed to have been installed, and a summary of residential outreach materials distributed during the quarter.

7. FOG CONTROL DATABASE

   a) EBMUD will develop and maintain a FOG control database that includes:
      i. FOG Hotspots identified by the agencies
      ii. FSEs identified in each FOG hotspot and grease control device/ gravity grease interceptor information for each FSE in the FOG hotspots
      iii. FSE, gravity grease interceptor inspections performed at FSEs and FOG hotspots

8. RESIDENTIAL AND COMMERCIAL OUTREACH
   EBMUD will maintain commercial and residential outreach and public education program activities, which may include bill inserts, billboards, outreach events, website development, and periodic direct communication with FSEs.

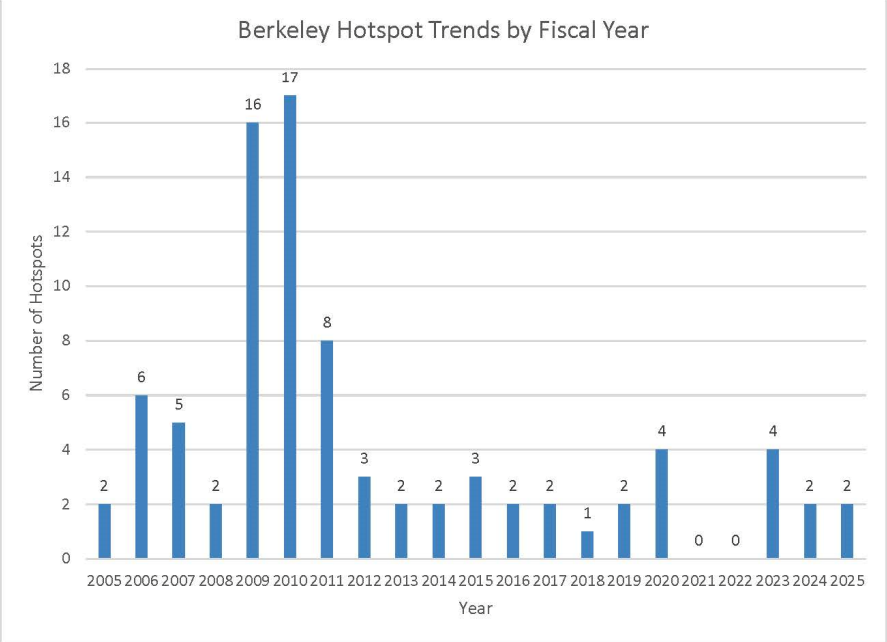
Appendix 7-B Example FOG Control Program Quarterly Summary Report

FOG CONTROL PROGRAM QUARTERLY SUMMARY
FY2025 QUARTER 3 (JANUARY – MARCH 2025)
CITY OF BERKELEY

Reported Hotspots

Chart 1 demonstrates hotspot trends by fiscal year for the City of Berkeley. Two hotspots were reported during this quarter.

Chart 1



Hotspot Summary

Hotspot No.	Incident Type	Date of Incident	Address	Upstream	Downstream
Berkeley – 86	SSO	03/10/2025	1500 Shattuck	17-014-29	17-014-27
Berkeley – 87	Increased Maintenance	3/24/2025	1446 University Ave	NA	NA

Berkeley 86: EBMUD performed an inspection of the Chez Panisse, Jotmahal Palace of Indian Cuisine and Dara Thai / Lao Cuisine as part of the Hotspot Response.

Berkeley 87: EBMUD performed an inspection of Monte Cristo Taqueria as part of the Hotspot Response.

1

FOG CONTROL PROGRAM QUARTERLY SUMMARY
FY2025 QUARTER 3 (JANUARY – MARCH 2025)
CITY OF BERKELEY

Inspections Completed for Current and Previous Quarters

	Quarterly Inspection Totals
This Quarter (Jan - Mar 2025)	4
Previous Quarter (Oct - Dec 2024)	4

Inspections Summary

FSE Name	FSE Address	Date of Inspection	Inspection Type
Great China	2190 Bancroft Way	2/19/2025	Grease Interceptor
Imperial Tea Court	1511-F Shattuck Ave	2/19/2025	Grease Interceptor
Jack-In-The-Box	2197 San Pablo Ave	3/4/2025	Grease Interceptor
Framani Handcrafted Foods	1311 8th St	3/18/2025	Grease Interceptor

Inspection Summary
The grease interceptors at Great China was in need of servicing. EBMUD followed up with a letter to the facility owners requesting grease interceptor service.

Residential Outreach Summary
None this quarter.

2

Appendix 7-C City of Berkeley FOG Brochure

FOG
(Fats, Oils, Grease!)

All food service establishments, residential housing and other buildings are connected to the City of Berkeley's sewer pipes.

FOG can build up and clog sewer pipes and cause costly overflows and backups. It's bad for residents and business owners.

When fats, oils or grease (FOG) enter the sewer lines, it cools and solidifies. The congealed FOG sticks to the insides of pipes and trap food particles and other debris. Over time, the mass will continue to grow. The result will be sewage backups or overflows.

Residents are asked to store fats and grease in a disposable container and put in trash when full.

Food debris should be scraped into the trash or composted.

Residents are asked to store fats and grease in a disposable container and put in trash when full.

Food debris should be scraped into the trash or composted.

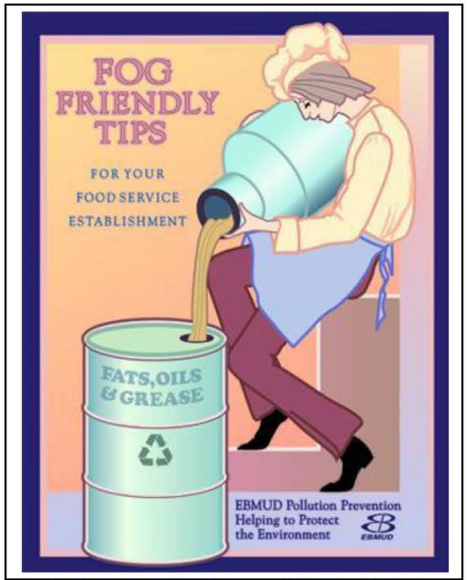
Commercial and Institutional kitchens should comply with use of traps, interceptors or other devices to keep fats, oils, grease and food debris out of sewer pipes.

CITY OF BERKELEY
PUBLIC WORKS DEPARTMENT

STREETS & UTILITIES DIVISION

IT'S THE LAW – BMC 17.16.020

Depositing of refuse in sanitary sewers prohibited



Public Works Crew
Cleaning Sewer Lines

Appendix 7-D EBMUD Approved Grease Haulers

Name	Contact	Phone Number	Email	City
A-1 Septic Tank Service	Jack or Sarah Shane	510-886-4455	sarahcortez1111@gmail.com	Hayward
Able Septic	Glen Gilbert	408-398-4990	Glen@ableseptic.com	San Jose
Burr Plumbing & Pumping Inc.	Eric Burr, President	408-287-2877	burr@bp2inc.com	San Jose
Clean World Grease Trap Service	Bairon Cruz	510-517-4104	cleanworldgreasetrap@gmail.com	Richmond
Golden Valley Pumping	Jose Luis Trinidad	559-598-2855	goldenvalleypumpingco@gmail.com	Kerman
Grease Lightning 2	Jack Gonzales, President	408-592-4020	jackgonzales08@comcast.net	Modesto
Grease Trap Clnrs & Oil Collectors	Hugo E. Arteaga	209-855-1276	sosgreasetrap@gmail.com	Tracy
Green Drive Biodiesel LLC	Behruz Bonshahi, Owner	209-808-1641	greendrivebiodiesel@gmail.com	Tracy
Liquid Environmental Solutions	Kevin Newman	510-266-5719	kevin.newman@liquidenviro.com	Hayward
Grease Trap Cleaners	Gabriel Martelino, Owner	510-375-2622	gabriel@trapcleaners.com	Hayward
MBR Plumbing LLC dba Flowing Water	Markelle Rodriguez	925-270-3195	markelle@flowingwater.net	Concord
Magic Plumbing	Paul Rowe, President	415-559-6256	paul@magicplumbing.com	San Francisco
Roto Rooter Services Co - Livermore	Aaron Sanchez, Driver	510-871-1660	510-7013@rrsc.com	Livermore
West Coast Trap Recycling	Raul Alfonso Rivas Gonzalez, Owner	510-586-9793	westcoasttrap1@gmail.com	San Pablo

Appendix 7-E Grease SSO and Blockage Reporting Form

Record ID: SWR-2019-000440

Save Reset Help

LAGAN CASE INFORMATION:

Lagan Case ID
121000682645

311Agent
Rodriguez, Jacqueline

After Hours Call
○ Yes ◉ No

Surface Type Reported
Street

☐ Unknown Water Reported ☐ Sinkhole Reported

PROBLEM DETAILS:

City Problem
○ Yes ◉ No

Upper Lateral
◉ Yes ○ No

☐ Backup Building ☐ Backup Yard

☐ Manhole Overflow ☐ Cleanout Overflow ☐ Odor

☐ Slow Drain ☐ Unknown Water ☐ Holding Water

Other Problem

OTHER PARTIES:

☐ EBMUD ☐ PGE ☐ Cable

Other Party

BLOCKAGE INFORMATION:

☐ Roots ☐ Grease ☐ Debris

☐ Structural ☐ Construction Debris

☐ Unknown Blockage ☐ No Blockage

Other Blockage

FOLLOW UP:

☐ Jet Flush ☐ Handrod ☐ CCTV

☐ Root Foam ☐ Engineering ☐ Dig and Repair

Other Follow Up

SPILL SUMMARY:

SSO EVENT ID

SPILL DATE

ESTIMATED START TIME OF SPILL

START TIME EXPLANATION

TIME CREW RECEIVED CALL

ESTIMATED TIME OF CREW ARRIVAL

SPILL RESPONSE COMPLETION TIME

SPILL DETAILS:

SPILL APPEARANCE POINT EXPLANATION

DID THE SPILL DISCHARGE TO A DRAINAGE CHANNEL AND / OR SURFACE WATER?

○ Yes ○ No

DID THE SPILL DISCHARGE TO A STORM DRAIN THAT WAS NOT FULLY CAPTURED AND RETURNED TO SEWER SYSTE

○ Yes ○ No

PRIVATE LATERAL SPILL?

○ Yes ○ No

NAME OF RESONSIBLE PARTY FOR PRIVATE LATERAL SPILL (ONLY IF KNOWN)

FINAL SPILL DESTINATION

EXPLANATION OF FINAL SPILL DESTINATION

ESTIMATED SPILL VOLUME IN GALLONS

ESTIMATED VOLUME IN GALLONS OF SPILL RECOVERED

SPILL VOLUME CALCULATIONS / DESCRIPTION

ESTIMATED VOLUME IN GALLONS OF SPILL NOT RECOVERED FROM A STORM DRAIN/SURFACE WATERS

OES CALLED? (>1000 Gal) (800) 852-7550

○ Yes ○ No

COB ENVIRONMENTAL HEALTH CALLED? 981-5310

○ Yes ○ No

OVERALL SPILL DESCRIPTION

check spelling

WORKORDER STATUS:

Chapter 8 Appendices

Appendix 8-A Design Flow, Hydraulic, and Capacity Criteria

Excerpted from Sewer System Hydraulic Modeling and Capacity Assessment Report (October 2012)

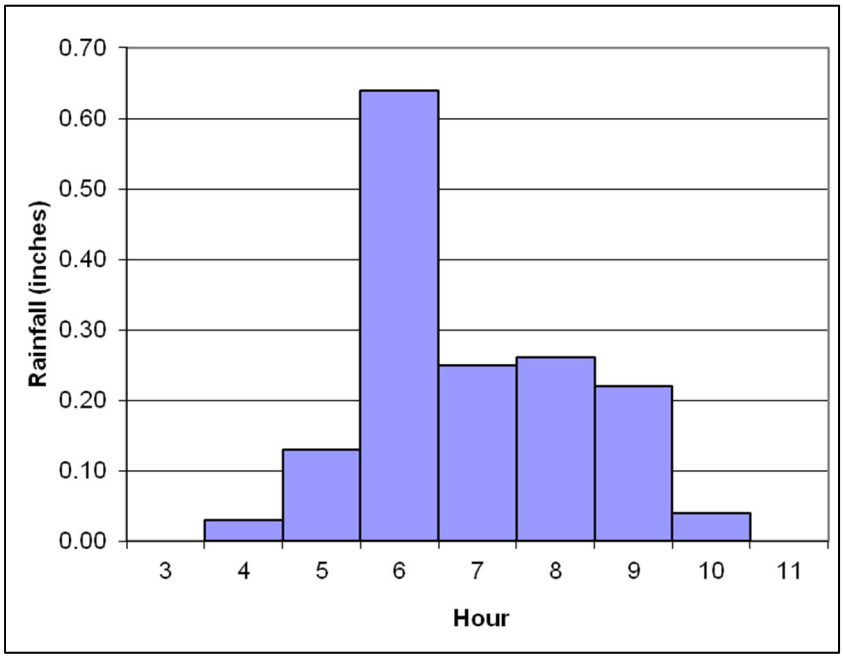
Design Flow Criteria

The model calibration determined dry and wet weather flow parameters that represent existing flow conditions. These parameters were reviewed to determine their applicability for use in identifying future capacity deficiencies and for sizing future sewers. Based on this review, the following design criteria were adopted for use in the capacity analysis:

- Flow from future growth was added to the calibrated existing flows. This assumes that there will be no significant reductions (e.g., from water conservation) or increases (e.g., from more intense water use) in existing usage rates in the future.
- Flow for future residential development was added at a rate of 280 gpd per single family house and 200 gpd per multi-family dwelling unit. These rates are somewhat conservative based on existing usage rates, but are consistent with the City's sewer design criteria.
- Flow for future non-residential development was added at a rate of 0.15 gpd per developed square foot. Future hotel rooms were added at a rate of 150 gpd per room.
- The same calibrated wet weather flow rates were applied to generate flows throughout the system under both existing and future conditions. This assumes that any parcels that are currently vacant but developed in the future will contribute similar rates of RDI/I as surrounding developed parcels. This also assumes that there will be no significant reductions (e.g., from rehabilitation or replacement of older sewers), or increases (e.g., from sewer deterioration) in I/I in the future. Note that the assumption of no change in I/I is made for purposes of identify potential capacity deficiencies. However, it is recognized that the City intends to continue its ongoing program of rehabilitating and replacing older sewers throughout the system. Therefore, it is expected that I/I will continue to be reduced. The impact of I/I reduction on required capacity improvement projects is discussed in Chapter 7.
- A design rainfall event must be applied in the model to the calibrated wet weather parameters to determine design peak wet weather flows. The design storm for this study was based on the EBMUD I/I Study design storm developed in the 1980s for the Sewer System Evaluation Survey. This storm is a 7-hour storm based on an actual historical event, with a 5-year return period over durations of 1 to 5 hours.
- The timing of the design storm also affects the resulting peak wastewater flows. If the design storm is timed to cause peak RDI/I at the same time as peak base wastewater flow ("peak-on-peak"), the total peak wet weather flow will be higher than if the design storm occurs during the minimum base wastewater flow. Timing the storm to produce peak-on-peak results is generally thought to create a return period in the peak wastewater flow that is greater than the return period of the design rainfall event itself (a 5-year storm event occurring at the same time as peak base wastewater flow would occur less often than a 5-year storm occurring at any other time during the day). The design storm for this capacity analysis was timed to produce approximately a peak-on-peak response in most areas of the City.

- Since rainfall intensities vary across the City, the design storm must also vary in order to provide a consistent 5-year return period in various areas of the City. The original EBMUD I/I Study used multipliers based on mean annual precipitation areas to effectively create a larger design storm in areas with higher mean annual precipitation (but with a 5-year return period for the area). The same approach was used for this study, but the mean annual precipitation areas and values were updated based on a more recent Alameda County Hydrology Manual (2003).

The figure below shows the base EBMUD I/I Study design storm used for this study. This storm has total rainfall of 1.57 inches, with peak hour rainfall of 0.64 inches (as measured at the Oakland Airport). By using multipliers for the various mean annual precipitation, this storm gradually varies across the City and its service area (including the Oakland hills area that drains to the City's sewer system) to reach a maximum total rainfall of 2.2 inches, with peak hour rainfall of 0.9 inches.



East Bay I/I Study 5-Year Design Storm

Hydraulic Criteria

The capacity of existing sewers was evaluated based on the pipe parameters in the model (diameter, slope, and roughness factor). A Manning's 'n' value of 0.013 was generally used for all sewers except for high density polyethylene (HDPE) pipe installed over the past years. For these pipes, an 'n' value of 0.011 was used, based on pipe manufacturer's specifications. For HDPE pipe, capacity calculations were based on the pipe inside diameter.

Capacity Analysis Criteria

Capacity deficiencies requiring relief were identified based on model-predicted surcharge conditions. Specifically, capacity restrictions causing surcharging to within 5 feet of the manhole rim during design storm peak wet weather flow (PWWF) were identified as needing potential capacity relief. Under peak

dry weather flow (PDWF) conditions, however, no surcharging would be allowed. Note that surcharging does not necessarily indicate a capacity restriction at that particular location, as flows can back up due to a capacity deficient area and cause surcharging due to backwater.

Appendix 8-B Status of Capacity Improvement Projects (May 2025)

Project ID	Project Location	Exist. Pipe Dia. (in.)	Project Length(ft.)	Estimated Capital Cost	Project Status (May 2025)
Adeline St, Shattuck Ave, et al.	Adeline, Shattuck, Oxford	8 to 45	7,562	$8.1M	Construction
Sewer CIP REHAB YEAR 2026 - Project #2	Adeline, Benvenue, Woolsey	4 to 22	7,976	$4.0M	In planning (FY26)
Sewer CIP REHAB YEAR 2026 - Project #3	9th, Grayson, and University	4 to 36	10,042	$4.2M	In planning (FY26)
Sewer CIP REHAB YEAR 2027 - Project #1	Hopkins, Shattuck, Virginia,	6 to 30	13,395	$5.3M	In planning (FY27)
Sewer CIP REHAB YEAR 2027 - Project #2	Marin, Yosemite, and various backlines in the Berkeley hills	4 to 42	9,220	$7.0M	In planning (FY27)

Chapter 9 Appendices

Appendix 9-A SSMP Change Log

SSMP Element	Description of Change or Update	Authorized by	Date

Chapter 10 Appendices

Appendix 10-A 2025 SSMP Audit Report

SSMP Audit 2025

City of Berkeley Sewer System Management Plan

2025 SSMP Audit

The SSMP audit was conducted March 2025. Auditors: Francisco Alonso, Junior Public Works Engineer; John Hurtado, PW Maintenance Superintendent; Jesus Sandoval, Senior PW Supervisor;

	Element 1 – Goals	**Yes**	**No**
1	Are the goals stated in the SSMP still appropriate?	X	

Element 1 recommendations

None.

	Element 2 – Organization	**Yes**	**No**
1	Is the key staff contact information in Appendix 2-A current?		X
2	Is the SSO responder telephone list current?		X
3	Is the figure 2-2 of the SSMP entitled “Chain of Communications for Reporting SSOs” current?	X	
4	Are the position descriptions and accurate portrayal of staff responsibilities?	X	
5	Is the chain of communication for reporting and responding to SSO’s accurate and up-to-date?	X	

Element 2 recommendations

Update Appendix 2-A.

	Element 3 – Legal Authority	**Yes**	**No**
Does the SSMP contain excerpts from the current City of Berkeley Municipal Code documenting the City’s legal authority to:			
1	Prevent illicit discharges?	X	
2	Require proper design and construction of sewers and connections?	X	
3	Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the City?	X	
4	Limit discharges of fats, oil and grease?	X	
5	Enforce any violation of its sewer ordinances?	X	

Element 3 recommendations

None.

	Element 4 – Operations and Maintenance	**Yes**	**No**
1	Maintain up to date maps of the sewer system	X	
2	Describes routine and preventative maintenance programs	X	
3	Document completed preventative maintenance using system such as work orders	X	
4	Rehabilitation and replacement plan that identifies and prioritizes sanitary sewer system defects	X	
5	Program of regular visual and CCTV inspections of manholes and pipes	X	
6	Short term and long-term CIP schedule and budget	X	
7	Provide regular technical training for sanitary sewer system staff	X	

8	Require contractors to provide training for their workers who work in the City sanitary sewer system facilities	X	
9	Maintain Equipment inventory	X	
10	Maintain critical spare part inventory.	X	
11	Is the chain of communication for reporting and responding to SSO's accurate and up-to-date?	X	

Element 4 recommendations

None.

	Element 5 – Design and Performance Provisions	**Yes**	**No**
Does the SSMP contain:			
1	Design and construction standards for new sanitary sewer system facilities	X	
2	Design and construction standards for the repair and rehabilitation of existing sanitary sewer system facilities	X	
3	Procedures for the inspection and acceptance of new sanitary sewer system facilities	X	
4	Procedures for the inspection and acceptance of repaired and rehabilitated sanitary sewer system facilities	X	

Element 5 recommendations

None

	Element 6 – OERP	**Yes**	**No**
1	Procedures for the notification of primary responders	X	
2	Procedures for the notification of regulatory agencies	X	
3	Program to ensure appropriate response to all SSO's	X	
4	Proper reporting of All SSO's	X	
5	Procedure to ensure City staff are aware of and follow OERP	X	
6	Procedure to ensure City staff are trained in the OERP procedure	X	
7	Procedure to ensure contractor personnel are aware of and follow OERP	X	
8	Procedure to ensure contractor personnel are trained in the OERP procedures	X	
9	Procedure to address emergency operations such as traffic and crowd control	X	
10	Program to prevent the discharge of sewage to surface waters	X	
11	Program to minimize or correct the impacts of any SSO's that occur	X	
12	Program of accelerated monitoring to determine the impacts of any SSO's that occur	X	
13	Water Quality Monitoring Program	X	

Element 6 recommendations

None

	Element 7 – Fats Oils and Grease (FOG)	**Yes**	**No**
1	Public Outreach Program that promotes the proper disposal of FOG	X	
2	Plan for disposal of FOG generated within the City's service area	X	
3	Legal Authority to prohibit FOG discharges	X	
4	Authority to inspect FSE's and enforce FOG ordinance	X	
5	Demonstrate that the City has allocated adequate resources for FOG control	X	
6	Identification of Sanitary Sewer System facilities that have FOG – related problems	X	
7	Program of preventative maintenance for sanitary sewer system facilities that have FOG- related problems	X	

Element 7 recommendations

None.

	Element 8 – System Evaluation and Capacity Assurance Plan	Yes	No
1	Does the City of Berkeley Sanitary Sewer Master Plan evaluate hydraulic deficiencies in the system, establish sufficient design criteria and recommend both short-term and long-term capacity enhancement and improvement projects?		X
2	Does the City's capital improvement program (CIP) establish a schedule of approximate completion dates for both short-term and long-term improvements and is the schedule reviewed and updated to reflect current budgetary capabilities and activity accomplishment?		X

Element 8 recommendations

Provide update on current and future CIP projects

	Element 9 – Monitoring, Measurement and Program Modifications	Yes	No
Maintain relevant information to establish, evaluate, and prioritize SSMP activities			
1	Monitor Implementation of the SSMP	X	
2	Measure, where appropriate, performance of the elements of the SSMP.	X	
3	Assess success of the preventative maintenance program	X	
4	Update SSMP program elements based upon monitoring or performance	X	
5	Identify and illustrate SSO trends	X	

Element 9 recommendations

None.

	Element 10– SSMP Program Audits	Yes	No
1	Conduct period audits (every two years) to evaluate effectiveness of and compliance with the SSMP, identify deficiencies & steps to correct them.		X
2	Record the results of the audit	X	
3	Record the changes made and/or corrective actions taken	X	

Element 10 recommendations

The City conducted an audit that was not formally recorded

	Element 11 – Communication Program	Yes	No
1	Does the City effectively communicate with the public and other agencies about the development and implementation of the SSMP and continue to address any feedback?	X	

Element 11 recommendations

None.

Chapter 11 Appendices

None

City of Berkeley
Sewer System Management Plan

Record of Changes to the SSMP

Section E1 4.1 of the Monitoring and Reporting Program for the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (SWRCB Order No. WQ 2022-0103-WDQ) requires the City to maintain a record of changes to the SSMP for a minimum of five years, and the record of changes must be available for review by the State Water Resources Control Board during onsite inspection or through information request. The following is an excerpt of the new requirement:

> *The Enrollee shall maintain records documenting the Enrollee's implementation of its Sewer System Management Plan, including documents supporting its Sewer System Management Plan audits, corrections, modifications, and updates to the Sewer System Management Plan. .*

The City's SSMP was last certified on May, 2019. The following table summarizes the changes to the SSMP since its last certification.

SSMP Element	Description of Change or Update	Authorized by	Date
All	Removed references to RWQCB SSMP requirements Moved appendices to separate document	Andrew Clough	Mar. 2014
Introduction	Added additional description of WDR prohibitions and provisions; updated system overview and historical perspective	Andrew Clough	Mar. 2014
1 - Goal	No changes	Andrew Clough	Mar. 2014
2 - Organization	Updated organization chart and added additional description of positions responsible for SSMP implementation Updated chart showing chain of communications for reporting SSOs Updated key staff contact information	Andrew Clough	Mar. 2014
3 - Legal Authority	Updated table of legal authority BMC references Noted that City is planning to develop formal agreements with tributary agencies	Andrew Clough	Mar. 2014
4 - Operations and Maintenance Program	Updated description of sewer maintenance and rehabilitation programs to reflect plans developed for EPA Administrative and Stipulated Orders Updated major equipment and critical replacement parts lists Removed table of staff resources (not required for SSMP) Replaced appendix on Standard Operating Procedure for Sewer Cleaning with section on Sanitary Sewer Maintenance from Pubic Works Utilities & Streets Division Field Manual	Phil Harrington	Mar. 2014
5 – Design and Performance	Updated appendix on Standards for Sanitary Sewers	Kenneth Emeziem	Mar. 2014

SSMP Element	Description of Change or Update	Authorized by	Date
Provisions			
6 – Overflow Emergency Response Plan	Reorganized and updated this chapter to reflect 2013 changes to the SWRCB Monitoring and Reporting Program requirements, including SSO categories; notification, documentation, and reporting requirements; and water quality sampling and monitoring plan Updated reporting forms used by City staff	Phil Harrington	Mar. 2014
7 – FOG Control Program	Updated description of EBMUD Regional FOG control program, including example FOG reporting form and quarterly report Updated list of approved grease haulers Added copy of City's FOG brochure	Phil Harrington	Mar. 2014
8 – System Evaluation and Capacity Assurance Plan	Added summary of Sewer System Hydraulic Modeling and Capacity Assessment study completed in 2012, including discussion of design flow, hydraulic, and capacity criteria Added table listing potential capacity improvement projects Added discussion of I/I reduction efforts being conducted by City	Kenneth Emeziem	Mar. 2014
9 – Monitoring, Measurement, and Program Modifications	Added table of performance metrics to be used to monitor and measure SSMP performance Added description of annual reporting required by EPA and State Added SSMP Change Log for documenting changes to the SSMP	Phil Harrington	Mar. 2014
10 – SSMP Program Audits	Included copy of 2013 SSMP Audit	Phil Harrington	Mar. 2014
11- Communication Program	Added table describing strategies for communication with the public on the SSMP Added table describing plan for communication with tributary or satellite agencies Added copy of City's Sanitary Sewer Program webpage	Andrew Clough	Mar. 2014
6 – Overflow Emergency Response Plan	Made corrections to Fig. 6-2, Fig. 6-3, and text on pg. 6-14 to show that Final Certification for Category 1 and 2 SSOs must be submitted within 15 calendar days after SSO end date	Kem Loong	May 2014
2 - Organization	Corrected Table 2-1 (Public Works Director and Deputy PW Director were incorrectly identified as LROs)		May 2014
6 – Overflow Emergency Response Plan	Added procedures for overflow emergency response to ensure SSO is timely certified in CIWQS.	Jesus Sandoval	Jan 2019
Introduction	Detached the AMIP document from the SSMP. The AMIP will be a stand-alone document and updated as deemed necessary.	Tiffany Pham	May 2019
Introduction	Updated to include the execution of the Consent Decree on September 2014	Tiffany Pham	May 2019

SSMP Element	Description of Change or Update	Authorized by	Date
2 - Organization	Updated Figure 2-1: SSMP Organization Lines of Authority and Table 2 1: Narrative Explanation of Responsibilities of SSMP Organization Positions.	Tiffany Pham	May 2019
2 - Organization	Updated Table 2-2: Positions Responsible for SSMP Implementation	Tiffany Pham	May 2019
2 - Organization	Updated Figure 2-2: Chain of Communication for Reporting SSOs to include customer service telephone numbers.	Tiffany Pham	May 2019
4 – Operations and Maintenance Program	Updated the frequency of the wet-well cleaning	Jesus Sandoval	May 2019
4 – Operations and Maintenance Program	Updated which trainings and certifications classes that are given to staff.	Jesus Sandoval	May 2019
5 – Design and Performance Provisions.	Updated to include the Regional Standards for Sanitary Sewer Installation, Rehabilitation and Repair that was adopted on June 30, 2016 by EBMUD and seven satellites.	Tiffany Pham	May 2019
6 – Overflow Emergency Response Plan	Added the City's customer service call number "311" for reporting sewer problems. Added hours for Corp Yard phone number.	Jesus Sandoval	May 2019
6 – Overflow Emergency Response Plan	Updated the list of cleaning equipment	Jesus Sandoval	May 2019
9 – Monitoring, Measurement, and Program Modifications	Updated to include the date for the second update of the SSMP.	Tiffany Pham	May 2019
10 – SSMP Program Audits	Updated to include the last audit date of May 21, 2019	Tiffany Pham	May 2019
11 – Communication Program	Updated the contact people and information for public communication	Tiffany Pham	May 2019
Appendices	Updated Appendix C to remove the AMIP.	Tiffany Pham	May 2019
1-Goal and Introduction	Added audit schedule and update schedule.	Daniel Akagi	May 2025
3-Legal Authority	Updated Table 3-1: EBMUD Wastewater Control Ordinance.	Daniel Akagi	May 2025
5-Design and Performance	Added language to explain the City's standards pertaining to the inspection and testing of the sewer system.	Daniel Akagi	May 2025
6-Spill Emergency Response Plan	Changed section name and removed references to overflow emergency response plan (OERP).	Daniel Akagi	May 2025
6-Spill Emergency Response Plan	Updated Table 6-1: Spill Category definitions.	Daniel Akagi	May 2025
6-Spill Emergency Response Plan	Updated Table 6-2: Notification, Reporting, Monitoring and Record Keeping Requirements.	Daniel Akagi	May 2025
6-Spill Emergency Response Plan	Updated Figure 6-2: External Notification and Reporting Requirement Flow Chart.	Daniel Akagi	May 2025
8-System Evaluation and Capacity Assurance Plan	Updated status of system evaluation and CIP projects	Daniel Akagi	May 2025

SSMP Element	Description of Change or Update	Authorized by	Date
11 – Communication Program	Updated the contact people and information for public communication	Daniel Akagi	May 2025
11 – Communication Program	Updated table 11-1: Strategies for communication with Public on SSMP Development, Implementation, and Performance.	Daniel Akagi	May 2025
11 – Communication Program	Updated Table 11-2: Plan for Communication with Tributary and/or Satellite Agencies.	Daniel Akagi	May 2025
Appendix A	Added Order WQ 2022-0103-DWQ	Daniel Akagi	May 2025
Appendix 2-A	Updated key staff contact information	Daniel Akagi	May 2025
Appendix 4-B	Updated Hot Spot Sewer Cleaning list	Daniel Akagi	May 2025
Appendix 4-G	Updated Critical Sewer Replacement Parts.	Daniel Akagi	May 2025
Appendix 5-B	Added City of Berkeley Standard details and Detail Specifications.	Daniel Akagi	May 2025
Appendix 8-B	Updated the Status of Capacity Improvement Projects	Daniel Akagi	May 2025
Appendix 10-A	Added 2025 SSMP Audit	Daniel Akagi	May 2025

20

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Project Implementation Staffing for Measure FF, the SAFE STREETS Initiative

RECOMMENDATION

Adopt a Resolution to amend the FY 2026 budget to authorize the City Manager to add three permanent full-time employees, expending $932,630.73, to support the implementation of prioritized projects associated with Measure FF, the SAFE STREETS Initiative.

FISCAL IMPACTS OF RECOMMENDATION

Total expenses for three permanent full-time employees (FTE) with salary projections at mid-range, taken from "Step 3" within the City's Salary Schedules, as agreed upon in their respective Public Employee Memorandums of Understanding (MOUs), including benefits, for FY 2025-2026 would be approximately $932,630.73. All identified positions recommended for Measure FF, Fund 166, are existing classifications in the City's civil service system, and would increase in cost over time subject to any wage or benefit increases associated with the classification's bargaining unit agreement.

Requested Positions

Position Classification	Rate/Hour (Step 3)	Annual Salary	Annual Benefits	Total Annual Cost
Principal Program Manager	$86.3546	$179,617.57	$147,825.26	$327,442.83
Supervising Civil Engineer	$83.8038	$174,311.90	$143,458.70	$317,770.60
Associate Transportation Engineer	$75.7989	$157,661.71	$129,755.59	$287,417.30
TOTALS	-	$511,591.18	$421,039.55	$932,630.73

To meet the extensive staffing needs of Measure FF, two additional roles will be repurposed within the department's existing staffing allocation. These positions are currently funded by Measure T1, which is sunsetting in 2026.This rebalancing of staffing funds will take place in the first amendment to the Annual Appropriation Ordinance (AAO1). (See table on following page.)

Existing Staff Allocations To Be Repurposed in AAO1

Position Classification	Rate/Hour (Step 3)	Annual Salary	Annual Benefits	Total Annual Cost
Program Manager I**	$67.0967	$139,561.14	$114,858.81	$254,419.95
Associate Management Analyst*	$56.5435	$117,610.48	$96,793.43	$214,403.91
TOTALS	-	$257,171.62	$211,652.24	$468,823.86

*Associate Management Analyst is an existing, budgeted position within Public Works, that is currently working on Measure T1 projects within both the Parks, Recreation and Waterfront and Public Works Departments. As T1 projects are completed, this position will transition to Measure FF.
**Program Manager 1 is a position that was developed and approved as result of transitioning existing unfilled roles, following Department staffing reorganizations.

CURRENT SITUATION AND ITS EFFECTS

Measure FF, also known as the known as the Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Initiative requires additional staffing in Public Works for implementation. Specifically, the contracting requirements and management of Measure FF projects for street and sidewalk repairs, safety improvements, and environmental infrastructure projects require additional staff.

To initiate and maintain the work required by Measure FF, a staffing plan was developed with input from current staff and leadership. The positions are as follows:

- Principal Program Manager – This position will be assigned to oversee Measure FF and the newly created SAFE STREETS Citizens Oversight Committee. This position will report directly to the Deputy Director of Public Works. Along with Measure FF oversight, this position will be responsible for supervising large-scale projects with Citywide impact. The Principal Program Manager will work alongside department leadership in managing organizational change to meet the needs of Measure FF implementation.
    - Allocation of Position: One FTE with benefits

- Supervising Civil Engineer – This position will oversee the technical work of the Measure FF projects, such as plan reviews and specifications before going out to bid, oversight of technical staff and consultants, any design and construction contracts, and other tasks as assigned. This position will report directly to the Principal Program Manager.
    - Allocation of Position: One FTE with benefits

- Associate Transportation Engineer – This position will function as a project leader for professional and technical support staff and as a technical expert in the traffic and transportation engineering field with responsibility for administrative and technical work in traffic and transportation engineering, as well as for planning, design, and specification. This position will report directly to the Principal Program Manager.
    - Allocation of Position: One FTE with benefits

- Program Manager I - This position will be responsible for all outreach, marketing and communications related to Measure FF projects and adjacent needs in the department. One of the most critical components of this position is advance notification to the community, City Council and City Manager's Office of any project implementation needs or issues that may arise. This position will report to the Principal Program Manager.
    - Allocation of Position: One FTE with benefits

- Associate Management Analyst – This position will maintain all administrative paperwork for reporting, in alignment with Measure FF guidelines. This position will also serve as supporting staff to the newly created SAFE STREETS Citizens Oversight Committee and may report to the Director of Public Works or designee.
    - Allocation of Position: One FTE with benefits

The hiring and repurposing of these positions is in alignment with the City's Strategic Plan Priorities, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

Measure FF, also known as the known as the Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Initiative, was passed by voters on November 5, 2025, and adopted as Ordinance 7,952-N.S. on December 10, 2025.

The SAFE STREETS Initiative authorizes an annual parcel tax of $0.17 per square foot for residential properties and $0.25 per square foot for other properties over a 14-year period. This measure is projected to generate approximately $15 million annually, dedicated to funding street and sidewalk repairs, safety improvements, and environmental infrastructure projects.

The SAFE STREETS Citizens' Oversight Committee was established on March 18, 2025, when Council adopted Resolution No. 71,695–N.S., in compliance with Section 7.11.040(B) of City Ordinance 7,952-N.S. The Citizens' Oversight Committee will meet no less than four times per year. An annual independent report is required to be drafted by the SSCOC members with assistance from the Committee Secretary.

On July 2, 2025, the SSCOC received a presentation on these proposed positions. The Commission recommended that recruitment efforts and job descriptions for staff assigned to work on Measure FF explicitly state that knowledge about accessibility requirements and collaboration with the Department's experts in ADA compliance are essential to ensuring successful implementation of projects. Additionally, the SSCOC requested that the Department consider opening the position of Program Manager I to applicants with less traditional work experience, in order to find a candidate with a broad ability to connect with diverse communities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
All City departments strive to reduce paper usage. Staff will work towards operating with a digital document retention practice, rather than traditional paper records, unless otherwise required for accessibility purposes. Additionally, existing desk spaces will be utilized for the new staff, reducing the need for additional office space in currently unused facilities.

RATIONALE FOR RECOMMENDATION
Current staffing levels cannot meet the needs associated with implementation of Measure FF, the SAFE STREETS Initiative.

ALTERNATIVE ACTIONS CONSIDERED
Adding FTEs is in alignment with existing City practice and current MOUs, ensuring that long term work that is able to be assigned to full time benefitted staff is not assigned to outside contractors. Contractors cannot be hired for the work referenced within this report.

CONTACT PERSON
Terrance Davis, Director, Public Works, (510) 981-6302

Attachments:
1: Resolution

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

PROJECT IMPLEMENTATION STAFFING FOR MEASURE FF, THE SAFE STREETS INITIATIVE

WHEREAS, Measure FF, also known as the known as the Sustainable and Accountable Funding for Equitable Street Transformation, Revitalization, Enhancements, and Essential Traffic Safety (SAFE STREETS) Initiative, was passed by voters on November 5, 2025 and adopted by Council as Ordinance 7,952-N.S. on December 10, 2025; and

WHEREAS, the SAFE STREETS Citizen Oversight Committee (SSCOC) per Section 7.11.040 of Ordinance 7,952-N.S., was established by Council on March 18, 2025 with the adoption of Resolution No. 71,695–N.S.; and

WHEREAS, the oversight, contracting requirements and management of Measure FF projects for street and sidewalk repairs, safety improvements, and environmental infrastructure projects require additional staff; and

WHEREAS, the positions of Principal Program Manager, Supervising Civil Engineer, and Associate Transportation Engineer are new positions requiring full time employees and not contractors; and

WHEREAS, all identified positions recommended for Measure FF, Fund 166, are existing classifications in the City's civil service system, and would increase in cost over time subject to any wage or benefit increases associated with the classification's bargaining unit agreement.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the FY 2026 City budget is amended to authorizing the City Manager to add the positions of Principal Program Manager, Supervising Civil Engineer, and Associate Transportation Engineer to Public Works, expending $932,630.73, in order to ensure ongoing implementation of prioritized projects associated with Measure FF, the SAFE STREETS Initiative.

21

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Contract: Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. for On-Call Environmental Consulting

RECOMMENDATION

Adopt four Resolutions authorizing the City Manager to:

1. Execute a three-year contract and any amendments with Aurora Environmental Services Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $50,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.

2. Execute a three-year contract and any amendments with GSI Environmental Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $50,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.

3. Execute a three-year contract and any amendments with Northgate Environmental Management Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $75,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.

4. Execute a three-year contract and any amendments with WSP Global Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of $325,000 for an initial three-year term from August 1, 2026, to August 1, 2029, with an option of two one-year extensions for

a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.

FISCAL IMPACTS OF RECOMMENDATION

The execution of all contracts for on-call environmental consulting will not exceed a total of $500,000. Annual expenditures are anticipated to be approximately $165,000. Funding in the amount of $500,000 is available in FY2026 adopted budget in Zero Waste Fund 601. This funding will cover scheduled mandatory environmental sampling and reporting.

Additional costs may include recommending environmental practices that lower potential liability and general improvements concerning compliance with applicable regulations. Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027- 2028.

CURRENT SITUATION AND ITS EFFECTS

The City requires multiple contractors to provide environmental services at various City locations on an as-needed basis. Contractors need to demonstrate the experience, qualifications, and capacity to conduct environmental sampling and report their findings, as well as provide recommendations for maintaining regulatory compliance. In addition, contractors need to be able to respond to unanticipated events such as phantom underground storage tanks, suspicious liquids or soil contamination, and assist with Phase I/II Environmental Site Assessments should the City purchase or sell property. Additionally, they will support compliance with the Industrial and Municipal Stormwater Permits.

The City outsources certain environmental services to ensure that work is done by certified contractors with the appropriate expertise and to assist the City's limited inhouse resources. The previous On-Call Environmental contracts with Northgate Environmental Management and GSI, Inc. have reached their maximum term, and new contracts must be executed. Not executing a new contract will lead to non-compliance and subsequent fines and possible site closures.

On February 27, 2025, the City released Request for Proposal (RFP) #25-116707-C for on-call environmental consulting services. The solicitation was open for fifty-four days and seven responses were received. The evaluation criteria used to rate the proposals were as follows: Project Approach (30%), Expertise and References (15%), Cost (25%), and Ability to Perform Scope (30%).

As a result of the competitive proposal solicitation that was held for providing on-call environmental consulting services to various city locations and facilities, Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental

Management Inc., and WSP Global Inc. were determined to be the most responsive and responsible bidders. These companies provided proposals with competitive pricing and were found to have outstanding references.

The On-Call Environmental Consulting Contract is aligned with the City's Strategic Plan Priorities to advance state-of-the-art, well-maintained infrastructure, amenities, and facilities, and to be a global leader in protecting the environment.

BACKGROUND

The City Transfer Station at 1201 Second Street collects refuse, construction and demolition debris, green waste, and other materials from the public and is operated by Public Works. The Recycling Center at 669 Gilman Street processes recyclables from the community and is operated by the Community Conservation Center. Both sites operate under the National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Permit. The stormwater must be sampled during storm events as per regulatory requirements. This is not a service that can be done by Public Works as staff do not have the appropriate materials, equipment, or training. The City requires a contractor that can provide sampling services in addition to recommendations and implementation of best management practices.

In addition, various other environmental consulting services, including defensive environmental practices that lower potential liability and general recommendations concerning compliance with applicable regulations, as well as other general environmental consulting services are required to be "on-call." This supports Citywide environmental compliance, and the contracted vendors will be utilized by multiple departments.

Multiple contractors are needed due to the need to address issues immediately and the unpredictability of when contamination is found or suspected at City facilities. For planned projects, having multiple vendors already under contract allows the City to get quote for the work and proceed with the most qualified and competitive price.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

State and federal requirements for environmental compliance and sustainability are put in place to ensure minimal environmental impact from City activities. Failure to monitor the environmental conditions of City sites could result in contamination of surface or groundwaters through stormwater runoff. Public Works addresses this through contracting with vendors like Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc.

RATIONALE FOR RECOMMENDATION

The City does not have staff, equipment, or appropriate training certifications to ensure state and federal environmental compliance. Selecting a contractor ensures that compliance issues are met and the City avoids fines and fees for non-compliance.

ALTERNATIVE ACTIONS CONSIDERED

No other alternative actions were considered due to the need for compliance. The City went out to bid, exercised due diligence in evaluating the bids and satisfied the competitive process. Not executing contracts results in compliance issues and subsequent fines.

CONTACT PERSON

Robert Hernandez, Environmental Compliance Specialist, Department of Public Works (510) 981-6644
Joy Brown, Operations Manager, Department of Public Works (510) 981-6629

Attachments:
1: Resolution
2: Resolution
3: Resolution
4: Resolution
5: Abstract of Bid Worksheet

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

CONTRACT: AURORA ENVIRONMENTAL SERVICES INC. FOR ON-CALL ENVIRONMENTAL CONSULTING

WHEREAS, environmental consulting services are critical for regulatory compliance at various City locations; and

WHEREAS, the City does not have appropriately trained and certified staff to perform these services at these sites, which an outside vendor has traditionally served; and

WHEREAS, no City employees are displaced by this contract; and

WHEREAS, on February 27, 2025, the City released RFP #25-116707-C for on-call environmental consulting services. The solicitation was open for fifty-four days and the City received seven responses; and

WHEREAS, as a result of the competitive proposal solicitation that was held for providing on-call environmental consulting services to various city locations and facilities, Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. were determined to be the most responsive and responsible bidders; and

WHEREAS, funding in the amount of $50,000 for the contract is available in FY 2026 adopted budget in Zero Waste Fund 601; and

WHEREAS, additional funding for unforeseen emergency expenses or planned projects will be appropriated as part of the budget process; and

WHEREAS, funding for budget allocations for future fiscal years are subject to adoption of the budget by the City Council.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to execute a contract with Aurora Environmental Services Inc. to provide on-call environmental consulting services at various city facilities and locations for a total not to exceed amount of $50,000 with an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years.

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

CONTRACT: GSI ENVIRONMENTAL INC. FOR ON-CALL ENVIRONMENTAL CONSULTING

WHEREAS, environmental consulting services are critical for regulatory compliance at various City locations; and

WHEREAS, the City does not have appropriately trained and certified staff to perform these services at these sites, which an outside vendor has traditionally served; and

WHEREAS, no City employees are displaced by this contract; and

WHEREAS, on February 27, 2025, the City released RFP #25-116707-C for on-call environmental consulting services. The solicitation was open for fifty-four days and the City received seven responses; and

WHEREAS, as a result of the competitive proposal solicitation that was held for providing on-call environmental consulting services to various city locations and facilities, Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. were determined to be the most responsive and responsible bidders; and

WHEREAS, funding in the amount of $50,000 for the contract is available in FY 2026 adopted budget in Zero Waste Fund 601; and

WHEREAS, additional funding for unforeseen emergency expenses or planned projects will be appropriated as part of the budget process; and

WHEREAS, funding for budget allocations for future fiscal years are subject to adoption of the budget by the City Council.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to execute a contract with GSI Environmental Inc. to provide on-call environmental consulting services at various city facilities and locations for a total not to exceed amount of $50,000 with an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years.

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

CONTRACT: NORTHGATE ENVIRONMENTAL MANAGEMENT INC. FOR ON-CALL ENVIRONMENTAL CONSULTING

WHEREAS, environmental consulting services are critical for regulatory compliance at various City locations; and

WHEREAS, the City does not have appropriately trained and certified staff to perform these services at these sites, which an outside vendor has traditionally served; and

WHEREAS, no City employees are displaced by this contract; and

WHEREAS, on February 27, 2025, the City released RFP #25-116707-C for on-call environmental consulting services. The solicitation was open for fifty-four days and the City received seven responses; and

WHEREAS, as a result of the competitive proposal solicitation that was held for providing on-call environmental consulting services to various city locations and facilities, Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. were determined to be the most responsive and responsible bidders; and

WHEREAS, funding in the amount of $75,000 for the contract is available in FY 2026 adopted budget in Zero Waste Fund 601; and

WHEREAS, additional funding for unforeseen emergency expenses or planned projects will be appropriated as part of the budget process; and

WHEREAS, funding for future fiscal years will be appropriated as part of the annual budget process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to execute a contract with Northgate Environmental Management Inc. to provide on-call environmental consulting services at various city facilities and locations for a total not to exceed amount of $75,000 with an initial three-year term from August 1, 2025 to August 1, 2028 with an option of two one-year extensions for a maximum term of five years.

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

CONTRACT: WSP GLOBAL INC. FOR ON-CALL ENVIRONMENTAL CONSULTING

WHEREAS, environmental consulting services are critical for regulatory compliance at various City locations; and

WHEREAS, the City does not have appropriately trained and certified staff to perform these services at these sites, which an outside vendor has traditionally served; and

WHEREAS, no City employees are displaced by this contract; and

WHEREAS, on February 27, 2025, the City released RFP #25-116707-C for on-call environmental consulting services. The solicitation was open for fifty-four days and the City received seven responses; and

WHEREAS, as a result of the competitive proposal solicitation that was held for providing on-call environmental consulting services to various city locations and facilities, Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. were determined to be the most responsive and responsible bidders; and

WHEREAS, funding in the amount of $325,000 for the contract is available in FY 2026 adopted budget in Zero Waste Fund 601; and

WHEREAS, additional funding for unforeseen emergency expenses or planned projects will be appropriated as part of the budget process; and

WHEREAS, funding for future fiscal years will be appropriated as part of the annual budget process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to execute a contract with WSP Global Inc. to provide on-call environmental consulting services at various city facilities and locations for a total not to exceed amount of $325,000 with an initial three-year term from August 1, 2026 to August 1, 2029 with an option of two one-year extensions for a maximum term of five years.

Internal

Finance Department
General Services Division

City of Berkeley
Abstract of Bid Worksheet

FOR: ON-CALL ENVIRONMENTAL CONSULTING

Spec. **DATE:**

	Bidders		Local Vendor	WC	NF	OS	SC	LW	EBO
1	Northgate Environmental Mgmt Inc.			x	x	x	x	x	x
2	Weber, Hayes and Assoc. (WHA)			x	x	x	x		
3	Aurora Environmental Services			x	x	x	x	x	x
4	GSI Environmental			x	x	x	x		
5	Millenium Consulting Assoc.			x	x	x	x	x	x
6	Teraphase Engineering			x	x	x	x		
7	WSP			x	x	x	x	x	x
8									
9									
10									

Bid Recorder: Roop Soorma RSoorma DATE 04/22/2025

Bid Opener: Sherri Degnan Sherri Degnan DATE 04/28/2025

Project Manager: Robert Hernandez DATE 05/01/2025

Internal

25-11707-C - Abstract

Final Audit Report 2025-05-01

Created:	2025-04-25
By:	Roopreet Soorma (RSoorma@berkeleyca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAI2z8A63EOunSmIYkM3vX0_bozFhk9ie4

"25-11707-C - Abstract" History

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Agreement completed.
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22

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Contracts: Dream Ride Elevator and Metro Elevator for Maintenance, Repairs and Emergency Response Services for Citywide Elevators

RECOMMENDATION

Adopt two Resolutions authorizing the City Manager to:

1. Execute a contract with any amendments with Dream Ride Elevator to provide maintenance, repairs, and emergency response services for citywide elevators for a three-year period from September 1, 2025, to August 31, 2028, in an amount not to exceed $175,000, with an option to extend for two additional one-year terms. Rates will be adjusted annually in accordance with the Consumer Price Index (CPI) per the terms of the Request for Proposal (RFP) and the contractor's responses.

2. Execute a contract with any amendments with Metro Elevator to provide maintenance, repairs and emergency response services for citywide elevators for a three-year period from September 1, 2025, to August 31, 2028, in an amount not to exceed $175,000, with an option to extend for two additional one-year terms. Rates will be adjusted annually in accordance with the Consumer Price Index (CPI) per the terms of the RFP and the contractor's responses.

FISCAL IMPACTS OF RECOMMENDATION

Budgets include $600,000 in funding in FY 2026, distributed across the Equipment Maintenance Fund, Building Purchasing & Management Fund, Off-Street Parking Fund, Library Tax Fund, and Parks Tax Fund to cover the cost of elevator maintenance, repairs and emergency response services for citywide elevators.

CURRENT SITUATION AND ITS EFFECTS

The current contract for full elevator maintenance, repair and emergency response services expires on September 30, 2025. To ensure safety and avoid disruption in elevator services, it is necessary to execute a new contract based on the results of the recent competitive solicitation. Elevator maintenance, repairs and emergency response services are critical to maintaining the safety, reliability, and operational needs of the City's elevators.

The City issued Request for Proposals Specification No. 25-11723-C, with a submission due date of June 3, 2025. The City received three proposals in response. The selection committee, composed of subject matter experts from Public Works, evaluated the proposals.

The evaluation criteria used to rate the proposals were as follows: Project Approach (30%), Expertise and References (15%), Cost (25%), and Background (30%). Both Dream Ride Elevators and Metro Elevator were selected as the highest-scoring vendors.

These contracts will support the City's elevators, which are critical to support staff and community members, and is in alignment with the Strategic Plan Priority of advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

The City currently utilizes 30 elevators located in 16 facilities. Proper maintenance, repair and emergency response services for City elevators supports the safety and accessibility of staff and community members, while also complying with state and federal safety requirements.

Dream Ride Elevator and Metro Elevator responded to the Request for Proposal and were selected as they were the most responsive bidders to the solicitation and received the highest review score by the selection committee. The selected vendors have the adequate staff and equipment necessary to service the City.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identified environmental sustainability or climate impacts of executing these contracts.

RATIONALE FOR RECOMMENDATION

Regular inspection and maintenance of elevator is required to meet safety regulations. These contracts will ensure compliance with state and local codes and improve responsiveness to emergency calls.

The existing elevator contract is set to expire, and the new contracts will provide enhanced service coverage and quicker response times.

ALTERNATIVE ACTIONS CONSIDERED

The City does not currently have staff with the certification and experience needed to provide elevator maintenance and repair services for the City in-house, As a result, contracting remains the only viable option.

CONTACT PERSON
Joy Brown, Operations Manager, (510) 981-6629
Aaron Baker, Facilities Maintenance Superintendent, (510) 981-6452
Tucker Brofft, Senior Management Analyst, (510) 981-5375
Erika Barros, Associate Management Analyst, (510) 981-6462

Attachments:
1: Resolution
2: Resolution

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

CONTRACT: DREAM RIDE ELEVATOR FOR MAINTENANCE, REPAIRS AND EMERGENCY RESPONSE SERVICES FOR CITYWIDE ELEVATORS

WHEREAS, the City conducted RFP Solicitation No. 25-11723-C with bids due no later than June 3, 2025; and

WHEREAS, the City received three proposals and a selection committee, composed of subject matter experts from the Public Works Facilities Division and the Public Works Operations Division, met to evaluate the bids; and

WHEREAS, Dream Ride Elevator and Metro Elevator were selected as the most responsive and highest scoring vendors; and

WHEREAS, funding is available in the Fiscal Year 2026 adopted budget in Fund 011, Fund 101, Fund 138, Fund 627, Fund 636, Fund 672, and Fund 673. Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027-2028.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Dream Ride Elevator for maintenance, repairs, and emergency response services for citywide elevators for three years from September 1, 2025, to August 31, 2028, for an amount not to exceed $175,000 with the option to extend for two additional one-year terms. Rates adjusted annually in accordance with the Consumer Price Index but may not exceed 5%.

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

CONTRACT: METRO ELEVATOR FOR MAINTENANCE, REPAIRS AND EMERGENCY RESPONSE SERVICES FOR CITYWIDE ELEVATORS

WHEREAS, the City conducted RFP Solicitation No. 25-11723-C with bids due no later than June 3, 2025; and

WHEREAS, the City received three proposals and a selection committee, composed of subject matter experts from the Public Works Facilities Division and the Public Works Operations Division, met to evaluate the bids; and

WHEREAS, Dream Ride Elevator and Metro Elevator were selected as the most responsive and highest scoring vendors; and

WHEREAS, funding is available in the Fiscal Year 2026 adopted budget in Fund 011, Fund 101, Fund 138, Fund 627, Fund 636, Fund 672, and Fund 673. Funding for future years is subject to Council's approval of the proposed citywide budget for Fiscal Years 2027-2028.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with Metro Elevator for maintenance, repairs, and emergency response services for citywide elevators for three years from September 1, 2025, to August 31, 2028, for an amount not to exceed $175,000 with the option to extend for two additional one-year terms. Rates adjusted annually in accordance with the Consumer Price Index.

23a

Commission on Disability

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Commission on Disability

Submitted by: Kathi Pugh, Chairperson

Subject: City Compliance with Web Content Accessibility Guidelines (WCAG)

RECOMMENDATION

The Berkeley City Council shall refer to the City Attorney the requirement to include a clause in all relevant City of Berkeley contracts that obligates City vendors to supply digital content, intended for or likely to be posted to the City website, that is compliant with the Web Content Accessibility Guidelines (WCAG) standard mandated by the U.S. Department of Justice. WCAG defines web content technical standards that, when implemented, meet legal requirements of the Americans with Disabilities Act (ADA).

In addition, relevant City staff should be informed of WCAG requirements, and systems put in place to ensure that documents available on the City of Berkeley website, whether submitted by vendors or created by City staff, meet current WCAG standards. When the City is informed that documents posted to its website do not meet current WCAG standards, remediation is recommended to be made within 30 days.

FISCAL IMPACTS OF RECOMMENDATION

The City of Berkeley is legally obligated to meet federally-mandated accessibility standards. This should be made explicit in boilerplate contract language that is readily available on legal websites to which the Office of the City Attorney has access. City staff time is needed to select or craft a contract clause. Additionally, a system for reviewing compliance reports, and/or testing documents for compliance must be implemented to ensure that both vendor and staff-created documents are WCAG compliant. The City of Berkeley incurs the significant financial risk of legal action if it continues to fail to comply with existing, legally-mandated WCAG standards.

CURRENT SITUATION AND ITS EFFECTS

Within the City of Berkeley, compliance with ADA regulations in the built environment (ramps, tactile curb cuts, minimum door widths, etc.) is expected and enforced in new construction. However, for disabled users of screen readers—people who are blind or low vision, or who have limited dexterity, reading or cognitive differences—obstacles in the newly constructed digital world are frequently encountered and access is routinely denied. Just as the City of Berkeley enforces vendor compliance with requirements of the ADA in the built environment, the same must be true for both City vendors and City

staff who provide digital content for the City website, in City programs, and in City presentations. Yet it is not.

While the pages of the City of Berkeley website are largely WCAG compliant, attachments, i.e., documents that can be directly viewed and downloaded from the website, are often not compliant, *even though they are equally legally required to meet WCAG standards.* These are documents that, for example, provide essential safety information, explain City projects, request feedback from the public or otherwise invite public participation. All users must have equal access to the information they contain.

The message that inaccessible documents sends to Berkeley residents who use screen readers is that their participation in the life of the City of Berkeley is neither valued nor desired. Documents containing vital information must be made accessible to all users, not only when brought to the attention of City staff, but from their initial availability to the public. When users do encounter non-compliant, inaccessible documents, remediation must be taken seriously and made quickly.

The problem of digital inaccessibility is most acute when City vendors or City staff create image-rich documents. The majority of these files lack alternative text tags (alt text) that can be read by a screen reader. Without these descriptions—long descriptions when necessary—essential information for disabled Berkeley residents and visitors is simply unavailable. Meaningful alt text must be included on complex documents, photos, and images, including PDFs, maps, diagrams, and infographics.

Increasingly, Artificial Intelligence (AI) is being used to create descriptions of image-rich documents, lowering costs, increasing the quality of alt text, and significantly improving the experience for people using screen readers. The City of Berkeley should be at the forefront of WCAG implementation—yet we lag behind.

Other WCAG requirements address underlying document structure, tab order, and color contrast. The City's webpages are significantly in compliance with these standards, but forms and other documents attached to it are not. WCAG-compliant attachments will result in a City website with content that is fully accessible and legally mandated

BACKGROUND

The City of Berkeley must comply with Title II of the ADA. This title requires that local governments ensure that all services, programs and activities are accessible to people with disabilities. The U.S. Department of Justice has confirmed that Title II applies to services, programs and activities provided via the web and mobile applications.

A year ago, specific technical standards were newly updated and clearly defined. On April 24, 2024, the final rule of the U.S. Department of Justice regarding specific standards to ensure web and mobile app accessibility—including access to all online sites, programs and digital documents retrieved through local governments—were

published in the Federal Register. This rule updates requirements of Title II of the ADA, specifying compliance with WCAG 2.1 Level AA. The City of Berkeley has until April 24, 2026 to fully comply with the higher technical specifications, but the legal requirement that City websites, apps, digital programs and documents be accessible to the previous WCAG standard currently exists—and even this standard is frequently ignored.

The expectation of a fully accessible website also exists within the Berkeley Municipal Code on Technology Standards (2.06.170), which states that the City will "meet or exceed the guidelines for accessibility specified by the Federal General Services Administration pursuant to section 508 of the Rehabilitation Act." Under Section 508, disabled employees and disabled users must be afforded access to information that is comparable to the access available to others. This recommendation seeks to realize the mandate of the City's own Municipal Code.

The Commission on Disability took the following action at its April 9, 2025 meeting:

Action: Motion (Fischer/Lewkowicz) To approve the recommendation to City Council regarding WCAG.
Votes**:** Ayes: Walsh, Fischer, Pugh, Sun, Lewkowicz, Mann, and Holloway; Nays: None; Abstain: None; Unexcused Absence: None; Leave of Absence: Paz

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
None.

RATIONALE FOR RECOMMENDATION
This recommendation is a Strategic Plan Priority Project, advancing the City's goals in multiple areas:

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities—in this case the infrastructure, amenities, and facilities are digital;
- create a resilient, safe, connected, and prepared city—with information available for disabled residents and visitors;
- champion and demonstrate social and racial equity—including the City's disabled residents and visitors;
- be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community—including disabled residents and visitors.

Berkeley, a birthplace of the movement for independent living and disability rights, must take a multi-pronged approach to WCAG compliance. The City would not construct or renovate a City building without complying with accessible guidelines for the built environment; we must be equally vigilant regarding accessible, digital construction and use of the City's online environment.

Moving forward, inclusion of a contract clause requiring compliance with the current WCAG standard is one of several critical approaches that will result in an accessible and legally-compliant City website. City staff must follow the same principle when creating documents available on the City website. The goal of this recommendation is an accessible website that equitably serves all of its users.

ALTERNATIVE ACTIONS CONSIDERED

None, if the City fails to address on-going issues of non-compliance it is open to litigation that can force a more costly and time-consuming solution.

CITY MANAGER

The City Manager recommends that Council refrain from referring the Commission on Disability's report recommendation from the report titled, "City Compliance with Web Content Accessibility Guidelines (WCAG)," to the City Attorney's Office at this time given that the City's website software, design and architecture were built to WCAG standards and continue to be updated to improve accessibility.

CONTACT PERSON

Thomas Gregory, ADA Program Coordinator, Public Works, 510-981-6418

23b

Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Companion Report: City Compliance with Web Content Accessibility Guidelines (WCAG)

RECOMMENDATION

The City Manager recommends that Council refrain from referring the Commission on Disability's report recommendation from the report titled, "City Compliance with Web Content Accessibility Guidelines (WCAG)," to the City Attorney's Office at this time to give staff and the Commission on Disability additional time to develop a mutually agreeable path forward.

FISCAL IMPACTS OF RECOMMENDATION

Funding for staff time for the administration of the first recommendation has not yet been calculated within each City department. The addition contracts clause requiring vendors supply WCAG-compliant digital content would involve the following costs, which are not included in the current City budget:

- City Attorney's Office staff time and/or a contractor to develop the contract language,
- Finance Department staff time to update contract boilerplates,
- Additional staff training on steps to correct simple accessibility errors,
- Potential increase in contractor costs to adhere to accessibility requirements,
- Staff time from every City department, as well as Library, Rent Board, and Housing Authority to monitor contracts and ensure compliance

Costs to implement the second recommendation, to put in place systems ensuring documents meet WCAG standards, have not been estimated but are likely to be significant given then number of documents currently on the city website

While the City's website was designed to be WCAG compliant, the City recognizes that the constant publication of non-compliant documents creates substantial barriers for community members and the City's own ability to maintain a WCAG compliant site. Publications should be WCAG compliant upon web publication. The recommendation to remediate all current website documents within 30 days of being informed they do not

meet WCAG standards is expensive and staff is committed to working on a taskforce with commission members to discuss timelines and a plan

CURRENT SITUATION AND ITS EFFECTS

Accessibility is a core principle that informed the design and build of berkeleyca.gov, which launched May 2022. The City's website software, design and architecture were built to WCAG standards and continue to be updated to improve accessibility.

Nearly 100 staff across the City of Berkeley, Rent Board, and Housing Authority have access to add content to the City website. Accessibility is woven in to all the web training these staff receive. The Communications team in the City Manager's Office has led three trainings in the past year specifically addressing WCAG document accessibility and created a two page guide on best practices.

The City's ADA Program Coordinator currently provides support for WCAG compliance on a case-by-case basis and will continue to do so.

Despite the City's ongoing work to support full WCAG compliance, many PDF documents are added to the website on a daily basis, and PDFs are a challenging format to make accessible. Many are created by 3rd-party legacy systems managed by different City Departments. With over 16,000 documents on berkeleyca.gov and dozens added each day, document accessibility is a large, citywide issue. In addition to the aforementioned training, staff prioritize remediating upon public request and converting to HTML the most commonly accessed documents, such as recreation schedules and City fees and rates.

The City Manager supports the adoption of a contractual requirement for all vendors to be WCAG compliant and is committed to supporting staff's work with a joint staff/ Commission on Disability Commissioner taskforce to address all of the commission's concerns as collaboratively as possible.

BACKGROUND

The Commission on Disability took the following action at its April 9, 2025 meeting:

Action: Motion (Fischer/Lewkowicz) To approve the recommendation to City Council regarding WCAG.
Votes**:** Ayes: Walsh, Fischer, Pugh, Sun, Lewkowicz, Mann, and Holloway; Nays: None; Abstain: None; Unexcused Absence: None; Leave of Absence: Paz

On July 9, 2025, the Commission on Disability received a staff presentation regarding the status of existing compliance efforts and resource challenges related to implementation. Based on staff's feedback, the Commission voted to create a subcommittee that would work directly with staff to establish a WCAG Task Force that

would be tasked to collaboratively develop a roadmap to identify WCAG priorities and implementation phasing timelines.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
None have been identified at this time.

RATIONALE FOR RECOMMENDATION
It is necessary to understand the full budgetary implication of remediation and ongoing compliance with WCAG, prior to adoption of the Commission's Recommendation.

ALTERNATIVE ACTIONS CONSIDERED
Beginning to immediately require WCAG compliance requires staff to begin planning to remove or update an unknown number of existing documents within the recommended 30-day period. An assessment of existing documents out of WCAG compliance has not been conducted in every City department. The City currently does not have the required budget or staff technical expertise for complete compliance. An outside vendor to conduct this assessment is not part of an existing budget.

CONTACT PERSON
Thomas Gregory, ADA Program Coordinator, Public Works, 510-981-6418
Wahid Amiri, Deputy Director, Public Works, 510-981-6396
Matthai Chakko, Communications Director/Assistant to the City Manager, City Manager's Office, (510) 981-7008

BERKELEY CITY COUNCILMEMBER
TERRY TAPLIN
DISTRICT 2

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin

Subject: Berkeley Nightlife Council

RECOMMENDATION

Adopt a resolution to form the Berkeley City Council Nightlife Sub-Committee, convened by the District 2 council office to return recommendations for the formation, structure, and scope of operation of a Berkeley Nightlife Council (Night Council) to support nighttime economic activity, cultural programming, and community safety in city commercial districts.

POLICY COMMITTEE RECOMMENDATION

On June 10, 2025, the Land Use, Housing & Economic Development Committee adopted the following action: M/S/C (Bartlett/Lunaparra) to send the item to the City Council with a qualified positive recommendation that Council adopt the item with the caveat that the City Attorney's Office review the ad-hoc committee for Brown Act implications. Vote: All Ayes.

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley is home to several commercial districts, including but not limited to Gilman, San Pablo, The Lorin District, Downtown, North Shattuck, Telegraph, and Elmwood. Berkeley's commercial districts host a variety of economic activities traditionally associated with nightlife, ranging from hospitality to food and beverage, arts, entertainment, and gaming, as well as activities less associated with but compatible with nightlife, such as health and fitness.

Occupancy Rate and Sales Tax Revenue in Hospitality and Food and Beverages Sectors

Berkeley's hotels enjoy a higher occupancy rate than other Bay Area cities. There are 2.4 million overnight visitors, spending $18.7m. In 2024, the city's average nightly hotel occupancy increased to 71%, up from 70% the year prior, but still below the pre-pandemic average occupancy rates, exceeding 80%.

In the second quarter of 2024, the City of Berkeley saw a 28.4% increase in sales tax revenue over the three previous quarters, versus decreases of 13.7% and 1.4% reported by Alameda County and the State of California, respectively. The food and beverage sector was the second largest contributor, representing 37% of sales tax revenue, behind retail at 45%.

Commercial District Vacancy Rates

The Office of Economic Development's 2024 Economic Dashboard reports a year-over-year reduction in the ground floor vacancy rate from 15.5% to 7.1% in the San Pablo Avenue commercial district, from 17.7% to 7.7% on University Avenue, and from 19.2% to 8.9% in South Berkeley. Conversely, commercial vacancy rates have increased from 10.8% to 10.9% in the Downtown, from 1.9% to 2.0% along North Shattuck, from 9.3% to 9.9% along Telegraph, and from 6.2% to 6.9% in the Elmwood.

Commercial Districts with Concentration of Nightlife

Downtown

Downtown Berkeley serves as the city's core commercial district, a vibrant critical nexus for the social and professional lives of residents, students, workers, and visitors. Shattuck Square is the city's primary transit hub, connecting AC Transit lines 6,7,18,51B, 79, 800, 851, F, and BART's Red and Orange lines. The Downtown is home to the Berkeley Public Library's Central Branch, the Arts District, and is situated between Berkeley High, Berkeley City College, and UC Berkeley, and hosts the densest concentration of multifamily residential communities and the largest number of restaurants in the city. In the Berkeley Police Department's 2024 Annual Crime Report, Council District 4 logged the highest count for calls for service, with the Downtown commercial district generating a high volume.

Arts and entertainment uses in the Downtown account for 15.3 % of total ground floor commercial space versus 4.8%. As of 2024's fourth quarter, commercial vacancies increased 0.01% over the previous year, and food and beverage sales tax revenue dropped slightly from $1.17m to $ 1.2m.

