

**REVISED AGENDA
(REVISED TO ADD A TELECONFERENCE LOCATION)
BERKELEY CITY COUNCIL MEETING**

**Tuesday, January 20, 2026
6:00 PM**

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

TELECONFERENCE LOCATION - 1027 BANCROFT WAY, APT D, 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 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: 161 670 2758**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

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

Preliminary Matters

Roll Call:

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

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

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

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

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

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

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

Consent Calendar

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

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

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

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

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

Recess Items

- Contract No. 32100053 Amendment: Orsolya Kuti, DVM to Provide On-site Veterinary Services for Berkeley Animal Care Services**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to amend Contract No. 32100053 with Orsolya Kuti for on-site veterinary services for Berkeley Animal Care Services (BACS), increasing the contract amount by \$45,000 for a new total not to exceed amount of \$273,000, and extending the contract term to June 30, 2028.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000

Recess Items

2. Ratification of City Manager Action to Execute a Contract with Lake Research Partners for Community Survey Services in Support of Potential November 2026 Ballot Measures

From: City Manager

Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during Council recess to execute a contract in an amount not to exceed \$100,000 with Lake Research Partners to develop and administer up to two community surveys of registered Berkeley voters in support of potential ballot measures for the November 3, 2026, General Municipal Election, with a contract term of January 5, 2026, through December 31, 2026.

Financial Implications: See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

3. Ratification of City Manager Action to Accept a Grant from Americans for the Arts (AFTA) for \$20,000 to Support the “Arts Programs” Grants Category

From: City Manager

Recommendation: Adopt a Resolution ratifying the action taken by the City Manager to accept a grant from the Americans for the Arts (AFTA) National Arts Relief fund during recess to receive \$20,000 for the Civic Arts grants program, and to execute any resulting grant agreements and any amendments.

Financial Implications: See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

4. Revenue Agreement: Alameda Alliance for Health Provider Recruitment Initiative

From: City Manager

Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to accept a grant award, and execute any resultant agreements and amendments, in the amount of \$20,000 for Fiscal Year 2026, from the Alameda Alliance for Health Provider Recruitment Initiative to support the development of the City of Berkeley's Health, Housing, and Community Services Department's Community Health Worker (CHW) Program.

Financial Implications: See report

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

Recess Items

- 5. Contract No. 32500142 Amendment: Azul Works, Inc. for the Ohlone Park Restroom and Lighting Project**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during the City Council recess to execute an amendment to Contract No. 32500142 with Azul Works Inc. for the Ohlone Park Restroom and Lighting Project, increasing the contract amount by \$39,000, for a total amended amount not to exceed \$921,278.
Financial Implications: Measure T1 Fund - \$921,278
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 6. Contract No. 32600020 Amendment: Throne Lab Portable Toilet Pilot Program**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess to execute an amendment to contract 32600020 with Throne Lab, Inc. to extend the pilot program by four months with one portable toilet unit for a total not to exceed contract amount of \$130,000.
Financial Implications: Various Funds - \$130,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 7. Contract: Bauman Landscape and Construction, Inc. for Adeline Street Landscaping Improvements Project**
From: City Manager
Recommendation: Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Adeline Street Landscaping Improvements Project; and 2. Accepting the bid of the lowest responsive and responsible bidder, Bauman Landscape and Construction Inc.; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with Bauman Landscape and Construction Inc. for the Adeline Street Landscaping Improvements Project, in an amount not to exceed \$357,000 which includes a contract amount of \$297,500, and a 20% contingency in the amount of \$59,500.
Financial Implications: Various Funds - \$357,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Consent Calendar

8. **Amendments to Title 23 (Zoning) to Allow the Retail Sale of Alcohol in the Telegraph Avenue Commercial (C-T) Zoning District**
From: City Manager
Recommendation: Adopt the second reading of Ordinance No. 7,996-N.S. amending the BMC Title 23 Section 23.204.020 to allow the retail sale of alcohol in the Telegraph Avenue Commercial (C-T) zoning district.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
9. **Amend Berkeley Municipal Code Chapter 14.68 – Bicycle Registration and Licensing**
From: City Manager
Recommendation: Adopt first reading of an Ordinance repealing Berkeley Municipal Code (BMC) Chapter 14.68, Sections 14.68.020–100 (bicycle licensing and registration), Article II (bicycle establishment permits and dealer reporting), and Article III (general licensing regulations), while retaining definitions (§14.68.010) and operating provisions (§14.68.110–200, including sidewalk restrictions).
Financial Implications: Staff time
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000
10. **Amend Berkeley Municipal Code Section 14.40.100 – Disability Parking Standards and Accommodations**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code (“BMC”) Section 14.40.100 to align the City’s disability parking provisions with the Americans with Disabilities Act and California Vehicle Code § 295.5; clarify that exempt parking privileges apply when a qualifying disabled individual is either the driver or a passenger; and eliminate duplicative local sticker and identification card requirements by deferring to the California Department of Motor Vehicles (“DMV”) for issuance and administration of disability placards and license plates.
Financial Implications: See report
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000
11. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 20, 2026**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager’s threshold will be returned to Council for final approval.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

12. 1740 San Pablo Ownership Transfer

From: City Manager

Recommendation: Adopt a Resolution: 1. Approving the transfer of the general partner for 1740 San Pablo, LP from an affiliate of BRIDGE Housing Corporation to Resources for Community Development or their affiliate; and 2. Extending the project's existing \$4,496,669 reservation of Measure U1 general funds for 24 months; and 3. Authorizing the City Manager or designee to execute all original or amended documents to effectuate this action.

Financial Implications: See report

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

13. Request for Proposals for Capacity Building for Emerging Nonprofit Affordable Housing Developers

From: City Manager

Recommendation: Adopt a Resolution authorizing a Request for Proposals (RFP) for \$400,000 (\$200,000 per year for Fiscal Years 2027 and 2028) to support capacity building for emerging nonprofit affordable housing developers.

Financial Implications: See report

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

14. Acceptance of Fiscal Year 2026 Donations from Meals on Wheels of Alameda County (MOWAC) for the Berkeley Meals on Wheels Program

From: City Manager

Recommendation: Adopt a Resolution accepting donations in an amount estimated to be up to \$225,000 for the Berkeley Meals on Wheels Program from the Meals on Wheels of Alameda County (MOWAC) agency, for Fiscal Year 2026 (FY2026).

Financial Implications: See report

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

15. Reestablish and Revise Job Class Specification and Pay Scale – Animal Services Supervisor (formerly Animal Services Operations Supervisor)

From: City Manager

Recommendation: Adopt a Resolution to reestablish and revise the job class specification and pay scale of Animal Services Supervisor (formerly Animal Services Operations Supervisor) with an hourly pay scale of \$48.4266 to \$53.3904 distributed across three steps.

Financial Implications: See report

Contact: Janelle Rodrigues, Human Resources, (510) 981-6800

Consent Calendar

16. Contract: Clariti Cloud Inc. for a Comprehensive Permit Management System, RFP Specification No. 24-11661-C

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Clariti Cloud, Inc. for the implementation of the Permit Software Procurement (PSP) Project—including software licensing, implementation services, integrations, data migration, training, hosting, and five years of support and maintenance—in an amount not to exceed \$5,359,128.

Financial Implications: See report

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

Council Consent Items

17. Caminos al Éxito: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund

From: Mayor Ishii (Author), Councilmember Lunaparra (Co-Sponsor), Councilmember Tregub (Co-Sponsor)

Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember including \$250 from Mayor Ishii, \$250 from Councilmember Lunaparra, and \$150 from Councilmember Tregub, to the Multicultural Institute for Caminos al Éxito 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

18. Refer to the City Manager the Development of Comprehensive Transportation Design Standards

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

Recommendation: Refer to the City Manager the development of comprehensive Transportation Design Standards to enhance safety for all transportation modes, including walking, biking, and transit. Current plans, such as Vision Zero Action Plan, the Berkeley Bike Plan, the Pedestrian Plan, the Berkeley Transit-First Policy Implementation Plan, and the 5-Year Paving Plan should guide an integrated, cross-departmental approach to developing the Standards. The three-to-five-year process should be incorporated into the Fiscal Year 2027 budget process, the five-year Capital Improvement Plan, and the Measure FF Safe Streets planning.

Financial Implications: See report

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

Council Consent Items

19. Referral to the City Manager to Allow Tiny Homes on Wheels as Permissible Accessory Dwelling Units (ADUs)

From: Councilmember Kesarwani (Author), Councilmember Tregub (Co-Sponsor), Councilmember Humbert (Co-Sponsor)

Recommendation: Refer to the City Manager to create a permitting process to allow a Tiny Home on Wheels as a legal Accessory Dwelling Unit (ADU). Tiny homes on wheels are generally considered to be detached dwellings less than 400 square feet in floor area, providing independent living quarters, including basic functional areas for cooking, sleeping, toileting, and bathing. They can retain their wheels and rest on pads instead of a foundation, and are connected to water, electric, and sewer utilities through RV-style hookups.

The referral should: -Amend Berkeley Municipal Code Chapter 23.306, Accessory Dwelling Units, to incorporate tiny homes on wheels as an allowable type of ADU; -Facilitate coordination among City Departments, such as Planning (Land Use and Building and Safety) and Fire to establish a clear set of guidelines, including code requirements and standards for installation; and -Create online resources for homeowners, including a full list of requirements related to fire, safety, and installation as well as potentially pre-approved prefabricated tiny homes on wheels.

Financial Implications: Staff time

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

20. City Council Employee Recognition Program

From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)

Recommendation: Adopt a Resolution to institute a City Council led Employee Recognition Program.

Financial Implications: None

Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160

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.

21. Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

(Continued from December 2, 2025) (Item Contains Revised Material)

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

22. Fees: Public Health Vital Statistics Vital Records

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution establishing a new fee schedule for Vital Records with a \$2.00 increase in the fee for birth, death, and fetal death certificates to comply with Assembly Bill (AB) 64 and Health & Safety (H&S) Code 103625(f)., effective February 1, 2026.

Financial Implications: See report

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

23. Changes to Selected Recreation and Camps Facilities and 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. 71,833-N.S. and all amendatory resolutions.

Financial Implications: See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Action Calendar – Public Hearings

24. **Amendments to Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review**

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion, adopt a first reading of an ordinance amending Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review for such projects and for residential projects in the Multi-Use Residential (MU-R) zoning district.

Financial Implications: See report

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

Information Reports

25. **Small Sites Program Update**

From: City Manager

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

26. **Landmark Preservation Ordinance Notice of Decision: 1929 Martin Luther King Jr. Way/#LMIN2025-0002**

From: City Manager

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

27. **Surveillance Technology Ordinance Report Update**

From: City Manager

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

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.*

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

the public record, please do not include that information in your communication. Please contact the City Clerk Department for further information.

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

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

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

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

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at ada@berkeleyca.gov, (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date.

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

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

If you have obtained interpretation services for your use during a City Council meeting and would like to request assistance, please contact the City Clerk Department at (510) 981-6900, clerk@berkeleyca.gov, or in-person during the meeting.

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

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on January 15, 2026.***



Mark Numainville, City Clerk

## Communications

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

### **Item #21: Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs (Continued from December 2, 2025) (Item Contains Revised Material)**

1. Celeste Goyer

### **BUSD Cell Phone Policy**

2. Lori Droste
3. Jennifer Shanowski
4. Carrie Gray
5. Enika Ford Morthel (4)
6. 5 Similarly worded form letters "As a parent in BUSD..."

### **Housing**

7. Margot Smith
8. Heike Helmer

### **Transportation for Elders**

9. Sheila Goldmacher

### **Third Spaces in Berkeley**

10. James Bowden

### **TBS Today**

11. Cac4gente

### **The Nudge**

12. Idea Maker

### **Long-Term Vacant Housing**

13. Richard Pardue

### **Bancroft and Fulton**

14. David Lerman

### **Food Pantry**

15. Carol David
16. Zeph Landau

### **Street Parking**

17. Todd Andrew
18. Rischa Cole

**Upzoning**

- 19. Wini Williams
- 20. Margot Smith
- 21. Barbara Gilbert
- 22. Robin Kibby
- 23. Vivian\_Dempsey

**Holiday Wishes**

- 24. Eids TV and Electronics
- 25. Falun Gong Practitioners

**2025 Cannabis Policy Scorecard**

- 26. Alisa A. Padon on behalf of Getting It Right from the Start

**Derby and MLK**

- 27. Ashley Boyd

**Measure BB**

- 28. Matt Wickland

**Investigation Inquiry**

- 29. Christian Bogado Marsa

**Oakland ALPRs**

- 30. Blair Bleekman

**Ohlone Greenway Project**

- 31. Clifford Fred

**East Lot Ashby BART Station**

- 32. Lynn B. Cooper (2)
- 33. Linda Franklin

**Pedestrian Safety**

- 34. Shirley Kirsten
- 35. Thijmen de Jong
- 36. Sandra Sanchez
- 37. Zora Kitwana Whitfield

**New Year's Greeting Recording**

- 38. David Lam on behalf of Epoch Times

**Main Library Display Window**

- 39. Reginald Gilder

**Oakland Annual General Plan Update**

40. Ms. Fowles

**Car-Free Telegraph**

41. Brandon Yung

**Dance Hall Idea**

42. Nancy Joachim (2)

**Visit Berkeley's Vision**

43. Margot Smith

**Haste Street**

44. Alfred Twu

**West Berkeley Amtrak**

45. A. Linck

**Housing Shaking Concern**

46. Edward

**Follow Up**

47. Stephen Alpert (3)

**Middle Housing**

48. Stephen Alpert (4)

**Solano Ave**

49. Judith Bebelaar

50. Holly M. Smith

51. Bianca Zahrai

**Safe Streets**

52. Christopher LeBoa

**Sidewalk Power Wash**

53. Nancy Joachim

**Housing Concern**

54. Hector91 Phuentes (5)

55. Cath Tumalak

**Housing Occupancy Data**

56. Gregory Kalkanis

**Berkeley Taxation**

57. Barbara Gilbert

**Berkeley Marina**

58. Elizabeth Kowal and Constantine Philipides

59. Joan MacQuarrie

**Petition for Max**

60. Jeff

**Holiday Give Away**

61. Snuggly Bear

**Fire Dept. Reviews**

62. Betsy Kopmar

63. Susanne Huttner

**Public Health Resources Request for Crossroads**

64. Carol Denney

**Portable Bathroom**

65. Erwan Illian

**Outbreak Concern**

66. Paw Fund

**Berkeley's Harrison Corridor**

67. Marianne Riddle

**Appeal**

68. Laura Watson on behalf of Andrea Matsuoka and Jolene Kramer

**High Rise Buildings**

69. Anneherrick

**Flock Cameras**

70. Charlene M. Woodcock

71. Mimi Main

72. Jeremiah Maller

73. Ethan G.

**Surveillance**

74. Alan Ramo

**Home Affordability**

75. Joan



**Santa Monica Police and Berkeley**

76. Senor Gmail

**Accountability Report**

77. RichardGB Hylton

**Stop Signs at Traffic Circles**

78. John Rice

**Permit Corrections**

79. J Nicolis

**23 Story Building on University**

80. Leanne Hinton

**Report**

81. Gael Alcock

**BMR Processing Team**

82. Hekmatullah Ahadi

**Bill Error**

83. Peter Y. Sussman

**Play Slots at Cedar Rose**

84. Carmen Padron

**HOPS Healthy Checkout Report 2025**

85. Monique Blodgett

**Plan Bay Area 2050+**

86. Susan Kirsch

**Rights of Urban Animals**

87. Cybersailor

**Rezoning**

88. Mara Melandry

**Cedar and Milvia**

89. Nicole Haller-Wilson

**Moe's Books and Holiday Faire**

90. Doris Moskowitz

**Trades Under the Bus**

91. John J. Parman

**CALGreen Code Amendments**

92. Emma Martinez

**Sidewalk Repair**

93. Nancy Joachim

**Delivery Notification**

94. Jonnyruel

**URL's**

95. John J. Parman (2)

96. Russbumper (5)

97. Doris Nassiry

**Newsletters**

98. Berkeley Art Center (3)

99. Downtown Berkeley Association

**Forwards**

100. Russbumper (7)

101. Crustyrusty

**Middle East Conflict**

102. Aviva Lichentenstein

103. Anatole Besman

**Elementary Reading Program**

104. Lorraine Meehan

**Miscellaneous**

105. Chester Allen Arthur Williams

**E-Scooters**

106. Robert Borghese (6)

107. Carson Lepre (8)

108. Wahid Amiri

**Corridor Upzoning**

109. Linda Klein

110. Hawley Holmes

111. Lynn Cooper

112. Laurel Coates (2)

113. April Gilbert (10)

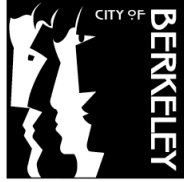
114. 6 Similarly worded form letters “We applaud...”  
115. 22 Similarly worded form letters “We are writing...”

### **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.





## AGENDA

### BERKELEY CITY COUNCIL MEETING

**Tuesday, January 20, 2026**

**6:00 PM**

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

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – IGOR TREGUB

DISTRICT 5 – SHOSHANA O'KEEFE

DISTRICT 6 – BRENT BLACKABY

DISTRICT 7 – CECILIA LUNAPARRA

DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 670 2758**. 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](mailto:council@berkeleyca.gov).*

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

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

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

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

## Preliminary Matters

### Roll Call:

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

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

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

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

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

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

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

## Consent Calendar

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

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

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

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

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

## Recess Items

- Contract No. 32100053 Amendment: Orsolya Kuti, DVM to Provide On-site Veterinary Services for Berkeley Animal Care Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to amend Contract No. 32100053 with Orsolya Kuti for on-site veterinary services for Berkeley Animal Care Services (BACS), increasing the contract amount by \$45,000 for a new total not to exceed amount of \$273,000, and extending the contract term to June 30, 2028.  
**Financial Implications:** See report  
Contact: Peter Radu, City Manager's Office, (510) 981-7000

## Recess Items

**2. Ratification of City Manager Action to Execute a Contract with Lake Research Partners for Community Survey Services in Support of Potential November 2026 Ballot Measures**

**From: City Manager**

**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during Council recess to execute a contract in an amount not to exceed \$100,000 with Lake Research Partners to develop and administer up to two community surveys of registered Berkeley voters in support of potential ballot measures for the November 3, 2026, General Municipal Election, with a contract term of January 5, 2026, through December 31, 2026.

**Financial Implications:** See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

**3. Ratification of City Manager Action to Accept a Grant from Americans for the Arts (AFTA) for \$20,000 to Support the “Arts Programs” Grants Category**

**From: City Manager**

**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager to accept a grant from the Americans for the Arts (AFTA) National Arts Relief fund during recess to receive \$20,000 for the Civic Arts grants program, and to execute any resulting grant agreements and any amendments.

**Financial Implications:** See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

**4. Revenue Agreement: Alameda Alliance for Health Provider Recruitment Initiative**

**From: City Manager**

**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to accept a grant award, and execute any resultant agreements and amendments, in the amount of \$20,000 for Fiscal Year 2026, from the Alameda Alliance for Health Provider Recruitment Initiative to support the development of the City of Berkeley's Health, Housing, and Community Services Department's Community Health Worker (CHW) Program.

**Financial Implications:** See report

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



## Recess Items

5. **Contract No. 32500142 Amendment: Azul Works, Inc. for the Ohlone Park Restroom and Lighting Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during the City Council recess to execute an amendment to Contract No. 32500142 with Azul Works Inc. for the Ohlone Park Restroom and Lighting Project, increasing the contract amount by \$39,000, for a total amended amount not to exceed \$921,278.  
**Financial Implications:** Measure T1 Fund - \$921,278  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
6. **Contract No. 32600020 Amendment: Throne Lab Portable Toilet Pilot Program**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess to execute an amendment to contract 32600020 with Throne Lab, Inc. to extend the pilot program by four months with one portable toilet unit for a total not to exceed contract amount of \$130,000.  
**Financial Implications:** Various Funds - \$130,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
7. **Contract: Bauman Landscape and Construction, Inc. for Adeline Street Landscaping Improvements Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution ratifying the action taken by the City Manager during recess: 1. Approving the plans and specifications for the Adeline Street Landscaping Improvements Project; and 2. Accepting the bid of the lowest responsive and responsible bidder, Bauman Landscape and Construction Inc.; and 3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with Bauman Landscape and Construction Inc. for the Adeline Street Landscaping Improvements Project, in an amount not to exceed \$357,000 which includes a contract amount of \$297,500, and a 20% contingency in the amount of \$59,500.  
**Financial Implications:** Various Funds - \$357,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Consent Calendar

8. **Amendments to Title 23 (Zoning) to Allow the Retail Sale of Alcohol in the Telegraph Avenue Commercial (C-T) Zoning District**  
**From: City Manager**  
**Recommendation:** Adopt the second reading of Ordinance No. 7,996-N.S. amending the BMC Title 23 Section 23.204.020 to allow the retail sale of alcohol in the Telegraph Avenue Commercial (C-T) zoning district.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
9. **Amend Berkeley Municipal Code Chapter 14.68 – Bicycle Registration and Licensing**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance repealing Berkeley Municipal Code (BMC) Chapter 14.68, Sections 14.68.020–100 (bicycle licensing and registration), Article II (bicycle establishment permits and dealer reporting), and Article III (general licensing regulations), while retaining definitions (§14.68.010) and operating provisions (§14.68.110–200, including sidewalk restrictions).  
**Financial Implications:** Staff time  
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000
10. **Amend Berkeley Municipal Code Section 14.40.100 – Disability Parking Standards and Accommodations**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code (“BMC”) Section 14.40.100 to align the City’s disability parking provisions with the Americans with Disabilities Act and California Vehicle Code § 295.5; clarify that exempt parking privileges apply when a qualifying disabled individual is either the driver or a passenger; and eliminate duplicative local sticker and identification card requirements by deferring to the California Department of Motor Vehicles (“DMV”) for issuance and administration of disability placards and license plates.  
**Financial Implications:** See report  
Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000
11. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 20, 2026**  
**From: City Manager**  
**Recommendation:** Approve the request for proposals or invitation for bids that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager’s threshold will be returned to Council for final approval.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300

## Consent Calendar

### 12. 1740 San Pablo Ownership Transfer

**From: City Manager**

**Recommendation:** Adopt a Resolution: 1. Approving the transfer of the general partner for 1740 San Pablo, LP from an affiliate of BRIDGE Housing Corporation to Resources for Community Development or their affiliate; and 2. Extending the project's existing \$4,496,669 reservation of Measure U1 general funds for 24 months; and 3. Authorizing the City Manager or designee to execute all original or amended documents to effectuate this action.

**Financial Implications:** See report

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

### 13. Request for Proposals for Capacity Building for Emerging Nonprofit Affordable Housing Developers

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing a Request for Proposals (RFP) for \$400,000 (\$200,000 per year for Fiscal Years 2027 and 2028) to support capacity building for emerging nonprofit affordable housing developers.

**Financial Implications:** See report

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

### 14. Acceptance of Fiscal Year 2026 Donations from Meals on Wheels of Alameda County (MOWAC) for the Berkeley Meals on Wheels Program

**From: City Manager**

**Recommendation:** Adopt a Resolution accepting donations in an amount estimated to be up to \$225,000 for the Berkeley Meals on Wheels Program from the Meals on Wheels of Alameda County (MOWAC) agency, for Fiscal Year 2026 (FY2026).

**Financial Implications:** See report

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

### 15. Reestablish and Revise Job Class Specification and Pay Scale – Animal Services Supervisor (formerly Animal Services Operations Supervisor)

**From: City Manager**

**Recommendation:** Adopt a Resolution to reestablish and revise the job class specification and pay scale of Animal Services Supervisor (formerly Animal Services Operations Supervisor) with an hourly pay scale of \$48.4266 to \$53.3904 distributed across three steps.

**Financial Implications:** See report

Contact: Janelle Rodrigues, Human Resources, (510) 981-6800

## Consent Calendar

16. **Contract: Clariti Cloud Inc. for a Comprehensive Permit Management System, RFP Specification No. 24-11661-C**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Clariti Cloud, Inc. for the implementation of the Permit Software Procurement (PSP) Project—including software licensing, implementation services, integrations, data migration, training, hosting, and five years of support and maintenance—in an amount not to exceed \$5,359,128.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400

## Council Consent Items

17. **Caminos al Éxito: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**  
**From: Mayor Ishii (Author), Councilmember Lunaparra (Co-Sponsor), Councilmember Tregub (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember including \$250 from Mayor Ishii, \$250 from Councilmember Lunaparra, and \$150 from Councilmember Tregub, to the Multicultural Institute for Caminos al Éxito 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
18. **Refer to the City Manager the Development of Comprehensive Transportation Design Standards**  
**From: Mayor Ishii (Author), Councilmember Lunaparra (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)**  
**Recommendation:** Refer to the City Manager the development of comprehensive Transportation Design Standards to enhance safety for all transportation modes, including walking, biking, and transit. Current plans, such as Vision Zero Action Plan, the Berkeley Bike Plan, the Pedestrian Plan, the Berkeley Transit-First Policy Implementation Plan, and the 5-Year Paving Plan should guide an integrated, cross-departmental approach to developing the Standards. The three-to-five-year process should be incorporated into the Fiscal Year 2027 budget process, the five-year Capital Improvement Plan, and the Measure FF Safe Streets planning.  
**Financial Implications:** See report  
Contact: Adena Ishii, Mayor, (510) 981-7100

## Council Consent Items

### 19. Referral to the City Manager to Allow Tiny Homes on Wheels as Permissible Accessory Dwelling Units (ADUs)

**From: Councilmember Kesarwani (Author), Councilmember Tregub (Co-Sponsor), Councilmember Humbert (Co-Sponsor)**

**Recommendation:** Refer to the City Manager to create a permitting process to allow a Tiny Home on Wheels as a legal Accessory Dwelling Unit (ADU). Tiny homes on wheels are generally considered to be detached dwellings less than 400 square feet in floor area, providing independent living quarters, including basic functional areas for cooking, sleeping, toileting, and bathing. They can retain their wheels and rest on pads instead of a foundation, and are connected to water, electric, and sewer utilities through RV-style hookups.

The referral should: -Amend Berkeley Municipal Code Chapter 23.306, Accessory Dwelling Units, to incorporate tiny homes on wheels as an allowable type of ADU; -Facilitate coordination among City Departments, such as Planning (Land Use and Building and Safety) and Fire to establish a clear set of guidelines, including code requirements and standards for installation; and -Create online resources for homeowners, including a full list of requirements related to fire, safety, and installation as well as potentially pre-approved prefabricated tiny homes on wheels.

**Financial Implications:** Staff time

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

### 20. City Council Employee Recognition Program

**From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)**

**Recommendation:** Adopt a Resolution to institute a City Council led Employee Recognition Program.

**Financial Implications:** None

Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160

## 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.*

### 21. Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

*(Continued from December 2, 2025) (Item Contains Revised Material)*

**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

### 22. Fees: Public Health Vital Statistics Vital Records

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution establishing a new fee schedule for Vital Records with a \$2.00 increase in the fee for birth, death, and fetal death certificates to comply with Assembly Bill (AB) 64 and Health & Safety (H&S) Code 103625(f)., effective February 1, 2026.

**Financial Implications:** See report

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

### 23. Changes to Selected Recreation and Camps Facilities and 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. 71,833-N.S. and all amendatory resolutions.

**Financial Implications:** See report

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Action Calendar – Public Hearings

24. **Amendments to Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing, and upon conclusion, adopt a first reading of an ordinance amending Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review for such projects and for residential projects in the Multi-Use Residential (MU-R) zoning district.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400

## Information Reports

25. **Small Sites Program Update**  
**From: City Manager**  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5100
26. **Landmark Preservation Ordinance Notice of Decision: 1929 Martin Luther King Jr. Way/#LMIN2025-0002**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
27. **Surveillance Technology Ordinance Report Update**  
**From: City Manager**  
Contact: Jennifer Louis, Police, (510) 981-5900

## 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.*

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Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

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

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

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

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

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I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on January 8, 2026.



Mark Numainville, City Clerk

Communications

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

Item #21: Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs (Continued from December 2, 2025) (Item Contains Revised Material)

1. Celeste Goyer

BUSD Cell Phone Policy

2. Lori Droste
3. Jennifer Shanowski
4. Carrie Gray
5. Enika Ford Morthel (4)
6. 5 Similarly worded form letters "As a parent in BUSD..."

Housing

7. Margot Smith
8. Heike Helmer

Transportation for Elders

9. Sheila Goldmacher

Third Spaces in Berkeley

10. James Bowden

TBS Today

11. Cac4gente

The Nudge

12. Idea Maker

Long-Term Vacant Housing

13. Richard Pardue

Bancroft and Fulton

14. David Lerman

Food Pantry

15. Carol David
16. Zeph Landau

Street Parking

17. Todd Andrew
18. Rischa Cole

Upzoning

- 19. Wini Williams
- 20. Margot Smith
- 21. Barbara Gilbert
- 22. Robin Kibby
- 23. Vivian_Dempsey

Holiday Wishes

- 24. Eids TV and Electronics
- 25. Falun Gong Practitioners

2025 Cannabis Policy Scorecard

- 26. Alisa A. Padon on behalf of Getting It Right from the Start

Derby and MLK

- 27. Ashley Boyd

Measure BB

- 28. Matt Wickland

Investigation Inquiry

- 29. Christian Bogado Marsa

Oakland ALPRs

- 30. Blair Bleekman

Ohlone Greenway Project

- 31. Clifford Fred

East Lot Ashby BART Station

- 32. Lynn B. Cooper (2)
- 33. Linda Franklin

Pedestrian Safety

- 34. Shirley Kirsten
- 35. Thijmen de Jong
- 36. Sandra Sanchez
- 37. Zora Kitwana Whitfield

New Year's Greeting Recording

- 38. David Lam on behalf of Epoch Times

Main Library Display Window

- 39. Reginald Gilder

Oakland Annual General Plan Update

40. Ms. Fowles

Car-Free Telegraph

41. Brandon Yung

Dance Hall Idea

42. Nancy Joachim (2)

Visit Berkeley's Vision

43. Margot Smith

Haste Street

44. Alfred Twu

West Berkeley Amtrak

45. A. Linck

Housing Shaking Concern

46. Edward

Follow Up

47. Stephen Alpert (3)

Middle Housing

48. Stephen Alpert (4)

Solano Ave

49. Judith Bebelaar

50. Holly M. Smith

51. Bianca Zahrai

Safe Streets

52. Christopher LeBoa

Sidewalk Power Wash

53. Nancy Joachim

Housing Concern

54. Hector91 Phuentes (5)

55. Cath Tumulak

Housing Occupancy Data

56. Gregory Kalkanis

Berkeley Taxation

57. Barbara Gilbert

Berkeley Marina

58. Elizabeth Kowal and Constantine Philipides

59. Joan MacQuarrie

Petition for Max

60. Jeff

Holiday Give Away

61. Snuggly Bear

Fire Dept. Reviews

62. Betsy Kopmar

63. Susanne Huttner

Public Health Resources Request for Crossroads

64. Carol Denney

Portable Bathroom

65. Erwan Illian

Outbreak Concern

66. Paw Fund

Berkeley's Harrison Corridor

67. Marianne Riddle

Appeal

68. Laura Watson on behalf of Andrea Matsuoka and Jolene Kramer

High Rise Buildings

69. Anneherrick

Flock Cameras

70. Charlene M. Woodcock

71. Mimi Main

72. Jeremiah Maller

73. Ethan G.

Surveillance

74. Alan Ramo

Home Affordability

75. Joan

Santa Monica Police and Berkeley

76. Senor Gmail

Accountability Report

77. RichardGB Hylton

Stop Signs at Traffic Circles

78. John Rice

Permit Corrections

79. J Nicolis

23 Story Building on University

80. Leanne Hinton

Report

81. Gael Alcock

BMR Processing Team

82. Hekmatullah Ahadi

Bill Error

83. Peter Y. Sussman

Play Slots at Cedar Rose

84. Carmen Padron

HOPS Healthy Checkout Report 2025

85. Monique Blodgett

Plan Bay Area 2050+

86. Susan Kirsch

Rights of Urban Animals

87. Cybersailor

Rezoning

88. Mara Melandry

Cedar and Milvia

89. Nicole Haller-Wilson

Moe's Books and Holiday Faire

90. Doris Moskowitz

Trades Under the Bus

91. John J. Parman

CALGreen Code Amendments

92. Emma Martinez

Sidewalk Repair

93. Nancy Joachim

Delivery Notification

94. Jonnyruel

URL's

95. John J. Parman (2)

96. Russbumper (5)

97. Doris Nassiry

Newsletters

98. Berkeley Art Center (3)

99. Downtown Berkeley Association

Forwards

100. Russbumper (7)

101. Crustyrusty

Middle East Conflict

102. Aviva Lichentenstein

103. Anatole Besman

Elementary Reading Program

104. Lorraine Meehan

Miscellaneous

105. Chester Allen Arthur Williams

E-Scooters

106. Robert Borghese (6)

107. Carson Lepre (8)

108. Wahid Amiri

Corridor Upzoning

109. Linda Klein

110. Hawley Holmes

111. Lynn Cooper

112. Laurel Coates (2)

113. April Gilbert (10)

114. 6 Similarly worded form letters “We applaud...”
115. 22 Similarly worded form letters “We are writing...”

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.



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Peter Radu, Assistant to the City Manager

Subject: Contract No. 32100053 Amendment: Orsolya Kuti, DVM to Provide On-site Veterinary Services for Berkeley Animal Care Services

RECOMMENDATION

Adopt a Resolution ratifying action taken by the City Manager during recess to amend Contract No. 32100053 with Orsolya Kuti for on-site veterinary services for Berkeley Animal Care Services (BACS), increasing the contract amount by \$45,000 for a new total not to exceed amount of \$273,000, and extending the contract term to June 30, 2028.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

Berkeley Animal Care Services does not have a full-time staff veterinarian and critical veterinary services at the shelter are provided through this contract. Veterinary expenses have risen sharply since the pandemic, up 40% since 2020. Amending this contract to bring it in line with market costs is critical if BACS is to retain this veterinarian's services into the future.

