

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, October 28, 2025
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 522 SEWARD SQUARE SOUTHEAST, B,
WASHINGTON, DC 20003

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB

DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 045 1102**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

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

Preliminary Matters

Roll Call: 6:27 p.m.

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

Absent: None

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

Ceremonial Matters:

1. Recognition of the Women’s Cancer Resource Center and Breast Cancer Awareness Month

City Manager Comments:

Request by the City Manager to refer Item 27 on the Consent Calendar back to the City Manager for review and consideration of the Commission’s recommendation.

City Auditor Comments

The Auditor noted the progress by city departments on several audits.

Public Comment on Non-Agenda Matters: 10 speakers.

Action: M/S/C (Ishii/Taplin) to accept an urgency item from Mayor Ishii pursuant to Government Code Section 54954.2(b)(1) entitled Limiting the Use of City Property and Facilities for City Purposes.

Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 20 speakers.

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

Vote: All Ayes.

Consent Calendar

Urgent Item: Limiting the Use of City Property and Facilities for City Purposes
From: Mayor Adena Ishii (Author), Councilmembers Kesarwani, Lunaparra and Bartlett

Recommendation: Direct the City Manager to identify City-owned and controlled properties, and to coordinate with the City Attorney to develop a policy or ordinance that would ensure City properties and facilities are only used for City purposes and those other purposes approved by the City Manager, or their designee.

Financial Implications: None

Contact: Adena Ishii, Mayor, (510) 981-7100

Action: Approved recommendation with the notation to correct “county-owned” to “city-owned” in the direction to staff.

1. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of September 8, 2025 (closed), September 9, 2025 (regular), September 15, 2025 (closed), September 16, 2025 (special and regular), and September 29, 2025 (closed) and September 30, 2025 (special and regular).

Financial Implications: None

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

Action: Approved the minutes as submitted.

2. Affirm Staff Preference for the Virginia Street Bikeway (Between Sacramento Street and Acton Street Next to the North Berkeley BART Station)

From: City Manager

Recommendation: Adopt a Resolution implementing Option A for the approximately 200-foot segment of Virginia Street east of Acton Street next to the North Berkeley BART Station and directing the City Manager to work with BART to proceed with the Virginia Street Bikeway.

Financial Implications: See report

Contact: David White, City Manager's Office, (510) 981-7000

Action: Adopted Resolution No. 71,985–N.S.

3. Amending Berkeley Municipal Code Chapter 7.54 The Empty Homes Tax

From: City Manager

Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 7.54 The Empty Homes Tax to address issues that arose in the first annual billing and to simplify administration of the tax.

Financial Implications: See report

Contact: David White, City Manager's Office, (510) 981-7000

Action: Adopted the first reading of Ordinance No. 7,986–N.S. Second reading scheduled for November 18, 2025.

Consent Calendar

- 4. Letter to Alameda County Board of Supervisors re: Opportunities to Collaborate with Alameda County on Homelessness Programs Outside of Berkeley**
From: City Manager
Recommendation: Direct the City Manager to send a letter from the City Council to the Alameda County Board of Supervisors regarding opportunities to partner on regional solutions to unsheltered homelessness.
Financial Implications: None
Contact: Peter Radu, City Manager's Office, (510) 981-7000
Action: Approved recommendation.
- 5. Contract: Dyson & Womack for a Public Art Program Strategic Plan**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Dyson & Womack Art Consulting for an amount not to exceed \$110,000 for the development of a comprehensive Public Art Program Strategic Plan for the City of Berkeley. The contract term will be 18 months.
Financial Implications: \$110,000 - Cultural Trust Fund
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 71,986–N.S.
- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on October 28, 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: \$20,234,783 - Various Funds
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Approved recommendation.
- 7. Contract: Patagonia Health Electronic Health Records System Implementation for Berkeley High School Health Center**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to execute a contract and any amendments with Patagonia Health for implementation of an Electronic Health Record (EHR) system for the Berkeley High School Health Center in an amount not to exceed \$260,000 for the period of November 1, 2025 through June 30, 2030.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,987–N.S.