The nightlife culture of the Downtown and Arts District is emblemized by renowned businesses and venues such as The Berkeley Repertory Theater, UC Theater, Freight and Salvage, Revival Kitchen, Pizza de Laura, Jupiter, East Bay Spice Company, and Study Hall at the Residence Inn.

Elmwood

The Elmwood is a compact, walkable neighborhood serving a commercial district serviced by the 51B bus line, which sees some of the AC Transit's highest ridership routes. This district also features Berkeley's only remaining movie house, Rialto Cinema's Elmwood.

Food and beverage services account for 29% of the district's ground-floor uses and generated $229,309 in sales tax revenue, up from a low of $140,812 in 2021. As of 2024's fourth quarter, Elmwood's commercial vacancy rate was 6.9%.

Night in the Elmwood is enlivened by the Elwood Cinema, La Mediteranee, Five Tacos and Five Beers, and Vietnamese street food vendors.

North Shattuck

North Shattuck is one of the city's oldest commercial districts. Walkable and neighborhood-serving, North Shattuck is a global dining destination well known for lauded establishments including Cheeseboard and Chez Panisse.

Food and beverage sector sales tax revenues rose to $588,817 in 2024, up from a 2021 low of $298,196.

North Shattuck's evening activity is bestudded with gems such as Saul's, Via Del Corso, Da Lian, Farmhouse Thai, and Vintage Berkeley Wine Shop in the Vine Street Pumping Plant.

San Pablo and West Berkeley

Berkeley's largest commercial corridor, served by AC Transit's 72,72M,72R bus lines, San Pablo Avenue serves as a regional destination for specialized commercial uses and features many neighborhood-serving establishments spanning the length of the city. Despite featuring smaller percentages of food and beverage services (13.7%) than the city, San Pablo's bars and restaurants comprise the gem and beating heart of the social and nightlife of West Berkeley's diverse neighborhoods. West Berkeley has two nascent merchant associations: the Gilman District and the International Market Place, and the established University Avenue Association.

San Pablo's commercial vacancy rate decreased to 7.1% in 2024 from 15.6% the previous year. Retail sales comprise the largest source of tax revenue, increasing to $772,703 in 2024, generating foot traffic to nearby businesses.

West Berkeley's nightlife culture is defined by businesses and venues including: Hammerling Wines, the Gilman Brewery, Funky Elephant Thai, Babette, La Marcha, El Patio, and Acme Bar.

Telegraph

Telegraph Ave linking UC Berkeley's Southside neighborhood to Oakland's Uptown and Temescal and served by AC Transit's 51B and 6 bus lines as well as the line 851 Nightbus and Bear Transit's P Line, is one of Berkeley's most rapidly transforming commercial districts. The Telegraph is home to an eclectic and vibrant mix of restaurants, bars, event spaces, and entertainment venues, serving both the campus and city communities.

32% of ground-floor square footage is host to food and beverage services compared to 12.5% citywide. Sales tax revenue collected from this sector increased to $618,773 in 2024.

Businesses and venues comprising Southside and Telegraph's nightlife culture include: Raleigh's, Cali Sports Bar, Henry's at the Graduate, Games of Berkeley, and Zellerbach Hall on the UC Berkeley campus.

Zoning Amendments for Berkeley Businesses

On March 12 2024, the City Council adopted Ordinance No. 7,898-N-S. amending Berkeley Municipal Code Title 23 to streamline and clarify the permitting process for businesses in C-Prefixed (commercial districts), select M-Prefixed (manufacturing districts), R-BMU (residential BART mixed-use), and R-SMU (residential Southside mixed-use) zoning districts.

The ordinance amendments implemented changes to the permitting process: reducing the level of permitting discretion for group class instruction and clarifying the definitions of "Dance/Excercise/Martial Arts/Music Studio", "Group Class Instruction," and "Gyms and Health Clubs"; revising permit requirements and providing clear performance standards for restaurants that wish to serve Incidental Distilled Spirits at a Food Service Establishment; permitting stand-alone Beer and Wine Sales and Service with an administrative use permit (AUP), subject to performance standards, in all commercial zoning districts; modifying the special use standards related to Alcohol Service, Live Entertainment, and Hours of Operation in select C-prefixed and M-prefixed districts; removing the permit requirements to change a use in commercial districts, thereby reducing permitting time and costs for small businesses getting established in existing commercial spaces; reducing the level of permitting discretion for Office, Business and Professional; Art/Craft Studio; and Pet Stores in select C-prefixed districts; Reducing levels of permitting discretion for food service in commercial and select manufacturing districts and in R-SMU and R-BMU zoning districts, as long as alcohol service is not included, removing restrictions on rentals of food service establishments to third parties, and on outdoor and seated food service with alcohol in select C and M prefixed districts and removing quotas on food service in the C-E (Elmwood) district; and remove the prohibition on uses involving sale or distribution of paraphernalia in the C-T (Telegraph) district.

BERKELEY CITY COUNCILMEMBER
TERRY TAPLIN
DISTRICT 2

Continuing Berkeley's Economic Recovery

Berkeley's hotel occupancy rate and food and beverage sales tax revenues indicate a positive economic recovery across districts containing a concentration of commercial uses associated with nightlife. Recent BMC amendments represent a historic opportunity to revitalize Berkeley's small business ecosystem, especially across industries operating in nightlife sectors. However, commercial vacancy rates in the downtown core and a high volume of calls for service underscore the challenges facing many downtowns in the Bay Area and beyond.

FINANCIAL IMPLICATIONS

The sub-committee will convene to conduct its work utilizing the internal resources of the District 2 council office, requiring no additional funding and placing no additional fiscal strain on city resources.

BACKGROUND

Night Councils function as collaborative night-time urban governance structures between municipal organizations, nightlife industry sector business leaders, and local communities to generate solutions to improve and support night-time economic activity, cultural programming, and public safety in commercial districts. Several global cities currently maintain active night councils with several governance structures.

International Models for Night-Time Governance

New York City's Office of Nightlife was created via 2017 legislation and functions as a non-enforcement liaison between the city and the nightlife industry. Early actions taken by the office include a five-borough listening tour to establish a framework for the manage of challenges across the industry culminating in the formation of the office's four-pronged agenda: 1) supporting business development and recovery, 2) improving and addressing quality of life issues between venues and residents, 3) promoting safety, equity, and harm reduction, and 4) elevating and preserving nightlife culture.

Melbourne's nightlife scene is lauded for contributing immensely to the city's global reputation as one of the most liveable cities. The Melbourne Night-time Advisory Committee advises the city on economic recovery and designs programs to advance the city's night-time economic goals. Flash Forward, one of the Committee's programs, utilizes locally sourced public art installations to generate foot traffic in the city's unique and lesser-explored laneways and pedestrian streets containing shops, cafes, bars, and restaurants. Like Berkeley, Melbourne benefits from the knowledge partnerships fostered through its proximity to and cross-pollination with academic institutions. One such program borne from collaboration between the Night-Time Advisory Committee and the University of Melbourne's School of Design is Project Night Justice, an initiative to promote the safety of women-identified and LGBTQ+ community members.

Montreal 24/24 is a non-profit citizen-led organization that partners with Montreal's economic development agency and receives city funding to develop policy and support the nightlife industry community and night-time economy. The organization commissions research, provides workshops, plans a summit, conducts pilot projects, and runs a night council comprising twelve citizens with nightlife expertise, including artists, venue owners, public health professionals, and academics. Formed during the Pandemic, Melbourne's Night Council is composed of four committees: 1) Permanent spaces (venues, bars, clubs), 2) Temporary initiatives, festivals, and events, 3) Health, safety, inclusion, and diversity, and 4) Living at Night. The Committee receives input, issues recommendations on nightlife topics, and holds an annual Open Mic open to members of the Melbourne community to share their experiences and visions for nightlife. The Council also organizes a yearly summit called Montreal Au Sommet De La Nuit, attended by global leaders to discuss night-time governance and different global practices.

Potential Night-Time Governance Structure for the City of Berkeley

Given the City of Berkeley's organic configuration of commercial neighbors and the characteristics of its night-time economy, its proximity to local academics institutions, and the operational capacity constraints of the city organization, a night governance model built on a synthesis of Melbourne's Night-Time Advisory Committee and Montreal 24/24's Night Council may benefit Berkeley's economic recover from COVID and further its Strategic Plan goal to *foster a dynamic, sustainable, and locally-based economy.*

BERKELEY CITY COUNCILMEMBER
TERRY TAPLIN
DISTRICT 2

Berkeley's Nightlife Ecosystem

Berkeley has several key stakeholders, non-profits, and companion agencies, uniquely positioned to serve as strategic partners for a Night Council. This item proposes the formation of an ad-hoc advisory committee convened by the District 2 Council office and including the representative members from the following:

- Mayor of the City of Berkeley
- District 2 City Councilmember
- District 4 City Councilmember
- District 5 City Councilmember
- Visit Berkeley
- The LGBTQ+ Community
- The Berkeley Chamber of Commerce
- The Gilman District
- The International Market Place
- The Lorin District
- The Downtown Berkeley Association
- The Arts District
- The North Shattuck Business Improvement District
- The Telegraph Business Improvement District
- Office of Economic Development
- Berkeley Police Department Community Services Bureau

The ad-hoc committee will fulfill the ceremonial function of serving as an inaugural Night Council and shall meet quarterly for one year and return recommendations to the City Council for the permanent governance structure and organization of a formal Night Council.

RATIONALE

Night Councils have played a major role in the economic recoveries of New York City, Montreal, and Melbourne through strategic collaborative thought-partnerships between cities, nightlife industries, and local communities. Berkeley's strong hotel occupancy rate and sales tax revenues, proximity to cultural and academic institutions, and global dining and arts destination status position the city to leverage its cultural and economic capital to accelerate economic recovery and revitalize our commercial sectors.

Berkeley benefits from an organic ecosystem of potential strategic partners. Before pursuing a permanent structure, stakeholders should be engaged by convening an ad hoc community to assess potential and optimal governance structures right-sized to the city's organizational capacity.

The Office of Economic Development's collaborative engagement with the Berkeley Startup Cluster has yielded fruitful policy results through the legislation of land use reform, leveraging Berkeley's innovation ecosystem. The Berkeley Nightlife Council has the potential to replicate this success via close thought partnership with the food and beverage, arts and entertainment, and hospitality sectors.

Alternatives Considered

A recommendation proscribing a concrete structure had been considered. It is preferable to initiate this effort as an ad-hoc vehicle for stakeholder engagement and organization assessment.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

N/A

CONTACT PERSON

BERKELEY CITY COUNCILMEMBER
TERRY TAPLIN
DISTRICT 2

Councilmember Terry Taplin, Council District 2 510-981-7120

Attachments:

1. Resolution Establishing the Berkeley City Council Nightlife Subcommittee. .
2. Office of Economic Development 2024 Commercial District Dashboard Presentation.
3. Office of Economic Development 2024 2024 Economic Dashboard Presentation
4. Planning and Development Zoning Amendment for Berkeley Businesses; Amending Berkeley Municipal Code Title 23 February 27, 2024 Staff Report.
5. 24-Hour Cities Network Governance Workshop Insight Report.

Resolution Establishing the Berkeley City Council Nightlife Sub-Committee

WHEREAS, urban nightlife is generally associated with economic activity related to the hospitality, food and beverage, and arts and entertainment commercial sectors, and, more broadly, with health and wellness; and

WHEREAS, "Night Councils" are collaborative urban governance frameworks linking municipal organizations, nightlife industries, and local communities to foster strategic thought-partnerships to develop policy and issue recommendations in support of night-time economic activity, cultural programming, and public safety in commercial districts, and official and unofficial "Night Mayors" and "Night Commissioners" are social and cultural ambassadors to the wider community and active participants the culinary, artistic, cultural and social life of cities at night; and

WHEREAS, New York City's Office of Nightlife, The Melbourne Night-Time Advisory Committee, and Montreal 24/24's Night Council were initiated in response to the COVID Pandemic and were instrumental in the economic recovery of their respective cities; and

WHEREAS, the City of Berkeley hosts several commercial districts with concentrations of nightlife sectors, and Berkeley's superior hotel occupancy rate and growing sales tax revenue generation continue to play a crucial role in the city's economic recovery; and

WHEREAS, Berkeley's Downtown commercial core continues to struggle with high rates of commercial vacancy having lost landmark institutions such as Regal's United Artists Berkeley 7 theater, California Theater, and Shattuck Cinemas, yet benefits from proximity to the University of California at Berkeley, Berkeley City College, and is experiencing the highest growth of multifamily residential construction; and

WHEREAS, Berkeley remains a global destination for dining, arts, and culture, and increased foot traffic will bring vibrancy, safety, and vitality to its Downtown core and commercial and citywide commercial neighborhoods, increasing venues and expanding the city's tax base,

THEREFORE BE IT RESOLVED, that the Mayor and the City Council of Berkeley establish the Berkeley City City Council Nightlife Sub-Committee to meet for one year and shall return to the City Council recommendations for the formation and organizational structure of a formal Berkeley Nightlife Council (Night Council); and

THEREFORE BE IT FURTHER RESOLVED, that the District 2 City Council office will convene the Nightlife Sub-Committee, which shall include the Mayor of the City of Berkeley and the City Council representatives of Districts 4 and 5, and shall invite representatives of the following to participate:

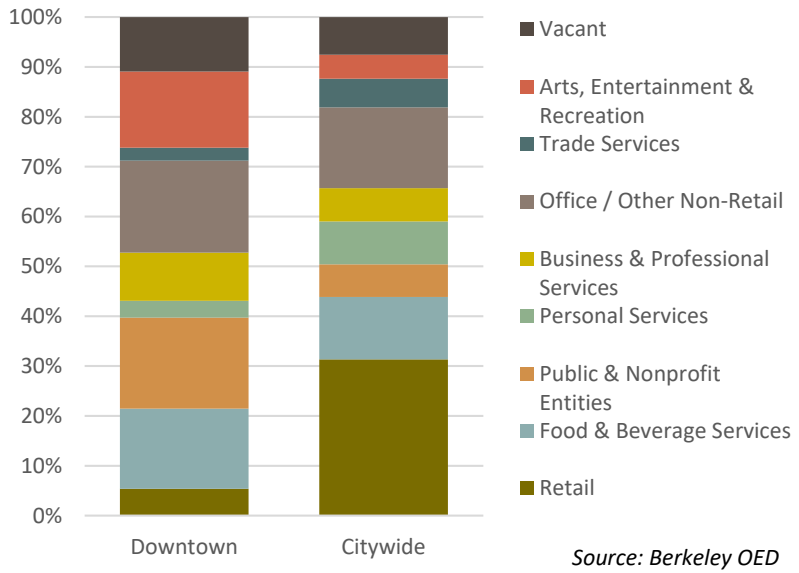
- Visit Berkeley
- The LBGT+ Community
- The Berkeley Chamber of Commerce

- The Gilman District
- The International Market Place
- The Lorin District
- The Downtown Berkeley Association
- The Arts District
- The North Shattuck Business Improvement District
- The Telegraph Business Improvement District
- The Office of Economic Development
- Berkeley Police Department Community Services Bureau

Downtown: 2024 Snapshot

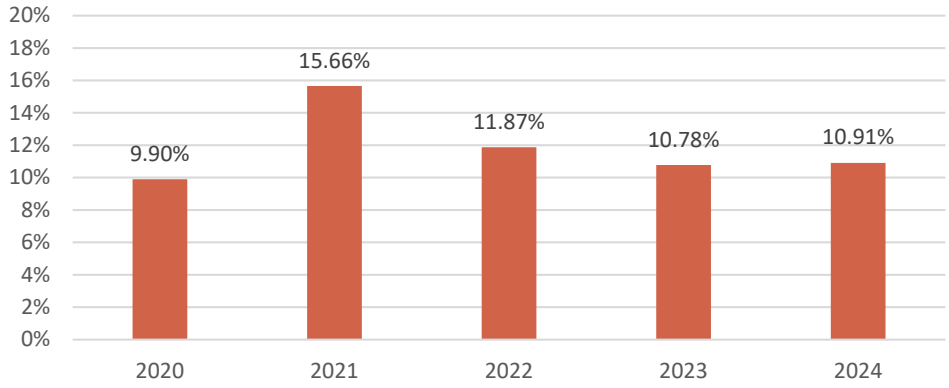
Downtown Berkeley serves as the City's core commercial district, meeting the daily needs of residents, students, workers, and visitors. The district benefits from a significant concentration of arts and entertainment uses, which occupy 15.3% of total ground floor commercial space in the district, compared to 4.8% citywide. As of Q4 2024, the vacancy rate in Downtown is 10.91%, an increase from 10.78% in 2023, and above the 9.9% seen during the first year of COVID (2020). Sales tax revenue generated by Food & Beverage services reached its nadir in 2021 ($565,561), but has recently matched pre-COVID levels with $1.17M generated in 2024 (a slight drop from $1.2M in 2023).

Ground Floor Commercial Business Mix (by Square Footage), 2024 Q4



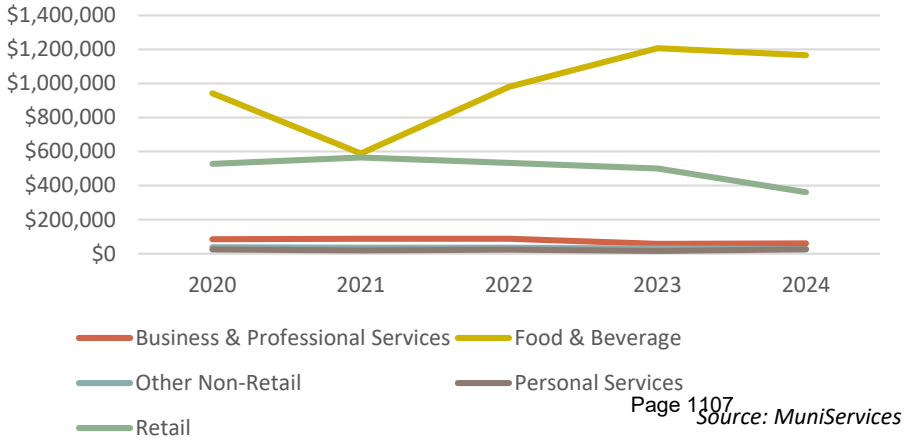
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024



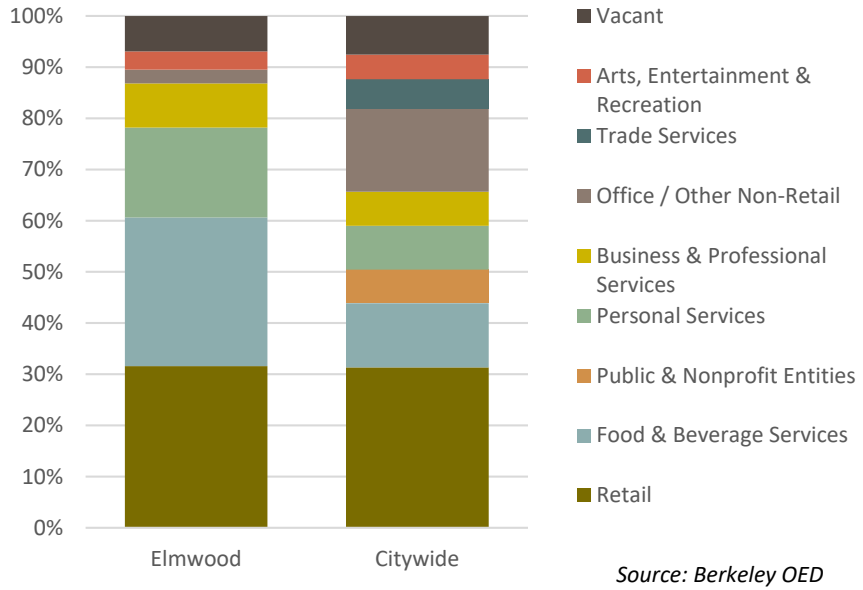
Source: MuniServices

Elmwood: 2024 Snapshot

The Elmwood is a compact three block commercial district along College Avenue near the Berkeley-Oakland border and the neighboring Rockridge shopping district. The Elmwood district is characterized by a high concentration (29%) of Food & Beverage services and Personal Services (17.6%), and is a walkable, neighborhood-serving commercial district. As of Q4 2024, the district's vacancy rate by square footage is 6.9%.

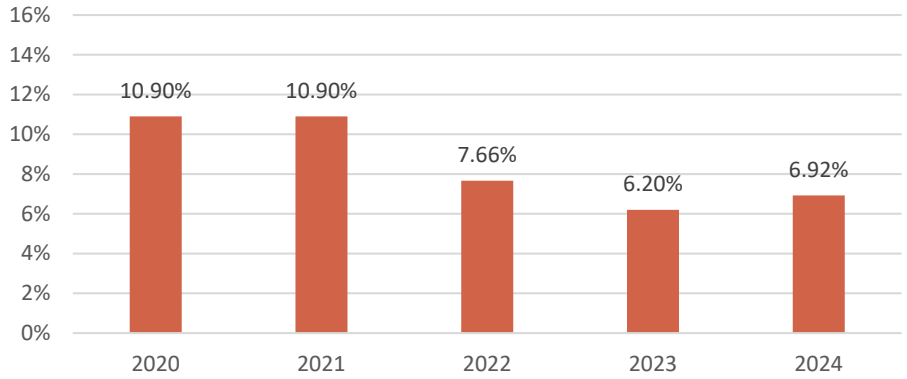
Sales tax collected from the Food and Beverage sector in the Elmwood increased in 2024 to $229,309, from a low of $140,812 in 2021. Sales tax collected from the Retail sector decreased slightly in 2024 to $103,201, but remained above retail sales tax collected in 2021 ($88,709) when the pandemic was in an acute phase.

Business Mix (by Square Footage), 2024 Q4



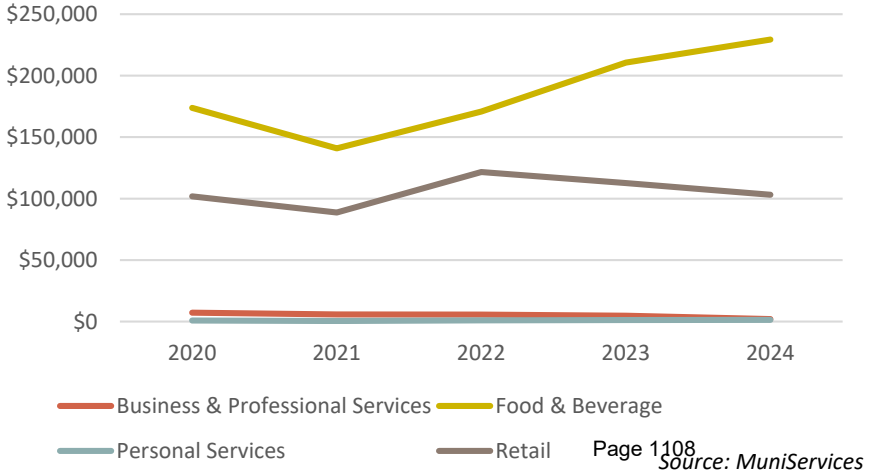
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024



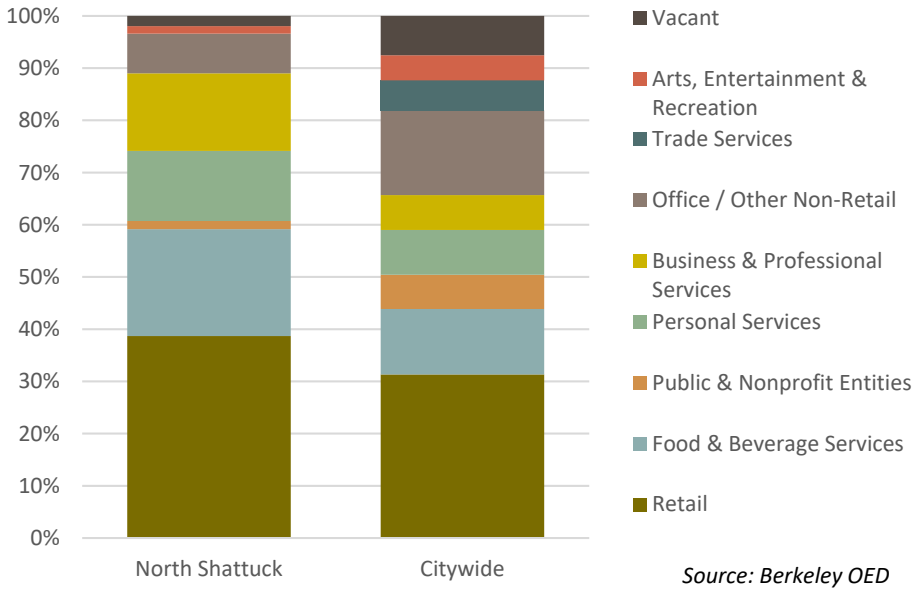
Source: MuniServices

North Shattuck: 2024 Snapshot

North Shattuck is one of Berkeley's oldest commercial districts, just north of Downtown. The district is characterized by a high concentration of well-known, long-standing, and celebrated restaurants, including Chez Panisse and the Cheeseboard. North Shattuck is both a walkable, neighborhood-serving commercial district as well as a global destination for food and dining. As of Q4 2024, the district's vacancy rate by square footage is 1.95%, on par with the 1.9% calculated in 2023 Q4.

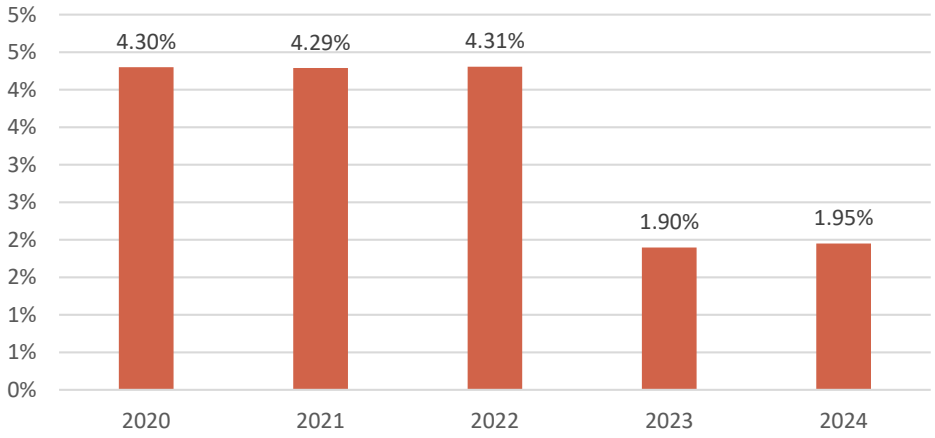
Sales tax collected from the Food and Beverage sector in North Shattuck increased in 2024 to $588,817 from its 2021 low ($298,196), and sales tax collected from the retail sector increased slightly in 2024 to $136,153 from $134,219 collected in 2023.

Business Mix (by Square Footage), 2024 Q4



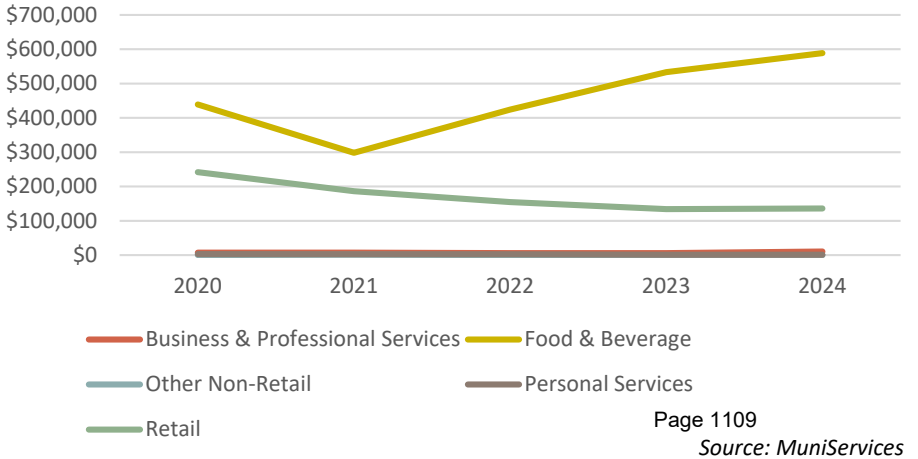
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024

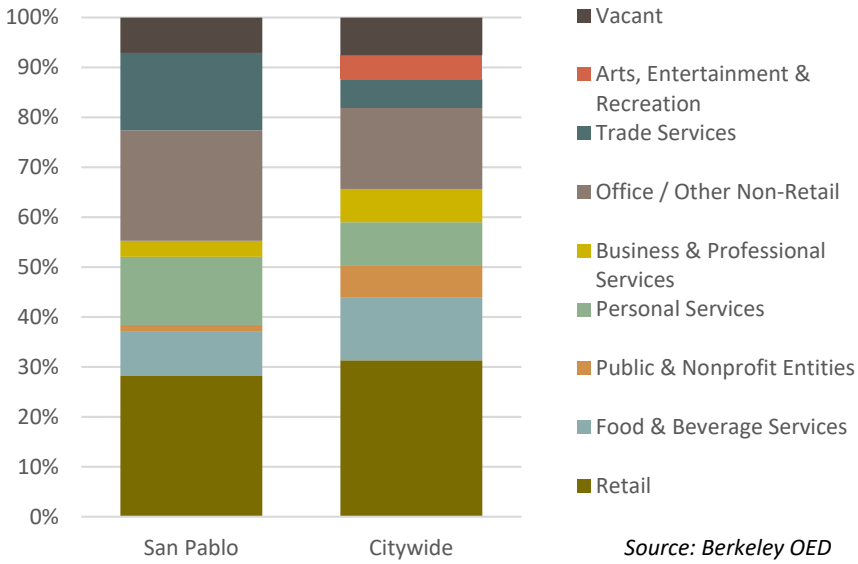


Source: MuniServices

San Pablo: 2024 Snapshot

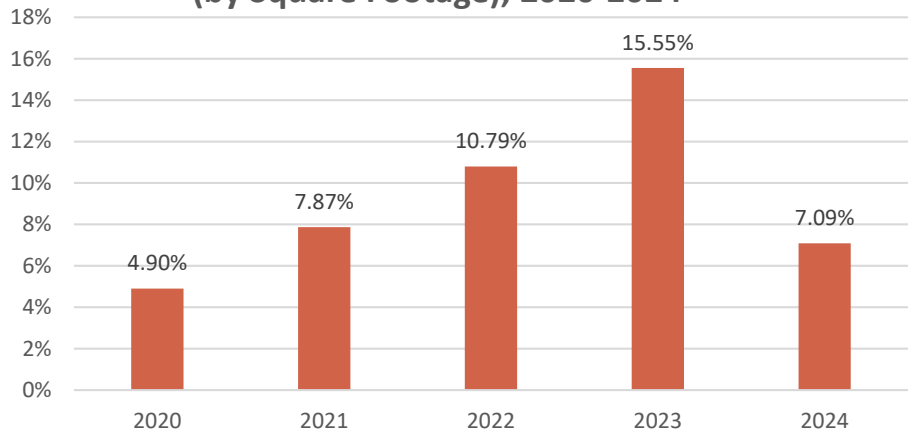
San Pablo Avenue is Berkeley's largest commercial corridor, running the entire north-south length of the City. San Pablo is characterized by a high concentration of Trade Services (15.5%), including automobile services. San Pablo functions more as a regional destination for specific uses rather than a walkable, neighborhood-serving commercial district; as such, it features smaller percentages of Food & Beverage Services (8.9%) and a larger portion of Personal Services (13.7%) than the city as a whole. In 2024, the district's vacancy rate by square footage is 7.1%, down from 15.6% in 2023. Retail Sales tax revenue collected in 2024 has increased to $772,703 since 2023 ($679,253) and continues to be the largest source of tax revenue for the area.

Business Mix (by Square Footage), 2024 Q4



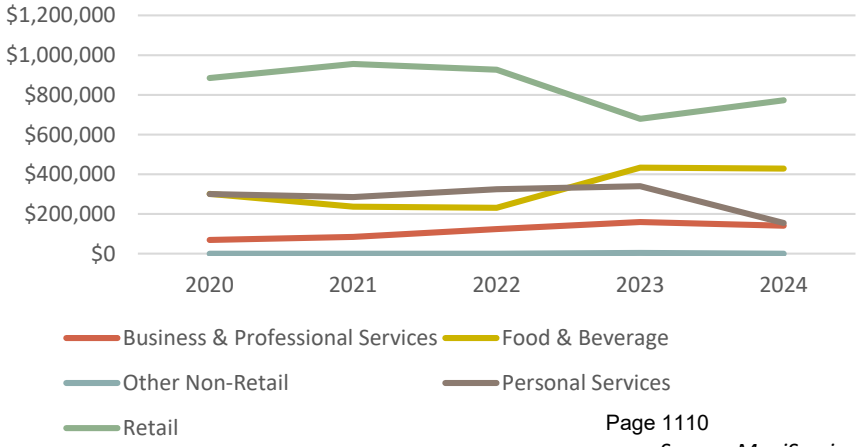
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024



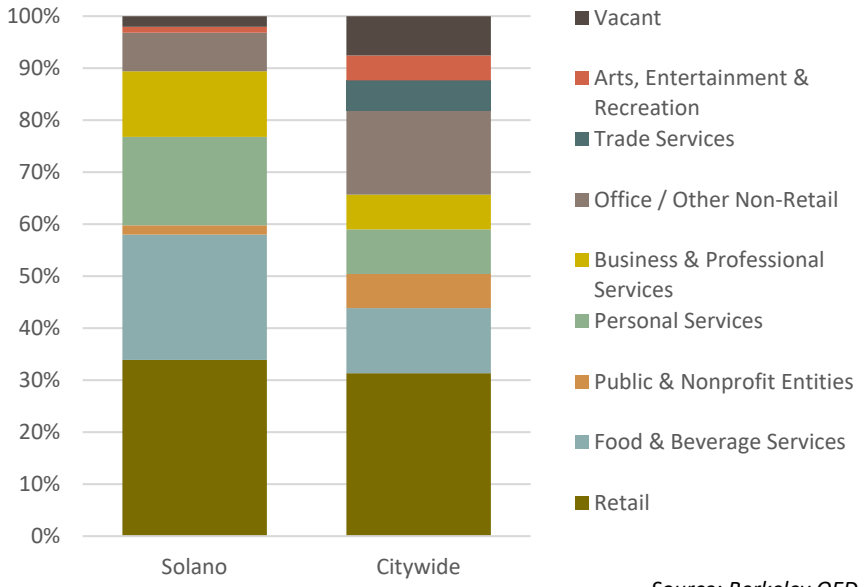
Source: MuniServices

Solano: 2024 Snapshot

Solano is a small district in North Berkeley, with a total of 148 commercial spaces and approximately 189 thousand square feet of commercial space. It shares a border with Albany and is situated next to a large elementary school and an active neighborhood of single-family homes. The former Oaks Theatre is now occupied by *The Oaks* climbing gym that opened in 2024. The district's vacancy rate by square footage is 2.1%, a slight decrease from 2023 (2.6%).

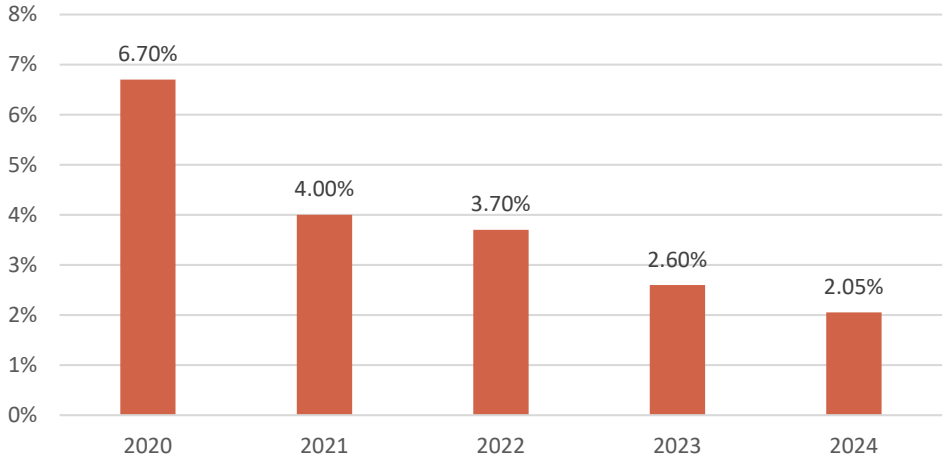
Sales tax collected from the Food and Beverage sector along Solano Avenue increased by $3,084, from 2023 to 2024, and sales tax collected from the retail sector also increased from 2023, to $114,635.

Business Mix (by Square Footage), 2024 Q4



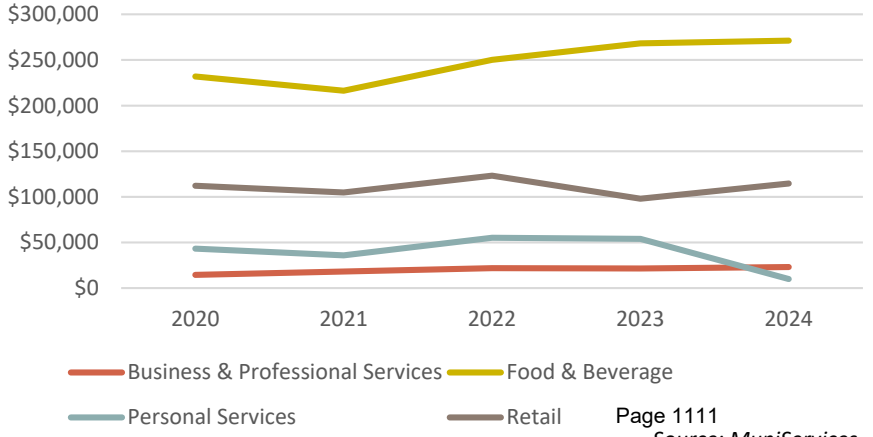
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024



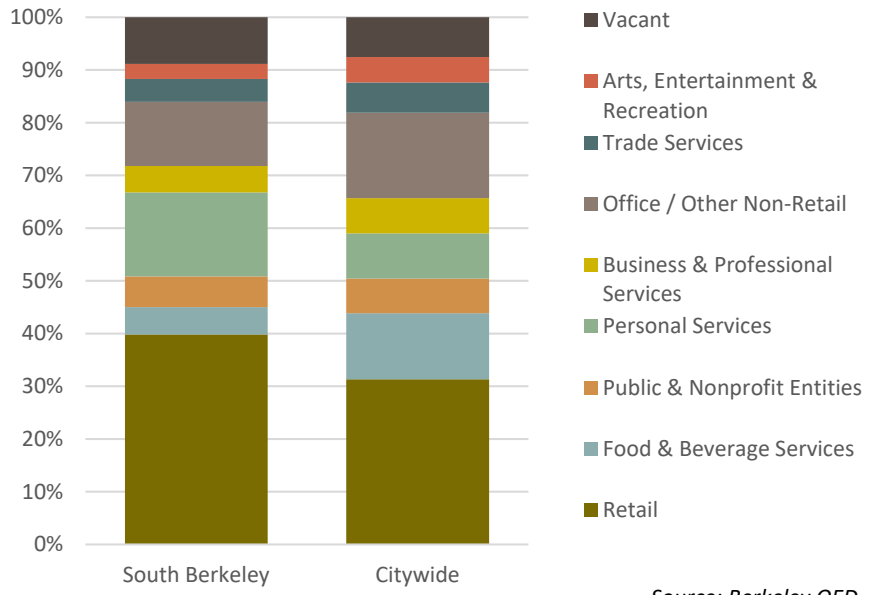
Source: MuniServices

South Berkeley: 2024 Snapshot

South Berkeley is a large district stretching over an area known for its cultural diversity and includes the Lorin District, the Sacramento Ave. corridor, and the South Shattuck area. South Berkeley includes car dealerships, which accrue retail sales tax revenue for the City.

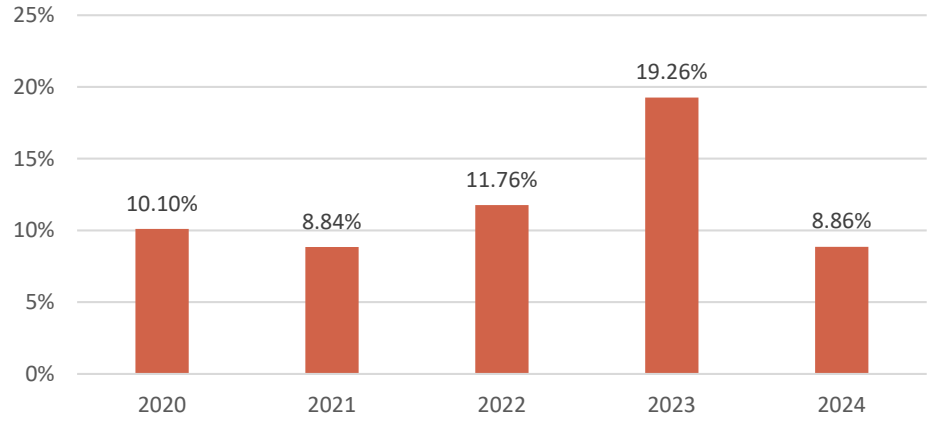
The area features a high concentration of Personal Services businesses (15.9% vs. 8.6% citywide) but is under-served by Food & Beverage services, which account for only 5.2% of ground floor commercial space, as compared to 12.5% citywide. As of Q4 2024, the district's vacancy rate by square footage was 8.9%, a marked decrease from 2023 (19.3%).

Business Mix (by Square Footage), 2024 Q4



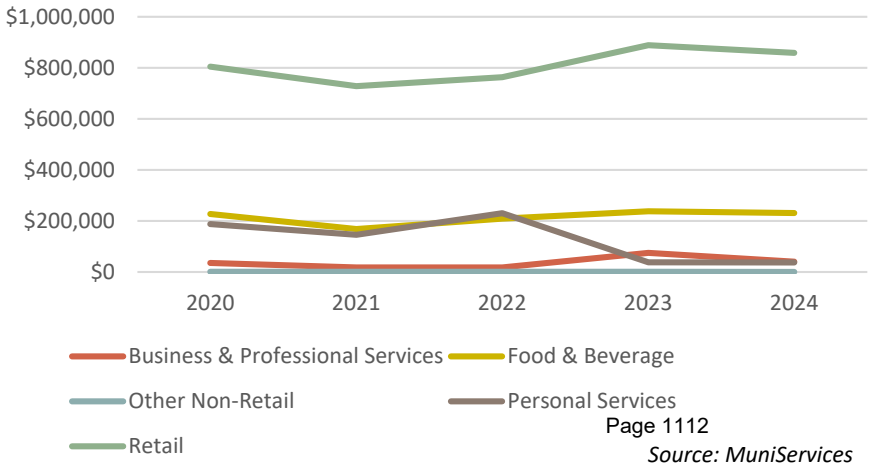
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024

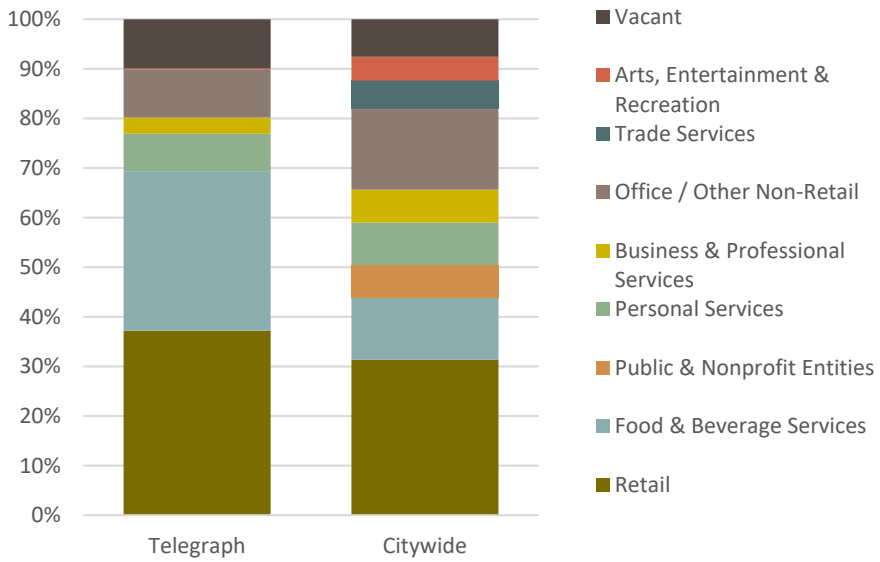


Source: MuniServices

Telegraph: 2024 Snapshot

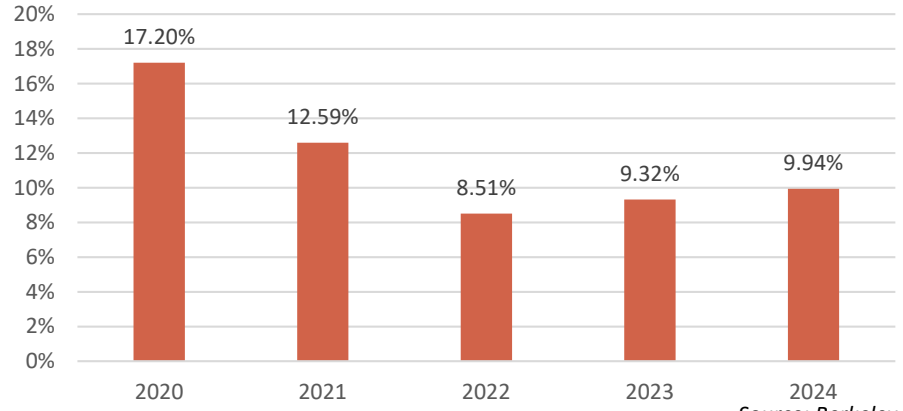
The Telegraph district has undergone significant change with respect to its ground floor inventory over the past several years. Food & Beverage services have shown a dramatic increase in the last decade, with 32% of Food & Beverage services accounting for ground floor commercial space in the district, as compared to 12.5% citywide. Telegraph's ground floor inventory of retail accounts for 37.2% of the business mix, slightly more than the 31.3% observed citywide. As of Q4 2024, the district's ground floor commercial vacancy rate of 9.9%, was higher than 2023 (9.3%). Food & Beverage services outperform Retail with respect to sales tax collected; Food & Beverage collections increased to $618,773 in 2024.

Business Mix (by Square Footage), 2024 Q4



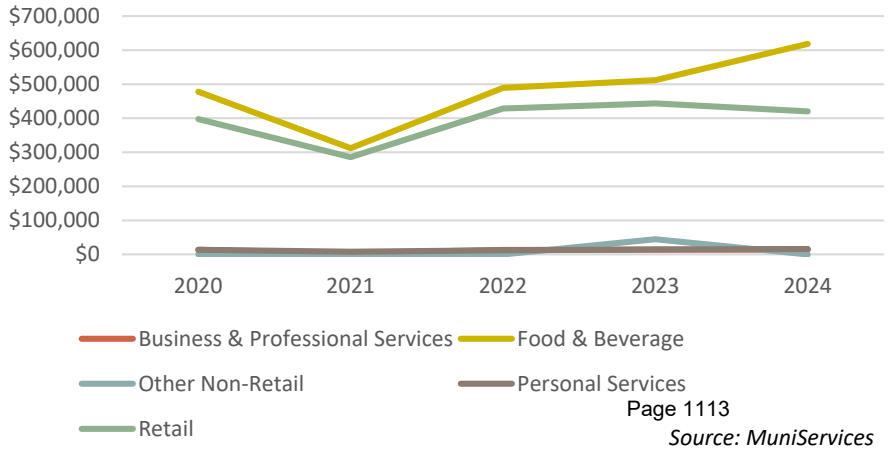
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024

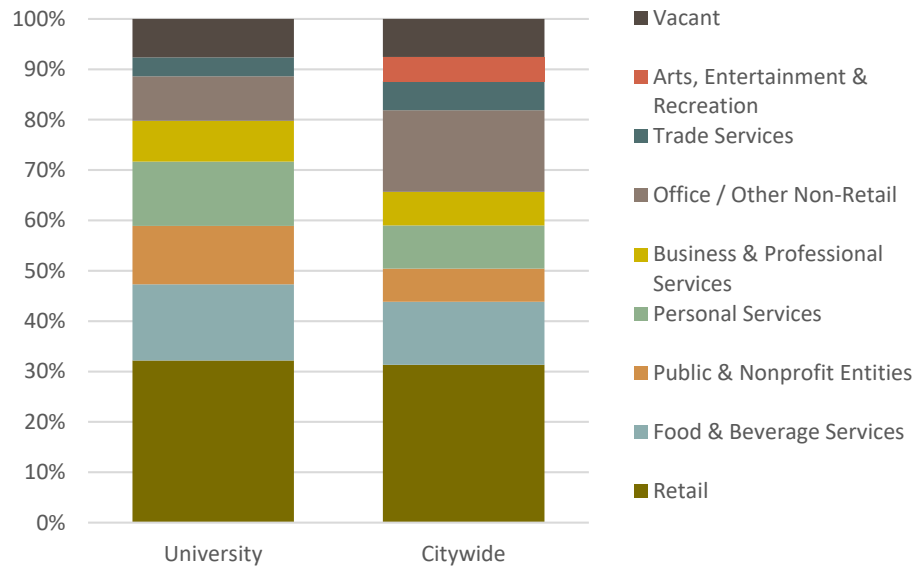


Source: MuniServices

University: 2024 Snapshot

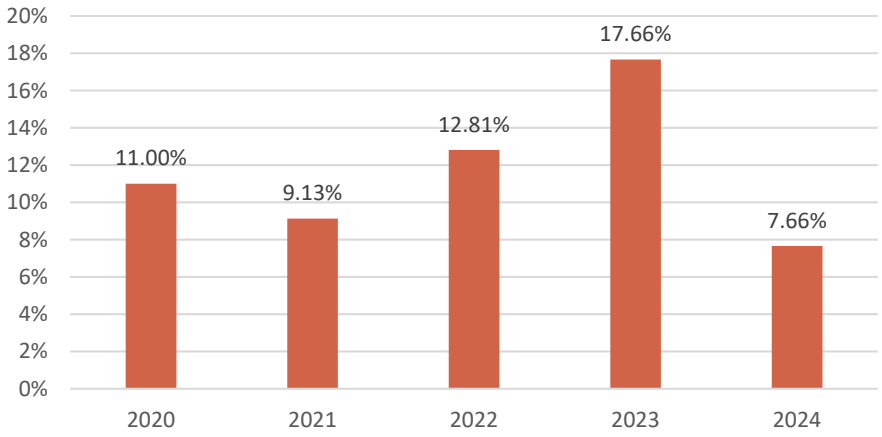
University Avenue, from Martin Luther King Jr Way to the waterfront, spans many of the City's neighborhoods and serves as the gateway to the UC Berkeley Campus. Since 2019, Retail and Food & Beverage Services have generated the most sales tax revenue for the district. Retail sales tax collected in 2024 decreased slightly by $14,117 from 2023, and sales tax from Food & Beverage stayed steady. The 2024 vacancy rate decreased year over year from 17.7% in 2023 to 7.7% in 2024; the lowest rate in five years.

Business Mix (by Square Footage), 2024 Q4



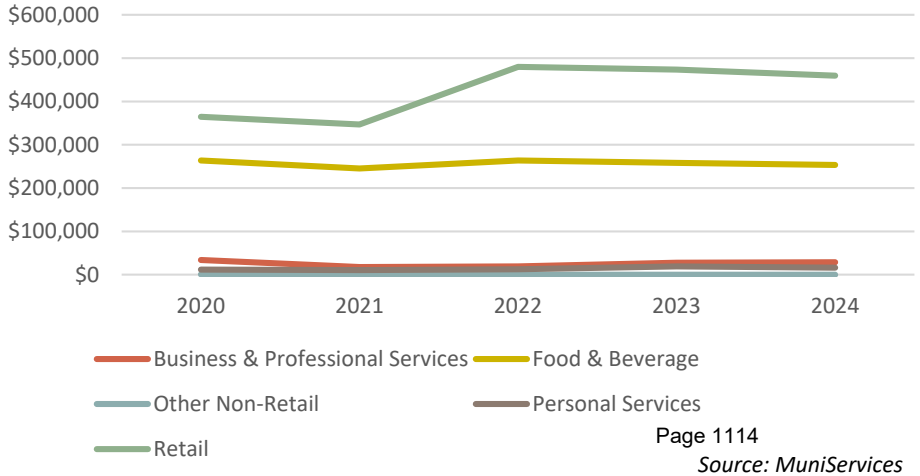
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024

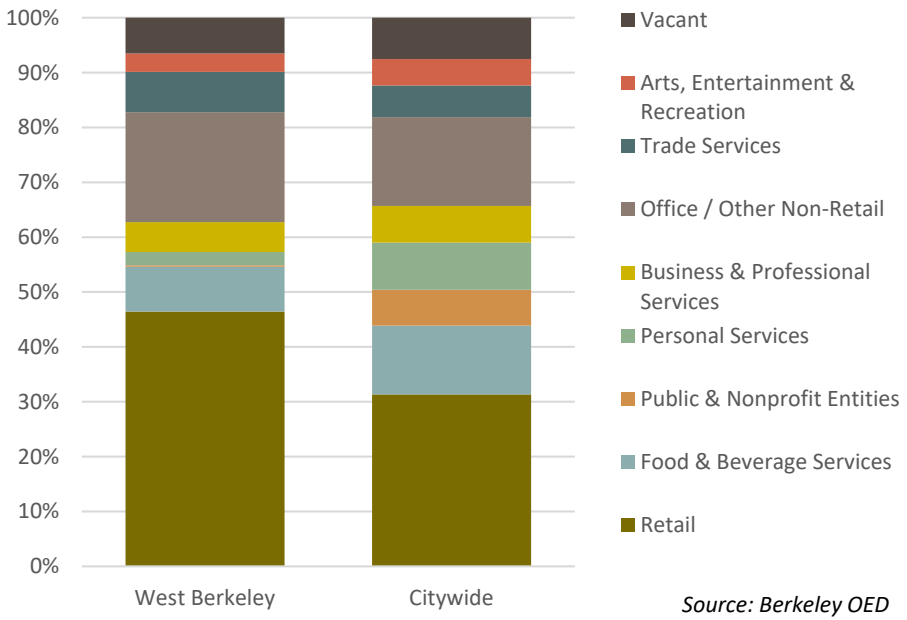


Source: MuniServices

West Berkeley: 2024 Snapshot

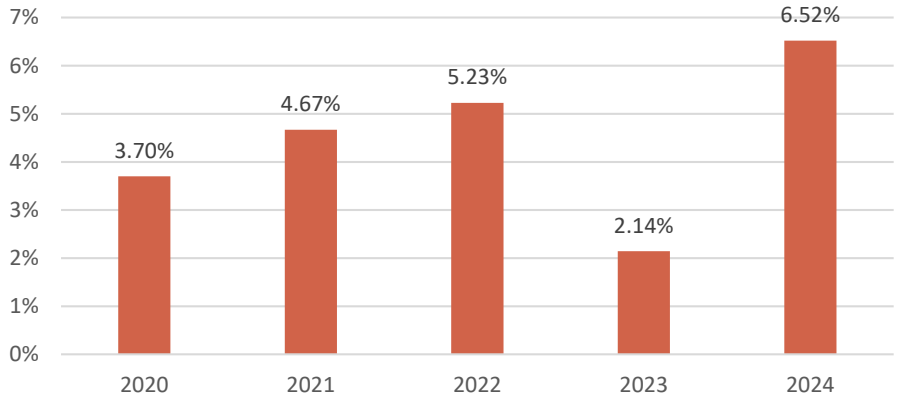
West Berkeley represents all commercial spaces west of San Pablo Avenue, including 4th Street and the Gilman District. There are a number of major, large-floor-plate retailers, and a dense cluster of home supplies and construction businesses. There is also a higher percentage of non-retail commercial uses, including manufacturing and warehousing. Retail accounts for 46.4% of ground floor commercial space in the district, as compared to 31.3% citywide. West Berkeley also has a smaller percentage of square footage devoted to Food and Beverage (8.2%) businesses than the citywide rate of 12.5%. The commercial vacancy rate in Q4 of 2024 is 6.5%, up from 2023's 2.1%. Sales tax revenue has decreased or stayed steady in this area in all categories including Retail where a sales tax revenue decrease of $473,968 (-7.1%) YoY is observed.

Business Mix (by Square Footage), 2024 Q4



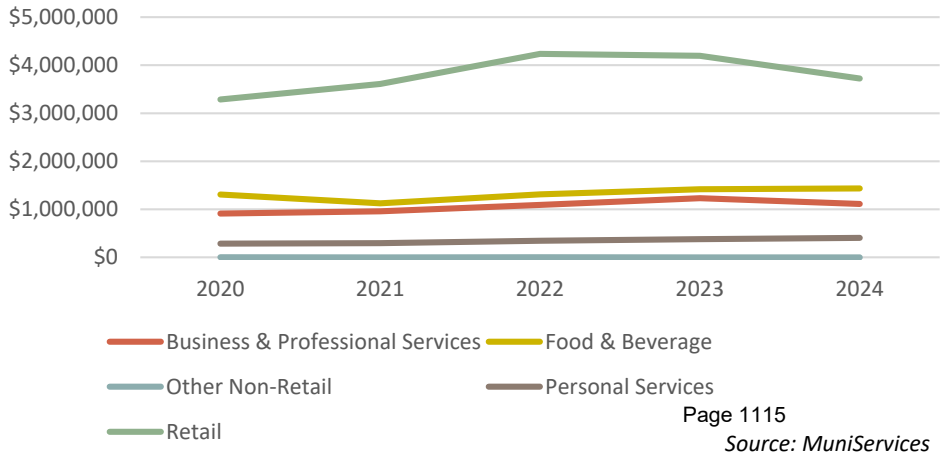
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024



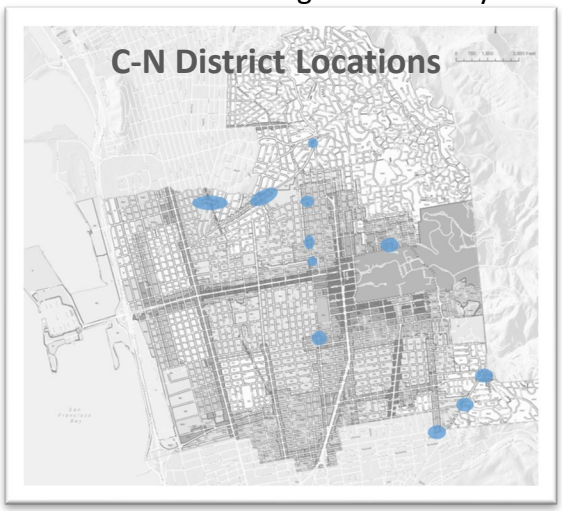
Source: MuniServices

Neighborhood (C-N): 2024 Snapshot

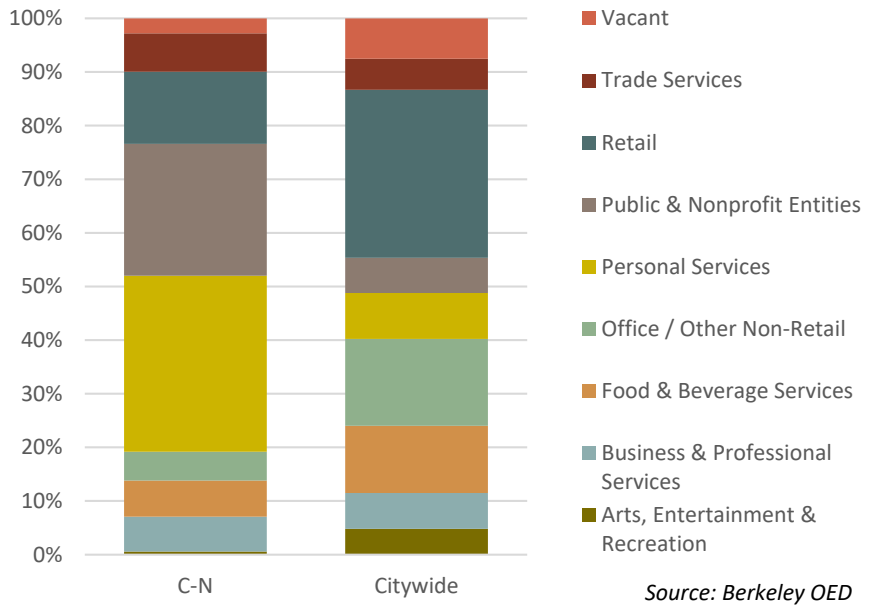
Across Berkeley there are **11** smaller commercial pockets, zoned as "**C-N**" or "Neighborhood Commercial." These areas are one or two block collections of commercial enterprises distributed throughout Berkeley.

The "C-N" areas represent nearly 190 commercial spaces, and approximately 390K square feet of commercial space.
The C-N areas collectively generate 2.4% of the city's total sales tax. They also include a large number of Personal Services companies (32.8% by square footage, compared to 8.6% citywide) and Public and Non-Profit entities (24.6% compared to 6.6% citywide).
The C-N vacancy rate is 2.8%.
These areas include commercial nodes at the following intersections:

- Claremont and Prince
- Claremont and Tunnel
- College and Alcatraz
- Gilman and Curtis
- Hearst and Euclid
- Hopkins and El Dorado
- Hopkins and Monterey
- Martin Luther King Jr Way (MLK) and Dwight
- MLK and Hearst
- MLK and Rose
- MLK and Virginia

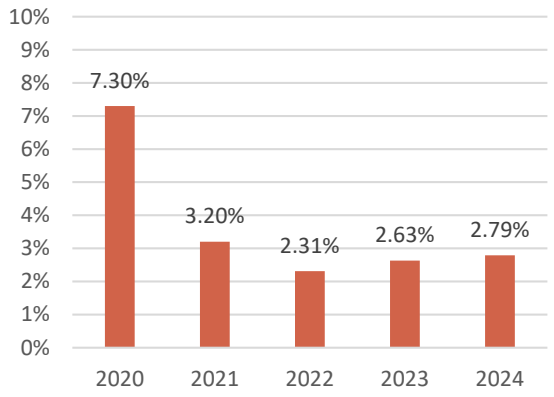


Business Mix (by Square Footage), 2024 Q4



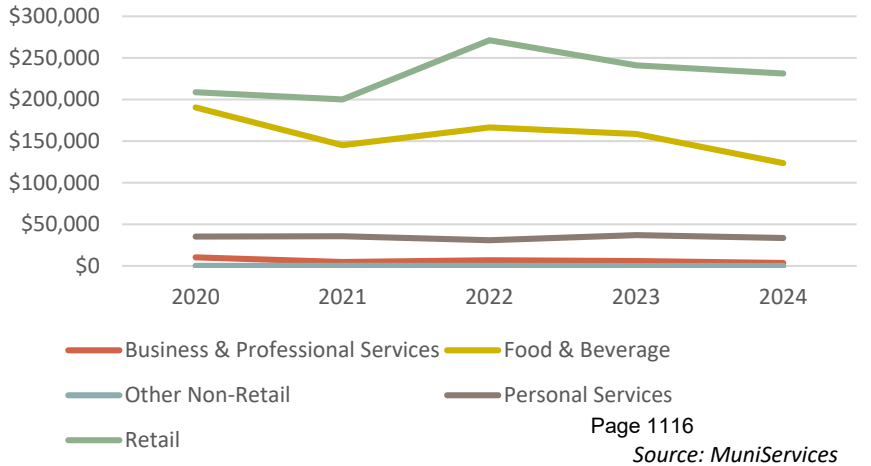
Source: Berkeley OED

Ground Floor Commercial Vacancy Rate (by Square Footage), 2020-2024



Source: Berkeley OED

Sales Tax Revenue by Sector, 2020-2024



Source: MuniServices

City of

BERKELEY

2024 Economic Dashboard

Office of Economic Development

Table of Contents
Citywide Economic Dashboard

EMPLOYMENT ACTIVITY 3-4
- Job Growth, Unemployment, Top 25 Employers

SECTOR SNAPSHOTS 5-7
- Hospitality
- Innovation & Startups

COMMERCIAL ACTIVITY 8-13
- Trends & Transactions – Office, Commercial Inventory
- Commercial Districts – Vacancy Rates, Occupancy by Business Type
- Future Development
- Sales Tax Revenues

HOUSING 14-15
- Development Pipeline & Construction
- Rental Costs & Sale Prices

OED EFFORTS TO SUPPORT ECONOMIC SUSTAINABILITY 16-25
- Financing Small Businesses
- Marketing Businesses - #DiscoveredinBerkeley
- Enabling Business Networks
- Greening Business Practices
- Developing an Equitable Economy & Future Talent Pipeline
- Grants supporting Arts & Culture

Employment Activity
job growth by industry sector & unemployment

Percent East Bay change in employment by sector (Nov. 2023 – Nov. 2024)

Sector (in the East Bay)	Percent Change	% of Total Jobs
Architectural, Engineering & Related Services	7.1%	1.5%
Educational & Health Services	4.0%	19.1%
Government	2.0%	14.1%
Accommodation & Food Services	1.5%	7.8%
Leisure and Hospitality	1.4%	9.4%
Arts, Entertainment & Recreation	1.1%	1.5%
Retail Trade	1.1%	9.0%
Administrative & Support Services	0.5%	4.6%
Construction	-0.7%	6.3%
Real Estate & Rental & Leasing	-1.1%	1.5%
Transportation & Warehousing	-1.2%	4.0%
Manufacturing	-2.1%	8.8%
Computer Systems Design & Related Services	-3.0%	1.6%

Source: Labor Market Information (LMI-EDD) for East Bay (Alameda and Contra Costa Counties), December 2024.

Job Growth

Between November 2023 and November 2024, **the total number of jobs located in the East Bay increased by 10,900 or 0.9%.** The sectors with the *highest percent* growth in employment included *Education and health services* (up 8,900 jobs) along with *Health care and social assistance* (up 8,400 jobs). Other notable changes included increases in *leisure and hospitality* (up 1,600 jobs), *professional and business services* (up 1,500 jobs). Decreases were noted in the *information* sector (down 1,700 jobs), and *trade, transportation, and utilities* (down 1,100 jobs).

Unemployment Rates show slight increase year over year:

	2023	2024
California	4.9%	5.4%
Alameda County	4.5%	4.7%
Berkeley	4.0%	4.4%

Source: State of California Employment Development Department (EDD), Y Charts, Labor Market Information (LMI-EDD)

Employment Activity
largest employers

Top 25 Berkeley Employers

Company	Sector
Backroads Inc.	Recreation
Bayer Corp.	Biotech
Berkeley Bowl Produce	Food & Beverage
Berkeley Cement Inc.	Construction
Berkeley City College	Education
Berkeley Emergency Food & Housing Project (Insight Housing)	Social Services
Berkeley Repertory Theatre	Arts & Entertainment
Berkeley Unified School District	Education
City of Berkeley	Government
Fieldwork Brewing Co.	Food & Beverage
Foresight Mental Health	Healthcare
Kaiser Permanente Medical Group Inc.	Healthcare
Lawrence Berkeley National Lab	Laboratory
Lifelong Medical Care	Healthcare
OC Jones & Sons	Construction
Satellite Affordable Housing	Social Services
Sutter Bay Hospital	Healthcare
Target Corp.	Retail
Technical Safety Services	Biotech/Manufacturing
The Wright Institute	Education
Twelve	Manufacturing/ R&D
University of California	Education
UPSIDE Foods	Biotech/R&D
Whole Foods Market	Food & Beverage
YMCA of the Central Bay Area	Recreation

Source: State of California Employment Development Department (EDD), Q1 2024

(Clockwise from top) Technical Safety Services, Insight Housing, Satellite Affordable Housing.
Pictured at right:– project ribbon cutting.
Credits: Meta, Insight Housing, SAHA

Berkeley's top 25 employers (by number of employees) is reflective of the city's diverse economy. Top employers include four in the healthcare sector and four in the education sector, including UC Berkeley, one of the city's main economic engines. There are also a few large private sector corporations in Berkeley, notably Bayer. Two social service organizations made it onto the 2024 list: Insight Housing (formerly the Berkeley Food & Housing Project) and Satellite Affordable Housing.

Sector Snapshots
hospitality

Berkeley's hospitality sector fared better than neighboring cities, both in hotel occupancy and tourism "image".

The Bioneers Conference brought over 1,800 visitors to Downtown Berkeley in March 2024. It will return Mar. 27-29, 2025.

Highlighted on KTVU, a record number of participants participated in Berkeley Restaurant Week.
UC Berkeley became part of the Atlantic Coast Conference, drawing new domestic visitors.

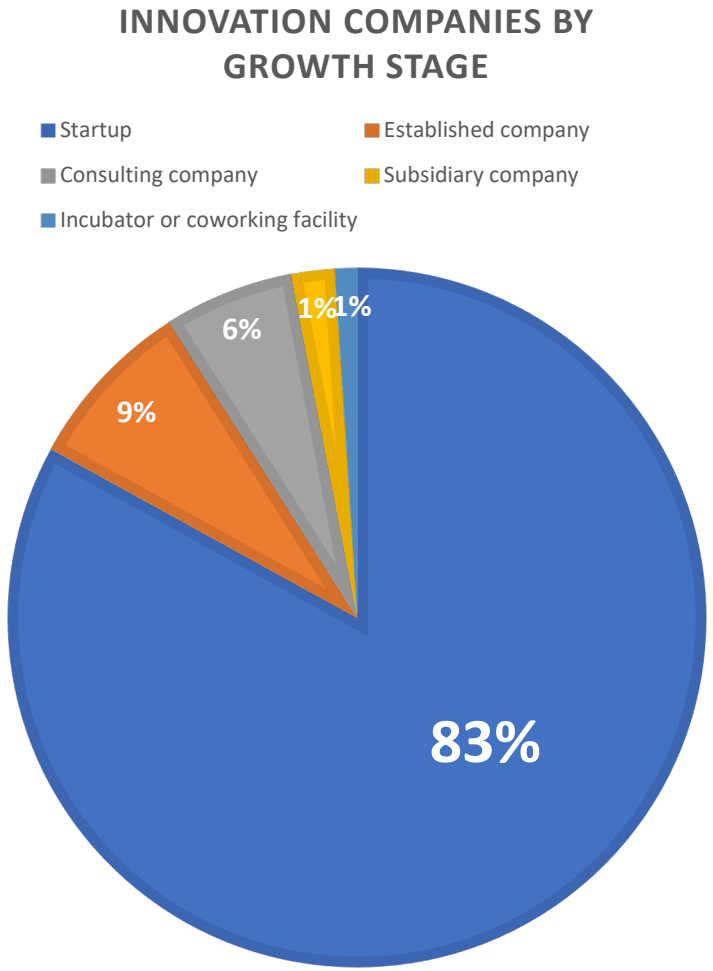
Hotel Occupancy & Inventory

- Berkeley hotel occupancy was consistently higher than other Bay Area cities, with **2.4 million overnight visitors** and a **visitor spend of $187.7 mil**.
- **Average nightly hotel occupancy** made a slight increase from 2023, rising from 70% to **71%**, though still below pre-pandemic average occupancy rates of more than 80%.
- The **average daily room rate** for Berkeley lodging properties rose 3.2% to **$187.50** per night.
- Berkeley has **lost 8 lodging properties** (7.2% of its hotel inventory) since the pandemic, with most being used to support the unhoused population.
- Berkeley's 2024 hotel tax revenue was just under $7.1 million, slightly more than 2023.