FISCAL IMPACTS OF RECOMMENDATION

Ratifying this contract will result in a total increase in NTE of \$45,000. In FY 2026 \$9,000 is available in the Animal Care Services General Fund budget (011-21-203-000-0000-000-424-612410). The remaining amount of the NTE will be appropriated in the FY 2027 and FY 2028 biennial budget.

CURRENT SITUATION AND ITS EFFECTS

On September 1, 2020, the City of Berkeley entered into a three-year contract ending August 31, 2023, with Orsolya Kuti, DVM to provide on-site veterinary care at the Dona Spring Animal Shelter. The contract was amended and extended on September 13, 2022, increasing the hourly rate to the current rate of \$85/hr. Incorporating significant annual increases to veterinary expenses over the past several years into the hourly rate, as described below, results in an adjusted rate of \$105/hr.

BACKGROUND

BACS is a full-service municipal animal care and control agency, enforcing local and state laws throughout the City of Berkeley (COB) and the City of Albany. BACS is also contracted to provide shelter and field services for the City of Emeryville, and shelter services for the City of Piedmont. BACS is an open-door facility which experiences a constant influx of animals that need to receive affordable veterinary care, treatment, and spay/neuter services. The BACS shelter is open to the public seven days a week to receive stray, surrendered and confiscated animals. Additionally, field services are provided seven days a week, during which Animal Control Officers impound stray, surrendered and confiscated animals. Many animals arrive at the shelter sick or injured and in need of immediate veterinary care. On-site veterinary services include but are not limited to:

- Examining and diagnosing shelter animals,
- Treating sick or injured animals,
- Performing spay/neuter surgeries, and
- Performing other routine surgeries.

To ensure that BACS euthanasia rate remains below the national benchmark of 10%, sick or injured animals must obtain necessary treatment so that they have a much better chance of rescue or adoption.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

Dr. Kuti has been a practicing veterinarian since 2017. Her first contract with BACS was signed on July 15, 2020, at an hourly rate of \$75. She received her only raise during her five years with BACS on September 14, 2022, when her hourly rate was increased to \$85. Throughout this time, she has taken significantly less money to work at BACS. Meanwhile, the cost of veterinary care has increased 40% since 2020¹, This averages to an annual rise of around 8%, translating to a 24% increase since the last adjustment in 2022. Applying this increase since Dr. Kuti's last contract adjustment results in a \$105 hourly cost. This is commensurate with Bay Area veterinary costs and remains significantly lower than those in comparable positions.

¹ See: [Why are veterinarian bills getting so ruff on the wallet? : The Indicator from Planet Money : NPR](#)

ALTERNATIVE ACTIONS CONSIDERED

Failure to bring Dr. Kuti's contract to a rate that is more consistent with current market pricing risks a loss of her services altogether. Were this to happen, BACS would be forced to outsource surgeries (which will result in significant and unavoidable cost increases to the organization of up to an estimated \$90,000 annually) or to find a relief vet (again resulting in unavoidable cost increases of up to an estimated \$18,000 annually).

CONTACT PERSON

Mike St Pierre, Manager, Berkeley Animal Care Services, (510) 981-6603.

Attachments:

1: Resolution

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

CONTRACT NO. 32100053 AMENDMENT: ORSOLYA KUTI, DVM TO PROVIDE ON-SITE VETERINARY SERVICES FOR BERKELEY ANIMAL CARE SERVICES (BACS)

WHEREAS, BACS has a constant influx of animals that need to receive immediate and affordable veterinary care and treatment; and

WHEREAS, sick or injured animals that obtain necessary procedures and/or treatment/s have a much better chance of rescue or adoption; and

WHEREAS, Dr. Orsolya Kuti is a highly qualified veterinarian with extensive experience and expertise in shelter medicine, and has been providing on-site veterinary services to BACS since 2020; and

WHEREAS, the costs of veterinary expenses have risen significantly in the past several years, necessitating an adjustment to Dr. Kuti's hourly rate to remain competitive with comparable market pricing; and

WHEREAS, the contract will be funded as a General Fund allocation, the full funding for which will be subject to the City's FY27-28 Biennial Budget adoption and annual appropriation process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to execute an amendment to Contract No. 32100053 with Orsolya Kuti for on-site veterinary services for Berkeley Animal Care Services (BACS), increasing the contract amount by \$45,000 for a new total not to exceed amount of \$273,000, and extending the contract term to June 30, 2028.



Office of the City Manager

02

RECESS ITEM
CONSENT CALENDAR
 January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

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

Subject: Ratification of City Manager Action to Execute a Contract with Lake Research Partners for Community Survey Services in Support of Potential November 2026 Ballot Measures

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during Council recess to execute a contract in an amount not to exceed \$100,000 with Lake Research Partners to develop and administer up to two community surveys of registered Berkeley voters in support of potential ballot measures for the November 3, 2026, General Municipal Election, with a contract term of January 5, 2026, through December 31, 2026.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

Delaying ratification of the contract until after Council recess would slow the City's ballot-measure development timeline by delaying survey design, fielding, and analysis. Such delay would limit the City Council's ability to receive survey results in time to inform decisions regarding potential ballot measures.

FISCAL IMPACTS OF RECOMMENDATION

The contract with Lake Research Partners has a not-to-exceed amount of \$100,000 for a contract term of January 5, 2026, through December 31, 2026. Funds are available within existing appropriations in the General Fund. No additional appropriation is required because of this action.

CURRENT SITUATION AND ITS EFFECTS

The City is evaluating potential initiatives and revenue measures for possible placement on the November 3, 2026, ballot. Consistent with prior ballot cycles, the City relies on professionally administered community surveys to assess voter satisfaction with City services, identify community priorities, and evaluate voter support for potential funding mechanisms.

To maintain alignment with the City Council's ballot-measure schedule and ensure sufficient time for survey development and analysis, the City Manager executed a

contract during Council recess with Lake Research Partners, following a competitive solicitation process, to conduct up to two community surveys.

This effort advances the City's Strategic Plan goal to be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community, by ensuring major policy and funding decisions are informed by transparent, data-driven public input.

BACKGROUND

The City Manager's Office oversees periodic community surveys to inform City Council consideration of potential ballot measures and broader policy priorities. For the November 2026 election cycle, the City will initiate a community survey process to assess voter satisfaction with City services, identify community investment priorities, and evaluate voter support for potential funding mechanisms.

On November 18, 2025, the City Council authorized issuance of a Request for Proposals (RFP) for the 2026 Community Survey (Specification No. 26-11772-C). The RFP was issued to potential bidders on November 19, 2025, with questions due on December 2, 2025, and proposals due on December 9, 2025.

The city received four completed proposals in response to the RFP. A city staff evaluation panel reviewed the proposals and identified two (2) finalist firms to advance to interviews. Finalist interviews were conducted during the week of December 15, 2025, and the selection process was completed on December 19, 2025.

Following the evaluation process, the City Manager selected Lake Research Partners based on demonstrated understanding of the scope of services, proposed methodology, relevant experience, qualifications of key staff, references, and overall value to the City. To maintain alignment with the City Council's ballot-measure development timeline and ensure sufficient time for survey design, fielding, analysis, and presentation of results, the City Manager executed a contract with Lake Research Partners during Council recess.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

While this action does not directly fund or construct infrastructure, the community survey will inform City Council decisions regarding potential investments that advance Berkeley's climate and sustainability goals, consistent with the Climate Action Plan and Vision 2050 Framework. The survey will be conducted using electronic and/or telephone methodologies, minimizing paper use and supporting the City's environmental sustainability objectives.

RATIONALE FOR RECOMMENDATION

Ratifying the City Manager's action ensures continuity in the City's ballot-measure planning process, preserves critical election timelines, and supports informed City Council decision-making. Proceeding during Council recess was necessary to avoid

delays that could compromise the City's ability to engage voters and meet required election deadlines.

ALTERNATIVE ACTIONS CONSIDERED

The City Council could decline to ratify the City Manager's action, which would delay the community survey process and risk limiting the City's ability to develop informed and viable ballot measures for the November 2026 election.

CONTACT PERSON

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

Attachments:

1: Resolution

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

RATIFYING ACTION TAKEN BY THE CITY MANAGER DURING COUNCIL RECESS
TO EXECUTE A CONTRACT WITH LAKE RESEARCH PARTNERS IN AN AMOUNT
NOT TO EXCEED \$100,000 FOR COMMUNITY SURVEY SERVICES IN SUPPORT
OF POTENTIAL NOVEMBER 2026 BALLOT MEASURES

WHEREAS, the City of Berkeley is evaluating potential initiatives and revenue measures for possible placement on the November 3, 2026, General Municipal Election; and

WHEREAS, professionally administered community surveys are an important tool to assess voter satisfaction with City services, identify community priorities, and evaluate voter support for potential funding mechanisms; and

WHEREAS, on November 18, 2025, the City Council authorized issuance of a Request for Proposals for the 2026 Community Survey (Specification No. 26-11772-C); and

WHEREAS, following a competitive solicitation process, the City received four proposals, interviewed two finalist firms, and selected Lake Research Partners based on qualifications, experience, methodology, and overall value to the City; and

WHEREAS, to maintain alignment with the City Council's ballot-measure development timeline and meet statutory deadlines for the November 2026 election, the City Manager executed a contract with Lake Research Partners during Council recess.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to execute a contract with Lake Research, in an amount not to exceed \$100,000 to develop and administer up to two community surveys of registered Berkeley voters in support of potential ballot measures for the November 2026 General Municipal Election, with a contract term of January 5, 2026, through December 31, 2026.



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Carianna Arredondo, Assistant to the City Manager

Subject: Ratification of City Manager Action to Accept a Grant from Americans for the Arts (AFTA) for \$20,000 to Support the “Arts Programs” Grants Category

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager to accept a grant from the Americans for the Arts (AFTA) National Arts Relief fund during recess to receive \$20,000 for the Civic Arts grants program, and to execute any resulting grant agreements and any amendments.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

If action is delayed until after the Council recess, the City will be unable to execute the grant agreement within the Americans for the Arts deadline. As a result, the City would forgo \$20,000 in National Arts Relief funding, reducing the total funding available for the Arts Programs Grant category. The funds will be regranted to nonprofit organizations for arts and cultural programming within the City of Berkeley.

SUMMARY

The City of Berkeley can partially restore previously rescinded National Endowment for the Arts funding by applying to and accepting funds from the Americans for the Arts National Arts Relief Fund. Approval of this item would authorize submission of the application, acceptance of up to \$20,000 in grant funding, and execution of the associated grant agreement to support the Civic Arts Programs Grant category in Fiscal Year 2026.

FISCAL IMPACTS OF RECOMMENDATION

There is no negative fiscal impact to the City’s General Fund. The \$20,000 grant from Americans for the Arts represents one-time, restricted funding that will be regranted through the existing Civic Arts Grants Program in Fiscal Year 2026. No City match is required. With this funding the City can provide an additional category of Civic Arts Programs grants.

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley was awarded \$40,000 from the National Endowment for the Arts (NEA) for FY26 to support the Civic Arts grant program known as the *Arts Programs* grant. Changes in the NEA's administration led to the agency's withdrawal of the award in May of 2025.

In October of 2025, Americans for the Arts offered NEA awardees whose grants were rescinded the option to apply for the National Arts Relief fund for half of the withdrawn award. The City of Berkeley can recover \$20,000 of the withdrawn NEA award by applying to and contracting with the National Arts Relief fund. The \$20,000, in addition to a recently awarded California Arts Council grant for \$15,900, will be awarded to the highest-scoring applicants for the FY26 Arts Programs grant. Applications for this category were collected January through March of 2025, and adjudicated by a grant review panel in May of 2025.

BACKGROUND

Funding was requested from the NEA in 2023 to establish a new "Arts Programs Grant" category in the Civic Arts Grants offerings and better support a wide range of arts and cultural activities taking place in Berkeley.

The Civic Arts Grants have an annual budget of \$658,500 from the City's General Fund (011), and annually the Civic Arts Grants Program awards funding in three distinct categories:

- 1) Individual Artist Projects;
- 2) Community Festivals, and
- 3) General Operating Support.

With funding from the NEA along with the local match, the City of Berkeley has established a fourth Civic Arts Grants funding category – the *Arts Programs Grant* – administered in conjunction with the annual Civic Arts Grants process. Arts Program grants support non-arts nonprofit organizations located in the City of Berkeley that produce arts or cultural programming in Berkeley led by a Berkeley-based partnering arts organization or teaching artist, and arts nonprofit organizations located in the Greater Bay Area (outside of Berkeley) producing arts and cultural programming in the City of Berkeley.

The Arts Programs grant was anticipated to have a total of \$80,000 allocated with a \$40,000 NEA award and a \$40,000 required City match. Though the program was cancelled upon the NEA rescinding the award, applicants can be awarded with the National Arts Relief funds (\$20,000) and California Arts Council fund (\$15,900).

Ratification of City Manager Action to Accept a Grant from AFTA for \$20,000 to Support the "Arts Programs" Grants Category

CONSENT CALENDAR
January 20, 2026

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability or climate impacts associated with this recommendation.

RATIONALE FOR RECOMMENDATION

Accepting funding from the Americans for the Arts' National Arts Relief Fund would help the City accomplish one of the five high-level goals articulated in The City of Berkeley's Arts and Culture Plan (2018-2027): "***Increase Investment in a Vibrant Arts Community***, Strengthen and support Berkeley's inclusive and culturally rich arts sector by expanding funding and marketing opportunities for a broader array of arts organizations."

ALTERNATIVE ACTIONS CONSIDERED

The City Council could choose not to accept the grant. If the grant is not accepted, fewer resources would be available for the Arts Programs Grant category in Fiscal Year 2026, resulting in reduced funding awards to eligible nonprofit arts and cultural organizations.

CONTACT PERSON

Hilary Amnah, Civic Arts Coordinator, 510-981-7539

Attachments:

1: Resolution

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

ADOPT A RESOLUTION RATIFYING THE ACTION TAKEN BY THE CITY MANAGER DURING RECESS TO ACCEPT A \$20,000 GRANT FROM AMERICANS FOR THE ARTS (AFTA) TO SUPPORT ACCESS TO ARTS AND CULTURAL PROGRAMMING IN THE CITY OF BERKELEY BY PARTIALLY RESTORING THE CIVIC ARTS GRANTS PROGRAM FUNDING CATEGORY KNOWN AS THE *ARTS PROGRAMS GRANT*.

WHEREAS, the Arts and Culture Plan for the City of Berkeley (2017-18) includes the goal of increasing investment in a vibrant arts community by expanding funding and marketing opportunities for a broader array of arts organizations; and

WHEREAS, an *Arts Program Grant* category supports the City's ability to create increased access to arts and cultural programming taking place in Berkeley; and

WHEREAS, funding from Americans for the Arts' National Arts Relief Fund is available to organizations that had their National Endowment for the Arts grants withdrawn; and

WHEREAS, the City is implementing the second year of the *Arts Program Grants* in Fiscal Year 2026 with \$20,000 from this grant and \$15,900 from a California Arts Council grant.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to accept a grant from the Americans for the Arts to receive to \$20,000 for the above purpose; and execute any resultant agreements and amendments.



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Gilman, Director, Health, Housing & Community Services

Subject: Revenue Agreement: Alameda Alliance for Health Provider Recruitment Initiative

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during recess to accept a grant award, and execute any resultant agreements and amendments, in the amount of \$20,000 for Fiscal Year 2026, from the Alameda Alliance for Health Provider Recruitment Initiative to support the development of the City of Berkeley's Health, Housing, and Community Services Department's Community Health Worker (CHW) Program.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

Alameda Alliance for Health is mandating that all recipients of the Provider Recruitment Incentive complete a signed agreement by January 23, 2026.

FISCAL IMPACTS OF RECOMMENDATION

The Health, Housing, and Community Services Department (HHCS) is currently developing a CHW Program as part of the California Advancing and Innovating Medi-Cal (CalAIM) initiative. The allocated funds will be used to support implementation costs related to the CHW certificate training for staff in the Public Health Division. Training costs of up to two thousand dollars (\$2,000) per staff member are eligible for reimbursement, provided they complete certification that is approved by Alameda Alliance for Health and comply with Department of Health Care Services (DHCS) requirements. Funding in the amount of \$20,000 will be deposited in One-Time Grants Fund 336.

Per the terms of the agreement, CHW certificate training must begin within one (1) year of the Memorandum of Understanding signature date and must be completed within two (2) years of the MOU signature date, no later than end of Fiscal Year 2028.

Spending of the referenced grant funds is subject to Council approval of the budget and the Annual Appropriations Ordinances. The grant budget will be adjusted as part of the Second Amendment to the FY 2026 Annual Appropriations Ordinance.

CURRENT SITUATION AND ITS EFFECTS

Community Health Worker Program is a Strategic Plan Priority Project, advancing our goal to be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

BACKGROUND

Alameda Alliance is a not-for-profit community-based healthcare organization that contracts with the State of California to provide Medi-Cal services in Alameda County. The City of Berkeley is a local health jurisdiction within the Alliance provider network serving Medi-Cal enrolled adults, children, and families in Berkeley. Over the past decade, Medi-Cal has undergone significant evolution and expansion, particularly through the Affordable Care Act (ACA) and various federal and state policy changes. DHCS has launched several initiatives to enhance the beneficiary experience, emphasizing the integration of delivery systems, alignment of funding, data reporting, quality, and infrastructure. This strategic shift led to the creation of California Advancing and Innovating Medi-Cal, or CalAIM.

DHCS added CHW services as a Medi-Cal benefit starting July 1, 2022. CHW services are preventive health services to prevent disease, disability, and other health conditions or their progression; to prolong life; and promote physical and mental health and well-being. CHW services may assist with a variety of concerns impacting Managed Care Plan members, including but not limited to, the control and prevention of chronic conditions or infectious diseases, behavioral health conditions, and need for preventive services. Additionally, CHW services can help Medi-Cal members receive appropriate services related to perinatal care, preventive care, sexual and reproductive health, environmental and climate-sensitive health issues, oral health, aging, injury, and domestic violence and community violence prevention services.

As a local health jurisdiction with a history of serving high-need Medi-Cal beneficiaries, HHCS's participation in CalAIM as CHW providers aligns with its strategic objectives.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The recommended action provides the City with funding to support staff certification, which is a prerequisite for providing reimbursable CHW services. Investing in CHW workforce development strengthens the City's ability to address health disparities, improve community engagement, and expand preventive services without drawing on local funds. Adoption of this recommendation allows the City to fully participate in the CHW benefit and draw Medi-Cal reimbursement for CHW activities that HHCS already conducts.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were identified.

CONTACT PERSON

Tamiko Huey, Senior Management Analyst, HHCS, (510) 725-2243.

Attachments:

1: Resolution

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

ALAMEDA ALLIANCE FOR HEALTH PROVIDER RECRUITMENT INITIATIVE GRANT
AGREEMENT

WHEREAS, the Department of Health Care Services (DHCS), through the California Advancing and Innovating Medi-Cal (CalAIM) initiative, has created the Community Health Worker (CHW) benefit to expand preventive and whole-person care services; and

WHEREAS, the Alameda Alliance for Health Provider Recruitment Incentive funds have been awarded to the City of Berkeley Health, Housing, and Community Services Department to support development of the City's Community Health Worker Program; and

WHEREAS, this grant agreement requires these funds be used to cover CHW certificate training costs of up to two thousand dollars (\$2,000) per eligible staff member for a maximum of \$20,000 through Alliance-approved programs that meet DHCS requirements; and

WHEREAS, use of these funds will allow the City to meet state training requirements, build internal workforce capacity, and prepare to deliver Medi-Cal reimbursable CHW services at no cost to the General Fund, and

WHEREAS, funding in the amount of \$20,000 will be deposited in One-Time Grants Fund 336 and will be appropriated as part of the Second Amendment to the FY 2026 Annual Appropriations Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager or designee to receive the funds up to the maximum grant award which may be larger or smaller than and the \$20,000 and execute any resultant agreements and amendments resulting from this grant award. A record signature copy of said agreement and any amendments to be on file in the Office of the City Clerk.



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Contract No. 32500142 Amendment: Azul Works, Inc. for the Ohlone Park Restroom and Lighting Project

RECOMMENDATION

Ratify the action taken by the City Manager during the City Council recess to execute an amendment to Contract No. 32500142 with Azul Works Inc. for the Ohlone Park Restroom and Lighting Project, increasing the contract amount by \$39,000, for a total amended amount not to exceed \$921,278.

NEGATIVE EFFECT IF ACTION DELAYED UNTIL AFTER COUNCIL RECESS

A delay in action until after council recess would delay the completion of the Ohlone Park Restroom and Lighting project.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment is available in the FY 2026 budget in the Measure T1 Fund (511). No other funding is required, and no other projects will be delayed due to this expenditure.

CURRENT SITUATION AND ITS EFFECTS

The contract with Azul Works, Inc. for the Ohlone Park Restroom and Lighting Project was approved on December 3, 2024 for a total amount not to exceed \$882,278. In June 2024, staff submitted the project plans to PG&E for a change to electrical services. PG&E determined no change was needed and closed the application. In August 2025, PG&E identified an error in its prior determination and required the project to resubmit the lighting plans and reinstate PG&E review. PG&E provided additional project requirements in November 2025 which required additional trenching and related site work at a cost of \$39,000 for which a contract amendment is needed.

BACKGROUND

This project includes a new pre-fabricated, two-stall restroom at Ohlone Park located on the block between California Street and McGee Avenue, between the Ohlone Park

Amending Contract 32500142: Azul Works, Inc. for the
Ohlone Park Restroom and Lighting Project

RECESS ITEM
CONSENT CALENDAR
January 20, 2026

soccer field and volleyball court. This project also includes the addition of dark sky-compliant light fixtures in existing dark spots along the Ohlone Park pathway.

The Ohlone Park Restroom and Lighting Project is funded by Measure T1, the 2016 Berkeley voter-approved bond to pay for improvements to City infrastructure and facilities.

The project was advertised for bids on Friday, September 6, 2024, and bids were opened on Tuesday, October 17, 2024. The City received 5 bids, from a low base bid of \$698,000 to a high base bid of \$1,012,133. The City determined that Azul Works, Inc. was the lowest responsive and responsible bidder and awarded a construction contract for the work with Resolution No. 71,589.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy and Construction and Demolition Waste program of at least 50%.

RATIONALE FOR RECOMMENDATION

The City and Azul Works, Inc. have negotiated a price within the City's budget to complete the installation of the basketball court lights and work related to changes to the site's PG&E service. This increase to the contract is necessary to complete the project. The City does not have in-house labor or equipment resources to complete this renovation project.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, 510-981-6700

Evelyn Chan, Supervising Civil Engineer, Parks Recreation & Waterfront, 510-981-6430

Attachments:

1: Resolution

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

AMENDING CONTRACT NO. 32500142: AZUL WORKS, INC. FOR THE OHLONE
PARK RESTROOM AND LIGHTING PROJECT

WHEREAS, the Ohlone Park Restroom and Lighting Project is a Measure T1- funded project; and

WHEREAS, the City has neither the in-house labor nor the equipment necessary to undertake this project; and

WHEREAS, invitation for bids was duly advertised on September 6, 2024, bids were opened on October 17, 2024, and the City received 5 bids; and

WHEREAS, Azul Works Inc. was determined to be the lowest responsive and responsible bidder, and references for Azul works Inc. were provided and were satisfactory; and

WHEREAS, on December 3, 2024, by Resolution No. 71,589-N.S. the City Council authorized Contract No. 32500142 with Azul Works Inc. in an amount not to exceed \$882,278 for the Ohlone Park Restroom and Lighting Project; and

WHEREAS, a contract amendment to increase the total contract amount by \$39,000 for a total amended amount not to exceed \$921,278 is necessary to complete the project; and

WHEREAS, funds are available in the FY 2026 budget in the Measure T1 Fund (511).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager during the City Council recess to execute an amendment to Contract No. 32500142 with Azul Works Inc. for the Ohlone Park Restroom and Lighting Project, increasing the contract amount by \$39,000, for a total amended amount not to exceed \$921,278. A record signature copy of any amendments to be on file in the Office of the City Clerk.



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Amending Contract 32600020: Throne Lab Portable Toilet Pilot Program

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during recess to execute an amendment to contract 32600020 with Throne Lab, Inc. to extend the pilot program by four months for a total not to exceed contract amount of \$130,000.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

The current funding for the Throne smart portable toilet pilot program would have expired on January 5, 2026. The pilot has been extremely successful based on data on the effectiveness of smart portable toilets at two City parks – Cesar Chavez and Civic Center. It is critical that the City continue to collect this type of information, especially at a high-volume non-park location such as the 4th Street business district to better understand the City's needs for public restroom services. A delay would interrupt this highly effective and essential public service and restarting the service after an interruption would result in the City incurring additional mobilization costs.

FISCAL IMPACTS OF RECOMMENDATION

Funds for the four-month contract extension will be provided by the General Fund (011) (\$30,000) and Parks Tax Fund (138) (\$30,000).

CURRENT SITUATION AND ITS EFFECTS

On September 5, 2025, the City began a four (4) month pilot program to operate two Throne Lab smart portable restrooms and collect usage data at two high-volume City parks – Cesar Chavez and Civic Center. The City currently has sufficient funds to continue the pilot program whereby the current smart portable restroom at Civic Center Park will remain in-place and the smart portable toilet at Cesar Chavez Park will be relocated to a high-volume non-park location at the 4th Street business district. At the conclusion of the pilot program, city staff will have the data to evaluate the effectiveness of smart portable restrooms in various locations and help the City develop next steps to improve the provision of essential public restroom service in Berkeley.

BACKGROUND

The Citywide Restroom Study of 2020 performed an evaluation of existing public restrooms, a community input process, and research into ecologically-friendly restrooms with the goal of providing recommended locations and types and conceptual designs for upgrades of existing and new public restroom solutions in Berkeley.¹ The study recommended monitoring permanent and portable restrooms to provide information about how many people use which restrooms when, and what was their experience. This information can help the City better meet the needs of the public with optimized hours of operation and frequency of cleaning.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Providing public restrooms may help reduce open defecation which impacts stormwater and public health. There are no identifiable negative climate impacts associated with the recommendation contained in this report.

RATIONALE FOR RECOMMENDATION

Throne Labs, Inc. has been successful in providing effective smart portable public toilets with electronic access controls and data monitoring capabilities in Los Angeles, Michigan, and Washington, D.C., and the Bay Area. The four-month pilot program in two Berkeley parks has been highly successful and there remains a need to understand their utility in nonpark settings to evaluate how best meet the City's needs in the future.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks, Recreation & Waterfront Department, 981-6700

Attachments:

1: Resolution

1

<https://berkeleyca.gov/sites/default/files/documents/Citywide%20Restroom%20Study%20and%20Executive%20Summary%20-%202020-10-06%20-%20Final.pdf>

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

AMENDING CONTRACT 32600020: THRONE LAB PORTABLE TOILET
PILOT PROGRAM

WHEREAS, the Citywide Restroom Study of 2020 performed an evaluation of existing public restrooms, a community input process, and research into ecologically-friendly restrooms with the goal of providing recommended locations and types and conceptual designs for upgrades of existing and new public restroom solutions in Berkeley; and

WHEREAS, the study recommends understanding how many people use which restrooms when, and what was their experience. This information can help the City better meet the needs of the public with optimized hours of operation and frequency of cleaning; and

WHEREAS, in the summer of 2025, after reviewing a range of vendors of portable restrooms, staff found Throne Labs, Inc., a vendor with high quality smart portable restrooms with electronic access controls and data monitoring capabilities already being successfully operated in Los Angeles, Michigan, and Washington D.C., and the Bay Area; and

WHEREAS, on September 5, 2025, the City began a four (4) month pilot program to operate two Throne Lab smart portable restrooms and collect usage data at two high-volume City parks – Cesar Chavez and Civic Center; and

WHEREAS, the City currently has sufficient funds to continue the pilot program whereby the current smart portable restroom at Civic Center Park will remain in-place and the smart portable toilet at Cesar Chavez Park will be relocated to a high-volume non-park location at the 4th Street business district using the General Fund 011 (\$30,000) and the Parks Tax Fund 138 (\$30,000).

NOW THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager during recess to execute an amendment to contract 32600020 with Throne Lab, Inc. to extend the pilot program by four months for a total not to exceed contract amount of \$130,000. A record signature copy of said contract and any amendments to be on file in the Office of the City Clerk.



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
JANUARY 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Contract: Bauman Landscape and Construction, Inc. for Adeline Street Landscaping Improvements Project

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during recess:

1. Approving the plans and specifications for the Adeline Street Landscaping Improvements Project; and
2. Accepting the bid of the lowest responsive and responsible bidder, Bauman Landscape and Construction Inc.; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with Bauman Landscape and Construction Inc. for the Adeline Street Landscaping Improvements Project, in an amount not to exceed \$357,000 which includes a contract amount of \$297,500, and a 20% contingency in the amount of \$59,500.

NEGATIVE EFFECT IF ACTION DELAYED UNTIL AFTER COUNCIL RECESS

The Adeline Street Landscaping Improvements project is partially funded by Measure T1 which is approaching a spending deadline. If action is delayed until after Council recess, the construction project would be delayed. This would in turn delay the expenditure of Measure T1 funds. Awarding this contract as soon as possible will increase the City's ability to complete the work by the spending deadline.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract is available in the FY 2026 budget in the Measure T1 Fund (Fund 511) and Parks Tax Fund (Fund 138). No other funding is required, and no other projects will be delayed due to this expenditure.

Contract: Bauman Landscape and Construction Inc. for
Adeline Street Landscaping Improvements Project

RECESS ITEM
CONSENT CALENDAR
JANUARY 20, 2026

Construction Contract

Bauman Landscape and Construction Inc. (lowest bid)	\$ 297,500
20% Contingency	\$ 59,500
Total Construction Cost	\$ 357,000

Funding

Measure T1 Phase 2 (Fund 511)	\$ 191,799
Parks Tax (Fund 138)	\$ 165,201
Total Funding	\$ 357,000

CURRENT SITUATION AND ITS EFFECTS

This improvement project is located along the eastern edge of Adeline Street at Martin Luther King Jr. Way near the Berkeley/Oakland City limit. It is located along one of the busiest corridors and entry points to the City from the south. This high-profile site is in need of improvement and beautification.

The project will include planting of perennials and flowering shrubs, tree removal, installation of new irrigation, fencing, decorative boulders, and ancillary work in accordance with the Project plans and specifications.

The contract will include a 20% contingency of the base bid to cover related unexpected or miscellaneous construction services.

BACKGROUND

The project was advertised for bids on Wednesday, November 12, 2025, and bids were opened on Tuesday, December 16, 2025. The City received 11 bids, from an apparent low base bid of \$297,500 to an apparent high base bid of \$501,847. The determination of the lowest responsive and responsible bidder was based on the price for base bid work, as indicated in the bid documents.

Bauman Landscape and Construction Inc. was the lowest responsive and responsible bidder. Staff conducted references checks and received satisfactory feedback. Staff recommends that a contract for this project be awarded to Bauman Landscape and Construction Inc.

The Living Wage Ordinance does not apply to this project since construction contracts are, pursuant to City policy, subject to State prevailing wage laws. The contractor will need to submit a certification of Compliance with Equal Benefits Ordinance. The contract will be subject to the First Source Construction Agreement.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy and Construction and Demolition Waste

Contract: Bauman Landscape and Construction Inc. for
Adeline Street Landscaping Improvements Project

RECESS ITEM
CONSENT CALENDAR
JANUARY 20, 2026

program. The project is a renovation of a developed urban site and therefore will not negatively affect natural habitat.

RATIONALE FOR RECOMMENDATION

The Adeline Street Landscaping Improvements Project is needed as part of the City's ongoing program to repair, renovate, improve, and beautify aging park facilities and City-owned green spaces. The City does not have in-house labor or equipment resources to complete this improvement project.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, 510-981-6700

Evelyn Chan, Supervising Civil Engineer, Parks Recreation & Waterfront, 510-981-6430

Attachments:

1: Resolution

2: Bid Results

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

CONTRACT: BAUMAN LANDSCAPE AND CONSTRUCTION INC. FOR ADELINE
STREET LANDSCAPING IMPROVEMENTS PROJECT

WHEREAS, the Adeline Streetscape is in need of improvement and beautification; and

WHEREAS, the City has neither the in-house labor nor the equipment necessary to undertake this project; and

WHEREAS, invitation for bids was duly advertised on November 12, 2025, bids were opened on December 16, 2025, and the City received 11 bids; and

WHEREAS, Bauman Landscape and Construction was determined to be the lowest responsive and responsible bidder, and references for Bauman Landscape and Construction were provided and checked out satisfactorily; and

WHEREAS, funds are available in the FY 2026 budget in the Measure T1 Phase 2 Fund (Fund 511), and Parks Tax (Fund 138).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager during recess approving the Plans and Specifications for Specification No. 26-11768-C for the Adeline Street Landscaping Improvements Project are approved; and

BE IT FURTHER RESOLVED that the construction contract is awarded to Bauman Landscape and Construction as the lowest responsive and responsible bidder; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and specifications with Bauman Landscape and Construction Inc. for the Adeline Street Landscaping Improvements Project in an amount not to exceed \$357,000, which includes a contract amount of \$297,500 and a 20% contingency in the amount of \$59,500 for unforeseen circumstances. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.