Consent Calendar

8. **Contract: Alameda-Contra Costa County Transit District (AC Transit) for EasyPass Program 2026-2028**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an agreement and any amendments with the Alameda-Contra Costa County Transit District (AC Transit) for the continuation of an annual bus transit pass (EasyPass) program for City of Berkeley employees in an amount not to exceed \$572,717.00 for a three-year period covering 2026, 2027 and 2028.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,988–N.S.
9. **Waiver of Sanctuary City Contracting Ordinance to Contract with Superion LLC for FUND\$ Software Maintenance and Support**
From: City Manager
Recommendation: Adopt a Resolution waiving the contract prohibition of Chapter 13.105, Sanctuary City Contracting, in order to continue contracting with Superion LLC (“Superion”) for software maintenance and support of the FUND\$ system, which is critical to the City’s operations.
Financial Implications: None
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,989–N.S. amended to include the clauses added below as the fifth and sixth whereas clauses and the second and third resolved clauses:

WHEREAS, for the purposes of this resolution, "Immigration Authority" means any person or agency engaging in efforts to investigate, enforce, or assist in the investigation or enforcement of federal immigration law against natural persons, including but not limited to the U.S. Department of Homeland Security or its component agencies, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or U.S. Citizenship and Immigration Services;

WHEREAS, it is the understanding of the City Council that Superion does not currently provide any Immigration Authority with Data Broker or Extreme Vetting services, as defined in Chapter 13.105;

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the City Manager is directed to include in the contract with Superion a provision requiring Superion to notify the City in the event that it enters into a contract with an Immigration Authority to provide Data Broker or Extreme Vetting services, as defined in Chapter 13.105.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the City Manager is directed to contact Superion by December 31st of each year during the duration of the contract to request that they affirm, in writing, that the following statement is true: "At this present moment, Superion does not currently provide any Immigration Authority with Data Broker or Extreme Vetting services, as defined in Chapter 13.105," provided they have not previously notified the City that Superion has entered into a contract with an Immigration Authority to provide Data Broker or Extreme Vetting services.

Consent Calendar

- 10. Amendment to Ground Lease with East Bay Regional Park District at 400 Gilman Street (Tom Bates Regional Sports Complex)**
From: City Manager
Recommendation: Adopt first reading of an Ordinance authorizing the City Manager to execute an amendment to the Ground Lease with East Bay Regional Park District for the Tom Bates Regional Sports Complex at 400 Gilman Street extending the term to December 31, 2053 and includes improvements to be constructed by the City.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted the first reading of Ordinance No. 7,987–N.S. Second reading scheduled for November 18, 2025.
- 11. Contract No. 32200098 Amendment: ERA Construction, Inc. for O & K Docks Electrical Upgrades Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32200098 with ERA Construction, Inc. for the O & K Docks Electrical Upgrades Project, increasing the amount by \$666,600 for an amended total amount not to exceed \$2,133,600.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,990–N.S.
- 12. Contracts: On-Call Waterfront Engineering, Design, Environmental Permitting, and Construction Administration Services for Capital Improvement Projects at the Berkeley Waterfront**
From: City Manager
Recommendation: Adopt five Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call waterfront engineering, design, environmental permitting and construction administration services for capital improvement projects at the Berkeley Waterfront, for contract periods of December 1, 2025 through November 30, 2028:
1. COWI North America, Inc., for an amount not to exceed \$1,000,000.
2. Foth & Van Dyke and Associates, Inc., for an amount not to exceed \$1,000,000.
3. GFT Infrastructure, Inc., for an amount not to exceed \$1,000,000.
4. GHD Inc., for an amount not to exceed \$1,000,000.
5. Moffatt & Nichol, for an amount not to exceed \$1,000,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,991–N.S. (COWI), Resolution No. 71,992–N.S. (Foth), Resolution No. 71,993–N.S. (GFT), Resolution No. 71,994–N.S. (GHD), Resolution No. 71,995–N.S. (Moffatt).