VisitBerkeley.com webpages such as the Event Calendar, Food & Drinks, and Where to Stay highlight local leisure opportunities. The **Berkeley Bucks** e-gift card continues to generate revenue for Berkeley businesses, with $17K redeemed in 2024.

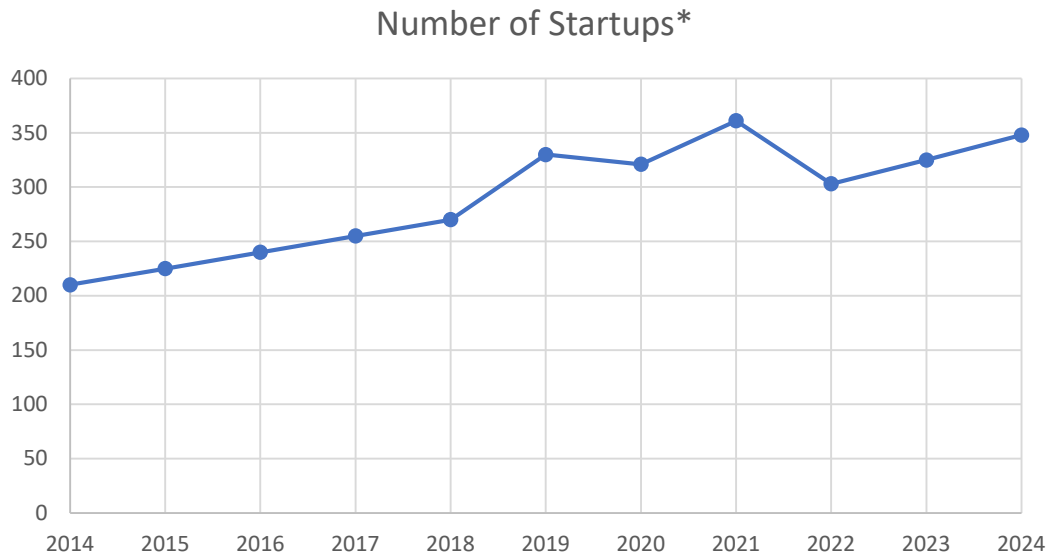
Photos: Visit Berkeley

Sector Snapshots
startups & innovation businesses



Berkeley has more than **400 innovation companies citywide**; the vast majority are startups.

Pitchbook **ranked UC Berkeley #1 in venture-funded startups** founded by undergrad alumni from any university worldwide **AGAIN**.



*Companies defined as startups are for-profit businesses that sell innovative technology products or services OR substantively use innovative technologies to develop and manufacture their products or provide their services AND are developing repeatable and scalable business models that aren't yet profitable.

Sources: City of Berkeley Office of Economic Development (OED), UC Berkeley IPIRA

Sector Snapshots
startup sectors & wealth creation

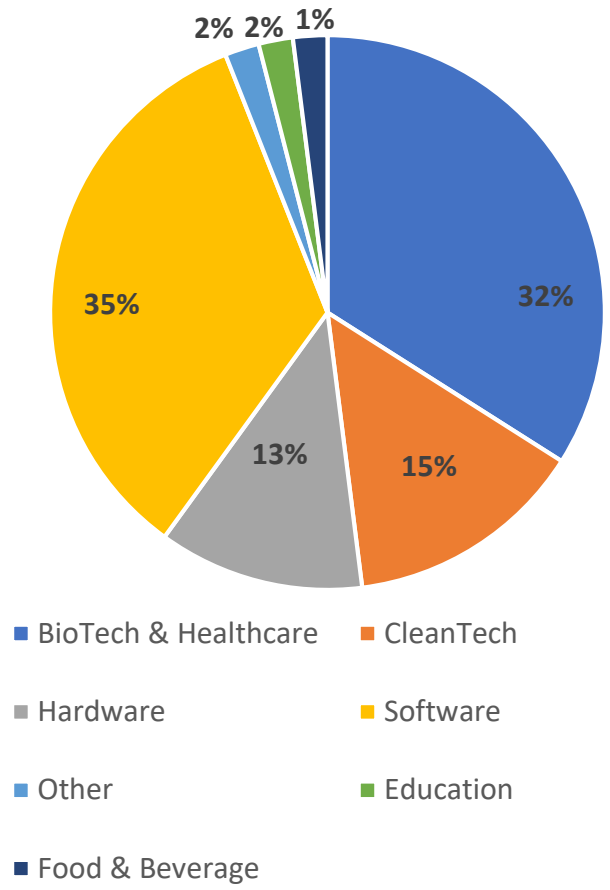
Despite the difficult 2024 fundraising environment,

6 Berkeley startups were acquired and

58 raised:

- **$1.2B** in venture and seed capital
- **$14.3M** in government R&D grants

Innovation Companies by Industry



Berkeley Innovation Sector 2024 Highlights

- KoBold Metals: $537M to use AI to search for critical metals needed for the clean energy transition on 5 continents and to develop a massive copper deposit in Zambia.
- twelve: $245M to decarbonize commercial aviation and transform CO_2 into Jet Fuel and eChemicals.
- Perfect Day: $90M to scale manufacturing of dairy protein from fermentation.
- Profluent: $35M to enable the creation and validation of an AI-generated gene editor and move it closer to improving healthcare and disease treatment
- ARRIS: $34M to scale high-performing fiber composites in aerospace & consumer markets.
- Aircapture: $30M to capture atmospheric CO_2 and make it available for industrial applications

Commercial Activity
trends & transactions - office

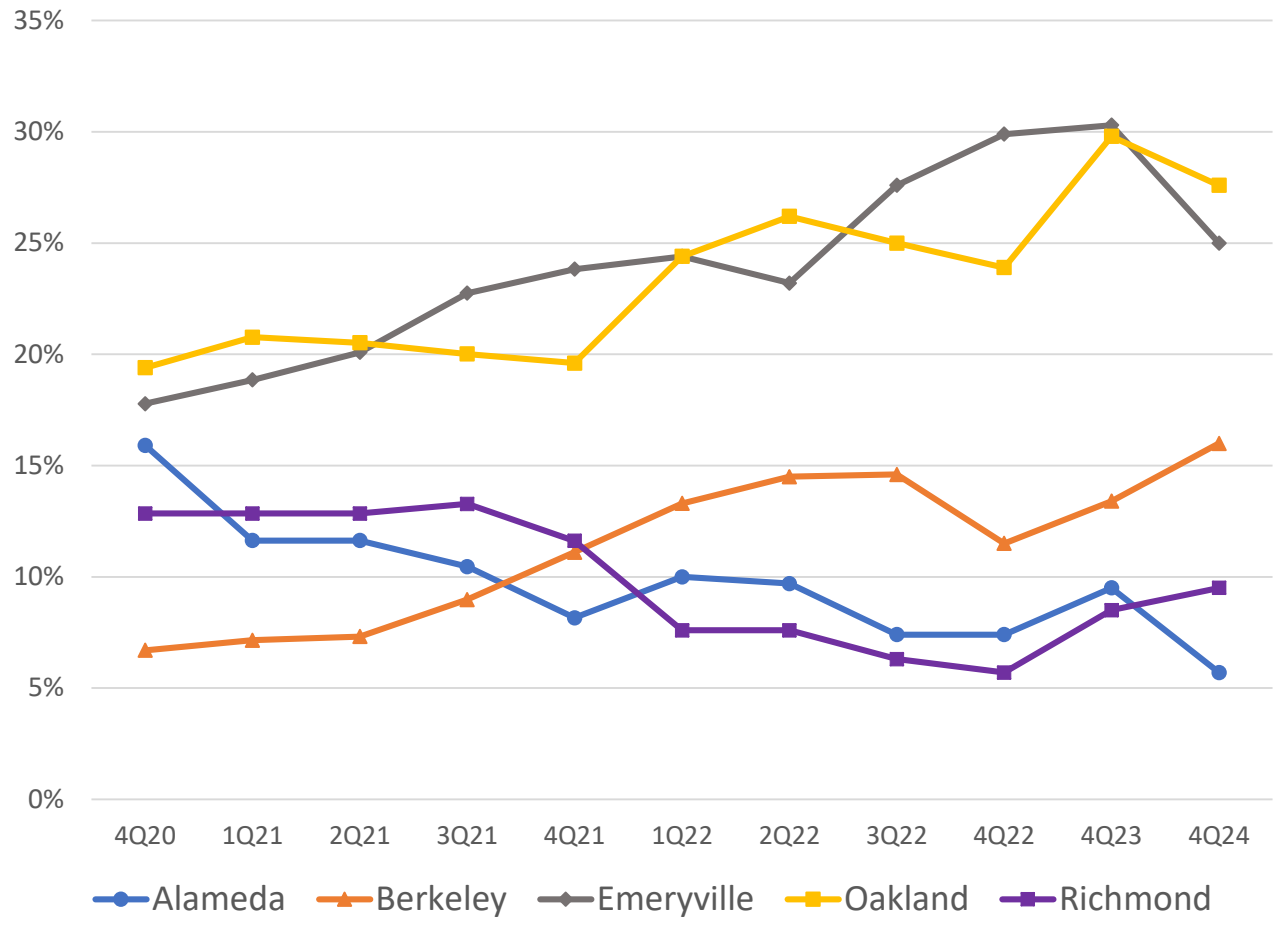
The number of office jobs in the East Bay has yet to return to pre-pandemic levels, with about 10 thousand fewer office-using jobs. Office-based employment is just below early 2017 levels. Overall leasing in the East Bay slowed down in Q4 2024 to about half the annual 10-year average. The average size of office leases has also decreased to just under 3,200 square feet, from roughly 5,600 square feet in years prior. It is anticipated that more distressed properties will go back to their lenders as rental rates continue to decline, and improvement costs remain high.

Source: *Newmark Cornish & Carey, 3Q24 & 4Q24 Greater Oakland Office Market Reports*

Q4 2024 Office Market, Berkeley	Indicators
Total Inventory	2,967,922 SF
Availability Rate	18.4%
Average Asking Rent	$3.19/ SF

Source: Newmark Cornish & Carey, 4Q24 Greater Oakland Office Market Report

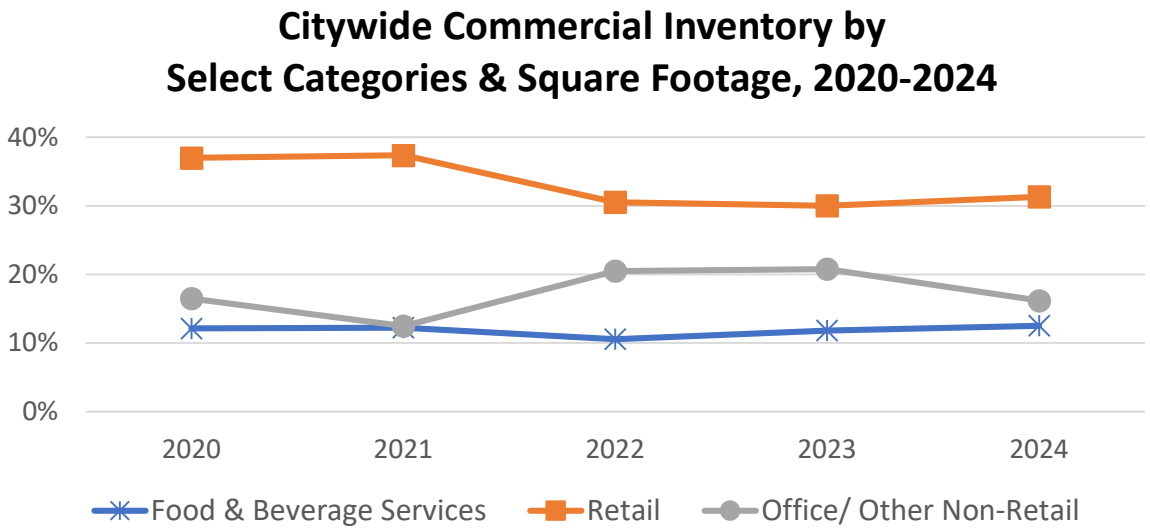
Office Vacancy Rate, East Bay Cities Q4 2020 – Q4 2024



Source: Newmark Cornish & Carey, 4Q24 Greater Oakland Office Market Report

Commercial Activity

trends & transactions – commercial inventory



Together, three sectors (*Food & Beverage*, *Retail*, and *Office/Other Non-Retail*) comprised 60% of total 2024 ground floor commercial inventory. Pending developments recorded in the *Office/Non-Retail* category have crested since 2021-2022, as many development projects were completed and opened for occupancy in the past year. In 2024, both *Retail* and *Food & Beverage* as a percentage of total square footage showed slight increases from the year prior (both up by 1%), but *Retail* as a total percentage of ground floor inventory has trended downward since 2020. The *Personal Services* category at 8.6%, *Business & Professional Services* (6.7%) and *Public and Non-Profit Entities* at 6.6% were the next largest categories by square footage.

Clockwise from top: A mixed use development site slated for construction at Shattuck and Allston Way; pending future development coming to a former movie theater on Shattuck Avenue; and retail spaces in transition on Shattuck Ave as a result of a pending development project. All are categorized as "Office: Other Non-Retail" in OED's field survey.

Chart: OED
Photos: Hoodline, OED, Foursquare

Commercial Activity
business district vacancy rates

Photos (l-R): R. Moon, Influent Home

*Typical commercial district storefront vacancy rates range from 5-15% due to natural market churn. Proposed and pending development projects throughout the city have an impact on vacancy rates as well as new openings with large floorplates (*pictured left*).

Citywide, the ground floor commercial vacancy rate has decreased to **7.5%***, a drop of 0.6% since Q4 2023. The commercial districts of San Pablo, South Berkeley, University, and Solano experienced decreases. Vacancy rates increased in Downtown, West Berkeley, Telegraph, Elmwood, North Shattuck and the C-N districts.

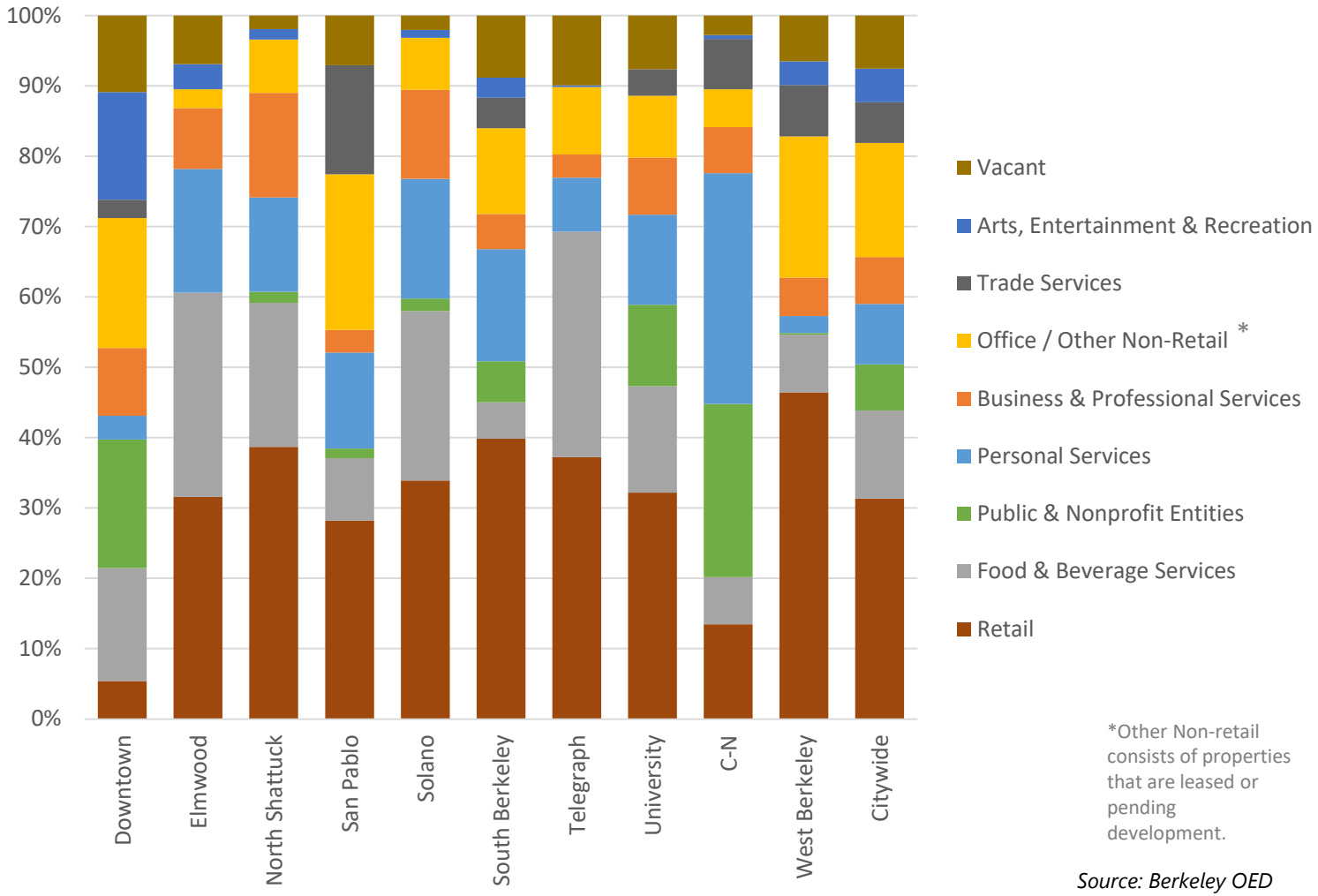
Vacancy Rates by District, Calculated by Square Footage, 2020-2024

District	2020	2021	2022	2023	2024	Year Over Year Change
Downtown	9.9%	15.7%	11.9%	10.8%	10.9%	↑
Elmwood	10.9%	10.9%	7.7%	6.2%	6.9%	↑
North Shattuck	4.3%	4.3%	4.3%	1.9%	2.0%	↑
San Pablo	4.8%	7.9%	10.8%	15.5%	7.1%	↓
Solano	6.7%	4.4%	3.7%	2.6%	2.1%	↓
South Berkeley	10.1%	8.8%	11.8%	19.2%	8.9%	↓
Telegraph	17.2%	12.6%	8.5%	9.3%	9.9%	↑
University	11.0%	9.1%	12.8%	17.7%	7.7%	↓
Neighborhood Commercial (C-N)	7.3%	3.2%	2.3%	2.6%	2.8%	↑
West Berkeley	3.7%	4.7%	5.2%	2.2%	6.5%	↑
Citywide Avg.	**6.9%**	**8.3%**	**8.4%**	**8.1%**	**7.5%**	↓

Source: Berkeley OED

Commercial Activity
ground floor space occupancy by business type

Ground Floor Commercial Occupancy By Category, 2024



*Other Non-retail consists of properties that are leased or pending development.

Source: Berkeley OED

Retail comprises the most significant percentage (31%) of ground floor space across Berkeley commercial districts, with **Food & Beverage** also representing a large portion (13%) of occupancy, especially in the Telegraph, Elmwood, Solano, and North Shattuck districts.

- **Downtown** and **San Pablo** have the dominant share of Office/Other Non-retail (18% and 21%) due to the high level of development activity that includes ground floor retail with housing above.
- **West Berkeley** (including 4th Street) has the highest concentration of Retail (46%).
- **Downtown** has the highest vacancy rate (10.1%), followed by **Telegraph** (9.9%) and **South Berkeley** (8.6%).

Photos: The Spanish Table, Casa de Chocolates, Visit Berkeley

Commercial Activity
future development

*The **Gateway Center** on the UC Campus will house the College of Computing, Data Science, and Society (CDSS), the first new college at UC Berkeley in 50 years. Image: Weiss/Manfredi*

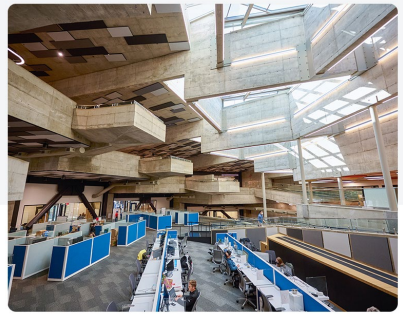
*(Left) The proposed UC **Innovation Zone** would include two buildings – a South Building and North Building totaling approximately 486,000 gross square feet – with academic research and collaboration space, parking, and open space.*
Image: UC Regents, South Building Rendering (May 2024)

New Buildings

UC Berkeley will soon be the largest rate payer to the Downtown Berkeley BID* – a number of planned and recently completed projects surrounding the campus are providing spaces to conduct research, learn, and live.

** **BID** – Business Improvement District, a fund that supplements public services within geographically defined boundaries.*

*(Left) The Helen Diller **Anchor House**, a dorm for transfer students to UCB, opened for the 2024 academic year. Photo: Jason O'Rear*

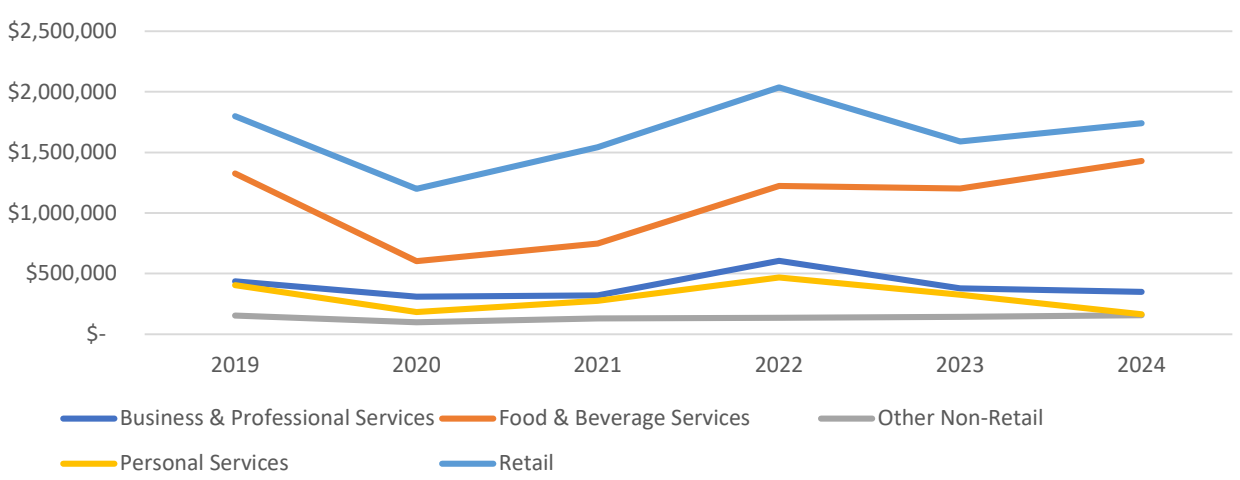


*(Above and Right) **Bakar Labs**, where UC Berkeley and QB3 run a life science-focused incubator for startups developing innovative technologies to benefit society. Photo: QB3*

Commercial Activity
sales tax revenues in 2024

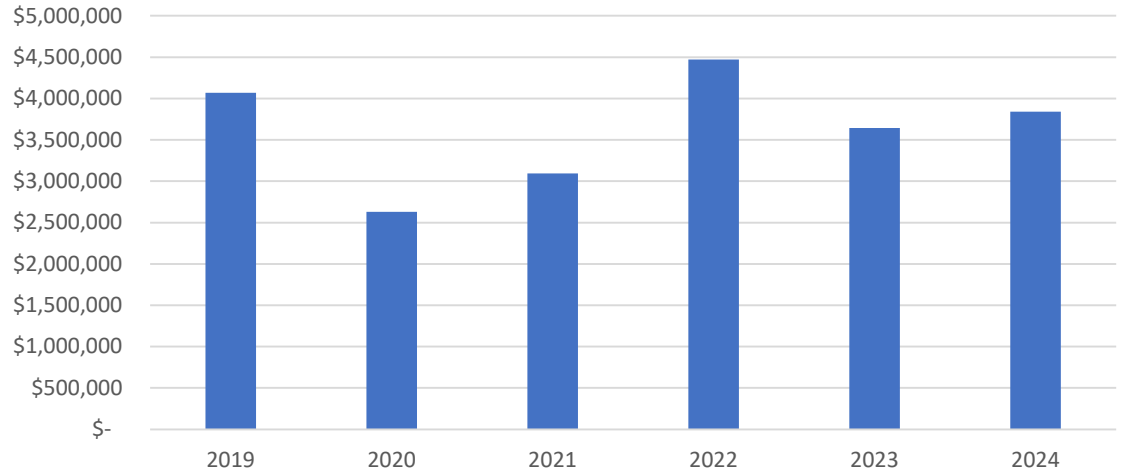
Total Annual Sales Tax Revenue (Q2 + Previous Three Quarters)	July '22 to June '23	July '23 to June '24	% Change (Year over Year)
City of Berkeley	**$14,709,995**	**$18,893,092**	**28.4%**
Alameda County (total including cities)	$447,204,095	$385,954,179	-13.7%
State of California	$9,510,809,118	$9,376,883,707	-1.4%

Berkeley Q2 Sales Tax Revenue by Business Category



Source: MuniServices, Quarter 2 (Apr-June) Collections 2019 to 2024

Total City of Berkeley Q2 Sales Tax Revenues



Source: MuniServices, Quarter 2 (Apr-June) 2019 to 2024, Nominal Values

In Q2 2024, the *Retail* subsector was the largest contributor to the city's sales tax revenue (45%), with *Food & Beverage* second (37%). Sales tax revenue was up 5% from the same period in 2023, and is higher than citywide sales tax collected in the second quarter of both 2020 and 2021 (acute phases of the COVID-19 pandemic). Compared to Q2 last year, sales tax revenue across most business categories is up, with *Retail* increasing by 9% and *Food & Beverage* increasing by 19%. Decreases were noted in the *Personal Services* category where collections have decreased by 49% (owing to mostly service stations & fuel costs) and in the *Business & Professional Services* sector where collections are down by 8% from Q2 2023.

Housing

development pipeline & construction

Berkeley's Large Residential Developments, Approved 2024

Housing Development Pipeline

In 2024, applicants submitted land use permit applications for **13 distinct projects representing a total of 1,600** new housing units. The plans span several neighborhoods and are typically close to transit corridors and the UC Berkeley campus, the largest of which is "The Hub" at Oxford and Center Streets (456 Units). See 2128 Oxford St, inset at right.

Sources: City of Berkeley Department of Planning and Development, December 2024, Map OED.

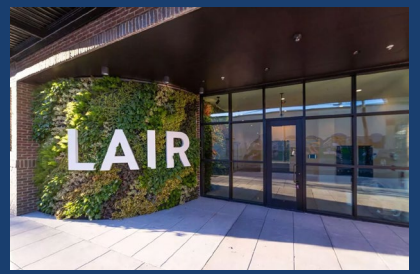
Pipeline & Construction Highlights

2029 University Ave (at Shattuck)

If built as proposed, this 23-story tower supported by Laconia Development at 2029 University Avenue will add either 240 multi-family or 160 student housing units to Downtown Berkeley. If all projects in the current development pipeline are built as proposed, 2029 University Avenue will be the sixth tallest project in the pipeline, surpassed by 1998 Shattuck Avenue, 2128 Oxford Street, 2190 Shattuck Avenue, 2200 Bancroft Way, and (potentially) 2115 Kittredge Street.

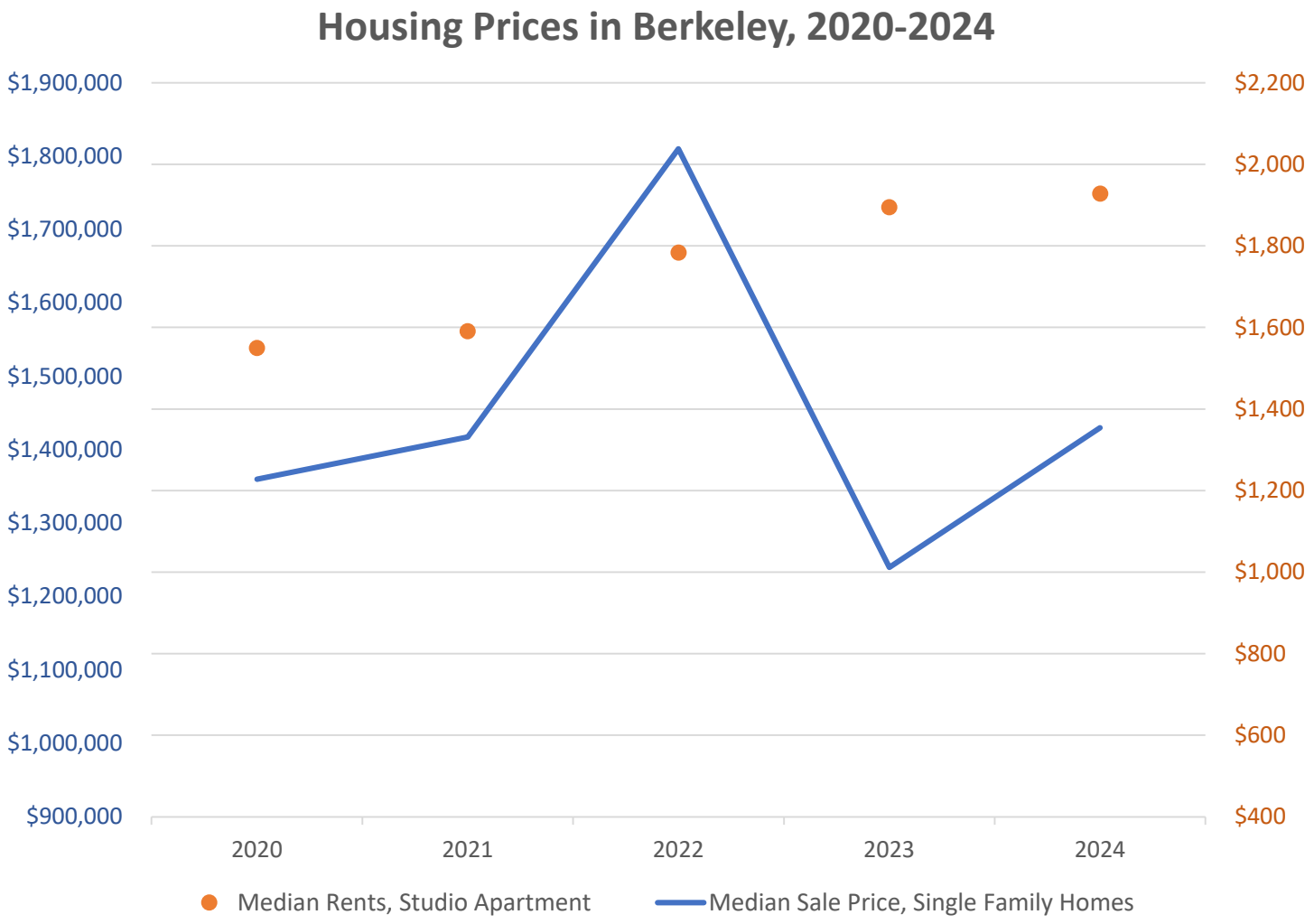
The Lair 2077 Haste St (at Shattuck)

In the fall of 2024, the new Lair housing building on Haste at Shattuck Ave brought online 40 new homes, and a living wall at the dwelling entrance.



Sources (from top): SF YIMBY, Rentable, Apartments.com

Housing
rental costs & sale prices



Sources: Redfin, Apartment List, Zumper, Rent Cafe, and City of Berkeley Rent Stabilization Board

Median Sale Price, Single-Family Homes, Nov. 2024	
Alameda	$1,170,000
Albany	$1,325,000
Berkeley	**$1,430,000**
El Cerrito	$1,400,000
El Sobrante	$782,500
Emeryville	$585,000
Oakland	$802,500
Richmond	$665,000
Piedmont	$2,900,000
San Leandro	$875,000

Source: Redfin

Home sales soften, sale prices increase, rental prices flatten

Berkeley's single family home values increased 7.5% from Nov. 2023 - 2024, with a 12% decrease in sales volume over the same period.

44 single family homes were sold in Berkeley in Nov. 2024, with an average of 15 days on the market. Over the past five years (2020-2024), the median price of single family homes in Berkeley hit an all time high ($1.81M) in April 2022.

Berkeley's **average rents** for studio apartments increased by 1.7% between Dec. 2023- 2024 to an average of $1,928 per month.

Sources: Redfin, Multiple Listing Service or "MLS", Zumper - Rental Market Trends

OED efforts to support local economic sustainability

Financing small businesses through the Revolving Loan Fund & Resiliency Loan Program

Revolving Loan Fund Portfolio	Active Loans
Number of RLF Loans	6
RLF $ Outstanding Principal	$375,000

Source: Berkeley OED, December 2024

COVID-19 Resiliency Loan Program Portfolio	Active Loans
Number of RLP Loans	18
RLP $ Outstanding Principal	$435,000

Source: Berkeley OED, Working Solutions, December 2024

Current Revolving Loan Fund (RLF) Borrowers:

KITCHEN on FIRE
cooking school since 2005
1509 Shattuck Ave, Berkeley CA 94709

EBMC

california Jazz conservatory

DAMN GOOD CUPCAKES EST CUPCAKIN' BAKE SHOP 2010 BERKELEY, CALIFORNIA

NABOLOM BAKERY

Supporting Berkeley's existing small businesses

The **Resiliency Loan Program (RLP)** program, administered by Working Solutions, a Community Development Financial Institution (CDFI), was established to help Berkeley businesses weather the impacts of the pandemic. It is a revolving fund with 18 active loans to Berkeley borrowers.

Source: CDFI.org, Working Solutions

In 2024, City of Berkeley RLP loan recipient *El Tiny Cafe* celebrated their 4th Anniversary. Café owners Lily and Alan gained access to a suite of business support services, including a Spanish-speaking Working Solutions business consultant who helped them streamline operations and enhance profitability.

Today, El Tiny Cafe is a community anchor in their South Berkeley neighborhood.

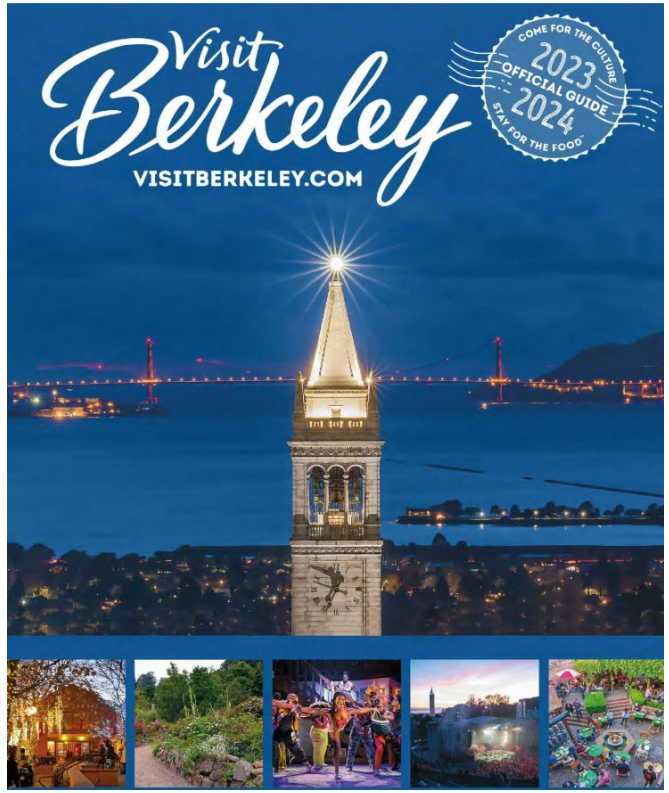
Marketing businesses #DiscoveredinBerkeley

The ***Discovered in Berkeley*** marketing campaign highlighted businesses enabling adventure travel, producing beloved baked goods like bagels and scones, manufacturing induction stoves, scooping artisanal ice cream, and curating tea ceremonies.

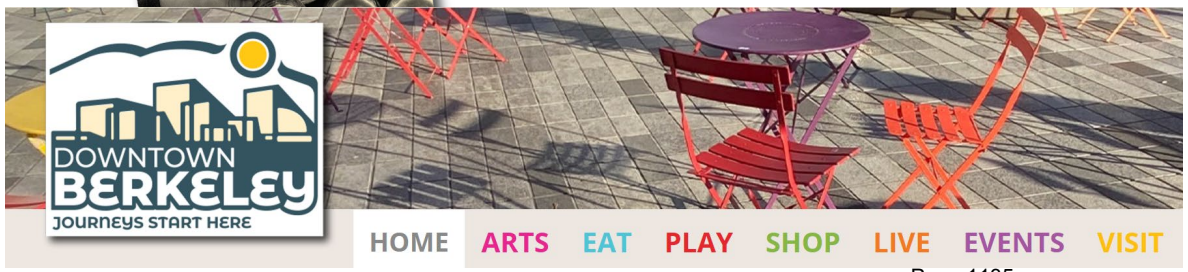
By year end, the campaign had made ~4.4M impressions and generated nearly 179K concrete engagements. Since 2023, *Berkeleyside* articles saw more than a 4K increase in readers (19K+ unique page views) and the .28% banner ad click-through-rate more than doubled, exceeding *Berkeleyside*'s site average (.15%-.20%). The 3.7K click through on in-story links increased from 1.6K in 2023. Instagram @DiscoveredinBerkeley achieved 1,475 followers and #DiscoveredinBerkeley achieved nearly 6K uses.

Enabling sustainable business networks

- OED supports local BIDs, Visit Berkeley, and the Berkeley Chamber through the Berkeley Business District Network (BBDN).
- *Coming in 2025* – 10 year strategic planning and district renewal activities for the Downtown and Tourism BIDs in Berkeley.



Map of Berkeley's Commercial Districts



Greening local business practices

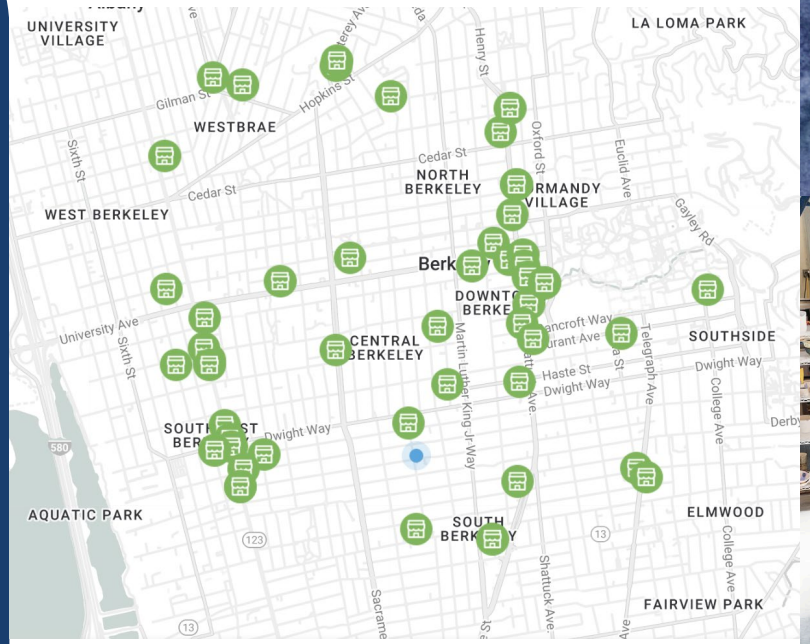
Going Green Helps Companies Achieve Environmental Benefits and Cost Savings

171 Berkeley companies have registered for California Green Business Program certification. ***79 are currently green business certified.***

In 2024:

- 8 new green businesses certified
- 10 green businesses recertified
- 1,710,242 gallons of water saved
- 1,029,154 kWh of electricity conserved
- 192,816 lbs of solid waste diverted
- 1,059 gallons of fuel saved

Green Businesses in Berkeley



See Berkeley Green Businesses at www.greenbusinessca.org

The Potters Studio uses a filter press to recycle clay and process glaze water, changed the studio over to LED lighting, uses environmentally responsible cleaning supplies, and continues to look for ways to be a sustainable studio.

Deepening and diversifying Berkeley's talent pipeline

OED and the Institute for STEM Education at Cal State University arranged 125 Berkeley High School student-visits at 7 STEM CareerX tours in 2024. The company tours provided an opportunity for students to see how their science, technology, engineering and math (STEM) skills apply in the workplace, as part of the Berkeley Startup Cluster's *Berkeley Ventures, Berkeley Values* initiative.

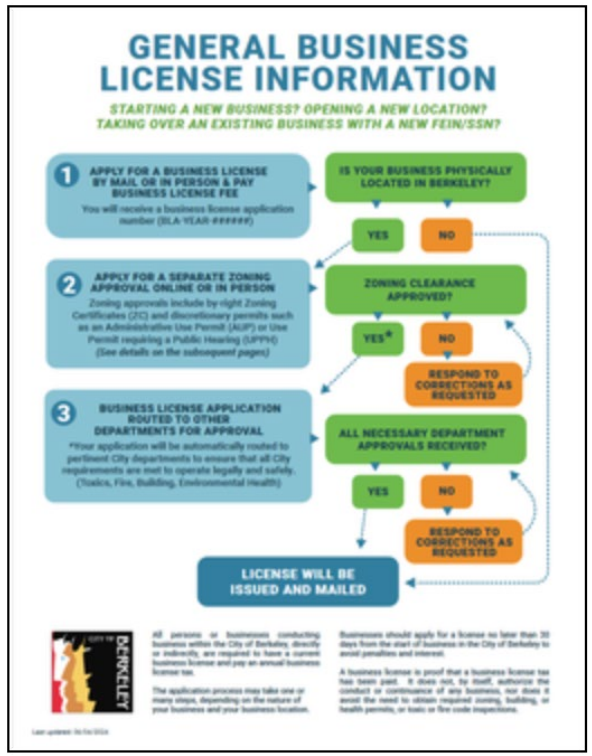
TDK: *"I appreciated making those professional connections; it's something you can't just get without being there in person."*

Terabase Energy: *"The hands-on activities made it feel like we were actually part of the company for a day, not just visitors."*

Stillwater Sciences: *"It's pretty cool that the place we live is, like, such a hub for STEM companies... It makes you want to contribute to the community because there's literally so much, like STEM companies, engineering companies, stuff like that."*

Promoting equitable development

In 2024 OED partnered with the Berkeley Chamber to provide easy-to-digest information on how to engage with the city and work, invest, and grow a business in Berkeley.
A new Chamber Doing Business in Berkeley webpage, webinars, and downloadable materials from the City of Berkeley website now help local business leaders navigate government requirements for launching or expanding a business in Berkeley.



Doing Business In Berkeley: Your Questions Answered

Webinar Recording & Slideshow

Starting a new business? Opening a new location? Taking over an existing business? Learn the steps required to get a Berkeley business license and how to avoid common mistakes.

BERKELEY CHAMBER
Connecting People. Empowering Commerce.

In partnership with Project Equity, OED offers Berkeley businesses support with succession planning and transition to employee ownership.

Funding arts & culture in Berkeley

Sustaining Berkeley's Arts and Culture Sector

The City of Berkeley Civic Arts program provides grants to support a vibrant arts ecosystem, strengthen diverse cultural expressions, and ensure equitable access to arts and culture throughout Berkeley.

Civic Arts Grants Awarded in 2024 for deployment in 2025:

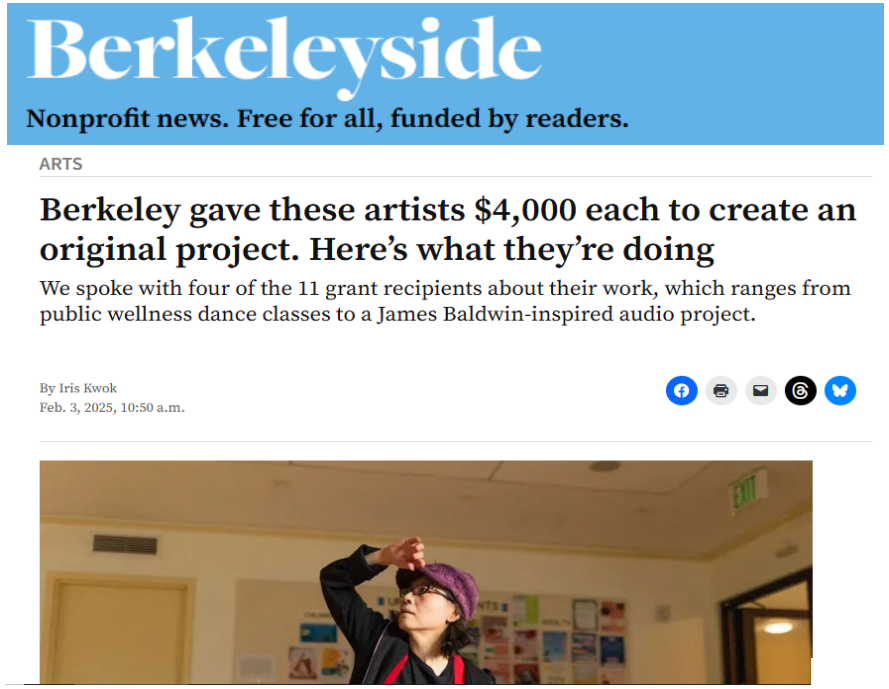
- 11 individual arts projects ($44,000)
- 34 community festivals ($199,680)
- 55 arts organizations ($444,799)
- 12 arts program grants ($60,000)

Left: ¡BAILA! Community Dance Party at La Peña Cultural Center, general operating support grantee. Photo source: www.lapena.org.

Right: Berkeley Art Center, general operating support grantee. Photo source: www.berkeleyartcenter.org.

Leveraging Local Funds to Increase Arts Grants

Arts Program Grants. Leveraging local 1:1 matching funds, in 2024 the City received a $40,000 National Endowment for the Arts grant to continue the new *Arts Program Grants* category for a second year, providing an additional $80,000 to better support Berkeley arts and cultural programming.



Berkeleyside

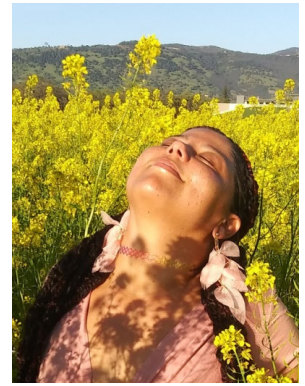
Nonprofit news. Free for all, funded by readers.

ARTS

Berkeley gave these artists $4,000 each to create an original project. Here's what they're doing

We spoke with four of the 11 grant recipients about their work, which ranges from public wellness dance classes to a James Baldwin-inspired audio project.

By Iris Kwok
Feb. 3, 2025, 10:50 a.m.



Source: Kwok, Berkeleyside

Investment in public art in Berkeley

Left: "Delivered, Mable's Promissory Note", 2024 by Mildred Howard installed in South Berkeley. Photo: Ethan Kaplan.

Public Art throughout Berkeley

In FY24, the Civic Arts Program implemented a portfolio of public art projects valued at nearly $700,000. Those projects included:

- Commissioned large bronze sculpture by Mildred Howard. The piece was installed at Adeline and Martin Luther King, Jr. Way and unveiled at the 2024 Juneteenth celebration dedication event.
- Restored a collaborative public art installation at the Berkeley transit node created by muralist John Wehrle and poet Betsy Davids, "Mak Roote." In recent years the artwork had suffered from vandalism, as well as fading and staining from overhead roadway runoff.

Right: Restoration of "Mak Roote" murals by John Wehrle and Betsy Davids in West Berkeley in 2024. Photos: Mark Salinas

City of

BERKELEY

Office of Economic Development (OED)

See the OED website for past Economic Dashboards and other economic reports:
https://berkeleyca.gov/doing-business/economic-development/economic-dashboards-and-reports
Contact OED for more information:
oedmailbox@berkeleyca.gov

Office of the City Manager

PUBLIC HEARING
February 27, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jordan Klein, Director, Planning and Development

Subject: Zoning Amendments for Berkeley Business; Amending Berkeley Municipal Code Title 23

RECOMMENDATION

Conduct a public hearing and upon conclusion, adopt the first reading of an ordinance amending Title 23 of the Berkeley Municipal Code to streamline and clarify the permitting process for small businesses in commercial districts ("C-Prefixed"), select manufacturing ("M-Prefixed") districts, and the Residential BART Mixed Use (R-BMU) and Residential Southside Mixed Use (R-SMU) zoning districts.

SUMMARY

In 2019, the City Council adopted a referral (**Attachment 4**) with a set of nine policy considerations "to streamline the zoning review process for new or expanding small businesses," intended to support Berkeley businesses and bolster Berkeley's commercial districts. Between 2020 and 2023, the Planning Commission met and considered these recommendations and developed seven additional policy recommendations. Council consideration of these proposals will conclude work on the 2019 referral.

The proposed ordinance would to streamline and clarify the permitting process for small businesses in Berkeley by implementing the following changes:

- **Group Class Instruction**: Reduce the level of permitting discretion for Group Class Instruction and clarifying definitions of "Dance/Exercise/Martial Arts/Music Studio", "Group Class Instruction", and "Gyms and Health Clubs."

- **Incidental Distilled Spirits:** Revise permit requirements and provide clear performance standards for restaurants that wish to serve Incidental Distilled Spirits at a Food Service Establishment.

- **Stand-Alone Beer and Wine Sales and Service**: Permit stand-alone Beer and Wine Sales and Service with an administrative use permit (AUP), subject to performance standards, in all commercial zoning districts.

- **Alcohol Service, Live Entertainment, and Hours of Operation:** Modify the special use standards related to Alcohol Service, Live Entertainment, and Hours of Operation in select C-prefixed and M-prefixed districts.

- **Change of Use**: Removing the permit requirements to change a use in commercial districts, thereby reducing permitting time and costs for small businesses getting established in existing commercial spaces.

- **Office, Business and Professional; Art/Craft Studio; Pet Stores:** Reduce the level of permitting discretion for Office, Business and Professional; Art/Craft Studio; and Pet Stores in select C-prefixed districts.

- **Food Service:** Reduce levels of permitting discretion for food service in commercial and select manufacturing districts and in R-SMU and R-BMU zoning districts, as long as alcohol service is not included. Remove restrictions on rentals of food service establishments to third parties, and on outdoor and seated food service with alcohol in select C and M prefixed districts. Remove quotas on food service in the C-E (Elmwood) district.

- **Drug Paraphernalia Stores:** Remove the prohibition on uses involving sale or distribution of drug paraphernalia in the C-T (Telegraph) district.

These recommendations were considered by the Planning Commission and the Planning Commission's Zoning Amendments for Berkeley Business Subcommittee in the context of current zoning regulations and General Plan objectives. Staff subsequently developed a refined set of corresponding proposed Zoning Ordinance amendments.

On October 4, 2023, the Planning Commission held a public hearing (***Attachment 2***) and unanimously recommended the proposed zoning amendments to the City Council (Motion/Second (Mikiten/ Moore). Ayes: Merker, Moore, Oatfield, Mikiten, Marthinsen, Twu, Hauser, Ghosh, and Vincent. Noes: None. Abstain: None. Absent: None (9-0-0-0)).

The zoning amendments are contained in ***Attachment 1,*** and are proposed for City Council adoption. The proposed zoning amendments advance the City's Strategic Plan goals to foster a dynamic, sustainable, and locally-based economy and to provide excellent, timely, easily accessible service and information to the community.

FISCAL IMPACTS OF RECOMMENDATION

The proposed amendments are intended to simplify the planning review process for business activities, including new business starts and expansions. Therefore, the proposed amendments may result in a modest increase in business license tax and sales tax revenues due to increased business activity. In addition, the proposed

amendments may result in a modest decrease in staffing-related expenditures and land use permitting fee collections, as more uses would be permitted “by right” rather than through a discretionary permitting process.

CURRENT SITUATION AND ITS EFFECTS

The proposed zoning amendments reflect policy changes that are summarized in *Table 1: Referral Actions and Zoning Amendment Proposals*. Detailed explanations of the proposed zoning amendments are included below.

The first set of proposed zoning amendments reflect specific previously referred actions from City Council, while the second set of proposed zoning amendments reflect staff-initiated changes that are consistent with the previous direction and intent of City Council referrals, and which are recommended by the Planning Commission. Table 1 also includes a column which indicates which Section(s) of the proposed ordinance include changes related to the indicated referral actions. ***Attachment 3*** is an annotated version of the proposed ordinance that includes comments for each Section which refer to items in Table 1.

Table 1: Referral Actions and Zoning Amendment Proposals

	Policy Change	Proposed Zoning Change	Ordinance Sections (Attachments 1 and 3)
2018-2019 CITY COUNCIL REFERRALS			
1.	**Group Class Instruction.** Allow Group Class Instruction with a Zoning Certificate (ZC) in the C-N, C-E, C-NS and C-SO zoning districts. (Council referral dated 10/15/2019). Revise definitions of “Dance/Exercise/Martial Arts/Music Studio”, “Group Class Instruction”, and “Gyms and Health Clubs.”	• Removed “Dance/Exercise /Martial Arts/Music Studio” definition and revised the definition of “Group Class Instruction” (simplified to “Group Instruction”). (Section 22) • Replaced “Gyms and Health Clubs” use with new “Health and Fitness Facility” use and definition. (Section 25) • Changed permit requirements and size thresholds. (Sections 1, 2 and 3)	1 2 3 4 11 13 22 24 25 26 27

	Policy Change	Proposed Zoning Change	Ordinance Sections (Attachments 1 and 3)
		• Removed ground floor transparency requirement for gyms in the C-DMU, for customer privacy. (Section 4) • Conforming technical edits, e.g., renumbering and references.	
2.	**Incidental Distilled Spirits.** Permit the sale of Distilled Spirits that are incidental to a Food Service Establishment with an Administrative Use Permit (AUP), subject to performance standards, in all commercial zoning districts and the MU-LI and MU-R zoning districts. (Council referral dated 10/15/2019, and Council referral dated 12/4/2018)	• Revised permit requirements. (Section 19)	19
3.	**Stand-Alone Beer and Wine.** Permit stand-alone Beer and Wine Sales and Service with an AUP, subject to performance standards, in all commercial zoning districts. (Council referral dated 10/15/2019 and Council referral dated 12/4/2018)	• Expanded Bar/Cocktail Lounge/Tavern use type to include “Tap Room/Wine Tasting.” (Sections 3, 13 and 21) • Revised permit requirements. (Section 3)	3 8 13 21
4.	**Alcoholic Beverage Sales Standards.** Update the Special Use Standards for Alcoholic Beverage Sales in BMC Section	• Revised permit requirements. (Sections 18 and 19)	18 19

	Policy Change	Proposed Zoning Change	Ordinance Sections (Attachments 1 and 3)
	23.310.030(C). (Council referral dated 10/15/2019)	• Revised Findings of Public Convenience or Necessity. (Section 18)	
5.	**Hours of Operation.** Modify hours and days of operations in commercial districts. (Council referral dated 10/15/2019).	• Amended district purpose for C-SO District. (Section 9) • Revised Hours of Operation. (Section 14) • Clarified exceptions. (Section 14) • Established that an AUP, not a Use Permit Modification, is required to extend hours to match this change. (Section 14) • Conforming technical edit. (Section 9)	9 14
6.	**Change of Use.** Remove permit requirements to change a use in commercial districts. (Attachment 1, referral dated 10/15/2019)	• Removed additional permit requirements related to change of use. (Sections 3 and 4)	3 4
7.	**ATMs.** Allow Automatic Teller Machines (ATMs) in commercial districts with a ZC. (Council referral dated 10/15/2019)	• No recommended changes.	N/A

STAFF-INITIATED CHANGES CONSISTENT WITH CITY COUNCIL REFERRALS			
8.	**Office, Business and Professional; Art/Craft Studio; Pet Stores.**	• Revised permit requirements. (Section 3)	3

	• Allow Office, Business and Professional uses with a ZC in the C-NS and C-T zoning districts. • Allow Art/Craft Studios with a ZC in all commercial zoning districts. • Permit Pet Stores with an AUP in the Corridor Commercial (C-C), University Commercial (C-U), C-N, C-E, C-NS, South Area Commercial (C-SA), C-T, C-SO, Downtown Mixed-Use (C-DMU) and Adeline Corridor Commercial (C-AC) zoning districts.		
9.	**Live Entertainment.** Allow unamplified Live Entertainment with a ZC, and permit amplified Live Entertainment with an AUP in the C-C, C-U, C-SA, C-T, C-SO, C-DMU, C-AC, C-N, C-NS, West Berkeley Commercial (C-W), C-E, MU-LI and MU-R zoning districts.	• Added Live Entertainment as incidental use in the R-SMU districts. (Section 1) • Added “Live Entertainment, Unamplified” and “Live Entertainment, Amplified” as land uses in the residential, commercial and manufacturing Allowed Uses Tables. (Section 3) • Removed stand-alone section. (Section 13 and 15)	1 3 13 15

10.	**Seated Food Service Requirement.** Allow distilled alcoholic beverage service without seated food service in the C-T, C-NS, and the C-SO zoning districts.	• Removed requirement that food service must accompany distilled alcohol service. (Sections 8 and 19)	8 19
11.	**Food Service Establishments 3,000 sq. ft or less.** Allow Food Service Establishments 3,000 square feet or less with a ZC, and permit food establishments greater than 3,000 square feet with an AUP, in all commercial zoning districts and the R-SMU and R-BMU zoning districts, as long as alcohol service is not included.	• Added new "Food Service Establishments" uses to Residential and Commercial Allowed Use tables and removed stand-alone section. (Sections 1, 3 and 16) • Removed AUP requirement for food service on ground floor in C-DMU. (Section 10)	1 3 10 16
12.	**Food Service Establishment Quota.** Remove the Numeric Limitation for Food Service Establishments in the C-E zoning district.	• Removed numeric quota. (Section 5)	5
13.	**Incidental Food Service Establishment Requirements.** Permit incidental Food Service Establishments under 20,000 square feet in manufacturing districts to be indoors and outdoors with an AUP, and remove the specification that food or beverage be limited to "immediate consumption" in the MM zoning district.	• Added new "Food Service Establishment" incidental uses to Manufacturing Allowed Use Table and removed stand-alone code section. (Sections 13 and 16)	13 16

14.	**Drug Paraphernalia in C-T District.** Allow retail sales of drug paraphernalia in the C-T zoning district.	• Removed prohibition on uses involving sale or distribution of drug paraphernalia in C-T. (Section 8)	8
15.	**Third Party Rental.** Remove the restriction on renting space in a Food Service Establishment that serves alcohol incidental to food service to a third party.	• Removed restriction. (section 19)	19

Discussion of Proposed Changes

Items 1 through 7 in the list below were considered pursuant to City Council referrals in 2018 and 2019.

1. Group Class Instruction.

Allow Group Class Instruction with a Zoning Certificate (ZC) in the C-N, C-E, C-NS and C-SO zoning districts. Currently, most commercial zoning districts require an AUP for group class instruction. Recent business models focus on creating activity or experience-based enterprises for patrons alongside traditional retail sales (e.g., painting or art classes accompanying the sales of paint and art supplies, or pattern and fabric sales connected with sewing classes).

The proposed amendments would:

- Allow Group Instruction uses with a ZC in all commercial zoning districts, except:
  - An AUP would be required for Group Instruction uses 3,000 square feet or larger in the Neighborhood Commercial (C-N), Elmwood Commercial (C-E), and Solano Avenue (C-SO) zoning districts. The Planning Commission wished to maintain a higher level of discretion for larger Group Instruction uses in smaller commercial districts.
- Allow Health and Fitness Facility uses with a ZC in all commercial zoning districts, except:
- Require an AUP for Health and Fitness Facility uses 7,500 square feet or larger in the Neighborhood Commercial (C-N), Elmwood Commercial (C-E), and Solano Avenue (C-SO) zoning districts. The Planning Commission

wished to maintain a higher level of discretion for larger Health and Fitness Facilities uses in smaller commercial districts.

Revise Definitions Related to Group Class Instruction - The BMC currently includes three related use types (Group Class Instruction, Art Classes/Studios/Dance/Martial Arts Studios, and Gym/Health Club) that share some overlapping uses (exercise classes, for example, appear in both Group Class Instruction and Gym/Health Club). This has led to confusion as to how to classify a proposed use or accommodate emerging business models. The proposed zoning amendments consolidate and refine these definitions, as shown in Table 2.

Table 2: Existing and Proposed Group Class Instruction & Related Definitions

Existing Definitions	Proposed Definitions
Dance / Exercise / Martial Arts / Music Studio. An establishment in which customers assemble for group exercises, dancing, self-defense training, aerobics, choral or musical instrument instruction, other movement drills for learning, rehearsal or non-audience performances.	**Group Instruction**. An establishment that offers specialized programs in personal growth, development, and instruction in artistic, cultural, and academic pursuits, including music and choral schools, performing arts, arts and crafts, cooking, tutoring, martial arts and self-defense training. Excludes spaces designed exclusively for public performance.
Group Class Instruction. An establishment that offers specialized programs in personal growth and development. Includes music studios, drama schools, dance academies, art schools, tutoring schools, and instruction in other cultural and academic pursuits.	
Gyms and Health Clubs. An indoor facility where exercise equipment, classes and related activities related to personal health and fitness are available to paying customers. Excludes parks/playgrounds.	**Health and Fitness Facility.** An indoor facility where exercise equipment, group classes and other activities related to personal health and fitness are available to customers or members. This can include a facility where exercise equipment, swimming pools, group or aerobic classes (including yoga and Pilates) and other activities related to personal health and fitness are available to customers or members. Excludes: park/playground.

Dance, exercise and aerobics are proposed to be captured in the definition of "Health and Fitness Facility." "Music Studio" is proposed to be removed from the definition because the use is captured in the existing definition of "Media Production." Music Instruction is proposed to be included under "Group Instruction."[1] Note that the definition and permit requirements for a "Commercial Recreation Center" remain unchanged, which permit activities and uses that include indoor rock climbing, bowling alleys, bingo parlors, skating rinks, billiard or pool halls, miniature golf courses and axe throwing.

2. Incidental Distilled Spirits.

Permit the sale of Distilled Spirits that are incidental to a Food Service Establishment with an Administrative Use Permit (AUP), subject to performance standards, in all commercial zoning districts and the MU-LI and MU-R zoning districts, and with a UP in the R-BMU zoning district. Currently, an operator of a Food Service Establishment must obtain a Use Permit to serve Distilled Spirits that are incidental to food service, which is a process separate from, and in addition to, the State of California Division of Alcohol Beverage Control (ABC) review process. The proposed amendments would permit incidental sale and service of distilled alcoholic beverages with an AUP subject to performance standards. The proposed changes are included in Table 3, below and would also include an amendment to BMC Section 23.310.030(C) – Incidental Beer and Wine Service Standards to condition Food Service Establishments applying to expand alcoholic beverage service.

Table 3: Beer & Wine and Distilled Spirits Incidental to Food Service – Proposed Amendments

District	Permit Required Based on Type of Beverages Served When Incidental to Food Service	
	Beer and Wine	**Distilled Spirits**
R-SMU	UP(PH)	UP(PH)
All Commercial Zoning Districts~~,~~ ~~except C-AC and the R-BMU District~~	ZC	~~UP(PH)~~ AUP
R-BMU	ZC	UP(PH)
MU-LI, MU-R	~~UP(PH)~~ AUP	~~UP(PH)~~ AUP

3. Stand-Alone Beer and Wine.

Permit stand-alone Beer and Wine Sales and Service with an Administrative Use Permit (AUP), subject to performance standards, in all commercial zoning districts. Currently, stand-alone Beer and Wine Sales and Service uses (e.g., tap rooms, wine bars, and tasting rooms) are permitted in the C-C, C-U, C-SA, C-T, C-DMU, C-W,

[1] Note: This would be separate from a home occupation use in a residential district that includes small group lessons as an incidental use, such as private piano lessons taught in a home.

and C-AC zoning districts with a Use Permit, which is a process separate from, and in addition to, the State of California's Alcoholic Beverage Control (ABC) review process. The proposed amendments would permit stand-alone sale and service of beer and wine with an AUP in the above listed districts.

4. Alcoholic Beverage Sales and Service Standards.

Update the Special Use Standards for Alcoholic Beverage Sales in BMC Section 23.310.030(C) to align with the proposed Zoning amendments. The proposed amendments include revisions to the standards for Alcoholic Beverage Sales and Service in BMC 23.310.020 and BMC 23.310.030.[2] These changes include revised findings for public convenience and necessity that provide updated standards consistent with ABC requirements for staff to reference when evaluating permit applications and/or preparing findings for a proposed permit involving alcoholic beverage sales or service.

Revise Alcoholic Beverage Sales General Requirements, Excluding Incidental Beer and Wine Service. BMC Section 23.310.020, Alcoholic Beverage General Requirements Excluding Beer and Wine Service (i.e., distilled spirits), applies to applications that are starting or increasing alcoholic beverage sales (except for beer and wine service that is incidental to food service). The proposed revisions would implement the following changes:

- Currently, a Use Permit is required to begin or increase alcoholic beverage sales or service. The proposed revisions would permit service of distilled spirits incidental to food service with an AUP.
- The proposed revisions would amend the findings of undue concentration of alcoholic beverage sales and service uses to be consistent with State of California definitions found in Business and Professions Code Section 23958.4[3] and current ABC regulations.
- The proposed revisions would amend the *Findings of Convenience and Necessity* to include "economic development benefits to the surrounding area", and to require that *only one, not all*, of the listed findings are required for permit issuance.
- The proposed revisions would remove existing requirements that the Berkeley Police Department (BPD) review proposed establishments to determine whether they would be expected to add crime to the area or whether an applicant's previous alcohol-related violations at another location would

[2] Special Use Standards for Alcoholic Beverage Sales were first established in 1999 and revised in 2008, 2009, 2010, 2011, 2014, and 2019.

[3] California State Code, Business and Professions 23958.4.
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=23958.4&lawCode=BPC

indicate a high likelihood of further violations. These findings are difficult to make as there are no objective standards to evaluate the potential of a business to negatively impact public safety in the future, for BPD to forecast crime at a particular location, or to attribute any predicted increase in crime to the operation of a business that does not yet exist. BPD will instead be notified of all approved alcohol-related permits along with their conditions of approval. Furthermore, additional language has been added to the standard conditions of approval to increase safety and improve authentic identification verification.

Revise Alcoholic Beverage Sales General Requirements, Alcoholic Beverage Service When Incidental to Food Service. BMC Section 23.310.030(C) includes standards that apply to beer and wine service that are incidental to food service in commercial zoning districts. The proposed revisions would implement the following changes for beer and wine service that is incidental to food service:

- The proposed revisions would allow beer and wine to be served in its original bottle or can, or in a container.
- The proposed revisions would allow a lounge or bar area to be established for the sole purpose of alcoholic beverage sales and consumption.
- The proposed revisions would empower the Zoning Officer to review and approve changes to hours of operation that have been established through conditions of approval with an AUP.
- The proposed revisions would remove the common permit condition that prohibits the premises to be rented by a third party.
- The proposed revisions would allow advertising of alcoholic beverages and allow alcoholic beverage sales and service equipment to be visible from the public right-of-way, subject to standards in BMC 20.67 (Alcohol Product Advertising).

5. Hours of Operation.

Modify hours and days of operation in commercial zoning districts. Currently, the permitted days and hours of operation vary among commercial zoning districts, and do not account for holidays and other unique cultural and civic events that may occur on a weekday. Currently, in order for a business to extend hours of operation, a UP is required in most commercial zoning districts. To standardize the permitted hours and days of operations across districts, the proposed amendments include the changes to permitted hours of operation as shown in Table 4. Controls related to both noise and alcohol sales would remain in effect with the adoption of the changes articulated in Table 3.[4] While 24 hour a day operation would be allowed in the C-

[4] E.g., Chapter 9.84 (Responsible Beverage Service Training), BMC Section 13.46.050 (Regulations for Operation and Conduct of Entertainment Events Involving Service or Permitted Consumption of Alcohol),

DMU and C-T zoning districts for commercial uses, no alcohol service use would be permitted to continue past 2:00 a.m.[5]

Table 4: Hours of Operation – Proposed Amendments

District	Allowed Hours of Operation	Permit Required to Extend Hours
C-C, C-U, C-NS, C-AC, C-W nodes	~~7:00 a.m.--12:00 midnight~~ 6:00 a.m.—2:00 a.m.	AUP
C-N, C-E, ~~C-NS,~~ C-SO, C-SA, C-W outside nodes, MU-R	~~7:00 a.m.--11:00 p.m.~~ 6:00 a.m.--12:00 midnight	~~UP~~ AUP
~~C-W nodes~~	~~6:00 a.m.-12:00 midnight with Zoning Certificate~~	~~UP~~
~~C-SA~~	~~7:00 a.m.--12:00 midnight Sundays through Thursdays 7:00 a.m.--12:00 Fridays and Saturday~~	~~UP~~
~~C-AC~~	~~7:00 a.m.--12:00 midnight Sundays through Thursdays 7:00 a.m.--2:00 a.m. Fridays and Saturday 6:00 a.m.—2:00 a.m.~~	~~UP~~
C-T ~~between Bancroft Way and the north side of Dwight Way,~~ C-DMU	24 hours per day, 7 days a week	N/A
~~C-T between the south side of Dwight Way and Parker Street~~	~~7:00 a.m.--12:00 midnight~~	~~AUP~~
~~C-DMU~~	~~6:00 a.m. and 2:00 a.m.~~	~~AUP~~
~~MU-R~~	~~6:00 a.m. --10:00 p.m.~~	~~AUP~~

The proposed amendments would require applicants to apply for an AUP to extend their hours of operation beyond what is allowed by their current permit or zoning code.