City of Berkeley
Abstract of Bid Worksheet

Finance Department
General Services Division

FOR: Adeline Street Lanscaping Improvements Project

[SPEC# 26-11768-C](#)

Bid Date: 12/16/2025

							required w/ bid						
	Bidders	Base Bid	Alt. #1	Alt. #2	Alt. #3	Bid Bond	Addenda 1	SC	LW	WF	EBO	OS	NF
1	Bauman Landscape	\$297,500.00	\$50,000	\$75,000	\$100,000	X	X						
2	Bay Construction	\$501,847.00	\$50,000	\$75,000	\$100,000	X	X						
3	McGuire and Hester	\$301,900.00	\$50,000	\$75,000	\$100,000	X	X						
4	Jaw Inc	\$353,570.00	\$50,000	\$75,000	\$100,000	X	X						
5	Los Loza Inc	\$385,339.00	\$50,000	\$75,000	\$100,000	X	X						
6	Stockbridge	\$331,600.00	\$50,000	\$75,000	\$100,000	X	X						
7	ERA Construction	\$318,500.00	\$50,000	\$75,000	\$100,000	X	X						
8	Redwood Engineering	\$379,800.00	\$50,000	\$75,000	\$100,000	X	X						
9	Apena Engineering	\$312,005.00	\$50,000	\$75,000	\$100,000	X	X						
10	BNO Builders	\$409,000.00	\$50,000	\$75,000	\$100,000	X	X						
11	Marina Landscape	\$325,000.00	\$50,000	\$75,000	\$100,000	X	X						

Bid Recorder: Sandra Blain Date

Bid Opener: Tanisha Gainer Date

Project Manager: Csilla Kenny Date

2180 Milvia Street, Berkeley, CA 94704 Tel: 510.981.7320 TDD: 510.981.6903 Fax: 510.981.7390
E-mail: finance@ci.berkeley.ca.us

ORDINANCE NO. 7,996-N.S.

AMENDMENTS TO THE COMMERCIAL DISTRICT CHAPTER (BMC CHAPTER 23.204) TO ALLOW THE RETAIL SALE OF ALCOHOL IN THE TELEGRAPH AVENUE COMMERCIAL DISTRICT

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

Section 1. That the line named “Alcoholic Beverage Retail Sale” in Table 23.204-1 in BMC Section 23.204.020 is amended to read as follows:

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) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	23.310

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on December 2, 2025, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Blackaby, Humbert, Kesarwani, Lunaparra, O’Keefe, Taplin, Tregub, and Ishii.

Noes: None.

Absent: None.



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council
 From: Paul Buddenhagen, City Manager
 Submitted by: Carianna Arredondo, Assistant to the City Manager
 Subject: Amend Berkeley Municipal Code Chapter 14.68 – Bicycle Registration and Licensing

RECOMMENDATION

Adopt first reading of an Ordinance repealing Berkeley Municipal Code (BMC) Chapter 14.68, Sections 14.68.020–100 (bicycle licensing and registration), Article II (bicycle establishment permits and dealer reporting), and Article III (general licensing regulations), while retaining definitions (§14.68.010) and operating provisions (§14.68.110–200, including sidewalk restrictions).

SUMMARY

BMC Chapter 14.68¹ was adopted in the 1970s to establish bicycle licensing, theft-prevention requirements, and operating rules within the City of Berkeley. Since that time, changes in state law have rendered the licensing requirements obsolete, and the City has not actively administered or enforced a licensing program for many years.

California Vehicle Code (CVC) § 39002(a)² prohibits municipalities from enforcing penalties for operating an unlicensed bicycle, making Berkeley's licensing mandate unenforceable.

This ordinance updates the code by:

- Repealing obsolete bicycle licensing requirements (§14.68.020–100);
- Repealing Article II (permit and reporting requirements for bicycle establishments);
- Repealing Article III (general license-related provisions); and

¹ https://berkeley.municipal.codes/BMC/14_DivII

² https://california.public.law/codes/vehicle_code_section_39002

- Retaining core definitions (§14.68.010) and bicycle operation and safety provisions (§14.68.110–200, including sidewalk and accident reporting requirements).

This approach preserves relevant safety and operational rules while eliminating unenforceable and outdated licensing provisions.

Updating Chapter 14.68 will:

- Bring the City’s municipal code into compliance with state law;
- Remove an outdated provision that may disproportionately impact youth and low-income residents;
- Reduce administrative workload by eliminating an unused program; and
- Support the City’s transportation, equity, and climate goals by removing potential barriers to bicycle use.

The proposed repeal aligns with the recommendations of the *2025 Fines and Fees Report: Advancing Equity in Berkeley, California*³, prepared in partnership with the Goldman School of Public Policy, which identified this section of the BMC as both unenforceable and inequitable in practice.

FISCAL IMPACTS OF RECOMMENDATION

No fiscal impact, as the associated license program has not been administered or enforced for more than a decade. Minor staff time savings from removing outdated code provisions. No additional appropriation is required.

CURRENT SITUATION AND ITS EFFECTS

Under the existing code, any person operating or using a bicycle in the City is required to register and license their bicycle with BPD, provide proof of ownership, and display a City-issued license sticker. The code also sets out fees, renewal requirements, dealer reporting obligations, and penalties for noncompliance.

Over time, changes in state law have made the City’s licensing requirement unenforceable. CVC § 39002(a) explicitly prevents municipalities from prohibiting the operation of an unlicensed bicycle, allowing only for voluntary registration.

BPD does not maintain an active licensing program, and no administrative systems exist to process applications, renewals, or dealer reporting. Retaining operational sections ensures continued enforceability of key safety standards, such as prohibitions

³https://berkeleyca.gov/sites/default/files/documents/FINAL_Reimagining%20Public%20Safety%20July%2022_CompAnionAppendix.pdf (See pp. 26-68)

on unsafe sidewalk riding, requirements for accident reporting, and conformity with traffic rules. Repealing licensing provisions aligns the code with state law and reduces confusion for residents.

This action advances the City’s Strategic Plan goals to champion and demonstrate social and racial equity; and be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

Mandatory bicycle licensing was once common in many U.S. cities, including Berkeley, as a means to deter theft and identify stolen bicycles. Berkeley’s ordinance dates back to the 1970s and includes annual renewal requirements, proof-of-ownership rules, and penalties for noncompliance. Experience over several decades—both in Berkeley and in other jurisdictions—has shown that mandatory registration programs have limited theft-prevention impact and can create barriers for those who purchase bicycles second-hand, particularly youth and low-income riders. In California, CVC § 39002(a) prohibits municipalities from requiring bicycle licenses as a condition of use, limiting programs to voluntary registration only. Many cities, including Oakland and San Francisco, have repealed similar requirements.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Encouraging bicycle use supports greenhouse gas reduction targets, Vision Zero transportation safety goals, and the City’s Climate Action Plan. Removing barriers to bicycle ownership and use is consistent with these objectives.

RATIONALE FOR RECOMMENDATION

This amendment to BMC Chapter 14.68 will:

- Ensure consistency with California law;
- Remove outdated and unused licensing requirements;
- Reduce administrative complexity and potential confusion;
- Retain necessary bicycle safety and operational standards; and
- Support the City’s transportation equity and climate goals.

ALTERNATIVE ACTIONS CONSIDERED

Staff considered amending Chapter 14.68 to establish a voluntary bicycle registration program. This option was not recommended due to lack of administrative infrastructure and minimal theft-prevention benefit.

CONTACT PERSON

Carianna Arredondo, Assistant to the City Manager, City Manager's Office, 510-981-7007

Attachments:

- 1: Ordinance Repealing Berkeley Municipal Code Chapter 14.68 – Bicycle Registration and Licensing
- 2: California Vehicle Code § 39002(a)
- 3: Fines and Fees Report: Advancing Equity in Berkeley, California (Daniel V. Muñoz, 2025)

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 14.68 – BICYCLE
REGISTRATION AND LICENSING

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

Section 1. That Berkeley Municipal Code Chapter 14.68 is amended as follows:

Chapter 14.68
BICYCLES AND BICYCLE ESTABLISHMENTS

Sections:

14.68.010 Definitions.

Article I.
Bicycles and Motorized Bicycles

~~14.68.020 License and registration required.~~

~~14.68.030 Applicability of provisions.~~

~~14.68.040 License--Application required.~~

~~14.68.050 License--Proof of ownership.~~

~~14.68.060 License--Bicycle to be presented.~~

~~14.68.070 License--Examination of applicant required when.~~

~~14.68.080 License--Renewal procedures.~~

~~14.68.090 License--Fees.~~

~~14.68.100 License--Issuance.~~

14.68.110 Operation--Conformity with chapter provisions required.

**14.68.120 Riding motorized bicycles and motorized scooters on sidewalk
prohibited.**

14.68.130 Riding bicycles on sidewalk permitted when.

14.68.140 Operation restrictions--Playgrounds, parks, school grounds.

14.68.150 Operation restrictions--Public places.

14.68.160 Stunt riding.

14.68.170 Procedures on emerging from driveway or alley.

14.68.180 Parking Restrictions.

14.68.190 Accidents--Procedures required.

14.68.200 Accidents--Report required when.

**Article II.
Bicycle Establishments**

- ~~14.68.210 Business license and permit required.~~
- ~~14.68.220 Permit--Application.~~
- ~~14.68.230 Permit--Not transferable.~~
- ~~14.68.240 Weekly secondhand buy report required.~~
- ~~14.68.250 Dealer's report of sale required weekly.~~
- ~~14.68.260 Holding period for bicycles and parts.~~
- ~~14.68.270 Bicycle register--Required--Contents.~~
- ~~14.68.280 Bicycle register--Disposition of purchased items.~~
- ~~14.68.290 Bicycle register--Safekeeping--Inspection.~~
- ~~14.68.300 Permit--Revocation conditions.~~

**Article III.
General Regulations**

- ~~14.68.310 Provisions supersede other regulations.~~
- ~~14.68.320 License transfer prohibited.~~
- ~~14.68.330 Dismantled or junked bicycles--Return of registration
certificate.~~
- ~~14.68.340 Bicycle rental agency--Licensing requirements.~~
- ~~14.68.350 Abandoned or unidentified bicycles.~~
- ~~14.68.360 Violation of provisions by persons under eighteen--Penalty.~~
- ~~14.68.370 Violations Generally--Penalty.~~

14.68.010 Definitions.

A. "Bicycle" means a device upon which any person may ride, propelled exclusively by human power through a belt, chain or gears, and having either two or three wheels in a tandem or tricycle arrangement.

B. "Bicycle establishment" means and includes a business operated by any person, partnership, association or corporation, wherein new or used bicycles or bicycle parts are purchased, sold, dismantled or junked.

C. "Motorized bicycle" means any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor which produces less than two gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground.

D. "Motorized scooter" means any two-wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding and is powered by a motor. (Ord. 7786-NS § 3, 2021; Ord. 4957-NS §§ 1-3, 1976)

Article I. Bicycles and Motorized Bicycles

~~14.68.020 — License and registration required.~~

~~It is unlawful for any person to operate or use a bicycle or motorized bicycle in the city which has not been registered and licensed in accordance with Section 39002(a) of the Vehicle Code of the state. (Ord. 4957-NS § 4, 1976)~~

~~14.68.030 — Applicability of provisions.~~

~~Any bicycle or motorized bicycle not subject to the provisions of Division 16.7 of the Vehicle Code of the state of California shall be subject to this chapter, as provided by Section 39002(b) of the Vehicle Code of the state. (Ord. 4957-NS § 5, 1976)~~

~~14.68.040 — License--Application required.~~

~~Every person making application for a bicycle license or registration in the City shall make application to the Chief of Police, either directly or through a bicycle establishment, upon forms provided by the Chief of Police. Said application form shall contain such information as may be required by the Chief of Police as to the applicant and the description of the bicycle licensed. (Ord. 6230-NS § 1, 1994; Ord. 4957-NS § 6, 1976)~~

~~14.68.050 — License--Proof of ownership.~~

~~For each bicycle license issued, the applicant may be required to provide proof of ownership to the Chief of Police. Said proof shall be in any form designated by the Chief of Police to be satisfactory for such purpose. (Ord. 4957-NS § 7, 1976)~~

~~14.68.060 — License--Bicycle to be presented.~~

~~Upon making application for a bicycle license or bicycle license renewal, the applicant shall present the bicycle at such place designated by the Chief of Police as a licensing facility. (Ord. 4957-NS § 8, 1976)~~

~~14.68.070 — License--Examination of applicant required when.~~

~~Upon making an application for a first bicycle license, the applicant may be required to be examined by an examining officer designated by the Chief of Police. The Chief of Police may further designate the manner of examination. Upon completion of said examination, the examining officer may refuse to issue a license to the applicant if the said examination discloses to the examining officer that the applicant does not have a reasonable knowledge of the provisions of this chapter, the provisions of Division 11 (commencing with Section 21220) of the Vehicle Code of the state, or that the applicant is unable to exercise reasonable control in operating a bicycle. (Ord. 4957-NS § 9, 1976)~~

~~14.68.080 — License--Renewal procedures.~~

~~Application for a bicycle license renewal shall be made by presentation of the licensed bicycle and the registration certificate last issued for the bicycle, and by payment of the full annual fee for said bicycle as provided by this chapter. (Ord. 4957-NS § 10, 1976)~~

~~14.68.090 — License--Fees.~~

~~The fees required to be paid pursuant to the provisions of this chapter are:~~

- ~~A. For each new bicycle license and registration certificate, the sum shall be two dollars per year or any portion thereof;~~
- ~~B. For each transfer of registration certificate, the sum shall be one dollar;~~
- ~~C. For each replacement of a bicycle license and registration certificate, the sum shall be one dollar;~~
- ~~D. For each replacement of a registration certificate only, there shall be no fee;~~
- ~~E. For each bicycle license renewal, the sum shall be one dollar. (Ord. 5181-NS § 1, 1979; Ord. 4957-NS § 11, 1976)~~

~~**14.68.100 License--Issuance.**~~

~~Upon approval of the application and payment of the license fee, the Chief of Police will issue a license and a copy of the registration certificate to the applicant pursuant to Section 39003 of the Vehicle Code of the state. (Ord. 4957-NS § 12, 1976)~~

14.68.110 Operation--Conformity with chapter provisions required.

It is unlawful for any person to operate a bicycle or motorized bicycle in the City in violation of any of the provisions of this chapter. (Ord. 4957-NS § 13, 1976)

14.68.120 Riding motorized bicycles and motorized scooters on sidewalk prohibited.

No person shall ride or operate a motorized bicycle or motorized scooter on any sidewalk in the City. (Ord. 7786-NS § 4, 2021; Ord. 4957-NS § 14, 1976)

14.68.130 Riding bicycles on sidewalk permitted when.

No person shall ride or operate a bicycle on any sidewalk in the city except:

- A. Juveniles, exercising the due care and giving the pedestrian the right-of-way, may ride and operate their bicycles upon the sidewalk, except such sidewalks as are in front of schools, stores or buildings used for business purposes;

B. Juveniles riding or operating a bicycle on the sidewalk shall do so in single file;

C. Peace officers who determine in good faith that riding or operating a bicycle on the sidewalk is necessary to perform official duties. (Ord. 6113-NS § 1, 1992: Ord. 4957-NS § 15, 1976)

14.68.140 Operation restrictions--Playgrounds, parks, school grounds.

No person shall ride or operate a bicycle or motorized bicycle upon any playground, park, or school ground where children are playing, without the permission of the person having supervision of said playground, park or school ground. (Ord. 4957-NS § 16, 1976)

14.68.150 Operation restrictions--Public places.

No person shall ride or operate a bicycle or motorized bicycle upon any public place in the City other than a public street or highway, without due regard for the safety of the operator and other persons upon such public place. (Ord. 4957-NS § 17, 1976)

14.68.160 Stunt riding.

No person riding or operating a bicycle or motorized bicycle shall perform or attempt to perform any acrobatic, fancy or stunt riding upon any public place, other than a street or highway, in the City. (Ord. 4957-NS § 18, 1976)

14.68.170 Procedures on emerging from driveway or alley.

The operator of a bicycle or motorized bicycle, on leaving a driveway or alley when the operator's view of either the sidewalk or street area is obstructed, shall stop such bicycle or motorized bicycle immediately prior to riding upon or across such sidewalk or street area. (Ord. 4957-NS § 19, 1976)

14.68.180 Parking Restrictions.

No person shall park any bicycle, motorized bicycle, or motorized scooter against windows or parking meters or on the main-traveled portion of the sidewalk, nor in such manner as to constitute a hazard to pedestrians, traffic or property. (Ord. 7786-NS § 5, 2021; Ord. 4957-NS § 20, 1976)

14.68.190 Accidents--Procedures required.

The operator of any bicycle or motorized bicycle involved in an accident shall take reasonable steps to ascertain whether or not anyone was injured, and shall give their name, and address ~~and the license number of their bicycle or motorized bicycle~~ to the person with whom they had the accident, and shall obtain the same information from the other person. (Ord. 4957-NS § 21, 1976)

14.68.200 Accidents--Report required when.

It shall be the duty of the operator of any bicycle or motorized bicycle to make a written report of any accident resulting in death or injury to the Police Department immediately after such accident. (Ord. 4957-NS § 22, 1976)

~~Article II. Bicycle Establishments~~

~~14.68.210 Business license and permit required.~~

~~No person or persons in the city shall establish, carry on or operate a bicycle establishment, except as authorized by this chapter, and without first obtaining a business license as provided in Ordinance 2805-NS of the City, and a permit from the Chief of Police. (Ord. 4957-NS § 23, 1976)~~

~~14.68.220 Permit--Application.~~

~~A. The application for such permit shall be in writing and signed by the applicant and shall set forth the following information: The name, age and residence address of the applicant if a natural person, or if a corporation, its name, date and place of~~

~~incorporation, address of its principal place of business and the names of all its officers with their respective residence addresses, or if a partnership, association or unincorporated company, the names of the partners or persons comprising the partnership, association or company with their respective residence addresses. The application shall state whether the applicant had conducted a bicycle establishment prior to the current filing. If so, the applicant shall specify each and every such business, its location and dates of operation.~~

~~B.—The application shall be made on forms provided by the Chief of Police and filed in duplicate with the Chief of Police. (Ord. 4957-NS § 24, 1976)~~

~~14.68.230 — Permit—Not transferable.~~

~~No person having a bicycle establishment permit under the provisions of this chapter shall transfer, sell, assign, loan or permit any person to have or use such permit. (Ord. 4957-NS § 25, 1976)~~

~~14.68.240 — Weekly secondhand buy report required.~~

~~A.—All persons operating a bicycle establishment are required to make a weekly report to the Chief of Police upon forms provided for that purpose by the Chief of Police, giving the true name and address of the person from whom each bicycle or bicycle part is purchased, and a description of each bicycle, its frame number and the number of any license found thereon, if any. If the bicycle does not have a license, the buyer shall require the seller to obtain the approval of the Chief of Police to complete such sale or exchange. This report shall be known as the "secondhand buy report," and shall be made in triplicate. The original shall be mailed or delivered to the Chief of Police, the duplicate shall remain with the dealer, and the triplicate shall be given to the seller. It shall be the duty of the dealer to mail or deliver to the Chief of Police all reports at the close of each business week.~~

~~B.—This section shall not apply to new bicycles or bicycle parts purchased at wholesale. (Ord. 4957-NS § 26, 1976)~~

~~14.68.250 — Dealer's report of sale required weekly.~~

~~All persons operating a bicycle establishment shall make a weekly report to the Chief of Police upon forms provided for that purpose by the Chief of Police, to report all sales made, including the name and address of each person to whom a bicycle is sold, together with the make, frame number and license number found thereon, if any. These reports shall be known as the "dealer's report of sale," and shall be made in triplicate. The original shall be mailed or delivered to the Chief of Police, the duplicate shall be retained by the dealer, and the triplicate shall be given to the seller. It shall be the duty of the dealer to make or deliver all reports to the Chief of Police at the close of each business week. (Ord. 4957-NS § 27, 1976)~~

~~14.68.260 — Holding period for bicycles and parts.~~

~~No person operating a bicycle establishment shall alter, repair or dispose of any bicycle or bicycle part purchased or taken in exchange as secondhand bicycle or bicycle part thereof until after the expiration of thirty days from the date of purchase or exchange, and during those thirty days the bicycle or bicycle part so obtained shall remain without alteration on the premises of such bicycle establishment, shall be kept separate from bicycles or bicycle parts previously purchased, and shall be subject to inspection at any time during business hours by the Chief of Police, or any police officer or other person designated by the Chief of Police. (Ord. 4957-NS § 28, 1976)~~

~~14.68.270 — Bicycle register--Required--Contents.~~

~~A. The Chief of Police shall furnish free of charge to every person operating a bicycle establishment a book known as the "bicycle register" in which shall be entered in plain and legible handwriting a record of all bicycles or bicycle parts purchased or taken in exchange. The entry must be made at the time of purchase or immediately thereafter and shall include, in addition to the date and hour of purchase, a full description of the bicycle or bicycle part, the price paid therefor, and the name, address, age, height, weight and complexion of the seller. In entering the description of the bicycle, the name of the manufacturer and the factory serial number thereof shall in every case be recorded if known or if it can be ascertained.~~

~~B. This section shall not apply to new bicycles or bicycle parts purchased at wholesale. (Ord. 4957-NS § 29, 1976)~~

~~14.68.280 — Bicycle register--Disposition of purchased items.~~

~~The operator of a bicycle establishment shall also enter in the bicycle register a record showing the disposition of each bicycle purchased, indicating whether such bicycle was resold or dismantled. (Ord. 4957-NS § 30, 1976)~~

~~14.68.290 — Bicycle register--Safekeeping--Inspection.~~

~~The operator of a bicycle establishment shall keep the bicycle register in a safe place and see that it is not mutilated or destroyed. The bicycle register shall remain the property of the City, and shall be opened to inspection by the Chief of Police or any police officer at any time the establishment is open for business, and it may be taken by such police officer from the possession of the operator of a bicycle establishment if deemed necessary. (Ord. 4957-NS § 31, 1976)~~

~~14.68.300 — Permit--Revocation conditions.~~

~~A. Bicycle establishment licenses issued pursuant to this chapter may be revoked by the Chief of Police after notice and hearing for any of the following reasons:~~

- ~~1. Fraud, misrepresentation, or any false statement contained in the application for a permit;~~
- ~~2. Any violation of any provision of this chapter or any provisions of any other chapter or law relating to and regulating the bicycle establishment;~~
- ~~3. Conviction of the permit holder of any felony or lesser crime reasonably related to the purposes of this chapter.~~

~~B. Any hearing on revocation or suspension conducted by the Chief of Police shall be conducted pursuant to written rules of procedure adopted by the City Council. (Ord. 4957-NS § 32, 1976)~~

~~Article III. General Regulations~~

~~14.68.310 — Provisions supersede other regulations.~~

~~The provisions of this chapter with reference to bicycles shall supersede and be in lieu of any other ordinance or section of any other ordinance which is in conflict with the provisions of this chapter. (Ord. 4957-NS § 40, 1976)~~

~~14.68.320 — License transfer prohibited.~~

~~It is unlawful to transfer a bicycle license from one bicycle or motorized bicycle to another. (Ord. 4957-NS § 34, 1976)~~

~~14.68.330 — Dismantled or junked bicycles--Return of registration certificate.~~

~~Upon dismantling or disposing of a bicycle or motorized bicycle as junk, the licensee shall turn in the registration certificate for such bicycle or motorized bicycle to the Chief of Police within ten days of the date of said disposal indicating that the bicycle or motorized bicycle was junked. (Ord. 4957-NS § 35, 1976)~~

~~14.68.340 — Bicycle rental agency--Licensing requirements.~~

~~All persons engaged in operating a bicycle rental agency for the purpose of renting or lending bicycles or motorized bicycles to patrons shall first obtain a bicycle license and registration certificate for each bicycle or motorized bicycle prior to renting or lending such bicycle or motorized bicycle. (Ord. 4957-NS § 36, 1976)~~

~~14.68.350 — Abandoned or unidentified bicycles.~~

~~All bicycles and motorized bicycles that are abandoned or unidentified remaining in the hands of the Chief of Police shall at the end of six months be sold at auction and the proceeds therefrom deposited in the general fund of the City. (Ord. 4957-NS § 37, 1976)~~

~~14.68.360 — Violation of provisions by persons under eighteen--Penalty.~~

~~Where this chapter has been violated by juveniles under the age of eighteen years, in lieu of such fine and imprisonment provided in Section 14.68.370, and in lieu of filing charges in the juvenile court, the Chief of Police may prohibit the operation upon the streets, alleys and public places in the City for a period not to exceed thirty days of a bicycle so used in such violation, in which event the bicycle so used in such violation shall be impounded by the Chief of Police and retained by them during the period of the operation which is prohibited, and the owner's registration card shall be held for a like period. (Ord. 4957-NS § 39, 1976)~~

~~14.68.370 — Violations Generally--Penalty.~~

~~Any person found to be in violation of any of the provisions of this chapter, except for Section 14.68.130, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as set forth in Chapter 1.20 of this code. Any person found to be in violation of Section 14.68.130 shall be deemed guilty of an infraction and upon conviction thereof shall be punished as set forth in Chapter 1.20 of this code. (Ord. 6921-NS § 1, 2006; Ord. 5716-NS § 3 (part), 1986; Ord. 4957-NS § 38, 1976)~~

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

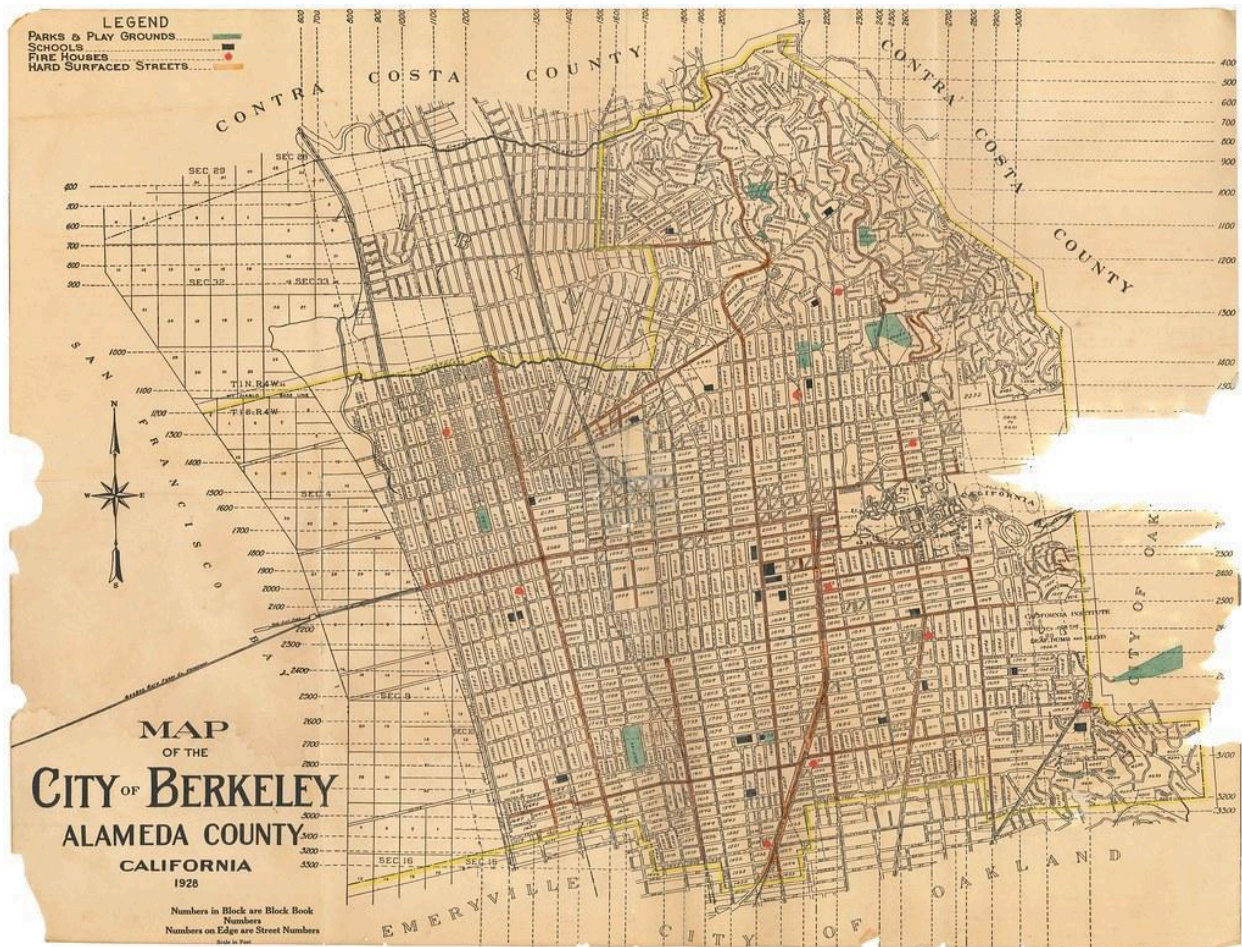


VEHICLE CODE - VEH

DIVISION 16.7. REGISTRATION AND LICENSING OF BICYCLES [39000 - 39011] (*Heading of Division 16.7 amended by Stats. 1975, Ch. 1250.*)

- 39002.** (a) A city or county, which adopts a bicycle licensing ordinance or resolution, shall not prohibit the operation of an unlicensed bicycle.
- (b) It is unlawful for any person to tamper with, destroy, mutilate, or alter any license indicia or registration form, or to remove, alter, or mutilate the serial number, or the identifying marks of a licensing agency's identifying symbol, on any bicycle frame licensed under this division.
- (Amended by Stats. 2022, Ch. 343, Sec. 7. (AB 1909) Effective January 1, 2023.)*

The Fines and Fees Report: Advancing Equity in Berkeley, California



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***This document was prepared for the City of Berkeley's Fines and Fees
Steering Committee and the Berkeley City Council***

The author conducted this study as part of the program of professional education at the Goldman School of Public Policy, University of California at Berkeley. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author, and are not necessarily endorsed by the Goldman School of Public Policy, by the University of California, or by any other agency.

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Statement of Positionality

My engagement throughout this Capstone and Berkeley's Fines & Fees system is inseparable from my lived experience. I am a multi-racial Hispanic male who grew up—and, for much of my adult life, remained—in low-income circumstances, living paycheck-to-paycheck. I am formerly incarcerated and have personally carried the weight of punitive fines and fees that compounded economic insecurity for me and my family.

Having navigated the criminal legal system from the inside, I understand how cumulative financial penalties can trap people in cycles of debt, surveillance, and marginalization. This perspective grounds my insistence that policy proposals be evaluated not only for fiscal efficiency but also for their capacity to restore dignity, promote due process access, and reduce racial- and socio-economic disparities. Equity is not an abstract goal for me—it is a tangible necessity tied to survival and self-determination.

At the same time, I recognize that my proximity to the issue may introduce bias toward favoring reforms that reduce or eliminate fines altogether. To mitigate that bias, I rely on rigorous empirical evidence, dialogue with stakeholders of varied backgrounds, and transparent methodology. I strive to balance the urgency of lived experience with the discipline of data-driven public policy analysis.

Ultimately, my position in this project is both scholar-advocate and community voice. I leverage personal insight to spotlight systemic harms that might otherwise remain hidden, while committing to rigorous standards that make our recommendations credible to policymakers. My aim is to ensure that Berkeley's fines and fees framework advances fiscal responsibility *and* justice—so that no one's ability to meet basic needs is derailed by punitive costs.

Executive Summary

Introduction

Berkeley's multi-department fines and fees framework, while designed to meet diverse operational needs, has led to challenges around consistent communication, administrative efficiency, and equitable enforcement for low-income residents. In the first half of Fiscal Year 2025, parking citation volume rose by 12.9 percent while related revenues fell by 9.9 percent, indicating a growing disparity between enforcement actions and actual collections.¹ This gap highlights the limits of relying on punitive, lump-sum charges and underscores the need to realign the City's approach to promote both fiscal stability and equitable access for all residents.

¹ "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025. <https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

This report examines Berkeley's multilingual, multi-department fines and fees framework to identify opportunities for improving fiscal stability, administrative efficiency, and equitable access. It assesses how reliance on punitive, lump-sum penalties can exacerbate financial hardships for low-income residents and strain public trust, setting the stage for targeted reforms to realign policy with broader equity and transparency goals.

Criteria Used to Evaluate

This study evaluates six targeted interventions using a mixed-methods approach: mapping departmental fee schedules, analyzing budget and revenue data, conducting semi-structured interviews with staff from multiple City departments, and benchmarking against other Bay Area jurisdictions, such as San Francisco, Alameda, and Oakland, as well as other jurisdictions across the U.S.

To ensure a transparent and data-driven assessment of each reform, a criteria matrix was developed that quantifies their performance across five key dimensions. The study's criteria matrix assigns each proposed reform a score from 1 to 10 across each dimension—political feasibility, implementation cost, anticipated effectiveness, long-term sustainability, and potential externalities—to facilitate an objective, side-by-side comparison of policy options. By quantifying each recommendation against these standardized measures, the matrix highlights top-scoring interventions and illuminates trade-offs, enabling decision makers to prioritize actions that balance impact with practicality and equity.

Key Findings and Challenges

The disproportionate burden that fines and fees impose on low-income individuals and communities of color has been documented across California. A UCLA Summer Programs for Undergraduate Research (SPUR) study in 2021 found that nearly half of Californians with outstanding fines or fees were unable to pay other essential bills, with 40 percent skipping utilities and 37 percent missing grocery payments.² Concurrently, a 2023 analysis by the California Budget and Policy Center revealed that 63 percent of households earning under \$35,000, 46 percent earning \$35,000–\$74,999, and 30 percent earning \$75,000–\$149,999 reported difficulty meeting basic expenses.³ These findings illustrate how unexpected municipal charges can exacerbate financial fragility and erode trust in local governance.

Recognition of these harms has grown alongside broader public safety reforms. Berkeley's Reimagining Public Safety Task Force called for non-punitive interventions and restorative

² Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021.

https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf

³ California Budget and Policy Center. "Millions of Californians Are Struggling to Make Ends Meet." Accessed April 13, 2025.