Consent Calendar

- 13. Donation: Memorial Bench at Berkeley Marina in Memory of Dove Charlotte Lenz**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at the Berkeley Waterfront in memory of Dove Charlotte Lenz
Financial Implications: \$3,400 - Donation
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,996–N.S.
- 14. Donation: Memorial Bench at Berkeley Rose in Memory of Lee and Dorothy Marsh**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at the Berkeley Rose Garden in memory of Lee and Dorothy Marsh.
Financial Implications: \$3,400 - Donation
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,997–N.S.
- 15. Donation: Memorial Bench at King Park in Memory of Leon and Harriett Reiter**
From: City Manager
Recommendation: Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at King Park in memory of Leon and Harriett Reiter.
Financial Implications: \$3,400 - Donation
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,998–N.S.
- 16. Grant Application: Caltrans Clean CA Program – Community Cleanup and Employment Pathway (CCEP)**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or his designee to submit a grant application to the Clean CA Community Cleanup and Employment Pathway (CCEP) Grant Program; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the project and appropriation of funding for related expenses, subject to securing the grant; and authorize the Mayor to sign the Clean California Pledge.
Financial Implications: \$200,000 in revenue.
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted Resolution No. 71,999–N.S.

Consent Calendar

17. Adoption of Berkeley Building Codes, Including Local Amendments to California Building Standards Code

From: City Manager

Recommendation:

1. Adopt first reading of an Ordinance repealing and reenacting the Berkeley Building, Residential, Electrical, Mechanical, Plumbing, Energy, and Green Building Standards Codes in BMC Chapters 19.28, 19.29, 19.30, 19.32, 19.34, 19.36 and 19.37, and adopting related procedural and stricter provisions; schedule a Public Hearing, pursuant to state law, for the second reading on November 18, 2025; and
2. Adopt a Resolution setting forth findings of local conditions that justify more stringent regulations than those provided by the 2025 California Building Standards Code, and rescinding Resolution No. 71,320–N.S.

Financial Implications: See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Action: 1. Adopted the first reading of Ordinance No. 7,988–N.S. Second reading scheduled for November 18, 2025. 2. Adopted Resolution No. 72,000–N.S.

18. Authorization to Encrypt Berkeley Police Department Primary Radio Channels

From: City Manager

Recommendation: Adopt a Resolution rescinding the City Council’s existing policy (established in September of 2021) that limits the Police Department’s use of encrypted public safety radio transmissions to Special Response Team operations, special patrol and investigative operations, prolonged critical incidents, execution of search warrants, or transmissions of Criminal Justice Information (CJI) and Personally Identifiable Information (PII) pursuant to California Department of Justice (DOJ) Bulletin 20-09-CJIS and authorize the encryption of all primary Berkeley Police Department (BPD) radio channels.

Financial Implications: See report

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

Action: Moved to Action Calendar. 31 speakers. M/S/C (Taplin/Humbert) to adopt Resolution No. 72,001–N.S. as revised in Supplemental Communications Packet #2 to add two clauses as follows:

WHEREAS, at the direction of the City Manager, the Berkeley Police Department will provide a Call Log on the BPD Transparency Hub, updated frequently throughout the day, to maintain timely public visibility into calls for service and bridge the gap between when calls occur and when the existing publicly shared Calls for Service dataset is refreshed; and

WHEREAS, this Call Log will include the general type of call, the nearest intersection or block level address of the call for service, and the time that the call was received, with a brief delay to protect privacy and operational safety, reinforcing the City’s ongoing commitment to transparency and public access to information.

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

Consent Calendar

- 19. Revenue Grant: California Office of Traffic Safety (OTS) for the 2025-2026 Selective Traffic Enforcement Program (STEP) Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the Chief of Police to accept the "Selective Traffic Enforcement Program (STEP)" grant and enter into the resultant grant agreement and any amendments, with the California Office of Traffic Safety. This OTS grant is for \$240,000 for the period of October 1, 2025 through September 30, 2026, which is Federal Fiscal Year 2026.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 72,002–N.S.
- 20. Revenue Grant: Cannabis Tax Fund Grant Program (CTFGP) Acceptance**
From: City Manager
Recommendation: Adopt a Resolution authorizing the Chief of Police to accept the CTFGP grant and enter into the resultant grant agreement and any amendments, with the California Highway Patrol. This grant is for \$101,783.28 for the period of July 1, 2025 through June 30, 2026.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 72,003–N.S.
- 21. Revenue Grant: Fiscal Years 2025/2026 Alcoholic Beverage Control (ABC) Alcohol Policing Partnership (APP) Grant**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a grant contract and any subsequent amendments, with the Alcoholic Beverage Control (ABC) in the amount of \$75,012 for Fiscal Year 2025/2026.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 72,004–N.S.
- 22. Contract No. 32300085 Amendment: Abbe & Associates, Integrated Zero Waste Management Strategic Plan**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32300085 with Abbe & Associates, to support completion of the Integrated Zero Waste Management Strategic Plan by increasing the contract by \$221,400 resulting in a total contract amount not to exceed \$721,400 and extending the term through October 31, 2027.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 72,005–N.S.