Chapter 13.48 (Civil Penalties for Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events), Chapter 13.49 (Social Host Ordinance), Chapter 13.60 (Warning Sign Against Consuming Alcoholic Beverages During Pregnancy), Chapter 13.40 (Community Noise), Chapter 20.67 (Alcohol Product Advertising).

[5] California State Business & Professions Code 25631 regulates any on-sale or off-sale licensee, or agent or employee of that licensee, who sells, gives, or delivers to any persons any alcoholic beverage or any person who knowingly purchases any alcoholic beverage between the hours of 2:00 a.m. and 6:00 a.m. of the same day.

6. Change of Use.

Remove "change of use" permit requirements in commercial districts. Currently, all commercial zoning districts except the C-T, C-DMU and C-AC require an AUP or a UP for a change of use, in addition to the permits required for the proposed use itself. In some cases, change of use requirements are different based on project size (square feet), not use. For example, General Retail is allowed in many commercial zoning districts with a ZC, but an AUP is required if it is a change of use for a space over 3,000 square feet in size.

The proposed amendments include the removal of change of use requirements in commercial zoning districts, both for individual uses and for the size of a proposed use. Any proposed use, whether in an empty (vacant) location or as a replacement for a previous use, would be subject to the same permit requirements as the underlying district; there would not be an added discretionary administrative requirement for a proposed use based solely on a change from a previous use. Uses that are different than the immediately previous use would still be evaluated based on compatibility with the purpose of the zoning district and any potential impacts and unique characteristics that may require conditions of approval, to the degree a discretionary permit is required. There remain sections of the zoning code that would still require discretionary procedures based on other underlying size-related regulations, as well as changes in floor area or tenant reconfigurations.

7. ATMs.

Allow Automatic Teller Machines (ATMs) in commercial districts with a Zoning Certificate (ZC). Currently the BMC requires a UP for an ATM that is not associated with a financial institution. After evaluation and consultation with small businesses and existing legislation, staff determined this is a low priority and there are no revisions included in the proposed amendments related to ATMs.

Items 8 through 14 below were advanced by Office of Economic Development (OED) staff in response to changing business conditions, research and community engagement. Some of these modifications, particularly number 8, were refined through outreach and engagement, particularly with the Planning Commission and its small business zoning subcommittee.

8. Office, Business and Professional; Art/Craft Studios; Pet Stores.

Allow Office, Business and Professional uses with a ZC in the C-NS and C-T zoning districts. Currently, Office, Business and Professional uses require an AUP in the C-NS and C-T zoning districts. The proposed zoning changes revise this requirement to a ZC. The Planning Commission wished to maintain a higher level of discretion for Office, Business and Professional uses in the smaller C-SO, C-E, and C-N zoning

districts and have indicated keeping the AUP requirement is more appropriate in those areas.

Allow Art/Craft Studios with a ZC in all commercial zoning districts and permit Pet Stores with an AUP in the C-C, C-U, C-N, C-E, C-NS, C-SA, C-T, C-SO, C-DMU and C-AC zoning districts. Art/Craft Studios require an AUP in some commercial zoning districts and a ZC in others. Pet Stores currently require a UP in all but one commercial zoning district (the C-W). Existing performance standards in the BMC (e.g., Section 13.40.050 Exterior Noise Standards) would continue to provide limits and regulations for any unintended impacts related to the above-mentioned uses. Existing and proposed permit requirements are summarized in Table 5.

TABLE 5: OFFICE; BUSINESS AND PROFESSIONAL; ART/CRAFT STUDIOS; PET STORES – PROPOSED AMENDMENTS

Use	Existing	Proposed
Office, Business and Professional	AUP in C-N, C-E, C-NS, C-T and C-SO ZC in C-C, C-U, C-SA, C-DMU, C-W and C-AC	AUP in C-N, C-E and C-SO zoning districts ZC in all other commercial zoning districts
Art/Craft Studios	ZC in C-AC AUP in all other commercial zoning districts	ZC in all commercial zoning districts
Pet Stores	ZC in C-W UP(PH) in all other commercial zoning districts	ZC in C-W AUP in all other commercial zoning districts

9. Live Entertainment.

Allow unamplified Live Entertainment with a ZC, and permit amplified Live Entertainment with an AUP, in the C-C, C-U, C-SA, C-T, C-SO, C-DMU, C-AC, C-N, C-NS, C-W, C-E, R-SMU, MU-LI and MU-R zoning districts. Live Entertainment is defined as:

> "*Any one or more of any of the following, performed live by one or more persons, whether or not done for compensation and whether or not admission is charged: musical act (including karaoke); theatrical act (including stand-up comedy); play; revue; dance; magic act; disc jockey; or similar activity*."

Live entertainment, as either a primary or incidental use, is currently not permitted in any residential zoning district. The R-SMU, however, with its relatively dense and mixed-use character, and geographic limitation within the student-oriented Southside Plan Area, is considered an appropriate zoning district in which to permit live entertainment as an incidental use. The proposed changes would allow unamplified

Live Entertainment with a ZC and permit amplified Live Entertainment with an AUP, as summarized in Table 6.

TABLE 6: LIVE ENTERTAINMENT – PROPOSED AMENDMENTS

Zones	Permit Required for Live Entertainment	
	Unamplified	Amplified
C-C, C-U, C-SA, C-T, C-SO, C-DMU, C-AC, C-N, C-NS, C-W, C-E, MU-LI, MU-R	ZC	AUP
R-SMU	~~Not Permitted~~ ZC	~~Not Permitted~~ AUP
~~C-N, C-NS, C-W~~	~~ZC~~	~~UP(PH)~~
~~C-E~~	~~ZC~~	~~Not Permitted~~
~~MU-LI, MU-R~~	~~UP(PH)~~	~~UP(PH)~~

10. Alcohol and Seated Food Service Requirements.

Remove the requirement for seated food service to accompany distilled alcoholic beverage service in the C-T, C-NS, and C-SO zoning districts. Currently, only the C-T, C-NS, C-SO and the R-BMU (BART Mixed Use) zoning districts require seated food service with distilled alcoholic beverage service. Under this requirement, business operators must include food service in order to sell and serve distilled alcohol. The C-C, C-U, C-N, C-E, C-SA, C-DMU, C-W and C-AC zoning districts do not have this requirement.

The proposed changes would remove this requirement in the C-T, C-SO, and C-NS districts and regulate the use consistently throughout commercial districts citywide. No change is proposed for the R-BMU district, which would continue to retain this requirement.

11. Food Service Establishments

Allow Food Service Establishments 3,000 square feet or less with a ZC and permit food service establishments greater than 3,000 square feet with an AUP in all commercial zoning districts and in the R-SMU and R-BMU zoning districts. Several zoning districts vary permit requirements for Food Service Establishments based on floor area or square footage. In some cases, this is a legacy requirement from having a number of different types of food service (i.e., quick service vs. full service) permitted by size (square feet) in the BMC.

In 2019, due to the evolving nature of food service and the availability of food delivery, three food-related use categories (Carry Out Food Store, Quick Service

Restaurant, and Full-Service Restaurant) were condensed into one use, *Food Service Establishment*. Combining these three previous uses into one removed the size distinctions that were the basis of varying permit requirements.

The proposed zoning amendments related to Food Service Establishment size include allowing Food Service Establishments under 3,000 square feet with a ZC, and permitting those of 3,000 square feet or more with an AUP, in all commercial districts and the R-SMU and in the R-BMU if no alcohol service is provided. The proposed revisions would also remove the requirement that a Notice of Decision (NOD) be posted within 300 feet of a subject property for any Food Service Establishment that receives an AUP in the C-N, C-E, C-NS, C-SA, C-T and C-SO districts.

In addition, the proposed changes include allowing Food Service Establishments in the Arts District Overlay with a ZC, consistent with other commercial zoning districts and its underlying zoning district (C-DMU), and would remove unique findings for food service in the Elmwood (C-E) district related to incidental use and limits on food establishment uses (see 12, below).

Remove the restriction on renting a Food Service Establishment space to a third party. Currently, BMC Section 23.310.030(C)(3) does not allow a restaurant space that includes incidental beer and wine service to be rented to a third party. In order to provide more flexibility and sustainability to food service operations, the proposed zoning amendments would remove the restriction on renting restaurant space to a third party.

12. Elmwood Food Service Establishment Quota.

Remove the quota for Food Service Establishments in the C-E zoning district. Currently the C-E (Elmwood) zoning district is the only remaining zoning district that restricts the total number of Food Service Establishments.[6] All other quotas throughout the City were eliminated in 2016, after an evaluation of the quota program citywide.[7] Future changes to the quota system in the Elmwood were to be brought to Council after further consultation with the Elmwood Business Association.[8] The proposed amendment would remove the quota on the number of Food Service Establishments in the C-E. OED staff presented this proposal to the Elmwood Business Association on April 21, 2023 and the Elmwood Business

[6] Berkeleyside, https://www.berkeleyside.org/2012/01/17/elmwood-business-quotas-may-change-to-help-startups, January 17, 2012.

[7] Berkeley City Council, *Removing Numeric Limitations ("Quotas") in the North Shattuck (C-NS), Telegraph Avenue (C-T), and Solano Avenue (C-SO) Commercial Districts; Amending Berkeley Municipal Code Title 23*, March 29, 2016.

[8] Ibid, page 3 of 76.

Association Board voted to support the recommendation to remove quotas in the C-E District.

13. Incidental Food Service Establishment Requirements in Manufacturing Districts.

Remove the requirement that incidental Food Service Establishments in buildings under 20,000 square feet in manufacturing zoning districts be indoors only. Currently, Incidental Food Service Establishments—i.e., Food Service Establishment uses that are co-located with a primarily permitted use—are permitted in select manufacturing (or "M-prefixed") zoning districts with an AUP or a UP based on square footage. The proposed zoning amendments would allow for **outdoor** food service in all manufacturing districts, and off-site food or beverage consumption (I.e. "to-go") in the MM District.

The AUP permit requirement for **indoor** food service in the MU-R and the MU-LI zoning districts would still apply for spaces under 5,000 square feet.

14. Drug Paraphernalia in the C-T Zoning District.

Allow drug paraphernalia stores and the sale of drug paraphernalia in the C-T zoning district. Currently, the C-T *Allowed Uses* section of BMC 23.204.110(B)(3) explicitly prohibits drug paraphernalia stores or the sale of drug paraphernalia in the C-T zoning district. No other zoning district includes this prohibition in the corresponding *Allowed Uses* section.

Currently, there are three existing legal Cannabis Retailers established in the C-T zoning district that offer cannabis paraphernalia. The existing regulation is also challenging to enforce since the statewide legalization of cannabis. The proposed change would remove this restriction in the C-T zoning district and would regulate this category of merchandise the same way as other commercial zoning districts, i.e., as general retail or as part of a Smoke Shop.

Existing Permitted Land Uses & Proposed Zoning Ordinance Amendments

As a result of some of the above proposed zoning amendments, there may be existing uses that, either as a result of previous zoning regulations or specific conditions of approval, would now find themselves subject to more restrictive regulations than new uses in the same zoning district established after the adoption of the proposed zoning amendments. For example, currently in the C-U zoning district, commercial hours of operation end at midnight. Accordingly, an existing business's approval was premised on ending business at midnight. Under the proposed zoning amendments, however, commercial hours of operation in the C-U zoning district would end at 2:00 a.m. A new business would therefore be allowed to operate two hours longer than an existing business. Currently, adjusting the existing business' commercial hours of operation would require a permit modification (BMC 23.404.070), which requires a public hearing.

To remedy this scenario and others like it, the revised ordinance includes new language in three sections to modify the process for modifying an existing land use approval to be consistent with the new regulations included in the proposed ordinance. In each case, an AUP is required to modify an approval, which includes public notice and an option to appeal an initial decision, as well as providing the City an opportunity to include conditions of approval, if necessary.

Authorization to modify existing approvals with an AUP is found in the proposed ordinance's revised language for Hours of Operation (BMC 23.302.020(B); Section 14 of ***Attachment 1***); General Requirements for Alcohol Beverage Sale and Service (BMC 23.301.020(B); Section 18 of ***Attachment 1***); and regulations regarding Alcoholic Beverage Service When Incidental to Food Service (BMC 23.302.030(A); Section 19 of ***Attachment 1***).

Miscellaneous Technical Edits

The proposed zoning amendments also include the following technical amendments and corrections unrelated to the amendments to support small businesses:

- *C-SA Text Amendments*: With the adoption of the Adeline Corridor Specific Plan, a number of parcels that were previously included in the C-SA zoning district were rezoned to C-AC. Section 23.204.100 (C-SA zoning district) still includes provisions related to acholic beverage sales and service that pertain only to those formerly C-SA parcels (see Section 6 in ***Attachments 1*** *and* ***3***). The proposed zoning amendments include the removal of those provisions from the C-SA zoning district regulations.

  C-SA Height Provisions: The C-SA zoning district includes two different building height standards, which are applied to parcels based on their location. Currently, there are parcels that are zoned C-SA that do not have a building height standard assigned to them. The proposed zoning amendments include revisions to the C-SA Maximum Building Heights Table and accompanying map to provide a building height standard for all C-SA zoned parcels (see Section 7 in ***Attachments 1*** *and* ***3***).
- *Use Category Titles*: Section 12 of the proposed ordinance includes the correct use category titles for Retail Uses, Person and Housing Services Uses and Food and Alcohol Service, Lodging, Entertainment and Assembly Uses.
- *Family Day Care*: SB 234 (2019) requires cities to consider all family day care homes for up to 14 children, operating under the standards defined by state law, a residential use and prohibits the local requirement of a business license. Earlier this year, the City Council adopted amendments to the Residential Allowed Use Table to reflect these requirements, but the requirement for a ZC still remains in the allowed use tables for commercial and manufacturing districts. The proposed

ordinance includes removal of Family Day Care permit requirements from the commercial and manufacturing use tables, consistent with State requirements.

- *Restaurant Uses*: As a result of previous amendments, there are no longer any regulations that pertain to Carry Out Food Stores, Quick Service Restaurants and Full-Service Restaurants. To eliminate confusion, the proposed zoning amendments include removal of the definitions for these restaurant types from the Glossary and a reference in another section.
- *Formatting Changes:* The proposed ordinance simplifies and improves usability of the Zoning Ordinance by consolidating information into fewer sections and tables.

BACKGROUND

The Zoning Ordinance has evolved over many decades to reflect Berkeley's changing values and the dynamic landscape of property development and land use. Its requirements are intended to guide the City's growth while providing opportunities for feedback from residents, business owners, and commercial district and neighborhood associations.

As noted in the June 7, 2023 Planning Commission report, OED staff consulted with external stakeholders including business services personnel, small business proprietors and operators, and business district networks, as well as City staff including the Community Services Bureau of the Berkeley Police Department, Code Enforcement, and Environmental Health. This collaborative effort also enabled the identification of enhancements in internal city processes and implementation efforts that align with the Council referrals from 2018 and 2019. Some work has already taken place in response to those referrals, including the creation a Coordinated Sign Design program by Council in November 2022.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Small businesses contribute to sustainable transportation and consumer behavior by providing opportunities to shop in commercial districts that are accessible by foot, bicycle and transit. The continued pursuit of environmental sustainability goals, as well as the programs and policies that encourage that pursuit, represents an economic strength for Berkeley and a competitive advantage of the City and the region.

The proposed ordinance includes revisions to permit and other requirements for specified land uses. It does not include allowing any uses currently not permitted that would be anticipated to have a significant effect on the environment and does not qualify as a “project” under the California Environmental Quality Act (CEQA) and further environmental review is not required.

RATIONALE FOR RECOMMENDATION
The goal of these Zoning Ordinance amendments is to simplify and streamline the permitting experience for small businesses, which can in turn enhance the quality of commercial district offerings, help fill vacant storefronts, and generate more local and sustainable economic opportunities. Berkeley's commercial districts, and the small businesses that comprise them, are vital to the City's fiscal, social and civic wellbeing.

ALTERNATIVE ACTIONS CONSIDERED
The June 7, 2023 Planning Commission report included a set of recommendations and alternative suggestions for a number of the proposed policy changes, including different permit requirements, differently-worded definitions and alternative approaches to formatting and organization. Ultimately through the work of the subcommittee and wider discussion(s) with the Planning Commission, some of these suggestions were abandoned and others were workshopped into the recommendations presented in this report, to address the goals of City Council's referrals.

CONTACT PERSON
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Attachments:
1: Ordinance.
2: Planning Commission Staff Report, October 14, 2023.
3: Annotated Ordinance.
4: City Council referral to support small business, Oct. 15, 2019.
5: Public Hearing Notice

ORDINANCE NO. -N.S.

AMENDMENTS TO THE RESIDENTIAL DISTRICT CHAPTER (BMC 23.202), COMMERCIAL DISTRICT CHAPTER (BMC 23.204), MANUFACTURING DISTRICT CHAPTER (BMC 23.206), SUPPLEMENTAL USE REGULATIONS CHAPTER (BMC 23.302), ALCOHOLIC BEVERAGE SALES AND SERVICE CHAPTER (BMC 23.310), NONCONFORMING USES, STRUCTURES AND BUILDINGS CHAPTER (BMC 23.324) AND THE GLOSSARY CHAPTER (BMC 23.502) TO SUPPORT BERKELEY BUSINESSES

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

Section 1. That the lines named "Alcoholic Beverage Service," "Food Service Establishment" "Group Class Instruction," and "Gym/Health Club" in Table 23.202-1 Allowed Land Uses in Residential Districts, within Berkeley Municipal Code 23.202.020 are amended, and lines named "Food Service Establishment, Under 3,000 sq. ft.," "Food Service Establishment, 3,000 sq. ft. or larger," and a new Incidental Use use category with "Live Entertainment, Unamplified" and "Live Entertainment, Amplified" are added, to read:

Table 23.202-1: Allowed Land Uses in Residential Districts

ZC = Zoning Certificate AUP = ADMINISTRATIVE USE PERMIT UP(PH) = Use Permit NP = Not Permitted * Use-Specific Regulations Apply **--Required permits for specific uses are set forth in the R-BMU Master Development Permit (MDP).See 23.202.150.A and 23.202.150.D	RESIDENTIAL DISTRICTS											USE-SPECIFIC REGULATIONS APPLIES TO USES WITH AN ASTERISK FOLLOWING THE PERMIT REQUIREMENT (E.G., ZC*)
	R-1	R-1A	ES-R	R-2	R-2A	R-3	R-4	R-5	R-S	R-SMU	R-BMU**	
Alcoholic Beverage Service	NP	NP	NP	NP	NP	NP	NP	NP	NP	~~UP(PH)*~~ ZC*	UP(PH)*	23.310—Alcoholic Beverage Sales and Service
~~Food Service Establishment~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~UP(PH)*~~	~~UP(PH)*~~	~~23.302.070.E– Use-Specific Regulations~~
Food Service Establishment, Under 3,000 sq. ft.	NP	NP	NP	NP	NP	NP	NP	NP	NP	ZC*	ZC*	23.302.070(E) – Use-Specific Regulations
Food Service Establishment, 3,000 sq. ft. or larger	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP*	AUP*	23.302.070(E) – Use-Specific Regulations
Group ~~Class~~ Instruction	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	23.202.150.(C) R-BMU Residential BART Mixed Use District
~~Gym/~~Health and Fitness Facility~~Club~~	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	23.202.150.(C) R-BMU Residential BART Mixed Use District
Incidental Uses												

Live Entertainment, Unamplified	NP	NP	NP	NP	NP	NP	NP	NP	NP	ZC	NP	
Live Entertainment, Amplified	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP	NP	

Section 2. That Berkeley Municipal Code 23.202.150(C)(2) is amended to read:

2. Group ~~Class~~ Instruction and ~~Gym/~~Health ~~Club~~and Fitness Facility. Group ~~class~~ instruction and ~~gym/~~health ~~club~~ and fitness facility uses are permitted at the Ashby BART station with a Zoning Certificate. Group ~~class~~ instruction and ~~gym/~~health ~~club~~ and fitness facility uses are permitted at the North Berkeley BART station with a Use Permit.

Section 3. That the lines named "Family Day Care Home, Large," "Family Day Care Home, Small," "Alcoholic Beverage Retail Sale," "Pet Store," "Retail General," "Personal and Household Services, General, "Laundromats and Cleaners," "Video Tape/Disk Rental," "Business Support Services," "Bank and Financial Services, Retail," "Insurance Agents, Title Companies, Real Estate Agents, Travel Agents," "Medical Practitioners," "Non-Chartered Financial Institutions," "Office, Business and Professional," "Bar/Cocktail Lounge/Tavern," "Dance/Exercise/Martial Arts/Music Studio," Food Service Establishment," "Gym/Health Club," "Alternative Fuel Station," "Large Vehicle Sales and Rental," "Small Vehicle Sales and Rental," "Vehicle Parts Store," "Vehicle Rentals," "Vehicle Repair and Service," "Vehicle Sales, New," "Vehicle Sales, Used," "Cannabis Testing," "Light Manufacturing," "Wholesale Trade," "Food and Beverage for Immediate Consumption," "Food Service Establishment," "Live Entertainment," "Retail Sale of Goods Manufactured On-Site," "Art/Craft Studio," "Public Market, Enclosed" and the Notes in Table 23.204-1 Allowed Uses in the Commercial Districts, within Berkeley Municipal Code 23.204.020, are amended, and lines named "Group Instruction, 3,000 sq. ft. or larger," Food Service Establishment, Under 3,000 sq. ft." "Food Service Establishment, 3,000 sq. ft. or larger" "Health and Fitness Facility, Under 7,500 sq. ft," "Health and Fitness Facility, 7,500 sq. ft." "Live Entertainment, Unamplified," and "Live Entertainment, Amplified," are added, to read:

Table 23.204-1 Allowed Uses in the Commercial Districts

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
~~Family Day Care Home, Large~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	
~~Family Day Care, Small~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
Alcoholic Beverage Retail Sale	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	NP	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	~~23.204.060.B.2~~ 23.310
Pet Store	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	~~AUP UP(PH)~~	ZC ~~[3]~~	~~AUP UP(PH)~~	
Retail, General	ZC ~~[1]~~	ZC ~~[1]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC* ~~[1]~~	ZC*	ZC* ~~[2]~~	ZC	ZC* ~~[3]~~	ZC*	23.204.040.~~(C) E (for department stores)~~ 23.204.040(D).~~F (for drug stores)~~
Personal and Household Services, General	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[1]~~	ZC	ZC ~~[2]~~	ZC	ZC ~~[5]~~	ZC	
Laundromats and Cleaners	AUP	AUP	UP(PH)	UP(PH)	UP(PH)	AUP	AUP	UP(PH)	UP(PH)	AUP ~~[4]~~	AUP	
Video Tape/Disk Rental	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	AUP	ZC ~~[2]~~	--	ZC	ZC ~~[2]~~	ZC	ZC ~~[5]~~	NP	
Business Support Services	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[1]~~	ZC*	ZC ~~[2]~~	ZC	ZC ~~[5]~~	ZC ~~[6]~~	23.204.110.~~(B).6~~ (4)
Bank and Financial Services, Retail	AUP	AUP	UP(PH)	UP(PH)	UP(PH)	ZC ~~[1]~~	AUP *	UP(PH)	ZC*	AUP	ZC	23.204.110.~~(B.)~~(64); 23.204.130.~~(B.)~~(6); 23.204.130.~~(D.)~~(3)
Insurance Agents, Title Companies, Real Estate Agents, Travel Agents	ZC ~~[1]~~	ZC ~~[1]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC ~~[1]~~	ZC*	ZC* ~~[2]~~	ZC*	ZC ~~[5]~~	ZC ~~[6]~~	23.204.040.~~D~~(B); 23.204.110.~~(B).6~~ (4); 23.204.130.~~(D).~~(3)
Medical Practitioners	ZC ~~[1]~~	ZC ~~[1]~~	AUP	NP	UP(PH)	ZC ~~[1]~~	AUP *	UP(PH)	ZC*	ZC ~~[5]~~	ZC ~~[6]~~	23.204.040.~~D~~(B); 23.204.110.~~(B).6~~ (4); 23.204.130.D.3
Non-Chartered Financial Institutions	UP(PH)*	UP(PH)*	NP	NP	NP	UP(PH)*	UP(PH)*	NP	NP	UP(PH)*	UP(PH)	23.302.070.F 23.204.110.~~(B).6~~ (4)
Office, Business and Professional	ZC ~~[1]~~	ZC ~~[1]~~	AUP *	AUP *	~~AUP~~ ZC*	ZC ~~[1]~~	~~AUP~~ ZC*	AUP *	ZC*	ZC ~~[5]~~	ZC ~~[6]~~	23.204.040.~~(B)~~; 23.204.110.~~(B).6~~ 4; 23.204.130.~~(D)~~(3)
Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~--~~ AUP *	~~NP~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~NP~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~23.204.100.B.3~~ ~~23.204.110.B.2~~; 23.310
~~Dance/Exercise/Martial Arts/Music Studio~~	~~ZC [1]~~	~~ZC [1]~~	~~ZC [2]~~	~~AUP~~	~~AUP [4]~~	~~ZC [1]~~	~~ZC~~	~~AUP~~	~~ZC~~	~~ZC [7]~~	~~ZC~~	
Food Service Establishment, under 3,000 sq. ft.	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	23.302.070(.E)
Food Service Establishment,	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	23.302.070(.E)

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
3,000 sq. ft. or larger	*	*	*	*	*	*	*	*	*	*	*	
Group ~~Class~~ Instruction, Under 3,000 sq. ft.	ZC [1]	ZC [1]	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	ZC [1]	ZC	~~AUP~~ ZC	ZC	ZC	ZC	~~23.204.040.B~~
Group Instruction, 3,000 sq. ft. or larger	ZC	ZC	AUP	AUP	ZC	ZC	ZC	AUP	ZC	ZC	ZC	
Health and Fitness Facility, Under 7,500 sq. ft	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Health and Fitness Facility, 7,500 sq. ft. or larger	ZC	ZC	AUP	AUP	ZC	ZC	ZC	AUP	ZC	ZC	ZC	
~~Gym/Health Club~~	~~See 23.204.040.C~~											
Alternative Fuel Station	UP(PH)	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	NP*	UP(PH)	NP	AUP *	UP(PH)	23.204.110.(B).4.(2) 23.204.140.(B).(3)
Large Vehicle Sales and Rental	AUP	NP	NP	NP	NP	NP	NP	NP	NP	AUP * [81]	NP	23.204.140.(B).(3)
Small Vehicle Sales and Service	AUP	NP	NP	NP	NP	UP(PH)*	NP	NP	UP(PH)	UP(PH)*	NP	23.204.100.(B).5.(3); 23.204.140.(B).(3)
Vehicle Parts Store	ZC [1]	NP	ZC [2]	ZC [2]	ZC [2]	ZC [1]	ZC	ZC [2]	NP	AUP * [81]	ZC	
Vehicle Rentals	AUP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	AUP * [81]	NP	23.204.140.(B).(3)
Vehicle Repair and Service	AUP	NP	NP	NP	NP	NP	NP	NP	NP	AUP * [81]	NP	
Vehicle Sales, New	AUP	NP	NP	NP	NP	UP(PH)*	NP	NP	UP(PH)	AUP * [81]	NP	23.204.140.(B).(3)
Vehicle Sales, Used	AUP	NP	NP	NP	NP	UP(PH)*	NP	NP	UP(PH)	UP(PH)*	NP	23.204.100.(B).5.(3); 23.204.140.(B).(3); 23.204.140.(D).(4)
Cannabis Testing	AUP	AUP	NP	NP	NP	NP	NP	NP	AUP	AUP [81]	NP	
Light Manufacturing	–	–	–	–		–	–	–	–	AUP [81]	--	
Wholesale Trade	–	–	–	–	--	–	–	–	–	AUP [81]	--	
Incidental Uses												
Food and Beverage for Immediate Consumption	ZC	ZC	~~AUP~~ ZC	~~UP(PH)~~ ZC	~~UP(PH)~~ ZC	ZC	~~AUP~~ ZC	~~UP(PH)~~ ZC	ZC	ZC	ZC	

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
~~Food Service Establishment~~	~~See 23.302.070.E~~											
Food Service Establishment, Under 3,000 sq. ft.	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	23.310.030
Food Service Establishment, 3,000 sq. ft. or larger	AUP *	AUP *	AUP *	AUP *	AUP *	AUP *	AUP *	AUP *	AUP *	AUP *	AUP *	23.310.030
Live Entertainment, Unamplified	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Live Entertainment, Amplified	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	
~~Live Entertainment~~	~~See 23.302.070.E~~											
Retail Sale of Goods Manufactured On-Site	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[1]~~	ZC	ZC ~~[2]~~	ZC	~~AUP~~ ZC	ZC	
Art/Craft Studio	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	ZC ~~[6]~~	
Public Market, Enclosed	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP [~~92~~]	AUP	

Notes~~:~~

~~[1] Change of use of floor area over 3,000 square feet requires an AUP.~~

~~[2] Change of use of floor area over 2,000 square feet requires an AUP.~~

~~[3] Requires an AUP for uses 3,500 sq. ft. to 7,500 square feet. Requires a Use Permit for uses more than 7,500 sq. ft.~~

~~[4] Requires a Use Permit if 5,000 sq. ft. or more.~~

~~[5] Requires an AUP for uses 3,000 sq. ft. to 5,000 square feet. Requires a Use Permit for uses more than 5,000 sq. ft.~~

~~[6] Requires an AUP for uses 2,500 sq. ft. or greater or 50 ft. wide or greater on Shattuck, between Ward and Russell; Adeline between Russell and the City boundary; on Ashby, east of Adeline; or on the north side of Ashby, west of Adeline.~~

~~[7] Requires a Use Permit if 7,500 square feet or more.~~

~~[8]~~[1] Require a Use Permit if either 5,000 sq. ft. or more of floor area or 10,000 square feet or more of lot area.

~~[9]~~[2]Requires a Use Permit if more than 10,000 sq. ft.

Section 4. That Berkeley Municipal Code 23.204.040(B) through (F) be amended, to read:

~~B. Group Class Instruction.~~

1. **~~C-NS and C-DMU Districts.~~** ~~When group class instruction in the C-NS or C-DMU districts are located on the ground floor adjacent to a street frontage, storefront windows must include a window display or to be transparent and provide pedestrian viewing at least 10 feet into the storefront area.~~

2. **C-NS District.** Group class instruction uses in the C-NS may not exceed 2,500 square feet.

3. **C-T District.** Group class instruction uses in the C-T district are not permitted on the ground floor.

C. Gyms and Health Clubs

1. Permits Required. Table 23.204-5: Gym and Health Club Permit Requirements shows permits required for gyms and health clubs in the Commercial Districts.

Table 23.204-5: Gym/Health Club/Fitness Studio Permit Requirements

DISTRICT/USE SIZE	PERMIT REQUIRED [1]
C-C, C-U, C-DMU	
Under 7,500 sq. ft	ZC
7,500 sq. ft. and greater	AUP
C-N, C-E, C-NS, C-SO	AUP
C-SA, C-T, C-AC	ZC
C-W	
Under 7,500 sq. ft	ZC
7,500 sq. ft. and greater	UP(PH)

Note:
[1] Change of use permit requirements as described in Section 23.204.030.A – Additional Permit Requirements (Change of Use) also apply. In the C-C, C-U, and C-SA districts, a change of use of gross floor area over 3,000 square feet requires an AUP. In the C-N, C-E, C-NS, and C-SO districts, a change of use of gross floor area over 2,000 square feet requires an AUP.

2. C-DMU District. When located on the ground floor adjacent to a street frontage, storefront windows for a gym and health club in the C-DMU district must include a window display or to be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

D**B**. **Transparency Requirement for Office Uses**. When office uses shown in Table 23.204-6: Office Uses Subject to Transparency Requirement are located on the ground floor adjacent to a street frontage, storefront windows shall either:

1. Include a storefront window display; or

2. Be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

Table 23.204-6: Office Uses Subject to Transparency Requirement

OFFICE USE	DISTRICT
Insurance Agents, Title Companies, Real Estate Agents, Travel Agents	CN, C-E, C-NS, CT, C-SO, C-DMU
Medical Practitioners	C-T
Office, Business and Professional	CN, C-E, C-NS, C-T, C-SO, C-DMU

~~E~~C. **Department Stores.** Table 23.204-7: Department Store Permit Requirements shows permits required for department stores in the Commercial Districts.

Table 23.204-7: Department Store Permit Requirements

DISTRICT/USE SIZE	PERMIT REQUIRED ~~[1]~~
C-SA, C-T	
3,000 sq. ft. or less	ZC
Over 3,000 sq. ft.	AUP
C-E, C-NS, C-SO	
3,000 sq. ft. or less	ZC
Over 3,000 sq. ft.	Not Permitted
C-N	
3,000 sq. ft. or less	AUP
Over 3,000 sq. ft.	Not Permitted
C-C, C-U	ZC
C-AC	
3,000 sq. ft. or less	ZC
Over 3,000 sq. ft.	~~UP(PH)~~AUP
~~Note:~~ ~~[1] Change of use permit requirements as described in Section 23.204.030.A Additional Permit Requirements (Change of Use) also apply. In the C-C, C-U, and C-SA districts, a change of use of gross floor area over 3,000 square feet requires an AUP. In the C-N, C-E, C-NS, and C-SO districts, a change of use of gross floor area over 2,000 square feet requires an AUP.~~	

~~F~~D. **Drugstores.** The following requirements apply to drugstores in the C-N, CE, C-NS, and C-SO districts.

1. Where Prohibited. A new or expanded drugstore is not permitted if it is:

a. Over 5,000 square feet in gross floor area; and

b. Within 1,000 feet of any property containing an existing drugstore.

2. Measurement of Distance. Distances between drugstores are measured by a straight line from the nearest point of the property line of the parcel on which the drugstore is proposed to the nearest point of the lot line of the lot on which the nearest drugstore is located.

Section 5. That Berkeley Municipal Code 23.204.080(B)(2) be amended to read:

2. ~~Numerical and~~ **Size Limitations.**

a. Table 23.20420 shows land uses subject to ~~numerical and~~ size limitations in the C-E district.

TABLE 23.204-20: C-E LAND USE NUMBER AND SIZE LIMITATIONS

USE	~~NUMBER LIMIT~~	MAXIMUM SIZE	PERMIT REQUIRED
Art/Craft Shops, Gift/Novelty Shops, Jewelry/Watch Shops	~~No limit~~	1,500 sq. ft.	ZC
Bookstores, Periodical Stands	~~No limit~~	2,000 sq. ft.	ZC
~~Food Service Establishments [1]~~	~~25 total~~	~~No max.~~	~~AUP~~
Photocopy Stores, Printing, Fax, Magnetic Disk Reproduction Services	~~No limit~~	1,000 sq. ft.	ZC
~~Notes:~~ ~~[1] Excludes food service uses accessory to a food product store. Secondary food service uses associated with all other principal uses are subject to limitations in Table 23.204-20.~~ ~~Change of use of over 3,000 square feet requires Use Permit~~			

b. The ZAB may allow a use to exceed the limitations in Table 23.20420 with a Use Permit upon finding that:

i. The use will result in the positive enhancement of the purposes of the district; and

ii. The use is likely to experience substantial patronage by surrounding residents as indicated by neighborhood resident support, merchant support, marketing surveys, or other information.

Section 6. That Berkeley Municipal Code 23.204.100(B) be amended to read:

1. **General.** See Table 23.204-1: Allowed Uses in the Commercial Districts

~~**2. Alcoholic Beverage Retail Sales.** The sale and service of distilled alcoholic beverages (hard liquor) is not permitted along Adeline Street, south of Ashby Avenue, except that such service is allowed when incidental to meals at full-service restaurants in accordance with Section 23.310—Alcoholic Beverage Sales and Service.~~

~~**3. Bar/Cocktail Lounge/Tavern.** Service of distilled alcoholic beverages is allowed along Adeline Street south of Ashby Avenue only when incidental to seated food service.~~

~~4~~2 Mixed-Use Permits Required.

a. **Zoning Certificate.** A mixed-use project is allowed with a Zoning Certificate if the project:

i. Complies with all applicable standards in Table 23.20427, Table 23.20428, and Table 23.20429;

ii. Includes only residential uses above the ground floor; and

iii. Is less than 5,000 square feet in gross floor area, including any existing floor area incorporated into the project.

b. **Use Permit.** If a mixed-use project does not meet the criteria for approval with a Zoning Certificate as provided above, the project requires a Use Permit and is subject to the findings in Section 23.204.100~~.~~(E)– C-SA South Area Commercial District (Permit Findings).

~~5~~3. Vehicle Sales.

a. **Applicability.**

i. In the C-SA district, small vehicle service is not permitted. Small vehicle sales that are exclusively indoor operations are permitted with a Zoning Certificate. Otherwise, a Use Permit is required.

ii. All new or relocated vehicle sales in the C-SA district shall be exclusively indoor operations with no outdoor activities and shall comply with the requirements of this subsection.

iii. Expansions or modifications of existing vehicle sales are:

1. Encouraged to comply with standards in Paragraph c (Standards) below where feasible; and

2. Shall not increase or exacerbate a non-conformity with these standards.

b. **Standards.**

i. **Street Frontage.** Outdoor vehicle display is permitted only along Shattuck Avenue and Adeline Street and is limited to 30 percent of the lot frontage on those streets.

ii. **Area for Outdoor Uses.** A maximum of 40 percent of the lot area may be used for outdoor uses, including but not limited to vehicle display and storage. Adequate landscaping and/or fencing shall be used to filter the view of outdoor uses from the adjacent right-of-way and abutting properties, with the exception of outdoor vehicle display;

iii. **Service Entries.** Vehicle and repair service entries may not exceed 20 percent of the primary lot frontage, no entrance may exceed a width of 20 feet. The primary street frontage is the frontage towards which the primary building entrance is oriented.

iv. **Transparency.** At least 60 percent of any new building shall be within 10 feet of the right-of-way along the primary street frontage and 60 percent of the street-facing facade shall be comprised of clear glass.

v. **Repair Activities.** All vehicle repair activities shall be conducted indoors.

vi. **Noise.** All noise-generating equipment and activities, such as vehicle repair, shall be shielded by noise-attenuating materials. Outdoor amplification is not permitted.

vii. **Lighting.** Exterior light standards and fixtures shall not be taller than 20 feet, shall achieve uniform light coverage and minimize glare, shall use light cutoffs to control light spillover onto adjacent properties and urban sky glow, and shall use low energy light fixtures consistent with the City's goals for energy efficiency.

vii. **Vehicle Storage.** No vehicles shall be stored in the public right-of-way.

c. **Modification of Standards.** The Zoning Officer may allow modification to standards in Paragraph c (Standards) above with an AUP upon finding that the modification:

i. Is necessary to facilitate incorporation of an existing structure;

ii. Achieve greater consistency with the surrounding street pattern;

iii. Buffers impacts to an adjacent residential district; or

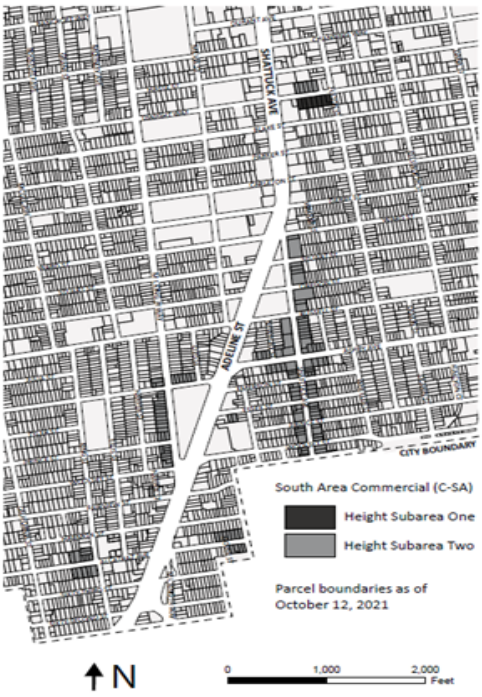
iv. Is needed to accommodate dealership operations.

Section 7. That Table 23.204-28 C-SA Maximum Building Heights and Figure 23.204-3 C-SA Building Height Sub-Areas be amended to read:

Table 23.204-28. C-SA Maximum Building Heights

Building Land Use	Maximum Height	
	Subarea ~~1~~One	~~Subarea 2~~All other parcels
Non-Residential Uses	36 ft and 3 stories	24 ft and 2 stories
Mixed Use and Residential Only	60 ft and 5 stories [1]	36 ft and 3 stories [1]
[1] In mixed-use buildings, the third story and above must be used for residential purposes entirely.		

Figure 23.204-3. C-SA Building Height Sub-~~Areas~~area One



Section 8. That Berkeley Municipal Code 23.204.110(B) be amended to read:

B. **Allowed Land Uses.**

1. **General.** See Table 23.2041: Allowed Uses in the Commercial Districts.

~~**2. Bar/Cocktail Lounge/Taverns.** Service of distilled alcoholic beverages in the C-T district is allowed only when incidental to seated food service.~~

~~**3. Drug Paraphrenalia Stores.** Any use involving the sale or distribution of drug paraphrenalia is not permitted in the C-T district.~~

~~4~~2. **Fuel Stations.** Alternative fuel and gasoline stations are allowed with Use Permit when located in a parking structure.

3. Residential Use, Ground Floor. Residential uses are permitted on the ground floor where located behind a commercial use. The ground floor commercial use must meet the following standards:

a. Occupy a minimum 30-foot depth of the ground floor, as measured from the ground floor street frontage, and

b. Occupy the full extent of the building frontage, excluding required utilities, driveways, pedestrian access and residential lobby.

~~6~~4. **Office Uses.**

a. Table 23.204-31 shows permits required for office uses in the C-T district.

TABLE 23.204-31: C-T OFFICE PERMIT REQUIREMENTS

Building Location	Permit Required	
	First and Second Story	Above Second Story
Adjacent to Bancroft Way	As required by Table 23.204-1	AUP
Not adjacent to Bancroft Way		UP(PH)

b. When office uses are located on the ground floor adjacent to street frontage, the storefront windows must either:

i. Include a window display; or

ii. Be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

~~7~~5. **Upper Story Uses.**

a. Floor area above the ground floor may be occupied only by a residential or office uses.

b. A commercial use that is an integral part of a ground floor establishment is permitted on the second story if the use:

i. Has no entrances or exits, other than required fire exits, outside of the ground floor space; and

ii. Does not exceed the ground-floor area of the use.

Section 9. That Berkeley Municipal Code 23.204.120(A)(2)(e) be amended to read:

e. Encourage location of ~~late night~~late-night commerce in appropriate areas in Berkeley, such as the downtown area, and allow businesses to address demand for late night service on Solano Avenue by establishing a ~~11:00 p.m~~12:00 midnight~~.~~ closing time for businesses on Solano Avenue; and

Section 10. That Berkeley Municipal Code 23.204.130(D)(3) be amended to read:

3. Use Limitations; Findings. ~~Food service establishments and offices~~ Offices on the ground floor adjacent to a street frontage require an AUP. To approve the AUP, the Zoning Officer must find that

(a) The project meets the purposes of the Arts Overlay District as set forth above; and

(b) The location, size, type, appearance, and signage of the proposed use will:

i. Animate and enhance the pedestrian experience on the street; and

ii. Be generally open to the public evenings and on weekends, whenever practicable.

Section 11. That Berkeley Municipal Code 23.204.130(E)(7)(a)(iv) be amended to read:

iv. ~~Gym/~~Health and Fitness Facility ~~Club~~

Section 12. That Berkeley Municipal Code 23.204.150(B)(3)(b) be amended to read:

b. Active Commercial Uses Defined. Active Commercial uses are commercial uses which generate regular and frequent foot traffic. Uses include businesses in the following use categories: ~~Retail~~ Retail Uses ~~Sales~~; Personal and Household Service~~s~~ Uses; Food and Alcohol Service, Lodging, Entertainment, and Assembly Uses; and the following uses: Banks and Financial Services, Retail~~;~~, and Vehicle Parts Stores.

Section 13. That the lines named "Family Day Care Home, Large," "Family Day Care Home, Small," "Bar/Cocktail Lounge/Tavern," "Dance/Exercise/Martial Arts/Music Studio, "Food Service Establishment," "Group Class Instruction," "Gym/Health Club," and "Food and Beverage for Immediate Consumption," in Table 23.206-1 Allowed Uses in Manufacturing Districts, within Berkeley Municipal Code 23.206.020, are amended, and lines named "Food Service Establishment, Under 5,000 sq. ft." "Food Service Establishment, 5,000 sq. ft. or larger," "Food Service Establishment, Under 20,000 sq. ft." "Food Service Establishment, 20,000 sq. ft. or larger" "Live Entertainment, Unamplified" and :Live Entertainment, Amplified" are added, to read:

TABLE 23.206-1: ALLOWED LAND USES IN MANUFACTURING DISTRICTS

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit -- = Permitted with an AUP, see 23.206.020(B) NP = Not Permitted [#] = Floor Area Permit Requirement * Use-Specific Standards Apply	**MANUFACTURING DISTRICTS**				**Use-Specific Standards** Applies to uses with an asterisk following the permit requirement (e.g., ZC*)
	M	**MM**	**MU-LI**	**MU-R**	
~~Family Day Care Home, Large~~	~~NP~~	~~NP~~	~~ZC*~~	~~AUP*~~	~~23.206.040.C~~
~~Family Day Care Home, Small~~	~~NP~~	~~NP~~	~~ZC*~~	~~ZC*~~	~~23.206.040.C~~

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit -- = Permitted with an AUP, see 23.206.020(B) NP = Not Permitted [#] = Floor Area Permit Requirement * Use-Specific Standards Apply	MANUFACTURING DISTRICTS				Use-Specific Standards Applies to uses with an asterisk following the permit requirement (e.g., ZC*)
	M	MM	MU-LI	MU-R	
Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting	NP	NP	NP	See 23.306	
~~Dance/Exercise/Martial Arts/Music Studio~~	~~NP~~	~~NP~~	~~--~~	~~UP(PH)~~	
~~Food Service Establishment~~	~~See 23.302.070.E~~				
Food Service Establishment, Under 5,000 sq. ft	--	--	AUP*	AUP*	23.302.070(E)
Food Service Establishment, 5,000 sq. ft. larger	--	--	UP(PH)*	UP(PH)*	23.302.070(E)
Group ~~Class~~ Instruction	~~NP~~ZC	~~NP~~ZC	__	~~UP(PH)~~ZC	
~~Gym/~~Health and Fitness Facility ~~Club~~	NP	NP	--	NP	
Incidental Uses					
~~Food and Beverage for Immediate Consumption~~	~~--~~	~~AUP [2]~~	~~--~~	~~--~~	
~~Food Service Establishment~~	~~AUP [2]~~	~~--~~	~~AUP [2]~~	~~AUP~~	
Food Service Establishment, Under 20,000 sq. ft	AUP*	AUP*	AUP*	AUP*	23.302.070(E)
Food Service Establishment, 20,000 sq. ft. larger	NP	AUP*	NP	AUP*	23.302.070(E)
~~Live Entertainment~~	~~NP~~	~~NP~~	~~UP(PH)*~~	~~UP(PH)*~~	~~23.302.020.D~~
Live Entertainment, Unamplified	NP	NP	ZC	ZC	
Live Entertainment, Amplified	NP	NP	AUP	AUP	

Section 14. That Berkeley Municipal Code 23.302.020(B) be amended to read:

B. **Hours of Operation.**

1. **Allowed Hours.** Table 23.302-1: Allowed Hours of Operation shows allowed hours of operation for commercial uses in the commercial districts and the MU-R district, unless otherwise restricted by an existing permit.

2. **Hours of Operation Defined.**

   a. For retail or customer-serving office commercial uses, hours of operation are those times that the business is open to customer access.

   a. For food service establishments, hours of operation include the time that the business is open for customer access to the departure of the last patron. These limitations do not apply to:

      i. The delivery, maintenance, security, product preparation and other pre-opening activities, and

      ii. Cleanup, shutdown, and other post-closure activities which do not involve presence of customers.

   c. For other commercial and manufacturing uses which do not involve customer access, hours of operation are those times that employees are present who are engaged in non-maintenance or security activities.

2.3. **Exceptions.** The City may allow extended hours of operations with the approval of a permit as shown in Table 23.302-1. If more restrictive hours of operation than what is permitted in Table 23.302-1 are imposed as a condition of approval on an existing AUP or UP, the hours may be modified within the district's current limits with approval of an AUP regardless of the original review authority.

Table 23.302-1: Allowed Hours of Operation

DISTRICT	ALLOWED HOURS OF OPERATION	PERMIT REQUIRED TO EXTEND HOURS
C-C, C-U, C-NS, C-AC, C-W nodes	~~7:00 a.m. – 12:00 midnight~~ 6:00 a.m. – 2:00 a.m.	AUP
C-N, C-E, ~~C-NS,~~ C-SO, C-SA, C-W outside nodes, MU-R	~~7:00 a.m. – 11:00 p.m.~~ 6:00 a.m. – 12:00 midnight	~~UP~~AUP
~~C-W nodes~~	~~6:00 a.m. – 12:00 midnight with Zoning Certificate~~	~~UP~~
~~C-SA~~	~~7:00 a.m. – 12:00 midnight Sundays through Thursdays~~ ~~7:00 a.m. – 12:00 Fridays and Saturday~~	~~UP~~
~~C-AC~~	~~7:00 a.m. – 12:00 midnight Sundays through Thursdays~~ ~~7:00 a.m. – 2:00 a.m. Fridays and Saturday~~	~~UP~~

C-T, C-DMU between Bancroft Way and the north side of Dwight Way	24 hours per day 7 days a week	N/A
C-T between the south side of Dwight Way and Parker Street	7:00 a.m. – 12:00 midnight	AUP
C-DMU	6:00 a.m. and 2:00 a.m.	AUP
MU-R	6:00 a.m. and 10:00 p.m.	AUP

24. **Alcohol Sales in C-T District.** A Use Permit is required in the C-T district for a business selling alcohol for off-site consumption to remain open past midnight. The Use Permit may be approved only if the business's ABC license does not require sales of alcohol for off-site consumption to cease by midnight. The Zoning Adjustments Board (ZAB) may approve the Use Permit only upon finding that the extended hours will not generate excessive noise, traffic or parking problems affecting the well-being of the residents of the district.

3. **C-T District Findings.** The Zoning Officer may approve an AUP to extend hours of operation in the C-T district upon finding that the extended hours will not generate excessive noise, traffic, or parking problems affecting the well-being of the residents of the district.

4. **Hours of Operation Defined.**

a. For retail or customer-serving office commercial uses, hours of operation are those times that the business is open to customer access.

b. For food service establishments, hours of operation include the time that the business is open for customer access to the departure of the last patron. These limitations do not apply to:

- The delivery, maintenance, security, product preparation and other pre-opening activities, and
- Cleanup, shutdown, and other post-closure activities which do not involve presence of customers.

For other commercial and manufacturing uses which do not involve customer access, hours of operation are those times that employees are present who are engaged in non-maintenance or security activities.

Section 15. That Berkeley Municipal Code 23.302.020(D) be removed and that Berkeley Municipal Code 23.302.020(E) be amended to read:

~~D. **Live Entertainment -- Permits Required.** Live entertainment incidental to a permitted use is allowed as shown in Table 23.302-2.~~

~~Table 23.302-2: Permit Requirements for Live Entertainment~~

~~Zones~~	~~Permit Required~~	
	~~Amplified~~	~~Unamplified~~
~~C-C, C-U, C-SA, C-T, C-SO, C-DMU, C-AC~~	~~AUP~~	~~ZC~~
~~C-N, C-NS, C-W~~	~~UP(PH)~~	~~ZC~~
~~C-E~~	~~Not Permitted~~	~~ZC~~
~~M, MM~~	~~Not Permitted~~	~~Not Permitted~~
~~MU-LI, MU-R~~	~~UP(PH)~~	~~UP(PH)~~

~~1. Allowed Activities.~~

~~a. In the S-O district, food service establishments may have no live entertainment other than unamplified music, poetry reading, comedy or other quiet activities.~~

~~b. In the C-NS district, food service establishments may have no live entertainment other than unamplified background music, unless a Use Permit is obtained.~~

~~E~~D. **Outdoor Uses.**

1. **Applicability.** This subsection applies to outdoor uses including but not limited to exterior service windows, outside automatic teller machines, and the outside storage of goods, containers and/or materials.
2. **General.** Commercial and manufacturing uses shall be conducted solely within an interior of a building unless:
   a. The permit as required by Paragraph 3 (Permits Required) is obtained; or
   b. the outdoor use is specifically allowed by the Zoning Ordinance.
3. **Permits Required.** Table 23.302-2 Permit Requirements for Outdoor Uses shows permits required for uses outside of a building in the Commercial and Manufacturing Districts.

~~3. Table 23.302-3: Permit Requirements for Outdoor Uses shows permits required for uses outside of a building in the Commercial and Manufacturing Districts.~~

TABLE 23.302-~~3~~2: PERMIT REQUIREMENTS FOR OUTDOOR USES

DISTRICT/USE CHARACTERISTICS [1]	PERMIT REQUIRED
All Commercial Districts Except for C-W	
Not abutting a residential district	AUP
Abutting a residential district	UP(PH)
C-W	
Not abutting a residential district and less than 10,000 s. ft.	AUP
Abutting a residential district	UP(PH)
10,000 sq. ft. or more	UP(PH)
M, MM [2]	
Less than 20,000 sq. ft.	ZC
20,000 sq. ft. or more	AUP
MU-LI	
Less than 20,000 sq. ft.	ZC
20,000 to 30,000 sq. ft.	AUP
More than 30,000 sq. ft.	UP(PH)
MU-R	
Not abutting a residential district	AUP
Abutting a residential district	UP(PH)
Notes: [1] Size is measured as the lot area of the outdoor activity or storage [2] In the M and MM district permits are required only for activity or storage not ancillary to a permitted use.	

~~5~~4. **C-W District.** In the C-W district, uses outside of a building must be permitted or incidental to permitted use in the district.

~~6~~5. **M, MM, MU-LI Districts.** Outside uses in the M, MM, and MU-LI districts may not abut a residential district.

Section 16. That Berkeley Municipal Code 23.302.070(E) be amended to read:

E. **Food Service Establishments.**

~~1. **Maximum Size in R-SMU.** Food service establishments in the R-SMU district may not exceed 1,200 square feet.~~

2. **Permits Required in Commercial Districts and in the R-BMU.** 6 shows permits required for food service establishments in the commercial districts and in the R-BMU.

Table 23.302-6: Permit Requirements for Food Service Establishments

DISTRICT/USE SIZE	PERMIT REQUIRED
C-C, C-U, C-T, C-W	
Under 1,500 sq. ft	ZC
1,500 sq. ft. or more	AUP
C-N, C-NS, C-SA, C-SO	
Under 1,000 sq. ft	ZC
1,000 sq. ft. or more	AUP
C-AC, South Shattuck and North Adeline Subareas	
3,000 sq ft or less	ZC
Over 3,000 sq ft	AUP
C-AC, South Adeline Subarea	
1,500 sq ft or less	ZC
Over 1,500 sq ft	AUP
R-BMU, North Berkeley BART Station	UP(PH)
C-E	AUP [1]
C-DMU	
Under 3,000 sq. ft outside the Arts District Overlay	ZC
3,000 sq. ft. or more	AUP
Any size within the Arts District Overlay	AUP [2]
Notes: [10] All food service uses in the C-E district require an AUP and may not be considered as an incidental use except when accessory to a food product store. [11] See 23.204.130.D.3 for required findings.	

3. **Notification of Decision.** Food service establishments requiring an AUP in the C-N, C-E, C-NS, C-SA, C-T, C-SO districts must provide public notification of decision (NOD) within a 300-foot radius of the subject property.

4. **Carry Out Limitations in C-U District.** Food service establishments in the C-U district that exclusively sell food for offsite consumption are not permitted at any

~~location on University Avenue between Oxford Street and Martin Luther King Jr. Way until a Downtown Retail Plan is adopted by the City Council.~~

~~5.~~1. **Outdoor Cafe Seating.**

a. Outdoor cafe seating on private property outside of the public right-of-way is allowed in the commercial districts with the following permits:

i. Zoning Certificate when seating does not abut a residential district.

ii. AUP when seating abuts a residential district.

~~b. Outdoor seating is not permitted for food service establishments in the MU-LI District.~~

~~c.~~b. Sidewalk cafe seating within the public right-of-way is subject to 23.302.060 (Sidewalk Cafe Seating).

~~6.~~2. **Building Openings – C-E and C-NS Districts.** Food service establishments in the C-E and C-NS districts may have no openings, other than fixed windows and required fire exits, within 50 feet of a residential district.

~~7.~~3. **C-W District Requirements.**

a. Food service drive-through is not permitted on properties fronting San Pablo Avenue.

~~b. To approve a Use Permit for a food service establishment on a lot with frontage on San Pablo Avenue, the ZAB must find that:~~

~~i. The project does not conflict with the goals and policies of the C-W district;~~

~~ii. The location, size, appearance and signage of the project will not adversely affect the San Pablo Avenue corridor;~~

~~iii. The project supports pedestrian-oriented development;~~

~~iv. The project is designed to protect the residential character of surrounding neighborhoods from the adverse impacts of fast food development, including, but not limited to increased traffic, litter, and noise; and~~

~~v. For projects which include construction of new buildings, the project design:~~

~~1. Provides intensity of development which does not underutilize the property; especially at or near intersections of major streets;~~

~~2. Provides pedestrian scale and siting; and~~

~~3. Incorporates continuity in street facades.~~

8. **Permits Required in Manufacturing Districts.** Table 23.3028 shows permits required for food service establishments in the manufacturing districts.

TABLE 23.302-7: PERMIT REQUIREMENTS FOR FOOD SERVICE ESTABLISHMENTS IN MANUFACTURING DISTRICTS

USE TYPE AND SIZE	DISTRICT			
	M	MM	MU-LI	MU-R
Incidental Use				
Under 20,000 sq. ft.	AUP [1]	AUP [1,2]	AUP [1]	AUP [1]
20,000 sq. ft. or more	-	-	-	AUP
Carry Out Food Service (Primary Use)				
Under 5,000 sq. ft.	-	-	AUP	AUP
5,000 sq. ft. or more	-	-	UP	UP
Quick Service Restaurant (Primary Use)				
Under 5,000 sq. ft.	-	-	AUP	AUP
5,000 sq. ft. or more	-	-	UP	UP
Full-Service Restaurant (Primary Use)	-	-	UP	UP
Notes: [12] Outdoor food service is not permitted. [13] Limited to food or beverage for immediate consumption.				

9.4. **MU-LI and MU-R District – Findings.**

a. To approve an AUP or Use Permit to establish or expand a food service establishment in the MU-LI or MU-R district, the review authority must find that the establishment of the use, given its size, location, physical appearance and other relevant characteristics, will not have a significant detrimental impact on the industrial character of the area.

b. To approve an AUP for a food service establishment less than 5,000 square feet, the Zoning Officer must find that a substantial portion of the food consists of goods manufactured on site.

Section 17. That Berkeley Municipal Code 23.302.070(G) and (H) be amended to read:

G. **Parking Lot/Structure.**

1. **Permits Required.**

~~2.~~1. **Permits Required.** Table 23.302-~~9~~ 7 shows required permits for the exclusive or primary use of a lot for off-street parking spaces.

TABLE 23.302-~~9~~7: PERMIT REQUIREMENTS FOR PARKING LOTS/STRUCTURES

DISTRICT	PERMIT REQUIRED
Residential Districts	
R-3	Use Permit for all parking lots and structures. [1]
R-S, R-SMU, R-BMU	Use Permit for parking structures only. Parking lots are not permitted, except on lots between Acton Street and Virginia Gardens and between Peralta Avenue and Northside Avenue in the R-BMU.
All other residential districts	Use Permit for all parking lots and structures.
Commercial Districts	
C-C, C-U	Zoning Certificate for parking lots and structures with 5 spaces or fewer. Use Permit for more than 5 spaces.
C-SO	AUP for parking lots and structures with 5 spaces or fewer. Use Permit for more than 5 spaces.
C-DMU	AUP for parking lots with 8 spaces or fewer. Use Permit for all parking structures. Lots with more than 8 spaces not permitted.
C-N, C-E, C-NS, C-SA	Use Permit for all parking lots and structures.
C-T	Use Permit for all parking structures. All parking lots not permitted.
C-W	AUP for parking lots and structures with 10 spaces or fewer. Use Permit for parking lots and structures with more than 10 spaces.
Manufacturing Districts	
M, MM	AUP for parking lots and structures with 10 or fewer spaces exclusively for uses in the district. Use Permit for parking lots and structures with any number of spaces not exclusively for uses in the district.
MU-LI	Zoning Certificate for parking lots and structures with 10 or fewer spaces exclusively for uses in the district. AUP for parking lots and structures with 11 spaces or more exclusively for uses in the district. Use Permit for parking lots and structures with any number of spaces not exclusively for uses in the district.
MU-R	Zoning Certificate for parking lots and structures exclusively for uses in the district. Use Permit for parking lots and structures not exclusively for uses in the district.

Notes: [1] Parking lots and structures in the R-3 district are not permitted within the Southside Plan area

~~3.~~2. **Residential District Standards.** See 23.322.110– Parking Lots in Residential Districts for standards that apply to the exclusive or primary use of a lot for off-street parking spaces in a residential district.

H. **Residential Use, Ground-Floor Units.**

1. Southside Plan Area. In the R-3, R-S, R-SMU, and C-T districts within the Southside Plan boundaries, individual unit entries located within six feet of the front property line shall be at least 18 inches above the finished grade of the adjacent public frontage.

I. **Senior Congregate Housing.** Table 23.302-~~10~~ 8 shows permits required for senior congregate housing.

TABLE 23.302-~~10~~8: PERMIT REQUIREMENTS FOR SENIOR CONGREGATE HOUSING

PROJECT	PERMIT REQUIRED
Change of use from an existing dwelling unit to accommodate six or fewer people	ZC
Change of use from an existing dwelling unit to accommodate seven or more people	AUP
New construction to accommodate any number of people	UP(PH)

Section 18. That Berkeley Municipal Code 23.310.020 be amended to read:

A. **Applicability.**

1. This section applies to any application to begin ~~or increase~~ alcoholic beverage sales or service, excluding ~~beer and wine~~alcoholic beverage service incidental to a food service establishment ~~in a Commercial District~~ (see 23.310.030 (Alcoholic Beverage Service When Incidental to a Food Service~~)~~).

~~2. As used in this section, an increase in alcoholic beverage sales or service includes, but is not limited to:~~

~~a. Adding the sales or service of distilled spirits to any existing sales or service of beer and/or wine;~~

~~b. Extending the hours of operation of any establishment that sells or serves any alcoholic beverage; and~~

c. Adding to the capacity, floor area, or shelf space devoted to alcoholic beverages of any establishment that sells or serves any alcoholic beverages.

3. An increase in alcoholic beverage sales or service does not include extending the hours of operation of any food service establishments with incidental beer and/or wine service.

B. **Permit Required.** A Use Permit is required to begin or increase alcoholic beverage sales or service in any way.

1. An Administrative Use Permit is required to begin service of alcoholic beverages, except as provided in 23.310.030 (Alcoholic Beverage Service When Incidental to Food Service).

1.2. To increase sales and service of alcoholic beverages, an existing Administrative Use Permit or Use Permit may be modified with an AUP regardless of the original review authority.

C. Application – List of Nearby Establishments. As part of an application to begin or increase alcoholic beverage sales or service, the applicant must provide a list of all establishments within a 1,000-foot radius which are in the same category of alcoholic beverage sales or service, as defined by the California Department of Alcoholic Beverage Control.

DC. Findings of Public Convenience or Necessity. To approve a permit for alcoholic beverage sales or service, the decision-making body must make the following findings: If the proposed use is within a 1,000-foot radius of the site of a use that is in the same category of alcoholic beverage sales or service, excluding food service establishments with incidental service of beer and/or wine, the Zoning Adjustments Board (ZAB) may approve the application

1. The number of alcoholic beverage sales licensees in the census tract does not exceed the limit set by the Department of Alcoholic Beverage Control, as defined in California Business and Professions Code Section 23958.4, excluding Food Service Establishments with incidental alcohol service; and

1.2. At least one of the following:only if it makes all of the following findings:

a. The proposed establishment will promote the City's economic health, contribute to General Plan or area plan policies, or further the district purpose.

b. The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service.

b. c. The applicant has operated a licensed establishment that has not been the subject of violations regarding alcohol in the State of California, or violations of public safety or nuisance statutes or regulations in Berkeley. as verified by the Police Department, such violations do not indicate a high likelihood of further

violations and/or detrimental impacts from the proposed establishment. In making this finding, the ZAB decision-making body may consider the number, frequency, and severity of prior violations, the time elapsed since the last violation, and other relevant factors.

4. If the proposed establishment is within 1,000 feet of any public park or public school, the ZAB has taken into consideration the effect of the proposed establishment upon such sensitive public uses.

3. If the number of alcoholic beverage sales licenses in the census tract exceeds the limit set by the Department of Alcoholic Beverage Control; the decision-making body must find that the public convenience or necessity would be served by approving alcohol sales at the proposed location for any two or more of the following reasons:

a. The proposed establishment will promote the City's economic health, contribute to General Plan or area plan policies, or further the purposes of the district.

b. The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service.

c. The sale of alcoholic beverages will enhance recreational or entertainment opportunities in the area.

d. The sale of alcoholic beverages complements the sale of other goods and merchandise at the location.

e. The issuance of a license at the proposed location will improve the convenience of area residents and visitors who purchase alcoholic beverages.

4. The Police Department has reported that the proposed establishment would not be expected to add to crime in the area.

Section 19. That Berkeley Municipal Code 23.310.030 be amended to read:

A. **Permits Required.** Table 23.310-1 shows permits required for alcoholic beverage service when incidental to a food service establishment. If more restrictive requirements than what is permitted in Table 23.310-1 are imposed as a condition of approval on an existing AUP or UP, the use may be modified with an AUP regardless of the original review authority.

Table 23.310--1: Permits Required for Alcoholic Beverage Service

District	Permit Required Based on Type of Beverages Served When Incidental to Food Service	
	Beer and Wine	Distilled Spirits
R-SMU	UP(PH)	UP(PH)

District	Permit Required Based on Type of Beverages Served When Incidental to Food Service	
	Beer and Wine	Distilled Spirits
R-BMU	ZC	UP (PH)
All Commercial Districts~~, except C-AC and the R-BMU District~~	ZC	~~UP(PH)~~ AUP
~~C-AC~~	~~ZC~~	~~AUP~~
MU-LI, MU-R	~~UP(PH)~~ AUP	~~UP(PH)~~ AUP

~~**B. Use Limitations.**~~

~~1. **R-SMU District.** In the R-SMU district, alcoholic beverage service is allowed only for full-service restaurants. Alcoholic beverage service is not allowed for carry out food stores and quick-service restaurants.~~

~~2. **Commercial Districts.** In Commercial Districts, beer and wine service is allowed by right when for on-site consumption with seated food service.~~

~~3. **C-NS and R-BMU Districts.** In the C-NS district, distilled spirit service is allowed only for full-service restaurants. Distilled spirit service is not allowed for carry out food stores and quick-service restaurants.~~

~~4. **C-T and C-SO Districts.** In the C-T and C-SO districts, distilled spirit service is allowed only for on-site consumption with seated food service.~~

~~5. **C-AC District.** In the C-AC district, distilled spirit service is allowed along Adeline Street south of Ashby Avenue only for on-site consumption with seated food service.~~

~~C~~**B. Incidental Beer and Wine Service Standards.** The following standards apply to beer and wine service incidental to a food service establishment~~ in a Commercial District.~~

1. **Licensing.**
   a. The food service establishment shall comply with all applicable regulations of the California Department of Alcoholic Beverage Control.
   b. An operator of the licensed establishment may not have a prior licensed establishment that was the subject of verified complaints or violations regarding alcohol, public safety, or nuisance statutes or regulations before issuance or transfer of a business license at this location.
2. **Service.**

a. Beer and wine beverage service shall be incidental to the primary food service use.

b. Beer and wine service incidental to seated food service shall only be allowed at a bona fide eating place making actual and substantial sales of meals as determined and required by the California Department of Alcoholic Beverage Control.

c. The sale of beer and wine for off-site consumption is not permitted.

~~d. Employees may not serve beer or wine to patrons who appear to be inebriated or otherwise unable to behave in an orderly manner upon consuming alcohol.~~

~~e. All beer and wine served to patrons must be served in durable restaurant tableware. Beer or wine may not be distributed in its original bottle or can, or in any other potentially disposable container.~~

~~f. There shall be no bar or lounge area upon the licensed premises maintained for the sole purpose of sales, service, or consumption of alcoholic beverages directly to patrons for consumption.~~

~~g.~~d. Hours of operation are subject to review and amendment by the review authority ~~Zoning Officer or the ZAB~~ as necessary to avoid detriment to the neighborhood or to achieve conformance with revised City of Berkeley standards or policies.

3. **Operation.**

a. The food service establishment must operate at least five days a week.

b. The service of beer and wine shall be limited to normal meal hours (per California Department of Alcoholic Beverage Control) during the food service establishment's hours of operation.

c. During ~~operating~~ the food service establishment's hours of operation, ~~100 percent of the service~~all customer accessible areas shall be ~~designed and used~~available for meal service and the food service establishment must possess the necessary utensils, and condiment dispensers with which to serve meals to the public.

~~d. At no time shall the operator rent the restaurant space to a third-party.~~

~~e.~~d. The owner or operator of the establishment shall take reasonable measures to prevent disturbances by patrons in the immediate vicinity. Such measures shall include:

i. Signs reminding patrons of nearby residences and requests not to congregate or loiter near such residences nor operate vehicles in a noisy manner on residential streets; and

ii. Surveillance to public areas near the establishment, keeping public areas free of trash and litter, providing lighting, and otherwise preventing conduct that might disturb the peace and quiet of residences in the vicinity.

~~f.~~e. The operator shall assume reasonable responsibility for ensuring that patrons do not block the entrance or interfere with pedestrian activity on the adjacent public sidewalk.

~~g.~~f. The applicant shall establish cash handling procedures to reduce the likelihood of robberies and theft.