<https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

approaches to reduce reliance on traditional enforcement,⁴ while the City Council's Care First, Jails Last resolution shifted focus toward prevention and community-centered support.⁵ Yet, without targeted reforms to the fines and fees framework, efforts to advance equity risk being strained by financial barriers that may contribute to financial hardship for vulnerable residents.

Although some City departments use informal, case-by-case discretion to extend deadlines, waive minor penalties, or guide residents through the fines and fees process, these accommodations depend on individual staff availability, lack clear, uniform procedures, and remain unevenly accessible, which can inadvertently reinforce inequities.

Recommendations

First, ***consolidating all fees, deadlines, and relief programs into a single, multilingual online resource page***—complemented by a council-adopted Master Fee Schedule—could vastly improve transparency and reduce administrative overhead. San Francisco, who publishes a biennial Master Fee Schedule, reports measurable increases in voluntary compliance and reductions in staff time spent responding to routine inquiries.⁶ Also, embedding clear instructions and QR codes on physical notices can further guide residents to assistance at the point of citation.

Second, ***updating Berkeley Municipal Code section 14.40.100⁷ to align with the ADA Amendments Act of 2008⁸ and California Vehicle Code § 295.5⁹*** would broaden eligibility for disabled-parking placards to include individuals with blindness, cardiopulmonary conditions, or episodic impairments, and would allow caregivers to use placards when they are providing transportation to disabled persons. Harmonizing local law with federal and state definitions reduces legal risk and expands equitable access without substantive revenue loss.

Third, ***converting mandatory bicycle licensing under BMC 14.68 to a voluntary program*** removes a punitive requirement that discourages sustainable transportation and disproportionately penalizes second-hand bike owners who often lack sales documentation. State law under Cal. Veh. Code § 39002(a) prohibits enforcement against unlicensed bicycles,¹⁰ and Berkeley's Climate Action Plan reported that sustainable modes—including cycling—accounted for 34 percent of trips in 2023, underscoring the

⁴ "Reimagining Public Safety." Berkeley Task Force Report, March 2022.

<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/TaskForceReport-2322-653pm2-8-2022.pdf>

⁵ Jones, Monica. "Resolution to Adopt a City-Wide 'Care First, Jails Last' Policy," July 25, 2023.

<https://dev.berkeleyca.gov/sites/default/files/documents/2023-07-25%20Item%2031%20Resolution%20to%20Adopt%20a%20City-Wide.pdf>

⁶ City and County of San Francisco Staff Interview. Financial Justice Project, 2025

⁷ Berkeley Municipal Code, § 14.40.100 (1952).

⁸ ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).

https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm

⁹ Legislature, Cal. "Cal. Vehicle Code § 295.5." Accessed April 18, 2025.

https://california.public.law/codes/ca_veh_code_section_295.5

¹⁰ Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).

https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=

importance of barrier-free bike access.¹¹ Forecasts project the global used bike market to grow from \$47 billion in 2025 to \$72.4 billion by 2035,¹² highlighting the need for accessible, voluntary registration.

Fourth, ***evaluating a centralized, end-to-end fines and fees management platform***—either by extending the City’s existing Enterprise Resource Planning (ERP) software framework or deploying an end-to-end solution—could streamline workflows, eliminate tedious data entry, and enable real-time visibility into citation lifecycles. When taken a step further and complemented by Robotic Process Automation (RPA), which automates repetitive tasks in legacy systems, the combined technology reduces errors and frees staff for more strategic work.¹³

Fifth, ***extending Berkeley’s Indigent Payment Plan***—currently limited to parking citations—to all eligible fines and fees would align obligations with residents’ financial realities and bolster compliance. In San Francisco, their Ability-to-Pay model, which reduces the entry fee for payment plans by over 90 percent led to a 400 percent enrollment increase and nearly \$160,000 in additional revenue within two months.¹⁴

Finally, ***embedding automatic installment plans as the default for every citation***—offering three- or four-month payment schedules at the point of ticket issuance—aligns fiscal obligations with household cash-flow patterns. Research shows that many households facing modest but unexpected expenses are more likely to maintain compliance when payments are spread over time.¹⁵ One study of installment plans reported a 16:1 advantage in dollars collected compared to lump-sum enforcement, illustrating both revenue gains and administrative savings.¹⁶

Implementation Considerations

Implementation of these reforms will require phased investments, targeted staff training, and robust public outreach—particularly to limited-English-proficiency communities—to ensure broad awareness and uptake. While some benefits, such as increased compliance and streamlined operations, may emerge quickly, others—like cumulative revenue

¹¹ “Climate Action Plan and Resilience Update.” Berkeley City Council, April 15, 2025.

https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%2023%20Climate%20Action%20Plan%20and%20Resilience%20Update_0.pdf.

¹² “Used Bike Marketplace Size, Share & Forecast 2025 to 2035.” Accessed April 20, 2025.

<https://www.futuremarketinsights.com/reports/sales-of-used-bikes-through-used-bike-marketplace>.

¹³ Digital Robots. “Benefits of Integrating RPA with ERP: Savings and Efficiency.” Accessed April 24, 2025.

<https://www.digital-robots.com/en/news/beneficios-de-integrar-rpa-con-erp-ahorro-y-eficiencia>.

¹⁴ Rodriguez, Joe Fitzgerald. “City Says Reduced Fee for Parking Citation Payment Program Boosting Revenues.” San Francisco Examiner, May 14, 2018.

https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article_520d8832-0300-5643-8267-3ad4c041176f.html.

¹⁵ Hasler, Andrea, and Annamaria Lusardi. “Financial Fragility among Middle-Income Households: Evidence Beyond Asset Building.” Working Paper. Global Financial Literacy Excellence Center: The George Washington University School of Business, March 4, 2019. <https://gflec.org/wp-content/uploads/2019/04/Financial-Fragility-among-Middle-Income-Households-WP-2019-1-v2-3.pdf>.

¹⁶ “Payment Plans as a Compliance Tool: Best Practices For Florida Courts.” Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

stabilization—may appear over longer timeframes. Moreover, reforms touching county- or state-mandated fees will necessitate intergovernmental coordination.

Conclusion

The report proposes options to consolidate communication, update legal standards, review current mandates, leverage technology, and incorporate income-sensitive payment options to support a fines and fees system in Berkeley that promotes transparency, operational efficiency, and fiscal stability while advancing equity goals. A strategic, phased approach will enable the City to establish benchmarks, while building the foundation for more comprehensive, sustainable change.

Project Scope

This capstone undertakes a comprehensive review of Berkeley's system of municipal fines and fees to determine how current practices affect equity, fiscal stability, and administrative efficiency. The primary emphasis is on Berkeley-specific fines and fees structures and opportunities for local reform; however, it is important to note that some fines and regulations are governed by Alameda County ordinances or California state law, which are beyond the City's authority to modify.

This memorandum first maps the status quo: a decentralized network of department-specific schedules, payment portals, and appeal procedures that, despite generating large volumes of citations, often yield declining revenues and create or exacerbate burdens on economically vulnerable populations. In addition to reviewing municipal fee schedules, budget data, and comparative research, semi-structured interviews were conducted with staff from multiple departments, including the City Manager's Office, Planning and Development, Police Department, Parks, Recreation and Waterfront, Public Works, Finance, and the City Attorney's Office. These interviews provided critical insights that helped identify operational challenges and pinpoint areas where fines and fees reforms would be most impactful and administratively feasible.

Guided by a multi-criteria analytical framework that weighs political feasibility, cost, effectiveness, sustainability, and externalities, the scope extends beyond diagnosis to targeted reform design. Six principal interventions are developed: (1) a city-wide communication strategy and consolidated master fee schedule; (2) modernizing disability parking provisions to align with federal and state standards; (3) making bicycle registration voluntary; (4) unifying and simplifying the citation-appeals process; (5) offering automatic installment payment plans to everyone at the point of citation; and (6) expanding the Indigent Payment Plan model across the Berkeley Municipal Code (BMC).

The project further evaluates how automation, such as Robotic Process Automation software and Enterprise Resource Planning platforms, can reduce clerical workload,

improve accuracy, and ensure consistent rule application when administering payment plans.

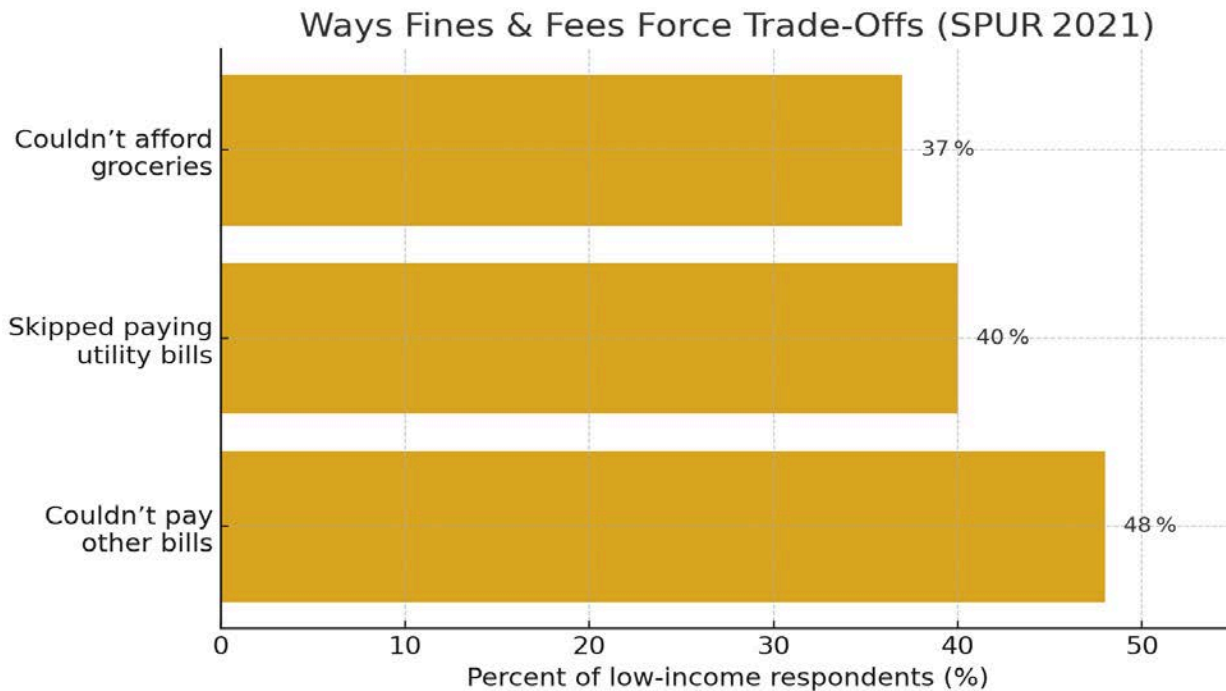
Overall, the scope encompasses problem analysis, stakeholder engagement, legal review, best-practice benchmarking, and the development of actionable policy and technology recommendations aimed at making Berkeley's fines and fees framework more equitable, transparent, and fiscally resilient.

Limitations

While this project employed a rigorous mixed-methods approach, several limitations should be noted. Access to comprehensive, granular data across departments and national partners was limited, which constrained the ability to perform a deeper quantitative analysis of fines and fees distribution and impacts. The timeline of the study also naturally limited the breadth of inquiry, including the opportunity to conduct direct interviews with low-income Berkeley residents most affected by municipal fines and fees. Additionally, while the project engaged multiple City departments and offices, further connections with additional departments could have strengthened the comprehensiveness of the findings. Future studies could build on this work by incorporating direct community engagement to further validate and refine recommendations. Additionally, some fines and regulations fall under Alameda County or California state authority, which places natural boundaries on the reforms that the City of Berkeley can independently implement. These factors should be considered when interpreting the findings and recommendations presented in this report.

Background

The City of Berkeley imposes a range of fines and fees on individuals for various violations and services. Although intended to maintain public order and offset administrative costs, studies show that such charges may place a disproportionate burden on low-income residents. Research indicates that relatively minor fees can lead to substantial financial hardship, as individuals with limited resources may need to choose between paying fines and covering basic necessities such as food, rent, or utilities.

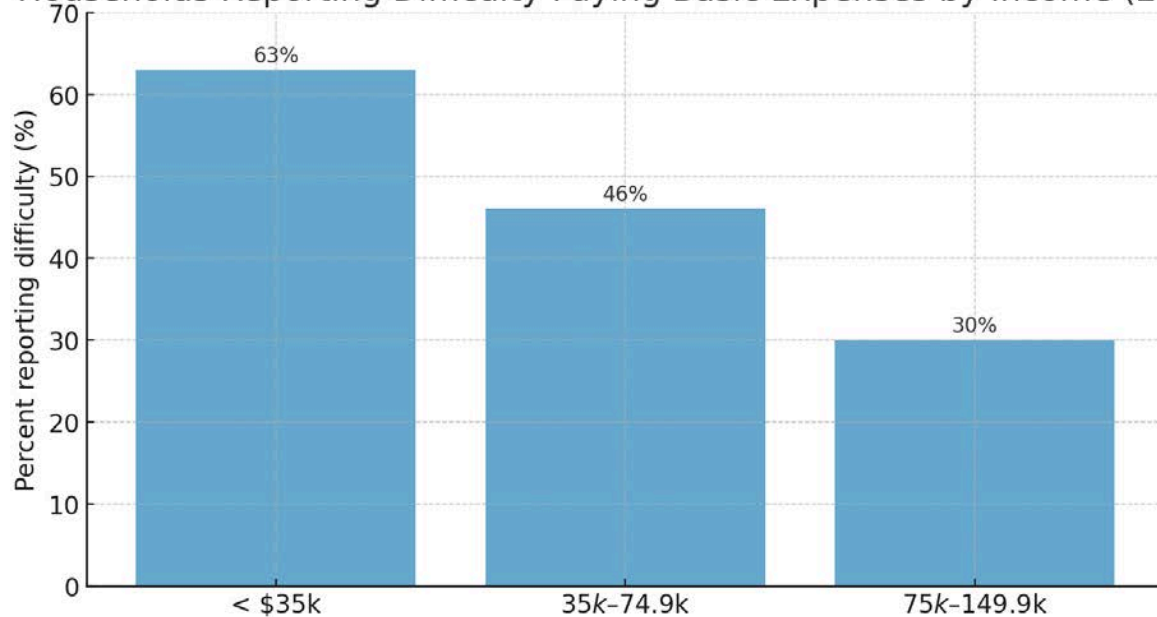


A report by SPUR in 2021 highlighted that fines and fees disproportionately harm low-income Californians, pushing many families into debt and impeding their ability to meet basic needs.¹⁷ The report noted that 48 percent of individuals grappling with fines and/or fees could not pay their other monthly bills, 40 percent had to skip paying utility bills, and 37 percent could not afford groceries.¹⁸ These findings underscore the significant burden that fines and fees can impose on low-income individuals, often leading to difficult choices between fulfilling legal obligations and meeting essential living expenses.

¹⁷ Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021. https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf

¹⁸ Ibid.

Households Reporting Difficulty Paying Basic Expenses by Income (2023)



Source: California Budget & Policy Center (2023) [cite]turn8file0[

Data at the California Budget and Policy Center shows that in 2023, 63 percent of households making less than \$35,000 per year, 46 percent making \$35,000-\$74,999, and 30 percent making \$75,000-\$149,999 per year, reported difficulty paying for basic expenses.¹⁹ Households living paycheck-to-paycheck can be highly vulnerable to unanticipated expenses, as their budgets are already stretched thin by necessities like rent, food, and transportation. The lack of disposable income and emergency savings means that a significant portion of Californians, not just those who fall under the “low-income” threshold, are at risk of falling into deeper financial hardship with any unexpected cost.

Research suggests that fines and fees undermine efforts to alleviate poverty and strengthen social mobility by creating cumulative financial burdens that may contribute to financial hardship for vulnerable residents, ultimately perpetuating economic insecurity and reinforcing broader patterns of social and economic inequality. Recognizing these adverse impacts, policymakers and community advocates are increasingly calling for reforms to fine and fee structures, aiming for greater financial equity reflected in the City's municipal code.

Problem Statement

Across the United States, fines and fees related to minor offenses, court costs, and administrative penalties place a significant burden on individuals and families, particularly

¹⁹ California Budget and Policy Center. “Millions of Californians Are Struggling to Make Ends Meet.” Accessed April 13, 2025. <https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

in communities of color, disproportionately harming those with lower incomes.²⁰ In Berkeley, a city with more than 118,000 residents²¹ and a federal poverty threshold of \$15,650 per year in California²², 17.7 percent of residents live below that mark, placing them at higher risk of hardship when faced with compounding municipal fines.²³ This dynamic can lead to spiraling debts and other consequences that can significantly impact those already struggling to meet basic needs.

The City of Berkeley recognizes the importance of addressing economic disparities and expanding opportunities that support financial and physical security for low-income individuals and families through accessible local government programs. Through the city's efforts to create a public safety system that prioritizes equity and care, this comprehensive re-evaluation stems from the need to address concerns about the disproportionate impact of punitive fines on low-income residents and communities of color, as highlighted in both the Reimagining Public Safety initiative and the Care First, Jails Last resolution.

The Care First, Jails Last resolution shifts public safety toward prevention, treatment, and community-based interventions rather than criminalization and incarceration.²⁴ The resolution also calls for financial investments in restorative justice and survivor support, guided by City Council and the Mental Health Commission. Reimagining Public Safety is a Berkeley led, council-mandated initiative and Task Force effort to develop a community centered safety paradigm that moves beyond traditional policing by repairing historical harm, advancing equity, and integrating non-police responders for mental health, substance use, and quality-of-life calls.²⁵ Grounded in extensive community engagement and interdisciplinary research, it seeks to foster restorative justice, enhance transparency, and invest in alternative public safety solutions—such as specialized care units, transportation reforms, and violence-prevention programs—to build lasting, inclusive well-being across every neighborhood.²⁶

The disproportionate impact of fines and fees often exacerbates existing inequalities, placing additional barriers before residents who are already facing significant economic challenges. When fines and fees escalate due to an individual's inability to pay immediately, they can escalate into larger debts, which may affect credit scores, housing opportunities, and vehicle registration, among other impacts, which is crucial in order to be legally able to get to and from a place of employment. These cascading consequences create cycles of

²⁰ Firefly Advocates. "The Hidden Cost of Justice: Fines, Fees, and Their Impact on Communities of Color," February 14, 2025. <https://www.fireflyadvocates.org/blog/the-hidden-cost-of-justice-fines-fees-and-their-impact-on-communities-of-color>.

²¹ "U.S. Census." Accessed April 5, 2025. <https://www.census.gov/quickfacts/fact/table/berkeleycitycalifornia/PST045223>.

²² "2025 Poverty Guidelines: 48 Contiguous States (All States except Alaska and Hawaii)," n.d. <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>.

²³ "U.S. Census." Accessed March 24, 2025. <https://data.census.gov/all?q=residents+below+the+federal+poverty+line+Berkeley+city+California>.

²⁴ Jones, Monica. "Resolution to Adopt a City-Wide 'Care First, Jails Last' Policy," n.d. <https://dev.berkeleyca.gov/sites/default/files/documents/2023-07-25%20Item%2031%20Resolution%20to%20Adopt%20a%20City-Wide.pdf>.

²⁵ "Reimagining Public Safety." Berkeley Task Force Report, March 2022. <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/TaskForceReport-2322-653pm2-8-2022.pdf>.

²⁶ Ibid

debt that hinder economic mobility and deepen the very poverty such penalties may unintentionally exacerbate, despite intended regulatory purposes..

Research and experiences from other jurisdictions highlight viable alternatives to punitive approaches, emphasizing restorative practices and income-sensitive fine structures. Cities implementing tiered systems or income-based fee waivers have seen reduced financial burdens on marginalized communities without compromising the efficacy or intent behind fines as regulatory tools; effectively promoting compliance without imposing undue hardship.

In alignment with the values articulated in the Reimagining Public Safety initiative and the Care First, Jails Last approach, the City of Berkeley is uniquely positioned to put forth comprehensive reforms that not only mitigate economic disparities but also reinforce community trust in local governance. Engaging directly with impacted communities to understand lived experiences and soliciting input on equitable fine structures can help Berkeley craft policies that better reflect the city's commitment to fairness, justice, and inclusion. Ultimately, these reforms serve as integral components of a broader strategy to build safer, healthier, and more resilient communities, ensuring that local government actions consistently align with the principles of equity and compassion.

Methodology

This project employed a mixed-methods approach anchored in rigorous evidence analysis. The first phase combined documentary analysis—examining the BMC, department-level fee schedules, recent budget updates, and revenue reports—with 15 semi-structured interviews, including correspondence through numerous follow up emails with City staff across Parking Enforcement, Code Enforcement, Finance, the City Attorney's Office, and the Indigent Payment Plan program, as well as staff at San Francisco's Financial Justice Project and the Fines and Fees Justice Center.

These steps mapped the current fines and fees ecosystem, surfaced operational pain points, and recorded equity concerns from frontline perspectives. Concurrently, Berkeley was benchmarked against other jurisdictions, including, but not limited to, San Francisco, Alameda, Oakland, and extensive literature review to identify legally and administratively viable reform models. All findings were cross-checked for consistency and accuracy.

Each potential reform is measured by a multi-criteria decision matrix—political feasibility, cost, effectiveness, sustainability, and externalities—scored on a 1-10 scale to generate comparative rankings. Quantitative scores were paired with qualitative insights from interviews and existing evidence supported the prioritization of six recommendations measuring for equity, fiscal soundness, and administrative practicality. Iterative peer review and reconciliation of data discrepancies ensured internal validity, while continuous

stakeholder feedback helped to mitigate any potential bias and maintain fidelity to community needs throughout the project.

Analytical Framework

The preferred package of six recommendations:

- 1) publish a consolidated, multilingual Master Fee Schedule and plain-language portal
- 2) update BMC 14.40.100 to align disability-parking rules with federal and state standards
- 3) convert mandatory bicycle licensing in BMC 14.68 to a voluntary program
- 4) explore internal software options
- 5) extend the Indigent Payment Plan beyond parking tickets to all eligible fines and fees
- 6) Offer an installment payment option for every citation

It is important to note that the order of the recommendations reflects a strategic sequencing based on relative ease of implementation. Recommendations are prioritized beginning with actions that present lower operational barriers and fewer interdependencies, and progressing toward reforms that involve broader structural considerations, require additional coordination, or present higher complexity. This approach is intended to support a phased implementation process that maximizes early gains while preparing for more comprehensive changes over time.

When evaluating policy recommendations for fines and fees reform, we assess each option's viability. Using specific criteria, this framework promotes a balanced approach that considers political, economic, social, and practical implications. Each recommendation involves trade-offs that influence the effectiveness and sustainability of the policy. The following matrix summarizes the considerations of a set of policy alternatives that follow. Each criteria is based on a 1-10 score, with 10 being the best score. As it pertains to externalities, lower scores lean to more negative externalities, while higher scores lean to more positive externalities.

- A.** Political Feasibility - Will the policy gain the political support needed to be adopted?
- B.** Cost Effectiveness - Do the policy outcomes outweigh the cost?
- C.** Effectiveness - Will the policy achieve its intended goals?
- D.** Sustainability - Can the policy be maintained over the long-term?
- E.** Externalities - What are the unintended side-effects of the policy?

Criteria Matrix

Criteria	Status Quo	Develop Clear Comm Strategy	Amend BMC 14.40.100 Disabled Parking Rules	Amend BMC 14.68 Bicycle License And Registration	Explore Internal Software Options	Indigent Payment Plan Extended to Other Areas of BMC	Automatic Payment Plans Available to Anyone	Community Service
Political Feasibility	8	9	7	7	7	5	4	4
Cost Effectiveness	3	9	8	7	6	8	8	5
Effectiveness	3	8	9	9	9	9	9	6
Sustainability	2	8	9	9	9	8	8	3
Externalities Low=Neg High=Pos	2	8	8	8	7	8	8	5
Total Score	15	42	41	40	38	38	37	23

Considerations:

Implementation Considerations

Following the evaluation of policy alternatives through the multi-criteria analytical framework, it is important to acknowledge key considerations that could impact the practical implementation of the recommendations. While the reforms identified offer clear opportunities to advance equity, fiscal stability, and operational efficiency within the City of Berkeley's fines and fees system, successful implementation will require careful navigation of administrative, fiscal, and structural realities inherent to municipal governance.

Several considerations are outlined below:

- 1) **Budgetary Constraints:** Although many proposed reforms, such as updates to the BMC and the development of a centralized communication strategy, are relatively low-cost, initiatives involving technological investments—such as integrating Enterprise Resource Planning (ERP) systems or Robotic Process Automation (RPA)—will require initial capital outlays. Given competing fiscal priorities across City departments, implementation may require phased funding strategies or pursuit of external grants to offset costs.
- 2) **Administrative Capacity and Workload:** Consolidating department-specific schedules into a Master Fee Schedule, modernizing appeals processes, and expanding payment plan access will necessitate significant interdepartmental coordination, updates to workflows, and staff training. In the short term, these reforms may increase administrative burdens before longer-term efficiencies are fully realized. The City would need to consider how to strategically allocate resources, project management support, and technical assistance during the transition period.
- 3) **Public Awareness and Compliance:** The effectiveness of reforms such as automatic installment plans and expanded access to financial relief options depends heavily on robust public communication. Without intentional outreach—particularly to low-income and limited-English-speaking communities—improvements in system design may not immediately translate into higher compliance rates or improved user experience. A comprehensive education and engagement campaign would be necessary to ensure that impacted residents are aware of and able to access new programs.
- 4) **Timing of Fiscal Benefits:** Although many reforms are designed to strengthen Berkeley's fiscal resilience over time, cost savings and revenue stabilization may not be immediately apparent. As demonstrated in peer jurisdictions, there may be a lag between initial implementation and the realization of measurable fiscal outcomes. Berkeley should build this lag into its financial projections and maintain regular

monitoring—using key performance indicators such as plan enrollment rates and delinquency trends—to sustain internal support for continued funding.

- 5) **Jurisdictional and Legal Boundaries:** Certain fines and fees affecting Berkeley residents are governed by Alameda County ordinances or California state law, limiting the City's direct authority to enact reforms in those areas. Any recommendations pertaining to fines set outside the City's jurisdiction would require coordination with county or state entities to fully realize intended impacts.

Incorporating these considerations into a phased implementation plan—with defined milestones, dedicated resources, and ongoing stakeholder engagement—will enable Berkeley to establish a fines and fees system that is transparent, impartial, and financially sustainable.

Community Service Considerations

Additionally, community service in lieu of monetary fines has long been proposed by countless jurisdictions, including Berkeley, as an alternative for individuals unable to pay, but past implementations in Berkeley proved financially unsustainable. Police officials noted that the prior program, facilitated through an outside agency, required officers to work overtime in order to supervise participants, driving up costs without commensurate revenue or compliance gains.²⁷ Multiple Parking Enforcement Officers stated that, “the cost to run the program and where the money goes or doesn’t go are factors”²⁸ and, “the cost was too high to pay officers the overtime required to staff a program like that.”²⁹

Other interview respondents nonetheless suggested an expanded community service model, pointing to recent legislative reforms in other states that broaden acceptable service activities beyond roadside cleanup, would be necessary if Berkeley was to revisit a program like this.³⁰ In Texas, for instance, courts under Article 45.049(c) of the Code of Criminal Procedure may grant credit for participation in addiction counseling, victim impact panels, or social service outreach—rather than strictly manual labor.³¹ Likewise, New Mexico’s 2023 amendment to Section 31-12-3 of its statutes explicitly allows community service credit “including enrollment in job training or an academic or vocational program or participation in social service or rehabilitation programs,” offering a more flexible framework for fulfillment of court-ordered hours.³²

²⁷ City of Berkeley Police Department Staff Interview, 2025.

²⁸ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

²⁹ City of Berkeley Staff Interview. Parking Enforcement, 2025.

³⁰ Policy and Research Director at Fines and Fees Justice Center, n.d.

³¹ FindLaw. “Texas Code of Criminal Procedure - CRIM P Art. 45.049. Community Service in Satisfaction of Fine or Costs.” Accessed April 23, 2025. <https://codes.findlaw.com/tx/code-of-criminal-procedure/crim-ptx-crim-pro-art-45-049/>.

³² Justia Law. “2024 New Mexico Statutes :: Chapter 31 - Criminal Procedure :: Article 12 - Fines, Fees and Costs :: Section 31-12-3 - Paying Fines, Fees or Costs in Installments; Community Service Option.” Accessed April 23, 2025. <https://law.justia.com/codes/new-mexico/chapter-31/article-12/section-31-12-3/>.

In light of these findings, a future community service alternative would need to incorporate a broader array of service options, while ensuring staffing and supervision costs are controlled to maintain both accessibility and fiscal responsibility.

Exemption Considerations

Exemptions to certain municipal fines and fees is an eventual objective; viewing them as a mechanism to advance equity and restorative public safety practices beyond strictly punitive measures. However, the City's current fiscal environment—marked by a tightly constrained general fund and recent mid-year revenue shortfalls³³ renders broad fee waivers infeasible at this time, as any reduction in revenue would deepen existing budgetary pressures and risk displacing critical services.

Under the present deficit state, allocating resources to cover foregone fine and fee revenues would require significant reallocation within an already balanced budget, making comprehensive exemptions in the near term, unfeasible. Once the City's finances recover—through the steady and sustained revenue streams the proposed reform in this report is intended to provide, it can revisit and phase in targeted exemptions that align with the City's long term equity goals, ensuring that financial capacity and policy intent advance in tandem.

Recommendations

Status Quo:

Current State of City of Berkeley's Fines and Fees

Berkeley assesses administrative fines and fees through a decentralized system in which multiple departments—such as Parking Enforcement, Code Enforcement, Planning and Development, Public Works, Parks and Recreation, Finance, and the City Attorney's Office—manage their own distinct schedules, billing systems, appeal procedures, and enforcement protocols. Parking citations, for example, operate under a separate framework from business license penalties or code violations, and each maintains its own payment forms and deadlines. An income-screened Indigent Payment Plan is available for parking citations, while most other fines require the assessed amount to be paid before an appeals hearing can be requested.

Information about fines and fees is dispersed across department-specific webpages and office counters, requiring residents—especially those with limited digital access or English

³³ "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025. <https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

proficiency—to contact several departments to determine the status of their citation, payment options, or eligibility for waivers. Staff have shared that some of the complaints from residents was their lack of knowledge that these programs exist.³⁴ Additionally, some third-party portals that handle payments lack translation capabilities, creating further access barriers. According to multiple staff interviews, this decentralization not only confuses residents but also increases clerical workload, as employees must repeatedly explain disparate procedures and policies³⁵ that could otherwise be unified under a central platform.

Currently, the City does not have a fully integrated case management system that spans departments. While some internal coordination tools are used for fiscal tracking and administrative operations, these tools do not track citations in real-time or automate installment plan management. Adjudication Staff shared that their department uses a citation management software that assists with their processes, but the software is exclusive to their department and does not crossover to other departments.³⁶ For the most part, City of Berkeley staff must rely on manual coordination and independent data entry, creating duplication of effort and inconsistent user experiences.

Current City Statute

Several provisions in the BMC further compound both operational inefficiencies and equity concerns. BMC § 14.68, which mandates annual bicycle licensing and registration,³⁷ is misaligned with California Vehicle Code § 39002(a), which prohibits municipalities from enforcing penalties for unlicensed bicycles.³⁸ In practice, this outdated requirement can confuse residents, especially youth and low-income individuals who acquire secondhand bikes without formal documentation. Staff are left to explain or enforce a law that is rarely applied consistently and may not be legally enforceable—creating administrative friction and exposing the City to reputational or legal risk without generating meaningful public benefit.

Similarly, BMC § 14.40.100, which restricts disability related parking waivers to individuals with specific physical impairments and requires that the disabled person be the vehicle's driver,³⁹ does not reflect current definitions under state law or the federal ADA.⁴⁰ This can limit access for individuals with blindness, respiratory illness, or cognitive impairments, and burden caregivers who assist disabled residents with transportation. Operationally, this has the potential to create ambiguity for enforcement staff and eligibility reviewers, who must reconcile local requirements with broader legal standards. From an equity standpoint, the

³⁴ City of Berkeley Staff Interview. Code Enforcement, 2025

³⁵ Ibid.

³⁶ City of Berkeley Staff Interview. Adjudication Staff, 2025.

³⁷ Berkeley Municipal Code § 14.68.020 (1976).

³⁸ Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).

³⁹ https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=

⁴⁰ Berkeley Municipal Code, § 14.40.100 (1952).

⁴⁰ ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).
https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm.

restrictive language can result in unnecessary financial or mobility barriers for disabled residents—undermining the City’s broader commitments to accessibility and inclusion.

Departmental Practices and Informal Flexibility

While Berkeley’s current fines and fees structure is decentralized, it is important to note that some departments have developed informal practices to support residents. Staff from Planning and Development, Parks and Recreation, and the Finance Department reported taking case-by-case approaches to extend deadlines, waive minor penalties, or explain procedures to individuals unfamiliar with the system.^{41 42 43} These discretionary practices are rooted in a strong commitment to public service and, in some cases, help residents avoid deeper noncompliance.

However, such efforts remain dependent on individual staff availability, discretion, and a resident’s ability to reach the right person. Without a codified, transparent process for requesting relief, these accommodations are not universally accessible and can inadvertently perpetuate inequity. The absence of clear, uniform rules also places pressure on staff to make judgment calls in the absence of policy guidance—adding to administrative workload and introducing the risk of inconsistent outcomes.

Research at the state level confirms that fines and fees disproportionately harm low-income communities and may cost more to administer and collect than they ultimately generate in revenue.⁴⁴

Evaluation of the Status Quo Based on Criteria

Total Score: 15/50

Based on the criteria evaluation, the proposed approach received a score of 15 out of 50. On the positive side, it requires no new policy implementation, allowing the City to maintain short-term administrative continuity without the disruptions and learning curves associated with entirely new processes.