Consent Calendar

- 23. Contract No. 32300115 Amendment: On-Call Arborist Services, HortScience Bartlett Consulting**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300115 with HortScience Bartlett Consulting for on-call arborist services, increasing the contract amount by \$270,000 for a total not to exceed amount of \$395,000 and extending the term of the contract from December 31, 2025, to February 9, 2028.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 72,006–N.S.
- 24. Contract for Construction (Bauman Landscape and Construction, Inc.) and Contract No. 32300026: Amendment for Engineering Services (Diablo Engineering Group) for the Ohlone Greenway Modernization and Safety Project**
From: City Manager
Recommendation: Adopt a Resolution:
1. Approving plans and specifications for the Ohlone Greenway Modernization and Safety Project, Specification No. 26-11748-C;
2. Accepting the bid of Bauman Landscape and Construction, Inc., the lowest responsive and responsible bidder;
3. Authorizing the City Manager to execute a contract with Bauman Landscape and Construction, Inc. and any amendments, extensions, and/or change orders until completion of the Project in accordance with the approved plans and specifications, in an amount not to exceed \$3,782,000, which includes a 10% contingency for unforeseen circumstances; and
4. Authorizing the City Manager to execute a contract amendment with Diablo Engineering Group to provide engineering services during the construction phase of the Project, increasing the contract amount by \$100,000 for a total not-to-exceed amount of \$650,000.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 72,007–N.S.
- 25. Contracts: Interface Engineering, Inc. and Salas O'Brien Engineers, Inc. for On-Call Electrical Engineering Services**
From: City Manager
Recommendation: Adopt two Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call electrical engineering services for capital improvement projects, each for a period of November 1, 2025, through June 30, 2028:
1. Interface Engineering, Inc., for an amount not to exceed \$150,000.
2. Salas O'Brien Engineers, Inc., for an amount not to exceed \$150,000.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 72,008–N.S. (Interface Engineering), and Resolution No. 72,009–N.S. (Salas O'Brien Engineers).

Consent Calendar

- 26. Final Map of Tract 8651: 2403-2407 San Pablo Avenue**
From: City Manager
Recommendation: Adopt a Resolution approving the final map of Tract Map 8651 for a 37-unit condominium project consisting of 36 residential units and 1 commercial unit at 2403-2407 San Pablo Avenue.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 72,010–N.S.
- 27. Referral Request to Rescind Incorrect Information Related to Turtle Island Monument**
From: Civic Arts Commission
Recommendation: Refer to City Manager to draft a Resolution to send to Council for adoption that would correct the historical record found in three Council Resolutions. In the first of these resolutions issued in 2003 the City conducted a procurement process utilizing an artwork title “Turtle Island Monument” (an artwork concept originally created by Lee Sprague and Marlene Watson in the 1990s and recast as a new project by the City) resulting in another artist being contracted in 2006 to unwittingly create artwork for the City using this same title. The 2023 Resolution, related to an aspect of an attempted collaborative redesign of Turtle Island Monument involving the original artists, does not have an executed contract and should be rescinded. Those three resolutions are: 2005 Contract Authorization for Scott Parsons, 2006 Contract Amendment Authorization for Scott Parsons, 2023 Contract Authorization for Scott Parsons.
Financial Implications: None
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Item 27 was referred to the City Manager for consideration of the Commission’s recommendation and to report back to Council.