4. **Advertising.**

a. ~~There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior constitute a violation of this requirement.~~ Establishments shall comply with Municipal Code Chapter 20.67 (Alcohol Product Advertising)

~~b. Alcohol-dispensing facilities and signs advertising alcoholic beverages may not be visible from the public right-of-way.~~

5. **Training.**

a. The operator shall finish a Crime Prevention through Environmental Design (CPTED) survey before beginning alcohol service.

b. All employees selling and/or serving beer and wine, or directly supervising such sales and/or service, shall comply with Municipal Code Section 9.84.030 (Responsible Beverage Service Training) and finish the Licensee Education on Alcohol and Drugs (LEAD) program, or another equivalent program offered or certified by the California Department of Alcoholic Beverage Control within 90 days of employment at the establishment. Employees who have finished the course within the last 12 months are exempt from this requirement.

Section 20. That Berkeley Municipal Code 23.324.040(B)(2)(b) be amended to read:

b. **Uses with Major Investments.** Lawful nonconforming ~~full or quick service restaurants~~food services establishments with cooking or food preparation facilities, gas/auto fuel stations, theaters, manufacturing plants with specifically designed fixed facilities and other uses which represent a major investment in physical plant or facilities shall not be considered or declared terminated, regardless of the duration of non-use, unless:

i. Such fixed structures, equipment, or facilities are removed; or

ii. Other uses could not be established without major removal of or extensive remodeling or replacement of structures associated with the previous established use.

Section 21. That Berkeley Municipal Code 23.502.020(B)(4) be amended to read:

4. **Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting.** A business devoted to serving alcoholic beverages for consumption by guests on the premises and in which the serving of food is ~~only~~ incidental to the consumption of such beverages.

Section 22. That Berkeley Municipal Code 23.502.020(D) be amended to read:

D. **"D" Terms.**

~~1. **Dance/Exercise/Martial Arts/Music Studio**. An establishment in which customers assemble for group exercises, dancing, self-defense training, aerobics, choral or musical instrument instruction, other movement drills for learning, rehearsal or non-audience performances.~~

~~2.~~1. **Deck.** An unenclosed structure, usually made of wood, built to provide a solid continuous surface for outdoor use and/or access to a door, which is accessible from the ground level, directly or from a connecting stairway and is separated from the ground by an air space.

~~3.~~2. **Demolition.** A building or enclosed structure shall be considered demolished for the purposes of this chapter when, within any continuous 12-month period, such building or enclosed structure is destroyed in whole or in part or is relocated from one lot to another. For purposes of this definition, destroyed in part means when 50 percent or more of the enclosing exterior walls and 50 percent or more of the roof are removed. Removal of facades or portions of facades requires Design Review.

~~4.~~3. **Density.** See 23.106.100 - Residential Density

~~5.~~4. **Density Bonus.** See 23.332.020 (Definitions).

~~6.~~5. **Department.** The Planning and Development Department of the City of Berkeley or its successor administrative unit.

~~7.~~6. **Department Store.** A retail store selling several kinds of merchandise, which are usually grouped into separate sections, including but not limited to, apparel, housewares, household hardware, household appliances, household electronics and gifts.

~~8.~~7. **Dormer.** A projection built out from a sloping roof, usually housing a vertical window or ventilating louver. See also 23.304.110 (Dormers).

~~9.~~8. **Dormitory.** A building providing group living accommodations, occupied by individuals not sharing a common household, characterized by separate sleeping rooms without individual kitchen facilities and containing congregate bath and/or dining facilities or rooms.

~~10.~~9. **Drive-in Uses.** A use where a customer is permitted or encouraged, either by the design of physical facilities or by the service and/or packaging procedures offered, to be served while remaining seated within an automobile. This use includes drive-through food service establishments, financial services (banks), and automatic carwashes.

~~11.~~10. **Driveway.** A paved, vehicular accessway connecting an off-street parking space or parking lot with a public or private street.

~~12.~~11. **Drug Paraphernalia.** As defined in California Health and Safety Code Section 11364.5(d).

~~13.~~12. **Drugstore.** A retail establishment where the profession of pharmacy is practiced and/or where licensed prescription drugs and general merchandise are offered for sale. A food products store with a pharmacy is not a drugstore.

~~14.~~13. **Dry Cleaning and Laundry Plants.** A place where clothes are dry cleaned, dyed and/or laundered as part of a commercial business, whether or not such clothes were deposited by a customer at that location, or transported from another location, as part of a service. This use includes all establishments subject to Section 19233 of the State of California Business and Professions Code, regulating Dry Cleaning Plants, but excludes laundromats and cleaners as defined in this chapter.

~~15.~~14. **Duplex.** A building or use of a lot designed for, or occupied exclusively by, two households.

~~16.~~15. **Dwelling Unit.** A building or portion of a building designed for, or occupied exclusively by, persons living as one household.

Section 23. That Berkeley Municipal Code 23.502.020(F) (11) be amended to read:

11. **Food Service Establishments.** An establishment which in whole or in part prepares food or beverages for immediate consumption on or off the premises.

~~**a. Carry Out Food Store:** A store which serves food or non-alcoholic beverages for immediate consumption not on the premises, but usually in the vicinity of the store. This use is usually characterized as an establishment which serves food altered in texture and/or temperature on a customer-demand basis, puts such food in non-sealed packages or edible containers, requires payment for such food before consumption, and provides no seating or other physical accommodations for on- premises dining. Examples of this use include~~

delicatessens and other stores without seating which sell doughnuts, croissants, ice cream, frozen yogurt, cookies, whole pizzas and sandwiches. This use excludes bakeries and food products stores.

b. Quick Service Restaurant: An establishment which serves food or beverages for immediate consumption either on the premises, or to be taken out for consumption elsewhere. This use is usually characterized as an establishment in which food is cooked on a customer-demand basis, payment is required before consumption, limited or no able service is provided (no waiters), and seating or other physical accommodations for on- premises customer dining is provided. Examples of this use include establishments selling primarily hamburgers or other hot or cold sandwiches, hot dogs, tacos and burritos, pizza slices, fried chicken, or fish and chips.

c. **Full-Service Restaurant**: An establishment which serves food or beverages for immediate consumption primarily on the premises, with only a minor portion, if any, of the food being taken out of the establishment. This use is characterized as an establishment in which food is stored, cooked or prepared on the premises on a customer-demand basis, which requires payment after consumption, and provides seating and tables for on-premises customer dining, and may provide with table service (waiters).

Section 24. That Berkeley Municipal Code 23.502.020(G)(6) be amended to read:

6. **Group Class Instruction**. An establishment that offers specialized programs in personal growth, and development, and instruction in artistic, cultural, and academic pursuits, including music and choral schools, performing arts, arts and crafts, cooking, tutoring, martial arts and self-defense training. Excludes spaces designed exclusively for public performance. Includes music studios, drama schools, dance academies, art schools, tutoring schools, and instruction in other cultural and academic pursuits.

Section 25. That Berkeley Municipal Code 23.502.020(G)(9) be removed:

9. **Gyms and Health Clubs.** An indoor facility where exercise equipment, classes and related activities related to personal health and fitness are available to paying customers. Excludes parks/playgrounds.

Section 26. That Berkeley Municipal Code 23.502.020(H)(2) – (11) be amended to read:

2. **Health and Fitness Facility**. A facility where exercise equipment, swimming pools, group or aerobic classes (including yoga and Pilates) and other activities related to person health and fitness are available to customers or members. Excludes park/playground.

23. **Hedge**. Any line or row of plants, trees or shrubs planted in a continuous line to form a dense thicket or barrier.

34. **Height of Building, Average**. See 23.106.090.A (Average Building Height).

45. **Height of Building, Maximum**. See 23.106.090.B (Maximum Building Height).

56. **Home Occupation**. A business use conducted on property developed with a residential use, which is incidental and secondary to the residential use, does not change the residential character of the residential use, is limited so as not to substantially reduce the residential use of the legally established dwelling, Accessory Dwelling Unit, Accessory Building or Group Living Accommodation room and is operated only by the residents of the subject residence.

There are three classification of Home Occupations. For the purposes of this section, a "customer" is considered a single paying customer, but may include more than one person receiving the services at the same time:

(1) Class I Home Occupation--Involves no more than five customer visits per day, with no more than four persons receiving services at a time. This class does not allow shipping of goods directly from the subject residence.

(2) Class II Home Occupation--Involves no more than ten customer visits per day, with no more than four persons receiving services at a time and no more than one non-resident engaging in business-related activities on-site. This class does not allow shipping of goods directly from the subject residence.

(3) Class III Home Occupation--Involves more than ten customer visits per day, with no more than four persons receiving services at a time and no more than one non-resident engaging in business-related activities on-site and/or involves shipping of goods directly from the subject residence.

67. **Hospital**. A facility for in-patient medical care licensed under California Administrative Code, Title 17, Section 237 or 238.

78. **Hot Tub**. A tub or small pool, usually made of wood or fiberglass, in which heated water is maintained for recreational or therapeutic activities, including, but not limited to, jacuzzis, whirlpools and spas.

89. **Hotel, Residential**. A type of group living accommodations which provides rooms for rent for residential purposes, including single residential occupancy (SRO) rooms.

910. **Hotel, Tourist**. A building with sleeping rooms used, designed, or intended for occupancy by transient guests for a period not to exceed 14 consecutive days.

This use includes inns, bed and breakfasts (B&Bs), and hostels, and excludes building with residential hotel rooms and dwelling units.

~~10~~11. **Household**. One or more persons, whether or not related by blood, marriage or adoption, sharing a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

~~11~~12. **Household Income, Gross**. The income of all adult members of the household as determined by the guidelines used by the Berkeley Housing Authority for its administration of the Section 8 Rental Subsidy Program. For purposes of this definition, household is the same as Family in the federal Section 8 Existing Housing Program or its future equivalent. Classification of Households, based on income, shall be based on the following percentages of the Oakland Primary Metropolitan Statistical Area (PMSA) statistical figures for income of the most recent U.S. Census that are available:

(a) *Low Income Household.* A household whose gross income is greater than 80 percent and less than 100 percent of the median income.

(b) *Lower Income Household.* A household whose income is no greater than 80 percent and above 50 percent of the median income.

(c) *Very Low Income Household.* A household whose gross income is 50 percent or less of the median income.

Section 27. That Berkeley Municipal Code 23.502.020(S)(31) be amended to read:

31. **Studio**. See Art/Craft Studio ~~and Dance. Exercise, Martial Arts or Music Studio~~.

Section 28. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Planning and Development Department
Land Use Planning Division

STAFF REPORT
October 4, 2023

TO: Members of the Planning Commission

FROM: Justin Horner, Associate Planner

SUBJECT: Zoning Amendments for Berkeley Business Public Hearing

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RECOMMENDATION

Planning Commission is asked to hold a public hearing, receive and provide comment on the proposed Zoning Amendments for Berkeley Business ("proposed zoning amendments'), and make a recommendation for consideration by the City Council.

SUMMARY

In response to City Council referrals and recommendations from the Planning Commission's Zoning Amendments for Berkeley Business Subcommittee, staff from the Office of Economic Development (OED) and the Land Use Planning Division (LUP) are proposing zoning amendments (***Attachment 1***) targeted at supporting businesses, particularly small businesses with fewer than 50 employees, in commercial, manufacturing and the Residential BART Mixed Use (R-BMU) and Residential Southside Mixed Use (R-SMU) zoning districts.

On June 7, 2023, the Planning Commission heard a presentation and held a discussion on proposed policy changes and zoning amendments (***Attachment 2***). At that meeting, the Planning Commission appointed a Subcommittee, which met on June 28, 2023 and August 23, 2023, to review the draft proposed ordinance in detail. The proposed ordinance is included as ***Attachment 1*** to this report. The policy rationale for each of these zoning amendments is discussed at length in the June 7, 2023 Planning Commission staff report. Changes made subsequent to the June 7, 2023 Planning Commission meeting are discussed in detail below.

FISCAL IMPACTS OF RECOMMENDATION

As noted in the June 7, 2023 Planning Commission report, the proposed amendments are intended to simplify the planning review process for business activities, including new business starts and expansions. Therefore, the proposed amendments may result in a modest increase in business license tax and sales tax revenues due to increased

business activity. In addition, the proposed amendments may result in a modest decrease in staffing-related expenditures and land use permitting fee collections, as more uses would be permitted “by right” rather than through a discretionary permitting process.

CURRENT SITUATION AND ITS EFFECTS

The Zoning Ordinance has evolved over many decades to reflect Berkeley's changing values and the dynamic landscape of property development and land use. Its requirements are intended to guide the city's growth while providing opportunities for feedback from residents, business owners, and commercial district and neighborhood associations.

OED staff has observed a specific challenge encountered by small, independent enterprises—the intricate path of maneuvering through the permit review procedure, and associated timelines and financial implications.

In order to better accommodate today's small, independent enterprises, OED staff propose a series of amendments. While they would apply to businesses of all sizes, these proposed zoning amendments aim to establish a streamlined, cost-effective, and expedited process tailored to smaller businesses. These changes further the City of Berkeley's Strategic Plan goals to "foster a dynamic, sustainable, and locally-based economy" and "provide excellent, timely, easily- accessible service and information to the community," while honoring the city's commitment to public participation and ensuring that new uses are compatible with neighboring land uses.

BACKGROUND

As detailed in the June 7, 2023 Planning Commission report, the proposed zoning amendments reflect policy changes that are summarized in Table 1 Referral Actions and Zoning Amendment Proposals. The first six proposed zoning amendments reflect specific referred actions from City Council, while the second set of eight proposed zoning amendments reflect staff-initiated changes that are consistent with the direction and intent of City Council referrals. Table 1 also includes a column which indicates which Section(s) of the proposed ordinance (***Attachment 1***) include changes related to the indicated referral actions. ***Attachment 1*** also includes comment bubbles for each Section of the proposed ordinance to indicate which of the items in Table 1 are referred to therein.

Table 1 Referral Actions and Zoning Amendment Proposals

	Policy Change	Proposed Zoning Change	Ordinance Sections (Attachment 1)
	CITY COUNCIL REFERRALS		
1.	**Group Class Instruction.** Allow Group Class Instruction with a Zoning Certificate (ZC) in the C-N, C-E, C-NS and C-SO zoning districts. (Council referral dated 10/15/2019). Revise definitions of "Dance/Exercise/Martial Arts/Music Studio", "Group Class Instruction", and "Gyms and Health Clubs."	• Removed "Dance/Exercise /Martial Arts/Music Studio" use and revised the definition of "Group Class Instruction" (simplified to "Group Instruction") to include it. (Section 23) • Replaced "Gyms and Health Clubs" use with new "Health and Fitness Facility" use and definition. (Section 25) • Changed permit requirements and size thresholds. (Sections 1, 2 and 3) • Removed ground floor transparency requirement for gyms in the C-DMU, for customer privacy. (Section 4) • Conforming technical edits, e.g. renumbering and references.	1 2 3 4 11 13 22 24 25 26 27
2.	**Incidental Distilled Spirits.** Permit the sale of Distilled Spirits that are incidental to a Food Service Establishment with an Administrative Use Permit (AUP), subject to performance standards, in all commercial zoning districts and the MU-LI and MU-R zoning districts. (Council referral dated 10/15/2019, and Council referral dated 12/4/2018)	• Revised permit requirements. (Section 18)	19
3.	**Stand-Alone Beer and Wine.** Permit stand-alone Beer and Wine Sales and Service with an AUP, subject to performance standards, in all commercial zoning districts. (Council referral dated 10/15/2019 and Council referral dated 12/4/2018)	• Expanded Bar/Cocktail Lounge/Tavern use type to include "Tap Room/Wine Tasting." (Sections 3, 12 and 20) • Revised permit requirements. (Section 3)	3 13 21
4.	**Alcoholic Beverage Sales Standards.** Update the Special Use Standards for Alcoholic Beverage Sales in BMC Section 23.310.030(C). (Council referral dated 10/15/2019)	• Revised permit requirements. (Sections 17 and 18)	18 19

	Policy Change	Proposed Zoning Change	Ordinance Sections (Attachment 1)
		• Revised Findings of Public Convenience or Necessity. (Section 17)	
5.	**Hours of Operation.** Modify hours and days of operations in commercial districts. (Council referral dated 10/15/2019).	• Amended district purpose for C-SO District. (Section 8) • Revised Hours of Operation. (Section 13) • Clarified exceptions. (Section 13) • Establish that an AUP, not a Use Permit Modification, is required to extend hours to match this change. (Section 13) • Conforming technical edit. (Section 8)	9 14
6.	**Change of Use.** Remove permit requirements to change a use in commercial districts. (Attachment 1, referral dated 10/15/2019)	• Removed additional permit requirements related to change of use. (Sections 3 and 4)	3 4
7.	**ATMs.** Allow Automatic Teller Machines (ATMs) in commercial districts with a ZC. (Council referral dated 10/15/2019)	• No recommended changes.	N/A
	STAFF-INITIATED CHANGES CONSISTENT WITH CITY COUNCIL REFERRALS		
8.	**Office, Business and Professional; Art/Craft Studio; Pet Stores.** • Allow Office, Business and Professional uses with a ZC in the C-N, C-E, C-NS, C-T and C-SO zoning districts; • Allow Art/Craft Studios with a ZC in all commercial zoning districts; and • Permit Pet Stores with an AUP in the Corridor Commercial (C-C), University Commercial (C-U), C-N, C-E, C-NS, South Area Commercial (C-SA), C-T, C-SO, Downtown Mixed-Use (C-DMU) and Adeline Corridor Commercial (C-AC) zoning districts.	• Revised permit requirements. (Section 3)	3
9.	**Live Entertainment.** Allow unamplified Live Entertainment with a ZC, and permit amplified Live Entertainment with an AUP in the C-C, C-U, C-SA, C-T, C-SO, C-DMU, C-AC, C-N, C-NS, West Berkeley Commercial (C-W), C-E, MU-LI and MU-R zoning districts.	• Added Live Entertainment as incidental use in the R-SMU districts. (Section 1) • Added “Live Entertainment, Unamplified” and “Live	1 3 13 15

	Policy Change	Proposed Zoning Change	Ordinance Sections (Attachment 1)
		Entertainment, Amplified" as their land uses in the residential, commercial and manufacturing Allowed Uses Tables. (Section 3) • Removed stand-alone section. (Section 12 and 14)	
10.	**Seated Food Service Requirement.** Allow distilled alcoholic beverage service without seated food service in the C-T, C-NS, and the C-SO zoning districts.	• Removed requirement that food service must accompany distilled alcohol service. (Sections 7 and 18)	8 19
11.	**Food Service Establishments 3,000 sq. ft or less.** Allow Food Service Establishments 3,000 square feet or less with a ZC, and permit food establishments greater than 3,000 square feet with an AUP, in all commercial zoning districts and the R-SMU and R-BMU zoning districts, as long as alcohol services is not included.	• Added new "Food Service Establishments" uses to Residential and Commercial Allowed Use tables and removed stand-alone section. (Sections 1, 3 and 15) • Removed requirement that food service on ground floor in C-DMU requires an AUP. (Section 9)	1 3 10 16
12.	**Food Service Establishment Quota.** Remove the Numeric Limitation for Food Service Establishments in the C-E zoning district.	• Removed numeric quota. (Section 5)	5
13.	**Incidental Food Service Establishment Requirements.** Permit incidental Food Service Establishments under 20,000 square feet in manufacturing districts to be indoors and outdoors with an AUP, and remove the specification that food or beverage be limited to "immediate consumption" in the MM zoning district.	• Added new "Food Service Establishment" incidental uses to Manufacturing Allowed Use Table and removed stand-alone section. (Sections 12 and 15)	13 16
14.	**Drug Paraphernalia in C-T District.** Allow retail sales of drug paraphernalia in the C-T zoning district.	• Removed prohibition on uses involving sale or distribution of drug paraphernalia in C-T. (Section 7)	8
15.	**Third Party Rental** Remove the restriction on renting space in a Food Service Establishment that serves alcohol incidental to food service to a third party.	• Removed restriction. (section 18)	19

Changes Subsequent to June 7, 2023 Planning Commission

The June 7, 2023 Planning Commission staff report included detailed discussion of the referral actions and rationales for the proposed zoning changes. Subsequent to that meeting, revised recommendations from the Zoning Amendments for Berkeley Business Subcommittee and from project planning, policy planning, and Office of Economic Development staff have been incorporated into the proposed ordinance. Those changes are summarized below.

1. Group Class Instruction: The BMC includes three related use types (Group Class Instruction, Art Classes/Studios/Dance/ Martial Arts Studios, and Gym/Health Club) that share some overlapping uses (exercise classes, for example, appear in both Group Class Instruction and Gym/Health Club). This has led to some confusion as to how to classify a proposed use. The June 7, 2023 Planning Commission report included revisions to the definitions of each of three related uses to make each one distinct and to clarify how a proposed use should be classified. The report also proposed an alternative approach: consolidating the definitions and creating fewer use types.

The proposed zoning amendments include a consolidation of the three use types into two use types (Group Instruction and Health and Fitness Facility) and provides definitions that expand and clarify what types of uses are to be considered under each use type.

- **Single Land Use Alternative:** An alternative approach is to consolidate the two proposed use types (“Group Instruction” and “Health and Fitness”) into one single land use, called “Group Activity.” As a result of other changes included in the proposed ordinance, the permit requirements for Group Instruction and Health and Fitness Facility are the same across all commercial districts. It may not be necessary to distinguish between the two use types if they are regulated similarly. However, the two uses are regulated differently in the M, MM, and MU-R zoning districts: Group Instruction is permitted with a ZC, while Health and Fitness uses are not permitted.

In addition, the June 7, 2023 Planning Commission report included permitting Group Class Instruction in any commercial zoning district with a ZC. Currently, Group Class Instruction uses require an AUP in smaller neighborhood commercial districts (C-N, C-E and C-SO zoning districts). The proposed ordinance includes a revision requiring an AUP for *larger* Group Instruction uses (3,000 sq. ft. or larger) in the C-N, C-E and C-SO zoning districts, while permitting smaller uses with a ZC.

2. Revised Levels of Permit Discretion for Office, Business and Professional: The June 7, 2023 Planning Commission report included a revision to the Allowed Use Table which permitted Office, Business and Professional uses in all commercial zoning districts with a ZC.

In discussing this item, Subcommittee members expressed a concern that making Office, Business and Professional uses easier to establish in smaller neighborhood commercial districts could make it difficult for neighborhood-serving retail to compete in these more discrete areas. Currently, Office, Business and Professional uses require an AUP in smaller neighborhood commercial districts (C-N, C-E and C-SO zoning districts). The proposed ordinance includes a revision that maintains this AUP requirement for Office, Business and Professional use in these three smaller neighborhood commercial zoning districts.

3. Live Entertainment. The June 7, 2023 Planning Commission report included revisions to BMC Section 23.302.020 to make it easier for live entertainment to be approved as an incidental use in commercial zoning districts and in the MU-LI and MU-R zoning districts.

The proposed ordinance includes an additional revision permitting live entertainment as an incidental use in the R-SMU district. Live entertainment, as either a primary or incidental use, is currently not permitted in any residential zoning district. The R-SMU, however, with its relatively dense and mixed-use character, and geographic limitation within the student-oriented Southside Plan Area, was considered an appropriate zoning district in which to permit live entertainment as an incidental use.

4. Structural/Formatting Changes. Currently, for some uses, the residential, commercial and manufacturing allowed use tables do not contain information about required permits for certain use types; instead, users are instructed to find this permit-related information in other sections or tables of the BMC.

Where appropriate, the proposed ordinance eliminates these references and additional tables, and includes required permit distinctions directly within the allowed use tables themselves. The intent is to simplify the ordinance, remove extraneous language, and to make it easier for users to locate the required permit(s).

- Food Service Establishments: Currently, Food Service Establishment is a single use, and users need to go elsewhere in the BMC to learn about permit distinctions based on project size. The proposed ordinance removes the extra section and instead includes two use types, based on size, directly in the Allowed Use Tables (Food Service Establishment, Under 3,000 sq. ft. and Food Service Establishment, 3,000 sq. ft. or larger).

- Live Entertainment: Currently, a user must consult a separate section of the BMC for permit requirements related to unamplified and amplified live entertainment. The proposed ordinance removes the extra section and instead includes two use types directly in the Allowed Use Tables (Live Entertainment, Unamplified and Live Entertainment, Amplified). This revision also includes the addition of an Incidental Use category within the Residential Allowed Use Table.

- Group Instruction and Health and Fitness Facility: Currently, a user must consult a separate section of the BMC for permit requirements related to the size and location of Gym/Health Club/Fitness uses. The proposed ordinance removes the extra section and instead includes size-based distinctions in the Allowed Use Tables (Group Instruction, Under 3,000 sq. ft.; Group Instruction, 3,000 sq. ft. or larger; Health and Fitness Facility, Under 7,500 sq. ft.; and Health and Fitness Facility, 7,500 sq. ft. or larger).

5. Technical Changes. The proposed zoning amendments also include five technical amendments: two related to the C-SA zoning district, one that corrects use category titles, and two related to restaurant uses.

- C-SA District:
    1. With the adoption of the Adeline Corridor Specific Plan, a number of parcels that were previously included in the C-SA zoning district were rezoned to C-AC. Section 23.204.100 (C-SA zoning district) still includes provisions that pertain only to those formerly C-SA parcels. The proposed zoning amendments include the removal of those provisions from the C-SA zoning district regulations.
    2. The C-SA zoning district includes two different building height standards, which are applied to parcels based on their location. Currently, there are parcels that are zoned C-SA that do not have a building height standard assigned to them. The proposed zoning amendments include revisions to the C-SA Maximum Building Heights Table and accompanying map to provide a building height standard for all C-SA zoned parcels.
- Use Category Titles: Section 12 of ***Attachment 1*** includes the correct use category titles for Retail Uses, Person and Housing Services Uses and Food and Alcohol Service, Lodging, Entertainment and Assembly Uses.
- Restaurant Uses: As a result of previous amendments, there are no longer any regulations that pertain to Carry Out Food Stores, Quick Service Restaurants and Full-Service Restaurants. To eliminate confusion, the proposed zoning amendments include removal of the definitions for these restaurant types from the Glossary and a reference in another section.

Existing Land Uses and the Proposed Zoning Ordinance Amendments

As a result of some of the proposed zoning ordinance amendments, there may be existing uses that, either as a result of previous zoning regulations or specific conditions of approval, would be subject to more restrictive regulations than new uses in the same zoning district that would be established after the adoption of the proposed zoning amendments.

For example, currently in the C-U zoning district, commercial hours of operation end at midnight. Accordingly, an existing business' approval was premised on ending business at midnight. Under the proposed zoning changes, however, commercial hours of operation in the C-U zoning district would end at 2:00 a.m. A new business would therefore be allowed to operate two hours longer than an existing business. Currently, adjusting the existing business' commercial hours of operation would require a permit modification (BMC 23.404.070), which requires a public hearing.

The revised ordinance includes new language in three sections to modify the process for modifying an existing land use approval to be consistent with the new regulations included in the proposed ordinance. In each case, an AUP is required to modify an approval, which includes public notice and an option to appeal an initial decision, as well as providing the city an opportunity to include conditions of approval, if necessary.

Authorization to modify existing approvals with an AUP is found in the proposed ordinance's revised language for Hours of Operation (BMC 23.302.020(B); Section 13 of ***Attachment 1***); General Requirements for Alcohol Beverage Sale and Service (BMC 23.301.020(B); Section 17 of ***Attachment 1***); and regulations regarding Alcoholic Beverage Service When Incidental to Food Service (BMC 23.302.030(A); Section 18 of ***Attachment 1***).

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Environmental Review Status

The proposed ordinance includes revisions to permit and other requirements for specified land uses to encourage economic development. It does not include allowing any uses currently not permitted that would be anticipated to have a significant effect on the environment.

California Public Resource Code Section 21065 defines a "project" under CEQA as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." The proposed ordinance includes revisions to permit and other requirements for specified land uses to encourage economic development. It does not include allowing any uses currently not permitted that would be anticipated to have a significant effect on the environment. The proposed ordinance does not consist of a discretionary action that would permit or

cause any direct or indirect change in the environment. The proposed ordinance is therefore not a project under CEQA, and further environmental review is not required.

RATIONALE FOR RECOMMENDATION

The proposed zoning amendments aim to provide a more straightforward, cost-effective, and efficient process for businesses in their establishment or expansion phases. As noted in the June 7, 2023 Planning Commission report, OED staff consulted with business services personnel, small business proprietors and operators, as well as the Community Services Bureau of the Berkeley Police Department, along with code enforcement staff from the Zoning, Neighborhood Services, and Environmental Health Divisions. This collaborative effort enabled the identification of enhancements in processes and implementations that align with Council referrals.

At its June 7, 2023 meeting, the Planning Commission expressed support for the proposed zoning amendments' general direction. Consequently, a Subcommittee was convened to offer further analysis and a detailed review of the proposed ordinance. The Subcommittee conducted that review and suggested a select number of changes that have been incorporated into the proposed ordinance.

ALTERNATIVE ACTIONS CONSIDERED

As noted above, the June 7, 2023 Planning Commission report included a set of recommendations and alternative suggestions for a number of the proposed policy changes, including different permit requirements, differently-worded definitions and alternative approaches to formatting and organization.

NEXT STEPS

Upon a recommendation from the Planning Commission, the City Council will conduct a public hearing on the proposed ordinance. The proposed zoning amendments would be effective 30 days after the second reading of the ordinance by the City Council.

CONTACT PERSON

Kieron Slaughter, Chief Strategist, Economic Innovation, Office of Economic Development, 510-981-2490

Justin Horner, Associate Planner, Planning and Development Department, 510-981-7476

Attachments:

1. Ordinance
2. June 7, 2023 Planning Commission report and attachments
3. Public Hearing Notice

Referenced Council Referrals:

1. Referral Response: Modifications to the Zoning Ordinance to Support Small Businesses (City Manager Williams-Ridley, 12/4/18)
2. Referral Response: Modifications to the Zoning Ordinance to Support Small Businesses (City Manager Williams-Ridley, 10/15/19)

ATTACHMENT 3

ORDINANCE NO. -N.S.

AMENDMENTS TO THE RESIDENTIAL DISTRICT CHAPTER (BMC 23.202), COMMERCIAL DISTRICT CHAPTER (BMC 23.204), MANUFACTURING DISTRICT CHAPTER (BMC 23.206), SUPPLEMENTAL USE REGULATIONS CHAPTER (BMC 23.302), ALCOHOLIC BEVERAGE SALES AND SERVICE CHAPTER (BMC 23.310), NONCONFORMING USES, STRUCTURES AND BUILDINGS CHAPTER (BMC 23.324) AND THE GLOSSARY CHAPTER (BMC 23.502) TO SUPPORT BERKELEY BUSINESSES

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

Section 1. That the lines named "Alcoholic Beverage Service," "Food Service Establishment" "Group Class Instruction," and "Gym/Health Club" in Table 23.202-1 Allowed Land Uses in Residential Districts, within Berkeley Municipal Code 23.202.020 are amended, and lines named "Food Service Establishment, Under 3,000 sq. ft.," "Food Service Establishment, 3,000 sq. ft. or larger," and a new Incidental Use use category with "Live Entertainment, Unamplified" and "Live Entertainment, Amplified" are added, to read:

Commented [HJ1]: 1. Group Class Instruction
9. Live Entertainment
11. Food Service Establishments 3,000 sq. ft. or less

Table 23.202-1: Allowed Land Uses in Residential Districts

ZC = Zoning Certificate AUP = ADMINISTRATIVE USE PERMIT UP(PH) = Use Permit NP = Not Permitted * Use-Specific Regulations Apply **--Required permits for specific uses are set forth in the R-BMU Master Development Permit (MDP).See 23.202.150.A and 23.202.150.D	RESIDENTIAL DISTRICTS											USE-SPECIFIC REGULATIONS APPLIES TO USES WITH AN ASTERISK FOLLOWING THE PERMIT REQUIREMENT (E.G., ZC*)
	R-1	R-1A	ES-R	R-2	R-2A	R-3	R-4	R-5	R-S	R-SMU	R-BMU**	
Alcoholic Beverage Service	NP	NP	NP	NP	NP	NP	NP	NP	NP	~~UP(PH)*~~ ZC*	UP(PH)*	23.310—Alcoholic Beverage Sales and Service
~~Food Service Establishment~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~NP~~	~~UP(PH)*~~	~~UP(PH)*~~	~~23.302.070.E– Use-Specific Regulations~~
Food Service Establishment, Under 3,000 sq. ft.	NP	NP	NP	NP	NP	NP	NP	NP	NP	ZC*	ZC*	23.302.070(E) – Use-Specific Regulations
Food Service Establishment, 3,000 sq. ft. or larger	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP*	AUP*	23.302.070(E) – Use-Specific Regulations
Group ~~Class~~ Instruction	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	23.202.150.(C) R-BMU Residential BART Mixed Use District
~~Gym/~~Health and Fitness Facility~~Club~~	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	23.202.150.(C) R-BMU Residential BART Mixed Use District
Incidental Uses												

Live Entertainment, Unamplified	NP	NP	NP	NP	NP	NP	NP	NP	NP	ZC	NP	
Live Entertainment, Amplified	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP	NP	

Section 2. That Berkeley Municipal Code 23.202.150(C)(2) is amended to read:

Commented [HJ2]: 1. Group Class Instruction

2. Group ~~Class~~ Instruction and ~~Gym/~~Health ~~Club~~and Fitness Facility. Group ~~class~~ instruction and ~~gym/~~health ~~club~~ and fitness facility uses are permitted at the Ashby BART station with a Zoning Certificate. Group ~~class~~ instruction and ~~gym/~~health ~~club~~ and fitness facility uses are permitted at the North Berkeley BART station with a Use Permit.

Section 3. That the lines named "Family Day Care Home, Large," "Family Day Care Home, Small," "Alcoholic Beverage Retail Sale," "Pet Store," "Retail General," "Personal and Household Services, General, "Laundromats and Cleaners," "Video Tape/Disk Rental," "Business Support Services," "Bank and Financial Services, Retail," "Insurance Agents, Title Companies, Real Estate Agents, Travel Agents," "Medical Practitioners," "Non-Chartered Financial Institutions," "Office, Business and Professional," "Bar/Cocktail Lounge/Tavern," "Dance/Exercise/Martial Arts/Music Studio," Food Service Establishment," "Gym/Health Club," "Alternative Fuel Station," "Large Vehicle Sales and Rental," "Small Vehicle Sales and Rental," "Vehicle Parts Store," "Vehicle Rentals," "Vehicle Repair and Service," "Vehicle Sales, New," "Vehicle Sales, Used," "Cannabis Testing," "Light Manufacturing," "Wholesale Trade," "Food and Beverage for Immediate Consumption," "Food Service Establishment," "Live Entertainment," "Retail Sale of Goods Manufactured On-Site," "Art/Craft Studio," "Public Market, Enclosed" and the Notes in Table 23.204-1 Allowed Uses in the Commercial Districts, within Berkeley Municipal Code 23.204.020, are amended, and lines named "Group Instruction, 3,000 sq. ft. or larger," Food Service Establishment, Under 3,000 sq. ft." "Food Service Establishment, 3,000 sq. ft. or larger" "Health and Fitness Facility, Under 7,500 sq. ft," "Health and Fitness Facility, 7,500 sq. ft." "Live Entertainment, Unamplified," and "Live Entertainment, Amplified," are added, to read:

Commented [HJ3]: 1. Group Class Instruction
3. Stand-Alone Beer and Wine
6. Change of Use
8. Office, Business & Professional. Art/Craft Studio, Pet Store
9. Live Entertainment
11. Food Service Establishments 3,000 sq. ft. or less
TECHNICAL CHANGE related to Family Day Care Homes

Table 23.204-1 Allowed Uses in the Commercial Districts

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
~~Family Day Care Home, Large~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
~~Family Day Care, Small~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	~~ZC~~	
Alcoholic Beverage Retail Sale	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	NP	UP(PH)*	UP(PH)*	UP(PH)*	UP(PH)*	~~23.204.060.B.2~~ 23.310
Pet Store	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	~~AUP~~ ~~UP(PH)~~	ZC ~~[3]~~	~~AUP~~ ~~UP(PH)~~	
Retail, General	ZC ~~[1]~~	ZC ~~[1]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC* ~~[1]~~	ZC*	ZC* ~~[2]~~	ZC	ZC* ~~[3]~~	ZC*	23.204.040~~.(C) E (for department stores)~~ 23.204.040(D)~~.F (for drug stores)~~
Personal and Household Services, General	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[1]~~	ZC	ZC ~~[2]~~	ZC	ZC ~~[5]~~	ZC	
Laundromats and Cleaners	AUP	AUP	UP(PH)	UP(PH)	UP(PH)	AUP	AUP	UP(PH)	UP(PH)	AUP ~~[4]~~	AUP	
Video Tape/Disk Rental	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	AUP	ZC ~~[2]~~	--	ZC	ZC ~~[2]~~	ZC	ZC ~~[5]~~	NP	
Business Support Services	ZC ~~[1]~~	ZC ~~[1]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[2]~~	ZC ~~[1]~~	ZC*	ZC ~~[2]~~	ZC	ZC ~~[5]~~	ZC ~~[6]~~	23.204.110~~.~~(B)~~.6~~(4)
Bank and Financial Services, Retail	AUP	AUP	UP(PH)	UP(PH)	UP(PH)	ZC ~~[1]~~	AUP *	UP(PH)	ZC*	AUP	ZC	23.204.110~~.~~(B~~.~~)~~(6~~4); 23.204.130~~.~~(B)~~.~~(6); 23.204.130~~.~~(D~~.~~)(3)
Insurance Agents, Title Companies, Real Estate Agents, Travel Agents	ZC ~~[1]~~	ZC ~~[1]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC* ~~[2]~~	ZC ~~[1]~~	ZC*	ZC* ~~[2]~~	ZC*	ZC ~~[5]~~	ZC ~~[6]~~	23.204.040~~.D~~(B); 23.204.110~~.~~(B)~~.6~~(4); 23.204.130~~.~~(D)~~.~~(3)
Medical Practitioners	ZC ~~[1]~~	ZC ~~[1]~~	AUP	NP	UP(PH)	ZC ~~[1]~~	AUP *	UP(PH)	ZC*	ZC ~~[5]~~	ZC ~~[6]~~	23.204.040~~.D~~(B); 23.204.110~~.~~(B)~~.6~~(4); 23.204.130.D.3
Non-Chartered Financial Institutions	UP(PH)*	UP(PH)*	NP	NP	NP	UP(PH)*	UP(PH)*	NP	NP	UP(PH)*	UP(PH)	23.302.070.F 23.204.110.B.~~64~~
Office, Business and Professional	ZC ~~[1]~~	ZC ~~[1]~~	AUP *	AUP *	~~AUP~~ ZC*	ZC ~~[1]~~	~~AUP~~ ZC*	AUP *	ZC*	ZC ~~[5]~~	ZC ~~[6]~~	23.204.040.B; 23.204.110.B.~~64~~; 23.204.130.D.3
Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	-- AUP *	~~NP~~A UP*	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~NP~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~UP(PH)~~ AUP *	~~23.204.100.B.3~~ ~~23.204.110.B.2~~; 23.310
~~Dance/Exercise/Martial Arts/Music Studio~~	~~ZC~~ ~~[1]~~	~~ZC~~ ~~[1]~~	~~ZC~~ ~~[2]~~	~~AUP~~	~~AUP~~ ~~[4]~~	~~ZC~~ ~~[1]~~	~~ZC~~	~~AUP~~	~~ZC~~	~~ZC~~ ~~[7]~~	~~ZC~~	
Food Service Establishment, under	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	23.302.070.E

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
3,000 sq. ft.												
Food Service Establishment, 3,000 sq. ft. or larger	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	23.302.070.E
Group ~~Class~~ Instruction, Under 3,000 sq. ft.	ZC [1]	ZC [1]	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	ZC [1]	ZC	~~AUP~~ ZC	ZC	ZC	ZC	~~23.204.040.B~~
Group Instruction, 3,000 sq. ft. or larger	ZC	ZC	AUP	AUP	ZC	ZC	ZC	AUP	ZC	ZC	ZC	
Health and Fitness Facility, Under 7,500 sq. ft	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Health and Fitness Facility, 7,500 sq. ft. or larger	ZC	ZC	AUP	AUP	ZC	ZC	ZC	AUP	ZC	ZC	ZC	
~~Gym/Health Club~~	~~See 23.204.040.C~~											
Alternative Fuel Station	UP(PH)	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	NP*	UP(PH)	NP	AUP *	UP(PH)	23.204.110.~~(B).4(2)~~ 23.204.140.~~(B).(3)~~
Large Vehicle Sales and Rental	AUP	NP	NP	NP	NP	NP	NP	NP	NP	AUP * [81]	NP	23.204.140.~~(B).(3)~~
Small Vehicle Sales and Service	AUP	NP	NP	NP	NP	UP(PH)*	NP	NP	UP(PH)	UP(PH)*	NP	23.204.100.~~(B).5(3)~~; 23.204.140.~~(B).(3)~~
Vehicle Parts Store	ZC [1]	NP	ZC [2]	ZC [2]	ZC [2]	ZC [1]	ZC	ZC [2]	NP	AUP * [81]	ZC	
Vehicle Rentals	AUP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	AUP * [81]	NP	23.204.140.~~(B).(3)~~
Vehicle Repair and Service	AUP	NP	NP	NP	NP	NP	NP	NP	NP	AUP * [81]	NP	
Vehicle Sales, New	AUP	NP	NP	NP	NP	UP(PH)*	NP	NP	UP(PH)	AUP * [81]	NP	23.204.140.~~(B).(3)~~
Vehicle Sales, Used	AUP	NP	NP	NP	NP	UP(PH)*	NP	NP	UP(PH)	UP(PH)*	NP	23.204.100.~~(B).5(3)~~; 23.204.140.~~(B).(3)~~; 23.204.140.~~(D).(4)~~
Cannabis Testing	AUP	AUP	NP	NP	NP	NP	NP	NP	AUP	AUP [81]	NP	
Light Manufacturing	–	–	–	–		–	–	–	–	AUP [81]	--	
Wholesale Trade	–	–	–	–	--	–	–	–	–	AUP [81]	--	
Incidental Uses												
Food and Beverage for Immediate Consumption	ZC	ZC	~~AUP~~ ZC	~~UP(PH)~~ ZC	~~UP(PH)~~ ZC	ZC	~~AUP~~ ZC	~~UP(PH)~~ ZC	ZC	ZC	ZC	

Commented [HJ4]: Instead of using a table in section 23.204.040, we made new land uses here, for ease of use.

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ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit NP = Not Permitted -- = Permitted with AUP, see 23.204.020(B) [#] = Table Note Permit Requirement * Use-Specific Regulations Apply	COMMERCIAL DISTRICTS											USE-SPECIFIC REGULATIONS
	C-C	C-U	C-N	C-E	C-NS	C-SA	C-T	C-SO	C-DMU	C-W	C-AC	
~~Food Service Establishment~~	~~See 23.302.070.E~~											
Food Service Establishment, Under 3,000 sq. ft.	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	23.310.030
Food Service Establishment, 3,000 sq. ft. or larger	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	AUP * –	23.310.030
Live Entertainment, Unamplified	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Live Entertainment, Amplified	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	
~~Live Entertainment~~	~~See 23.302.070.E~~											
Retail Sale of Goods Manufactured On-Site	ZC [1]	ZC [1]	ZC [2]	ZC [2]	ZC [2]	ZC [1]	ZC	ZC [2]	ZC	~~AUP~~ ZC	ZC	
Art/Craft Studio	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	~~AUP~~ ZC	ZC [6]	
Public Market, Enclosed	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP	AUP [92]	AUP	
Notes: ~~[1] Change of use of floor area over 3,000 square feet requires an AUP.~~ ~~[2] Change of use of floor area over 2,000 square feet requires an AUP.~~ ~~[3] Requires an AUP for uses 3,500 sq. ft. to 7,500 square feet. Requires a Use Permit for uses more than 7,500 sq. ft.~~ ~~[4] Requires a Use Permit if 5,000 sq. ft. or more.~~ ~~[5] Requires an AUP for uses 3,000 sq. ft. to 5,000 square feet. Requires a Use Permit for uses more than 5,000 sq. ft.~~ ~~[6] Requires an AUP for uses 2,500 sq. ft. or greater or 50 ft. wide or greater on Shattuck, between Ward and Russell; Adeline between Russell and the City boundary; on Ashby, east of Adeline; or on the north side of Ashby, west of Adeline.~~ ~~[7] Requires a Use Permit if 7,500 square feet or more.~~ ~~[8]~~[1] Require a Use Permit if either 5,000 sq. ft. or more of floor area or 10,000 square feet or more of lot area. ~~[9]~~[2] Requires a Use Permit if more than 10,000 sq. ft.											

Commented [HJ5]: Instead of using a table in section 23.302.070, we made new land uses here, for ease of use.

Section 4. That Berkeley Municipal Code 23.204.040(B) through (F) be amended, to read:

Commented [HJ6]: 1. Group Class Instruction
6. Change of Use

~~B. Group Class Instruction.~~

1. **~~C-NS and C-DMU Districts.~~** ~~When group class instruction in the C-NS or C-DMU districts are located on the ground floor adjacent to a street frontage,~~

storefront windows must include a window display or to be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

2. **C-NS District.** Group class instruction uses in the C-NS may not exceed 2,500 square feet.

3. **C-T District.** Group class instruction uses in the C-T district are not permitted on the ground floor.

C. Gyms and Health Clubs

Commented [HJ7]: Created new use (Health and Fitness Facility) and moved permit requirements to Commercial Allowed Uses Table (Section 3, above), so we can get rid of this table. New definition in Glossary, below (Section 25)

1. Permits Required. Table 23.204-5: Gym and Health Club Permit Requirements shows permits required for gyms and health clubs in the Commercial Districts.

Table 23.204-5: Gym/Health Club/Fitness Studio Permit Requirements

DISTRICT/USE SIZE	PERMIT REQUIRED [1]
C-C, C-U, C-DMU	
Under 7,500 sq. ft	ZC
7,500 sq. ft. and greater	AUP
C-N, C-E, C-NS, C-SO	AUP
C-SA, C-T, C-AC	ZC
C-W	
Under 7,500 sq. ft	ZC
7,500 sq. ft. and greater	UP(PH)

Note:
[1] Change of use permit requirements as described in Section 23.204.030.A – Additional Permit Requirements (Change of Use) also apply. In the C-C, C-U, and C-SA districts, a change of use of gross floor area over 3,000 square feet requires an AUP. In the C-N, C-E, C-NS, and C-SO districts, a change of use of gross floor area over 2,000 square feet requires an AUP.

2. C-DMU District. When located on the ground floor adjacent to a street frontage, storefront windows for a gym and health club in the C-DMU district must include a window display or to be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

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~~D~~B. **Transparency Requirement for Office Uses**. When office uses shown in Table 23.204-6: Office Uses Subject to Transparency Requirement are located on the ground floor adjacent to a street frontage, storefront windows shall either:

1. Include a storefront window display; or

2. Be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

Table 23.204-6: Office Uses Subject to Transparency Requirement

OFFICE USE	DISTRICT
Insurance Agents, Title Companies, Real Estate Agents, Travel Agents	CN, C-E, C-NS, CT, C-SO, C-DMU
Medical Practitioners	C-T
Office, Business and Professional	CN, C-E, C-NS, C-T, C-SO, C-DMU

~~E~~C. **Department Stores.** Table 23.204-7: Department Store Permit Requirements shows permits required for department stores in the Commercial Districts.

Table 23.204-7: Department Store Permit Requirements

DISTRICT/USE SIZE	PERMIT REQUIRED ~~[1]~~
C-SA, C-T	
3,000 sq. ft. or less	ZC
Over 3,000 sq. ft.	AUP
C-E, C-NS, C-SO	
3,000 sq. ft. or less	ZC
Over 3,000 sq. ft.	Not Permitted
C-N	
3,000 sq. ft. or less	AUP
Over 3,000 sq. ft.	Not Permitted
C-C, C-U	ZC
C-AC	
3,000 sq. ft. or less	ZC
Over 3,000 sq. ft.	~~UP(PH)~~AUP
~~Note:~~ ~~[1] Change of use permit requirements as described in Section 23.204.030.A Additional~~	

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~~Permit Requirements (Change of Use) also apply. In the C-C, C-U, and C-SA districts, a change of use of gross floor area over 3,000 square feet requires an AUP. In the C-N, C-E, C-NS, and C-SO districts, a change of use of gross floor area over 2,000 square feet requires an AUP.~~

~~F~~D. **Drugstores.** The following requirements apply to drugstores in the C-N, CE, C-NS, and C-SO districts.

1. Where Prohibited. A new or expanded drugstore is not permitted if it is:

a. Over 5,000 square feet in gross floor area; and

b. Within 1,000 feet of any property containing an existing drugstore.

2. Measurement of Distance. Distances between drugstores are measured by a straight line from the nearest point of the property line of the parcel on which the drugstore is proposed to the nearest point of the lot line of the lot on which the nearest drugstore is located.

Section 5. That Berkeley Municipal Code 23.204.080(B)(2) be amended to read:

Commented [HJ8]: 12. Food Service Establishment Quota (C-E)

2. ~~Numerical and~~ **Size Limitations.**

a. Table 23.204-20 shows land uses subject to ~~numerical and~~ size limitations in the C-E district.

TABLE 23.204-20: C-E LAND USE NUMBER AND SIZE LIMITATIONS

USE	~~NUMBER LIMIT~~	MAXIMUM SIZE	PERMIT REQUIRED
Art/Craft Shops, Gift/Novelty Shops, Jewelry/Watch Shops	~~No limit~~	1,500 sq. ft.	ZC
Bookstores, Periodical Stands	~~No limit~~	2,000 sq. ft.	ZC
~~Food Service Establishments [1]~~	~~25 total~~	~~No max.~~	~~AUP~~
Photocopy Stores, Printing, Fax, Magnetic Disk Reproduction Services	~~No limit~~	1,000 sq. ft.	ZC

~~Notes:~~

~~[1] Excludes food service uses accessory to a food product store. Secondary food service uses associated with all other principal uses are subject to limitations in Table 23.204-20.~~

~~Change of use of over 3,000 square feet requires Use Permit~~

b. The ZAB may allow a use to exceed the limitations in Table 23.204-20 with a Use Permit upon finding that:

i. The use will result in the positive enhancement of the purposes of the district; and

ii. The use is likely to experience substantial patronage by surrounding residents as indicated by neighborhood resident support, merchant support, marketing surveys, or other information.

Section 6. That Berkeley Municipal Code 23.204.100(B) be amended to read:

Commented [HJ9]: **TECHNICAL CHANGE to C-SA**: many C-SA parcels were rezoned to C-AC when the Adeline Plan was adopted. Due to that rezoning, there are no longer areas within the C-SA zoning district that meet these conditions (there are now all C-AC).

1. **General.** See Table 23.204-1: Allowed Uses in the Commercial Districts

~~**2. Alcoholic Beverage Retail Sales.** The sale and service of distilled alcoholic beverages (hard liquor) is not permitted along Adeline Street, south of Ashby Avenue, except that such service is allowed when incidental to meals at full-service restaurants in accordance with Section 23.310—Alcoholic Beverage Sales and Service.~~

~~**3. Bar/Cocktail Lounge/Tavern.** Service of distilled alcoholic beverages is allowed along Adeline Street south of Ashby Avenue only when incidental to seated food service.~~

42 Mixed-Use Permits Required.

a. **Zoning Certificate.** A mixed-use project is allowed with a Zoning Certificate if the project:

i. Complies with all applicable standards in Table 23.204-27, Table 23.204-28, and Table 23.204-29;

ii. Includes only residential uses above the ground floor; and

iii. Is less than 5,000 square feet in gross floor area, including any existing floor area incorporated into the project.

b. **Use Permit.** If a mixed-use project does not meet the criteria for approval with a Zoning Certificate as provided above, the project requires a Use Permit and is subject to the findings in Section 23.204.100.(E)– C-SA South Area Commercial District (Permit Findings).

53. Vehicle Sales.

a. **Applicability.**

i. In the C-SA district, small vehicle service is not permitted. Small vehicle sales that are exclusively indoor operations are permitted with a Zoning Certificate. Otherwise, a Use Permit is required.

ii. All new or relocated vehicle sales in the C-SA district shall be exclusively indoor operations with no outdoor activities and shall comply with the requirements of this subsection.

iii. Expansions or modifications of existing vehicle sales are:

1. Encouraged to comply with standards in Paragraph c (Standards) below where feasible; and
2. Shall not increase or exacerbate a non-conformity with these standards.

b. **Standards.**

i. **Street Frontage.** Outdoor vehicle display is permitted only along Shattuck Avenue and Adeline Street and is limited to 30 percent of the lot frontage on those streets.

ii. **Area for Outdoor Uses.** A maximum of 40 percent of the lot area may be used for outdoor uses, including but not limited to vehicle display and storage. Adequate landscaping and/or fencing shall be used to filter the view of outdoor uses from the adjacent right-of-way and abutting properties, with the exception of outdoor vehicle display;

iii. **Service Entries.** Vehicle and repair service entries may not exceed 20 percent of the primary lot frontage, no entrance may exceed a width of 20 feet. The primary street frontage is the frontage towards which the primary building entrance is oriented.

iv. **Transparency.** At least 60 percent of any new building shall be within 10 feet of the right-of-way along the primary street frontage and 60 percent of the street-facing facade shall be comprised of clear glass.

v. **Repair Activities.** All vehicle repair activities shall be conducted indoors.

vi. **Noise.** All noise-generating equipment and activities, such as vehicle repair, shall be shielded by noise-attenuating materials. Outdoor amplification is not permitted.

vii. **Lighting.** Exterior light standards and fixtures shall not be taller than 20 feet, shall achieve uniform light coverage and minimize glare, shall use light cutoffs to control light spillover onto adjacent properties and urban sky glow, and shall use low energy light fixtures consistent with the City's goals for energy efficiency.

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vii. **Vehicle Storage.** No vehicles shall be stored in the public right-of-way.

c. **Modification of Standards.** The Zoning Officer may allow modification to standards in Paragraph c (Standards) above with an AUP upon finding that the modification:

i. Is necessary to facilitate incorporation of an existing structure;

ii. Achieve greater consistency with the surrounding street pattern;

iii. Buffers impacts to an adjacent residential district; or

iv. Is needed to accommodate dealership operations.

Section 7. That Table 23.204-28 C-SA Maximum Building Heights and Figure 23.204-3 C-SA Building Height Sub-Areas be amended to read:

Commented [HJ10]: TECHNICAL CHANGE to C-SA: Some C-SA parcels are not included in the C-SA Maximum Building Heights Table

Table 23.204-28. C-SA Maximum Building Heights

Building Land Use	Maximum Height	
	Subarea ~~1~~One	~~Subarea 2~~All other parcels
Non-Residential Uses	36 ft and 3 stories	24 ft and 2 stories
Mixed Use and Residential Only	60 ft and 5 stories [1]	36 ft and 3 stories [1]
[1] In mixed-use buildings, the third story and above must be used for residential purposes entirely.		

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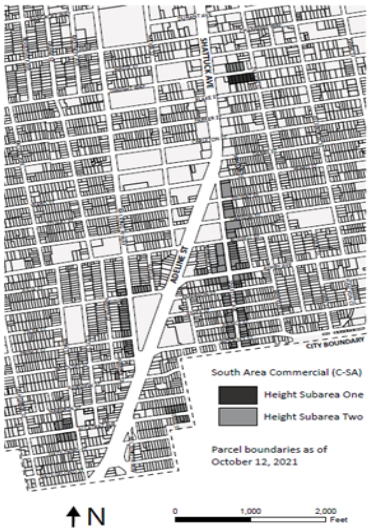
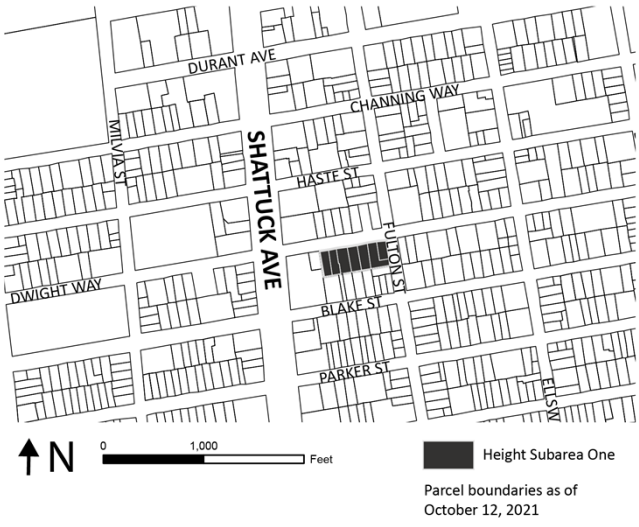
Figure 23.204-3. C-SA Building Height Sub-~~Areas~~area One





Section 8. That Berkeley Municipal Code 23.204.110(B) be amended to read:

Commented [HJ11]: 10. Seated Food Service Requirement
14. Drug Paraphernalia in C-T District

B. **Allowed Land Uses.**

1. **General.** See Table 23.204-1: Allowed Uses in the Commercial Districts.

~~**2. Bar/Cocktail Lounge/Taverns.** Service of distilled alcoholic beverages in the C-T district is allowed only when incidental to seated food service.~~

~~**3. Drug Paraphrenalia Stores.** Any use involving the sale or distribution of drug paraphrenalia is not permitted in the C-T district.~~

42. **Fuel Stations.** Alternative fuel and gasoline stations are allowed with Use Permit when located in a parking structure.

53. **Residential Use, Ground Floor.** Residential uses are permitted on the ground floor where located behind a commercial use. The ground floor commercial use most meet the following standards:

a. Occupy a minimum 30-foot depth of the ground floor, as measured from the ground floor street frontage, and

b. Occupy the full extent of the building frontage, excluding required utilities, driveways, pedestrian access and residential lobby.

64. **Office Uses.**

a. Table 23.204-31 shows permits required for office uses in the C-T district.

TABLE 23.204-31: C-T OFFICE PERMIT REQUIREMENTS

Building Location	Permit Required	
	First and Second Story	Above Second Story
Adjacent to Bancroft Way	As required by Table 23.204-1	AUP
Not adjacent to Bancroft Way		UP(PH)

b. When office uses are located on the ground floor adjacent to street frontage, the storefront windows must either:

i. Include a window display; or

ii. Be transparent and provide pedestrian viewing at least 10 feet into the storefront area.

~~7~~5. **Upper Story Uses.**

a. Floor area above the ground floor may be occupied only by a residential or office uses.

b. A commercial use that is an integral part of a ground floor establishment is permitted on the second story if the use:

i. Has no entrances or exits, other than required fire exits, outside of the ground floor space; and

ii. Does not exceed the ground-floor area of the use.

Section 9. That Berkeley Municipal Code 23.204.120(A)(2)(e) be amended to read:

Commented [HJ12]: 5. Hours of Operation

e. Encourage location of ~~late night~~late-night commerce in appropriate areas in Berkeley, such as the downtown area, and allow businesses to address demand for late night service on Solano Avenue by establishing a ~~11:00 p.m~~12:00 midnight~~.~~ closing time for businesses on Solano Avenue; and

Section 10. That Berkeley Municipal Code 23.204.130(D)(3) be amended to read:

Commented [HJ13]: 11. Food Service Establishments 3,000 sq. ft. or less

3. Use Limitations; Findings. ~~Food service establishments and offices~~ Offices on the ground floor adjacent to a street frontage require an AUP. To approve the AUP, the Zoning Officer must find that

a. The project meets the purposes of the Arts Overlay District as set forth above; and

b. The location, size, type, appearance, and signage of the proposed use will:

i. Animate and enhance the pedestrian experience on the street; and

ii. Be generally open to the public evenings and on weekends, whenever practicable.

Section 11. That Berkeley Municipal Code 23.204.130(E)(7)(a)(iv) be amended to read:

Commented [HJ14]: 1. Group Class Instruction

iv. ~~Gym/~~Health and Fitness Facility ~~Club~~

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Section 12. That Berkeley Municipal Code 23.204.150(B)(3)(b) be amended to read:

Commented [HJ15]: TECHNICAL CHANGE to correct proper use category titles.

b. Active Commercial Uses Defined. Active Commercial uses are commercial uses which generate regular and frequent foot traffic. Uses include businesses in the following use categories: ~~Retail~~ Retail Uses ~~Sales~~; Personal and Household Service~~s~~ Uses; Food and Alcohol Service, Lodging, Entertainment, and Assembly Uses; and the following uses: Banks and Financial Services, Retail~~;~~, and Vehicle Parts Stores.

Section 13. That the lines named "Family Day Care Home, Large," "Family Day Cre Home, Small," "Bar/Cocktail Lounge/Tavern," "Dance/Exercise/Martial Arts/Music Studio, "Food Service Establishment," "Group Class Instruction," "Gym/Health Club," and "Food and Beverage for Immediate Consumption," in Table 23.206-1 Allowed Uses in Manufacturing Districts, within Berkeley Municipal Code 23.206.020, are amended, and lines named "Food Service Establishment, Under 5,000 sq. ft." "Food Service Establishment, 5,000 sq. ft. or larger," "Food Service Establishment, Under 20,000 sq. ft." "Food Service Establishment, 20,000 sq. ft. or larger" "Live Entertainment, Unamplified" and :Live Entertainment, Amplified" are added, to read:

Commented [HJ16]: 1. Group Class Instruction
3. Stand-Alone Beer and Wine
9. Live Entertainment
13. Incidental Food Service Requirements
XX. Technical change for Family Day Care Home

TABLE 23.206-1: ALLOWED LAND USES IN MANUFACTURING DISTRICTS

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit -- = Permitted with an AUP, see 23.206.020(B) NP = Not Permitted [#] = Floor Area Permit Requirement * Use-Specific Standards Apply	MANUFACTURING DISTRICTS				Use-Specific Standards Applies to uses with an asterisk following the permit requirement (e.g., ZC*)
	M	MM	MU-LI	MU-R	
~~Family Day Care Home, Large~~	~~NP~~	~~NP~~	~~ZC*~~	~~AUP*~~	~~23.206.040.C~~
~~Family Day Care Home, Small~~	~~NP~~	~~NP~~	~~ZC*~~	~~ZC*~~	~~23.206.040.C~~
Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting	NP	NP	NP	See 23.306	
~~Dance/Exercise/Martial Arts/Music Studio~~	~~NP~~	~~NP~~	~~--~~	~~UP(PH)~~	
~~Food Service Establishment~~	~~See 23.302.070.E~~				
Food Service Establishment, Under 5,000 sq. ft	--	--	AUP*	AUP*	23.302.070(E)
Food Service Establishment, 5,000 sq. ft. larger	--	--	UP(PH)*	UP(PH)*	23.302.070(E)
Group ~~Class~~ Instruction	~~NP~~ZC	~~NP~~ZC	__	~~UP(PH)~~ZC	

ZC = Zoning Certificate AUP = Administrative Use Permit UP(PH) = Use Permit -- = Permitted with an AUP, see 23.206.020(B) NP = Not Permitted [#] = Floor Area Permit Requirement * Use-Specific Standards Apply	MANUFACTURING DISTRICTS				Use-Specific Standards Applies to uses with an asterisk following the permit requirement (e.g., ZC*)
	M	MM	MU-LI	MU-R	
~~Gym/~~Health and Fitness Facility ~~Club~~	NP	NP	--	NP	
Incidental Uses					
~~Food and Beverage for Immediate Consumption~~	~~--~~	~~AUP [2]~~	~~--~~	~~--~~	
~~Food Service Establishment~~	~~AUP [2]~~	~~--~~	~~AUP [2]~~	~~AUP~~	
Food Service Establishment, Under 20,000 sq. ft	AUP*	AUP*	AUP*	AUP*	~~23.302.070(E)~~
Food Service Establishment, 20,000 sq. ft. larger	NP	AUP*	NP	AUP*	~~23.302.070(E)~~
~~Live Entertainment~~	~~NP~~	~~NP~~	~~UP(PH)*~~	~~UP(PH)*~~	~~23.302.020(D)~~
Live Entertainment, Unamplified	NP	NP	ZC	ZC	
Live Entertainment, Amplified	NP	NP	AUP	AUP	

Commented [HJ17]: Instead of using a table in section 23.302.070, we made two new land uses here, for ease of use. Cutting the reference and the table simplifies the code.

Section 14. That Berkeley Municipal Code 23.302.020(B) be amended to read:

Commented [HJ18]: 5. Hours of Operation

B. **Hours of Operation.**

1. **Allowed Hours.** Table 23.302-1: Allowed Hours of Operation shows allowed hours of operation for commercial uses in the commercial districts and the MU-R district, unless otherwise restricted by an existing permit.

2. **Hours of Operation Defined.**

Commented [HJ19]: Not new language; existing language that has been relocated

   a. For retail or customer-serving office commercial uses, hours of operation are those times that the business is open to customer access.

   b. For food service establishments, hours of operation include the time that the business is open for customer access to the departure of the last patron. These limitations do not apply to:

      i. The delivery, maintenance, security, product preparation and other pre-opening activities, and

ii. Cleanup, shutdown, and other post-closure activities which do not involve presence of customers.

~~a.~~ For other commercial and manufacturing uses which do not involve customer access, hours of operation are those times that employees are present who are engaged in non-maintenance or security activities.

c.

~~2.~~3. **Exceptions.** The City may allow extended hours of operations with the approval of a permit as shown in Table 23.302-1. If more restrictive hours of operation than what is permitted in Table 23.302-1 are imposed as a condition of approval on an existing AUP or UP, the hours may be modified within the district's current limits with approval of an AUP regardless of the original review authority.

Table 23.302-1: Allowed Hours of Operation

DISTRICT	ALLOWED HOURS OF OPERATION	PERMIT REQUIRED TO EXTEND HOURS
C-C, C-U, C-NS, C-AC, C-W nodes	~~7:00 a.m. – 12:00 midnight~~ 6:00 a.m. – 2:00 a.m.	AUP
C-N, C-E, ~~C-NS,~~ C-SO, C-SA, C-W outside nodes, MU-R	~~7:00 a.m. – 11:00 p.m.~~ 6:00 a.m. – 12:00 midnight	~~UP~~AUP
~~C-W nodes~~	~~6:00 a.m. – 12:00 midnight with Zoning Certificate~~	~~UP~~
~~C-SA~~	~~7:00 a.m. – 12:00 midnight Sundays through Thursdays~~ ~~7:00 a.m. – 12:00 Fridays and Saturday~~	~~UP~~
~~C-AC~~	~~7:00 a.m. – 12:00 midnight Sundays through Thursdays~~ ~~7:00 a.m. – 2:00 a.m. Fridays and Saturday~~	~~UP~~
C-T, C-DMU ~~between Bancroft Way and the north side of Dwight Way~~	24 hours per day 7 days a week	N/A
~~C-T between the south side of Dwight Way and Parker Street~~	~~7:00 a.m. – 12:00 midnight~~	~~AUP~~
~~C-DMU~~	~~6:00 a.m. and 2:00 a.m.~~	~~AUP~~
~~MU-R~~	~~6:00 a.m. and 10:00 p.m.~~	~~AUP~~

24. **Alcohol Sales in C-T District.** A Use Permit is required in the C-T district for a business selling alcohol for off-site consumption to remain open past midnight. The Use Permit may be approved only if the business's ABC license does not require sales of alcohol for off-site consumption to cease by midnight. The Zoning Adjustments Board (ZAB) may approve the Use Permit only upon finding that the extended hours will not generate excessive noise, traffic or parking problems affecting the well-being of the residents of the district.

3. **C-T District Findings.** The Zoning Officer may approve an AUP to extend hours of operation in the C-T district upon finding that the extended hours will not generate excessive noise, traffic, or parking problems affecting the well-being of the residents of the district.

4. **Hours of Operation Defined.**

a. For retail or customer-serving office commercial uses, hours of operation are those times that the business is open to customer access.

b. For food service establishments, hours of operation include the time that the business is open for customer access to the departure of the last patron. These limitations do not apply to:

- The delivery, maintenance, security, product preparation and other pre-opening activities, and
- Cleanup, shutdown, and other post-closure activities which do not involve presence of customers.

For other commercial and manufacturing uses which do not involve customer access, hours of operation are those times that employees are present who are engaged in non-maintenance or security activities.

Commented [HJ20]: This definition is moved up to the beginning of the section

Section 15. That Berkeley Municipal Code 23.302.020(D) be removed and that Berkeley Municipal Code 23.302.020(E) be amended to read:

Commented [HJ21]: 9. Live Entertainment.

D. **Live Entertainment -- Permits Required.** Live entertainment incidental to a permitted use is allowed as shown in Table 23.302-2.

Commented [HJ22]: Permit levels now moved to Commercial and Manufacturing Use Tables (one row for each of amplified and unamplified)

Table 23.302-2: Permit Requirements for Live Entertainment

Zones	Permit Required	
	Amplified	Unamplified
C-C, C-U, C-SA, C-T, C-SO, C-DMU, C-AC	AUP	ZC
C-N, C-NS, C-W	UP(PH)	ZC

ZONES	PERMIT REQUIRED	
	AMPLIFIED	UNAMPLIFIED
C-E	Not Permitted	ZC
M, MM	Not Permitted	Not Permitted
MU-LI, MU-R	UP(PH)	UP(PH)

1. Allowed Activities.

a. In the S-O district, food service establishments may have no live entertainment other than unamplified music, poetry reading, comedy or other quiet activities.

b. In the C-NS district, food service establishments may have no live entertainment other than unamplified background music, unless a Use Permit is obtained.

ED. **Outdoor Uses.**

1. **Applicability.** This subsection applies to outdoor uses including but not limited to exterior service windows, outside automatic teller machines, and the outside storage of goods, containers and/or materials.
2. **General.** Commercial and manufacturing uses shall be conducted solely within an interior of a building unless:
   a. The permit as required by Paragraph 3 (Permits Required) is obtained; or
   b. the outdoor use is specifically allowed by the Zoning Ordinance.
3. **Permits Required.** Table 23.302-2 Permit Requirements for Outdoor Uses shows permits required for uses outside of a building in the Commercial and Manufacturing Districts.

3. Table 23.302-3: Permit Requirements for Outdoor Uses shows permits required for uses outside of a building in the Commercial and Manufacturing Districts.