However, several significant drawbacks accompany this status quo. Rising default rates are placing increasing strain on both revenue collection and administrative capacity. Low-income residents continue to face inequitable outcomes, unable to afford large lump-sum payments or to navigate the City’s decentralized system of fines and fees. Finally, by forgoing modern platforms, the City misses opportunities to reduce staff workload through automation, streamline communication with residents, and boost overall compliance.

⁴¹ City of Berkeley City Staff Interview. City Planning, March 2025.

⁴² City of Berkeley Staff Interview. Parks and Recreation, April 2025.

⁴³ City of Berkeley Staff Interview. Finance Department, 2025

⁴⁴ Denney, Jacob. “More Harm Than Good: Building a More Just Fine and Fee System in California,” June 2021. https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf?utm_source=chatgpt.com.

Financial Implications

If Berkeley continues operating under its current structure, it is likely to face ongoing fiscal and operational strain. The City's Fiscal Year 2025 Mid-Year Budget Update revealed a 12.9 percent increase in parking citations during the first half of the year, but a simultaneous 9.9 percent drop in related revenue—indicating that enforcement alone is not producing proportional returns. Departments are required to maintain their own intake, appeals, and payment processes, preventing the City from realizing cost savings that could be achieved through automation, centralized intake, shared administrative tools, or payment plans.

Recommendation 1: Develop a Clear Fines and Fees Communication Strategy

Current State

The BMC, contains provisions that allow for flexibility or assistance in payment of some fines and fees; however, when these provisions are not clearly communicated, eligible residents may remain unaware that help exists as the fines and fees system can be difficult to navigate.⁴⁵ In its current state, the City of Berkeley has multiple sites and departments that receive and determine eligibility for payment plans or waivers.⁴⁶

One of the most significant lessons learned through our research is the necessity of framing information in a manner easily understandable to diverse populations. Even when local laws or ordinances (such as sections of the BMC) allow for exemptions or alternative payment schedules, instructions are delivered in overly technical language or strewn across multiple websites.^{47 48 49 50 51 52} This places additional challenges on residents who may face barriers in navigating complex systems.⁵³

Proposed Change

In line with the broader goals of this project, the development of a clear communication strategy has emerged as a pivotal first step toward ensuring that fines and fees do not compound or create punitive barriers for vulnerable individuals. Therefore, a primary component of the recommended communication strategy is the consolidation of vital

⁴⁵ "Targeted Fines and Fees Against Communities of Color Civil Rights & Constitutional Implications," September 2017. https://www.usccr.gov/files/pubs/docs/Statutory_Enforcement_Report2017.pdf.

⁴⁶ "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley, n.d. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

⁴⁷ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁴⁸ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

⁴⁹ City of Berkeley Staff Interview. Finance Department, 2025.

⁵⁰ City of Berkeley Staff Interview. Code Enforcement, 2025.

⁵¹ City of Berkeley Staff Interview. Adjudication Staff, 2025.

⁵² City of Berkeley Staff Interview. City Attorney's Office, 2025.

⁵³ Herd, Pamela, Donald Moynihan, and Amy Widman. "Identifying and Reducing Burdens in Administrative Processes," December 5, 2023. https://www.acus.gov/sites/default/files/documents/Identifying-and-Reducing-Burdens-in-Administrative-Processes-Final-Report-2023.12.05_2.pdf.

details—like eligibility for fee reductions, application procedures for indigent payment plans, and relevant deadlines—into a single, widely accessible platform, such as a dedicated city webpage, along with a Master Fees Schedule with a fines and fees guide that contains and describes all known fees associated with the various city departments across Berkeley, fully translated into the multiple languages commonly spoken by Berkeley residents.

Improving Access and Compliance

According to multiple City of Berkeley staff interviews, while an Indigent Payment Plan for parking citations⁵⁴ or low-income ambulance waivers are available in Berkeley, some individuals miss critical enrollment windows or remain unaware of their eligibility.^{55 56} This outcome likely stems from decentralized information, which is often scattered across department-specific websites and physical offices. Staff at the City of Berkeley Finance Office shared that only 120-140 parcels out of around 3000 each year are utilizing their low-income program as it relates to property taxes.⁵⁷

Consolidating essential details about fines and fees into a single, user friendly platform can be vital for increasing awareness and compliance. Cities that centralize payment information and provide clearer instructions see a measurable rise in compliance and a decrease in overall default rates.⁵⁸ A centralized website, available in multiple languages, can outline steps for entering payment plans, applying for fee reductions, and understanding deadlines; all in plain language. Although the City's web portal allows for language translation, once users are directed to third-party payment pages, translation features may not persist, which could pose challenges for non-English speakers when entering sensitive payment information.

Neighboring jurisdictions demonstrate that consolidating every municipal charge in a single, council-adopted Master Fee Schedule (MFS) is both feasible and beneficial. San Francisco issues a combined "Master Fee Schedule & Fee Certification" with its biennial budget, listing licenses, service charges, fines, and the percentage of each fee's cost recovery.⁵⁹ Alameda publishes an annual MFS that incorporates Consumer Price Index adjustments and impact-fee studies,⁶⁰ while Oakland posts a searchable web page with the full PDF of its adopted MFS for each fiscal year, updated every July 1.⁶¹

⁵⁴ "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley, n.d. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

⁵⁵ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁵⁶ City of Berkeley Staff Interview. Finance Department, 2025.

⁵⁷ Ibid.

⁵⁸ Hernandez, Pete. "Court E-Payments: External Service Providers, In-House Solutions and Beyond," n.d.

https://www.ncsc.org/_data/assets/pdf_file/0021/15915/court-e-payments.pdf.

⁵⁹ Office of the Controller Budget and Analysis Division. "Combined Fees Certification & Master Fee Schedule FY 2024-25 & FY 2025-26," City and County of San Francisco, May 24, 2024.

<https://www.sf.gov/sites/default/files/2024-05/FY24-25%20Master%20Fee%20Schedule%20and%20Fees%20Certification.pdf>.

⁶⁰ "Master Fee Schedule." City of Alameda, July 2024.

<https://www.alamedaca.gov/files/assets/public/v1/finance/master-fee-schedule-fy-2024-25.pdf>.

⁶¹ City of Oakland. "City of Oakland Master Fee Schedules." Accessed April 17, 2025.

<https://www.oaklandca.gov/documents/city-of-oakland-master-fee-schedules>.

These documents do more than aggregate numbers; they increase transparency for residents and businesses, reduce repetitive staff inquiries, and give policymakers a clear view of how closely each fee aligns with the cost of providing the service. The Government Finance Officers Association (GFOA) recommends that local governments “adopt formal policies regarding charges and fees,” measure the full cost of each service, and house the results in a single document that is reviewed regularly.⁶²

Berkeley, by contrast, posts fee schedules individually—Planning and Building updates appear in individual council items or departmental PDFs, Engineering fees live on separate forms, and Environmental Health fees are embedded in staff reports. Because the information is scattered across multiple webpages and file types, residents must hunt for the total cost of a permit or appeal, while staff spend extra time explaining where to look.

Public Trust and Clear and Consistent Communications

Another critical aspect is ensuring that any official notices, such as traffic citations or billing statements, link directly to resources. Something as simple as a QR code on the back of a parking ticket can direct an individual to a frequently asked questions (FAQ) page or a payment plan enrollment form. When individuals receive the information at the moment they need it—right when they open a ticket—it reduces confusion and can increase the likelihood of timely compliance.

Equally important is the equity dimension of clear communication. Providing instructions in multiple languages, offering large-print materials for visually impaired individuals, and furnishing straightforward, user-focused FAQs exhibits a commitment to equity.

Clarity and consistency also reduce administrative burdens and enhance public trust. Currently, citations and the Parking and Transportation website inform residents that their vehicles can be towed or booted strictly for unpaid citations.^{63 64} According to a Parking Enforcement staff interview, that penalty no longer aligns with current policy.⁶⁵ Updating official texts and website content to reflect actual practice not only preserves trust but also prevents repetitive queries and appeals. Parking Enforcement staff further explained that, although the city no longer tows for purely delinquent citations, a vehicle will be denied registration until a delinquent citation is paid, and subsequently, a vehicle recognized on the street without registration can be towed and impounded, incurring an additional set of fees.⁶⁶ Such discrepancies can cause confusion and may impact public confidence. A targeted and continuous communication campaign—one that clarifies actual policy—could resolve these conflicts, reduce confusion, and enhance compliance among residents.

⁶² “Establishing Government Charges and Fees.” Accessed April 17, 2025.

https://www.gfoa.org/materials/establishing-government-charges-and-fees?utm_source=chatgpt.com.

⁶³ “Notice of Parking Violation.” City of Berkeley, n.d. <https://drive.google.com/drive/folders/1w1DolG3cc4-sBhMBjMulkRhRVi-YscFy>.

⁶⁴ “Paying Citations | Parking and Transportation.” Accessed April 23, 2025. <https://pt.berkeley.edu/citations/paying-citations>.

⁶⁵ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁶⁶ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

Evaluation of Recommendation 1 based on Criteria

Total Score: 42/50

Based on the criteria evaluation, the proposal achieved a score of 42 out of 50. Consolidating all fines, fees, deadlines, and relief programs onto a single, plain-language webpage would provide significant administrative relief and improve accuracy: clerks would spend less time answering repetitive questions or correcting payment errors caused by misinformation. In addition, clear presentation of what individuals owe and how to apply for relief in multiple languages can foster higher voluntary compliance and build trust—payment rates tend to rise and public resentment diminishes when people understand their obligations and options.

Nevertheless, maintaining this streamlined schedule poses its own challenges. Keeping the webpage perfectly up to date will require ongoing inter-departmental coordination, and any lapses could quickly recreate confusion. Moreover, residents without reliable internet access or mobile data may still miss digital notices unless the City supplements the portal with documents sent in the mail and provided at public buildings, or includes QR codes directly on paper tickets.

Financial Implications

From a fiscal perspective, an informed public is more likely to seek relief rather than simply not pay. Cities can then avoid burdensome collection tactics that siphon resources away from more pressing community needs. When people understand their obligations, deadlines, and available financial assistance, they tend to comply more swiftly, lowering the administrative cost of follow-up actions and possible legal enforcement.⁶⁷

When residents easily grasp what they owe, why they owe it, how to request relief, and where to go for assistance, they are less inclined to ignore or contest citations, thus saving time and resources for both the public and city officials.⁶⁸ This level of transparency fosters stronger, more respectful relationships between local government and its constituents. Consolidating relevant information, fostering partnerships with community organizations, and adopting a multilingual, multimodal outreach approach could help Berkeley lower default rates, sustain stable revenue, and prevent residents from incurring additional penalties.

⁶⁷ Johnson, Shanelle. "First Steps Toward More Equitable Fines and Fees Practices," n.d. https://finesandfeesjusticecenter.org/content/uploads/2020/11/FFJC_Policy_Guidance_Ability_to_Pay_Payment_Plan_Community_Service_Final_2.pdf.

⁶⁸ "Online Infraction Adjudication and Ability-to-Pay Determinations." Report to Legislature, n.d. https://courts.ca.gov/sites/default/files/courts/default/2024-08/2024_online-infraction-adjudication-and-ability-to-pay-determinations.pdf.

Recommendation 2: Amend BMC 14.40.100 to align with federal and state standards on disability parking standards and accommodations.

Current State

Berkeley's parking ordinance, 14.40.100 for disabled persons, still uses a 1950s statute that recognizes disability only when someone "has completely lost by paralysis the use of one or both feet or one or both legs, or who has had one or both feet or one or both legs amputated" and insists that the individual be the one behind the wheel.⁶⁹ In practice, that wording bars blind residents, people with cardiopulmonary disease, wheelchair users who cannot drive, and anyone whose disability is episodic or cognitive from enjoying the fee waiver that was meant to guarantee access. The text also clashes with national civil-rights law: Congress defines disability far more broadly as "a physical or mental impairment that substantially limits one or more major life activities," or a record or perception of such an impairment, and demands that the term be "construed broadly" after the ADA Amendments Act of 2008.⁷⁰ California codifies this broader view in Vehicle Code § 295.5, which adds blindness, severe lung and heart disease, and other mobility-impairing conditions to the list of qualifying disabilities.⁷¹

CA Department of Motor Vehicle Guidelines and Supportive Persons

Because Berkeley's ordinance also states that "the disabled person shall operate the motor vehicle themselves," a resident who cannot drive must either pay the meter or forgo the trip unless a costly alternative is arranged. State law and the Department of Motor Vehicles, by contrast, expressly allow a disabled-person placard to be "moved from one vehicle to another," which "makes them a good option for a caregiver who transports a disabled person."⁷²

The local restriction translates into concrete barriers to daily life. If a blind resident's friend cannot legally use the placard while driving the resident to a doctor's appointment, the pair may have to pay curbside fees they cannot afford or resort to ADA paratransit. Paratransit is reliable but expensive and inflexible: federal rules permit providers to insist on next-day reservations and one-hour pick-up windows,⁷³ and fares may legally run up to twice the regular bus fare.⁷⁴ Diverting travelers onto vans inflates public costs while denying disabled residents the spontaneity and dignity enjoyed by nondisabled neighbors.

⁶⁹ Berkeley Municipal Code, § 14.40.100 (1952).

⁷⁰ ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).

https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm.

⁷¹ Legislature, Cal. "Cal. Vehicle Code § 295.5." Accessed April 18, 2025.

https://california.public.law/codes/ca_veh_code_section_295.5.

⁷² California DMV. "Disabled Person Parking Placards & Plates." Accessed April 18, 2025.

<https://www.dmv.ca.gov/portal/vehicle-registration/license-plates-decals-and-placards/disabled-person-parking-placards-plates/>.

⁷³ "ADA Complementary Paratransit Requirements." Accessed April 18, 2025.

<https://www.nationalrtap.org/Toolkits/ADA-Toolkit/Service-Type-Requirements/ADA-Complementary-Paratransit-Requirements>.

⁷⁴ Ibid.

This amendment can be accomplished almost immediately, aligning local law with federal and state standards, by substituting the following language: “ ‘Disabled person’ means an individual who meets the definition of disability under 42 U.S.C. § 12102⁷⁵ or California Vehicle Code § 295.5.⁷⁶ The parking privilege applies when the disabled person is the driver or is present as a passenger in a vehicle operated by a support person.” This single amendment harmonizes Berkeley’s code with prevailing civil-rights norms, protects the City from discrimination claims, and immediately extends equitable parking access to blind individuals, dialysis patients, and many others whose impairments do not involve limb loss. Allowing family or friends to drive also reduces unnecessary reliance on paratransit, easing both public budgets and riders’ pocketbooks, and it facilitates easier access to daily activities for disabled residents..

Evaluation of Recommendation 2 Based on Criteria

Total Score: 41/50

Based on the criteria evaluation, the proposal earned a score of 41 out of 50. By aligning Berkeley’s local ordinances with both the ADA and the California Vehicle Code, the City would reduce its legal risk—shielding itself from potential discrimination suits and DOJ enforcement actions. At the same time, expanding eligibility for parking waivers enables blind or cardiopulmonary-impaired residents to travel with friends and family rather than rely on costly paratransit vans, advancing equity goals while relieving pressure on transit subsidies.

However, this approach carries some drawbacks. Meter revenue may decline modestly as a greater number of vehicles qualify for fee waivers, and parking enforcement officers will need to learn and apply a broader set of placard rules.

Financial Implications

Updating the section requires only an ordinance revision. Such a modest administrative step would modernize Berkeley’s code, advance disability equity, and trim avoidable transportation costs—all while honoring the City’s broader commitment to accessible public spaces.

⁷⁵ “42 USC 12102: Definition of Disability.” Accessed April 18, 2025.

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section12102&num=0&edition=prelim>

⁷⁶ Legislature, Cal. “Cal. Vehicle Code § 295.5.” Accessed April 18, 2025.

https://california.public.law/codes/ca_veh_code_section_295.5.

Recommendation 3: Amend BMC 14.68 that requires an individual to license and register their bicycles annually to be optional.

Current State

Berkeley's Municipal Code still makes it “unlawful for any person to operate or use a bicycle... which has not been licensed and registered.”⁷⁷ Yet state law does not make this a requirement. California Vehicle Code § 39002(a) expressly says that when a city adopts a licensing ordinance it may not prohibit the operation of an unlicensed bicycle, confirming that any local program can be voluntary in practice.⁷⁸

Proposed Change

Amending Chapter 14.68 so the words “shall license” become “may license,” and deleting the fines that are currently associated with it, would bring Berkeley into alignment with this state standard while still allowing owners who want a theft-recovery sticker to obtain one.

Reinforcing Berkeley's Climate-friendly Mobility Efforts

Encouraging climate-friendly transportation like bicycling requires policies that remove barriers—not create penalties. Mandating bicycle registration, especially with fines for non-compliance, discourages participation and disproportionately affects those who rely on bikes as an affordable, green alternative to cars. Doing so aligns with the city's Climate and Action Plan⁷⁹ while fostering equity and encouraging broader adoption of zero-emission travel.

In 2023, Berkeley City Council reported 34 percent of trips taken in the city were made by sustainable modes of transportation; bicycles included.⁸⁰ With an ordinance revision, Berkeley can continue to promote sustainable mobility by eliminating punitive requirements and instead, offering a voluntary program that makes riding easier and more accessible for all.

Low-Income Options Carry Compliance Difficulties

Another compelling reason to make bicycle licensing voluntary in Berkeley is the significant burden it places on individuals who acquire their bikes second-hand—particularly youth and low-income residents who often rely on the used bike market for affordability. Under the current BMC, registrants are expected to provide documentation such as a sales receipt

⁷⁷ Berkeley Municipal Code § 14.68.020 (1976).

⁷⁸ Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).
https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=

⁷⁹ “Climate Action Plan and Resilience Update.” Berkeley City Council, April 15, 2025.

https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%2023%20Climate%20Action%20Plan%20and%20Resilience%20Update_0.pdf.

⁸⁰ Ibid.

or proof of ownership to complete registration. However, many used bikes are exchanged informally through garage sales, online marketplaces like Craigslist or Facebook, or given as hand-me-downs within families or communities. Second-hand global sales through bike marketplaces or private sellers are projected to grow from approximately \$47 billion in 2025 to \$72.4 billion by 2035, reflecting a 4.4% annual growth rate.⁸¹ Many of these transactions do not come with formal receipts or serial number records, which would make it difficult—if not impossible—for the new owner to comply with the city's registration requirements.

Evaluation of Recommendation 3 Based on Criteria

Total Score: 40/50

Based on the criteria evaluation, the proposal received a score of 40 out of 50. By eliminating the mandatory bicycle licensing requirement, the City stands to gain significant climate and public-health benefits: removing this punitive barrier encourages more residents to cycle, directly supporting Berkeley's Climate Action targets. This change also promotes equity for youth and low-income riders, many of whom purchase second-hand bicycles without a sales receipt and currently face fines they cannot realistically contest.

On the other hand, the City would relinquish a modest theft-recovery tool—licensing stickers—that can aid in bicycle recovery unless an optional registry is promoted. Additionally, Berkeley would forgo a minor revenue stream generated by license fees.

Financial Implications

In Washington, Seattle's City Council reached this verdict decades ago. After police reported that keeping the program alive would cost at least \$20,000-\$25,000 (equal to over \$127,000 in 2025)⁸² a year while attracting fewer than half of riders, their City Council repealed its mandate outright in 1978, converting registration to a purely voluntary service, citing that it was unnecessary to keep a law in place that was never enforced.⁸³

Recommendation 4: Establish a Centralized Platform for Fines and Fees Management

Current State

Berkeley currently relies on multiple internally hosted systems to handle different aspects of its municipal operations: an ERP system for human resources, payroll, and

⁸¹ "Used Bike Marketplace Size, Share & Forecast 2025 to 2035." Accessed April 20, 2025.

<https://www.futuremarketinsights.com/reports/sales-of-used-bikes-through-used-bike-marketplace>.

⁸² DollarTimes. "Calculate the Value of \$25,000 in 1978." Accessed April 28, 2025.

<https://www.dollartimes.com/inflation/inflation.php?amount=25000&year=1978>.

⁸³ "Registering Bicycles - CityArchives | Seattle.Gov." Accessed April 20, 2025.

<https://www.seattle.gov/cityarchives/exhibits-and-education/seattle-voices/registering-bicycles>.

disbursements;⁸⁴ a separate revenue-accounting application for incoming fines and fees;⁸⁵ and a back-end case-management system for parking citations appeals.⁸⁶ None of these platforms communicate directly to each other, requiring staff to manually export, transform, and consolidate data; often using spreadsheets.⁸⁷

While the City may be utilizing specific software to coordinate specific internal processes, it may not be being used to its full potential. The City stands to benefit from a tool that can manage the full lifecycle of a fine or fee, from issuance to resolution, including user-facing functionality and automated workflows for payment plans. Significant consolidation and cross-communication of scalable and integrated administrative software would be instrumental in keeping structural inefficiencies from persisting.

Proposed Change

Berkeley can evaluate whether to consolidate and extend its current ERP framework end-to-end to cover both outgoing expenditures and incoming revenues across departments or to deploy a modern, integrated ERP solution capable of end-to-end automation that spans the full lifecycle of fines, fees, and related financial operations.

How Enterprise Resource Planning (ERP) Software Works

An ERP system is a modular suite that centralizes core business processes—finance, human capital management, procurement, and reporting—into a single, unified database, creating a “single source of truth.”⁸⁸ By automating data flows between functional units, ERP reduces tedious data entry, enforces standardized workflows, and provides real-time visibility into organizational performance metrics.⁸⁹

How Robotic Process Automation (RPA) Software Works

Robotic Process Automation employs software “bots” that watch user interactions with graphical interfaces and then replicate those actions—filling forms, extracting data, and moving information between systems—without direct API integration.⁹⁰ RPA excels at automating repetitive, rule-based tasks, lowering the barrier to automation when legacy systems lack programmable interfaces.⁹¹

⁸⁴ “Contract 10549B Amendment.” City Manager: City of Berkeley, June 27, 2023. https://berkeleyca.gov/sites/default/files/documents/2023-06-27%20Item%2027%20Contract%2010549B%20Amendment%20Tyler.pdf?utm_

⁸⁵ Ibid.

⁸⁶ Passport, Inc. “Getting Started (OpsMan Web).” Accessed April 24, 2025. <https://help.passportinc.com/support/solutions/articles/73000552729-getting-started-opsman-web->

⁸⁷ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁸⁸ SAP. “What Is ERP? The Essential Guide.” Accessed April 20, 2025. <https://www.sap.com/products/erp/what-is-erp.html>.

⁸⁹ Ibid.

⁹⁰ Lumenalta. “What Is Robotic Process Automation (RPA),” January 7, 2025. <https://lumenalta.com/insights/what-is-robotic-process-automation-rpa>.

⁹¹ Ibid.

ERP and RPA Can Work Together

When paired, RPA can bridge gaps in an ERP environment by automating tasks before and after core ERP workflows—such as processing incoming citations from a back-end system or generating custom compliance reports—while ERP handles master data, accounting logic, and consolidated reporting. This combination further reduces manual handoffs and accelerates end-to-end transactions.⁹²

Broader Opportunity

Having multiple software platforms can make compliance more difficult, create administrative inefficiencies, and hinder the City's ability to ensure equitable treatment across programs. A centralized ERP platform, potentially enhanced by RPA for legacy integrations, has the potential to promote transparency via consistent public dashboards, support fiscal responsibility through tighter budget controls, and lower equity barriers by automating internal processes among departments; thereby simplifying them, as well as residents' interactions with City payment portals.⁹³

Insights from Department of Labor Website

The Department of Labor describes how RPA bots are used in unemployment cases; stating that when tasked with adjudication and fact-finding, RPA bots review employer-submitted fact-finding requests and automatically enter the claimant's separation reason into the benefits system.⁹⁴ Used similarly, this can be helpful to the Fines and Fees citation ecosystem by eliminating the need for repetitive manual input, reducing both errors and processing time. Additionally, bots can scan relevant databases to determine whether required documentation has been returned by claimants and if documents are missing, the bots automatically generate and send a "failure to respond" notice, ensuring that claimants are aware of what is needed and how to provide it.⁹⁵ These automations streamline the adjudication process while reinforcing accuracy and timeliness in case handling.

RPA bots can also be used to assemble and send appeals packets to the involved parties and to the designated Hearing Officer or Administrative Law Judge prior to the appeal hearing.⁹⁶ This task, which once consumed considerable staff time, is now completed swiftly and systematically. Further, bots extract key data elements such as the claimant's name and the appeal issue from the request and input them into the system for human validation. After review, the bots complete the docketing of the appeal and ensure all related documentation is included. They are also capable of navigating scheduling systems

⁹² Digital Robots. "Benefits of Integrating RPA with ERP: Savings and Efficiency." Accessed April 24, 2025. <https://www.digital-robots.com/en/news/beneficios-de-integrar-rpa-con-erp-ahorro-y-eficiencia>.

⁹³ Ibid.

⁹⁴ Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

⁹⁵ Ibid.

⁹⁶ Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

to identify the availability of adjudicators, thereby assigning and scheduling hearings without manual intervention.⁹⁷

States have reported processing time reductions of 70–80% due to bots handling high-volume, rule-based tasks with precision. The automation of such tasks enables staff to shift their attention to more complex, discretionary work that demands human judgment and insight. In doing so, RPA not only mitigates backlogs and reduces errors but also enhances job satisfaction among employees by relieving them of the burden of monotonous administrative work. These outcomes affirm that RPA is not merely a technological upgrade but a strategic tool for improving the capacity, equity, and responsiveness of public benefit systems. Supplementing Electronic Resource Planning with Robotic Process Automation could further enhance administrative feasibility, fiscal soundness, and transparency.

Investing in a modern fines and fees management platform could be critical to making payment plans universally available and to expanding the IPP in a fiscally sustainable, user-friendly way, simultaneously boosting employee satisfaction and relieving burnout and fatigue.

Peer jurisdictions, such as San Francisco, attest to improvements in administrative ease and data accuracy.

San Francisco's Financial Justice Project as a Model

One of the most illuminating local precedents is San Francisco's Financial Justice Project (FJP). Established to address the regressive nature of fines and fees, FJP demonstrated that lowering fines for low-income residents not only improves payment rates but also mitigates the harmful collateral consequences of unpaid debt.^{98 99} Their "MyCitations" income-based fine reductions underscore that expanding streamlined payment strategies can achieve both revenue stability and social equity.¹⁰⁰ This mirrors the observations of Berkeley's Indigent Payment Plan;¹⁰¹ participants who can see a direct path to resolving their obligations without spiraling penalties are more likely to follow through and pay.¹⁰²

Software Impact on San Francisco

As discussed, purpose-built ERP or platforms can replace time-consuming manual data-entry with a single, scalable system that processes every account according to

⁹⁷ Ibid.

⁹⁸ City and County of San Francisco Staff Interview. Financial Justice Project, 2025.

⁹⁹ "Graduating Economic Sanctions According to Ability to Pay | Iowa Law Review - The University of Iowa." Accessed April 13, 2025. <https://ilr.law.uiowa.edu/print/volume-103-issue-1/graduating-economic-sanctions-according-to-ability-to-pay>.

¹⁰⁰ Byrne, Francine. Report to the Legislature: Online Infraction Adjudication and Ability-to-Pay Determinations (2023). <https://jcc.legistar.com/View.ashx?M=F&ID=11695191&GUID=70B48C8A-FE60-48DB-8137-320B528E107D>.

¹⁰¹ City of Berkeley Staff Interview. Parking Enforcement, 2025.

¹⁰² "Payment Plans as a Compliance Tool: Best Practices For Florida Courts." Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

consistent rules. FJP has implemented specific ERP software and their Payment Plan staff, shared the following in an email:

Our software handles the bulk of the heavy lifting and is essential to the efficacy of the payment plan administration. The way CSS [Impact] computes and administers the plans is great (and user friendly):

- The system has the flexibility to set rules for the payment plan program parameters that can be specific to a type of debt; The system uses those rule settings to perform the math to calculate the payment installments and terms, and trigger other workflow logic to conduct outreach and identify outlier cases and apply rules for those situations, and progresses each of the plans through its life cycle with no need for human intervention.
- The system can maintain all of the necessary documents related to the payment plan program (i.e., any financial documents needed to assess eligibility, the application and terms of agreement, critical communications), and set rule restrictions to ensure all plans are handled the same/treated equally
- Manages the sustained outreach that helps facilitates compliance and helps increase the propensity for payment; We send out enrollment notices once the plans are set-up, a reminder notice 15 days before the due date, another reminder on the due date (if we have the email address or are approved to send text), a notice when they are in default to give an opportunity to cure, and notice when the plans are cancelled
- Maintains the modern features of convenience, such as interfacing daily with the online payment page to provide clientele with information on the status of their plans, special messaging on the portal, and outreach through email or text messages
- Provide reports for analysis that can be used to account for trends, change needs in the payment plan program rules, and provide a general status of how the program is performing

They go on to say:

From my experience the software is absolutely essential to successfully administer and manage the payment plan program. The initial set-up costs can vary based on the complexity of the payment plan program, but in my experience it is worth the investment. It is much more cost effective over time, greatly reduces the administrative burden, greatly reduces the chance for human error or delays, and centralizes the data to a single scalable source vs maintaining multiple spreadsheets, and far easier to make changes as service programs evolve.¹⁰³

¹⁰³ City and County of San Francisco Payment Plan Staff. Financial Justice Project, 2025.

When asked what effect the software had on the administrator, staff at the City and County of San Francisco assured that this software is intended to supplement the administrator's job as a tool for efficiency and accuracy, not a replacement.¹⁰⁴

Evaluation of Recommendation 4 Based on Criteria

Total Score: 38/50

Based on the criteria evaluation, the proposal achieved a score of 38 out of 50. By consolidating Berkeley's fines and fees systems, the City would realize improved administrative efficiency and eliminate time-consuming processes. This streamlined approach would also enhance transparency for residence and provide them with accessible self-service options. In addition, it lays a strong foundation for future capabilities—such as advanced analytics, mobile engagement, and proactive compliance features—that can further strengthen the system over time.

However, these gains come with notable upfront challenges. Implementing a unified platform will demand a significant initial investment and careful transition planning across multiple departments. Furthermore, sustaining its benefits will require ongoing governance and coordination to uphold shared data standards and ensure that workflows remain aligned across the organization.

Financial Implications

With departments routinely resorting to spreadsheets for interim calculations and cross-program reconciliations, such manual processes can consume dozens of hours per month, diverting staff from higher-value tasks and slowing the City's responsiveness to emerging compliance or equity concerns.¹⁰⁵ The current decentralization not only increases maintenance costs for multiple software licenses and support contracts but also amplifies the risk of data entry errors and delays in critical decision-making.¹⁰⁶

Public-sector studies put the ceiling for national annual savings from cognitive automation at up to \$41 billion and 1.2 billion staff hours, with even "minimal" investments freeing 96 million hours and \$3.3 billion a year.¹⁰⁷ Federal agencies have already eliminated more than 1.4 million staff hours of low-value work in their first five years of RPA use, redirecting capacity to mission-critical tasks.¹⁰⁸ State unemployment-insurance programs report 70-80 percent faster claim-handling and more than 300,000 staff hours saved after deploying

¹⁰⁴ City and County of San Francisco Staff Interview. Financial Justice Project, 2025

¹⁰⁵ Schwarz, Lisa. "ERP Automation Benefits and Trends." Oracle Net Suite, June 4, 2023.

<https://www.netsuite.com/portal/resource/articles/erp/erp-automation.shtml?utm>.

¹⁰⁶ TechTarget. "An Explanation of SAP ERP," November 20, 2024.

<https://www.techtarget.com/whatis/video/An-explanation-of-SAP-ERP?utm>.

¹⁰⁷ Deloitte Insights. "AI-Augmented Government." Accessed April 19, 2025.

<https://www2.deloitte.com/us/en/insights/focus/cognitive-technologies/artificial-intelligence-government.html>

¹⁰⁸ Jacobs, Brian. "Intelligent Automation in the Federal Government: Key Factors for Success." *Macro Solutions* (blog), March 6, 2023. <https://macrosolutions.com/intelligent-automation-in-the-federal-government-key-factors-for-success/>.

bots to copy data and send notices.¹⁰⁹ These figures far outweigh typical licensing and integration fees, especially for cloud solutions that scale elastically.

Cost/Benefit

Low-code suites let non-technical staff drag-and-drop workflows; Los Angeles put up an emergency-rental-assistance app in two months, and New South Wales built a disaster-response hub in a single week, saving AUD \$10.5 million and 30,000 work-hours.¹¹⁰

Implementing or refining a centralized ERP platform alone, or with complementary RPA capabilities will require interdepartmental coordination and potentially phased investments—similar to other technology projects undertaken by the City. However, modern ERP solutions have consistently delivered strong returns. Nucleus Research found that organizations recouped implementation investments in sixteen months on average and achieved over 200 percent return on investment (ROI), driven by the elimination of legacy system costs and efficiency gains.¹¹¹

Additionally, ERP automation benefits such as reduced human labor, improved productivity, and lower error rates further free staff capacity for strategic work and accelerate revenue collection processes.¹¹² Over time, these savings can outweigh up-front costs, delivering a sustainable platform that underpins the City's equity, transparency, and fiscal-responsibility objectives.

Certain ERP software have the ability to centralize multiple processes and absorb and facilitate the use of additional software simultaneously. By centralizing and automating fines and fees across all municipal programs, Berkeley stands to achieve a more equitable, transparent, and cost-effective system, while laying the foundation for future enhancements such as advanced analytics and AI-driven customer support.

To achieve a centralized system, convening a dedicated cross-departmental strike team could drive timely coordination and bring the initiative across the finish line.

¹⁰⁹ Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

¹¹⁰ Sturges, Kim Kaul. "3 Ways to Harness the Power of Low-Code in Government & Public Services." servicenow.com, n.d. <https://www.servicenow.com/blogs/2024/power-low-code-government>.