Consent Calendar

- 28. Remove Pre-Transfer Eligibility Restriction of the Transfer Tax Rebate for Wildfire Hardening** *(Reviewed by the Budget & Finance Policy Committee) (Item Contains Supplemental Material)*
From: Disaster and Fire Safety Commission
Recommendation: Adopt first reading of an ordinance removing the 1-year pre-transfer eligibility restriction of the transfer tax rebate for wildfire hardening from BMC 7.52.060, to encourage early mitigation efforts.
Policy Committee Recommendation: To send the item to Council with a Qualified Positive Recommendation to request that staff submit an amended ordinance with the item that includes the following: 5-year/1-year eligibility timeline; limit eligibility to High and Very High Fire Hazard Severity Zones; clarify eligible vegetation as proposed by staff; include other minor language clean up proposed by staff. Also, include analysis and options for an eligibility cap based on home value.
Financial Implications: See report
Contact: Keith May, Commission Secretary, (510) 981-3473
Action: Moved to Action Calendar. 3 speakers. M/S/C (Ishii/Taplin) to adopt the first reading of Ordinance No. 7,989–N.S. as recommended by the Budget & Finance Committee, amended to include removal of mature woody brush and shrubs and to add new language in paragraph L.1. in the last sentence, in the last clause, to read, "...shall not exceed the maximum of one-third of the base 1.5% transfer tax paid per Property." Second reading scheduled for November 18, 2025.
Vote: Ayes – Kesarwani, Taplin, Bartlett, Lunaparra, Ishii; Noes – Blackaby, Humbert; Abstain – O’Keefe.
- Action:** M/S/C (Taplin/Humbert) to extend the meeting to 11:45 p.m.
Vote: All Ayes.
- 29. Renewal of the Elmwood BID for Calendar Year 2026**
From: Elmwood Advisory Board
Recommendation: Adopt a Resolution approving the Elmwood Business Improvement District Advisory Board’s (hereafter “Elmwood BID Advisory Board” or “the Advisory Board”) recommendation that Council 1) Approve the 2025 Annual Report and preliminary budget for proposed improvements in the District for calendar year 2026; 2) Declare its intent to levy an assessment to finance improvements in the District for calendar year 2026 and 3) Direct the City Clerk to schedule a public hearing on the renewal of the Elmwood BID for December 2, 2025.
Financial Implications: See report
Contact: Vincent McCoy, Commission Secretary, (510) 981-7530
Action: Adopted Resolution No. 72,011–N.S.

Consent Calendar

- 30. Renewal of the Solano Avenue BID for Calendar Year 2026**
From: Solano Avenue BID Advisory Board
Recommendation: Adopt a Resolution approving the Solano Avenue Business Improvement District Advisory Board's (hereafter "Solano BID Advisory Board" or "the Advisory Board") recommendation that Council: 1) Approve the 2025 Annual Report and preliminary budget on proposed improvements in the District for calendar year 2026; 2) Declare its intent to levy an assessment to finance improvements in the District for calendar year 2026; and 3) Direct the City Clerk to schedule a public hearing on the renewal of the assessment for December 2, 2025.
Financial Implications: See report
Contact: Vincent McCoy, Commission Secretary, (510) 981-7530
Action: Adopted Resolution No. 72,012–N.S.

Council Consent Items

- 31. Russell Street Halloween Festivities: 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 \$1,000 per Councilmember including \$1,000 from Councilmember Humbert to the Claremont Elmwood Neighborhood Association for Russell Street Halloween festivities 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: Adopted Resolution No. 72,013–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Lunaparra - \$200; Councilmember Blackaby - \$250; Councilmember Bartlett - \$200; Councilmember Kesarwani - \$100; Councilmember Taplin - \$250; Councilmember Tregub - \$100; Councilmember O'Keefe - \$250; Mayor Ishii - \$250.

Action Calendar – Public Hearings

- 32. Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs**
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion, adopt the first reading of an Ordinance to amend Berkeley Municipal Code Title 21 (Subdivisions Ordinance) and Chapter 23.306 Accessory Dwelling Units to implement Assembly Bill (AB) 1033 by establishing local regulations for the separate sale of ADUs as condominiums.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: No action taken. Item to be scheduled for future meeting; date to be determined.

Action Calendar – New Business

- 33. Telegraph Multimodal Corridor Project Conceptual Design**
From: City Manager
Recommendation: Adopt a Resolution approving the recommended conceptual design (Concept 3B) of the Telegraph Ave Multimodal Corridor Project (Project) and authorizing the City Manager to proceed with the detailed engineering design of the project.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- Action:** M/S/C (Ishii/Lunaparra) to extend the meeting to 12:00 a.m.
Vote: All Ayes.
- Action:** M/S/C (Humbert/Taplin) to extend the meeting to 12:15 a.m.
Vote: All Ayes.
- Action:** 12 speakers. M/S/C (Lunaparra/Humbert) to adopt Resolution No. 72,014–N.S. approving Concept 3B, with the second resolved clause amended to read as follows:
- BE IT FURTHER RESOLVED that the City Manager is authorized to direct staff to continue working with AC Transit to incorporate additional measures into the final design to: 1) improve transit speed and reliability on this major transit corridor with the goal of reducing transit travel time through the corridor compared to existing conditions; 2) create a possibility for Berkeley to eventually change course to replace parking with dedicated bus lanes; and 3) provide multiple designs that would close the Dwight Triangle slip lane.*
- Vote:** Ayes – Kesarwani, Taplin, Bartlett, Tregub, Blackaby, Lunaparra, Humbert, Ishii; Noes – O’Keefe.