TABLE 23.302-32: PERMIT REQUIREMENTS FOR OUTDOOR USES

DISTRICT/USE CHARACTERISTICS [1]	PERMIT REQUIRED
All Commercial Districts Except for C-W	
Not abutting a residential district	AUP
Abutting a residential district	UP(PH)

C-W	
Not abutting a residential district and less than 10,000 s. ft.	AUP
Abutting a residential district	UP(PH)
10,000 sq. ft. or more	UP(PH)
M, MM [2]	
Less than 20,000 sq. ft.	ZC
20,000 sq. ft. or more	AUP
MU-LI	
Less than 20,000 sq. ft.	ZC
20,000 to 30,000 sq. ft.	AUP
More than 30,000 sq. ft.	UP(PH)
MU-R	
Not abutting a residential district	AUP
Abutting a residential district	UP(PH)
Notes: [1] Size is measured as the lot area of the outdoor activity or storage [2] In the M and MM district permits are required only for activity or storage not ancillary to a permitted use.	

~~5~~4. **C-W District.** In the C-W district, uses outside of a building must be permitted or incidental to permitted use in the district.

~~6~~5. **M, MM, MU-LI Districts.** Outside uses in the M, MM, and MU-LI districts may not abut a residential district.

Section 16. That Berkeley Municipal Code 23.302.070(E) be amended to read:

E. **Food Service Establishments.**

~~1. **Maximum Size in R-SMU.** Food service establishments in the R-SMU district may not exceed 1,200 square feet.~~

~~2. **Permits Required in Commercial Districts and in the R-BMU.** 6 shows permits required for food service establishments in the commercial districts and in the R-BMU.~~

~~**Table 23.302-6: Permit Requirements for Food Service Establishments**~~

Commented [HJ23]: 10. Seated Food Service Requirements
11. Food Service Establishments 3,000 sq. ft. or less
13. Incidental Food Service Establishments

Commented [HJ24]: These requirements amended and moved to Residential and Commercial Allowed Use tables (see Sections 1 and 3, above)

District/Use Size	Permit Required
C-C, C-U, C-T, C-W	
Under 1,500 sq. ft	ZC
1,500 sq. ft. or more	AUP
C-N, C-NS, C-SA, C-SO	
Under 1,000 sq. ft	ZC
1,000 sq. ft. or more	AUP
C-AC, South Shattuck and North Adeline Subareas	
3,000 sq ft or less	ZC
Over 3,000 sq ft	AUP
C-AC, South Adeline Subarea	
1,500 sq ft or less	ZC
Over 1,500 sq ft	AUP
R-BMU, North Berkeley BART Station	UP(PH)
C-E	AUP [1]
C-DMU	
Under 3,000 sq. ft outside the Arts District Overlay	ZC
3,000 sq. ft. or more	AUP
Any size within the Arts District Overlay	AUP [2]
Notes: [10] All food service uses in the C-E district require an AUP and may not be considered as an incidental use except when accessory to a food product store. [11] See 23.204.130.D.3 for required findings.	

3. **Notification of Decision.** Food service establishments requiring an AUP in the C-N, C-E, C-NS, C-SA, C-T, C-SO districts must provide public notification of decision (NOD) within a 300-foot radius of the subject property.

4. **Carry Out Limitations in C-U District.** Food service establishments in the C-U district that exclusively sell food for offsite consumption are not permitted at any location on University Avenue between Oxford Street and Martin Luther King Jr. Way until a Downtown Retail Plan is adopted by the City Council.

5.1. **Outdoor Cafe Seating.**

a. Outdoor cafe seating on private property outside of the public right-of-way is allowed in the commercial districts with the following permits:

i. Zoning Certificate when seating does not abut a residential district.

ii. AUP when seating abuts a residential district.

~~b. Outdoor seating is not permitted for food service establishments in the MU-LI District.~~

~~c.~~b. Sidewalk cafe seating within the public right-of-way is subject to 23.302.060 (Sidewalk Cafe Seating).

~~6.~~2. **Building Openings – C-E and C-NS Districts.** Food service establishments in the C-E and C-NS districts may have no openings, other than fixed windows and required fire exits, within 50 feet of a residential district.

~~7.~~3. **C-W District Requirements.**

a. Food service drive-through is not permitted on properties fronting San Pablo Avenue.

~~b. To approve a Use Permit for a food service establishment on a lot with frontage on San Pablo Avenue, the ZAB must find that:~~

~~i. The project does not conflict with the goals and policies of the C-W district;~~

~~ii. The location, size, appearance and signage of the project will not adversely affect the San Pablo Avenue corridor;~~

~~iii. The project supports pedestrian-oriented development;~~

~~iv. The project is designed to protect the residential character of surrounding neighborhoods from the adverse impacts of fast food development, including, but not limited to increased traffic, litter, and noise; and~~

~~v. For projects which include construction of new buildings, the project design:~~

~~1. Provides intensity of development which does not underutilize the property; especially at or near intersections of major streets;~~

~~2. Provides pedestrian scale and siting; and~~

~~3. Incorporates continuity in street facades.~~

~~8. **Permits Required in Manufacturing Districts**. Table 23.3028 shows permits required for food service establishments in the manufacturing districts.~~

Commented [HJ25]: These requirements amended and moved to Manufacturing District Use table (see Section 13, above)

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TABLE 23.302-7: PERMIT REQUIREMENTS FOR FOOD SERVICE ESTABLISHMENTS IN MANUFACTURING DISTRICTS

USE TYPE AND SIZE	DISTRICT			
	M	MM	MU-LI	MU-R
Incidental Use				
Under 20,000 sq. ft.	AUP [1]	AUP [1,2]	AUP [1]	AUP [1]
20,000 sq. ft. or more	-	-	-	AUP
Carry Out Food Service (Primary Use)				
Under 5,000 sq. ft.	-	-	AUP	AUP
5,000 sq. ft. or more	-	-	UP	UP
Quick Service Restaurant (Primary Use)				
Under 5,000 sq. ft.	-	-	AUP	AUP
5,000 sq. ft. or more	-	-	UP	UP
Full-Service Restaurant (Primary Use)	-	-	UP	UP
Notes: [12] Outdoor food service is not permitted. [13] Limited to food or beverage for immediate consumption.				

9.4. **MU-LI and MU-R District – Findings.**

a. To approve an AUP or Use Permit to establish or expand a food service establishment in the MU-LI or MU-R district, the review authority must find that the establishment of the use, given its size, location, physical appearance and other relevant characteristics, will not have a significant detrimental impact on the industrial character of the area.

b. To approve an AUP for a food service establishment less than 5,000 square feet, the Zoning Officer must find that a substantial portion of the food consists of goods manufactured on site.

Section 17. That Berkeley Municipal Code 23.302.070(G) and (H) be amended to read:

Commented [HJ26]: TECHNCAL EDITS to correct numbering

G. **Parking Lot/Structure.**

1. **Permits Required.**

2. 1. **Permits Required.** Table 23.302-9 7 shows required permits for the exclusive or primary use of a lot for off-street parking spaces.

TABLE 23.302-97: PERMIT REQUIREMENTS FOR PARKING LOTS/STRUCTURES

DISTRICT	PERMIT REQUIRED
Residential Districts	
R-3	Use Permit for all parking lots and structures. [1]
R-S, R-SMU, R-BMU	Use Permit for parking structures only. Parking lots are not permitted, except on lots between Acton Street and Virginia Gardens and between Peralta Avenue and Northside Avenue in the R-BMU.
All other residential districts	Use Permit for all parking lots and structures.
Commercial Districts	
C-C, C-U	Zoning Certificate for parking lots and structures with 5 spaces or fewer. Use Permit for more than 5 spaces.
C-SO	AUP for parking lots and structures with 5 spaces or fewer. Use Permit for more than 5 spaces.
C-DMU	AUP for parking lots with 8 spaces or fewer. Use Permit for all parking structures. Lots with more than 8 spaces not permitted.
C-N, C-E, C-NS, C-SA	Use Permit for all parking lots and structures.
C-T	Use Permit for all parking structures. All parking lots not permitted.
C-W	AUP for parking lots and structures with 10 spaces or fewer. Use Permit for parking lots and structures with more than 10 spaces.
Manufacturing Districts	
M, MM	AUP for parking lots and structures with 10 or fewer spaces exclusively for uses in the district. Use Permit for parking lots and structures with any number of spaces not exclusively for uses in the district.
MU-LI	Zoning Certificate for parking lots and structures with 10 or fewer spaces exclusively for uses in the district. AUP for parking lots and structures with 11 spaces or more exclusively for uses in the district. Use Permit for parking lots and structures with any number of spaces not exclusively for uses in the district.
MU-R	Zoning Certificate for parking lots and structures exclusively for uses in the district. Use Permit for parking lots and structures not exclusively for uses in the district.

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Notes:
[14][1] Parking lots and structures in the R-3 district are not permitted within the Southside Plan area

3.2 **Residential District Standards.** See 23.322.110– Parking Lots in Residential Districts for standards that apply to the exclusive or primary use of a lot for off-street parking spaces in a residential district.

H. **Residential Use, Ground-Floor Units.**

1. Southside Plan Area. In the R-3, R-S, R-SMU, and C-T districts within the Southside Plan boundaries, individual unit entries located within six feet of the front property line shall be at least 18 inches above the finished grade of the adjacent public frontage.

I. **Senior Congregate Housing.** Table 23.302-10 8 shows permits required for senior congregate housing.

TABLE 23.302-108: PERMIT REQUIREMENTS FOR SENIOR CONGREGATE HOUSING

PROJECT	PERMIT REQUIRED
Change of use from an existing dwelling unit to accommodate six or fewer people	ZC
Change of use from an existing dwelling unit to accommodate seven or more people	AUP
New construction to accommodate any number of people	UP(PH)

Section 18. That Berkeley Municipal Code 23.310.020 be amended to read:

Commented [HJ27]: 4. Alcoholic Beverage Sales Standards

A. **Applicability.**

1. This section applies to any application to begin ~~or increase~~ alcoholic beverage sales or service, excluding ~~beer and wine~~alcoholic beverage service incidental to a food service establishment ~~in a Commercial District~~ (see 23.310.030 (Alcoholic Beverage Service When Incidental to a Food Service~~)~~).

~~2. As used in this section, an increase in alcoholic beverage sales or service includes, but is not limited to:~~

~~a. Adding the sales or service of distilled spirits to any existing sales or service of beer and/or wine;~~

~~b. Extending the hours of operation of any establishment that sells or serves any alcoholic beverage; and~~

c. Adding to the capacity, floor area, or shelf space devoted to alcoholic beverages of any establishment that sells or serves any alcoholic beverages.

3. An increase in alcoholic beverage sales or service does not include extending the hours of operation of any food service establishments with incidental beer and/or wine service.

B. **Permit Required.** A Use Permit is required to begin or increase alcoholic beverage sales or service in any way.

1. An Administrative Use Permit is required to begin service of alcoholic beverages, except as provided in 23.310.030 (Alcoholic Beverage Service When Incidental to Food Service).

1.2. To increase sales and service of alcoholic beverages, an existing Administrative Use Permit or Use Permit may be modified with an AUP regardless of the original review authority.

C. Application – List of Nearby Establishments. As part of an application to begin or increase alcoholic beverage sales or service, the applicant must provide a list of all establishments within a 1,000-foot radius which are in the same category of alcoholic beverage sales or service, as defined by the California Department of Alcoholic Beverage Control.

DC. Findings of Public Convenience or Necessity. To approve a permit for alcoholic beverage sales or service, the decision-making body must make the following findings: If the proposed use is within a 1,000-foot radius of the site of a use that is in the same category of alcoholic beverage sales or service, excluding food service establishments with incidental service of beer and/or wine, the Zoning Adjustments Board (ZAB) may approve the application

1. The number of alcoholic beverage sales licensees in the census tract does not exceed the limit set by the Department of Alcoholic Beverage Control, as defined in California Business and Professions Code Section 23958.4, excluding Food Service Establishments with incidental alcohol service; and

1.2. At least one of the following:only if it makes all of the following findings:

a. The proposed establishment will promote the City's economic health, contribute to General Plan or area plan policies, or further the district purpose.

b. The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service.

b. c. The applicant has operated a licensed establishment that has not been the subject of violations regarding alcohol in the State of California, or violations of public safety or nuisance statutes or regulations in Berkeley. as verified by the Police Department, such violations do not indicate a high likelihood of

further violations and/or detrimental impacts from the proposed establishment. In making this finding, the ZAB decision-making body may consider the number, frequency, and severity of prior violations, the time elapsed since the last violation, and other relevant factors.

4. If the proposed establishment is within 1,000 feet of any public park or public school, the ZAB has taken into consideration the effect of the proposed establishment upon such sensitive public uses.

3. If the number of alcoholic beverage sales licenses in the census tract exceeds the limit set by the Department of Alcoholic Beverage Control; the decision-making body must find that the public convenience or necessity would be served by approving alcohol sales at the proposed location for any two or more of the following reasons:

a. The proposed establishment will promote the City's economic health, contribute to General Plan or area plan policies, or further the purposes of the district.

b. The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service.

c. The sale of alcoholic beverages will enhance recreational or entertainment opportunities in the area.

d. The sale of alcoholic beverages complements the sale of other goods and merchandise at the location.

e. The issuance of a license at the proposed location will improve the convenience of area residents and visitors who purchase alcoholic beverages.

4. The Police Department has reported that the proposed establishment would not be expected to add to crime in the area.

Section 19. That Berkeley Municipal Code 23.310.030 be amended to read:

Commented [HJ28]: 2. Incidental Distilled Spirits
4. Alcoholic Beverage Sales Standards
10. Seated Food Service Requirement
15. Third Party Rental

A. **Permits Required.** Table 23.310-1 shows permits required for alcoholic beverage service when incidental to a food service establishment. If more restrictive requirements than what is permitted in Table 23.310-1 are imposed as a condition of approval on an existing AUP or UP, the use may be modified with an AUP regardless of the original review authority.

Table 23.310-1: Permits Required for Alcoholic Beverage Service

District	Permit Required Based on Type of Beverages Served When Incidental to Food Service	
	Beer and Wine	Distilled Spirits
R-SMU	UP(PH)	UP(PH)
R-BMU	ZC	UP (PH)
All Commercial Districts~~, except C-AC and the R-BMU District~~	ZC	~~UP(PH)~~ AUP
~~C-AC~~	~~ZC~~	~~AUP~~
MU-LI, MU-R	~~UP(PH)~~ AUP	~~UP(PH)~~ AUP

~~B. Use Limitations.~~

~~1. **R-SMU District.** In the R-SMU district, alcoholic beverage service is allowed only for full-service restaurants. Alcoholic beverage service is not allowed for carry out food stores and quick-service restaurants.~~

~~2. **Commercial Districts.** In Commercial Districts, beer and wine service is allowed by right when for on-site consumption with seated food service.~~

~~3. **C-NS and R-BMU Districts.** In the C-NS district, distilled spirit service is allowed only for full-service restaurants. Distilled spirit service is not allowed for carry out food stores and quick-service restaurants.~~

~~4. **C-T and C-SO Districts.** In the C-T and C-SO districts, distilled spirit service is allowed only for on-site consumption with seated food service.~~

~~5. **C-AC District.** In the C-AC district, distilled spirit service is allowed along Adeline Street south of Ashby Avenue only for on-site consumption with seated food service.~~

~~C~~B. **Incidental Beer and Wine Service Standards.** The following standards apply to beer and wine service incidental to a food service establishment~~ in a Commercial District~~.

1. **Licensing.**
   a. The food service establishment shall comply with all applicable regulations of the California Department of Alcoholic Beverage Control.
   b. An operator of the licensed establishment may not have a prior licensed establishment that was the subject of verified complaints or violations

regarding alcohol, public safety, or nuisance statutes or regulations before issuance or transfer of a business license at this location.

2. **Service.**

   a. Beer and wine beverage service shall be incidental to the primary food service use.

   b. Beer and wine service incidental to seated food service shall only be allowed at a bona fide eating place making actual and substantial sales of meals as determined and required by the California Department of Alcoholic Beverage Control.

   c. The sale of beer and wine for off-site consumption is not permitted.

   ~~d. Employees may not serve beer or wine to patrons who appear to be inebriated or otherwise unable to behave in an orderly manner upon consuming alcohol.~~

   ~~e. All beer and wine served to patrons must be served in durable restaurant tableware. Beer or wine may not be distributed in its original bottle or can, or in any other potentially disposable container.~~

   ~~f. There shall be no bar or lounge area upon the licensed premises maintained for the sole purpose of sales, service, or consumption of alcoholic beverages directly to patrons for consumption.~~

   ~~g.~~d. Hours of operation are subject to review and amendment by the review authority ~~Zoning Officer or the ZAB~~ as necessary to avoid detriment to the neighborhood or to achieve conformance with revised City of Berkeley standards or policies.

3. **Operation.**

   a. The food service establishment must operate at least five days a week.

   b. The service of beer and wine shall be limited to normal meal hours (per California Department of Alcoholic Beverage Control) during the food service establishment's hours of operation.

   c. During ~~operating~~ the food service establishment's hours of operation, ~~100 percent of the service~~all public areas shall be ~~designed and used~~available for meal service and the food service establishment must possess the necessary utensils, and condiment dispensers with which to serve meals to the public.

   ~~d. At no time shall the operator rent the restaurant space to a third-party.~~

   ~~e.~~d. The owner or operator of the establishment shall take reasonable measures to prevent disturbances by patrons in the immediate vicinity. Such measures shall include:

i. Signs reminding patrons of nearby residences and requests not to congregate or loiter near such residences nor operate vehicles in a noisy manner on residential streets; and

ii. Surveillance to public areas near the establishment, keeping public areas free of trash and litter, providing lighting, and otherwise preventing conduct that might disturb the peace and quiet of residences in the vicinity.

~~f.~~e. The operator shall assume reasonable responsibility for ensuring that patrons do not block the entrance or interfere with pedestrian activity on the adjacent public sidewalk.

~~g.~~f. The applicant shall establish cash handling procedures to reduce the likelihood of robberies and theft.

4. **Advertising.**

a. ~~There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior constitute a violation of this requirement.~~ Establishments shall comply with Municipal Code Chapter 20.67 (Alcohol Product Advertising)

~~b. Alcohol-dispensing facilities and signs advertising alcoholic beverages may not be visible from the public right-of-way.~~

5. **Training.**

a. The operator shall finish a Crime Prevention through Environmental Design (CPTED) survey before beginning alcohol service.

b. All employees selling and/or serving beer and wine, or directly supervising such sales and/or service, shall comply with Municipal Code Section 9.84.030 (Responsible Beverage Service Training) and finish the Licensee Education on Alcohol and Drugs (LEAD) program, or another equivalent program offered or certified by the California Department of Alcoholic Beverage Control within 90 days of employment at the establishment. Employees who have finished the course within the last 12 months are exempt from this requirement.

Section 20. That Berkeley Municipal Code 23.324.040(B)(2)(b) be amended to read:

Commented [HJ29]: TECHNICAL EDIT: "full or quick service restaurants" no longer exist as a use type (see Section 25 below)

b. **Uses with Major Investments.** Lawful nonconforming ~~full or quick service restaurants~~food services establishments with cooking or food preparation facilities, gas/auto fuel stations, theaters, manufacturing plants with specifically designed fixed facilities and other uses which represent a major

investment in physical plant or facilities shall not be considered or declared terminated, regardless of the duration of non-use, unless:

i. Such fixed structures, equipment, or facilities are removed; or

ii. Other uses could not be established without major removal of or extensive remodeling or replacement of structures associated with the previous established use.

Section 21. That Berkeley Municipal Code 23.502.020(B)(4) be amended to read:

Commented [HJ30]: 3. Stand-Alone Beer and Wine

4. **Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting.** A business devoted to serving alcoholic beverages for consumption by guests on the premises and in which the serving of food is ~~only~~ incidental to the consumption of such beverages.

Section 22. That Berkeley Municipal Code 23.502.020(D) be amended to read:

Commented [HJ31]: 1. Group Class Instruction

D. **"D" Terms.**

~~1. **Dance/Exercise/Martial Arts/Music Studio.** An establishment in which customers assemble for group exercises, dancing, self-defense training, aerobics, choral or musical instrument instruction, other movement drills for learning, rehearsal or non-audience performances.~~

~~2.~~1. **Deck.** An unenclosed structure, usually made of wood, built to provide a solid continuous surface for outdoor use and/or access to a door, which is accessible from the ground level, directly or from a connecting stairway and is separated from the ground by an air space.

~~3.~~2. **Demolition.** A building or enclosed structure shall be considered demolished for the purposes of this chapter when, within any continuous 12-month period, such building or enclosed structure is destroyed in whole or in part or is relocated from one lot to another. For purposes of this definition, destroyed in part means when 50 percent or more of the enclosing exterior walls and 50 percent or more of the roof are removed. Removal of facades or portions of facades requires Design Review.

~~4.~~3. **Density**. See 23.106.100 – Residential Density

~~5.~~4. **Density Bonus.** See 23.332.020 (Definitions).

~~6.~~5. **Department.** The Planning and Development Department of the City of Berkeley or its successor administrative unit.

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7.6. **Department Store.** A retail store selling several kinds of merchandise, which are usually grouped into separate sections, including but not limited to, apparel, housewares, household hardware, household appliances, household electronics and gifts.

8.7. **Dormer.** A projection built out from a sloping roof, usually housing a vertical window or ventilating louver. See also 23.304.110 (Dormers).

9.8. **Dormitory.** A building providing group living accommodations, occupied by individuals not sharing a common household, characterized by separate sleeping rooms without individual kitchen facilities and containing congregate bath and/or dining facilities or rooms.

10.9. **Drive-in Uses.** A use where a customer is permitted or encouraged, either by the design of physical facilities or by the service and/or packaging procedures offered, to be served while remaining seated within an automobile. This use includes drive-through food service establishments, financial services (banks), and automatic carwashes.

11.10. **Driveway.** A paved, vehicular accessway connecting an off-street parking space or parking lot with a public or private street.

12.11. **Drug Paraphernalia.** As defined in California Health and Safety Code Section 11364.5(d).

13.12. **Drugstore.** A retail establishment where the profession of pharmacy is practiced and/or where licensed prescription drugs and general merchandise are offered for sale. A food products store with a pharmacy is not a drugstore.

14.13. **Dry Cleaning and Laundry Plants.** A place where clothes are dry cleaned, dyed and/or laundered as part of a commercial business, whether or not such clothes were deposited by a customer at that location, or transported from another location, as part of a service. This use includes all establishments subject to Section 19233 of the State of California Business and Professions Code, regulating Dry Cleaning Plants, but excludes laundromats and cleaners as defined in this chapter.

15.14. **Duplex.** A building or use of a lot designed for, or occupied exclusively by, two households.

16.15. **Dwelling Unit.** A building or portion of a building designed for, or occupied exclusively by, persons living as one household.

Section 23. That Berkeley Municipal Code 23.502.020(F) (11) be amended to read:

Commented [HJ32]: TECHNICAL EDIT: There are no longer any regulations pertaining to Carry Out Food Store, Quick Service Restaurant, or Full Service Restaurant; so, deleting definitions.

11. **Food Service Establishments.** An establishment which in whole or in part prepares food or beverages for immediate consumption on or off the premises.

~~**a. Carry Out Food Store:** A store which serves food or non-alcoholic beverages for immediate consumption not on the premises, but usually in the vicinity of the store. This use is usually characterized as an establishment which serves food altered in texture and/or temperature on a customer-demand basis, puts such food in non-sealed packages or edible containers, requires payment for such food before consumption, and provides no seating or other physical accommodations for on- premises dining. Examples of this use include delicatessens and other stores without seating which sell doughnuts, croissants, ice cream, frozen yogurt, cookies, whole pizzas and sandwiches. This use excludes bakeries and food products stores.~~

~~**b. Quick Service Restaurant:** An establishment which serves food or beverages for immediate consumption either on the premises, or to be taken out for consumption elsewhere. This use is usually characterized as an establishment in which food is cooked on a customer-demand basis, payment is required before consumption, limited or no able service is provided (no waiters), and seating or other physical accommodations for on- premises customer dining is provided. Examples of this use include establishments selling primarily hamburgers or other hot or cold sandwiches, hot dogs, tacos and burritos, pizza slices, fried chicken, or fish and chips.~~

~~c. **Full-Service Restaurant**: An establishment which serves food or beverages for immediate consumption primarily on the premises, with only a minor portion, if any, of the food being taken out of the establishment. This use is characterized as an establishment in which food is stored, cooked or prepared on the premises on a customer-demand basis, which requires payment after consumption, and provides seating and tables for on-premises customer dining, and may provide with table service (waiters).~~

Section 24. That Berkeley Municipal Code 23.502.020(G)(6) be amended to read:

Commented [HJ33]: 1. Group Class Instruction

6. **Group ~~Class~~ Instruction**. An establishment that offers specialized programs in personal growth, ~~and~~ development, and instruction in artistic, cultural, and academic pursuits, including music and choral schools, performing arts, arts and crafts, cooking, tutoring, martial arts and self-defense training. Excludes spaces designed exclusively for public performance. ~~Includes music studios, drama schools, dance academies, art schools, tutoring schools, and instruction in other cultural and academic pursuits.~~

Section 25. That Berkeley Municipal Code 23.502.020(G)(9) be removed:

Commented [HJ34]: 1. Group Class Instruction

9. ~~**Gyms and Health Clubs.** An indoor facility where exercise equipment, classes and related activities related to personal health and fitness are available to paying customers. Excludes parks/playgrounds.~~

Section 26. That Berkeley Municipal Code 23.502.020(H)(2) – (11) be amended to read:

2. **Health and Fitness Facility**. A facility where exercise equipment, swimming pools, group or aerobic classes (including yoga and Pilates) and other activities related to person health and fitness are available to customers or members. Excludes park/playground.

~~2~~3. **Hedge**. Any line or row of plants, trees or shrubs planted in a continuous line to form a dense thicket or barrier.

~~3~~4. **Height of Building, Average**. See 23.106.090.A (Average Building Height).

~~4~~5. **Height of Building, Maximum**. See 23.106.090.B (Maximum Building Height).

~~5~~6. **Home Occupation**. A business use conducted on property developed with a residential use, which is incidental and secondary to the residential use, does not change the residential character of the residential use, is limited so as not to substantially reduce the residential use of the legally established dwelling, Accessory Dwelling Unit, Accessory Building or Group Living Accommodation room and is operated only by the residents of the subject residence.

There are three classification of Home Occupations. For the purposes of this section, a "customer" is considered a single paying customer, but may include more than one person receiving the services at the same time:

(1) Class I Home Occupation--Involves no more than five customer visits per day, with no more than four persons receiving services at a time. This class does not allow shipping of goods directly from the subject residence.

(2) Class II Home Occupation--Involves no more than ten customer visits per day, with no more than four persons receiving services at a time and no more than one non-resident engaging in business-related activities on-site. This class does not allow shipping of goods directly from the subject residence.

(3) Class III Home Occupation--Involves more than ten customer visits per day, with no more than four persons receiving services at a time and no more than one non-resident engaging in business-related activities on-site and/or involves shipping of goods directly from the subject residence.

Commented [HJ35]: 1. Group Class Instruction

Commented [HJ36]: New definition to replace Gym/Health Club/Fitness Studio

~~67~~. **Hospital**. A facility for in-patient medical care licensed under California Administrative Code, Title 17, Section 237 or 238.

~~78~~. **Hot Tub**. A tub or small pool, usually made of wood or fiberglass, in which heated water is maintained for recreational or therapeutic activities, including, but not limited to, jacuzzis, whirlpools and spas.

~~89~~. **Hotel, Residential**. A type of group living accommodations which provides rooms for rent for residential purposes, including single residential occupancy (SRO) rooms.

~~910~~. **Hotel, Tourist**. A building with sleeping rooms used, designed, or intended for occupancy by transient guests for a period not to exceed 14 consecutive days. This use includes inns, bed and breakfasts (B&Bs), and hostels, and excludes building with residential hotel rooms and dwelling units.

~~10~~11. **Household**. One or more persons, whether or not related by blood, marriage or adoption, sharing a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

~~11~~12. **Household Income, Gross**. The income of all adult members of the household as determined by the guidelines used by the Berkeley Housing Authority for its administration of the Section 8 Rental Subsidy Program. For purposes of this definition, household is the same as Family in the federal Section 8 Existing Housing Program or its future equivalent. Classification of Households, based on income, shall be based on the following percentages of the Oakland Primary Metropolitan Statistical Area (PMSA) statistical figures for income of the most recent U.S. Census that are available:

(a) *Low Income Household.* A household whose gross income is greater than 80 percent and less than 100 percent of the median income.

(b) *Lower Income Household.* A household whose income is no greater than 80 percent and above 50 percent of the median income.

(c) *Very Low Income Household.* A household whose gross income is 50 percent or less of the median income.

Section 27. That Berkeley Municipal Code 23.502.020(S)(31) be amended to read:

Commented [HJ37]: 1. Group Class Instruction

31. **Studio**. See Art/Craft Studio ~~and Dance, Exercise, Martial Arts or Music Studio~~.

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Section 28. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

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Office of the City Manager

ACTION CALENDAR
October 15, 2019
(Continued from September 24, 2019)

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jordan Klein, Economic Development Manager

Subject: Referral Response: Modifications to the Zoning Ordinance to Support Small Businesses

RECOMMENDATION

Refer to the Planning Commission modifications to the Zoning Ordinance that are designed to streamline the zoning review process for new or expanding small businesses in Berkeley.

SUMMARY

In April 2017, City Council referred to the City Manager analysis of a number of policy and programmatic initiatives to support the City's small businesses, including "streamlining of zoning, permitting and licensing requirements and processes." In February of 2019, six changes to the Zoning Ordinance were enacted. Subsequently, staff from the Office of Economic Development (OED) have identified eight additional potential modifications to the Zoning Ordinance for the Council and Planning Commission to consider. These eight changes are proposed in Berkeley's commercial zoning districts to make the permitting review process for small businesses less complex and time consuming:

1. Consider permitting Group Instruction (Dance Studios, Yoga Studios, Martial Arts, Exercise) with a Zoning Certificate.
2. Clarify the threshold for design review and the applicability of design guidelines for sign applications in commercial districts.
3. Consider permitting the sale of Distilled Spirits that are incidental to a Food Service Establishment with an Administrative Use Permit (AUP) subject to performance standards.
4. Consider permitting standalone Beer and Wine Sales (such as Tap Rooms and Wine Bars) with a Zoning Certificate subject to performance standards.
5. Consider modifying the limitation on hours of operations in some commercial districts.
6. Consider the necessity of 'change of use' requirements in commercial districts.
7. Consider the appropriate levels of discretion for Arcades and Automatic Teller Machines (ATMs) commercial districts.

8. Update the Special Use Standards in Section 23E.16.040 for Alcoholic Beverage Sales and 23E.16.050 Amusement Arcades to reflect the proposed changes to the Zoning Ordinance.

These proposed revisions reflect input from the small business community and are seen by staff as relatively straightforward opportunities to modernize and improve the Zoning Ordinance to reflect present day conditions and community values. Each of these proposed modifications is designed to make the zoning review process for small businesses easier, clearer, and more streamlined.

FISCAL IMPACTS OF RECOMMENDATION

Modifications to the Zoning Ordinance, and the accompanying public hearings, will require staff time from the Planning Department, Office of Economic Development, and City Attorney's Office to produce staff reports and attend the required Planning Commission and City Council hearings. Proposed modifications are designed to simplify the planning review process for desirable business activities (including new business starts and expansions) and therefore may result in a modest increase in business license tax and sales tax revenues.

CURRENT SITUATION AND ITS EFFECTS

The Zoning Ordinance has evolved over decades to reflect Berkeley's changing values and the changing landscape of property development and land use. Its requirements are intended to guide the City's growth while preserving its existing character. However, businesses and people operate differently than they did 20 to 50 years ago, and some of the current permit thresholds and ordinance requirements do not recognize these changes. This results in a permitting process that can be unnecessarily lengthy and cumbersome, especially for independently-owned small businesses without the sophistication to navigate our complicated code and permitting process. Since its last major overhaul in 1999, the Zoning Ordinance has been updated in large and small ways at least 16 times to reflect new approaches to land use and changes in the ways businesses function and residents view their community. Staff has observed that it is particularly difficult for smaller, independently-owned businesses to navigate the permit review process and the associated timelines and expense. The modifications proposed here are designed with the unique needs and challenges of small businesses in mind. Further, these recommendations follow up on the recently adopted (January 2019) zoning modifications to support small business that have improved the experiences in several cases over a period of five months.

In order to update our ordinance to better accommodate today's locally-owned, small, independent enterprises that are highly desirable to our community, and to adhere to best practices in planning and sustainable economic development, staff recommends the eight modifications to the Zoning Ordinance listed above to provide regulatory relief for small businesses in their establishment or expansion phases. These changes are an important component and continuation of a broader effort to improve our organization's embrace of our customer service and Strategic Plan goals to "foster a dynamic, sustainable, and locally-based economy" and "provide excellent, timely, easily-

accessible service and information to the community,"[1] while honoring the City's commitment to public participation and ensuring that new uses are compatible with neighboring land uses.

BACKGROUND

On April 25, 2017, the City Council referred to the City Manager a bundle of recommendations entitled the "Small Business Support Package" with the objective to "to support the establishment of new, and sustainability of existing small and/or locally owned businesses." Among the strategies that Council asked staff to analyze and implement included "streamlining of zoning, permitting and licensing requirements and processes for small/local businesses and not-for-profits, to reduce associated costs and delays, and, where appropriate, provide less onerous levels of review."[2] In the Council's annual referral prioritization exercise conducted in May 2017, the item was ranked as the Council's top priority among the referrals not pertaining to housing.

Subsequently, during summer and fall of 2017, Office of Economic Development (OED) staff conducted significant outreach and research on Berkeley's small businesses and complied its findings in a work session report and presentation to council on January 16, 2018.[3] Small business owners and advocates identified the lengthy permitting review process as one of the primary barriers to small business startup and expansion in Berkeley. As a result, staff recommended six modifications to the Zoning Ordinance that were adopted by the City Council on January 22, 2019.[4] Over six months since the zoning modifications went into effect, several business have benefited from the amendments by reducing months of permit review time and additional expenses. For example, Thai Corner at 1277 Gilman Street, the Sundhari Spa at 1605 Solano Avenue, and AxeVentures at 2566 Telegraph Avenue each were able to open their business or expand their hours via a Zoning Certificate, rather than wait several months for an AUP. In addition, the zoning modifications were acknowledged by the Northern California Chapter of the American Planning Association (NorCal APA) with an Award of Merit in Economic Planning and Development.

The goal of this second round of zoning changes is again to improve and simplify the permitting experience for small businesses, which can in turn enhance the quality of commercial district offerings, help fill vacant storefronts, and generate more local and sustainable economic opportunities. The recommendations distill specific complaints, concerns, challenges, and staff observations into concise changes to the zoning ordinance designed specifically to alleviate long permit queues, clear up applicant confusion, and streamline the experience of doing business in Berkeley. The

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[1] See *City of Berkeley 2018-2019 Strategic Plan*, adopted by Berkeley City Council, January 16, 2018.
[2] See *Small Business Support Package*, adopted by Berkeley City Council, Item 41, April 25, 2017.
[3] See *Economic Development Worksession, Small Business Support*. https://www.cityofberkeley.info/Clerk/City_Council/2018/01_Jan/Documents/2017-01-16_WS_Item_01_Economic_Development_Worksession.aspx
[4] See *Referral Response: Modifications to the Zoning Ordinance to Support Small Businesses*, adopted by City Council, Item 1, January 22, 2019 https://www.cityofberkeley.info/Clerk/City_Council/2019/01_Jan/Documents/2019-01-22_Item_01_Ordinance_7635.aspx

recommendations are also informed by outreach, conducted February through August 2019, to neighborhood stakeholders, business owners, elected officials and commissioners. Staff aimed to identify and streamline the particular controls that lengthen the review process for desired and noncontroversial uses. In addition, the recommendations are consistent with purpose statements for commercial districts in section 23E of the Zoning Ordinance.

The following recommendations and rationale continue to iterate on the progress and inputs gathered from the first round of zoning amendments to support small businesses:

1. Consider permitting Group Instruction (Dance Studios, Yoga Studios, Martial Arts, Exercise) with a Zoning Certificate. Currently the Zoning Ordinance requires an AUP for Group Class Instruction in the majority of commercial zoning districts. A new yoga studio or exercise studio, or businesses interested in adding classes to an existing business, such as an art gallery or culinary business, are subject to discretionary review through an AUP application. The AUP requirement typically lengthens the zoning review process by three to six months, and typically increases the cost by roughly $1,000 to $4,000.

   OED staff has observed an increase in business models that employ a combination of retail and/or food consumption with instruction, training and class offerings. As the prevalence of online purchases for soft goods (e.g., clothing, books, music) increases, these creative commercial uses are increasingly critical to the vitality and sustainability of neighborhood commercial districts. Therefore staff recommends amending the Zoning Ordinance to permit these uses in commercial districts with a Zoning Certificate.

2. Clarify the threshold for design review and the applicability of design guidelines for sign applications in commercial districts. Section 20.12.070 of the Zoning Ordinance and Section 23E.08.020 of the Sign Code have conflicting and contradictory language related to the threshold for the design review of a new sign and the requirements for a Sign Permit. In addition, the current application for Signs and Awnings throughout the City refer to the Downtown Sign Guidelines; those guidelines have been used for the review and processing of signs beyond Downtown. This has led to confusion for applicants, business owners and sign companies wishing to do business in Berkeley. The impact is especially detrimental to small, independent business owners interested in opening a new business with a new sign.

   To remedy this, staff recommends a minor modification to the language in Section 23E.08.020 Applicability of Design Review in non-residential districts to clarify the types of signs that are subject to design review and signs that are exempt. In addition, the Planning Commission should determine whether the Downtown Sign Guidelines are suitable for the evaluation of signs throughout the City or only Downtown.

3. Consider permitting the sale of Distilled Spirits that are incidental to a Food Establishment with an Administrative Use Permit (AUP) subject to performance standards. Presently an operator of a food service establishment must obtain a Use Permit with a Public Hearing UP(PH) to serve distilled spirits. This review process is separate from and in addition to the review process an owner or operator is subject to by Alcohol Beverage Control (ABC), the state agency regulating the sale, service, and production of alcohol. The UP(PH) requirement typically lasts between five to eleven months, and includes $5,215 in fees. The requirement also generates additional demands on Planning staff and the Zoning Adjustments Board, and uncertainty for food service purveyors.

   Staff recommends the incidental service of distilled spirits at a food establishment be permitted via an AUP, subject to specific conditions of approval and the adopted performance standards which are approved by Berkeley's law enforcement officials and in line with the best practices employed by the state ABC. Nearby residents and property owners will still be notified of the proposed use and will have the ability to provide comments and appeal the Planning Department's decision.

4. Consider permitting standalone Beer and Wine Sales (such as Tap Rooms and Wine Bars) with a Zoning Certificate subject to performance standards. Currently, tap rooms, wine bars and tasting rooms are subject to the UP(PH) process in most commercial districts. As noted above, the UP(PH) requirement typically lasts between five to eleven months, and includes $5,215 in fees. The requirement also generates additional demands on Planning staff and the Zoning Adjustments Board, and uncertainty for entrepreneurs interested in this type of business. This review process is separate from and in addition to the review process an owner or operator is subject to by Alcohol Beverage Control (ABC), the state agency regulating the sale, service, and production of alcohol.

   Staff recommends that standalone beer and wine sales be permitted via a Zoning Certificate, subject to the performance standards which are approved by Berkeley's law enforcement officials and in line with the best practices employed by the state ABC. The City of Berkeley has an emerging wine and beer scene, resulting in additional tourism, tax revenue, manufacturing and job creation; this policy change could help to encourage its continued expansion.

5. Consider modifying the limitation on hours of operations in some commercial districts. Currently, several commercial zoning districts limit the hours of operation for businesses; e.g., businesses in the Elmwood District may not operate outside of 7am-11pm. In order for a business to exceed the existing limits, they must apply for a UP(PH) (adding approximately five to eleven months and $5,215 in fees to the zoning approval process). This is a significant obstacle for many business owners and has served as a deterrent for entrepreneurs that may be interested in providing food and drinks to customers after 11:00 pm. Many of the City's entertainment activities end at or after 11:00 pm; in some

districts, the limits on hours of operations restricts businesses from offering complementary services. This could result in lost tax revenue, job opportunities and lost business to adjacent cities. Staff recommends that the Planning Commission consider removing the blanket restriction in some or all commercial districts, allowing business owners to maintain hours of operation that comply with any applicable State laws and are aligned with their business model and customer demand.

6. Consider the necessity for 'change of use' requirements in commercial districts triggered by square footage. Currently in some C-prefixed districts, a change of use above a certain square footage threshold necessitates an AUP or a UP(PH). A commercial change of use requirement based on square footage is atypical; surrounding jurisdictions do not impose this level of scrutiny on neighborhood serving business, which puts Berkeley at a competitive disadvantage in its attraction of new businesses to larger commercial spaces. Each district's Use Table makes allowances for different levels of discretionary review for particular uses based on square footage thresholds. This additional requirement therefore adds to the overall complexity of the zoning ordinance; as it is a supplemental requirement implemented via an asterisk, often it is initially overlooked by applicants.

   Staff recommends that the Planning Commission review the appropriateness and benefits of an AUP for a Change of Use and consider eliminating the requirement in some or all commercial districts. Proposed uses would be evaluated and reviewed based on the levels of discretion defined in the Use Table for each district.

7. Consider the appropriate levels of discretion for Arcades and Automatic Teller Machines (ATMs) commercial districts. Commercial recreation uses that are classified as Arcades (e.g., Emporium and 90's Experience, Oakland, CA and the High Scores Arcade Museum, Alameda, CA) have become increasingly popular and prevalent. With the rise of internet sales posing challenges to retailers, these types of experiential commercial establishments have become increasingly important to the overall health of commercial districts. However, Berkeley's existing zoning controls make it difficult or impossible to open that type of establishment in most districts. Currently, Arcades are either prohibited or require a UP(PH), which adds approximately five to eleven months and $5,215 in fees to the zoning approval process. The requirement also generates additional demands on Planning staff and the Zoning Adjustments Board, and uncertainty for entrepreneurs interested in this type of business.

   ATMs also typically require an AUP or UP(PH), and in some districts are prohibited unless part of a Financial Institution. ATMs are often a beneficial and complimentary element for active commercial districts, especially if there's a lack of financial institutions in the area like some parts of Berkeley. Furthermore, the City of Berkeley is considering a policy that would require businesses to accept

cash. Staff recommends that the Planning Commission review the levels of discretion for Arcades and ATM's in commercial districts.

8. Update the Special Use Standards in Section 23E.16.040 for Alcoholic Beverage Sales and 23E.16.050 Amusement Arcades to reflect the proposed changes to the Zoning Ordinance. The Special Use Standards in Section 23E.16.040 for Alcoholic Beverage Sales and 23E.16.050 Amusement Arcades provide additional requirements and limitations for certain uses in the Zoning Ordinance. Several of the regulations are limiting and don't reflect the current standards in other jurisdictions. In addition, these sections would need to be modified to be consistent with the recommended Zoning Ordinance amendments above. Furthermore, the Public Convenience or Necessity findings for alcohol use and the distance buffers for Arcades are overly restrictive, don't reflect best practices and conflict with typical business practices. For example, Section 23E.16.040(A)(1)(b)(5) states *"no beer or wine may be distributed in its original bottle or can."* Staff recommends that the Planning Commission consider updating the Special Use section of the ordinance to be reasonable, enforceable and be consistent with surrounding jurisdictions.

Next Steps
Staff recommends that City Council review and adopt this referral to Planning Commission. Subsequently, Planning Department staff would present the Planning Commission with information, case studies and analysis relevant to each proposed change, seek guidance from the Commission, and draft Zoning Ordinance amendments for the Commission's review. It is possible that some of the recommendations may be implemented as part of the Zoning Ordinance Revision Project (ZORP), a current initiative to modernize and streamline the Zoning Ordinance. Planning Commission hearings will provide opportunities for additional feedback from small business owners, citizens, neighborhood associations, and commercial district groups.

Strategic Plan Connection
This referral is a component of a Strategic Plan Priority Project (Small Business Support), advancing our goals to provide an efficient and financially-health City government; to foster a dynamic, sustainable, and locally-based economy; and to be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

ENVIRONMENTAL SUSTAINABILITY
Many of the City's environmental sustainability goals are inextricably tied to the overall health of the City's economy. Small businesses make up the bulk of Berkeley's economy. Small businesses often contribute to sustainable transportation and consumer behavior by providing opportunities to shop in neighborhood commercial districts that are accessible by foot, bicycle and transit.

RATIONALE FOR RECOMMENDATION
Berkeley's commercial districts, and the small businesses that comprise them, are vital to the City's economic, social and civic wellbeing. These zoning changes represent the

most immediate and straightforward approach the City can take to assist small businesses and potentially reduce commercial vacancies. They are designed specifically to support small independent operators seeking to invest and activate these districts, and will provide the community with needed goods and services. These changes also have the added addition of improving our city's internal permitting processes, by shortening timelines and improving customer service.

ALTERNATIVE ACTIONS CONSIDERED

Staff considered various other changes to levels of discretionary review and other zoning compliance review for commercial uses, but recommends moving forward with the modifications proposed above while continuing to gather input on additional changes.

CONTACT PERSON

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Kieron Slaughter, Community Development Project Coordinator, (510) 981-2490

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL
ZONING ORDINANCE AMENDMENTS TO SUPPORT BERKELEY BUSINESS

The public may participate in this hearing by remote video or in-person.

The Department of Planning and Development is proposing amendments to the City's Zoning Ordinance (Title 23) to establish a streamlined, cost-effective, and expedited review and approval process tailored to smaller businesses, while preserving the city's commitment to public participation and ensuring that new uses are compatible with neighboring land uses. Proposed amendments affect the following sections of Title 23:

- 23.202.020 Allowed Land Uses (Residential Districts)
- 23.202.150 R-BMU Residential BART Mixed Use District
- 23.204.020 Allowed Land Uses (Commercial Districts)
- 23.204.040 Use-Specific Permit Requirements and Regulations
- 23.204.080 C-E Elmwood Commercial District
- 23.204.100 C-SA South Area Commercial District
- 23.204.110 C-T Telegraph Avenue Commercial District
- 23.204.120 C-SO Solano Avenue Commercial District
- 23.204.130 C-DMU Downtown Mixed-Use District
- 23.204.150 C-AC Adeline Corridor Commercial District
- 23.206.020 Allowed Land Uses (Manufacturing Districts)
- 23.302.020 Supplemental Use Regulations (Hours of Operation)
- 23.302.070 Supplemental Use Regulations (Use-Specific Regulations)
- 23.310.020 Alcoholic Beverage Sales and Service (General Alcohol Service Requirements)
- 23.310.030 Alcoholic Beverage Sales and Service (Incidental Alcohol Service Requirements)
- 23.324.040 Nonconforming Uses
- 23.502.020 Glossary

The hearing will be held on, February 27, 2024 at 6:00 pm in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of February 15, 2024. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

For further information, please contact Justin Horner, Associate Planner, at 510-981-7476.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

Published: February 16, 2024 – The Berkeley Voice

Public Hearing required by BMC 23.412.050 and Govt Code 65853; notice provided according to Govt Code 65090 and BMC 23.404.040.

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on February 15, 2024.

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Mark Numainville, City Clerk
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24-Hour Cities Network governance workshop

INSIGHT REPORT

MAY 2022

Contents

4 Governance at night

7 Night-time governance case examples

New York
Collaborative governments for creative solutions

Melbourne
Activating advisors and building knowledge partnerships

Montreal
Citizen organizations and civic engagement

14 Discussion

18 Workshop participants

22 Helpful links

Introduction

This report is the synthesis of insights drawn from the Governance Workshop of the 24-Hour Cities Network on April 28th, 2022. The 2-hour workshop covered a wide variety of topics and included presentations and discussions on how to build effective city governance at night-time. This report is divided into three main sections: framing of governance at night for the discussion, insights from the main case studies presented, and insights from the group discussion that followed.

Governance at night

Presentation by Andreina Seijas, Resident Expert

Urban governance is the process through which different actors in the public and private sectors collaborate to manage cities. When brought into the context of running cities at night, this urban governance principle remains the same.

There is an increasingly large number of actors, organizations, and institutions in the space of all types, with many groups jostling to have their voices heard on how cities are planned and operated at night. Given the proliferation of actors, there is widespread confusion on who can and should do what, which can create resistance to addressing the topic in some cities. However, much of this can be dispelled by addressing three primary myths of night-time governance:

MYTH #1

Shorter nights = better nights

The first myth about governance at night-time is that efficient night-time management requires reducing the hours and restricting the locations of night-time activity. This includes actions like imposing curfews and lockdowns and restricting business operation hours. One way to counteract this myth is to highlight examples of cities that have expanded nightlife activity in a strategic way, such as the cities experimenting with the use of time-based licenses. Amsterdam, for example, uses 24-hour licenses that allow venues and establishments to open 24 hours. The city focused on distributing these licenses to neighborhoods outside its crowded city center to redistribute nightlife outside of its busy core. This spreads the benefits of night-time economic activity more widely while also limiting the negative impacts of such dense concentration.

MYTH #2

More police means more safety

The second myth is that night-time governance means greater policing and surveillance. There are an ever-increasing number of institutions, mediators, volunteers, and neighborhood groups involved in managing the city at night. However, many cities still try to solve night-time safety issues by deploying more police and surveillance.

This need not be the case. Cities around the world have pioneering examples of non-police public safety organizations, such as Les Pierrots de La Nuit in Paris, the Soho Angels in Londons, and the Rembrandtplein Square Hosts in Amsterdam. These programs focus on shifting away from strict policing by decentralizing authority and creating different ways to engage with people at night to de-escalate violence.

MYTH #3

Night-time is party time

To many, the night is for leisure- lively concerts, fun restaurants, pulsing nightclubs, and rowdy bars. However, this is a very restrictive view of life at night- and requires us to look beyond leisure and entertainment and think of night-time as a time to work, connect with friends and family, and live every aspect of life. In 2016, Colombian think tank Corpovisinarios conducted a study in Cali, Colombia asking people what activity they do outside their homes after 8pm. Contrary to the conventional wisdom that this would be cultural or leisure activities like dancing or drinking, the number one activity cited as exercise- running, biking, and going to the gym. Thinking of the night-time solely in terms of partying takes away from the night's vibrancy- and keeps decision-makers from formulating the best night-time governance strategies.

Moving forward

Part of how we bust these myths and move toward more effective night-time governance is to treat cities at night as just as deserving of effective planning and management as cities during the day. In recent years as more and more cities have taken the topic more seriously, offices of official night mayors, unofficial night mayors, associations, commissions, and councils have proliferated around the world. As a result, a growing cast of actors is involved, and priorities shift based on location and the ecosystem involved. Unfortunately, there are limited resources to address these issues, which is why providing opportunities to collaborate between the public and private sectors, as well as academia and civil society, is becoming increasingly important.

As night-time governance continues to develop, It is crucial to test the feasibility or the applicability of new solutions and find avenues for them to become a reality. Additionally, other considerations should undergird all night-time governance solutions. Sustainability, for example, continues to be a vital point of discussion. Decision-makers must focus on how we can make night-time ecosystem environments safer, more inclusive, more economically sustainable, and prosperous, with an eye toward adhering to the Sustainable Development Goals. It is important to acknowledge that there are regional differences and that they matter. We also need to ensure that night-time governance isn't just a fleeting topic- but that it becomes a permanent fixture of how we govern cities.

NEW YORK

Collaborative governments for creative solutions

Presentation by Ariel Palitz, Executive Director, New York City Office of Nightlife

New York City's Office of Nightlife is a non-enforcement liaison between the city and the nightlife industry created in 2017 through legislation introduced by Councilmember Rafael Espinal and signed by Mayor Bill de Blasio. The genesis was to provide a safe, trusted space for the industry to interact with the city rather than through law and regulation enforcement channels. The idea behind the founding of the office was to see nightlife as an asset rather than a liability and build a more holistic and respectful relationship between the city and the industry.

One of the first actions the office undertook after it was created was a five-borough listening tour to get broad feedback from across the nightlife industry. This included business owners, workers, performers, patrons, and residents. In addition to the Office of Nightlife, the New York State liquor authority and city police, fire, and health departments were invited to the tour to listen to residents as well. The office also held focus groups to do deep dives into key issues and then conducted a comprehensive economic impact study. They found that the industry had over 25,000 liquor-licensed establishments that accounted for $35.1 billion in economic activity and supported nearly 300,000 jobs in New York City. The combination of listening to real concerns, grievances and ideas coupled with a comprehensive economic impact study helped to provide the feedback that shaped the office's agenda.

"...How does the city create a framework to manage these issues? This led to the formation of a four-pillared agenda to set priorities for the office. These pillars were 1) Supporting business development and recovery, 2) Improving and addressing quality of life issues between venues and residents, 3) Promoting safety, equity, and harm reduction, and 4) Elevating and preserving nightlife culture."

This effort brought into focus the vastness of the industry and raised the question- How does the city create a framework to manage these issues? This led to the formation of a four-pillared agenda to set priorities for the office. These pillars were 1) Supporting business development and recovery, 2) Improving and addressing quality of life issues between venues and residents, 3) Promoting safety, equity, and harm reduction, and 4) Elevating and preserving nightlife culture.

From this, the office moved into action meant to address the holistic issues that were present pre-pandemic but have only grown in urgency since the worst of the pandemic has subsided. This began by developing MASH (multi-agency support for hospitality)- a dedicated multi-agency nightlife working group that meets every six weeks to discuss how agencies work with each other and with industry to improve self-correction, avoid redundancies, and identify systemic solutions while addressing individual issues. This group also provides a central point of contact with each agency to provide one-on-one case management for individual venues when they experience issues with key city and state agencies. Additionally, in response to accountability and transparency concerns of activists and venue operators, it also provides transparency reporting on M.A.R.C.H (multi-agency response to community hotspots) operations- a police department-led law enforcement program.

The office also created MEND (mediating establishment and neighborhood disputes) to improve the complaint-driven process of night-time quality-of-life law enforcement. With the current system, complaints calls are logged, and the police are dispatched in the early hours of the morning, leading to a situation where few of the underlying issues are resolved. MEND introduces a mediation process that can work with venues and residents to directly communicate and compromise. MEND is run in partnership with the Center of Creative Conflict Resolution in the Office of Arbitration Trials and Hearings, which took the city judges in their mediation division and gave them a more public-facing role, allowing city residents to resolve quality of life issues without involving law enforcement.

The office has also focused on a harm reduction strategy for illicit drugs in partnership with the city Department of Health by providing free Narcan and naloxone kits and test strip training and access. The Narcan Behind Every Bar Campaign trains workers on how to use Narcan brings awareness to the issues involved, and dispels stigma. By bringing together the key groups involved, including the police, all stakeholders can work to address concerns and ensure that a life-saving harm reduction approach is being taken.

"If cities can govern nightlife as the essential part of the fabric of a city that it is, rather than a luxury, we can continue to build healthy, well-governed 24-hour cities."

In addition to these large initiatives, there are plenty of solutions that may seem small but have the potential to hugely improve the governance of cities at night. This includes providing permits for temporary cultural events or repealing outdated laws that prohibit dancing at particular venues in certain parts of the city. Another small but mighty improvement is the standardization of the business application process for Community Boards. Community Boards are neighborhood-based advisory bodies in New York City that consult elected officials and government agencies on issues in a particular district and have a say in approving new liquor licenses. The Office of Nightlife is now working with the city's elected officials to create a standard, business-friendly process to replace the different processes each of the 59 boards currently utilize.

As cities emerge from the pandemic, it is important for city governments to acknowledge how much the nightlife industry has been through in the last few years and how much collaboration and support is needed for this vital sector of the urban economy. If cities can govern nightlife as the essential part of the fabric of a city that it is, rather than a luxury, we can continue to build healthy, well-governed 24-hour cities. Government agencies that are ready and willing to collaborate within, outside of, and between governments to develop and implement creative, innovative solutions will allow their cities to reap the benefits of a robust night-time economy.

MELBOURNE

Activating advisors and building knowledge partnerships

Presentation by Michele Acuto, Director,
Melbourne Centre for Cities, University of Melbourne

Melbourne topped indices of the world's most livable city for years, and its nightlife was a key component of these accolades. The shutdown of nightlife during the COVID-19 pandemic hugely affected the city and its identity. Much of the recovery has been supported by the efforts of the Melbourne Night-time Economy Advisory Committee, an advisory council that sits outside of the official city government that advises the city on night-time issues. The committee represents and guides the city, particularly on major investments the city is making. Given that Melbourne does not have a designated "Night Mayor" or nightlife office, the committee chairman, committee and its various partners serve that function for the city. The committee has focused its efforts on reviving the heart of the city and designing programs that match the night-time economy goals with the larger aspirations for Melbourne as a city while supporting its unique character.

One of these programs, Flash Forward, used art installations by local artists to draw people to Melbourne's lesser know laneways- unique pedestrian streets throughout the city that are replete with shops, cafes, bars, and restaurants and that suffered greatly during COVID-related lockdowns that closed 20% of the city's businesses. Planning controls were suspended to encourage the opening of shops. The program is an example of the importance of not simply spending money to solve a problem but of building creative partnerships between stakeholders.

"As we shift the frame of thinking about night-time economies from how to deal with nightlife to how to manage a holistic 24-hour city, knowledge partnerships are an important mechanism for producing innovative ideas."

Another important aspect of Melbourne's approach to governing the night-time economy is its physical and philosophical proximity to major academic institutions. For instance, the University of Melbourne's School of Design studio produced the report that became the primary terms of reference for the Night-time Economy Advisory Committee. The university is also very involved in a program called Project Night Justice, which focuses on improving the safety and well-being of women, trans women, and other members of the LGBTIQ+ community, similar to other programs like London's Good Night Out Campaign. The university is also using federal funding to explore ways to design better environments for night shift workers.

Knowledge partnerships between government entities and universities allow for greater experimentation, research and solution building without being heavily constrained by policymaking and politics. As we shift the frame of thinking about night-time economies from how to deal with nightlife to how to manage a holistic 24-hour city, knowledge partnerships are an important mechanism for producing innovative ideas. Melbourne's effective combination of an advisory group that sits outside of government and knowledge partnerships with a local university is a good example of building night-time governance without an official city agency.

MONTREAL

Citizen organizations and civic engagement

Mathieu Grondin, General Director, Montreal 24/24

Active civic groups also have a major role in ensuring a successfully managed night-time economy. In Montreal, a group of friends created a non-profit citizen organization called Montreal 24/24 to support the nightlife industry community and develop the night-time economy. The group now has a partnership with Montreal's economic development agency and funding from the city to help Montreal develop a nightlife policy. Montreal 24/24 commissions research studies, runs a night council, provides workshops, plans summits, and undertakes pilot projects.

One of the most important aspects of Montreal 24/24's work is the citizen participatory process, which is primarily work done through the Night Council. Unlike similar councils in other cities, the Night Council does not represent industry but is composed of 12 citizens with a variety of experience in nightlife, from artists to venue owners, public health experts, and academia. The Council was formed during the pandemic and is divided into four committees 1) Permanent spaces (venues, bars, and clubs) 2) Temporary initiatives, festivals, and events 3) Health, safety inclusion, and diversity and 4) Living at night. The original Council members were selected, but going forward, they will be elected with the first election planned for autumn 2022.

"Even citizen-developed and led groups have the power to help shape night-time governance policy, and when they can find governments that want to work collaboratively with them, their power only grows."

Their mandate is to listen to opinions and provide recommendations on different topics related to nightlife. One of the primary ways the night council interfaces with the community is to hold a yearly event called the Open Mic. All of the citizens of Montreal are invited to take the mic and share their experiences of nightlife, positive or negative, and their vision for the future.

The Council also organizes Montreal Au Sommet De La Nuit, an event that gathers leaders from around the world to talk about night-time governance and to learn about different practices around the globe. At this year's event, Montreal 24/24 will also be using this venue to pilot Montreal's first 24-hour license by throwing a 24-hour party that will feature more than 30 local artists. The idea behind the 24-hour license is not just to extend the fun for patrons but help foster emerging talents and provide more opportunities for those that work at night-time. Instead of limiting the window for night-time cultural flourishing to a few hours a couple of nights a week, a 24-hour license provides the opportunity for more broad-based participation in the night-time economy. The event will also serve as an opportunity to gather data and insights about the effects of a 24-hour license on business revenues, public safety, and effective mobility.

In the future, the ambition is to set zones in the city to have 24-hour sectors. This is an important step in protecting small independent venues and ensuring they're not at risk of being closed by noise complaints. The hope is that this pilot project will be the first step to extending this scheme more permanently and, in the next year or a year and a half, to have a permanent nightlife policy.

Even citizen-developed and led groups have the power to help shape night-time governance policy, and when they can find governments that want to work collaboratively with them, their power only grows. Montreal 24/24 is a great example of how citizen action on night-time governance can lead to long-lasting government-back results in the absence of a permanent government apparatus.

Discussion

Finding funding

Funding is also a major issue in supporting the night-time economy, and in some cases, there is tension between public and private sources. Many cities are happy to leverage public funds to make improvements that directly support private businesses. In Sydney, Australia, for example, the city had "Night-time diversification" and "Live music and performance" grants to support small entertainment businesses with upgrades meant to improve their spaces and pilot new types of entertainment. This support can include upgrading event spaces, support for event production, acoustic improvements, and health and safety projects. This policy incentivizes extra measures that improve the business while also adding benefits that the city would otherwise want, like safety improvements and noise reduction. There is even power in cities working together to lobby higher levels of government for support- Groningen, the Netherlands, has also found success in partnering with other dutch cities to lobby for funds and support from the national government on supporting night-time economies.

However, in some cities, getting the government to invest funds in private businesses is more difficult. It often takes creative action from civil society to show cities the value of such programs. In Vilnius, Lithuania, the city government is readily willing to invest funds in public art and culture, but the city has traditionally been very hesitant to use government money in support of private business. Given that funding from the government can often incentivize establishments to implement things they cannot be otherwise compelled to do, outside groups looked for ways to prove the efficacy of these types of governance tactics.

"Resistance often stems from misunderstandings of the function of night-time businesses and a feeling of disconnection between night-time businesses and their surrounding communities. Solving this requires working with and in communities to help them understand, demystify the night, and help communities realize the benefits of the night economy."

The Vilnius Night Alliance worked with the city to develop the municipally-led "More than a Bar" program to give bars a door sticker for providing extra staff training that is not required by law, for example, sexual harassment prevention. The sticker will provide the bars with a special status and includes a code that can be scanned to understand how the bar is putting in extra effort. This provides the dual benefit of educating patrons and helping the city government quantify the additional positive actions businesses are willing to take when incentivized, making the argument for city financial support easier.

Demystifying the night

On of the biggest barriers to implementing proposals that further support the night-time economy is resistance from residents. This resistance often stems from misunderstandings of the function of night-time businesses and a feeling of disconnection between night-time businesses and their surrounding communities. Solving this requires working with and in communities to help them understand, demystify the night, and help communities realize the benefits of the night economy.

In Groningen, proponents of night-time businesses have focused on building a broad spectrum of political support. The city has found success by emphasizing the business and safety benefits with right-leaning groups and the cultural aspects with those on the left. This has been crucial to the successful implementation of 24-hour licenses that have been in place since 1983. The scheme has brought the city a variety of benefits that please all sides. Right-leaning groups can appreciate the increased economic growth that comes from a longer period of daily economic activity, as well as the benefits to safety as the increased amount of people on the streets at all hours disincentivized crime. The flourishing culture pleases those on the left as more artists, and cultural sector workers have flowed into the city to take advantage of the increased opportunity. Emphasizing the many benefits in a way different groups can understand is important for creating broad-based buy-in for implementing beneficial night-time governance policies.

While working with the most active and vocal sectors of a city's citizenry is important, it is also useful to educate surrounding communities on what goes on in businesses at night. This makes it easier for them to relate to the benefits and helps them understand what supporting the night-time economy means for them. In Zurich, night-time businesses participate in Open Club Day. Bars and venues open one day per year in the afternoon and invite the neighbors to come and see what happens behind the scenes. It often includes children's discos where families can take their children to play in the club and give them a glimpse of what it is like to produce music and entertainment. Strategies like these help neighbors and politicians understand why night-time businesses can be a positive for them and their families.

Lessons from COVID

As for nearly all sectors of the economy, the COVID-19 pandemic had a huge effect on the night-time economy, with many businesses that operated primarily at night brushing closer than most to existential crisis. While many of the dire predictions made about the demise of nightlife at the height of the pandemic did not come to pass, night-time business still used the time as a moment of reflection, and many have come back with a different approach than before the pandemic. Discussions around topics like diversity, inclusion, and social justice in nightlife have led to new commitments for how business is conducted. The right to be safe at work or at play during the night and the right to move freely are just a few of the issues that are top of mind for all involved in night-time cities.

COVID-19 also accelerated the development and implementation of a variety of innovative ideas that will remain an integral part of night-time city life around the world. Through Bogota 24h (the city's night-time office) Bogotá, Colombia, undertook 13 pilot projects to help spur the economic recovery of the city, with nightlife at the forefront, but also introduced a "Night at the Museum" concept during the pandemic that will also become a recurring feature of Bogotá nightlife.

Bogotá A Cielo Abierto was another project the city undertook in 50 areas of the city to support restaurants and bars as they recovered from the pandemic that will provide valuable insights into policies that can help the city's economy long-term. The initiative focused on ways to support businesses using open-air city spaces for patrons that will outlast the pandemic and include a new legislatively-approved licensing process.

Making change permanent

One of the most significant issues facing effective night-time governance is ensuring the staying power of 24-hour policies, strategies, and implementors. In many cities, night mayors and offices of nightlife are not written in legislation and can often be shut down between city administrations. It is important that the work that these offices do is sustainable while they exist so that it can survive from administration to administration. For those whose offices are not guaranteed, it is important to demonstrate the value of the office to the wider government. One approach is emphasizing the value of coordinating inside, outside, and in between the government and the private sector. The ability to bring together businesses, community groups, police, the health department etc. is rare and should be highlighted. As is the role such offices can play as a conduit between industry and government. It is also worth stressing the support these offices give in encouraging industry to take more of a leadership role in policymaking and solutions.

Additionally, the way in which night-time offices are created needs to be reoriented. Too often, they are reactive in nature- a city sees its problems at night and creates an office to help solve them. As the field of research and understanding around night-time economies continues to develop, cities must move from simply addressing night-time problems to actually building proactive, affirmative programs and policies to support and foster robust night-time activity with a particular focus on how to turn short-term pandemic interventions into long-term more permanent change.

Part of this involves providing decision-makers with data and evidence in formats they can understand. The ideas from the community of night-time activists, thinkers, and professionals need to be translated into facts and figures for policymakers to ensure a cohesive conversation. In Philadelphia, a partnership between the Philadelphia Department of Planning and Development and the University of Pennsylvania has enabled research across a variety of topics from mobility and zoning. This partnership enables experts to be able to walk into politicians' offices to give data-backed presentations about how to take advantage of the various opportunities presented by a 24-hour city in their area of responsibility- as well as the losses incurred by not taking a proactive stance toward night-time economic development. These types of partnerships can be an important initial step in setting up night-time governance bodies. In the case of Philadelphia, the findings of this research partnership became the founding set of principles that established the city's night-time economy office.

However, it is also important to recognize the role that organizations outside of government can play in the continuity of night-time governance. These organizations often precede and catalyze the creation of official night-time governance apparatuses. Their role remains important while official agencies operate, particularly if they are eliminated or downsized. Their proactive work can be a source of innovation and accountability for government counterparts, no matter the direction of city government.

Conclusion

City life doesn't stop when the sun goes down- in fact, it only gets richer. From the $35.1 billion in economic activity generated in New York City to the laugh shared with a long-lost friend at a restaurant table in a public plaza in Bogota- supporting cities at night has benefits for the city-wide economy and our relationship with our family, friends, and neighbors. Effective governance is key to reaping these benefits. Building effective strategies to develop governance will be crucial for any city looking to be a true 24-Hour city. Whether this be building out government night-time offices, creating government-sponsored outside advisory groups, or leveraging citizen-led initiatives that push the city to act, it's up to the whole community to develop quality night-time cities. Particularly in the wake of the COVID-19, 24-hour economic development is crucial for a global urban economy still scarred by lockdowns, population shifts, and business closures. Creating the right frameworks, policies, and initiatives to support 24-hour cities will ensure they thrive for all residents- day and night.

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About the 24-Hour Cities Network

The 24-Hour Cities Network is a multistakeholder group of urban leaders who, supported by City Possible, gather to share best practices and co-create new solutions to address the challenges cities face at night. Through workshops and thought leadership production, the Network will help cities understand how to create strategies and set policies that ensure their cities are as safe, prosperous, inclusive, and enjoyable at night as they are during the day.

About City Possible

City Possible™, pioneered by Mastercard, is a new model for urban innovation in which a global network of cities, businesses, academics, and communities work together to make the world's cities more inclusive and sustainable. Find out more at www.citypossible.com.

Helpful links

The Urban Night Events and Publications

Nights Conference 2022

New York City Office of Nightlife Report 2018-2021

Montreal 24/24

The University of Melbourne Centre for Cities

Melbourne Night-time Economy Advisory Committee

Project Night Justice

Philadelphia Nightlife Data Dashboard

Open Club Day

Measuring and Analysing the Nighttime City

New York City's Nightlife Economy Impact, Assets, and Opportunities

New South Wales 24-Hour Economy Commissioner Year in Review

Managing Cities at Night
A Practitioner Guide to the Urban Governance of the Night-Time Economy

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25

BERKELEY CITY COUNCILMEMBER
TERRY TAPLIN
DISTRICT 2

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Taplin (Author), Councilmember Lunaparra (co-sponsor), Councilmember Bartlett (co-sponsor), Councilmember Tregub (co-sponsor)

Subject: Berkeley Green New Deal: Workforce Development

RECOMMENDATION

Refer to the City Manager a feasibility analysis and request for recommendations for possible models to either establish a green workforce development board within the City of Berkeley or strengthen the alignment between City of Berkeley and community partner programs and the Alameda County Workforce development board to create pathways to gainful employment in green industries and accelerate the transition to a fossil-free local economy.

POLICY COMMITTEE RECOMMENDATION

On June 10th, 2025 the Land Use, Housing, & Economic Development Committee adopted the following action: M/S/C (Tregub/Lunaparra) to send the item to the City Council with a qualified positive recommendation that Council adopt the item and that the item be revised to include a referral to the budget process, clarify and make explicit that the full-time employee ("FTE") is either an in-house City of Berkeley employee or is a privately funded employee not on the City's payroll, and include a privately funded alternative to a full-time City employee when creating the budget referral.
Vote: All Ayes.