¹¹¹ Nucleus Research. "ERP Pays for Itself--Fast," December 16, 2019. <https://nucleusresearch.com/research/single/erp-pays-for-itself-fast/>.

¹¹² Schwarz, Lisa. "ERP Automation Benefits and Trends." Oracle Net Suite, June 4, 2023. <https://www.netsuite.com/portal/resource/articles/erp/erp-automation.shtml?utm>.

Recommendation 5: Expand the Indigent Payment Plan to Other Areas of the BMC

Current Framework

Currently, Berkeley's Indigent Payment Plan program offers to reduce a parking fine down to its original amount and set up an installment plan for qualifying residents, who qualify by proof of their enrollment in government assistance programs such as EBT or Medi-Cal. According to staff overseeing this initiative, compliance rates under this plan exceed those in regular enforcement.¹¹³ This result hints to the relationship of compliance and the direct alignment of monthly payments with people's financial realities.

Proposed Change

Building on these findings, Berkeley can extend the Indigent Payment Plan beyond parking or specific code enforcement contexts to other parts of the BMC that involve fines and fees. Low-income residents often face collateral consequences—such as vehicle registration holds, towing risks, or even property liens—when they cannot pay large lump-sum fines.

Berkeley officials consistently acknowledged these inequities in interviews. Staff at Berkeley's Code Enforcement highlighted that compounding penalties disproportionately penalize vulnerable populations, creating additional layers of economic hardship for those least able to afford them.¹¹⁴ Similarly, the National Consumer Law Center's 2022 report documents extensively how punitive municipal fines create harmful financial instability among already struggling residents.¹¹⁵ Ultimately, once a household falls behind on one fine, additional fees or penalties usually accumulate, reducing the likelihood of eventual payment, subsequently harming the City's bottom line.

Financial Implications

With the numerous benefits and relief that payment plans provide, Ability-to-Pay models have been repeatedly underscored by other jurisdictions. For example, according to the San Francisco Municipal Transportation Agency, when they reduced their fee to enter a payment plan from \$60 to \$5, enrollment in the payment plan increased by 400 percent; resulting in an increase of nearly \$160,000 in total revenue for the City in the first two months.¹¹⁶

¹¹³ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

¹¹⁴ City of Berkeley Staff Interview. Code Enforcement, 2025.

¹¹⁵ NCLC. "No Fresh Start 2022: Will States Let Debt Collectors Push Families Into Poverty as the Cost of Necessities Soars?" Accessed March 30, 2025.

<https://www.nclc.org/resources/no-fresh-start-2022-will-states-let-debt-collectors-push-families-into-poverty/>.

¹¹⁶ Rodriguez, Joe Fitzgerald. "City Says Reduced Fee for Parking Citation Payment Program Boosting Revenues." San Francisco Examiner, May 14, 2018.

https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article_520d8832-0300-5643-8267-3ad4c041176f.html.

Insights from the 2025 Mid-Year Budget Update

The City of Berkeley's Fiscal Year 2025 Mid-Year Budget Update notes that parking-ticket issuance grew by 12.9 percent during the first half of the fiscal year, yet parking-fine revenue fell by \$320,386 (9.85 percent).¹¹⁷ In the report, City staff attribute the revenue decline to a 2018 change in California law that prohibits towing solely for unpaid parking citations¹¹⁸ however, outstanding citations can still block a vehicle's registration and cars driven without valid registration remain subject to towing, license suspensions, added fines or fees, and can impact insurance coverage.¹¹⁹

This analysis has uncovered another possible factor: higher default rates among residents who cannot afford lump-sum payments. A BMC-wide IPP could reverse such losses by transforming large, unrealistic obligations into affordable, enforceable ones.

Scaling the IPP across the BMC has the potential to stabilize municipal finances by converting high-risk debt into steady receipts, lighten administrative workloads by curtailing costly enforcement actions, and fulfill the City's equity mandate by shielding its most vulnerable residents from cascading penalties wherever fines and fees can impact low-income Berkeley residents. In doing so, Berkeley can align itself with a growing national movement that recognizes humane, data-driven policy on fines as both fiscally prudent and socially responsible.

Evaluation of Recommendation 5 Based on Criteria

Total Score: 38/50

Based on the criteria evaluation, the proposal earned a score of 38 out of 50. By extending the IPP, the policy would deliver robust equity gains, safeguarding the lowest-income households from cascading late fees. It also presents a demonstrated fiscal upside, as higher participation rates are likely to boost overall revenue collections.

However, some middle-income residents may perceive the policy as preferential unless it is paired with the universal installment option described in Recommendation 6. In addition, expanding the IPP would increase the burden on staff to verify public-benefit eligibility for a wider range of citation types—unless that workload is mitigated by the software upgrades proposed elsewhere in the Report.

¹¹⁷ Friedrichsen, Sharon, and Henry Oyekanmi. "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025.
<https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

¹¹⁸ Ibid.

¹¹⁹ LegalClarity. "California Vehicle Code 465: Registration Rules and Penalties," December 27, 2024.
<https://legalclarity.org/california-vehicle-code-465-registration-rules-and-penalties/>.

Recommendation 6: Explore Automatic Fines and Fees Payment Plans Available to Anyone

Current Framework

At present, Berkeley's installment options are restricted almost exclusively to its Indigent Payment Plan, which residents may access only if they can document enrollment in programs, such as CalFresh/EBT, Medi-Cal, or General Assistance.¹²⁰ All other citation recipients must either pay the full amount in a single lump sum or navigate ad-hoc appeals, leaving most households without a structured, affordable path to compliance.

Unfortunately, many residents who do not meet the public-assistance test still lack the liquidity to pay large fines at once and the risk of widespread non-payment is poised to grow. As highlighted earlier, 63 percent of California households earning under \$35,000, 46 percent earning \$35,000–\$74,999, and even 30 percent earning \$75,000–\$149,999 reported difficulty meeting basic expenses.¹²¹ When core living costs already strain the budgets of more than just low-income families, a sudden \$75–\$100 parking ticket—or a far larger code enforcement penalty—can quickly become unpayable, driving citation holders into default.

Proposed Change

Berkeley can strengthen both fiscal stability and procedural fairness by making installment-based payment plans the default option for every fine or fee assessed under the BMC. Offering three- or four-month schedules at the moment a citation is issued aligns payment obligations with ordinary household cash-flow patterns, fostering timely partial payments instead of sporadic lump-sum defaults. Embedding an *automatic* three- or four-installment option into every notice issued under the BMC therefore meets residents where they are financially, converting what is often perceived as a sudden shock into a series of manageable obligations.

Studies highlight how many individuals hesitate or delay payments if the amount is too large at once, while smaller scheduled payments can encourage individuals to budget more effectively and keep their accounts current.¹²² Success stories from other jurisdictions bolster this approach. According to the Brennan Center for Justice's 2019 report, high fines frequently lead to non-payment, resulting in costly enforcement actions, including

¹²⁰ "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley. Accessed March 23, 2025. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

¹²¹ California Budget and Policy Center. "Millions of Californians Are Struggling to Make Ends Meet." Accessed April 13, 2025. <https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

¹²² Hasler, Andrea, and Annamaria Lusardi. "Financial Fragility among Middle-Income Households: Evidence Beyond Asset Building." Working Paper. Global Financial Literacy Excellence Center: The George Washington University School of Business, March 4, 2019. <https://gflc.org/wp-content/uploads/2019/04/Financial-Fragility-among-Middle-Income-Households-WP-2019-1-v2-3.pdf>.

administrative expenses, collections procedures, and potential legal actions.¹²³ Conversely, reasonable fines aligned with individuals' ability to pay can provide more reliable revenue streams and minimize unnecessary expenditures associated with unpaid debts.

Research consistently shows that aligning fines with individuals' economic reality directly improves compliance rates,^{124 125} thereby boosting overall revenue and saving resources that would otherwise be spent on cumbersome enforcement actions.¹²⁶

Berkeley's leadership on this issue would set an important precedent, demonstrating how local governments can cultivate a balanced, inclusive, and fiscally responsible enforcement framework. By adopting comprehensive installment options for all residents, Berkeley can strengthen both its fiscal health and its commitment to an equitable civic environment.

Comprehensive Social Impacts

Municipalities nationwide have reported significant benefits from implementing equitable fine and fee reforms similar to those proposed for Berkeley. Reforms around fines and fees in Las Vegas, for example, improved community relations, enhancing trust between local governments and constituents.¹²⁷ This outcome is critical, given the broader societal impacts associated with financial penalties, including diminished community trust, heightened socioeconomic disparities, and perpetuated cycles of poverty.

Financial Implications

Although Berkeley's Indigent Payment options focus on those with demonstrated low income, research indicates that payment plan options offered to all residents can lead to greater compliance and increased revenue, regardless of income. Empirical evidence from other jurisdictions underscores this financial logic. When Palm Beach County clerks placed misdemeanor and traffic defendants on installment plans at the first point of contact, 85 out of 200 cases made payments, generating \$11,097 on \$61,823 owed; non-plan cases saw just four payers and a meager \$678 on \$73,693 assigned.¹²⁸ The ratio—roughly 16:1 in favor of structured installments—speaks not only to willingness but to capacity: residents

¹²³ Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019. <https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

¹²⁴ Harris, Alexes. *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor*. New York: Russell Sage Foundation, 2016. <https://muse.jhu.edu/pub/207/monograph/book/45636>.

¹²⁵ Obama Whitehouse Archives. "FINES, FEES, AND BAIL: Payments In the Criminal Justice System That Disproportionately Impact the Poor," December 2015. https://obamawhitehouse.archives.gov/sites/default/files/page/files/1215_cea_fine_fee_bail_issue_brief.pdf.

¹²⁶ Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019. <https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

¹²⁷ National League of Cities. "5 Lessons from NLC's Cities Addressing Fines and Fees Equitably Initiative," March 20, 2025. <https://www.nlc.org/article/2025/03/20/5-lessons-from-nlcs-cities-addressing-fines-and-fees-equitably-initiative/>.

¹²⁸ "Payment Plans as a Compliance Tool: Best Practices For Florida Courts." Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

will comply when the obligation fits with a monthly budget cycle. By lowering barriers and placing people on payment plans immediately, the county has increased collections and reduced the number of cases that fall out of compliance.

As another example, in February 2017, the National Task Force on Fines, Fees and Bail Practices issued a bench card to help judges properly apply fees and fines. Later that year, Texas passed a law requiring courts to assess defendants' ability to pay earlier in the process, adjust financial penalties accordingly, limit warrants for noncompliance, and expand community service options—leading to a 7 percent increase in collections.¹²⁹

Reducing Administrative Costs and Default Rates

One commonly overlooked advantage of providing installment plans is a reduction in administrative overhead. According to the Brennan Center for Justice's 2019 report, for every unpaid citation, the City has the potential to incur costs associated with collection; additional administrative paperwork, sending notices, and in some cases, court proceedings.¹³⁰ In some municipalities, resources consumed in pursuit of delinquent fines often exceeded the revenue gained. One New Mexico county, for example, spent \$1.17 for every \$1.00 collected in fines and fees, illustrating how enforcement and oversight expenses rapidly erode any revenue gain.¹³¹ These costs mount as courts and their partners devote resources to paperwork, hearings, and other procedures to pursue unpaid obligations that frequently remain uncollected. Automatically implementing payment plans and shifting to an installment-based system would almost certainly cut any expenses related to collection efforts by turning potential defaulters into willing payers, while simultaneously preventing the City from funneling resources into endless attempts to collect from individuals who lack the immediate means to pay.

Evaluation of Recommendation 6 Based on Criteria

Total Score: 37/50

Based on the criteria evaluation, the proposal earned a score of 37 out of 50. By offering early payment plans, jurisdictions have realized higher net revenue and lower collection costs and have mitigated collateral harms, since timely partial payments prevent vehicle registration holds and other cascading penalties that accompany delinquency.

However, rolling out this approach depends on integrating new software into existing systems and ensuring staff are properly trained to use it.

¹²⁹ "Fees and Fines: The Criminalization of Poverty." Accessed April 7, 2025.

https://www.americanbar.org/groups/government_public/publications/public_lawyer_articles/fees-fines/.

¹³⁰ Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019.

<https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

¹³¹ Miller, Andrea L., and Nikole Hotchkiss. "Policy Reforms for Racial Justice: What Works for Fines and Fees." National Center for State Courts, December 2024. <https://ncsc.contentdm.oclc.org/digital/collection/financial/id/293>.

Conclusion

This report brings together key insights on Berkeley's fines and fees framework, while underscoring the prospective impact on the City's broader civic values. The analysis demonstrates that Berkeley's existing fines and fees system—characterized by decentralized departmental schedules, uneven informational access, and reliance on punitive lump-sum charges—has contributed to growing revenue shortfalls and imposed disproportionate burdens on financially vulnerable residents.

Employing a mixed-methods approach that combines document review, semi-structured staff interviews, budget analysis, and other jurisdiction benchmarking, this report developed a multi-criteria decision matrix to evaluate six targeted reforms. Each recommendation was assessed on political feasibility, cost, effectiveness, sustainability, and externalities, yielding clear prioritization; from low-barrier interventions, such as consolidating all fees into a single Master Fee Schedule; to more complex technology investments, such as centralized ERP and RPA; to expanding access to payment plans.

Early implementation phases should prioritize low-cost, high-impact actions while laying the groundwork for subsequent technology integrations and payment-plan expansions. . Collectively, these reforms promise to enhance transparency, promote equitable access, and stabilize long term revenues. A unified Master Fee Schedule and multilingual online resource page will streamline resident interactions and reduce clerical workload; updates to disability-parking and bicycle-registration ordinances will remove outdated requirements and align local law with state and federal standards; modernized software platforms will automate repetitive tasks, improve data accuracy, and free staff for higher-value work; and expanded income-sensitive and automatic installment payment options will convert high-risk debt into manageable obligations and bolster compliance.

Ultimately, regular reporting to the City Council and the Fines and Fees Steering Committee, including transparent updates on fiscal impacts, compliance metrics, and community feedback, will help maintain momentum and adaptability. By sequencing reforms to secure early administrative relief and building capacity for more complex changes, the City of Berkeley can progressively realize a fines and fees framework that balances fiscal responsibility with equitable access, operational efficiency, and public trust. Such an approach aligns with the City's broader "Care First, Jails Last" and "Reimagining Public Safety" initiatives, illustrating that reforms to fines and fees are not merely revenue tools but integral components of a more just and resilient local government framework.

Appendix I

Additional Sections of the Berkeley Municipal Code (BMC) for Staff to Consider for Inclusion in Payment Plan Eligibility

BMC Section	Description
6.04.080	Bathe, swim, wade in Aquatic Park
6.08.020	Going upon or using the wharf
6.24	Municipal Off-Street Parking Facilities (meters, pay-to-display)
6.32	Parks and Public Pathways—Use Restrictions
6.50.030	Prohibition on feeding wild animals on public property
12.32.050	Garbage collection and fees
12.32.060	Garbage collection and fees
12.36.070	Collecting recyclables from the curbside (aimed at low-income individuals)
12.40.040	Litter, Debris, and Noxious Plants
12.40.050	Litter, Debris, and Noxious Plants
12.40.060	Litter, Debris, and Noxious Plants
13.36.015	Creation of accessibility on commercial sidewalks—related restrictions
13.36.20	Obstructing entrance to or exit from public or private buildings
13.36.040	Obstructing City-owned planters and trees
13.52.040	Parking vehicle on private property
13.52.050	Parking vehicle on private property
13.52	Parking vehicle on private property (entire Chapter 13.52)
13.98.030	Placing graffiti as a nuisance—owner’s obligation to have graffiti removed
13.98.040	Penalties if owner does not remove or show good-faith efforts to remove graffiti

16.04.010 Sidewalk repair requirements—property owner’s duty to maintain public sidewalks

Appendix II

Public Safety Defined

Public Safety in the context of fines and fees reform refers to the deliberate use of financial penalties not simply as revenue tools or punitive measures, but as instruments for promoting equitable compliance and reinvesting in community wellbeing. A well designed system ensures that penalties deter harmful behavior without imposing disproportionate burdens on low-income residents or triggering secondary sanctions that can worsen economic instability. By providing transparent payment options, relief programs like installment plans and clear communication, municipalities foster voluntary compliance.

Moreover, reducing the administrative and enforcement resources tied up in pursuing delinquent fines frees up capacity to support upstream interventions, such as violence prevention, mental-health outreach, and social services, that address root causes of unsafe behavior. In this way, reforms to fines and fees serve both to uphold individual rights and to enhance collective safety by minimizing collateral harm and enabling proactive, preventive public safety strategies.



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Carianna Arredondo, Assistant to the City Manager

Subject: Amend Berkeley Municipal Code Section 14.40.100 – Disability Parking Standards and Accommodations

RECOMMENDATION

Adopt first reading of an Ordinance amending Berkeley Municipal Code (“BMC”) Section 14.40.100 to align the City’s disability parking provisions with the Americans with Disabilities Act and California Vehicle Code (CVC) § 295.5; clarify that exempt parking privileges apply when a qualifying disabled individual is either the driver or a passenger; and eliminate duplicative local sticker and identification card requirements by deferring to the California Department of Motor Vehicles (“DMV”) for issuance and administration of disability placards and license plates.

SUMMARY

BMC 14.40.100¹, adopted in the 1950s, narrowly defines “disabled person” and limits parking privileges to a vehicle “owned and operated” by the disabled person. This language no longer reflects federal and state standards. The ADA, as amended, defines disability broadly, and CVC § 295.5² recognizes a wider range of qualifying conditions and permits the use of disabled-person placards when a qualifying individual is a passenger.

Amending BMC 14.40.100 will harmonize local law with the ADA and CVC by referencing current definitions and clarifying that parking privileges apply when the disabled person is the driver or a passenger. The amendment eliminates duplicative City-issued stickers and ID cards and instead defers to DMV placards and plates as the basis for eligibility. This will improve equitable access to metered and time-limited spaces and reduce confusion for the public and enforcement staff.

FISCAL IMPACTS OF RECOMMENDATION

A modest reduction in meter revenue may occur due to expanded eligibility for parking privileges. Any impact is anticipated to be limited. Staff training and public education

¹ <https://berkeley.municipal.codes/BMC/14.40.100>

² https://california.public.law/codes/vehicle_code_section_295.5

can be incorporated into existing workflows. No additional General Fund appropriation is required.

CURRENT SITUATION AND ITS EFFECTS

BMC 14.40.100 presently restricts eligibility to individuals with specific limb loss or paralysis and requires the disabled person to operate the vehicle to receive the benefit. These provisions:

- Are narrower than ADA and CVC standards;
- Exclude, for example, residents with blindness, cardiopulmonary conditions, mobility impairments, or episodic disabilities; and
- Conflict with state practices permitting DMV placards to be used when a caregiver or support person drives.

Amending the ordinance will align City practice with governing law, improve consistency in enforcement, and enhance accessibility. This update is consistent with the City's Strategic Plan priority to champion and demonstrate social and racial equity.

BACKGROUND

Berkeley's current disability parking ordinance, BMC 14.40.100, was adopted in the early 1950s and defines a "disabled person" narrowly, limiting eligibility to individuals with paralysis or amputation of the feet or legs. It also requires that the qualifying individual operate the vehicle to receive exempt parking privileges.

This definition and driver-only restriction are more limited than federal and state standards. The ADA broadly defines disability to include a range of physical and mental impairments, and California Vehicle Code § 295.5 recognizes additional qualifying conditions such as blindness, severe cardiopulmonary disease, and mobility-impairing conditions. State law also allows disabled-person placards to be used when the qualifying person is a passenger in a vehicle driven by a caregiver or other support person.

Federal and state laws take precedence over conflicting local ordinances. Therefore, the BMC is preempted and not being enforced. In addition, maintaining such a law could create barriers to daily activities for individuals with disabilities, increase their reliance on paratransit, and limit equitable access to City services and amenities.

The City's *2025 Fines and Fees Report: Advancing Equity in Berkeley, California* recommended updating BMC 14.40.100 to align with federal and state definitions, and to allow use of privileges when a support person is driving in order to improve consistency with governing law and expand access for residents with disabilities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Improved access to destinations for persons with disabilities supports compact, accessible communities and may decrease unnecessary paratransit trips. The amendment is consistent with the City's Climate Action Plan and multimodal transportation goals.

RATIONALE FOR RECOMMENDATION

The proposed amendment reflects modern legal definitions, promotes equity, and enhances accessibility. The City's recent review of municipal codes and associated fees highlighted the importance of removing outdated provisions that create barriers for residents, particularly those in protected classes.

Updating BMC 14.40.100 will:

- Modernize the ordinance to match federal and state definitions of disability;
- Expand eligibility to residents currently excluded under the outdated definition;
- Ensure exempt parking privileges extend when a caregiver or support person is driving;
- Eliminate duplicative City-issued sticker and ID requirements by deferring to DMV placards and plates; and
- Promote equity, accessibility, and consistency across City policies.

ALTERNATIVE ACTIONS CONSIDERED

Staff considered leaving BMC 14.40.100 unchanged, but this would perpetuate outdated language inconsistent with law and policy. Staff also considered updating only the definition of "disabled person" while retaining local sticker issuance; however, this would duplicate DMV processes and create unnecessary administrative burden.

CONTACT PERSON

Carianna Arredondo, Assistant to the City Manager, City Manager's Office, 510-981-7007

Attachments:

- 1: Ordinance amending Berkeley Municipal Code Chapter 14.40.100 – Disabled persons--Exempt parking.
- 2: California Vehicle Code §295.5
- 3: Fines and Fees Report: Advancing Equity in Berkeley, California (Daniel V. Muñoz, 2025)

ORDINANCE NO. -N.S.

AMENDING BERKELEY MUNICIPAL CODE CHAPTER 14.40.100 TO UPDATE THE DEFINITION OF "DISABLED PERSON" AND EXTEND PARKING PRIVILEGES TO INCLUDE VEHICLES OPERATED BY A CAREGIVER OR SUPPORT PERSON, AND DEFER TO DMV-ISSUED IDENTIFIERS

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

Section 1. That Berkeley Municipal Code Section 14.40.100 is amended to read as follows:

14.40.100 Disabled persons--Exempt parking.

~~Disabled person, as used in this section, shall mean any person who has completely lost by paralysis the use of one or both feet or one or both legs, or who has had one or both feet or one or both legs amputated.~~

Disabled person, as used in this section, shall mean any person who meets the definition of disability under California Vehicle Code § 295.5.

The provisions of this section regulating overtime parking shall not apply to any vehicle in which a disabled person, as herein defined, is either the driver or a passenger, provided the vehicle is displaying a valid disabled person placard or license plate when parked by said persons in any area limiting parking, nor shall they be required to operate any parking meter, subject to the following requirements:

A. ~~The disabled person shall complete an application on a form furnished by the Police Department. Upon approval of the application by the Police Department the disabled person will be issued one special vehicle identification windshield sticker and one personal identification card. The disabled person shall possess a valid placard or license plate issued by the California Department of Motor Vehicles.~~

B. The disabled person, or their authorized caregiver or support person, shall have a valid driver's license and the ~~personal identification card~~ placard identification card in their immediate possession at all times when driving or parking a motor vehicle and shall display said driver's license and identification card to any police officer upon request.

C. The disabled person, or their authorized caregiver or support person, shall display the ~~special vehicle identification windshield sticker in compliance with the provisions of Section 676(a) of the Vehicle Code. DMV-issued placard or license plate in compliance with applicable provisions of the California Vehicle Code.~~

D. The disabled person, or their authorized caregiver or support person, shall ~~operate the motor vehicle themselves when expecting the benefits herein stated. shall only claim the privileges herein when the disabled person is either operating or being transported in the vehicle.~~

E. The disabled person, or their authorized caregiver or support person, will not be permitted to park a motor vehicle in any zone where it is otherwise unlawful to park, nor to claim the benefits of this section while parked in a 24-minute parking zone.

Abuse of privileges, or noncompliance with any of the above mentioned requirements by disabled persons, or their authorized caregiver or support person, will constitute sufficient grounds for enforcement and penalties as provided in Chapter 1.20 of the BMC. (~~Ord. 3314-NS § 1, 1953; Ord. 3262-NS § 10.7, 1952~~)

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

**VEHICLE CODE - VEH****DIVISION 1. WORDS AND PHRASES DEFINED [100 - 681]** (*Division 1 enacted by Stats. 1959, Ch. 3.*)

295.5. A "disabled person" is any of the following:

(a) Any person who has lost, or has lost the use of, one or more lower extremities or both hands, or who has significant limitation in the use of lower extremities, or who has a diagnosed disease or disorder which substantially impairs or interferes with mobility, or who is so severely disabled as to be unable to move without the aid of an assistant device.

(b) Any person who is blind to the extent that the person's central visual acuity does not exceed 20/200 in the better eye, with corrective lenses, as measured by the Snellen test, or visual acuity that is greater than 20/200, but with a limitation in the field of vision such that the widest diameter of the visual field subtends an angle not greater than 20 degrees.

(c) Any person who suffers from lung disease to the extent of any of the following:

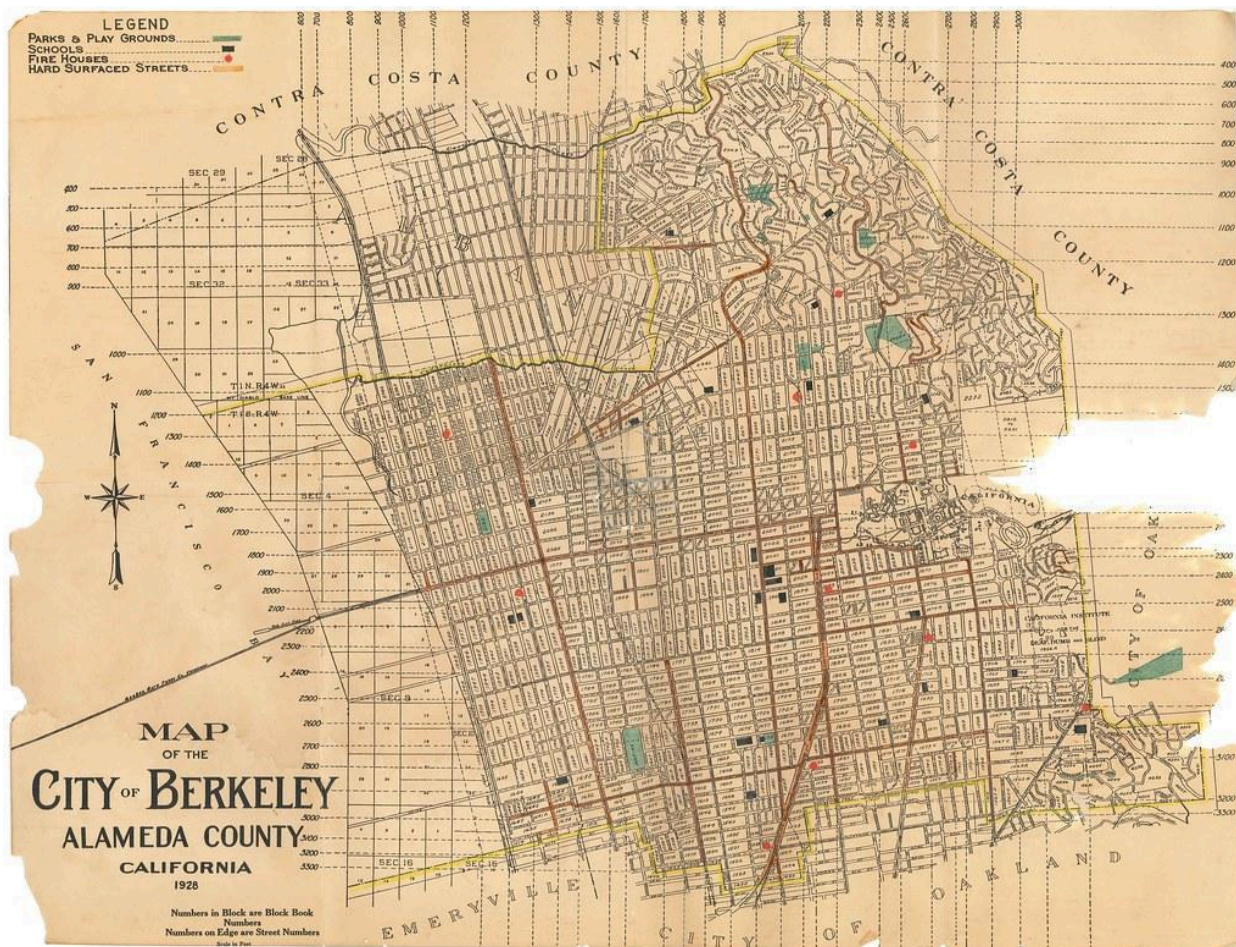
(1) The person's forced (respiratory) expiratory volume for one second when measured by spirometry is less than one liter.

(2) The person's arterial oxygen tension (pO₂) is less than 60 mm/Hg on room air while the person is at rest.

(d) Any person who is impaired by cardiovascular disease to the extent that the person's functional limitations are classified in severity as class III or class IV based upon standards accepted by the American Heart Association.

(*Added by Stats. 1989, Ch. 554, Sec. 1.*)

The Fines and Fees Report: Advancing Equity in Berkeley, California



Daniel V. Muñoz MPP 2025
Goldman School of Public Policy

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***This document was prepared for the City of Berkeley's Fines and Fees
Steering Committee and the Berkeley City Council***

The author conducted this study as part of the program of professional education at the Goldman School of Public Policy, University of California at Berkeley. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author, and are not necessarily endorsed by the Goldman School of Public Policy, by the University of California, or by any other agency.

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Statement of Positionality

My engagement throughout this Capstone and Berkeley's Fines & Fees system is inseparable from my lived experience. I am a multi-racial Hispanic male who grew up—and, for much of my adult life, remained—in low-income circumstances, living paycheck-to-paycheck. I am formerly incarcerated and have personally carried the weight of punitive fines and fees that compounded economic insecurity for me and my family.

Having navigated the criminal legal system from the inside, I understand how cumulative financial penalties can trap people in cycles of debt, surveillance, and marginalization. This perspective grounds my insistence that policy proposals be evaluated not only for fiscal efficiency but also for their capacity to restore dignity, promote due process access, and reduce racial- and socio-economic disparities. Equity is not an abstract goal for me—it is a tangible necessity tied to survival and self-determination.

At the same time, I recognize that my proximity to the issue may introduce bias toward favoring reforms that reduce or eliminate fines altogether. To mitigate that bias, I rely on rigorous empirical evidence, dialogue with stakeholders of varied backgrounds, and transparent methodology. I strive to balance the urgency of lived experience with the discipline of data-driven public policy analysis.

Ultimately, my position in this project is both scholar-advocate and community voice. I leverage personal insight to spotlight systemic harms that might otherwise remain hidden, while committing to rigorous standards that make our recommendations credible to policymakers. My aim is to ensure that Berkeley's fines and fees framework advances fiscal responsibility *and* justice—so that no one's ability to meet basic needs is derailed by punitive costs.

Executive Summary

Introduction

Berkeley's multi-department fines and fees framework, while designed to meet diverse operational needs, has led to challenges around consistent communication, administrative efficiency, and equitable enforcement for low-income residents. In the first half of Fiscal Year 2025, parking citation volume rose by 12.9 percent while related revenues fell by 9.9 percent, indicating a growing disparity between enforcement actions and actual collections.¹ This gap highlights the limits of relying on punitive, lump-sum charges and underscores the need to realign the City's approach to promote both fiscal stability and equitable access for all residents.

¹ "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025. <https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

This report examines Berkeley's multilingual, multi-department fines and fees framework to identify opportunities for improving fiscal stability, administrative efficiency, and equitable access. It assesses how reliance on punitive, lump-sum penalties can exacerbate financial hardships for low-income residents and strain public trust, setting the stage for targeted reforms to realign policy with broader equity and transparency goals.

Criteria Used to Evaluate

This study evaluates six targeted interventions using a mixed-methods approach: mapping departmental fee schedules, analyzing budget and revenue data, conducting semi-structured interviews with staff from multiple City departments, and benchmarking against other Bay Area jurisdictions, such as San Francisco, Alameda, and Oakland, as well as other jurisdictions across the U.S.

To ensure a transparent and data-driven assessment of each reform, a criteria matrix was developed that quantifies their performance across five key dimensions. The study's criteria matrix assigns each proposed reform a score from 1 to 10 across each dimension—political feasibility, implementation cost, anticipated effectiveness, long-term sustainability, and potential externalities—to facilitate an objective, side-by-side comparison of policy options. By quantifying each recommendation against these standardized measures, the matrix highlights top-scoring interventions and illuminates trade-offs, enabling decision makers to prioritize actions that balance impact with practicality and equity.

Key Findings and Challenges

The disproportionate burden that fines and fees impose on low-income individuals and communities of color has been documented across California. A UCLA Summer Programs for Undergraduate Research (SPUR) study in 2021 found that nearly half of Californians with outstanding fines or fees were unable to pay other essential bills, with 40 percent skipping utilities and 37 percent missing grocery payments.² Concurrently, a 2023 analysis by the California Budget and Policy Center revealed that 63 percent of households earning under \$35,000, 46 percent earning \$35,000–\$74,999, and 30 percent earning \$75,000–\$149,999 reported difficulty meeting basic expenses.³ These findings illustrate how unexpected municipal charges can exacerbate financial fragility and erode trust in local governance.

Recognition of these harms has grown alongside broader public safety reforms. Berkeley's Reimagining Public Safety Task Force called for non-punitive interventions and restorative

² Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021.

https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf

³ California Budget and Policy Center. "Millions of Californians Are Struggling to Make Ends Meet." Accessed April 13, 2025.

<https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

approaches to reduce reliance on traditional enforcement,⁴ while the City Council's Care First, Jails Last resolution shifted focus toward prevention and community-centered support.⁵ Yet, without targeted reforms to the fines and fees framework, efforts to advance equity risk being strained by financial barriers that may contribute to financial hardship for vulnerable residents.