Information Reports

- 34. Inclusionary Housing Program Annual Report Fiscal Year 2025**
From: City Manager
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Received and filed.
- 35. Audit Status Reports: Fleet Replacement Fund Short Millions and Rocky Road: Berkeley Streets at Risk and Significantly Underfunded**
From: City Manager
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Received and filed.
- 36. Audit Status Report: 2009 Leases Audit Follow-Up**
From: City Manager
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Received and filed.

Information Reports

- 37. Civic Arts Commission FY26 Work Plan**
From: Civic Arts Commission
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Received and filed.
- 38. Fiscal Year 2026 Public Art Budget**
From: Civic Arts Commission
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
Action: Received and filed.

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

Adjournment

Action: M/S/C (Taplin/O’Keefe) to adjourn the meeting.

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

Adjourned at 11:59 p.m.

Communications

Traffic Safety

1. Matthew Lewis
2. Naveen Gattu
3. Rachel Bradley

Support for Councilmember Taplin’s Measures

4. John Waters

Our Owls

5. Martin Nicolaus

Café Concerns

6. Ed Iskander

Harrison and 6th Street

7. Craig Nagasawa

FLOCK Concerns

8. Anitra Grisales
9. Marisa Lin
10. Athalia Sachowitz
11. Evangel King
12. Margot Smith

Headlands on Campus

13. Mimi Hoang

Fire Sprinkler Permit

14. Kiran Kaja

Lithium Ion Battery Safety

15. Christopher La Combe

Motorized Vehicles on Sidewalks

16. Yolanda Huang

Social Housing

17. David Shere

Construction Noise and Dust Concern

18. Rajendra Sahai

Noise Concerns

19. Jen Loy

20. Whytes

Tent and RV Encampments

21. Daniel Jurnove

Representation for Animals

22. Cybersailor

East Dock Repair

23. Robert Ofsevit

People's Park

24. Alan Jencks

Records Inquiry

25. Carol Denney

Getting to Concerts

26. Margot Smith

Oxford Elementary

27. Eric Friedman

Berkeley Filmmakers Awarded

28. Susan Ives and Alexis Harte

Letter

29. Kelly Elena MacDonald on behalf of Andrea Cluver

Kala Bagai Way

30. Monisha Bajaj & Sanjog Singh

LPC Meeting

31. Mark Hulbert

Cordonices Creek

32. Susan Schwartz (2)

33. Jodie Morgan

34. Cris Benton (2)

35. Peter Radu

36. Dorothea Dorenz

Elder Abuse Concerns

37. Carol Denney

IKE Kiosk Revenue

38. Nico Savidge

Elementary Reading Program

39. 10 Similarly worded form letters

Forwards

40. Margot Smith

E-Scooters

41. Robert Borghese (6)

42. Devin Dollinger (7)

43. Igor Tregub

44. Bonnie Ciedel

Fairmont Hotel Wedding

45. Eid's TV and Electronic

Newsletters

46. Berkeley Art Center

47. Downtown Berkeley Association

48. Crustyrusty

URL's

49. Russbumper (2)

50. Mark Chekal

Supplemental Communications and Reports 1

Item #2: Affirm Staff Preference for the Virginia Street Bikeway (Between Sacramento Street and Acton Street Next to the North Berkeley BART Station)

51. Rachel Factor on behalf of BART

Item #3: Amending Berkeley Municipal Code Chapter 7.54 The Empty Homes Tax

52. Andrew Marowitz

Item #18: Authorization to Encrypt Berkeley Police Department Primary Radio Channels

53. Tim McGrath

54. Neil Egbert on behalf of the Berkeley Police Association

Supplemental Communications and Reports 2

Urgency Item: Limiting the Use of City Property and Facilities for City Purposes

55. Urgency item submitted by Mayor Adena Ishii, Councilmember Rashi Kesarwani, Councilmember Lunaparra, and Councilmember Ben Bartlett