FINANCIAL IMPLICATIONS

Staff time TBD, est. $125,000 for 1 FTE Senior Planner. Planning staff estimates that capacity for additional Specific Area Plan work to be available in Fiscal Year 2025 at the earliest. Currently, San Pablo Avenue Specific Area Plan work is supported by grant funding from the Metropolitan Transportation Commission's Priority Development Area (PDA) program. Other grant funding opportunities, such as the Priority Conservation Area (PCA) and Priority Production Area (PPA) programs[1], or the California Strategic Growth Council's Transformative Climate Communities[2] program, may also be available in future grant cycles.

[1] Metropolitan Transportation Commission: Land Use Programs. https://mtc.ca.gov/planning/land-use

[2] California Strategic Growth Council: Transformative Climate Communities. https://sgc.ca.gov/programs/tcc/

CURRENT SITUATION AND ITS EFFECTS

Since the passage of SB 1000 (2016), California Government Code Section 65302(h) requires an Environmental Justice Element and/or related Elements in municipal General Plans to:

(A) Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity.

(B) Identify objectives and policies to promote civic engagement in the public decision making process.

(C) Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities. (See Attachment 6)

The City of Berkeley has incorporated Environmental Justice policies in its plans, most recently in its 2023 Housing Element Update. However, many area plans such as the most recent update to the West Berkeley Plan[3], adopted in 2011[4], predate SB1000 requirements.

This contributes to a growing need to update area planning with recent accomplishments including: a renewed Development Agreement with Bayer[5] (formerly Miles Corp) in 2021, which funded a West Berkeley Fund for community infrastructure and resilience; removal of minimum parking requirement;, expansion of Research and Development (R&D)[6] uses to Manufacturing zones, including development of a

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[3] City of Berkeley. (1993, Dec. 14.) Resolution 57,301-N.S. Adopting the Certification of Environmental Impact Report for the West Berkeley Plan…The West Berkeley Plan as an Area Plan and as an Amendment to the City of Berkeley Master Plan. https://berkeleyca.gov/sites/default/files/2022-03/12_14_1993%3B%20CLK%20-%20Resolution%3B%20City%20Council%3B%2057301%3B%20West%20Berkeley%20Area%20Plan%3B.pdf

[4] https://berkeleyca.gov/sites/default/files/2022-03/3_22_2011%3B%20CLK%20-%20Resolution%3B%20City%20Council%3B%2065210%3B%20%3B%20West%20Berkeley%20Project_%20Amending%20the%20West%20Berkeley%20Plan%20and%2C%20by%20Reference%2C%20the%20General%20Plan.pdf

[5] City of Berkeley. (2021). Bayer Healthcare LLC – Amended and Restated Development Agreement. https://newspack-berkeleyside-cityside.s3.amazonaws.com/wp-content/uploads/2021/12/2021-11-30-Item-24-Bayer-Healthcare-LLC-%E2%80%93-Amended-and-Restated-Development-Agreement-1.pdf

[6] Robinson, R. & Chen, A. (2022). Referral: Keep Innovation in Berkeley. https://berkeleyca.gov/sites/default/files/documents/2022-09-13%20Item%2030%20Referral%20Keep%20Innovation%20in%20Berkeley.pdf

Manufacturing - Research & Development (M-RD)[7] zone; development of a San Pablo Avenue Specific Area Plan.[8] While no single policy change will be a silver bullet, these and future efforts must inevitably also mitigate the impacts of anthropogenic climate change such as rising groundwater[9]; and the overall increasing risk of flooding, fires, and other natural disasters due to anthropogenic climate change.[10]

The increasing local demand for services and environmental mitigations, in tandem with historic investments in green energy and advanced manufacturing through the Inflation Reduction Act and the CHIPS and Science Act, present a major opportunity for the local community to reap the rewards of these challenges through workforce development. These targeted investments are intended to reduce consumer price inflation and eliminate lifecycle carbon emissions by rebuilding the material inputs of goods and services in the economy from lower-cost and renewable energy sources.[11] However, advanced manufacturing sectors are also facing acute workforce shortages in strategically significant goods such as semiconductors and lithium-ion batteries, with significant federal initiatives underway to address them.[12]

In partnership with the UC Berkeley College of Environmental Design, UC Chancellor's Office, and McGee Avenue Baptist Church, the District 2 Council Office supported field research and stakeholder outreach in the local community to determine top priorities for a Just Transition, and echoing President Biden's position on tackling climate change ("jobs, jobs, jobs"), most responses focused on the need for gainful employment and income support. These are related but distinct goals: while cash transfer programs such as a basic income may be necessary to address short-term needs, education and career development also can provide a sense of community belonging and self-actualization independent of monetary compensation. Accordingly, workforce development has been central to the City Council's reparative justice efforts, including

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[7] City of Berkeley Planning Commission Presentation (2023, Feb. 1). https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/2023_02_01_Item%2012_Gilman%20Gateway%20Rezone_Presentation.pdf

[8] City of Berkeley: San Pablo Avenue Specific Plan. https://berkeleyca.gov/construction-development/land-use-development/general-plan-and-area-plans/san-pablo-avenue-specific

[9] kristina hill, Daniella Hirschfeld, Caroline Stanhope Lindquist, et al. Rising coastal groundwater as a result of sea-level rise will influence contaminated coastal sites and underground infrastructure. ESS Open Archive. May 25, 2023. DOI: 10.22541/essoar.168500245.55690018/v1

[10] City of Berkeley: January 2023 Disaster Preparedness Notice. https://berkeleyca.gov/community-recreation/news/rains-and-winds-continue-stay-alert-and-safe-while-still-reporting

[11] Glass, A. & Walter, K. (2022). How Biden's American-Style Industrial Policy Will Create Quality Jobs. Center for American Progress. Retrieved 16 May, 2024 from https://www.americanprogress.org/article/how-bidens-american-style-industrial-policy-will-create-quality-jobs/

[12] Department of Energy. (2022, March 18). Press Release: https://www.energy.gov/articles/doe-announces-5-million-launch-lithium-battery-workforce-initiative

support for Career Technical Education in the Bayer Development Agreement (see footnote 4) and a referral to study municipal support for reentry employment.[13]

While the City of Oakland[14] and the City of Richmond[15] both have municipal Workforce Development Boards that allocate federal Workforce Innovation and Opportunity Act (WIOA) grants and offer America's Job Centers of California (AJCC) services, Berkeley residents can only rely on the Alameda County Workforce Development Board for these services. The above Workforce Development Boards, along with the Contra Costa County Workforce Development Board, have jointly adopted a 2021-2024 Regional Plan under East Bay Regional Planning Unit as EastbayWorks.[16] Research in a forthcoming paper from Cuiffo & Sarkodie (2024) finds that this has resulted in a significant gap in workforce development outlays per capita.

Berkeley investing local funds into workforce development to bridge this gap would have significant reparative justice benefits, as the EastbayWorks 2021-2024 Regional Plan identifies low-income communities at risk of displacement concentrated in West Berkeley, and at least 25% of Alameda County's largest employers located in the City of Berkeley.

Research for an Environmental Justice Element would thus naturally overlap with implementation of Just Transition principles vis a vis workforce development.

Establishing an Environmental Justice Element in the General Plan pursuant to California Government Code Section 65302(h) is a Strategic Plan Priority Project, advancing our goal to: <u>be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.</u>

BACKGROUND

Just Transition Principles

On December 14, 2021, the Berkeley City Council adopted Resolution No. 70,171–N.S. "Resolution Committing the City of Berkeley to a Just Transition from Fossil Fuels and the Creation of a West Berkeley and South Berkeley Green New Deal" as revised (see Attachments 1 and 2). A Just Transition framework for West Berkeley Plan

[13] https://berkeleyca.gov/sites/default/files/documents/2022-12-06%20Item%2006%20Office%20of%20Racial%20Equity.pdf
[14] https://www.oaklandca.gov/topics/2021-24-local-plan
[15] https://www.ci.richmond.ca.us/DocumentCenter/View/57308/RWDB-PY-2021-24-Local-Plan-FINAL?bidId=
[16] https://www.eastbayworks.com/wp-content/uploads/2021/03/EBRPU-Regional-Plan-03-11-21.pdf

Amendments should be developed such that civil engagement and centering the needs of disadvantaged communities comprise an interrelated process.

The District 2 Council Office has convened several meetings of a West Berkeley Green New Deal Ad Hoc Working Group, whose work is still ongoing. The Ad Hoc Working Group expressed consensus that heavily impacted and disadvantaged communities that should be centered in a Just Transition include, at a minimum: **seniors; unhoused residents; low-income households; disabled or mobility-impaired residents; Black, Indigenous, and People of Color (BIPOC); and LGBTQIA+ residents.**

The transition away from fossil fuels must ensure that the most vulnerable in our society are protected from both the turbulence of restructuring our entire economy and the effects of global warming that the community is already facing. The core premise is: "Transition is inevitable. Justice is not."[17] The environmental justice movement calls this approach to the climate crisis a "Just Transition."

Transition is inevitable. In macroeconomic terms, any government actively working to change the composition of household consumer demand (e.g. rapid industrialization amid World Wars, a green transition, etc.) will face significant distributional problems from shocks to energy and raw material costs, which manifest in price levels and/or rationing. We are already confronting such shocks locally and globally. As recent inflationary episodes and supply shocks following the COVID-19 pandemic and the 2022 Russian invasion of Ukraine have demonstrated, reliance on the fossil fuel economy increasingly undermines price stability.[18] Just Transition principles are partially intended to proactively mitigate both the threat of wage deflation for households depending on labor income from fossil fuel industries, and the inflationary pressures of unprecedented supply shocks. In a complementary framework, the Green New Deal[19] proposed by Democratic lawmakers[20], some aspects of which have been passed in the Inflation Reduction Act of 2022, was designed to increase domestic high-road

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[17] Climate Justice Alliance. (2018). Just Transition Principles. *Climate Justice Alliance.* https://climatejusticealliance.org/wp-content/uploads/2018/06/CJA_JustTransition_Principles_final_hi-rez.pdf

[18] Weber, Isabella M.; Jauregui, Jesus Lara; Teixeira, Lucas; and Nassif Pires, Luiza, "Inflation in Times of Overlapping Emergencies: Systemically Significant Prices from an Input-output Perspective" (2022). *Economics Department Working Paper Series.* 340. https://doi.org/10.7275/0c5b-6a92

[19] Carlock, G. & Mangan, E. (2018). A Green New Deal. *Data for Progress.* https://www.filesforprogress.org/pdfs/Green_New_Deal.pdf

[20] House Resolution 109. (2019). https://www.congress.gov/116/bills/hres109/BILLS-116hres109ih.pdf

employment[21] and capacity in green energy industries to manage this transition equitably.

A Just Transition is possible. While fossil fuel supply chains must end, other resilient supply chains must replace our community's changing needs. Renewable energy and electricity transmission will have to grow to meet increasing demands for vehicle and building electrification to replace petroleum and natural gas; batteries, solar panels, and wind farms must replace oil rigs and coal mines. Californians will have to shift at least 25% of their automobile trips to other modes of transportation while converting the rest to electric vehicles[22], aided by more energy-efficient housing, public transit, and e-bike access. All of this will be made possible in part by Berkeley's growing innovation ecosystem of high-wage STEM employment in green energy technology and life sciences. To illustrate, over one third of employees in Alameda County's growing life sciences sector had no college degree[23] The federal government is also increasing public sector fiscal capacity for clean energy development through direct pay provisions for municipal and nonprofit entities in the Inflation Reduction Act of 2022.[24]

Just Transition policies are already being enacted globally. For example, in Poland, a 75% decline in coal mining jobs was coupled by a mining social package and special privileges for mining communities. Canada's efforts to phase out coal-powered electricity have been accompanied by a national stakeholder task force that has traveled the country to hear from Canadians on how to justly shepherd the transition. Egypt's fuel price increases were paired with minimum wage boosts, food stipends, and progressive taxation.[25]

The Climate Justice Alliance, a climate organization at the forefront of the fight for a Just Transition, lays out the following Just Transition principles:

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[21] Williams, M., et al. (2022). The Inflation Reduction Act Provides Pathways to High-Quality Jobs. *Center for American Progress. https://www.americanprogress.org/article/the-inflation-reduction-act-provides-pathways-to-high-quality-jobs/*

[22] https://ww2.arb.ca.gov/sites/default/files/2018-11/Final2018Report_SB150_112618_02_Report.pdf

[23] City of Berkeley Staff Report: Business Support Zoning Amendment Referrals – Research and Development. (2021, June 20). pp. 13-56.https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2021-10-06%20PC%20Agenda%20Packet.pdf

[24] Lala, C. (2023). Direct pay: an uncapped promise of the Inflation Reduction Act. *Center for Public Enterprise.* Retrieved from https://static1.squarespace.com/static/622cca56a2f5926affd807c6/t/64257e7047150f31bf02e7cf/1680178800773/Direct+Pay+101+-+Center+for+Public+Enterprise.pdf

[25] Gass, P. (2019). In Search of Just Transition: Examples From Around the World. *International Institute for Sustainable Development.* https://www.iisd.org/articles/just-transition-examples

A Just Transition moves us toward Buen Vivir
Buen Vivir means that we can live well without living better at the expense of others. Workers, community residents, women and Indigenous Peoples around the world have a fundamental human right to clean, healthy and adequate air, water, land, food, education and shelter. We must have just relationships with each other and with the natural world, of which we are a part. The rights of peoples, communities and nature must supersede the rights of the individual.

A Just Transition creates Meaningful Work
A Just Transition centers on the development of human potential, creating opportunities for people to learn, grow, and develop to their full capacities and interests. We are all born leaders, and a regenerative economy supports and nurtures that leadership. In the process, we are transforming ourselves, each other, our communities, and our society as a whole. Meaningful work is life-affirming.

A Just Transition upholds Self Determination
All peoples have the right to participate in decisions that impact their lives. This requires democratic governance in our communities, including our workplaces. Communities must have the power to shape their economies, as producers, as consumers, and in our relationships with each other. Not only do we have the right to self determination, but self determination is one of our greatest tools to realize the world we need. The people who are most affected by the extractive economy — the frontline workers and the fenceline communities — have the resilience and expertise to be in the leadership of crafting solutions.

A Just Transition equitably redistributes Resources and Power
We must work to build new systems that are good for all people, and not just a few. Just Transition must actively work against and transform current and historic social inequities based on race, class, gender, immigrant status and other forms of oppression. Just Transition fights to reclaim capital and resources for the regeneration of geographies and sectors of the economy where these inequities are most pervasive.

A Just Transition requires Regenerative Ecological Economics
Just Transition must advance ecological resilience, reduce resource consumption, restore biodiversity and traditional ways of life, and undermine

extractive economies, including capitalism, that erode the ecological basis of our collective well-being. This requires a re-localization and democratization of primary production and consumption by building up local food systems, local clean energy, and small scale production that are sustainable economically and ecologically. This also means producing to live well without living better at the expense of others.

A Just Transition retains Culture and Tradition
Capitalism has forced many communities to sacrifice culture and tradition for economic survival. It has also defaced and destroyed land held as sacred. Just Transition must create inclusionary spaces for all traditions and cultures, recognizing them as integral to a healthy and vibrant economy. It should also make reparations for land that has been stolen and/or destroyed by capitalism, colonialism, patriarchy, genocide and slavery.

A Just Transition embodies Local, Regional, National and International Solidarity
A Just Transition must be liberatory and transformative. The impacts of the extractive economy knows no borders. We recognize the interconnectedness of our communities as well as our issues. Therefore, our solutions call for local, regional, national and global solidarity that confronts imperialism and militarism.

A Just Transition builds What We Need Now
We must build the world we need now. This may begin at a local small scale, and must expand to begin to displace extractive practices. We must build and flex the muscles needed to meet our communities' needs.[26]

With these frameworks, staff and commissioners can study robust and flexible development standards in the General Plan

Transportation Demand Management
The West Berkeley Plan as originally adopted in 1993 was prescient in calling for a "reduction of single occupant automobile trips." The Plan envisioned several mitigations for increased traffic congestion, including implementation of Transportation Demand Management (TDM) plans "to encourage carpooling and vanpooling, walking and

[26] Climate Justice Alliance. (2018). Just Transition Principles. *Climate Justice Alliance.* https://climatejusticealliance.org/wp-content/uploads/2018/06/CJA_JustTransition_Principles_final_hi-rez.pdf

bicycle use, the use of transit, flexible scheduling of work hours, and other methods to reduce travel demand[.]"

However, the Transportation impact mitigations in the Plan are still codified under Level Of Service (LOS) standards, i.e. delay in vehicle throughput. As of 2020, state law requires transportation impacts to be assessed under a Vehicle Miles Traveled (VMT) standard for environmental review, measuring the total volume of traffic. Reducing VMT is of critical importance for Berkeley and the state of California's climate goals, as the California Air Resources Board has illustrated in a 2018 report: "Even if the share of new car sales that are ZEVs [zero-emission vehicles] grows nearly 10-fold from today, California would still need to reduce VMT per capita 25 percent to achieve the necessary reductions for 2030."[27] Any amendments to the West Berkeley Plan's Transportation mitigations would have to incorporate the goal of absolute VMT reduction to be consistent with state environmental standards.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

In 2006, Berkeley voters approved Measure G, committing to reduce the entire community's greenhouse gas emissions by 80% below 2000 levels by 2050. The City Council approved Berkeley's first Climate Action Plan in 2009.[28]

The California Air Resources Board released an updated Scoping Plan[29] in 2022. Following this plan, the state of California's goals by 2045 are:

- *Cut greenhouse gas emissions by 85% below 1990 levels*
- *71% reduction in smog-forming air pollution*
- *Reduce fossil fuel consumption (liquid petroleum) to less than one-tenth of what we use today – a 94% reduction in demand.*
- *Create 4 million new jobs.*
- *Save Californians $200 billion in health costs due to pollution in 2045.*

All planning efforts must achieve and exceed these thresholds in order to advance Environmental Justice.

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[27] California Air Resources Board: 2018 Progress Report. https://ww2.arb.ca.gov/sites/default/files/2018-11/Final2018Report_SB150_112618_02_Report.pdf

[28] City of Berkeley: Climate Action Plan. https://berkeleyca.gov/sites/default/files/2022-01/Berkeley-Climate-Action-Plan.pdf

[29] California Air Resources Board: 2022 Scoping Plan. https://ww2.arb.ca.gov/news/california-releases-final-2022-climate-scoping-plan-proposal

CONTACT PERSON
Councilmember Taplin Council District 2 510-981-7120

Attachments:
1: 2021-12-14 Annotated Agenda - Berkeley City Council Meeting
2: 2021-12-14 Item 35 Commit the City of Berkeley to a Just Transition (Supp. 2)
3: Fact Sheet: The Weight of Cities - United Nations International Resources Panel
4: Senate Bill 1000 (2016)
5: Workforce Development Recommendations to Advance Berkeley's Green New Deal Policy by Yaa Freemah Sarkodie and Kathryn Cuiff

26

Igor Tregub Councilmember, District 4

Mark Humbert, Councilmember, District 8

Cecilia Lunaparra, Councilmember, District 7

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Igor Tregub (Author), Councilmember Mark Humbert (co-sponsor), Councilmember Cecilia Lunaparra (co-sponsor)

Subject: Resolution in Support of California Senate Bill 627 (Wiener, Arreguín, Pérez), the No Secret Police Act, to Prohibit Non-Essential Face Covering for Law Enforcement and Require Officer Identification During Operations

RECOMMENDATION

Adopt a resolution in support of California State Senate Bill (SB) 627 (Wiener, Arreguín, Pérez), the No Secret Police Act, which would prohibit law enforcement officers from covering their faces during operations (with exceptions for medical and fire-related protection), and require visible identification on uniforms in the state of California; and distribute copies to the California Governor Gavin Newsom, Senators Scott Wiener, Jesse Arreguín, and Sasha Renée Pérez, Assemblymember Buffy Wicks, California Senate President pro tempore Mike McGuire, and California Assembly Speaker Robert Rivas to advocate for its passage.

CURRENT SITUATION AND ITS EFFECTS

Amid increasing public concern about the presence of unidentified, masked law enforcement agents conducting operations in communities across California, SB 627 would prohibit law enforcement officers of all levels from covering their faces while interacting with the public. The bill allows for exceptions for approved face coverings and their appropriate uses, including, but not limited to, N-95 masks to prevent the spread of airborne diseases or wildfire smoke inhalation.

SB 627 also establishes a statewide standard for law enforcement transparency and accountability by requiring officers to display names or other identifying information while performing official duties, with exceptions for officers engaged in an undercover assignment. The bill will enforce such violations as infractions for sworn peace officers and a misdemeanor for non-sworn peace officers.

Cities across California, including Los Angeles, San Francisco, Concord, and Montebello, have recently been subject to federal operations by agents wearing masks and lacking visible identification. These concealments of identification erode public trust and create fear. In several incidents, individuals have been detained without due process, having their rights denied in detention centers.[1] United States citizens have also been wrongfully detained by immigration enforcement, leading to further mistrust.[2]

The presence of unnecessarily masked and unidentifiable agents undermines democratic principles and disrupts communities, and reduces public willingness to engage with law enforcement, report crimes, or testify in court. In the worst cases, this erosion of trust in law enforcement inspires vigilantism.

In South Carolina, Pennsylvania, and Florida, individuals in several incidents have been caught, and some charged, with impersonating law enforcement.[3] These incidents are often committed with the intention of intimidating individuals that the perpetrators racially profile as immigrants. California Attorney General Rob Bonta issued a warning in response to increased reports of U.S. Immigration and Customs Enforcement (ICE) impersonators and other immigration scams.[4] By requiring visible identification on uniforms, these impersonators will be more easily identified as imposters.

This bill intends to strengthen public trust and safeguard against secretive, extrajudicial enforcement by ensuring that all law enforcement personnel conducting operations in California do so in an open and accountable manner.

The City of Berkeley Chief of Police was consulted in recommendations for this Resolution.

FISCAL IMPACTS OF RECOMMENDATION

Limited staff time associated with communicating the city's position to the State representatives.

ENVIRONMENTAL SUSTAINABILITY

[1] https://www.cbsnews.com/news/ice-record-59000-immigrant-detainees-half-no-criminal-record/
[2] https://www.theguardian.com/us-news/2025/jun/16/los-angeles-immigration-raids-montebello
[3] https://prospect.org/justice/2025-06-24-ice-impersonations-proliferate-agencys-undercover-tactics/
[4] https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-warning-amid-increased-reports-fake-ice-officers

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

CONTACT PERSON

Councilmember Igor Tregub, Council District 4
510-981-7140
ltregub@berkeleyca.gov

Amy Johnson, Legislative Aide, Council District 4
amjohnson@berkeleyca.gov

Attachments:

1. Resolution
2. Fact Sheet

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

RESOLUTION IN SUPPORT OF CALIFORNIA SENATE BILL 627, THE NO SECRET POLICE ACT, TO PROHIBIT NON-ESSENTIAL FACE COVERINGS FOR LAW ENFORCEMENT AND REQUIRE OFFICER IDENTIFICATION DURING OPERATIONS

WHEREAS, Senate Bill 627 (Wiener, Arreguín, Pérez) seeks to prohibit law enforcement officers at all levels operating in California from covering their faces during operations, with exceptions for personal protection against airborne diseases, wildfire smoke, and other dangers; and

WHEREAS, Senate Bill 627 would also require all officers to display names or other identifying information while performing official duties; and

WHEREAS, recent operations conducted by unidentified and masked law enforcement agents have bred fear and distrust in communities across California, particularly among immigrant populations and communities of color; and

WHEREAS, these secretive operations bear troubling similarities to tactics used by authoritarian regimes to intimidate and detain civilians without accountability or oversight; and

WHEREAS, the nation was witnessed an increase of impersonation of law enforcement, particularly by individuals targeting people of Latine descent; and

WHEREAS, identification requirements will prevent further these incidents of law enforcement impersonation; and

WHEREAS, Senate Bill 627 explicitly affirms the Legislature’s intent to allow Special Weapons and Tactics (S.W.A.T). and tactical officers to protect their physical safety while maintaining transparency and public accountability; and

WHEREAS, Senate Bill 627 enhances public safety by protecting civilians from impersonation and vigilantism, and intends to dissuade unconstitutional detentions by encouraging accountability; and

WHEREAS, Berkeley has a longstanding commitment to police reform, civil liberties, and community accountability and supports efforts that promote transparent, constitutional policing practices; and

WHEREAS, California has a responsibility to lead on civil rights protections, especially when federal agencies engage in practices that violate the principles of transparency and due process

NOW, THEREFORE, BE IT RESOLVED, that the Berkeley City Council hereby declares its support for California Senate Bill 627, which prohibits face coverings by law enforcement during public interactions and requires officers to display identifying information; and

BE IT FURTHER RESOLVED, That the Berkeley City Council directs the City Manager to distribute copies of this resolution to California Governor Gavin Newsom, Senators Scott Wiener, Jesse Arreguín, and Sasha Renée Pérez, Assemblymember Buffy Wicks, California Senate President Pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas in strong support of California Senate Bill 627.

Senator Scott Wiener, 11th Senate District

Senate Bill 627 – No Secret Police Act Fact Sheet

SUMMARY

Senate Bill 627 prohibits law enforcement at all levels operating in California from covering their faces while conducting operations, with limited exemptions for masking for medical or fire-related reasons. The bill states the intent to ensure SWAT officers can protect their faces further requires officers to have their names or other identifying information on their uniforms.

Public safety depends on the public's trust in law enforcement, and public trust is undermined when masked, unidentified, and armed agents disrupt communities and disappear members of the public without warrant or warning and without anyone knowing who they are. It foments an atmosphere of chaos and mistrust and encourages vigilantism. SB 627 bolsters public safety and trust in law enforcement by requiring enforcement be conducted in an open and transparent manner — and making crystal clear that in America, there are no secret police.

BACKGROUND

In recent months, federal law enforcement officials have conducted raids — in California and across the country — while covering their faces and, at times, badges, names, and other identifying information. They sometimes wear jackets stating "Police" — effectively impersonating local law enforcement. Such raids have occurred in Los Angeles, San Francisco, Concord, Downey, Montebello, and many other places since the new federal administration began ramping up its immigration enforcement efforts.

In some operations, federal law enforcement have appeared masked to grab residents off the street and whisk them away to detention centers across state lines without contacting their families or loved ones. University students, workers, and others have been grabbed off the street, sent to detention centers and even been sent to a gulag in El Salvador.

The use of face coverings and failure to provide identifying information have uncovered a glaring omission in state law: that all law enforcement should be identifying themselves and not hiding their identities. Given that the current federal administration is urging and even trying to force state and local law enforcement to help enforce immigration laws, California should end this omission for all levels of law enforcement.

Secret police forces are core features of authoritarian regimes. They frequently appear masked and unidentified to intimidate or disappear members of the ruling regime's political opposition. One in four Californians was born outside of the U.S., and many have direct — and frequently traumatic — experience with such secret police in their home countries.

PROBLEM

The introduction of unidentified law enforcement conducting operations in the U.S. is already disrupting communities and undermining public safety. In Florida, a woman was recently arrested for allegedly dressing as a masked ICE officer and kidnapping her ex-boyfriend's wife. Public acceptance of secret police tactics will only inspire more copycat behavior from the public.

Masking their faces while conducting operations undermines the public's trust in law enforcement

– making it less likely people will report crimes and testify in court. This practice also inspires an environment of fear among the general public that runs counter to the basic principles of democracy.

SOLUTION

SB 627 prohibits law enforcement officers from wearing any mask or personal disguise while interacting with the public in the performance of their duties. The bill exempts medical grade masks (surgical or N95) and masks designed to protect against exposure to smoke during a state of emergency related to wildfires. The bill defines law enforcement officers as any officer of a local, state, or federal law enforcement agency, or any person acting on behalf of a local, state, or federal law enforcement agency. A violation of this prohibition is punishable as a misdemeanor.

This bill also states that it is the intent of the Legislature to ensure that SWAT officers can protect their faces from physical harm while performing their responsibilities and to require local, state, and federal law enforcement officers to include their names or other identifying information on their uniforms.

FOR MORE INFORMATION

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27

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Humbert (Author)

Subject: Berkeley's First Sun Day Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed $500 per Councilmember including $500 from Councilmember Humbert to the Berkeley Rotary Club for the purpose of covering costs associated with hosting Berkeley's inaugural "Sun Day" renewable energy festival on Sunday, September 21, 2025 with funds relinquished to the City's General Fund for this purpose from the discretionary Council Office Budgets of Councilmember Humbert and any other Councilmembers who would like to contribute.

BACKGROUND

Solar energy and electrification have a bright future, and the City of Berkeley has existing policies and programs to shine a light on clean energy. Berkeley's Sun Day celebration will be a free, all-ages community gathering at Willard Park's new LEED-certified clubhouse on Sunday, September 21st.

The event will make clean energy feel local, doable, and joyful by showing residents tangible ways to electrify their homes and lives, while showcasing our city's leadership in the clean energy transition. This event would celebrate renewable energy, spotlight new technologies, and help people warm up to appliances like induction stoves and heat pumps. With local partners, hands-on activities, and practical resources, Sun Day will empower Berkeley neighbors to take meaningful climate action together.

FINANCIAL IMPLICATIONS

No General Fund impact. $500 is available from Councilmember Humbert's office budget discretionary account.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities associated with adopting this recommendation.

CONTACT PERSON

Councilmember Mark Humbert Council District 8 510-981-7180

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

BERKELEY SUN DAY EVENT 2025

WHEREAS, solar energy and electrification have a bright future, and the City of Berkeley has existing policies and programs to shine a light on clean energy; and

WHEREAS, Berkeley's Sun Day celebration will be a free, all-ages community gathering at Willard Park's new LEED-certified clubhouse on Sunday, September 21st, 2025; and

WHEREAS, the event will make clean energy feel local, doable, and joyful by showing residents tangible ways to electrify their homes and lives, while showcasing our city's leadership in the clean energy transition; and

WHEREAS, neighborhood and city events like this energize our community; and

WHEREAS, this event would celebrate renewable energy, spotlight new technologies, and help people warm up to appliances like induction stoves and heat pumps; and

WHEREAS, Councilmember has surplus funds in his office expenditure account, which would rays needed support for the event; and

WHEREAS, the Berkeley Rotary Club and the Sierra Club plan a fusion of effort to support the festivities; and

WHEREAS, with local partners, hands-on activities, and practical resources, Sun Day will empower Berkeley neighbors to take meaningful climate action together;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Councilmembers from their Council Office Budgets up to $500 per office shall be granted to the Berkeley Rotary Club for helping cover the costs of the First Berkeley Sun Day Event.

28

Office of the City Manager

PUBLIC HEARING
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Accessory Dwelling Units (ADUs): Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs, and Amendments to Title 23 (Zoning) to Comply with State Law and Encourage ADU Development

RECOMMENDATION

Conduct a public hearing, and upon conclusion, adopt the first reading of an Ordinance to 1) amend Title 21 (Subdivisions Ordinance) to implement Assembly Bill (AB) 1033 by establishing local regulations for the separate sale of ADUs as condominiums; and 2) amend Title 23 (Zoning) to bring the City's ADU regulations into compliance with recent changes to State law, to incorporate feedback from the California Department of Housing and Community Development (HCD), and encourage ADU development.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

Amendments to Title 21 (Subdivisions) for ADU Condominiums

The Berkeley Municipal Code (BMC) does not currently provide for the separate sale of ADUs. Assembly Bill (AB) 1033, a state law passed in 2024, permits municipalities to create regulations to permit the separate sale of ADUs. On May 14, 2024, the City Council adopted a referral (**Attachment 2**) to prepare an ordinance to permit the separate sales of ADUs in Berkeley as allowed under AB1033. The referral highlighted the potential of ADU condominiums to expand homeownership opportunities for moderate-income households, help existing homeowners build equity, and increase the supply of naturally affordable housing in the city. The proposed amendments to BMC Title 21 would provide for such separate sales.

Currently, condominium conversions are regulated in BMC Chapter 21.28 (Condominiums and Other Common Interest Subdivisions). The Planning Commission's recommendation would treat ADU condominiums differently than typical condominiums. These differences include:

- Condominium Conversion Mitigation Fee: The proposed ordinance does not apply the Condominium Conversion Mitigation Fee to ADU condominiums. The Planning Commission felt the fee was unnecessary given the small scale of likely ADU condominium projects, and expressed concern that the amount of the Fee would discourage the creation of affordable homeownership opportunities from ADU condominiums.

- Tenant Protections: The Commission affirmed the importance of maintaining tenant protections consistent with existing Chapter 21.28 requirements, including notice provisions and the right to remain in a unit after conversion.

  Under the Berkeley Rent Stabilization Ordinance (BMC 13.76), ADUs fall into two rent-ordinance categories, which in turn determine which tenant protections apply upon conversion:

Rent-Ordinance Status	Description	Tenant Protections
Covered Rental ADU	An ADU on a parcel with a multifamily building, once the initial rent is established.	• Right of first refusal (1 year); • Right to remain after conversion.
Exempt ADU	A parcel with a single-family dwelling plus a single ADU is treated as a “single-family” property, so both units are exempt.	• None.

  For purposes of the ADU Condominium ordinance, any Covered Rental ADU remains subject to the tenant-protection provisions of BMC Chapter 21.28, specifically the tenant’s right to remain in the unit after conversion (BMC 21.28.090(C)(4)), and a tenant’s exclusive right to purchase the unit.

Amendments to Title 23 (Zoning)

The City's current ADU regulations are not consistent with state law. Certain recent changes in State law have not yet been reflected in the Berkeley Municipal Code. In addition, feedback from the California Department of Housing and Community Development (HCD) (**Attachment 4**) states that the City's existing provisions are not consistent with State law. The proposed amendments to BMC Title 23 would address HCD’s comments, and make the City’s ADU regulations consistent with recent changes to State law.

The Planning Commission also made three policy changes to promote the construction of ADUs that were not a result of a need to comply with state law. The proposed amendments are summarized below in *Table 1*.

Table1 Summary of ADU Ordinance Changes

Ord Section	BMC Section	Section Title	Summary of Change	Rationale
2	23.306.010	Purpose	Updates code references from former Gov. Code sections to new Gov. Code § 66314–66339.	Technical edit: update reference.
3	23.306.020(C)	Density Exemption and Growth Limits	Revises BMC to explicitly state that ADUs do not count toward density, are consistent with GP/zoning, and are exempt from growth controls (per Gov. Code § 66319).	State law requirement.
4	Table 23.306-1	Number of Units Allowed	Clarifies that one conversion ADU, one new construction ADU, and one JADU are permitted on lots with single-family dwellings. For lots with multifamily dwellings, allows up to 8 detached ADUs (not exceeding number of units) and interior ADUs up to 25% of the total units.	State law requirement.
5	Table 23.306-2	ADU Development Standards	Increases the size of permitted ADUs to 1,200 sq. ft. and removes size requirements based on the number of bedrooms.	Planning Commission direction to encourage ADUs.
			Removes front setback and building separation standards.	State law requirement.
			Revises height requirements to allow 25 ft. for both detached and attached ADUs	Planning Commission direction to encourage ADUs.
6	23.306.030(A)(2)	Duplex or Multi-Family Dwelling Conversion	Updates BMC to reflect State law by replacing “main building” with “multifamily building structures” and refining examples of non-living space. Removes the term “Duplex” for consistency with related changes throughout the BMC.	Technical edits.
	23.306.030(A)(3)	Accessory Building or Accessory Structure Conversion	Removes “legally established” requirement	State law requirement.

	23.306.030(A)(4)	Front Setback, New Construction	Removes section for consistency with revisions to Table 23.306-2, Development Standards.	Technical edit: consistency.
	23.306.030(A)(7)	Building Separation for Attached ADU	Removes section for consistency with revisions to Table 23.306-2, Development Standards.	Technical edit: consistency.
7	23.306.030(B)(1)	JADU Basic Standards	Clarifies spaces considered "within" an existing dwelling or structure.	State law requirement.
8	23.306.030(D)	Rooftop Decks	Allows rooftop decks for all ADUs with additional height provisions.	Planning Commission direction to encourage ADUs.
9	23.306.040(A)	Zoning Certificate Review	Clarifies that review of ADUs is ministerial, and applications must be approved or denied within 60 days. Adds denial notice requirement per Gov. Code § 66317(b).	State law requirement.
10	23.306.040(C)	Deed Restriction	Updates section to refer to BMC Chapter 21.29 and state law for separate sale; clarifies JADU rental/sale terms per Gov. Code § 66333, 66340–66341.	Technical edit; consistency
11	23.306.040(D)	Qualified Nonprofit Developer Sales	Updates state law reference to Gov. Code § 66341; clarifies required TIC agreement provisions.	State law requirement.
12	23.322.030	Parking Requirements	Removes existing off-street parking requirements within the Hillside Overlay.	State law requirement.

The Planning Commission recommended three additional policy changes that, while not required by State law, are intended to incentivize the construction of ADUs:

- **Maximum Gross Floor Area** (Ordinance Section 5): Currently, the maximum gross floor area for ADUs is determined by the number of bedrooms included in a proposed ADU. ADUs that are studios or one bedrooms are limited to 850 square feet, while ADUs with two or more bedrooms are limited to 1,000 square feet.

  The Planning Commission recommended increasing the maximum gross floor area to 1,200 square feet, regardless of the number of bedrooms. The Planning Commission held that 1,200 square feet was a more typical size for a smaller dwelling unit, and that the number of bedrooms included in an ADU should not determine its permitted size.

- **Height** (Ordinance Section 5): Currently, the maximum height for a detached new construction ADU is 20 feet and the maximum height for an attached ADU is 25 feet.

  The Planning Commission recommended eliminating the distinction between attached and detached ADUs and limiting any ADU to a 25 foot height.

- **Rooftop Decks** (Ordinance Section 8): Currently, rooftop decks are not permitted for ADUs within the Hillside Overlay zone.

  The Planning Commission recommended permitting rooftop decks for ADUs citywide, and provided additional height allowances for rooftop access and protective railings.

BACKGROUND

Amendments to Title 21 (Subdivisions) for ADU Condominiums

At its March 5, 2025 meeting, the Planning Commission received an informational report regarding AB 1033 implementation (***Attachment 3***) and requested that staff prepare an ordinance to permit the separate sale of ADUs as condominiums. At its May 7, 2025 meeting, the Planning Commission received staff's recommended BMC amendments (the creation of Title 21, Section 21.29: Accessory Dwelling Unit Condominium Subdivision) and recommended the proposed amendments included in ***Attachment 1***.

Amendments to Title 23 (Zoning)

At its March 5, 2025 meeting, the Planning Commission received an informational report covering policy issues raised by the May 3, 2024 letter from HCD (***Attachment 4***), as well as recent changes to State law pertaining to ADUs. The Commission provided input to staff to prepare amendments to Berkeley's ADU ordinance to bring it into compliance with State Law and to incorporate HCD's other recommended changes.

At its June 4, 2025 and July 17, 2025 meetings, the Planning Commission considered specific amendments to bring Berkeley's ADU ordinance into compliance with State law.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The proposed ordinance amendments to Title 21 (Subdivisions) do not include any allowances for additional development capacity or other new physical changes to the environment that are not already permitted and previously evaluated under CEQA. Adoption of the proposed amendments would in no way have a significant effect on the environment, and therefore is not subject to CEQA (CEQA Guidelines Section 15061(b)(3), Common Sense Exemption).

The proposed ordinance amendments to Title 23 (Zoning) are statutorily exempt from the California Environmental Quality Act, per Guidelines Section 15282 ”Other Statutory Exemptions” (h) which states:

> *(h) The adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.*

RATIONALE FOR RECOMMENDATION

The proposed ordinance amendments to Title 21 (Subdivisions) fulfill the City Council’s 2024 referral to adopt provisions to permit the separate sale of ADUs.

The proposed ordinance amendment to Title 23 (Zoning) would bring the City’s ADU regulations into conformance with recent changes to State law, and address comments on the ordinance made by HCD. Specific additional provisions related to size, height and roof decks would encourage the development of ADUs.

ALTERNATIVE ACTIONS CONSIDERED

Amendments to Title 21 (Subdivisions)

As noted above, the Rent Stabilization Ordinance extends certain rights to sitting tenants in units covered by the Rent Ordinance that are proposed to be converted to condominiums. The Planning Commission had considered extending these protections to tenants of Exempt ADUs, who had occupied their units for at least 12 months. Ultimately, the Planning Commission’s recommendation did not include extending these provisions to Exempt ADUs, due to a concern that such requirements could discourage the construction of new ADUs.

Amendments to Title 23 (Zoning)

At its June 4, 2025 meeting, the Planning Commission recommended further revisions to Title 23 beyond those proposed by staff. Staff’s original recommendation did not include the new provisions related to increasing the maximum gross floor area or heights for all ADUs (Ordinance Section 5) or permitting roof decks on ADUs within the Hillside Overlay (Ordinance Section 8).

CONTACT PERSON

Branka Tatarevic, Associate Planner, Planning and Development, 510-981-7472.

Attachments:
1: Ordinance
2: City Council Referral to implement AB 1033, May 14, 2024.
3: Planning Commission Staff Report, March 5, 2025
4: Letter from California HCD, *Review of Berkeley's ADU Ordinance under State ADU Law,* May 3, 2024.
5: Public Hearing Notice

ORDINANCE NO. -N.S.

AMENDMENTS TO TITLE 21 (SUBDIVISIONS) TO ALLOW SEPARATE SALE OF ACCESSORY DWELLING UNITS (ADU), AND AMENDMENTS TO TITLE 23 (ZONING) RELATED TO ADUS TO COMPLY WITH STATE LAW

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

Section 1. That Berkeley Municipal Code Chapter 21.29 is added to Title 21 (Subdivisions) to read as follows:

21.29. Accessory Dwelling Unit Condominium Subdivision

21.29.010. -- *Purpose and Applicability.*

A. This Chapter establishes regulations and procedures for the subdivision of property to allow separate ownership of Accessory Dwelling Units (ADUs) from other buildings on the same lot in the City of Berkeley. It implements California Government Code Section 66342, which authorizes local ordinances permitting ADUs to be conveyed as condominiums.

B. This Chapter applies to all lots that contain (or will contain) one or more ADUs constructed in compliance with BMC Chapter 23.306 (Accessory Dwelling Units).

C. Notwithstanding any other provision of the Berkeley Municipal Code, an ADU condominium subdivision that conforms to this Chapter and state law may be approved and recorded as provided herein. An ADU condominium subdivision shall not be subject to the provisions of Chapter 21.28, except that:

1) *Covered Rental ADUs*. If the ADU is a covered rental unit under BMC Chapter 13.76 (Rent Stabilization Ordinance), the tenant protections of Chapter 21.28 shall apply in full, including:

a. A tenant in an ADU shall have a continued right to occupy the ADU after a conversion, pursuant to Section 21.28.090(C)(4).

b. A tenant in an ADU shall have an exclusive right to purchase the unit, pursuant to Section 21.28.030(C) and 21.28.090(C)(2).

2) All other requirements of Chapter 21.28, including application procedures and rent-ceiling limitations, shall not apply to an ADU condominium subdivision processed under this Chapter unless expressly referenced above.

D. This Chapter is intended to provide a streamlined, ministerial process for qualifying ADU condominium subdivisions and shall remain operative only so long as state law authorizes such subdivisions (Government Code §66342).

21.29.030. -- *Permit required*.

The Planning Director shall review, on a ministerial basis and without a hearing, an application for a parcel map or a tentative and final map for an ADU Condominium subdivision, and shall approve the application if the criteria in Government Code Section 66342 and this section are satisfied.

Units other than ADUs that are part of an ADU Condominium Subdivision may be subject to the provisions of Chapter 21.28, or any other applicable regulations.

21.29.040 -- *Eligibility*.

A. A property is eligible for an ADU Condominium subdivision under this Chapter only if all the following criteria are met:

1) Existing Units. The lot contains at least one legally established primary dwelling unit and at least one legally established ADU, or there is a valid building permit for construction of a new ADU on the lot. The ADU must be in compliance with BMC Chapter 23.306.

2) Number of Condominium Units. In no event shall an ADU condominium subdivision result in more than ten (10) total condominium units on the lot inclusive of all residential, commercial, and accessory dwelling units.

B. Junior ADUs. Junior ADUs shall not be eligible for conversion to condominiums.

21.29.050 -- *Application Requirements*.

In addition to the information required by Section 21.24.020 (Parcel Maps, Form and Content) and Section 21.16.020 (Tentative Maps, Form and Content), an application for an ADU condominium subdivision shall include all of the following information:

A. The condominium shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

B. Subdivision Map Act Compliance. The condominium shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2, commencing with Section 66410) and all other objective requirements of this Part.

C. Safety Inspection. Prior to the recordation of the condominium plan, a safety inspection of the ADU shall be conducted as evidenced either through a certificate of occupancy or housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.

D. Lienholder Consent.

1) Neither a subdivision map nor a condominium plan shall be recorded with the county recorder without obtaining the written consent of each lienholder. A lienholder may refuse to give consent. A lienholder may also consent provided that any terms and conditions required by the lienholder are satisfied. Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the Assessor-Recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in its sole and absolute discretion, and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

2) Required Information. The lienholder's consent, whether included directly on the condominium plan or attached thereto, must include the following information:

a. The lienholder's signature.

b. The name of the record owner or ground lessee.

c. The legal description of the real property.

d. The identities of all parties with an interest in the real property as reflected in the public records.

e. A statement that the lienholder's consent shall be recorded in the Office of the County Recorder.

E. Tenant Protections Notice. Proof of service of a *Notice of Tenants' Rights Regarding ADU Condominium Conversion*, on a form required by the City, shall be submitted for each tenant household occupying the subject ADUs, no earlier than 60 days prior to the date of the application. The Notice shall include, but not be limited to:

1) The tenant's continued right to occupy the unit pursuant to Section 21.28.090(C)(4), which prohibits eviction for the purpose of occupancy by the owner or the owner's relatives so long as the unit remains the tenant's principal place of residence.

2) Information concerning any agreement by the owner to limit rents under Section 21.28.080(B).

3) The tenant's exclusive right to purchase the unit under 21.28.090(C)(2).

F. Notice to providers of utilities. If an ADU is established as a condominium, the owner shall notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

G. The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

For purposes of this subdivision, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.

21.29.060 -- *Required Notice to Consumers.*

The City shall include the following notice to consumers on any Accessory Dwelling Unit (ADU) or Junior Accessory Dwelling Unit (JADU) submittal checklist or public information describing requirements and permitting for ADUs, and as a standard condition of any building permit or condominium plan approval:

"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map

and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.

In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:

(a) Paying off your current lender.

You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.

(b) Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.

(c) Securing your lender's consent to the details of any construction loan or ground lease.

This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct."

Section 2. That Berkeley Municipal Code Section 23.306.010(A) is amended to read as follows:

A. Implement California Government Code Sections ~~65852.1, 65852.2, and 65852.22~~66314 through 66339..

Section 3. That Berkeley Municipal Code Section 23.306.020(C) is amended to read as follows:

C. *Density Exemption and Growth Limits*. ADUs are considered an accessory use consistent with the parcel's General Plan and zoning designation, shall not count toward the allowable density, and shall not be subject to any local ordinance, policy, or program that limits residential growth. ~~ADUs and Junior ADUs are not included in the minimum or maximum density established by the underlying zoning district.~~

Section 4. That Table 23.306-1 (ADU and Junior ADU Maximum Number of Units per Lot) within Berkeley Municipal Code Section 23.306.020 is amended to read as follows:

Table 23.306-1 ADU AND JUNIOR ADU MAXIMUM NUMBER OF UNITS PER LOT

USE, PRIMARY	ADU AND JADU, MAXIMUM PER LOT
Single Family Dwelling, one unit on lot	1 Conversion ADU, 1 New Construction ADU, and 1 Junior ADU., ~~both~~ All are permitted.
Single Family Dwelling, more than one unit on lot	1 ADU
~~Duplex or~~Existing Multi~~f-F~~family Dwelling	~~2 detached~~8 new construction ADUs, ~~and at least one interior ADU~~ provided that the number of ADUs does not exceed the number of existing units, and at least one interior ADU up to 25% of the total number of existing ~~duplex or multi-family~~ dwelling units on the lot.
Proposed Multifamily Dwelling	2 New Construction ADUs
Group Living Accommodation	1 ADU

Section 5. That Table 23.306-2 (ADU Development Standards) within Berkeley Municipal Code Section 23.306.030 is amended to read as follows:

Table 23.306-2 ADU DEVELOPMENT STANDARDS

BASIC STANDARDS		SUPPLEMENTAL STANDARDS
Gross Floor Area, Maximum	1,200 sf	23.306.030(A)(1) 23.306.030(A)(2)
~~Studio or 1 bedroom~~	~~850 sq. ft.~~	23.306.030(A)(3)

~~2+ bedrooms~~	~~1,000 sq. ft.~~	
Building Height, Maximum		
Conversion	Same as existing structure	23.306.030(A)(1) 23.306.030(A)(3)
~~Detached, New Construction~~	~~20 ft.~~	
Detached or Attached, New Construction	25 ft.	23.306.030(A)(5) 23.306.030(A)(8)
Lot Line Setbacks, Minimum		
~~Front of Interior Lot~~	~~Same as underlying district~~	23.306.030(A)(3) 23.306.030(A)(4) 23.306.030(A)(6)
~~Front of Through Lot~~	~~Same as underlying district or 10 ft. on the secondary frontage as determined by the Zoning Officer.~~	
Rear	4 ft.	
Interior Side	4 ft.	
Street Side	4 ft.	
~~**Building Separation for Detached ADU, Minimum**~~		
~~Outside of Hillside Overlay~~	~~5 ft.~~	
~~Within Hillside Overlay~~	~~8 ft.~~	

Required Off-Street Parking Spaces	See 23.322.030 – Required Parking Spaces

Section 6. That Municipal Code Section 23.306.030(A)(2) through (8) is amended to read as follows:

2. ~~*Duplex or* Multi~~*f ~~-F~~amily Dwelling Conversion.* Interior ADU(s) must be created entirely through non-habitable residential portions of the existing ~~main building~~multifamily dwelling structures that are not within the living space of a dwelling unit (e.g. basements, attics, garages, storage rooms, boiler rooms, passageways).

3. *Accessory Building or Accessory Structure Conversion.* An ADU converted from an ~~legally established~~ accessory building or accessory structure is allowed to maintain non-conformity to the same location and dimensions of the existing accessory building or accessory structure, provided that the ADU meets fire and safety standards set forth in the California Building Standards Code adopted in BMC Title 19. Any physical additions to the existing accessory building or accessory structure shall comply with the development standards in Table 23.306-2 ADU Development Standards.

~~4. *Front Setback, New Construction.* An ADU shall not occupy area within the front setback, unless the requirement would preclude an ADU of 800 square feet. Should an ADU require area within the front setback, the ADU shall maintain a minimum 10-foot setback from the front lot line, unless such setback would preclude an ADU of 800 square feet. If a 10-foot setback would preclude an ADU of 800 square feet, the ADU shall maintain a 5-foot setback from the front lot line. If a 5-foot setback would preclude an ADU of 800 square feet, the ADU may be sited up to the front lot line.~~

~~5~~4. *Attached ADU.* An ADU shall be considered attached if sharing a common wall with a primary dwelling.

~~6~~5. *Detached ADU Setback Exceptions.* If there is a lesser setback allowed in 23.304.060 -- Accessory Buildings and Enclosed Accessory Structures for a comparable accessory building or accessory structure in the underlying zoning district, that setback shall apply.

~~7. *Building Separation for Detached ADU.* A minimum 8-foot separation is required within the Hillside Overlay, except where such separation would preclude an ADU of 800 square feet, in which case the minimum building separation shall be reduced to 5 feet.~~

~~8~~6. *Attached ADU, New Construction Height.* Attached ADUs with height up to 25 ft. allowed with a Zoning Certificate.

Section 7. That Municipal Code Section 23.306.030(B) (1) is amended to read as follows:

1. *Basic Standards.* A Junior ADU shall be contained entirely within an existing or proposed single family dwelling (including basements, attics, storage rooms, boiler rooms, and passageways) or its attached garage, and have no more than 500 square feet in floor area.

Section 8. That Municipal Code Section 23.306.030(D) is amended to read as follows:

D. *Rooftop Decks ~~within the Hillside Overlay~~.* Roofs on ADUs ~~within the Hillside Overlay~~ may ~~not~~ be designed, converted, or used as usable open space with a maximum additional height allowance of nine feet (beyond the height maximum allowed by development standards) only to enable rooftop access and protective railings.

Section 9. That Municipal Code Section 23.306.040(A) is amended to read as follows:

A. *Zoning Certificate.* An application for an ADU or Junior ADU shall be allowed with a Zoning Certificate. The r~~R~~eview must be completed, and the application approved or denied, within 60 days of ~~submission~~ receipt of a completed application. A completed application must include evidence of compliance with this Chapter, including development standards~~, deed restrictions, and neighborhood noticing~~.

1. If an application to create an ADU or Junior ADU is submitted as part of a project that requires discretionary review, a Zoning Certificate for a building permit shall not be issued for the ADU or Junior ADU until the discretionary approval(s) has/have been granted and any applicable appeal periods have expired. See 23.404.060(A) Post-Decision Provisions (Effective Dates).

2. Issuance of a Zoning Certificate shall not be denied for the construction or conversion of an ADU or Junior ADU that complies with the requirements of Government Code Section ~~65852.2(e)(1)~~66323.

3. Issuance of a Zoning Certificate for the construction or conversion of an ADU or Junior ADU shall not be denied based on the failure of an applicant to correct a nonconforming zoning condition.

4. If the Zoning Officer denies an application, the applicant shall be provided, within the same 60-day period, a written notice identifying all deficiencies in the application and a description of how the application may be corrected.

Section 10. That Municipal Code Section 23.306.040(C)(2) and (3) are amended to read as follows:

2. The ADU shall not be sold separately from the main building, unless authorized under BMC Chapter 21.29 (ADU Condominium Ordinance) or ~~unless the conditions of~~ under BMC 23.306.040(D) -- ADUs Developed by a Qualified Nonprofit Developer, or as otherwise permitted by state law. ~~are met~~;

3. The ADU ~~and/or Junior ADU~~ shall not be rented for a term that is shorter than 30 days; and

Section 11. That Municipal Code Section 23.306.040(D) is amended to read as follows:

D. *ADUs Developed by a Qualified Nonprofit Developer.* An ADU built or developed by a "qualified nonprofit corporation" may be sold or conveyed separately from the main building to a "qualified buyer," as such terms are defined in subdivision (b) of Section ~~65852.26~~66340 of the California Government Code. The ADU must be held pursuant to a recorded tenancy in common agreement recorded on or after December 31, 2021 that includes the following elements:

1. Delineation of all areas of the property that are for the exclusive use of a cotenant;

2. Delineation of each cotenant's responsibility for the costs of taxes, insurance, utilities, general maintenance and repair, and improvements associated with the property;

3. Procedures for dispute resolution among cotenants before resorting to legal action;

4. Allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies;

5. A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the ADU or primary dwelling if the buyer desires to sell or convey the property;

6. A requirement that the qualified buyer occupy the ADU or primary dwelling as the buyer's principal residence; and

7. Affordability restrictions on the sale and conveyance of the ADU or primary dwelling that ensure the ADU and primary dwelling will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

8. If requested by a utility providing service to the primary residence, the ADU shall have a separate water, sewer, or electrical connection to that utility.

Section 12. That the row "Accessory Dwelling Units" in Table 23.322-1 (Required Offstreet Parking in Residential Districts) within Berkeley Municipal Code Section 23.322.030 is amended to read as follows:

Accessory Dwelling Units	Junior ADU: None required ADU ~~outside of Hillside Overlay~~: None required ~~ADU within Hillside Overlay: 1 per ADU unless the parcel satisfies the criteria in subdivision (d) of Government Code Section 65852.2, using the definition of public transit as established in subdivision (j)(11) of Government Code 65852.2.~~

Section 13. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Rashi Kesarwani
Councilmember, District 1

CONSENT CALENDAR
May 14, 2024

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author)

SUBJECT: Increasing Entry Level Homeownership Opportunities: Implementation of AB 1033 to Allow Accessory Dwelling Units (ADUs) To Be Sold Separately

RECOMMENDATION

Refer to City Manager to implement AB 1033, which would allow Accessory Dwelling Units (ADUs) to be sold separately from a primary unit.

This referral would necessitate elimination of any mention of sales restrictions as they pertain to ADUs within the Berkeley Municipal Code and adoption of an ordinance allowing ADU sales separate from a primary unit(s).

CURRENT SITUATION AND ITS EFFECTS

AB 1033 Allows ADUs to be Sold Separately from a Primary Residence, Increasing Entry Level Homeownership Opportunities. State law AB 1033, effective January 1, 2024, eliminates the prior state law prohibiting the mapping and selling of a single-family home and its ADU as condominium units. While this prohibition on condominium conversion has been lifted, local agencies must opt-in and amend their codes to permit these entry-level homeownership opportunities. Congruent with the condominium homeownership model, property owners wishing to sell an ADU will need to notify their utility provider and establish a homeowners' association responsible for overseeing property maintenance. ADUs tend to be more affordable than a typical single-family home. By permitting the independent sale of ADUs, the City of Berkeley can increase the available stock of entry-level homeownership opportunities. Further, ADU condominium conversion purchases are eligible for federally guaranteed mortgages, easing financing opportunities for homebuyers.[1] AB1033 not only helps households seeking entry-level homeownership opportunities, it can also help existing homeowners to age in place by providing lump-sum resources from an ADU sale.

[1] Casita Coalition and Reuben, Junius & Rose LLP: AB 1033 - How to Implement New State ADU Condominium Laws, p. 1 https://static1.squarespace.com/static/5f2c2d67c58236227115e0de/t/65397c083ac9fc75cf8701fd/1698266121029/AB-1033-Casita-Coalition-RJR-ADU-Condos-memo.pdf

BACKGROUND

California, particularly the Bay Area, faces an ongoing housing crisis, with affordability and accessibility becoming increasingly challenging for residents. As the state grapples with this issue, nearly 20 percent of housing units constructed in California today are ADUs, reflecting the significant contribution that ADUs are making in reducing the housing shortage.[2] According to the California Association of Realtors Housing Affordability Index, only 17 percent of households in the state can afford a single-family home, a figure that falls significantly below the national average.[3]

The California Legislative Analyst's Office, a nonpartisan entity, examined the state's exorbitant housing costs and delineated various factors contributing to it, notably a pronounced housing shortage, particularly in coastal California.[4] Since 1980, housing construction in California has lagged significantly behind both national and historical averages. Despite a national housing boom in the mid-2000s, California's housing production remained relatively sluggish. Moreover, merely 10 percent of Berkeley's housing units were constructed after 1980.[5] As construction slowed over time, California's housing costs escalated, surpassing the national average. Presently, home prices in Berkeley stand at $1.4 million compared to the national average of $354,000.[6]

In their report, "Closing California's Housing Gap," the McKinsey Global Institute proposed specific measures to alleviate housing insecurity in the state. They recommend tackling housing scarcity by identifying potential "hot spots" for housing creation, such as areas within a half-mile radius of transit hubs, underutilized urban lots, and the addition of extra units to single-family homes.[7]

While the impact of high housing costs disproportionately affects certain racial and socioeconomic groups, there is also a noticeable generational divide. The scarcity of affordable housing near employment opportunities, coupled with mounting student debt, has resulted in a net worth for young households that is 20 percent lower than that of baby boomers in 1989 and 40 percent lower than that of Generation X families in 2001. Additionally, homeownership is increasingly unattainable for younger generations, with millennials being 8 percent less likely to own homes compared to baby boomers and Gen Xers.[8] Nearly half of households aged 18-34 are considered rent-burdened. The Urban

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[2] Casita Coalition and Reuben, Junius & Rose LLP: AB1033 – How to Implement New State ADU Condominium Law, p.1 https://static1.squarespace.com/static/5f2c2d67c58236227115e0de/t/65397c083ac9fc75cf8701fd/1698266121029/AB-1033-Casita-Coalition-RJR-ADU-Condos-memo.pdf

[3] Casita Coalition and Reuben, Junius & Rose LLP: AB1033 – How to Implement New State ADU Condominium Law, p.1 https://static1.squarespace.com/static/5f2c2d67c58236227115e0de/t/65397c083ac9fc75cf8701fd/1698266121029/AB-1033-Casita-Coalition-RJR-ADU-Condos-memo.pdf

[4] California's High Housing Costs, Causes and Consequences (2015) Legislative Analyst's Office. https://lao.ca.gov/reports/2015/finance/housing-costs/housing-costs.aspx

[5] 2015-2023 Berkeley Housing Element (2014). City of Berkeley. https://cityofberkeley.app.box.com/s/x7cfk49voo9hr56iw3exsqogx0w7e6y3

[6] Home Values (2024) https://www.zillow.com/home-values/

[7] Woetzel,J., Mischke, J., Peloquin, S., and Weisfield, D. (2016, October). A Toolkit to Close California's Housing Gap: 3.5 Million Homes by 2025. McKinsey Global Institute: https://www.mckinsey.com/~/media/mckinsey/industries/public%20and%20social%20sector/our%20insights/closing%20californias%20housing%20gap/closing-californias-housing-gap-full-report.pdf

[8] Grabar, Henry. (2019). I Got Mine. Slate Magazine.

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Institute conducted an extensive study on the barriers to millennial homeownership and recommended a series of policy changes, with a key recommendation being the alteration of land use and zoning restrictions, particularly in areas with rigid housing supply.[9]

Furthermore, moderate-income earners often find themselves unable to access Below Market Rate (BMR) housing, exacerbating the issue. Naturally affordable housing options, such as ADUs, often offer a pathway to more affordable living. An analysis by the Terner Center revealed that 58 percent of ADU owners rented their units at below-market-rate rent. Due to their smaller size and/or cost-effective construction, ADUs frequently provide more affordable options for both owners and renters compared to single-family homes.[10]

FISCAL IMPACT

Staff time to amend the Berkeley Municipal Code to eliminate mention of sales restrictions as they pertain to ADUs and to prepare an ordinance allowing ADU sales separate from the main unit(s).

ENVIRONMENTAL SUSTAINABILITY

The recommendation to promote ADUs has significant implications for environmental sustainability, particularly through the concept of infill housing, especially near transit hubs. By encouraging the construction of ADUs, cities can capitalize on existing infrastructure and minimize urban sprawl by using underutilized parcels within established neighborhoods. This approach to infill housing not only optimizes land use but also reduces the need for further development on undeveloped land, preserving natural habitats and open spaces.[11] Moreover, situating ADUs near transit promotes alternative modes of transportation, such as walking, biking, or public transit, thus reducing reliance on cars and lowering greenhouse gas emissions associated with commuting. Overall, the strategic implementation of ADUs as infill housing near transit contributes to a more sustainable urban environment, aligning with efforts to combat climate change and promote eco-friendly living practices.

Expanding housing options plays a crucial role in addressing environmental concerns, aligning with the City of Berkeley's Climate Action Plan. Researchers from the University of California have developed a climate policy tool for local governments to evaluate policies'

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https://slate.com/business/2019/05/californiahousing-crisis-boomer-gerontocracy.html

[9] Choi, j., Zhu, J., Goodman, L., Ganesh, B., and Strochak, S. (July 2018). Millennial Homeownership. The Urban Institute. https://www.urban.org/sites/default/files/publication/98729/millennial_homeownership.pdf

[10] Garcia, D. (2017). ADU Update: Early Lessons and Impacts of California's State and Local Policy Changes. Terner Center for Housing Innovation. https://ternercenter.berkeley.edu/research-and-policy/adu-update-early-lessons-and-impacts-of-californias-state-and-local-policy-changes/

[11] The Environmental Center September 24, 2020 Blog Post: Accessory Dwelling Units: A Sustainable Housing Solution: https://envirocenter.org/accessory-dwelling-units-a-sustainable-housing-solution/#:~:text=Since%20these%20units%20tend%20to,more%20sustainable%20and%20livable%20community.

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effectiveness in reducing carbon footprints. Their study of 700 cities revealed that infill housing has the most significant impact.[12]

CONTACT PERSON

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

Attachments:

Casita Coalition and Reuben, Junius & Rose LLP: AB 1033 - How to Implement New State ADU Condominium Law. Pages 3-5 include required text in ADU condominium ordinances – Cal. Govt. Code Section 65852.2(a)(10)

[12] Jones, C, Wheeler, S, and Kammen, D. (2018) California Local Government Climate Policy Tool. Cool Climate Network. https://coolclimate.berkeley.edu/ca-scenarios/index.html

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AB1033 – HOW TO IMPLEMENT NEW STATE ADU CONDOMINIUM LAW

Today, nearly 20% of housing units built in California are accessory dwelling units ("**ADUs**"). According to the California Association of Realtors Housing Affordability Index, only 17% of households can afford a single-family home, less than half of the national average. In many States across the country, ADU condo conversion projects are re-enabling a generation of home buyers to live in the communities of their choice near work and family. The State of Washington recently required all local agencies to allow conversions of a primary unit and ADU to condominiums for sale. Consequently, in Seattle and Portland 40% to 50% of ADUs constructed are sold as condominiums to new homebuyers, where they are bought for approximately half the value of a stand-alone single-family home. Such ADU condo conversion purchases are eligible for federally guaranteed mortgages, making them easy to finance for ordinary homebuyers.

The California State Legislature recently adopted a new law, AB1033, that creates affordable options for homeownership by allowing ADU's to be sold separately from a primary unit. AB1033 removes the previous State law prohibition against mapping and selling a single-family home and its ADU as condominiums. Even though this prohibition on condo conversion has been eliminated, it is up to Local Agencies to amend their codes to allow these entry-level home ownership opportunities.

WHAT NEEDS TO BE DONE TO ALLOW SALE OF ADUS?

Respecting local control, the Legislature left it up to Local Agencies to amend their municipal code(s) to allow these entry-level home ownership opportunities through the sale of ADUs. The Casita Coalition and Reuben, Junius, and Rose, LLP have developed this guidance to encourage your Local Agency to make the following changes to your code(s), procedures and policies to re-enable Californians priced out of many of our communities to once again have a dream of buying a home by enabling more naturally-affordable condominiums for sale.

RECOMMENDED STEPS TO IMPLEMENT SALE OF ADUS

1. **Eliminate Sale Restrictions.** Remove all provisions in your municipal code that prohibits the sale or other conveyance of an ADU. These restrictions are typically included in local Condominium Codes and Zoning Codes.

2. **Adopt Legislation Expressly Allowing ADU Sales.** To align local rules with State law, adopt changes to the municipal code that allow conversion of a home and its ADU into condominiums subject to the requirements of the Davis-Stirling Common Interest Development Act (Cal. Civ. Code Sec. 4400-6150.) Appropriate amendment text will differ depending on the existing municipal code, but AB1033 requires a list of express provisions be included in such local ordinance, attached at the end of this document.

3. **Publish ADU Checklists.** Provide a comprehensive checklist for any ADU building permit and for ADU condominium/subdivision projects, indicating Subdivision Map Act compliance and lender subordination information.

4. **First Right of Offer to Owner Occupants.** To further encourage new homeownership, consider including a condition of approval for establishing condominiums of a primary unit and ADU giving a first right of offer for a period of 45 days on publicly accessible databases, e.g., MLS, to buyers indicating an intent to live in the property (either themselves or their immediate family). To avoid issues with lenders, however, do not require owner occupancy.

5. **Create "Grow Homeownership" Program**. Establish a program with dedicated staff that expedites ADU condominium processing with first comments to be issued within 45 days of submission of a complete application.
   - Consider waiving or reducing application and impact fees otherwise applied to condominiums.
   - The Grow Homeownership Program could be paired with other funding programs your jurisdiction may have, e.g., through SB2 (2017) funds.

If you have any questions or would like to discuss any of the above, please do not hesitate to reach out to Justin A. Zucker from Reuben, Junius & Rose, LLP at 415.656.6489 or jzucker@reubenlaw.com.

AB1033 – Required Text in ADU Condominium Ordinances – Cal. Govt. Code Sec. 65852.2(a)(10)

(A) The condominiums shall be created pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code).

(B) The condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all objective requirements of a local subdivision ordinance.

(C) Before recordation of the condominium plan, a safety inspection of the accessory dwelling unit shall be conducted as evidenced either through a certificate of occupancy from the local agency or a housing quality standards report from a building inspector certified by the United States Department of Housing and Urban Development.

(D) (i) Neither a subdivision map nor a condominium plan shall be recorded with the county recorder in the county where the real property is located without each lienholder's consent. The following shall apply to the consent of a lienholder:

(I) A lienholder may refuse to give consent.

(II) A lienholder may consent provided that any terms and conditions required by the lienholder are satisfied.

(ii) Prior to recordation of the initial or any subsequent modifications to the condominium plan, written evidence of the lienholder's consent shall be provided to the county recorder along with a signed statement from each lienholder that states as follows:

"(Name of lienholder) hereby consents to the recording of this condominium plan in their sole and absolute discretion and the borrower has or will satisfy any additional terms and conditions the lienholder may have."

(iii) The lienholder's consent shall be included on the condominium plan or a separate form attached to the condominium plan that includes the following information:

(I) The lienholder's signature.

(II) The name of the record owner or ground lessee.

(III) The legal description of the real property.

(IV) The identities of all parties with an interest in the real property as reflected in the real property records.

(iv) The lienholder's consent shall be recorded in the office of the county recorder of the county in which the real property is located.