Although some City departments use informal, case-by-case discretion to extend deadlines, waive minor penalties, or guide residents through the fines and fees process, these accommodations depend on individual staff availability, lack clear, uniform procedures, and remain unevenly accessible, which can inadvertently reinforce inequities.

Recommendations

First, ***consolidating all fees, deadlines, and relief programs into a single, multilingual online resource page***—complemented by a council-adopted Master Fee Schedule—could vastly improve transparency and reduce administrative overhead. San Francisco, who publishes a biennial Master Fee Schedule, reports measurable increases in voluntary compliance and reductions in staff time spent responding to routine inquiries.⁶ Also, embedding clear instructions and QR codes on physical notices can further guide residents to assistance at the point of citation.

Second, ***updating Berkeley Municipal Code section 14.40.100⁷ to align with the ADA Amendments Act of 2008⁸ and California Vehicle Code § 295.5⁹*** would broaden eligibility for disabled-parking placards to include individuals with blindness, cardiopulmonary conditions, or episodic impairments, and would allow caregivers to use placards when they are providing transportation to disabled persons. Harmonizing local law with federal and state definitions reduces legal risk and expands equitable access without substantive revenue loss.

Third, ***converting mandatory bicycle licensing under BMC 14.68 to a voluntary program*** removes a punitive requirement that discourages sustainable transportation and disproportionately penalizes second-hand bike owners who often lack sales documentation. State law under Cal. Veh. Code § 39002(a) prohibits enforcement against unlicensed bicycles,¹⁰ and Berkeley's Climate Action Plan reported that sustainable modes—including cycling—accounted for 34 percent of trips in 2023, underscoring the

⁴ "Reimagining Public Safety." Berkeley Task Force Report, March 2022.

<https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/TaskForceReport-2322-653pm2-8-2022.pdf>

⁵ Jones, Monica. "Resolution to Adopt a City-Wide 'Care First, Jails Last' Policy," July 25, 2023.

<https://dev.berkeleyca.gov/sites/default/files/documents/2023-07-25%20Item%2031%20Resolution%20to%20Adopt%20a%20City-Wide.pdf>

⁶ City and County of San Francisco Staff Interview. Financial Justice Project, 2025

⁷ Berkeley Municipal Code, § 14.40.100 (1952).

⁸ ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).

https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm

⁹ Legislature, Cal. "Cal. Vehicle Code § 295.5." Accessed April 18, 2025.

https://california.public.law/codes/ca_veh_code_section_295.5

¹⁰ Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).

https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=

importance of barrier-free bike access.¹¹ Forecasts project the global used bike market to grow from \$47 billion in 2025 to \$72.4 billion by 2035,¹² highlighting the need for accessible, voluntary registration.

Fourth, ***evaluating a centralized, end-to-end fines and fees management platform***—either by extending the City’s existing Enterprise Resource Planning (ERP) software framework or deploying an end-to-end solution—could streamline workflows, eliminate tedious data entry, and enable real-time visibility into citation lifecycles. When taken a step further and complemented by Robotic Process Automation (RPA), which automates repetitive tasks in legacy systems, the combined technology reduces errors and frees staff for more strategic work.¹³

Fifth, ***extending Berkeley’s Indigent Payment Plan***—currently limited to parking citations—to all eligible fines and fees would align obligations with residents’ financial realities and bolster compliance. In San Francisco, their Ability-to-Pay model, which reduces the entry fee for payment plans by over 90 percent led to a 400 percent enrollment increase and nearly \$160,000 in additional revenue within two months.¹⁴

Finally, ***embedding automatic installment plans as the default for every citation***—offering three- or four-month payment schedules at the point of ticket issuance—aligns fiscal obligations with household cash-flow patterns. Research shows that many households facing modest but unexpected expenses are more likely to maintain compliance when payments are spread over time.¹⁵ One study of installment plans reported a 16:1 advantage in dollars collected compared to lump-sum enforcement, illustrating both revenue gains and administrative savings.¹⁶

Implementation Considerations

Implementation of these reforms will require phased investments, targeted staff training, and robust public outreach—particularly to limited-English-proficiency communities—to ensure broad awareness and uptake. While some benefits, such as increased compliance and streamlined operations, may emerge quickly, others—like cumulative revenue

¹¹ “Climate Action Plan and Resilience Update.” Berkeley City Council, April 15, 2025.

https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%2023%20Climate%20Action%20Plan%20and%20Resilience%20Update_0.pdf.

¹² “Used Bike Marketplace Size, Share & Forecast 2025 to 2035.” Accessed April 20, 2025.

<https://www.futuremarketinsights.com/reports/sales-of-used-bikes-through-used-bike-marketplace>.

¹³ Digital Robots. “Benefits of Integrating RPA with ERP: Savings and Efficiency.” Accessed April 24, 2025.

<https://www.digital-robots.com/en/news/beneficios-de-integrar-rpa-con-erp-ahorro-y-eficiencia>.

¹⁴ Rodriguez, Joe Fitzgerald. “City Says Reduced Fee for Parking Citation Payment Program Boosting Revenues.” San Francisco Examiner, May 14, 2018.

https://www.sfoxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article_520d8832-0300-5643-8267-3ad4c041176f.html.

¹⁵ Hasler, Andrea, and Annamaria Lusardi. “Financial Fragility among Middle-Income Households: Evidence Beyond Asset Building.” Working Paper. Global Financial Literacy Excellence Center: The George Washington University School of Business, March 4, 2019. <https://gflec.org/wp-content/uploads/2019/04/Financial-Fragility-among-Middle-Income-Households-WP-2019-1-v2-3.pdf>.

¹⁶ “Payment Plans as a Compliance Tool: Best Practices For Florida Courts.” Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

stabilization—may appear over longer timeframes. Moreover, reforms touching county- or state-mandated fees will necessitate intergovernmental coordination.

Conclusion

The report proposes options to consolidate communication, update legal standards, review current mandates, leverage technology, and incorporate income-sensitive payment options to support a fines and fees system in Berkeley that promotes transparency, operational efficiency, and fiscal stability while advancing equity goals. A strategic, phased approach will enable the City to establish benchmarks, while building the foundation for more comprehensive, sustainable change.

Project Scope

This capstone undertakes a comprehensive review of Berkeley's system of municipal fines and fees to determine how current practices affect equity, fiscal stability, and administrative efficiency. The primary emphasis is on Berkeley-specific fines and fees structures and opportunities for local reform; however, it is important to note that some fines and regulations are governed by Alameda County ordinances or California state law, which are beyond the City's authority to modify.

This memorandum first maps the status quo: a decentralized network of department-specific schedules, payment portals, and appeal procedures that, despite generating large volumes of citations, often yield declining revenues and create or exacerbate burdens on economically vulnerable populations. In addition to reviewing municipal fee schedules, budget data, and comparative research, semi-structured interviews were conducted with staff from multiple departments, including the City Manager's Office, Planning and Development, Police Department, Parks, Recreation and Waterfront, Public Works, Finance, and the City Attorney's Office. These interviews provided critical insights that helped identify operational challenges and pinpoint areas where fines and fees reforms would be most impactful and administratively feasible.

Guided by a multi-criteria analytical framework that weighs political feasibility, cost, effectiveness, sustainability, and externalities, the scope extends beyond diagnosis to targeted reform design. Six principal interventions are developed: (1) a city-wide communication strategy and consolidated master fee schedule; (2) modernizing disability parking provisions to align with federal and state standards; (3) making bicycle registration voluntary; (4) unifying and simplifying the citation-appeals process; (5) offering automatic installment payment plans to everyone at the point of citation; and (6) expanding the Indigent Payment Plan model across the Berkeley Municipal Code (BMC).

The project further evaluates how automation, such as Robotic Process Automation software and Enterprise Resource Planning platforms, can reduce clerical workload,

improve accuracy, and ensure consistent rule application when administering payment plans.

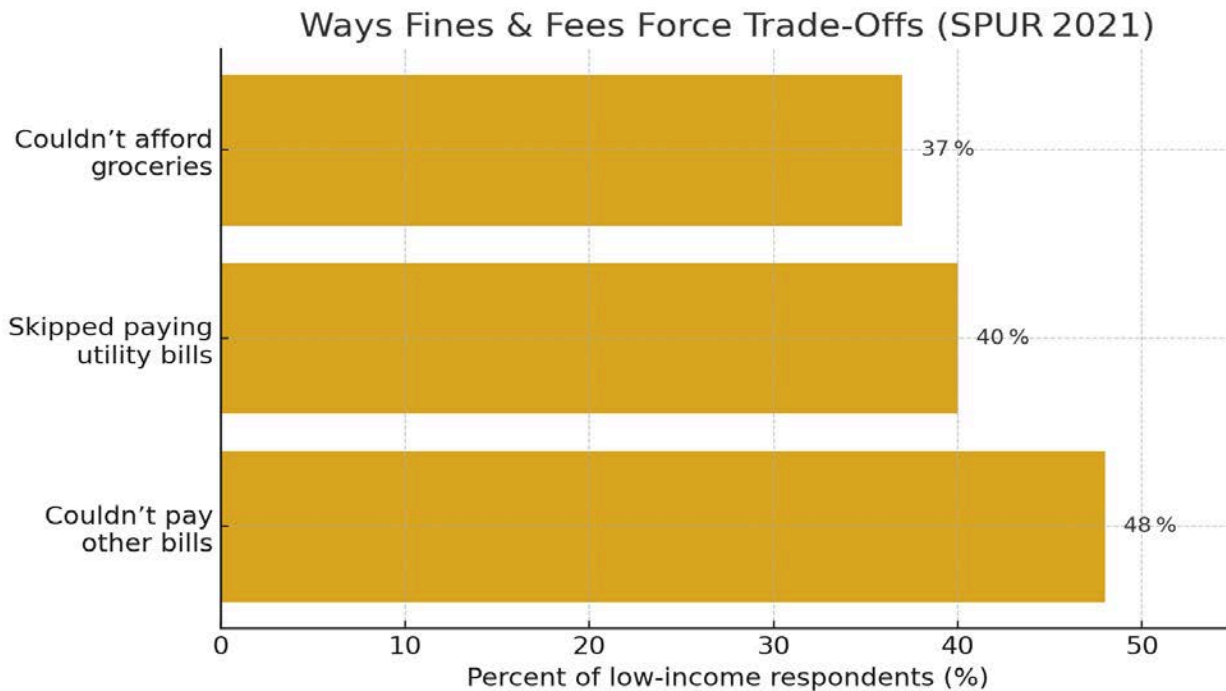
Overall, the scope encompasses problem analysis, stakeholder engagement, legal review, best-practice benchmarking, and the development of actionable policy and technology recommendations aimed at making Berkeley's fines and fees framework more equitable, transparent, and fiscally resilient.

Limitations

While this project employed a rigorous mixed-methods approach, several limitations should be noted. Access to comprehensive, granular data across departments and national partners was limited, which constrained the ability to perform a deeper quantitative analysis of fines and fees distribution and impacts. The timeline of the study also naturally limited the breadth of inquiry, including the opportunity to conduct direct interviews with low-income Berkeley residents most affected by municipal fines and fees. Additionally, while the project engaged multiple City departments and offices, further connections with additional departments could have strengthened the comprehensiveness of the findings. Future studies could build on this work by incorporating direct community engagement to further validate and refine recommendations. Additionally, some fines and regulations fall under Alameda County or California state authority, which places natural boundaries on the reforms that the City of Berkeley can independently implement. These factors should be considered when interpreting the findings and recommendations presented in this report.

Background

The City of Berkeley imposes a range of fines and fees on individuals for various violations and services. Although intended to maintain public order and offset administrative costs, studies show that such charges may place a disproportionate burden on low-income residents. Research indicates that relatively minor fees can lead to substantial financial hardship, as individuals with limited resources may need to choose between paying fines and covering basic necessities such as food, rent, or utilities.

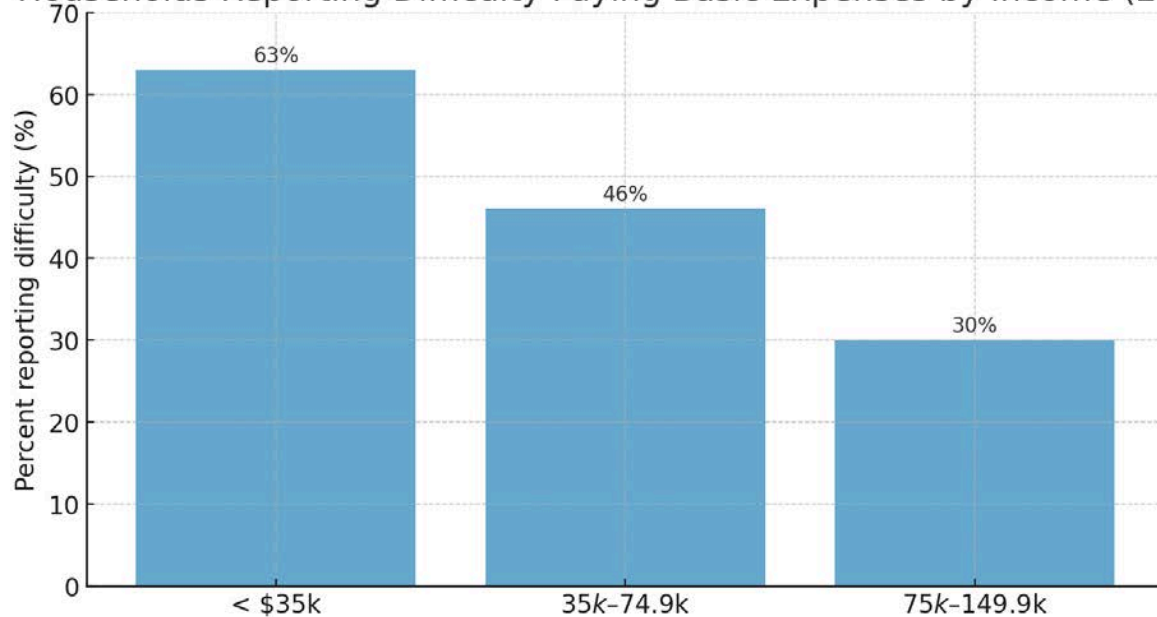


A report by SPUR in 2021 highlighted that fines and fees disproportionately harm low-income Californians, pushing many families into debt and impeding their ability to meet basic needs.¹⁷ The report noted that 48 percent of individuals grappling with fines and/or fees could not pay their other monthly bills, 40 percent had to skip paying utility bills, and 37 percent could not afford groceries.¹⁸ These findings underscore the significant burden that fines and fees can impose on low-income individuals, often leading to difficult choices between fulfilling legal obligations and meeting essential living expenses.

¹⁷ Denney, Jacob. "More Harm Than Good: Building a More Just Fine and Fee System in California," June 2021. https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf

¹⁸ Ibid.

Households Reporting Difficulty Paying Basic Expenses by Income (2023)



Source: California Budget & Policy Center (2023) [cite]turn8file0[

Data at the California Budget and Policy Center shows that in 2023, 63 percent of households making less than \$35,000 per year, 46 percent making \$35,000-\$74,999, and 30 percent making \$75,000-\$149,999 per year, reported difficulty paying for basic expenses.¹⁹ Households living paycheck-to-paycheck can be highly vulnerable to unanticipated expenses, as their budgets are already stretched thin by necessities like rent, food, and transportation. The lack of disposable income and emergency savings means that a significant portion of Californians, not just those who fall under the “low-income” threshold, are at risk of falling into deeper financial hardship with any unexpected cost.

Research suggests that fines and fees undermine efforts to alleviate poverty and strengthen social mobility by creating cumulative financial burdens that may contribute to financial hardship for vulnerable residents, ultimately perpetuating economic insecurity and reinforcing broader patterns of social and economic inequality. Recognizing these adverse impacts, policymakers and community advocates are increasingly calling for reforms to fine and fee structures, aiming for greater financial equity reflected in the City's municipal code.

Problem Statement

Across the United States, fines and fees related to minor offenses, court costs, and administrative penalties place a significant burden on individuals and families, particularly

¹⁹ California Budget and Policy Center. “Millions of Californians Are Struggling to Make Ends Meet.” Accessed April 13, 2025. <https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

in communities of color, disproportionately harming those with lower incomes.²⁰ In Berkeley, a city with more than 118,000 residents²¹ and a federal poverty threshold of \$15,650 per year in California²², 17.7 percent of residents live below that mark, placing them at higher risk of hardship when faced with compounding municipal fines.²³ This dynamic can lead to spiraling debts and other consequences that can significantly impact those already struggling to meet basic needs.

The City of Berkeley recognizes the importance of addressing economic disparities and expanding opportunities that support financial and physical security for low-income individuals and families through accessible local government programs. Through the city's efforts to create a public safety system that prioritizes equity and care, this comprehensive re-evaluation stems from the need to address concerns about the disproportionate impact of punitive fines on low-income residents and communities of color, as highlighted in both the Reimagining Public Safety initiative and the Care First, Jails Last resolution.

The Care First, Jails Last resolution shifts public safety toward prevention, treatment, and community-based interventions rather than criminalization and incarceration.²⁴ The resolution also calls for financial investments in restorative justice and survivor support, guided by City Council and the Mental Health Commission. Reimagining Public Safety is a Berkeley led, council-mandated initiative and Task Force effort to develop a community centered safety paradigm that moves beyond traditional policing by repairing historical harm, advancing equity, and integrating non-police responders for mental health, substance use, and quality-of-life calls.²⁵ Grounded in extensive community engagement and interdisciplinary research, it seeks to foster restorative justice, enhance transparency, and invest in alternative public safety solutions—such as specialized care units, transportation reforms, and violence-prevention programs—to build lasting, inclusive well-being across every neighborhood.²⁶

The disproportionate impact of fines and fees often exacerbates existing inequalities, placing additional barriers before residents who are already facing significant economic challenges. When fines and fees escalate due to an individual's inability to pay immediately, they can escalate into larger debts, which may affect credit scores, housing opportunities, and vehicle registration, among other impacts, which is crucial in order to be legally able to get to and from a place of employment. These cascading consequences create cycles of

²⁰ Firefly Advocates. "The Hidden Cost of Justice: Fines, Fees, and Their Impact on Communities of Color," February 14, 2025. <https://www.fireflyadvocates.org/blog/the-hidden-cost-of-justice-fines-fees-and-their-impact-on-communities-of-color>.

²¹ "U.S. Census." Accessed April 5, 2025. <https://www.census.gov/quickfacts/fact/table/berkeleycitycalifornia/PST045223>.

²² "2025 Poverty Guidelines: 48 Contiguous States (All States except Alaska and Hawaii)," n.d. <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>.

²³ "U.S. Census." Accessed March 24, 2025. <https://data.census.gov/all?q=residents+below+the+federal+poverty+line+Berkeley+city+California>.

²⁴ Jones, Monica. "Resolution to Adopt a City-Wide 'Care First, Jails Last' Policy," n.d. <https://dev.berkeleyca.gov/sites/default/files/documents/2023-07-25%20Item%2031%20Resolution%20to%20Adopt%20a%20City-Wide.pdf>.

²⁵ "Reimagining Public Safety." Berkeley Task Force Report, March 2022. <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/TaskForceReport-2322-653pm2-8-2022.pdf>.

²⁶ Ibid

debt that hinder economic mobility and deepen the very poverty such penalties may unintentionally exacerbate, despite intended regulatory purposes..

Research and experiences from other jurisdictions highlight viable alternatives to punitive approaches, emphasizing restorative practices and income-sensitive fine structures. Cities implementing tiered systems or income-based fee waivers have seen reduced financial burdens on marginalized communities without compromising the efficacy or intent behind fines as regulatory tools; effectively promoting compliance without imposing undue hardship.

In alignment with the values articulated in the Reimagining Public Safety initiative and the Care First, Jails Last approach, the City of Berkeley is uniquely positioned to put forth comprehensive reforms that not only mitigate economic disparities but also reinforce community trust in local governance. Engaging directly with impacted communities to understand lived experiences and soliciting input on equitable fine structures can help Berkeley craft policies that better reflect the city's commitment to fairness, justice, and inclusion. Ultimately, these reforms serve as integral components of a broader strategy to build safer, healthier, and more resilient communities, ensuring that local government actions consistently align with the principles of equity and compassion.

Methodology

This project employed a mixed-methods approach anchored in rigorous evidence analysis. The first phase combined documentary analysis—examining the BMC, department-level fee schedules, recent budget updates, and revenue reports—with 15 semi-structured interviews, including correspondence through numerous follow up emails with City staff across Parking Enforcement, Code Enforcement, Finance, the City Attorney's Office, and the Indigent Payment Plan program, as well as staff at San Francisco's Financial Justice Project and the Fines and Fees Justice Center.

These steps mapped the current fines and fees ecosystem, surfaced operational pain points, and recorded equity concerns from frontline perspectives. Concurrently, Berkeley was benchmarked against other jurisdictions, including, but not limited to, San Francisco, Alameda, Oakland, and extensive literature review to identify legally and administratively viable reform models. All findings were cross-checked for consistency and accuracy.

Each potential reform is measured by a multi-criteria decision matrix—political feasibility, cost, effectiveness, sustainability, and externalities—scored on a 1-10 scale to generate comparative rankings. Quantitative scores were paired with qualitative insights from interviews and existing evidence supported the prioritization of six recommendations measuring for equity, fiscal soundness, and administrative practicality. Iterative peer review and reconciliation of data discrepancies ensured internal validity, while continuous

stakeholder feedback helped to mitigate any potential bias and maintain fidelity to community needs throughout the project.

Analytical Framework

The preferred package of six recommendations:

- 1) publish a consolidated, multilingual Master Fee Schedule and plain-language portal
- 2) update BMC 14.40.100 to align disability-parking rules with federal and state standards
- 3) convert mandatory bicycle licensing in BMC 14.68 to a voluntary program
- 4) explore internal software options
- 5) extend the Indigent Payment Plan beyond parking tickets to all eligible fines and fees
- 6) Offer an installment payment option for every citation

It is important to note that the order of the recommendations reflects a strategic sequencing based on relative ease of implementation. Recommendations are prioritized beginning with actions that present lower operational barriers and fewer interdependencies, and progressing toward reforms that involve broader structural considerations, require additional coordination, or present higher complexity. This approach is intended to support a phased implementation process that maximizes early gains while preparing for more comprehensive changes over time.

When evaluating policy recommendations for fines and fees reform, we assess each option's viability. Using specific criteria, this framework promotes a balanced approach that considers political, economic, social, and practical implications. Each recommendation involves trade-offs that influence the effectiveness and sustainability of the policy. The following matrix summarizes the considerations of a set of policy alternatives that follow. Each criteria is based on a 1-10 score, with 10 being the best score. As it pertains to externalities, lower scores lean to more negative externalities, while higher scores lean to more positive externalities.

- A.** Political Feasibility - Will the policy gain the political support needed to be adopted?
- B.** Cost Effectiveness - Do the policy outcomes outweigh the cost?
- C.** Effectiveness - Will the policy achieve its intended goals?
- D.** Sustainability - Can the policy be maintained over the long-term?
- E.** Externalities - What are the unintended side-effects of the policy?

Criteria Matrix

Criteria	Status Quo	Develop Clear Comm Strategy	Amend BMC 14.40.100 Disabled Parking Rules	Amend BMC 14.68 Bicycle License And Registration	Explore Internal Software Options	Indigent Payment Plan Extended to Other Areas of BMC	Automatic Payment Plans Available to Anyone	Community Service
Political Feasibility	8	9	7	7	7	5	4	4
Cost Effectiveness	3	9	8	7	6	8	8	5
Effectiveness	3	8	9	9	9	9	9	6
Sustainability	2	8	9	9	9	8	8	3
Externalities Low=Neg High=Pos	2	8	8	8	7	8	8	5
Total Score	15	42	41	40	38	38	37	23

Considerations:

Implementation Considerations

Following the evaluation of policy alternatives through the multi-criteria analytical framework, it is important to acknowledge key considerations that could impact the practical implementation of the recommendations. While the reforms identified offer clear opportunities to advance equity, fiscal stability, and operational efficiency within the City of Berkeley's fines and fees system, successful implementation will require careful navigation of administrative, fiscal, and structural realities inherent to municipal governance.

Several considerations are outlined below:

- 1) **Budgetary Constraints:** Although many proposed reforms, such as updates to the BMC and the development of a centralized communication strategy, are relatively low-cost, initiatives involving technological investments—such as integrating Enterprise Resource Planning (ERP) systems or Robotic Process Automation (RPA)—will require initial capital outlays. Given competing fiscal priorities across City departments, implementation may require phased funding strategies or pursuit of external grants to offset costs.
- 2) **Administrative Capacity and Workload:** Consolidating department-specific schedules into a Master Fee Schedule, modernizing appeals processes, and expanding payment plan access will necessitate significant interdepartmental coordination, updates to workflows, and staff training. In the short term, these reforms may increase administrative burdens before longer-term efficiencies are fully realized. The City would need to consider how to strategically allocate resources, project management support, and technical assistance during the transition period.
- 3) **Public Awareness and Compliance:** The effectiveness of reforms such as automatic installment plans and expanded access to financial relief options depends heavily on robust public communication. Without intentional outreach—particularly to low-income and limited-English-speaking communities—improvements in system design may not immediately translate into higher compliance rates or improved user experience. A comprehensive education and engagement campaign would be necessary to ensure that impacted residents are aware of and able to access new programs.
- 4) **Timing of Fiscal Benefits:** Although many reforms are designed to strengthen Berkeley's fiscal resilience over time, cost savings and revenue stabilization may not be immediately apparent. As demonstrated in peer jurisdictions, there may be a lag between initial implementation and the realization of measurable fiscal outcomes. Berkeley should build this lag into its financial projections and maintain regular

monitoring—using key performance indicators such as plan enrollment rates and delinquency trends—to sustain internal support for continued funding.

- 5) **Jurisdictional and Legal Boundaries:** Certain fines and fees affecting Berkeley residents are governed by Alameda County ordinances or California state law, limiting the City's direct authority to enact reforms in those areas. Any recommendations pertaining to fines set outside the City's jurisdiction would require coordination with county or state entities to fully realize intended impacts.

Incorporating these considerations into a phased implementation plan—with defined milestones, dedicated resources, and ongoing stakeholder engagement—will enable Berkeley to establish a fines and fees system that is transparent, impartial, and financially sustainable.

Community Service Considerations

Additionally, community service in lieu of monetary fines has long been proposed by countless jurisdictions, including Berkeley, as an alternative for individuals unable to pay, but past implementations in Berkeley proved financially unsustainable. Police officials noted that the prior program, facilitated through an outside agency, required officers to work overtime in order to supervise participants, driving up costs without commensurate revenue or compliance gains.²⁷ Multiple Parking Enforcement Officers stated that, “the cost to run the program and where the money goes or doesn’t go are factors”²⁸ and, “the cost was too high to pay officers the overtime required to staff a program like that.”²⁹

Other interview respondents nonetheless suggested an expanded community service model, pointing to recent legislative reforms in other states that broaden acceptable service activities beyond roadside cleanup, would be necessary if Berkeley was to revisit a program like this.³⁰ In Texas, for instance, courts under Article 45.049(c) of the Code of Criminal Procedure may grant credit for participation in addiction counseling, victim impact panels, or social service outreach—rather than strictly manual labor.³¹ Likewise, New Mexico’s 2023 amendment to Section 31-12-3 of its statutes explicitly allows community service credit “including enrollment in job training or an academic or vocational program or participation in social service or rehabilitation programs,” offering a more flexible framework for fulfillment of court-ordered hours.³²

²⁷ City of Berkeley Police Department Staff Interview, 2025.

²⁸ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

²⁹ City of Berkeley Staff Interview. Parking Enforcement, 2025.

³⁰ Policy and Research Director at Fines and Fees Justice Center, n.d.

³¹ FindLaw. “Texas Code of Criminal Procedure - CRIM P Art. 45.049. Community Service in Satisfaction of Fine or Costs.” Accessed April 23, 2025. <https://codes.findlaw.com/tx/code-of-criminal-procedure/crim-ptx-crim-pro-art-45-049/>.

³² Justia Law. “2024 New Mexico Statutes :: Chapter 31 - Criminal Procedure :: Article 12 - Fines, Fees and Costs :: Section 31-12-3 - Paying Fines, Fees or Costs in Installments; Community Service Option.” Accessed April 23, 2025. <https://law.justia.com/codes/new-mexico/chapter-31/article-12/section-31-12-3/>.

In light of these findings, a future community service alternative would need to incorporate a broader array of service options, while ensuring staffing and supervision costs are controlled to maintain both accessibility and fiscal responsibility.

Exemption Considerations

Exemptions to certain municipal fines and fees is an eventual objective; viewing them as a mechanism to advance equity and restorative public safety practices beyond strictly punitive measures. However, the City's current fiscal environment—marked by a tightly constrained general fund and recent mid-year revenue shortfalls³³ renders broad fee waivers infeasible at this time, as any reduction in revenue would deepen existing budgetary pressures and risk displacing critical services.

Under the present deficit state, allocating resources to cover foregone fine and fee revenues would require significant reallocation within an already balanced budget, making comprehensive exemptions in the near term, unfeasible. Once the City's finances recover—through the steady and sustained revenue streams the proposed reform in this report is intended to provide, it can revisit and phase in targeted exemptions that align with the City's long term equity goals, ensuring that financial capacity and policy intent advance in tandem.

Recommendations

Status Quo:

Current State of City of Berkeley's Fines and Fees

Berkeley assesses administrative fines and fees through a decentralized system in which multiple departments—such as Parking Enforcement, Code Enforcement, Planning and Development, Public Works, Parks and Recreation, Finance, and the City Attorney's Office—manage their own distinct schedules, billing systems, appeal procedures, and enforcement protocols. Parking citations, for example, operate under a separate framework from business license penalties or code violations, and each maintains its own payment forms and deadlines. An income-screened Indigent Payment Plan is available for parking citations, while most other fines require the assessed amount to be paid before an appeals hearing can be requested.

Information about fines and fees is dispersed across department-specific webpages and office counters, requiring residents—especially those with limited digital access or English

³³ "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025. <https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

proficiency—to contact several departments to determine the status of their citation, payment options, or eligibility for waivers. Staff have shared that some of the complaints from residents was their lack of knowledge that these programs exist.³⁴ Additionally, some third-party portals that handle payments lack translation capabilities, creating further access barriers. According to multiple staff interviews, this decentralization not only confuses residents but also increases clerical workload, as employees must repeatedly explain disparate procedures and policies³⁵ that could otherwise be unified under a central platform.

Currently, the City does not have a fully integrated case management system that spans departments. While some internal coordination tools are used for fiscal tracking and administrative operations, these tools do not track citations in real-time or automate installment plan management. Adjudication Staff shared that their department uses a citation management software that assists with their processes, but the software is exclusive to their department and does not crossover to other departments.³⁶ For the most part, City of Berkeley staff must rely on manual coordination and independent data entry, creating duplication of effort and inconsistent user experiences.

Current City Statute

Several provisions in the BMC further compound both operational inefficiencies and equity concerns. BMC § 14.68, which mandates annual bicycle licensing and registration,³⁷ is misaligned with California Vehicle Code § 39002(a), which prohibits municipalities from enforcing penalties for unlicensed bicycles.³⁸ In practice, this outdated requirement can confuse residents, especially youth and low-income individuals who acquire secondhand bikes without formal documentation. Staff are left to explain or enforce a law that is rarely applied consistently and may not be legally enforceable—creating administrative friction and exposing the City to reputational or legal risk without generating meaningful public benefit.

Similarly, BMC § 14.40.100, which restricts disability related parking waivers to individuals with specific physical impairments and requires that the disabled person be the vehicle's driver,³⁹ does not reflect current definitions under state law or the federal ADA.⁴⁰ This can limit access for individuals with blindness, respiratory illness, or cognitive impairments, and burden caregivers who assist disabled residents with transportation. Operationally, this has the potential to create ambiguity for enforcement staff and eligibility reviewers, who must reconcile local requirements with broader legal standards. From an equity standpoint, the

³⁴ City of Berkeley Staff Interview. Code Enforcement, 2025

³⁵ Ibid.

³⁶ City of Berkeley Staff Interview. Adjudication Staff, 2025.

³⁷ Berkeley Municipal Code § 14.68.020 (1976).

³⁸ Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).

³⁹ https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=

⁴⁰ Berkeley Municipal Code, § 14.40.100 (1952).

⁴⁰ ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).
https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm.

restrictive language can result in unnecessary financial or mobility barriers for disabled residents—undermining the City’s broader commitments to accessibility and inclusion.

Departmental Practices and Informal Flexibility

While Berkeley’s current fines and fees structure is decentralized, it is important to note that some departments have developed informal practices to support residents. Staff from Planning and Development, Parks and Recreation, and the Finance Department reported taking case-by-case approaches to extend deadlines, waive minor penalties, or explain procedures to individuals unfamiliar with the system.^{41 42 43} These discretionary practices are rooted in a strong commitment to public service and, in some cases, help residents avoid deeper noncompliance.

However, such efforts remain dependent on individual staff availability, discretion, and a resident’s ability to reach the right person. Without a codified, transparent process for requesting relief, these accommodations are not universally accessible and can inadvertently perpetuate inequity. The absence of clear, uniform rules also places pressure on staff to make judgment calls in the absence of policy guidance—adding to administrative workload and introducing the risk of inconsistent outcomes.

Research at the state level confirms that fines and fees disproportionately harm low-income communities and may cost more to administer and collect than they ultimately generate in revenue.⁴⁴

Evaluation of the Status Quo Based on Criteria

Total Score: 15/50

Based on the criteria evaluation, the proposed approach received a score of 15 out of 50. On the positive side, it requires no new policy implementation, allowing the City to maintain short-term administrative continuity without the disruptions and learning curves associated with entirely new processes.