Item #2: Affirm Staff Preference for the Virginia Street Bikeway (Between Sacramento Street and Acton Street Next to the North Berkeley BART Station)

56. Rebecca Gigi on behalf of Insight Housing

57. Liz Probst on behalf of East Bay Asian Local Development Corporation

58. Jeremiah Maller

59. Alec Flett

60. Ernie Theurer on behalf of BRIDGE Housing Corporation

Item #4: Letter to Alameda County Board of Supervisors re: Opportunities to Collaborate with Alameda County on Homelessness Programs Outside of Berkeley

61. Gregory Kalkanis

Item #18: Authorization to Encrypt Berkeley Police Department Primary Radio Channels

62. Supplemental agenda material submitted by the Police Department

63. Eric Boulet and family

64. Craig Stahl

65. Roy West

66. Naveen Gattu on behalf of Walk Bike Berkeley

67. Arno Holschuh

Item #24: Contract for Construction (Bauman Landscape and Construction, Inc.) and Contract No. 32300026: Amendment for Engineering Services (Diablo Engineering Group) for the Ohlone Greenway Modernization and Safety Project

68. Ben Gerhardstein on behalf of Walk Bike Berkeley

69. Clifford Fred (2)

70. Carol Denney

Item #28: Remove Pre-Transfer Eligibility Restriction of the Transfer Tax Rebate for Wildfire Hardening

- 71. Supplemental agenda material submitted by Councilmember Brent Blackaby, Councilmember Mark Humbert, and Councilmember Rashi Kesarwani

Item #32: Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

- 72. Supplemental agenda material submitted by the Planning and Development Department
- 73. Supplemental agenda material submitted by Councilmember Mark Humbert, Mayor Ishii, Councilmember Brent Blackaby, and Councilmember Shoshana O'Keefe
- 74. Supplemental agenda material submitted by Councilmember Cecilia Lunaparra and Councilmember Ben Bartlett
- 75. Debbie Sanderson and Kathy Crandall
- 76. Claudia Kawczynska and Cameron Woo
- 77. Gregory Kalkanis

Item #33: Telegraph Multimodal Corridor Project Conceptual Design

- 78. Alex Knox
- 79. Ryan Lau on behalf AC Transit

Supplemental Communications and Reports 3

Urgent Item: Limiting the Use of City Property and Facilities for City Purposes

- 80. Jesse Arreguin
- 81. M.E. Lawrence

Consent Calendar

Item #2: Affirm Staff Preference for the Virginia Street Bikeway (Between Sacramento Street and Acton Street Next to the North Berkeley BART Station)

- 82. Helen Walsh
- 83. Libby Lee-Egan on behalf of North Berkeley Now!
- 84. Sarah Bell
- 85. Sara Fain
- 86. Megan Steves

Item #18: Authorization to Encrypt Berkeley Police Department Primary Radio Channels

- 87. Richard J. Jackson and Joan Guilford
- 88. Steven Schlansker
- 89. Jeffrey Heller
- 90. John J. Parman
- 91. Maryann OSullivan
- 92. Linda Franklin (3)
- 93. Richard Boubelik
- 94. Office of the Director of Police Accountability on behalf of the Police Accountability Board

- 95. Sylvia
- 96. Marilyn Simons
- 97. Ginny LaRoe, Annie Sciacca, and Laura Wenus
- 98. Paul Pedersen
- 99. Mara Mahmood
- 100. Janice Schroeder

Item #24: Contract for Construction (Bauman Landscape and Construction, Inc.) and Contract No. 32300026: Amendment for Engineering Services (Diablo Engineering Group) for the Ohlone Greenway Modernization and Safety Project

- 101. David White (2)
- 102. Unknown
- 103. Janice Schroeder

Action Calendar

Item #32: Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

- 104. Sam Greenberg on behalf of East Bay for Everyone

Item #33: Telegraph Multimodal Corridor Project Conceptual Design

- 105. Presentation submitted by Department of Public Works
- 106. Chuck Siegel on behalf of Walk Bike Berkeley
- 107. Cal Collier
- 108. Jacqueline DeSouza (2)
- 109. Michael Katz
- 110. Peter Allen