(E) The local agency shall include the following notice to consumers on any accessory dwelling or junior accessory dwelling unit submittal checklist or public information issued describing requirements and permitting for accessory dwelling units, including as standard condition of any accessory dwelling unit building permit or condominium plan approval:

> *"NOTICE: If you are considering establishing your primary dwelling unit and accessory dwelling unit as a condominium, please ensure that your building permitting agency allows this practice. If you decide to establish your primary dwelling unit and accessory dwelling unit as a condominium, your condominium plan or any future modifications to the condominium plan must be recorded with the County Recorder. Prior to recordation or modification of your subdivision map and condominium plan, any lienholder with a lien on your title must provide a form of written consent either on the condominium plan, or on the lienholder's consent form attached to the condominium plan, with text that clearly states that the lender approves recordation of the condominium plan and that you have satisfied their terms and conditions, if any.*
>
> *In order to secure lender consent, you may be required to follow additional lender requirements, which may include, but are not limited to, one or more of the following:*
>
> *(a) Paying off your current lender.*
>
> *You may pay off your mortgage and any liens through a refinance or a new loan. Be aware that refinancing or using a new loan may result in changes to your interest rate or tax basis. Also, be aware that any subsequent modification to your subdivision map or condominium plan must also be consented to by your lender, which consent may be denied.*
>
> *(b) Securing your lender's approval of a modification to their loan collateral due to the change of your current property legal description into one or more condominium parcels.*
>
> *(c) Securing your lender's consent to the details of any construction loan or ground lease.*
>
> *This may include a copy of the improvement contract entered in good faith with a licensed contractor, evidence that the record owner or ground lessee has the funds to complete the work, and a signed statement made by the record owner or ground lessor that the information in the consent above is true and correct."*

(F) If an accessory dwelling unit is established as a condominium, the local government shall require the homeowner to notify providers of utilities, including water, sewer, gas, and electricity, of the condominium creation and separate conveyance.

(G) (i) The owner of a property or a separate interest within an existing planned development that has an existing association, as defined in Section 4080 of the Civil Code, shall not record a condominium plan to create a common interest development under Section 4100 of the Civil Code without the express written authorization by the existing association.

(ii) For purposes of this subparagraph, written authorization by the existing association means approval by the board at a duly noticed board meeting, as defined in Section 4090 of the Civil Code, and if needed pursuant to the existing association's governing documents, membership approval of the existing association.

(H) An accessory dwelling unit shall be sold or otherwise conveyed separate from the primary residence only under the conditions outlined in this paragraph or pursuant to Section 65852.26.

opment Department
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STAFF REPORT
March 5, 2025

TO: Members of the Planning Commission

FROM: Branka Tatarevic, Associate Planner

SUBJECT: Accessory Dwelling Unit (ADU) Ordinance Amendments

RECOMMENDATION

Staff recommends that the Planning Commission review the staff report, receive the staff presentation, consider public comments, and provide feedback to staff on potential amendments to the ADU Ordinance.

BACKGROUND

The consideration of updates to the ADU ordinance has been prompted by a number of factors including a City Council referral for implementation of Assembly Bill (AB) 1033, the California Department of Housing and Community Development's (HCD) review of Berkeley's ADU Ordinance, and changes to state law pertaining to ADUs.

Assembly Bill 1033 (ADU Condominiums)

AB 1033 (Gov. Code § 66340 – 66342), which took effect on January 1, 2024, allows ADUs to be sold separately from the primary residence as condominiums, creating new opportunities for entry-level homeownership. Prior to AB 1033, California law prohibited the separate conveyance of ADUs, requiring them to remain under the same ownership as the primary dwelling unit. AB 1033 lifts this restriction, but local jurisdictions must opt-in by adopting an ordinance to enable separate ADU sales.

On May 14, 2024, the Berkeley City Council approved a referral (***Attachment 1***) directing the City Manager to implement AB 1033 by amending the Berkeley Municipal Code to eliminate restrictions on the sale of ADUs and adopt an ordinance allowing their separate sale. The referral emphasizes the potential of ADU condominiums to increase homeownership opportunities for moderate-income households, help existing homeowners generate equity, and expand naturally affordable housing options in the city.

As of today, the City of San José remains the only jurisdiction in California to have adopted an ADU condominium ordinance (***Attachment 4***). Staff have met with the San José team to discuss their approach to AB 1033 implementation, as well as their processing procedures. San José's ADU Condominium Ordinance is separate from its existing ADU, subdivision or other land use regulations and applies only to the creation of ADU condominiums. The ordinance limits ADU condo projects to a maximum of four

units, as subdivisions with four nor fewer units can be processed ministerially as Parcel Maps, rather than through the discretionary process required for Tentative Tract Maps. Unlike Berkeley, San José does not have its own policies to disincentivize condo conversions or mitigate the impacts of condo conversions on the affordability of the rental housing market.

ADU Letter from California Housing and Community Development Department

As part of its oversight of local ADU regulations, HCD issued a letter to the City of Berkeley on May 3, 2024 (***Attachment 2***), reviewing the Berkeley Municipal Code Chapter 23.306 (Accessory Dwelling Units)[1], which was adopted on October 10, 2023. In the letter, HCD asserted that several provisions of BMC Chapter 23.206 do not align with state ADU law and must be amended.

The City responded to HCD's letter on June 3, 2024 (***Attachment 3***). The City's letter determined that:

- a number of the HCD's suggested changes were minor. These minor changes were included in the State Law and Technical Edits package the Planning Commission recommended in June 2024;
- a select number of findings did not require any changes; and
- an additional set of findings required policy consultation with the City Council. These are the findings included in this report for policy recommendations from the Planning Commission.

California Government Code Section 66323 includes types of ADUs that the City must approve ministerially. Generally speaking, these are ADUs that are 800 square feet or less, meet specified height requirements, and comply with specified rear and side setback requirements. While the City can adopt development standards and regulations for larger ADUs, cities are limited in the regulation of these "Section 66323 ADUs"

Senate Bill 1211

Senate Bill 1211 (SB 1211) was signed into law in on September 19, 2024. SB 1211 contains two provisions which could require amendments to the BMC.

Previously, state law allowed only two detached ADUs on a multifamily lot. SB 1211 now permits up to eight detached ADUs on a multifamily lot, or a number equal to the existing units on the lot, whichever is less. BMC Chapter 23.206 is proposed to be amended to comply with SB 1211 as part of the annual State Law and Technical Edits (STLE) package which the Planning Commission will review in the spring.

Additionally, SB 1211 includes a provision which prohibits the City from imposing objective development or design standards on Section 66323 ADUs beyond what is authorized in state law.

DISCUSSION

[1] https://berkeley.municipal.codes/BMC/23.306

Assembly Bill 1033 and ADU Condominiums

AB 1033 Local Ordinance Requirements
AB 1033 allows a city to adopt a local ordinance permitting separate sale of the primary dwelling and one or more ADUs as condominiums. To do so, the local ordinance **must** include the following components:

- Compliance with:
  - the Subdivision Map Act;
  - the Davis-Stirling Act (the state law that regulates condominiums); and
  - the City's Subdivision Ordinance (Title 21).
- A procedure to obtain lienholders' consent (i.e., the property owner must get the mortgage lender's sign-off before a separate sale would be permitted).
- A process to conduct and verify a safety inspection. Obtaining a Certificate of Occupancy from the city, or obtaining an inspection report from a HUD-certified inspector are two of the most common approaches to meeting this requirement.
- Mandatory consumer disclosures regarding lender requirements.

If an ADU is tenant-occupied and the property owner seeks to sell the ADU as a separate condominium under an AB 1033 ADU Condominium Ordinance (once the city adopts it), the city may require that a tenant receive a right of first refusal. If the city were interested in implementing an ordinance with a right of first refusal requirement, an AB 1033 ADU Condominium Ordinance could treat ADU condos the same as typical condos under the city's own Condo Conversion Ordinance (BMC Chapter 21.28)[2], or it could include different requirements for the conversion of ADUs to condos.

Existing City Regulations Governing Condominiums

Existing Subdivision Ordinance (BMC Title 21 (Subdivisions))[3]

BMC Title 21 (Subdivisions) was enacted for the purpose of adopting regulations to implement and supplement the State's Subdivision Map Act. Title 21 includes:

- A ministerial process for the creating a Parcel Map for four or fewer parcels or condo units;
- A discretionary process for Tentative Maps for creating five or more parcels or condo units;
- Condo conversion regulations; and
- Design requirements, procedures for lot line adjustments and subdivision improvement requirements.

Existing Condominium Conversion Ordinance (BMC Chapter 21.28)[4]

[2] https://berkeley.municipal.codes/BMC/21.28
[3] https://berkeley.municipal.codes/BMC/21
[4] https://berkeley.municipal.codes/BMC/21.28

Berkeley's Condominium Conversion Ordinance lays out the procedures, fees, and required tenant protections for applicants proposing to convert existing dwelling units into condominiums. It also includes the city's annual limit on allowable condo conversions.

Generally, BMC Chapter 21.28 requires:

- Payment of a Condo Conversion Mitigation Fee;
- Tenant protections, including notice, relocation assistance, and right of first refusal.

Since 1992, the City of Berkeley has imposed a Condo Conversion Housing Mitigation Fee. Revenues from the fee accrue to the Berkeley Housing Trust Fund to help finance construction and rehabilitation of permanently affordable housing in Berkeley.

The fee is calculated by dividing the difference between the costs of owning the unit as a condominium less the rental costs by the current fixed mortgage rate. The following is an example of a fee calculation from the city's *Residential Condominium Conversion Packet*.[5]

- Rental Costs = $1,500 per month x 12 months/year = $18,000 annually
- Ownership Cost (including principal, interest, taxes, insurance, and homeowners' association dues) = $2,700 per month x 12= $32,400
- Assume a mortgage rate of 6.5 percent.
- Increased housing cost due to ownership conversion of the unit = $32,400 - $18,000 = $14,400
- Mitigation Fee = $14,400/0.065 = $221,538

In addition, Berkeley's Condo Conversion Housing Mitigation Fee is designed to encourage property owners to extend protections to their tenants. Owners providing additional tenant protections specified in the Condo Conversion Ordinance receive a decrease in the amount of the fee, which is capped at 8% of the total sales price, or 4% of the total sales prices for 2-unit properties.

Berkeley Rent Ordinance (BMC Chapter 13.76)[6]

Under Berkeley's Rent Stabilization Ordinance, units with a Certificate of Occupancy issued after June 30, 1980, are generally exempt from rent ceiling controls. Most ADUs

[5] City of Berkeley, *Residential Condominium Conversion Packet*, Updated: July 1, 2022. https://berkeleyca.gov/sites/default/files/documents/Condo%20Packet%2007-01-2022_Posted%20Online.pdf
[6] https://berkeley.municipal.codes/BMC/13.76

fall into this "new construction" exemption, though they still must follow just-cause eviction rules (BMC § 13.76.130).

Policy Questions for Planning Commission Discussion

1) *Regulation of ADU Condos.*

Should ADU condos be treated as any other condominium under Chapter 21.28—including payment of the Condominium Conversion Mitigation Fee, tenant protections, and discretionary approval for five or more units—or should the city create a streamlined path for ADU condominiums (as San Jose does)?

2) *Right of First Refusal.*

Should an AB 1033 ordinance require a right of first refusal for any tenant occupying an ADU that is being sold as a separate condominium? If so, should the right be the same as the current Condo Conversion Ordinance (i.e., one year to respond) or should it include a different timeline for ADU condominiums?

ADU Letter from California Housing and Community Development Department

On May 3, 2024, HCD sent a letter regarding the ADU Ordinance (***Attachment 2***), and the city responded on June 3, 2024 (***Attachment 3***). The letter included a set of findings which called for policy consultation with the Planning Commission, which are included below.

Number of ADUs Permitted

In its letter of May 3, 2024, HCD found that BMC Chapter 23.306 did not permit as many Section 66323 ADUs as required under state law. Currently, Table 23.306-1 (Unit Allowance) permits one ADU and one Junior ADU on a parcel with an existing single-family dwelling. HCD asserted that Government Code Section 66323 permits a homeowner, who meets specified requirements, to create one converted ADU; one detached, new construction ADU; and one JADU, for a total of three Section 66323 ADUs.

This is consistent with the latest *HCD ADU Handbook (January 2025)*[7], which explains that on single-family lots specifically, local agencies must allow Category (a)(1) (converted ADU) and Category (a)(2) (detached ADU) together, plus one JADU (also described in Gov. Code § 66323(a)(1)).

Originally, BMC Section 23.306.020(B) was drafted based on HCD's *December 2020 ADU Handbook*, which stated that the two new ADU/JADU categories under former

[7] California Housing and Community Development Department, *Accessory Dwelling Unit Handbook*, January 2025. https://www.hcd.ca.gov/sites/default/files/docs/policy-and-research/adu-handbook-update.pdf

subdivision (e) “are not required to be combined.” At that time, it appeared an applicant seeking to build both an ADU and a JADU would have to choose between a single-family ADU+JADU “conversion configuration” or “detached configuration,” rather than do both. However, in July 2022, HCD updated its guidance to clarify that the four statutory categories of ADUs “may be combined”—meaning a local government “must allow (A) and (B) together or (C) and (D) together.”

Question for the Planning Commission: Should the Berkeley Municipal Code (BMC) be amended to clearly allow up to three units on a single-family property: one interior/converted ADU, one detached new-construction ADU, and one JADU?

Conversion of Accessory Structures

In its letter of May 3, 2024, HCD found that the city must amend the BMC to remove the words “legally established” from BMC Section 23.306.030(A)(3), related to the conversion of accessory structures.

BMC Section 23.306.030(A)(3) states “An ADU converted from a legally established accessory building or accessory structure is allowed to maintain non-conformity to the same location and dimensions of the existing accessory building or accessory structure….”

Question for the Planning Commission: Should the Berkeley Municipal Code (BMC) be amended to remove the requirement that an accessory building or structure be “legally established” to be eligible for conversion to an ADU?

JADUs and Enclosed Uses

BMC Section 23.306.030(B) allows JADUs “within an existing or proposed single family dwelling or its attached garage….” It is later defined in Section 23.502.020(A)(4)(a) as, “A unit that is contained entirely within the walls of an existing or proposed single family dwelling, or a single-family dwelling unit’s attached garage.”

In its letter of May 3, 2024, HCD found that Government Code Section 66333 provides a broader allowance, stating “For purposes of this subdivision, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence,” and that the BMC must allow JADUs in other enclosed uses not limited to the single-family residence and an attached garage.

City staff interprets the existing BMC language to already include other enclosed areas of the single-family dwelling. Specifically, the BMC definition of “accessory uses” (BMC Section 23.502.020(B)(2)(a)) is broad and extends beyond just the attached garage (e.g., storage rooms, basements). There is no instance staff could envision where an enclosed space would be excluded from conversion under the current definition.

Question for the Planning Commission: Should the Berkeley Municipal Code (BMC) be amended to explicitly expand eligibility to all “enclosed uses”?

Deed Restriction

BMC Section 23.306.040 states that "A completed [ADU] application must include evidence of compliance with this Chapter, including development standards, deed restrictions, and neighborhood noticing."

In its letter of May 3, 2024, HCD found Government Code section 66317, states, "No local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this section," and therefore the city may not condition approval of an ADU application on the recordation of a deed restriction.

Under the ADU Ordinance, the requirement that a deed restriction be recorded is not a condition of approval; it is a requirement for a completed application. City staff does not interpret this provision as allowing the city to delay or deny a permit solely for lack of a recorded deed restriction.

Question for the Planning Commission: Should the Berkeley Municipal Code (BMC) be amended to remove the deed restriction requirements for a completed application?

JADU Rental Term

BMC Section 23.306.040(C)(3) states that a JADU cannot be rented for a term that is shorter than 30 days. In its letter of May 3, 2024, HCD found that while Government Code section 66333 allows the city to adopt an ordinance to provide for the creation of JADUs, and includes the provisions that can be included in the ordinance, the provisions do not include requiring a minimum rental term of 30 days. Therefore, HCD states that the 30-day rental term minimum for JADUs must be removed. The current 30-day minimum rental term for ADUs complies with state law.

Question for the Planning Commission: Should the Berkeley Municipal Code (BMC) be amended to remove the 30 days minimum rental term for JADUs?

Senate Bill 1211

SB 1211 (signed on September 19, 2024) allows up to eight detached ADUs on a lot with an existing multifamily dwelling (subject to certain limits). Staff intends to incorporate this statutory update into the upcoming State Law and Technical Edits (SLTE) Zoning Amendments package that will come before the Planning Commission for public hearing this Spring.

SB 1211 also includes a provision which prohibits the City from imposing objective development or design standards on Section 66323 ADUs beyond what is authorized in state law. There are two provisions in the BMC which may conflict with this provision.

1) *ADUs in the Front Setback*: BMC Chapter 23.306.030(A)(4) prohibits the placement of ADUs in the front setback unless the only location on a lot that can accommodate an

800 square foot ADU is within the front setback. The section also includes specific front setback requirements that apply only to ADUs that qualify to be located within the front setback. State law currently permits only the establishment of side and rear setbacks for Section 66323 ADUs, not front setbacks. SB 1211 could be interpreted to limit the city's ability to prohibit Section 66323 ADUs in the front setback even if an ADU could be located elsewhere on a lot.

2) *ADU Building Separation*: BMC Chapter 23.306.030(A) includes basic development standards for ADUs, which include building separation standards. State law currently only permits the establishment of side and rear setbacks for Section 66323 ADUs. There is no provision for the establishment of building separation standards, nor is there any explicit prohibition. The building separation requirement was adopted by the City Council to address concerns about fire safety and firefighter access to buildings on a property. State law provides the establishment of side and rear setbacks "for fire safety," but does not specifically mention building separation requirements for Section 66323 ADUs.

Question for the Planning Commission: Should BMC Chapter 23.306.030 be amended to remove the front setback and building separation provisions for Section 66323 ADUs, or should those provisions be removed for all ADUs?

ENVIRONMENTAL REVIEW

There are no identifiable environmental effects or opportunities associated with this informational report.

NEXT STEPS

Staff is currently reviewing HCD's comments and exploring policy options to meet state requirements, particularly regarding separate ADU conveyance and other statutory changes. With Planning Commission's input, we will incorporate them into draft amendments, solicit public feedback, and move forward with the required steps for final adoption of any Zoning Ordinance amendments.

CONTACT PERSON

Branka Tatarevic, Planning and Development Department, 510-981-7472

ATTACHMENTS

1. Referral to Implement AB 1033
2. HCD ADU Ordinance Review Letter
3. City's Response to HCD's Letter
4. San Jose ADU Condominium Ordinance

ATTACHMENT 4

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY GAVIN NEWSOM, *Governor*

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
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May 3, 2024

Jordan Klein, Director,
Department of Planning and Development
City of Berkeley
1947 Center St, 2nd Floor
Berkeley, CA 94704

Dear Jordan Klein:

RE: Review of Berkeley's Accessory Dwelling Unit (ADU) Ordinance under State ADU Law (Gov. Code, §§ 66313 - 66342)

Please Note: As of March 25, 2024, with the Chaptering of Senate Bill (SB) 477 (Chapter 7, Statutes of 2024), the sections of Government Code relevant to State ADU and Junior Accessory Dwelling Unit (JADU) Law have been re-numbered (Enclosure 1).

Thank you for submitting the City of Berkeley (City) accessory dwelling unit (ADU) Ordinance No. 7,888-N.S. (Ordinance), adopted October 10, 2023, to the California Department of Housing and Community Development (HCD). HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 66326, subdivision (a). HCD finds that the Ordinance does not comply with State ADU and JADU Laws in the manner noted below. Under Government Code section 66326, subdivision (b)(1), the City has up to 30 days to respond to these findings. Accordingly, the City must provide a written response to these findings no later than June 3, 2024.

HCD notes that HCD's previous ADU Ordinance review letter, dated October 17, 2022, raised the issue of the Ordinance's restrictions on ADUs in the Very High Fire Hazard Severity Zone. Upon review of the City's Ordinance 7,888-N.S. and supporting evidence, HCD has determined that the City addressed HCD's findings.

The Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law in the following respects:

1. Table 23.306-1 – *Unit Allowance* – The Ordinance states a single-family dwelling is permitted, at maximum, "1 ADU and 1 Junior ADU." However, Government Code section 66323, subdivision (a) states, "Notwithstanding Sections 66314 to 66322, inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to

create any of the following: (1) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling…(A) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single family dwelling or existing space of a single-family dwelling or accessory structure." Subdivision (a)(2) permits, "[o]ne detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks." The use of the term "any" followed by an enumeration of by-right ADU types permitted indicate that any of these ADU types can be combined on a lot zoned for single family dwellings.

This permits a homeowner, who meets specified requirements, to create one converted ADU; one detached, new construction ADU; and one JADU. Thus, if the local agency approves an ADU that is created from existing (or proposed) space, and the owner subsequently applies for a detached ADU (or vice versa) that meets the size and setbacks pursuant to the subdivision, the local agency cannot deny the application, nor deny a permit for a JADU under this section. Therefore, the City must amend the Ordinance to permit all by-right combinations required by State ADU Law.

2. 23.306.030 A.1 – *150 Sq. ft. Expansion* – The Ordinance states "ADU Development Standards is allowed a physical addition of no more than 150 square feet." However, Government Code section 66323, subdivision (a)(1)(A) allows, an "expansion of not more than 150 square feet beyond the same physical dimensions as the **existing accessory structure**. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress." The statute intends for this expansion only with the conversion of an existing accessory structure. Therefore, the Ordinance allowing expansion for all building conversions is inconsistent with State ADU Law. The City must amend the Ordinance to limit the expansion only in conjunction with the conversion of existing accessory structures.
3. 23.306.030 A.2 – *"Main Building" and Conversion* – The Ordinance states that for a duplex or multifamily building, "Interior ADU(s) must be created entirely through non-habitable residential portions of the existing main building that are not within the living space of a dwelling unit (e.g. basement, attic, garages, storage room)." The term "main building" is problematic as Government Code section 66323, subdivision (a)(3)(1), allows "Multiple accessory dwelling units within the portions of **existing multifamily dwelling structures** that are not used as livable space…." The term "the existing main building" refers to a single building, whereas State ADU Law refers to "existing multifamily dwelling structures." As worded, the Ordinance could lead to confusion as many multi-family projects could have multiple building with units within them.

   Additionally, the adjective "main" is not objective, especially in situations wherein multiple dwelling structures occupy a single lot. Government Code

section 66314, subdivision (b)(1) requires the use of "objective standards" for ADUs, which are defined in Government Code section 66313, subdivision (h) as "standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal." The use of such a subjective term is inconsistent with State ADU Law.

In summary, the City must amend the Ordinance to comply with State ADU Law.

4. 23.306.030 A.3. – *Accessory Conversion* – The Ordinance states "An ADU converted from a legally established accessory building or accessory structure is allowed to maintain non-conformity to the same location and dimensions of the existing accessory building or accessory structure…." However, Government Code section 66323, subdivision (a)(1)(A) allows, an "expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress." Therefore, the City must amend the Ordinance to allow for the expansion of an accessory structure for ingress and egress.

5. 23.306.030 A.8, 23.306.040 A, 23.324.060 (C) – *Zoning Certificate* – The Ordinance states that, generally, "An application for an ADU or Junior ADU shall be allowed with a Zoning Certificate. Review must be completed within 60 days of submission of a completed application." It also provides more specific conditions that engage with a zoning certificate, stating "Attached ADUs with height up to 25 ft. allowed with a Zoning Certificate," allowing specific "…alterations of a lawful nonconforming existing structure or building that is an existing ADU or proposed to be converted to an ADU are permitted with a Zoning Certificate," and allowing new windows or doors with "…a lawful nonconforming existing structure or building that is an existing ADU or proposed to be converted to an ADU… with a Zoning Certificate."

   The Ordinance states that the "review" will be completed within 60 days. The Ordinance does not specify that the review will end with an approval or denial within the 60-day period. The term "Zoning Certificate" is not defined or explained in Section 23.502.020, and it is unclear whether the review process is ministerial or discretionary. Government Code section 66317, subdivision (a) requires, that a "A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application." Subdivision (b) further states that "If a permitting agency denies an application for an accessory dwelling unit or junior accessory

dwelling unit pursuant to subdivision (a), the permitting agency shall, within the time period described in subdivision (a), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant." Therefore, the City must amend the Ordinance to specify ministerial approval or denial within 60 days and add provisions for a denial process according to State ADU Law.

6. 23.306.030 B – JADU Entry – The Ordinance states "A Junior ADU shall be contained entirely within an existing or proposed single family dwelling or its attached garage and have no more than 500 square feet in floor area." However, Government Code section 66333, subdivision (e) states, that local JADU ordinances must "Require a permitted junior accessory dwelling unit to include a separate entrance from the main entrance to the proposed or existing single-family residence." Therefore, the City must amend the Ordinance to require a separate entrance to the JADU.

7. 23.306.030 B, 23.502.020 A.4.a – *JADUs and Enclosed Uses* – The Ordinance allows JADUs "within an existing or proposed single family dwelling or its attached garage…." It is later defined in Section 23.502.020 (A)(4)(a) as, "A unit that is contained entirely within the walls of an existing or proposed single family dwelling, or a single-family dwelling unit's attached garage." However, Government Code section 66333, subdivision (d), provides a broader allowance, stating "For purposes of this subdivision, enclosed uses within the residence, such as attached garages, are considered a part of the proposed or existing single-family residence." The City must therefore allow JADUs in other enclosed uses not limited to an attached garage. The City must amend the Ordinance accordingly.

8. 23.306.040 A and C – *Deed Restriction* – Ordinance section 23.306.040 A states "A completed application must include evidence of compliance with this Chapter, including development standards, deed restrictions, and neighborhood noticing." Section 23.306.040 C states, "The property owner shall file a deed restriction with the Alameda County Recorder which states… 2. The ADU shall not be sold separately from the main building unless the conditions of BMC 23.306.040(0) ADUs Developed by a Qualified Nonprofit Developer are met; 3. The ADU… shall not be rented for a term that is shorter than 30 days."

   However, Government Code section 66317, subdivision (c) states, "No local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this section," and section 66315 states "Section 66314 establishes the maximum standards that a local agency shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in Section 66314, shall be used or imposed…." Section 66314 does not require a deed restriction for a building permit; therefore, this section

of the Ordinance is not consistent with State ADU Law. The City may not give condition approval of an ADU application on the recordation of a deed restriction. Although the City may have other authority by which to require a deed restriction, this requirement may not be the basis of delay or deny an ADU application and the issuance of a building permit. Therefore, the City must amend the Ordinance accordingly.

Pursuant to Government Code section 66333, subdivision (c) the City shall, "[r]equire the recordation of a deed restriction, which shall run with the land..." The deed restriction is limited to the provisions of subdivision (c)(1) and (c)(2). The deed restriction for JADUs do not include a minimum 30-day rental term. Therefore, the City must amend the Ordinance accordingly.

9. 23.306.040 B – *Neighbor Noticing* – The Ordinance states "Notice of an ADU application shall be mailed to tenants of the subject property, and owners and tenants of the adjacent, confronting, and abutting properties, within ten working days of submission of the building permit application to the City… Notice shall provide the address of the project, allowable hours of construction, a link to the City's ADU webpage, and information for tenants of the subject property on how to contact a Rent Board Housing Counselor by e-mail or phone and any other resource information deemed relevant."

   However, Government Code section 66317, subdivision (c) states, "No local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this section," and section 66315 states "Section 66314, establishes the maximum standards that a local agency shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in Section 66314, shall be used or imposed…." Section 66314 does not require neighbor noticing for an ADU building permit. Therefore, the City must remove this section.

10. 23.306.040 C.2 – *Separate Sale* – The Ordinance states "The ADU shall not be sold separately from the main building unless the conditions of BMC 23.306.040(D) ADUs Developed by a Qualified Nonprofit Developer are met…." Please note that Government Code section 66342 states "a local agency may also adopt a local ordinance to allow the separate conveyance of the primary dwelling unit and accessory dwelling unit or units as condominiums…" which are then subject to the standards listed in that section.

11. 23.306.040 C.3 – JADU Terms – The Ordinance states "The ADU and/or Junior ADU shall not be rented for a term that is shorter than 30 days…." However, Government Code section 66333 provides, "Notwithstanding Article 2 (commencing with Section 66314), a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit and shall do all of the following:" The section then

lists the provisions that are required to be in the JADU ordinance. The provisions do not require a minimum rental term of 30 days. Therefore, the City must amend the Ordinance accordingly.

12. 23.306.040 C.4 – *JADU Owner Occupancy* – The Ordinance requires that the "Junior ADU or the Single Family Dwelling in which the Junior ADU is located shall be owner-occupied." However, Government Code section 66333, subdivision (b) states, "Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization." Therefore, the City must note the exception.

In response to the findings in this letter, and pursuant to Government Code section 66326, subdivisions (b)(2)(A) and (b)(2)(B), the City must either amend the Ordinance to comply with State ADU Law or adopt the Ordinance without changes. Should the City choose to adopt the Ordinance without the changes specified by HCD, the City must include findings in its resolution that explain the reasons the City finds that the Ordinance complies with State ADU Law despite the findings made by HCD. Accordingly, the City's response should provide a plan and timeline to bring the Ordinance into compliance.

Please note that, pursuant to Government Code section 66326, subdivision (c)(1), if the City fails to take either course of action and bring the Ordinance into compliance with State ADU Law, HCD may notify the City and the California Office of the Attorney General that the City is in violation of State ADU Law.

HCD appreciates the City's efforts in the preparation and adoption of the Ordinance and welcomes the opportunity to assist the City in fully complying with State ADU Law. Please contact Mike Van Gorder, of our staff, at (916) 776-7541 or at mike.vangorder@hcd.ca.gov if you have any questions or would like HCD's technical assistance in these matters.

Sincerely,

Jamie Candelaria

Jamie Candelaria
Senior Housing Accountability Unit Manager
Housing Policy Development Division

Enclosure

State ADU/JADU Law Statutory Conversion Table

New Government Code Sections	Previous Government Code Sections
Article 1. General Provisions	
66310	65852.150 (a)
66311	65852.150 (b)
66312	65852.150 (c)
66313	General Definition Section 65852.2 (j) 65852.22 (j)
Article 2. Accessory Dwelling Unit Approvals	
66314	65852.2(a)(1)(A), (D)(i)-(xii), (a)(4)-(5)
66315	65852.2 (a)(8)
66316	65852.2 (a)(6)
66317	65852.2 (a)(3), (a)(7)
66318	65852.2 (a)(9), 65852.2 (a)(2)
66319	65852.2 (a)(10)
66320	65852.2 (b)
66321	65852.2 (c)
66322	65852.2 (d)
66323	65852.2 (e)
66324	65852.2 (f)
66325	65852.2 (g)
66326	65852.2 (h)
66327	65852.2 (i)
66328	65852.2 (k)
66329	65852.2 (l)
66330	65852.2 (m)
66331	65852.2 (n)
66332	65852.23.
Article 3. Junior Accessory Dwelling Units	
66333	65852.22 (a)
66334	65852.22 (b)
66335	65852.22 (c)
66336	65852.22 (d)
66337	65852.22 (e)
66338	65852.22 (f)-(g)
66339	65852.22 (h)
Article 4. Accessory Dwelling Unit Sales	
66340	65852.26 (b)
66341	65852.26 (a)
66342	65852.2 (a)(10)

ATTACHMENT 5

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

ACCESSORY DWELLING UNITS (ADUS): AMENDMENTS TO TITLE 21 (SUBDIVISIONS) TO ALLOW SEPARATE SALE OF ADUS, AND AMENDMENTS TO TITLE 23 (ZONING) TO COMPLY WITH STATE LAW AND ENCOURAGE ADU DEVELOPMENT

The public may participate in this hearing by remote video or in-person.

The Department of Planning and Development is proposing an Ordinance to 1) adopt proposed amendments to Title 21 (Subdivisions Ordinance) to implement Assembly Bill (AB) 1033 by establishing local regulations for the separate sale of ADUs as condominiums; and 2) adopt proposed amendments to Title 23 (Zoning) to bring the City's Accessory Dwelling Unit (ADU) regulations into compliance with recent changes to State law, to incorporate feedback from the California Department of Housing and Community Development (HCD), and encourage ADU development.

The hearing will be held on, July 29, 2025 at 6:00 pm in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of July 17, 2025. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

For further information, please contact Branka Tatarevic, Associate Planner at 510-981-7472.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

Published: Friday, July 18, 2025 - The Berkeley Voice

BMC 23.412.050 and Govt Code 65853; notice provided according to Govt Code 65090 and BMC 23.404.040.

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 17, 2025.

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Mark Numainville, City Clerk
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29

Office of the City Manager

PUBLIC HEARING
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Terrance Davis, Director, Public Works

Subject: Ordinance Vacating a Portion of Carleton Street from Westerly Terminus Extending 381.23 Feet Easterly

RECOMMENDATION

1. Conduct a public hearing and upon conclusion, adopt the second reading of the Ordinance voted upon at the July 22, 2025 City Council meeting vacating a 381.23-linear-foot (27,449 square foot) portion of the public right-of-way on Carleton Street, located at the westerly terminus of Carleton Street.

2. Upon adoption of the second reading of the Ordinance, authorize the City Manager to execute a deed quit claiming that portion of the right-of-way of Carleton Street and conveying to the adjacent property owner, Bayer Healthcare LLC ("Bayer").

FISCAL IMPACTS OF RECOMMENDATION

There is no negative fiscal impact to the City of Berkeley from adopting this ordinance. Bayer has paid the appropriate fees related to processing this street vacation. The street vacation reduces City maintenance and public service costs as well as increases Bayer's property tax due to increase of their parcel.

CURRENT SITUATION AND ITS EFFECTS

The 381.23-linear-foot segment of Carleton Street proposed for vacation, as described in Exhibit A (attached) and shown on Exhibit B (attached), is a dead-end right-of-way. Bayer owns all properties adjacent to the proposed vacated section, including on the north, south, and west sides of the subject roadway segment. Therefore, Bayer submitted a request for the City to vacate the dead-end portion of Carleton Street to improve internal circulation and enhance facility security.

The City is currently responsible for maintaining this segment of Carleton Street. In addition, the City is liable for any incidents and accidents that may occur in this section of the right-of-way. By vacating this segment, the City eliminates maintenance responsibility and liability while allowing Bayer to move the effective western terminus of Carleton Street eastward to improve site circulation and security.

BACKGROUND

Pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California, a local agency may vacate a public right-of-way of a street or highway when the street is unnecessary for present or prospective public street uses. The Streets and Highways Code allows the initiation of public street vacation by the City Council by the adoption of a Resolution of intention, the fixing of a date for a public hearing, and the publication and posting of notice as required therein. On July 8, 2025, Council adopted Resolution 71,882-N.S., for this purpose. On July 22, 2025, Council conducted a public hearing and first reading of the Ordinance for street vacation and scheduled the second hearing and reading for this July 29, 2025, Council meeting. Notices for the hearings have been published and posted in accordance with the Streets and Highways Code.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Vacating a portion of Carleton Street decreases the amount of right-of-way available to motor vehicles which reduces the amount of pollution they produce. Similarly, maintenance activities that may have negative environmental impacts, such as street repaving and concrete sidewalk replacement, would be reduced.

RATIONALE FOR RECOMMENDATION

The Public Works Department has reviewed the proposed vacation pursuant to the California Streets and Highways Code §§ 8320, 8322, 8323, 8324 and determined that the segment is "unnecessary for present or prospective public use." This segment of the right-of-way is not identified as (1) a major, collector, or local residential street in the General Plan; (2) as a current or future part of the City's bicycle network in the Bicycle Plan; (3) as a primary or secondary transit route; or (4) as an emergency evacuation route. This portion of Carleton Street provides access to only Bayer's campus, and the vacation of this portion of the street is similar to others the City has adopted in the immediate area in connection with Bayer's campus.

City staff also determined that the vacation will not negatively impact emergency services or utility access. Bayer will preserve the right of the City of Berkeley and utility providers including but not limited to Pacific Gas & Electric Company (PG&E), East Bay Municipal Utility District (EBMUD), and American Telephone and Telegraph Company (AT&T) to maintain, repair, and perform other activities related to their infrastructure in the vacated right-of-way per Section 8340 of the California Streets and Highways Code.

In addition, approval of this vacation allows the City to avoid maintenance costs and liability on a portion of Carleton Street that provides access to only one property owner (Bayer).

ALTERNATIVE ACTIONS CONSIDERED

The alternative course of action is to deny the request for street vacation. The City would continue to be responsible for maintaining this portion of Carleton Street and hold

liability for any incidents that may occur despite this area being surrounded on three sides by Bayer-owned properties.

CONTACT PERSON
Ronald A. Nevels, Manager of Engineering, Engineering Division (510) 981-6439
Vincent Chen, Supervising Civil Engineer, Engineering Division (510) 981-6409

Attachment:
1: Ordinance
    Exhibit A: Street Vacation Area Legal Description
    Exhibit B: Street Vacation Area Plat
2: Public Hearing Notice

VACATION OF A PORTION OF CARLETON STREET BETWEEN THE WESTERLY TERMINUS OF CARLETON STREET AT THE BAYER CAMPUS AND A POINT APPROXIMATELY 381.23 FEET EASTERLY THEREOF

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

Section 1. Vacation of Portion of Right-of-Way

That pursuant to Streets and Highways Code Section 8320 et. seq., the City of Berkeley hereby vacates the following portion of the public right-of-way of Carleton Street located at the westerly terminus of Carleton Street at the Bayer Campus, more specifically described in Exhibits A and B, on the basis of the following findings:

a. That the public right-of-way described above is a dead-end street providing street access to one single property, that being the Macaulay Foundry located at 811 Carleton Street;

b. That the owner of the Macaulay Foundry site, Bayer Healthcare LLC, has requested the City vacate that portion of Carleton Street providing access to the Macaulay Foundry site, such owner having established legal access to public streets through property located west and adjacent to it;

c. That the portion of the right-of-way described in Exhibits A and B is not identified as a present or prospective major, collector, or local residential street in the City's General Plan;

d. That the portion of the right-of-way described in Exhibits A and B is not a current or future part of the City's bicycle network in the Bicycle Plan;

e. That the portion of the right-of-way described in Exhibits A and B is not identified as a present or prospective primary or secondary transit route in the City's General Plan;

f. That the portion of the right-of-way described in Exhibits A and B is not identified as a present or prospective emergency access and evacuation route in the City's General Plan;

g. That the portion of the right-of-way described in Exhibits A and B causes the City to incur maintenance and other public services costs necessary to keep this portion safe and in good repair;

h. That the portion of the right-of-way described in Exhibits A and B is, for the foregoing reasons, unnecessary for present or prospective public street uses;

i. That there are public utility facilities that are in use, but they would not be affected by the vacation of the public right-of-way described in Exhibits A and B because the City's

quitclaim of interests reserves sufficient easement rights for the benefit of affected utility providers to maintain, repair, and otherwise to affect their utility infrastructure; and

j. That the City Clerk is hereby authorized and directed to cause a certified copy of this ordinance of vacation, attested by him under seal, to be recorded in the Office of the Recorder for Alameda County, California.

Said vacation shall except and reserve therefrom, pursuant to the provisions of Section 8340 of the Streets and Highways Code, and for the benefit of the City itself, East Bay Municipal Utility District (EBMUD), Pacific Gas & Electric Company (PG&E), and American Telephone and Telegraph Company (AT&T), the permanent, non-exclusive easement and right at any time, and from time to time, to excavate for, construct, maintain, operate, replace (of initial or any other size), remove, inspect, use, renew and enlarge public utility facilities, including but not limited to line of pipe, conduits, cables, poles, wires and other convenient structures, equipment and fixtures for the operation of communication lines, electrical transmission distribution lines, natural gas lines, water lines, sanitary and storm sewers, stormwater infrastructure, and communication facilities, including ingress, egress, access and the right to keep the property free from inflammable material and wood growth, including without the limitation the right to trim and cut down trees and other vegetation, and protect the same from all hazards, in, upon, over and across those portions of Carleton Street so vacated and abandoned. Areas above, below, and within 8 feet of such public facilities shall be kept open and free of new buildings, structures, wells, and other obstructions. For the purposes of this section, a fence shall not constitute a new building, structure, well, or other obstruction.

Section 2. Conveyance of Property

That the City Manager and City Clerk are hereby authorized and directed to execute a quitclaim deed, conveying the City's interests in the portion of the right-of-way described in Exhibits A and B to the adjacent property owner Bayer Healthcare LLC; and

That the City Clerk is hereby authorized and directed to cause the executed quitclaim deed to be recorded in the Official Records of Alameda County, California.

Section 3. Posting

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

Exhibits
A: Street Vacation Area Legal Description

B: Street Vacation Area Plat

March 5, 2025

EXHIBIT "A"

VACATION DESCRIPTION

CARLETON STREET

ALL OF THAT REAL PROPERTY SITUATE IN THE CITY OF BERKELEY, ALAMEDA COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF CARLETON STREET, AS SAID STREET BEING LABELED AS CARLTON STREET AND SHOWN ON THE "MAP OF BYRON JACKSON IRON WORKS PROPERTY" FILED ON JULY 14TH, 1909 IN BOOK 24 OF MAPS AT PAGE 84, ALAMEDA COUNTY RECORDS, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

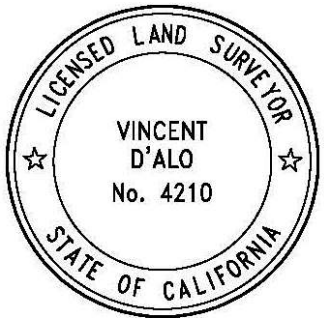
COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF CARLETON STREET WITH THE WESTERLY RIGHT OF WAY LINE OF 7TH STREET AS SHOWN ON SAID "MAP OF BYRON JACKSON IRON WORKS PROPERTY"; **THENCE** ALONG SAID NORTHERLY RIGHT OF WAY LINE OF CARLETON STREET, SOUTH 72°14'00" WEST 240.54 FEET, TO THE EASTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED TO JOHN ALLEN AND KEN DAVID, RECORDED MARCH 18, 2004 AS DOCUMENT NUMBER 2004-113321, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; **THENCE** CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF CARLETON STREET, SOUTH 72°14'00" WEST 381.23 FEET, TO THE WESTERLY RIGHT OF WAY LINE OF CARLETON STREET AS DESCRIBED IN ORDINANCE 6618-N.S., CITY OF BERKELEY, ALAMEDA COUNTY; **THENCE** ALONG SAID WESTERLY RIGHT OF WAY LINE OF CARLETON STREET, SOUTH 17°46'00" EAST 72.00 FEET, TO THE SOUTHERLY LINE OF THE RIGHT OF WAY OF CARLETON STREET; **THENCE** ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CARLETON STREET, SOUTH 72°14'00" WEST 381.23 FEET, TO A POINT WHICH WOULD BE INTERSECTED BY A LINE DRAWN SOUTHERLY AND AT RIGHT ANGLE FROM THE POINT OF BEGINNING, SOUTH 17°14'00 EAST 72.00 FEET; **THENCE** NORTHERLY ALONG SAID LINE TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 27,449 SQUARE FEET, MORE OR LESS.

ATTACHED HERETO IS A PLAT ENTITLED EXHIBIT "B" FOR REFERENCE ONLY.

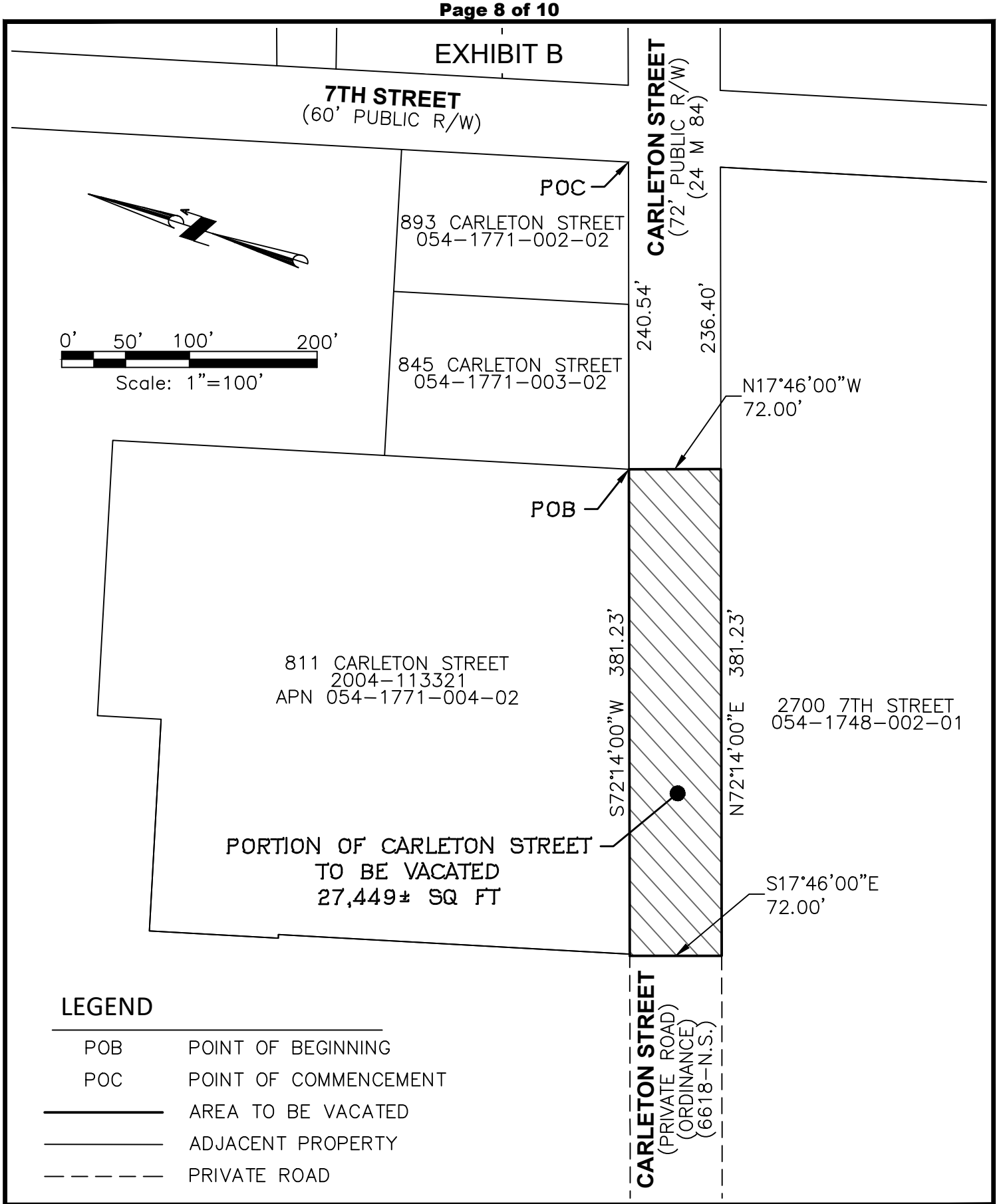
END OF DESCRIPTION

PREPARED BY:



VINCENT J. D'ALO
LS 4210

March 5, 2025
DATE



ALIQUOT
Civil Engineers
Traffic Engineers
Surveyors
Aliquot Associates, Inc.
1390 S. Main St. - Ste. 310
Walnut Creek, CA 94596
Telephone: (925) 476-2300
Fax: (925) 476-2350

Subject CARLETON STREET VACATION
Job No. 220040.42 Scale 1"=100'
By JPS Date: 03/05/25 Chkd. VJD
Sheet 1 Of 1

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

CARLETON STREET VACATION

The public may participate in this hearing by remote video or in-person.

Bayer Healthcare, LLC (Bayer) has requested the city vacate a portion of Carleton Street public right-of-way from its westerly terminus extending 381.23 feet easterly and conveying the vacated portion to Bayer. See attached legal description and plat of the proposed vacation.

The proposed street vacation will be pursuant to Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California.

A public hearing and first reading of an ordinance is scheduled for the Tuesday, July 22, 2025 City Council meeting, with a second hearing and reading scheduled for Tuesday, July 29, 2025. The location of the hearings is the School District Board Room – 1231 Addison Street, Berkeley, CA 94702. City Council meetings commence at 6:00PM.

A copy of the agenda material for the July 22, 2025 hearing will be available on the City's website at https://berkeleyca.gov/ as of July 10, 2025. A copy of the agenda material for the July 29, 2025 hearing will be available on the City's website at https://berkeleyca.gov/ as of July 17, 2025. **Once posted, the agendas for these meetings will include links for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

For further information, please contact **Vincent Chen** at vchen@berkeleyca.gov, 510-981-6409.

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 10, 2025.

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Mark Numainville, City Clerk

30

Office of the City Manager

INFORMATION CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Henry Oyekanmi, Director of Finance
Dave White, Deputy City Manager

Subject: Status Report - Berkeley's Financial Condition (FY 2012 – FY 2021): Pension Liabilities and Infrastructure Need Attention

INTRODUCTION

On May 24, 2022, the City Auditor submitted a Financial Conditions audit report[1] to City Council with recommendations to build on the City's financial strengths in order to: (1) help address the City's unfunded capital and deferred maintenance needs and pension liabilities; (2) help the City prepare for unforeseen economic challenges by assessing the risk of the reserves, and ensuring that enterprise funds can balance and avoid recurring shortfalls; and (3) to update the City's debt policy to help strengthen the City's ability to assess its general obligation debt capacity.

The purpose of this information item is to update City Council on the status of implementation of the audit report's recommendations. This is the fourth status report regarding this audit. A status report was previously issued on June 25, 2024.[2]

CURRENT SITUATION AND ITS EFFECTS

The City Auditor's report included five recommendations. As of the writing of this report, three recommendations have been partly implemented, one recommendation has been started, and one recommendation has been implemented. Please see Attachment 1 for a detailed table of audit report recommendations and implementation progress. The next status report to Council is expected to be presented in June 2026.

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[1] Audit-Berkeley's Financial Condition (FY 2012 - FY 2021): Pension Liabilities and Infrastructure Need Attention: https://berkeleyca.gov/sites/default/files/documents/2022-05-24%20Item%2018%20Berkeley%E2%80%99s%20Financial%20Condition.pdf

[2] https://berkeleyca.gov/sites/default/files/documents/2024-06-25%20Item%2061%20Status%20Report%20-%20Berkeley%E2%80%99s%20Financial%20Condition.pdf

BACKGROUND

The audit provides a high-level overview of the City's financial condition over 10 fiscal years. By broadening the scope of financial reporting to incorporate long-term financial trends, financial condition analysis can introduce long-term considerations into the budgeting process, clarify the City's fiscal strengths and weaknesses, and help highlight financial risks that the City needs to address including its unfunded capital and pension liabilities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

POSSIBLE FUTURE ACTION

The City Manager's Office will continue to work on implementing the various recommendations, including conducting a new risk assessment of the General Fund reserve in the next five years and developing recommendations regarding appropriate fund balance for the various enterprise funds. The Finance Department will continue to assess the debt capacity threshold and update the debt management policy as needed. In addition, the City Manager's Office, in tandem with the Finance Department, will continue to assess Council fiscal policies and make recommendations regarding long-term funding strategies to address the City's pension and capital infrastructure liabilities.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

The audit recommendations are intended to build on the City's financial strengths and help mitigate risks associated with the City's unfunded liabilities.

CONTACT PERSON

David White, Deputy City Manager, 510.981.7000
Henry Oyekanmi, Finance Director, 510.981.7200

Attachments:

1. Audit Findings, Recommendations, and Status Updates

Audit Title: Berkeley's Financial Condition (FY 2012-FY 2021): Pension Liabilities and Infrastructure Need Attention					
Issue Date: May 5, 2022					
Finding	**Recommendation**		**Department**	**Last period: status**	**Current status update**
The COVID-19 pandemic slowed the City's progress toward its 2027 reserve funding goal.	1.1	To better prepare the City for unforeseen economic challenges, we recommend that the City Manager complete the risk assessment required by the City's reserve policy as scheduled and propose to the City Council a plan to replenish the Stability and Catastrophic Reserves based on the results of the assessment. This may include revising the funding goal for 2027 to align with the City's financial reality and projected risk level.	City Manager	Partly implemented.	**Partly implemented.** The City contracted with GFOA to complete a risk assessment of its General Fund Reserve Policy. According to the Finance Department and Budget Office, the Budget and Finance Committee recommended a change to the long term reserve goal from 30 percent of General Fund revenues to 20-30 percent, and the City Council will consider updating the reserve policy on July 29, 2025. Our office will re-assess this recommendation once this has taken place.
All of the City's enterprise funds faced at least one annual shortfall between FY 2016 and FY 2021.	1.2	To ensure the City's enterprise funds can balance and avoid recurring annual shortfalls, we recommend the City Manager assess the appropriate fund balance for each of the City's enterprise funds, report findings to the City Council and explore financial policy options to manage enterprise fund balances.	City Manager	Started.	**Started.** According to the Budget Office, staff is assessing a policy option for enterprise funds.
The City's limit for general obligation bond debt is set at 15 percent of total assessed property value.	2.1	To strengthen the City's debt management, we recommend that the Finance Department update the Debt Management Policy. The Finance Department may consider revising its current general obligation bond threshold of 15 percent of assessed property value or building upon the City's existing general obligation bond debt limit by considering additional debt capacity factors such as debt per capita, debt to personal income, and/or debt service payments as a proportion of General Fund revenues.	Finance Department	Implemented.	
The City has taken steps to increase pension funding.	3.1	To maximize the benefit of the Section 115 Trust, we recommend that the City Manager present a plan for adoption by the City Council to assure sufficient contributions to the Trust. This may include taking the steps proposed by the Budget and Finance Committee to increase contributions to the Trust. It may also include a strategy to ensure that the City is able to meet its yearly contribution goals, such as allocating contributions at the beginning of the budget cycle.	City Manager	Partly implemented.	**Partly implemented.** The City adopted fiscal policies to fund the Section 115 Trust as part of the FY 2023/24 biennial budget process, but was not able to meet its contribution goal in FY 2025 due to budgetary reasons.
The City reported $1.2 billion in unfunded capital and deferred maintenance needs in FY 2021.	4.1	To address rising costs for unmet capital needs, we recommend that the City Manager collaborate with the Department of Public Works to implement a funding plan aimed at 1) reducing the City's unfunded capital and deferred maintenance needs, and 2) ensuring regular maintenance of city assets to prevent excessive deferred maintenance costs in the future. This may include prioritizing capital assets that generate the highest deferred maintenance costs.	City Manager	Partly implemented.	**Partly implemented.** Berkeley voters passed Measure FF, which is estimated to generate approximately $15 million annually for 14 years. The City has not yet developed a plan for prioritizing funds for capital and deferred maintenance.

31

Office of the City Manager

INFORMATION CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Commission on Labor

Submitted by: Joseph (Joey) Flegel-Mishlove, Chair

Subject: Commission on Labor Fiscal Year 2026 Work Plan

INTRODUCTION
The City of Berkeley Commission on Labor hereby submits its work plan for Fiscal Year 2026, which was adopted at the May 21, 2025, Commission on Labor meeting.

CURRENT SITUATION AND ITS EFFECTS
On May 21, 2025, the Commission on Labor adopted the attached work plan through the action detailed:

Action: M/S/C (Arbaugh/Scantlebury) to adopt the Fiscal Year 2026 Work Plan formed by the commission during a public meeting.

PASSED

Vote: Ayes: Arbaugh, Flegel-Mishlove, Phillips, and Scantlebury. Noes: None. Abstentions: None. Absent: Bowen (unexcused), Delfin Polk (excused)

BACKGROUND
In 2016, the City Council adopted direction to commissioners to submit a work plan annually.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
There is no identifiable environmental sustainability or climate impact associated with the adoption of this work plan.

POSSIBLE FUTURE ACTION
None.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION
None.

CONTACT PERSON
Emily Rose, Commission Secretary, HHCS, 510-981-7551

Attachments:
1: Commission on Labor Fiscal Year 2026 Work Plan

Commission on Labor

WORK PLAN for Fiscal Year 2026
Commission on Labor for the City of Berkeley

Research and gather information to report to City Council and support Commission's Recommendations to City Council:

a. Develop policies for recommendation to City Council in formal coordination with other City of Berkeley commissions to maximize the availability of subject matter experts and identify connections between labor and other relevant issues including, but not limited to, economic development and human rights.
b. Examine City's policies and practices regarding workplace sexual harassment, and other forms of discrimination and harassment.
c. Examine how City policies can promote the retention and interests of City workers during the budgetary deficit.
d. Review and monitor Fair Workweek Ordinance implementation.
e. Review the Community Workforce Agreement with the Alameda County Building and Construction Trades Council and examine opportunities for local workforce development
f. Examine workforce development opportunities and the First Source Program
g. Review and recommend updates to the Labor Bill of Rights.
h. Examine development of the City of Berkeley Just Transition Residential Electrification Pilot Project.
i. Examine and develop policies to promote employee ownership models of business.

Education:

a. Facilitate education of workers in Berkeley about their rights and the process for addressing workplace sexual harassment.
b. Facilitate education of children and young adults in Berkeley about the benefits and opportunities of organized labor.
c. Facilitate workforce development pre-apprenticeship opportunities working with Berkeley Unified School District.

Local labor disputes:

a. Hold public hearings on labor disputes as requested/required
b. Submit recommendations to Council based on information gathered from both sides of disputing parties.

32

Landmarks Preservation Commission

INFORMATION CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Landmarks Preservation Commission

Submitted by: Denise Hall Montgomery, LPC Chairperson

Subject: Annual Report on Landmarks Preservation Commission Actions

INTRODUCTION

The Landmarks Preservation (LPC) has prepared a report on its activities during the period June 2024 through May 2025; see Attachment 1, "Annual Report on Landmarks Preservation Commission Actions." Reports on the Commission's activities are required on an annual basis, in accordance with Berkeley Municipal Code Chapter 3.24.090 - *Annual Report Required*.

CURRENT SITUATION AND ITS EFFECTS

On June 5, 2025, the Commission voted to approve the attached report and to forward it to City Council. Vote: 7-0-0-1; Yes: Enchill, Finacom, Leuschner, Hall Montgomery, Orbuch, Plese, Schwartz; No: none; Abstain: none; Absent: Crandall.

BACKGROUND

Staff prepared a draft report summarizing LPC's actions and then presented it for the Commission's consideration at the meeting on June 5, 2025. The Commission received the report favorably and voted to adopt it and to forward it to City Council in accordance with the BMC requirement.

The Commission held a total of 12 meetings during this reporting period. Among numerous accomplishments, the Commission:

- Added eight properties to the local register.
- Granted nine Structural Alteration Permits for new development, improvements, additions or expansions within City Landmark properties.
- Received six demolition referrals from the Zoning Adjustments Board.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
Historic preservation practices encourage the adaptive re-use and rehabilitation of cultural resources within the City. The rehabilitation of these resources, rather than their removal, achieves construction and demolition waste diversion, and promotes investment in existing urban centers.

POSSIBLE FUTURE ACTION
The LPC will continue to submit an annual report on its activities in accordance with the BMC requirement.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION
There are no fiscal impacts associated with this reporting activity.

CONTACT PERSON
Anne Hersch, Acting Secretary, Landmarks Preservation Commission, 510-981-7411, ahersch@berkeleyca.gov
Allison Riemer, Senior Planner, 510-981-7433, ariemer@berkeleyca.gov

Attachments:
1: Annual Report of Landmarks Preservation Commission (LPC) Activities

ATTACHMENT 1

LANDMARKS PRESERVATION COMMISSION

Report to city council

Annual Report on Landmarks Preservation Commission (LPC) Actions

Reporting Period: June 2024 through May 2025
Due Date: June 30, 2025

Presented to City Council
By the LPC Secretary
On behalf of the LPC Chairperson and the Commission
In accordance with Berkeley Municipal Code Section 3.24.090

Table of Contents

Part 1:	Introduction
Part 2:	Meetings Held
Part 3:	Actions Undertaken in Accordance with Regulatory Compliance
Part 4:	Discussions Held

Part 5: Presentations Received

Part 1: Introduction

In accordance with Berkeley Municipal Code Section 3.24.090, the LPC shall report its actions to City Council on an annual basis. The report must arrive not later than June 30 of each year.

Herein City Council will find summaries of all LPC activities for the current reporting period. The summary lists are arranged in categories reflecting LPC's compulsory duties, such as public meetings and quasi-judicial reviews, as well as other efforts that further cultural resource preservation in Berkeley.

Part 2: LPC Meetings Held

Meeting Body	Date
Landmarks Preservation Commission (LPC)	June 6, 2024
	July 8, 2024
	August 1, 2024
	September 5, 2024
	October 7, 2024
	November 7, 2024
	December 5, 2024
	January 6, 2025
	February 6, 2025
	March 6, 2025
	April 3, 2025
	May 1, 2025

Part 3: LPC Regulatory Actions

Activity	Property Address	Application Number	Action Date
Landmark & Structure of Merit Designations BMC Section 3.24.150	2227 Parker Street	LMIN2024-0001	July 8, 2024
	2436-2442 Haste Street	LMIN2024-0002	September 5, 2024
	2500-2512 San Pablo Avenue/1094-1098 Dwight Way	LMIN2024-0004	December 5, 2024[1]
	2138 Kittredge Street	LMIN2024-0006	February 6, 2025[2]
	2231 McKinley Avenue	LMIN2024-0005	March 6, 2025
	21 Mosswood Road	LMIN2024-0007	March 6, 2025
	2425 Durant Avenue	LMIN2024-0008	March 6, 2025[3]
	2845 Woolsey Street	LMIN2024-0001	April 3, 2025
Structural Alteration Permits BMC Section 3.24.240	8 Greenwood Commons	LMSAP2024-0001	June 6, 2024
	2276 Shattuck Avenue	LMSAP2024-0005	July 8, 2024
	2000 Kala Bagai Way	LMSA2024-0002	July 8, 2024
	1614 Sixth Street	LMSAP2024-0003	August 1, 2024
	1310 University Avenue	LMSA2024-0001	December 5, 2024
	2201-2205 Blake Street and 2517 Fulton Street	LMSAP2024-0004	February 6, 2025
	3332 Adeline Street	LMSAP2025-0001	February 6, 2025
	2138 Cedar Street	LMSAP2024-0008	March 6, 2025
	1947 Center Street	LMSAP2025-0007	May 1, 2025
Use Permit Demolition Referrals BMC Section 23.326.070	2530-2538 Bancroft Way	ZP2023-0126	September 5, 2024
	2100-2108 Milvia Street	ZP2023-0163	October 7, 2024
	1663-1687 Shattuck Avenue/2109 Virginia Street	ZP2024-0066	October 7, 2024
	1900-Block Shattuck Avenue/2074-2079 University Avenue	ZP2023-0040	January 6, 2025
	2655 Shattuck Avenue	ZP2024-0057	February 6, 2025
	2700-2724 Shattuck Avenue	ZP2024-0058	April 3, 2025
Mill Act Contract Applications	1401 Le Roy Avenue	#LMMA2024-0001	*Favorable Action to City Council on July 8, 2024*

[1] Appealed to City Council January 31, 2025. Council dismissed the appeal and affirmed the LPC decision at the May 20, 2025 hearing.
[2] Appealed to City Council February 6, 2025. Appeal hearing scheduled for July, 2025.
[3] Appealed to City Council April 15, 2025. Appeal hearing scheduled for July, 2025.

Activity	Property Address	Application Number	Action Date
City Council Resolution 59,355	60 Panoramic Way	#LMMA2023-0001	*Favorable Action to City Council on August 1, 2024*
	7 Greenwood Common	#LMMA2024-0002	*Favorable Action to City Council on August 1, 2024*
Zoning Officer Referrals BMC Section 23.202.070(G)(1)	59 Arden Road	ZP2022-0127	September 5, 2024
Final Design Review BMC Section23.406.070(D)(3)	N/A	N/A	N/A
Design Review Referrals BMC Section23.406.070(F)(1)(a)	3192 Adeline Street	DRSL2024-0006	November 7, 2024
	2428-2430 Bancroft Way	DRSL2024-0005	December 5, 2024
Section 106 Referrals National Preservation Act	2012-2024 Ashby Avenue	N/A	No action, January 6, 2025
	1708 Harmon Street/3240 Ellis Street	N/A	No action, January 6, 2025
	1750 Sacramento Street (North Berkeley BART)	N/A	No action, May 1, 2025
	1429 Delaware Street (North Berkeley BART)	N/A	No action, May 1, 2025

Part 4: LPC Agenda Discussions Held

Topic	Discussion	Outcome	Date(s)
2128 Oxford Street – Notice of Availability of Draft Environmental Impact Report for Use Permit at 2128 Oxford (#ZP2022-0135)	Planning staff presented information and solicited comments and/or correspondence related to the environmental report for a development project that includes the demolition of the Thomas Block Building at 2132-2154 Center Street.	Chairperson Twu submitted a letter on the Commission's behalf summarizing LPC's comments on the Draft EIR and the project.	June 6, 2024

Part 5: LPC Agenda Presentations Received

Topic	Presenter	Date
San Pablo Avenue Specific Plan – Receive a presentation and provide comments on the current effort to conduct and complete the San Pablo Avenue Specific Plan.	Planning staff presented information on the current efforts to complete the San Pablo Avenue Specific Plan.	September 5, 2024
Gilman Gateway Environmental Impact Report	Planning staff presented information and solicited comments regarding the Draft Environmental Impact Report.	November 7, 2024
1095 University Avenue/1976 San Pablo Avenue	Commissioner Finacom presented correspondence about a vacant West Berkeley bank building originally completed in 1906.	February 6, 2025

33

Office of the City Manager

INFORMATION CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council

From: Zero Waste Commission

Submitted by: Christienne de Tournay Birkhahn, Chair

Subject: Zero Waste Commission Fiscal Year 2025-26 Work Plan

INTRODUCTION

The Zero Waste Commission (ZWC) considers and advises City Council on solid waste policy and goals, including refuse, composting, and recycling services, budgets, and other decisions relating to solid waste. The ZWC adopted the FY 2024-25 Work Plan on May 15, 2025.

CURRENT SITUATION AND ITS EFFECTS

The Zero Waste Commission prioritizes solid waste policy and goals, which is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities. Additionally, The City is enacting important changes and improvements to its Zero Waste services and long-term plans, including:

- Continuing the process to design the re-build of the Solid Waste & Recycling Transfer Station (SW&RTS),
- Implementing various local ordinances and state laws to reduce the generation of discarded products, packaging and materials, and to increase the recycling of organic materials such as food scraps,
- Developing a division-level strategic plan for zero waste.

BACKGROUND

Zero Waste Strategic Plan: Development of the draft plan began in 2023 and is continuing. It is anticipated that the draft plan will be ready for Council consideration of adoption in 2024.

- SB 1383 - Food Recovery and Organics Diversion: This State of California law requires substantial effort by local governments to reduce the landfilling of compostable materials and to increase the recovery of otherwise discarded edible food, as a way to reduce climate change effects associated with methane emissions resulting from the landfilling of organic (carbon-containing) materials.

- Zero Waste Ordinances: The City has adopted various zero waste ordinances over time. Now that their effects are being observed in practice, some of them may merit modifications to improve their effectiveness. In addition, some new zero waste ordinances may be helpful in guiding businesses and residents toward following zero waste practices as standard operating procedures.

  Accepted Materials in City Collection Programs: Periodically, the list of accepted materials in City collection programs deserves review. Recycling tends to subject the City to the vagaries of international commodity markets, with considerable swings in demand and prices, changes in product specifications, ability to track custody and supply chains, and end uses. Composting is not a panacea for the large variety of hard/controversial-to-compost products and packaging, such as plastic-lined paper and potentially compostable plastics. As with recycling, composting processors' specifications and end uses can change over time. Meanwhile, some harder-to-recycle materials potentially could be added to City collection services, such as batteries.

- Proposed State Legislation: The City may take positions that could influence the outcome of proposed State of California legislation regarding zero waste.

The Zero Waste Commission voted to adopt this Work Plan and inform Council at the May 15, 2025 Meeting.
Action: Adoption of the 2025-2026 Zero Waste Commission with a subsequent Information Report to Council
Motion: Commissioner Sherman
Second: Commissioner Curtis
Ayes: 6; Abstain: 0; Nays: 0; Absent: 2

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
Potential to reduce the disposal of products, packaging, and other materials via waste reduction, re-design, reuse, repair, recycling, and composting.

POSSIBLE FUTURE ACTION
Future Action Items that ZWC may send to City Council include:

- Resolution to support adoption of a new Zero Waste Strategic Plan;
- Resolutions to support adoption of modifications that strengthen existing ordinances and to adopt new ordinances that further zero waste efforts.
- Other zero waste-related recommendations to City Council.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION
The Zero Waste Strategic Plan will contain numerous recommendations that have potential fiscal impacts, particularly infrastructure upgrades, compliance requirements, and program service expansion.

CONTACT PERSON
Julia A. Heath, Zero Waste Commission Secretary, Public Works, (510) 981-6357

Attachments:
1: Zero Waste Commission Work Plan Matrix

Zero Waste Commission

FISCAL YEAR 2025-26 WORK PLAN

The following goals and activities have been identified for fiscal year 2025-26:

Goal	Resources	Program Activities	Outputs	Outcomes
Development of Zero Waste Strategic Plan	Consulting team, City staff	Various public presentations and workshops. Distribute information to increase public input.	Recommendations to Council as needed.	Support for the development of a comprehensive, detailed strategic plan to achieve City's zero waste goals.
Compliance with SB1383--Food Recovery and Organics Diversion	City staff, community partners	Continue updates from staff, explore community compost opportunities, invite community partners and related resources to discuss their efforts with Commission.	Recommendations to Council as needed.	Help in achieving compliance with SB1383 requirements and to promote local resiliency.
Strengthening existing and adopting new zero waste ordinances	City Staff, consulting team, Ecology Center, UC Berkeley/ Cal Zero Waste, BUSD	Through sub committees and then the commission as a whole, evaluate and recommend ways to strengthen existing City ordinances and to adopt new ones that further efforts to achieve zero waste goals.	Recommendations to Council as needed.	Support for strengthened and new zero waste ordinances.

Review and assessment of accepted materials: Inclusion or exclusion in City collection services	City staff, Urban Ore, CCC, Ecology Center, CAW, NCRA, CPSC, StopWaste, Others	Presentations at ZWC by community partners, specialists. Review list of accepted materials, and recommend changes, if any.	Commission on feedback.	To help Council have an accurate understanding of City's collection services and the extent to which they align with the City's goals.
Review of regional and State proposed legislation	City Staff, Californians Against Waste, California Product Stewardship Council, Northern California Recycling Association	Presentations by outside organizations to help ZWC track and understand proposed legislation, for the purpose of advising Council.	Recommendations to Council as needed.	To help establish effective, fiscally prudent laws that support City's zero waste goals

Communications

All communications submitted to the City Council are public record. Communications are not published directly to the City's website. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

Records Online
https://records.cityofberkeley.info/

To search for communications associated with a particular City Council meeting using Records Online:

1. Select Search Type = “Public – Communication Query (Keywords)”
2. From Date: Enter the date of the Council meeting
3. To Date: Enter the date of the Council meeting (this may match the From Date field)
4. Click the “Search” button
5. Communication packets matching the entered criteria will be returned
6. Click the desired file in the Results column to view the document as a PDF