However, several significant drawbacks accompany this status quo. Rising default rates are placing increasing strain on both revenue collection and administrative capacity. Low-income residents continue to face inequitable outcomes, unable to afford large lump-sum payments or to navigate the City’s decentralized system of fines and fees. Finally, by forgoing modern platforms, the City misses opportunities to reduce staff workload through automation, streamline communication with residents, and boost overall compliance.

⁴¹ City of Berkeley City Staff Interview. City Planning, March 2025.

⁴² City of Berkeley Staff Interview. Parks and Recreation, April 2025.

⁴³ City of Berkeley Staff Interview. Finance Department, 2025

⁴⁴ Denney, Jacob. “More Harm Than Good: Building a More Just Fine and Fee System in California,” June 2021. https://www.spur.org/sites/default/files/2021-06/SPUR_More_Harm_Than_Good_0.pdf?utm_source=chatgpt.com.

Financial Implications

If Berkeley continues operating under its current structure, it is likely to face ongoing fiscal and operational strain. The City's Fiscal Year 2025 Mid-Year Budget Update revealed a 12.9 percent increase in parking citations during the first half of the year, but a simultaneous 9.9 percent drop in related revenue—indicating that enforcement alone is not producing proportional returns. Departments are required to maintain their own intake, appeals, and payment processes, preventing the City from realizing cost savings that could be achieved through automation, centralized intake, shared administrative tools, or payment plans.

Recommendation 1: Develop a Clear Fines and Fees Communication Strategy

Current State

The BMC, contains provisions that allow for flexibility or assistance in payment of some fines and fees; however, when these provisions are not clearly communicated, eligible residents may remain unaware that help exists as the fines and fees system can be difficult to navigate.⁴⁵ In its current state, the City of Berkeley has multiple sites and departments that receive and determine eligibility for payment plans or waivers.⁴⁶

One of the most significant lessons learned through our research is the necessity of framing information in a manner easily understandable to diverse populations. Even when local laws or ordinances (such as sections of the BMC) allow for exemptions or alternative payment schedules, instructions are delivered in overly technical language or strewn across multiple websites.^{47 48 49 50 51 52} This places additional challenges on residents who may face barriers in navigating complex systems.⁵³

Proposed Change

In line with the broader goals of this project, the development of a clear communication strategy has emerged as a pivotal first step toward ensuring that fines and fees do not compound or create punitive barriers for vulnerable individuals. Therefore, a primary component of the recommended communication strategy is the consolidation of vital

⁴⁵ "Targeted Fines and Fees Against Communities of Color Civil Rights & Constitutional Implications," September 2017. https://www.usccr.gov/files/pubs/docs/Statutory_Enforcement_Report2017.pdf.

⁴⁶ "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley, n.d. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

⁴⁷ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁴⁸ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

⁴⁹ City of Berkeley Staff Interview. Finance Department, 2025.

⁵⁰ City of Berkeley Staff Interview. Code Enforcement, 2025.

⁵¹ City of Berkeley Staff Interview. Adjudication Staff, 2025.

⁵² City of Berkeley Staff Interview. City Attorney's Office, 2025.

⁵³ Herd, Pamela, Donald Moynihan, and Amy Widman. "Identifying and Reducing Burdens in Administrative Processes," December 5, 2023. https://www.acus.gov/sites/default/files/documents/Identifying-and-Reducing-Burdens-in-Administrative-Processes-Final-Report-2023.12.05_2.pdf.

details—like eligibility for fee reductions, application procedures for indigent payment plans, and relevant deadlines—into a single, widely accessible platform, such as a dedicated city webpage, along with a Master Fees Schedule with a fines and fees guide that contains and describes all known fees associated with the various city departments across Berkeley, fully translated into the multiple languages commonly spoken by Berkeley residents.

Improving Access and Compliance

According to multiple City of Berkeley staff interviews, while an Indigent Payment Plan for parking citations⁵⁴ or low-income ambulance waivers are available in Berkeley, some individuals miss critical enrollment windows or remain unaware of their eligibility.^{55 56} This outcome likely stems from decentralized information, which is often scattered across department-specific websites and physical offices. Staff at the City of Berkeley Finance Office shared that only 120-140 parcels out of around 3000 each year are utilizing their low-income program as it relates to property taxes.⁵⁷

Consolidating essential details about fines and fees into a single, user friendly platform can be vital for increasing awareness and compliance. Cities that centralize payment information and provide clearer instructions see a measurable rise in compliance and a decrease in overall default rates.⁵⁸ A centralized website, available in multiple languages, can outline steps for entering payment plans, applying for fee reductions, and understanding deadlines; all in plain language. Although the City's web portal allows for language translation, once users are directed to third-party payment pages, translation features may not persist, which could pose challenges for non-English speakers when entering sensitive payment information.

Neighboring jurisdictions demonstrate that consolidating every municipal charge in a single, council-adopted Master Fee Schedule (MFS) is both feasible and beneficial. San Francisco issues a combined "Master Fee Schedule & Fee Certification" with its biennial budget, listing licenses, service charges, fines, and the percentage of each fee's cost recovery.⁵⁹ Alameda publishes an annual MFS that incorporates Consumer Price Index adjustments and impact-fee studies,⁶⁰ while Oakland posts a searchable web page with the full PDF of its adopted MFS for each fiscal year, updated every July 1.⁶¹

⁵⁴ "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley, n.d. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

⁵⁵ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁵⁶ City of Berkeley Staff Interview. Finance Department, 2025.

⁵⁷ Ibid.

⁵⁸ Hernandez, Pete. "Court E-Payments: External Service Providers, In-House Solutions and Beyond," n.d.

https://www.ncsc.org/_data/assets/pdf_file/0021/15915/court-e-payments.pdf.

⁵⁹ Office of the Controller Budget and Analysis Division. "Combined Fees Certification & Master Fee Schedule FY 2024-25 & FY 2025-26," City and County of San Francisco, May 24, 2024.

<https://www.sf.gov/sites/default/files/2024-05/FY24-25%20Master%20Fee%20Schedule%20and%20Fees%20Certification.pdf>.

⁶⁰ "Master Fee Schedule." City of Alameda, July 2024.

<https://www.alamedaca.gov/files/assets/public/v1/finance/master-fee-schedule-fy-2024-25.pdf>.

⁶¹ City of Oakland. "City of Oakland Master Fee Schedules." Accessed April 17, 2025.

<https://www.oaklandca.gov/documents/city-of-oakland-master-fee-schedules>.

These documents do more than aggregate numbers; they increase transparency for residents and businesses, reduce repetitive staff inquiries, and give policymakers a clear view of how closely each fee aligns with the cost of providing the service. The Government Finance Officers Association (GFOA) recommends that local governments “adopt formal policies regarding charges and fees,” measure the full cost of each service, and house the results in a single document that is reviewed regularly.⁶²

Berkeley, by contrast, posts fee schedules individually—Planning and Building updates appear in individual council items or departmental PDFs, Engineering fees live on separate forms, and Environmental Health fees are embedded in staff reports. Because the information is scattered across multiple webpages and file types, residents must hunt for the total cost of a permit or appeal, while staff spend extra time explaining where to look.

Public Trust and Clear and Consistent Communications

Another critical aspect is ensuring that any official notices, such as traffic citations or billing statements, link directly to resources. Something as simple as a QR code on the back of a parking ticket can direct an individual to a frequently asked questions (FAQ) page or a payment plan enrollment form. When individuals receive the information at the moment they need it—right when they open a ticket—it reduces confusion and can increase the likelihood of timely compliance.

Equally important is the equity dimension of clear communication. Providing instructions in multiple languages, offering large-print materials for visually impaired individuals, and furnishing straightforward, user-focused FAQs exhibits a commitment to equity.

Clarity and consistency also reduce administrative burdens and enhance public trust. Currently, citations and the Parking and Transportation website inform residents that their vehicles can be towed or booted strictly for unpaid citations.⁶³ ⁶⁴ According to a Parking Enforcement staff interview, that penalty no longer aligns with current policy.⁶⁵ Updating official texts and website content to reflect actual practice not only preserves trust but also prevents repetitive queries and appeals. Parking Enforcement staff further explained that, although the city no longer tows for purely delinquent citations, a vehicle will be denied registration until a delinquent citation is paid, and subsequently, a vehicle recognized on the street without registration can be towed and impounded, incurring an additional set of fees.⁶⁶ Such discrepancies can cause confusion and may impact public confidence. A targeted and continuous communication campaign—one that clarifies actual policy—could resolve these conflicts, reduce confusion, and enhance compliance among residents.

⁶² “Establishing Government Charges and Fees.” Accessed April 17, 2025.

https://www.gfoa.org/materials/establishing-government-charges-and-fees?utm_source=chatgpt.com.

⁶³ “Notice of Parking Violation.” City of Berkeley, n.d. <https://drive.google.com/drive/folders/1w1DolG3cc4-sBhMBjMulkRhRVi-YscFy>.

⁶⁴ “Paying Citations | Parking and Transportation.” Accessed April 23, 2025. <https://pt.berkeley.edu/citations/paying-citations>.

⁶⁵ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁶⁶ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

Evaluation of Recommendation 1 based on Criteria

Total Score: 42/50

Based on the criteria evaluation, the proposal achieved a score of 42 out of 50. Consolidating all fines, fees, deadlines, and relief programs onto a single, plain-language webpage would provide significant administrative relief and improve accuracy: clerks would spend less time answering repetitive questions or correcting payment errors caused by misinformation. In addition, clear presentation of what individuals owe and how to apply for relief in multiple languages can foster higher voluntary compliance and build trust—payment rates tend to rise and public resentment diminishes when people understand their obligations and options.

Nevertheless, maintaining this streamlined schedule poses its own challenges. Keeping the webpage perfectly up to date will require ongoing inter-departmental coordination, and any lapses could quickly recreate confusion. Moreover, residents without reliable internet access or mobile data may still miss digital notices unless the City supplements the portal with documents sent in the mail and provided at public buildings, or includes QR codes directly on paper tickets.

Financial Implications

From a fiscal perspective, an informed public is more likely to seek relief rather than simply not pay. Cities can then avoid burdensome collection tactics that siphon resources away from more pressing community needs. When people understand their obligations, deadlines, and available financial assistance, they tend to comply more swiftly, lowering the administrative cost of follow-up actions and possible legal enforcement.⁶⁷

When residents easily grasp what they owe, why they owe it, how to request relief, and where to go for assistance, they are less inclined to ignore or contest citations, thus saving time and resources for both the public and city officials.⁶⁸ This level of transparency fosters stronger, more respectful relationships between local government and its constituents. Consolidating relevant information, fostering partnerships with community organizations, and adopting a multilingual, multimodal outreach approach could help Berkeley lower default rates, sustain stable revenue, and prevent residents from incurring additional penalties.

⁶⁷ Johnson, Shanelle. "First Steps Toward More Equitable Fines and Fees Practices," n.d. https://finesandfeesjusticecenter.org/content/uploads/2020/11/FFJC_Policy_Guidance_Ability_to_Pay_Payment_Plan_Community_Service_Final_2.pdf.

⁶⁸ "Online Infraction Adjudication and Ability-to-Pay Determinations." Report to Legislature, n.d. https://courts.ca.gov/sites/default/files/courts/default/2024-08/2024_online-infraction-adjudication-and-ability-to-pay-determinations.pdf.

Recommendation 2: Amend BMC 14.40.100 to align with federal and state standards on disability parking standards and accommodations.

Current State

Berkeley's parking ordinance, 14.40.100 for disabled persons, still uses a 1950s statute that recognizes disability only when someone "has completely lost by paralysis the use of one or both feet or one or both legs, or who has had one or both feet or one or both legs amputated" and insists that the individual be the one behind the wheel.⁶⁹ In practice, that wording bars blind residents, people with cardiopulmonary disease, wheelchair users who cannot drive, and anyone whose disability is episodic or cognitive from enjoying the fee waiver that was meant to guarantee access. The text also clashes with national civil-rights law: Congress defines disability far more broadly as "a physical or mental impairment that substantially limits one or more major life activities," or a record or perception of such an impairment, and demands that the term be "construed broadly" after the ADA Amendments Act of 2008.⁷⁰ California codifies this broader view in Vehicle Code § 295.5, which adds blindness, severe lung and heart disease, and other mobility-impairing conditions to the list of qualifying disabilities.⁷¹

CA Department of Motor Vehicle Guidelines and Supportive Persons

Because Berkeley's ordinance also states that "the disabled person shall operate the motor vehicle themselves," a resident who cannot drive must either pay the meter or forgo the trip unless a costly alternative is arranged. State law and the Department of Motor Vehicles, by contrast, expressly allow a disabled-person placard to be "moved from one vehicle to another," which "makes them a good option for a caregiver who transports a disabled person."⁷²

The local restriction translates into concrete barriers to daily life. If a blind resident's friend cannot legally use the placard while driving the resident to a doctor's appointment, the pair may have to pay curbside fees they cannot afford or resort to ADA paratransit. Paratransit is reliable but expensive and inflexible: federal rules permit providers to insist on next-day reservations and one-hour pick-up windows,⁷³ and fares may legally run up to twice the regular bus fare.⁷⁴ Diverting travelers onto vans inflates public costs while denying disabled residents the spontaneity and dignity enjoyed by nondisabled neighbors.

⁶⁹ Berkeley Municipal Code, § 14.40.100 (1952).

⁷⁰ ADA Amendments Act of 2008, Pub. L. No. 110–325, Stat. 3553, 2559, § 8, 122 (2008).
https://archive.ada.gov/nprm_adaaa/nprm_adaaa.htm.

⁷¹ Legislature, Cal. "Cal. Vehicle Code § 295.5." Accessed April 18, 2025.
https://california.public.law/codes/ca_veh_code_section_295.5.

⁷² California DMV. "Disabled Person Parking Placards & Plates." Accessed April 18, 2025.
<https://www.dmv.ca.gov/portal/vehicle-registration/license-plates-decals-and-placards/disabled-person-parking-placards-plates/>.

⁷³ "ADA Complementary Paratransit Requirements." Accessed April 18, 2025.
<https://www.nationalrtap.org/Toolkits/ADA-Toolkit/Service-Type-Requirements/ADA-Complementary-Paratransit-Requirements>.

⁷⁴ Ibid.

This amendment can be accomplished almost immediately, aligning local law with federal and state standards, by substituting the following language: “ ‘Disabled person’ means an individual who meets the definition of disability under 42 U.S.C. § 12102⁷⁵ or California Vehicle Code § 295.5.⁷⁶ The parking privilege applies when the disabled person is the driver or is present as a passenger in a vehicle operated by a support person.” This single amendment harmonizes Berkeley’s code with prevailing civil-rights norms, protects the City from discrimination claims, and immediately extends equitable parking access to blind individuals, dialysis patients, and many others whose impairments do not involve limb loss. Allowing family or friends to drive also reduces unnecessary reliance on paratransit, easing both public budgets and riders’ pocketbooks, and it facilitates easier access to daily activities for disabled residents..

Evaluation of Recommendation 2 Based on Criteria

Total Score: 41/50

Based on the criteria evaluation, the proposal earned a score of 41 out of 50. By aligning Berkeley’s local ordinances with both the ADA and the California Vehicle Code, the City would reduce its legal risk—shielding itself from potential discrimination suits and DOJ enforcement actions. At the same time, expanding eligibility for parking waivers enables blind or cardiopulmonary-impaired residents to travel with friends and family rather than rely on costly paratransit vans, advancing equity goals while relieving pressure on transit subsidies.

However, this approach carries some drawbacks. Meter revenue may decline modestly as a greater number of vehicles qualify for fee waivers, and parking enforcement officers will need to learn and apply a broader set of placard rules.

Financial Implications

Updating the section requires only an ordinance revision. Such a modest administrative step would modernize Berkeley’s code, advance disability equity, and trim avoidable transportation costs—all while honoring the City’s broader commitment to accessible public spaces.

⁷⁵ “42 USC 12102: Definition of Disability.” Accessed April 18, 2025.

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section12102&num=0&edition=prelim>

⁷⁶ Legislature, Cal. “Cal. Vehicle Code § 295.5.” Accessed April 18, 2025.

https://california.public.law/codes/ca_veh_code_section_295.5.

Recommendation 3: Amend BMC 14.68 that requires an individual to license and register their bicycles annually to be optional.

Current State

Berkeley's Municipal Code still makes it “unlawful for any person to operate or use a bicycle... which has not been licensed and registered.”⁷⁷ Yet state law does not make this a requirement. California Vehicle Code § 39002(a) expressly says that when a city adopts a licensing ordinance it may not prohibit the operation of an unlicensed bicycle, confirming that any local program can be voluntary in practice.⁷⁸

Proposed Change

Amending Chapter 14.68 so the words “shall license” become “may license,” and deleting the fines that are currently associated with it, would bring Berkeley into alignment with this state standard while still allowing owners who want a theft-recovery sticker to obtain one.

Reinforcing Berkeley's Climate-friendly Mobility Efforts

Encouraging climate-friendly transportation like bicycling requires policies that remove barriers—not create penalties. Mandating bicycle registration, especially with fines for non-compliance, discourages participation and disproportionately affects those who rely on bikes as an affordable, green alternative to cars. Doing so aligns with the city's Climate and Action Plan⁷⁹ while fostering equity and encouraging broader adoption of zero-emission travel.

In 2023, Berkeley City Council reported 34 percent of trips taken in the city were made by sustainable modes of transportation; bicycles included.⁸⁰ With an ordinance revision, Berkeley can continue to promote sustainable mobility by eliminating punitive requirements and instead, offering a voluntary program that makes riding easier and more accessible for all.

Low-Income Options Carry Compliance Difficulties

Another compelling reason to make bicycle licensing voluntary in Berkeley is the significant burden it places on individuals who acquire their bikes second-hand—particularly youth and low-income residents who often rely on the used bike market for affordability. Under the current BMC, registrants are expected to provide documentation such as a sales receipt

⁷⁷ Berkeley Municipal Code § 14.68.020 (1976).

⁷⁸ Registration and Licensing of Bicycles, Vehicle Code § 39002(a) (2023).
https://leginfo.ca.gov/faces/codes_displayText.xhtml?article=&chapter=&division=16.7.&lawCode=VEH&part=&title=

⁷⁹ “Climate Action Plan and Resilience Update.” Berkeley City Council, April 15, 2025.

https://berkeleyca.gov/sites/default/files/documents/2025-04-15%20Item%2023%20Climate%20Action%20Plan%20and%20Resilience%20Update_0.pdf.

⁸⁰ Ibid.

or proof of ownership to complete registration. However, many used bikes are exchanged informally through garage sales, online marketplaces like Craigslist or Facebook, or given as hand-me-downs within families or communities. Second-hand global sales through bike marketplaces or private sellers are projected to grow from approximately \$47 billion in 2025 to \$72.4 billion by 2035, reflecting a 4.4% annual growth rate.⁸¹ Many of these transactions do not come with formal receipts or serial number records, which would make it difficult—if not impossible—for the new owner to comply with the city's registration requirements.

Evaluation of Recommendation 3 Based on Criteria

Total Score: 40/50

Based on the criteria evaluation, the proposal received a score of 40 out of 50. By eliminating the mandatory bicycle licensing requirement, the City stands to gain significant climate and public-health benefits: removing this punitive barrier encourages more residents to cycle, directly supporting Berkeley's Climate Action targets. This change also promotes equity for youth and low-income riders, many of whom purchase second-hand bicycles without a sales receipt and currently face fines they cannot realistically contest.

On the other hand, the City would relinquish a modest theft-recovery tool—licensing stickers—that can aid in bicycle recovery unless an optional registry is promoted. Additionally, Berkeley would forgo a minor revenue stream generated by license fees.

Financial Implications

In Washington, Seattle's City Council reached this verdict decades ago. After police reported that keeping the program alive would cost at least \$20,000-\$25,000 (equal to over \$127,000 in 2025)⁸² a year while attracting fewer than half of riders, their City Council repealed its mandate outright in 1978, converting registration to a purely voluntary service, citing that it was unnecessary to keep a law in place that was never enforced.⁸³

Recommendation 4: Establish a Centralized Platform for Fines and Fees Management

Current State

Berkeley currently relies on multiple internally hosted systems to handle different aspects of its municipal operations: an ERP system for human resources, payroll, and

⁸¹ "Used Bike Marketplace Size, Share & Forecast 2025 to 2035." Accessed April 20, 2025.

<https://www.futuremarketinsights.com/reports/sales-of-used-bikes-through-used-bike-marketplace>.

⁸² DollarTimes. "Calculate the Value of \$25,000 in 1978." Accessed April 28, 2025.

<https://www.dollartimes.com/inflation/inflation.php?amount=25000&year=1978>.

⁸³ "Registering Bicycles - CityArchives | Seattle.Gov." Accessed April 20, 2025.

<https://www.seattle.gov/cityarchives/exhibits-and-education/seattle-voices/registering-bicycles>.

disbursements;⁸⁴ a separate revenue-accounting application for incoming fines and fees;⁸⁵ and a back-end case-management system for parking citations appeals.⁸⁶ None of these platforms communicate directly to each other, requiring staff to manually export, transform, and consolidate data; often using spreadsheets.⁸⁷

While the City may be utilizing specific software to coordinate specific internal processes, it may not be being used to its full potential. The City stands to benefit from a tool that can manage the full lifecycle of a fine or fee, from issuance to resolution, including user-facing functionality and automated workflows for payment plans. Significant consolidation and cross-communication of scalable and integrated administrative software would be instrumental in keeping structural inefficiencies from persisting.

Proposed Change

Berkeley can evaluate whether to consolidate and extend its current ERP framework end-to-end to cover both outgoing expenditures and incoming revenues across departments or to deploy a modern, integrated ERP solution capable of end-to-end automation that spans the full lifecycle of fines, fees, and related financial operations.

How Enterprise Resource Planning (ERP) Software Works

An ERP system is a modular suite that centralizes core business processes—finance, human capital management, procurement, and reporting—into a single, unified database, creating a “single source of truth.”⁸⁸ By automating data flows between functional units, ERP reduces tedious data entry, enforces standardized workflows, and provides real-time visibility into organizational performance metrics.⁸⁹

How Robotic Process Automation (RPA) Software Works

Robotic Process Automation employs software “bots” that watch user interactions with graphical interfaces and then replicate those actions—filling forms, extracting data, and moving information between systems—without direct API integration.⁹⁰ RPA excels at automating repetitive, rule-based tasks, lowering the barrier to automation when legacy systems lack programmable interfaces.⁹¹

⁸⁴ “Contract 10549B Amendment.” City Manager: City of Berkeley, June 27, 2023. https://berkeleyca.gov/sites/default/files/documents/2023-06-27%20Item%2027%20Contract%2010549B%20Amendment%20Tyler.pdf?utm_

⁸⁵ Ibid.

⁸⁶ Passport, Inc. “Getting Started (OpsMan Web).” Accessed April 24, 2025. <https://help.passportinc.com/support/solutions/articles/73000552729-getting-started-opsman-web->

⁸⁷ City of Berkeley Staff Interview. Parking Enforcement, 2025.

⁸⁸ SAP. “What Is ERP? The Essential Guide.” Accessed April 20, 2025. <https://www.sap.com/products/erp/what-is-erp.html>.

⁸⁹ Ibid.

⁹⁰ Lumenalta. “What Is Robotic Process Automation (RPA),” January 7, 2025. <https://lumenalta.com/insights/what-is-robotic-process-automation-rpa>.

⁹¹ Ibid.

ERP and RPA Can Work Together

When paired, RPA can bridge gaps in an ERP environment by automating tasks before and after core ERP workflows—such as processing incoming citations from a back-end system or generating custom compliance reports—while ERP handles master data, accounting logic, and consolidated reporting. This combination further reduces manual handoffs and accelerates end-to-end transactions.⁹²

Broader Opportunity

Having multiple software platforms can make compliance more difficult, create administrative inefficiencies, and hinder the City's ability to ensure equitable treatment across programs. A centralized ERP platform, potentially enhanced by RPA for legacy integrations, has the potential to promote transparency via consistent public dashboards, support fiscal responsibility through tighter budget controls, and lower equity barriers by automating internal processes among departments; thereby simplifying them, as well as residents' interactions with City payment portals.⁹³

Insights from Department of Labor Website

The Department of Labor describes how RPA bots are used in unemployment cases; stating that when tasked with adjudication and fact-finding, RPA bots review employer-submitted fact-finding requests and automatically enter the claimant's separation reason into the benefits system.⁹⁴ Used similarly, this can be helpful to the Fines and Fees citation ecosystem by eliminating the need for repetitive manual input, reducing both errors and processing time. Additionally, bots can scan relevant databases to determine whether required documentation has been returned by claimants and if documents are missing, the bots automatically generate and send a "failure to respond" notice, ensuring that claimants are aware of what is needed and how to provide it.⁹⁵ These automations streamline the adjudication process while reinforcing accuracy and timeliness in case handling.

RPA bots can also be used to assemble and send appeals packets to the involved parties and to the designated Hearing Officer or Administrative Law Judge prior to the appeal hearing.⁹⁶ This task, which once consumed considerable staff time, is now completed swiftly and systematically. Further, bots extract key data elements such as the claimant's name and the appeal issue from the request and input them into the system for human validation. After review, the bots complete the docketing of the appeal and ensure all related documentation is included. They are also capable of navigating scheduling systems

⁹² Digital Robots. "Benefits of Integrating RPA with ERP: Savings and Efficiency." Accessed April 24, 2025. <https://www.digital-robots.com/en/news/beneficios-de-integrar-rpa-con-erp-ahorro-y-eficiencia>.

⁹³ Ibid.

⁹⁴ Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

⁹⁵ Ibid.

⁹⁶ Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

to identify the availability of adjudicators, thereby assigning and scheduling hearings without manual intervention.⁹⁷

States have reported processing time reductions of 70–80% due to bots handling high-volume, rule-based tasks with precision. The automation of such tasks enables staff to shift their attention to more complex, discretionary work that demands human judgment and insight. In doing so, RPA not only mitigates backlogs and reduces errors but also enhances job satisfaction among employees by relieving them of the burden of monotonous administrative work. These outcomes affirm that RPA is not merely a technological upgrade but a strategic tool for improving the capacity, equity, and responsiveness of public benefit systems. Supplementing Electronic Resource Planning with Robotic Process Automation could further enhance administrative feasibility, fiscal soundness, and transparency.

Investing in a modern fines and fees management platform could be critical to making payment plans universally available and to expanding the IPP in a fiscally sustainable, user-friendly way, simultaneously boosting employee satisfaction and relieving burnout and fatigue.

Peer jurisdictions, such as San Francisco, attest to improvements in administrative ease and data accuracy.

San Francisco's Financial Justice Project as a Model

One of the most illuminating local precedents is San Francisco's Financial Justice Project (FJP). Established to address the regressive nature of fines and fees, FJP demonstrated that lowering fines for low-income residents not only improves payment rates but also mitigates the harmful collateral consequences of unpaid debt.^{98 99} Their "MyCitations" income-based fine reductions underscore that expanding streamlined payment strategies can achieve both revenue stability and social equity.¹⁰⁰ This mirrors the observations of Berkeley's Indigent Payment Plan;¹⁰¹ participants who can see a direct path to resolving their obligations without spiraling penalties are more likely to follow through and pay.¹⁰²

Software Impact on San Francisco

As discussed, purpose-built ERP or platforms can replace time-consuming manual data-entry with a single, scalable system that processes every account according to

⁹⁷ Ibid.

⁹⁸ City and County of San Francisco Staff Interview. Financial Justice Project, 2025.

⁹⁹ "Graduating Economic Sanctions According to Ability to Pay | Iowa Law Review - The University of Iowa." Accessed April 13, 2025. <https://ilr.law.uiowa.edu/print/volume-103-issue-1/graduating-economic-sanctions-according-to-ability-to-pay>.

¹⁰⁰ Byrne, Francine. Report to the Legislature: Online Infraction Adjudication and Ability-to-Pay Determinations (2023). <https://jcc.legistar.com/View.ashx?M=F&ID=11695191&GUID=70B48C8A-FE60-48DB-8137-320B528E107D>.

¹⁰¹ City of Berkeley Staff Interview. Parking Enforcement, 2025.

¹⁰² "Payment Plans as a Compliance Tool: Best Practices For Florida Courts." Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

consistent rules. FJP has implemented specific ERP software and their Payment Plan staff, shared the following in an email:

Our software handles the bulk of the heavy lifting and is essential to the efficacy of the payment plan administration. The way CSS [Impact] computes and administers the plans is great (and user friendly):

- The system has the flexibility to set rules for the payment plan program parameters that can be specific to a type of debt; The system uses those rule settings to perform the math to calculate the payment installments and terms, and trigger other workflow logic to conduct outreach and identify outlier cases and apply rules for those situations, and progresses each of the plans through its life cycle with no need for human intervention.
- The system can maintain all of the necessary documents related to the payment plan program (i.e., any financial documents needed to assess eligibility, the application and terms of agreement, critical communications), and set rule restrictions to ensure all plans are handled the same/treated equally
- Manages the sustained outreach that helps facilitates compliance and helps increase the propensity for payment; We send out enrollment notices once the plans are set-up, a reminder notice 15 days before the due date, another reminder on the due date (if we have the email address or are approved to send text), a notice when they are in default to give an opportunity to cure, and notice when the plans are cancelled
- Maintains the modern features of convenience, such as interfacing daily with the online payment page to provide clientele with information on the status of their plans, special messaging on the portal, and outreach through email or text messages
- Provide reports for analysis that can be used to account for trends, change needs in the payment plan program rules, and provide a general status of how the program is performing

They go on to say:

From my experience the software is absolutely essential to successfully administer and manage the payment plan program. The initial set-up costs can vary based on the complexity of the payment plan program, but in my experience it is worth the investment. It is much more cost effective over time, greatly reduces the administrative burden, greatly reduces the chance for human error or delays, and centralizes the data to a single scalable source vs maintaining multiple spreadsheets, and far easier to make changes as service programs evolve.¹⁰³

¹⁰³ City and County of San Francisco Payment Plan Staff. Financial Justice Project, 2025.

When asked what effect the software had on the administrator, staff at the City and County of San Francisco assured that this software is intended to supplement the administrator's job as a tool for efficiency and accuracy, not a replacement.¹⁰⁴

Evaluation of Recommendation 4 Based on Criteria

Total Score: 38/50

Based on the criteria evaluation, the proposal achieved a score of 38 out of 50. By consolidating Berkeley's fines and fees systems, the City would realize improved administrative efficiency and eliminate time-consuming processes. This streamlined approach would also enhance transparency for residence and provide them with accessible self-service options. In addition, it lays a strong foundation for future capabilities—such as advanced analytics, mobile engagement, and proactive compliance features—that can further strengthen the system over time.

However, these gains come with notable upfront challenges. Implementing a unified platform will demand a significant initial investment and careful transition planning across multiple departments. Furthermore, sustaining its benefits will require ongoing governance and coordination to uphold shared data standards and ensure that workflows remain aligned across the organization.

Financial Implications

With departments routinely resorting to spreadsheets for interim calculations and cross-program reconciliations, such manual processes can consume dozens of hours per month, diverting staff from higher-value tasks and slowing the City's responsiveness to emerging compliance or equity concerns.¹⁰⁵ The current decentralization not only increases maintenance costs for multiple software licenses and support contracts but also amplifies the risk of data entry errors and delays in critical decision-making.¹⁰⁶

Public-sector studies put the ceiling for national annual savings from cognitive automation at up to \$41 billion and 1.2 billion staff hours, with even "minimal" investments freeing 96 million hours and \$3.3 billion a year.¹⁰⁷ Federal agencies have already eliminated more than 1.4 million staff hours of low-value work in their first five years of RPA use, redirecting capacity to mission-critical tasks.¹⁰⁸ State unemployment-insurance programs report 70-80 percent faster claim-handling and more than 300,000 staff hours saved after deploying

¹⁰⁴ City and County of San Francisco Staff Interview. Financial Justice Project, 2025

¹⁰⁵ Schwarz, Lisa. "ERP Automation Benefits and Trends." Oracle Net Suite, June 4, 2023.

¹⁰⁶ https://www.netsuite.com/portal/resource/articles/erp/erp-automation.shtml?utm_

¹⁰⁷ TechTarget. "An Explanation of SAP ERP," November 20, 2024.

https://www.techtarget.com/whatis/video/An-explanation-of-SAP-ERP?utm_

¹⁰⁸ Deloitte Insights. "AI-Augmented Government." Accessed April 19, 2025.

<https://www2.deloitte.com/us/en/insights/focus/cognitive-technologies/artificial-intelligence-government.html>

¹⁰⁸ Jacobs, Brian. "Intelligent Automation in the Federal Government: Key Factors for Success." *Macro Solutions* (blog), March 6, 2023. <https://macrosolutions.com/intelligent-automation-in-the-federal-government-key-factors-for-success/>.

bots to copy data and send notices.¹⁰⁹ These figures far outweigh typical licensing and integration fees, especially for cloud solutions that scale elastically.

Cost/Benefit

Low-code suites let non-technical staff drag-and-drop workflows; Los Angeles put up an emergency-rental-assistance app in two months, and New South Wales built a disaster-response hub in a single week, saving AUD \$10.5 million and 30,000 work-hours.¹¹⁰

Implementing or refining a centralized ERP platform alone, or with complementary RPA capabilities will require interdepartmental coordination and potentially phased investments—similar to other technology projects undertaken by the City. However, modern ERP solutions have consistently delivered strong returns. Nucleus Research found that organizations recouped implementation investments in sixteen months on average and achieved over 200 percent return on investment (ROI), driven by the elimination of legacy system costs and efficiency gains.¹¹¹

Additionally, ERP automation benefits such as reduced human labor, improved productivity, and lower error rates further free staff capacity for strategic work and accelerate revenue collection processes.¹¹² Over time, these savings can outweigh up-front costs, delivering a sustainable platform that underpins the City's equity, transparency, and fiscal-responsibility objectives.

Certain ERP software have the ability to centralize multiple processes and absorb and facilitate the use of additional software simultaneously. By centralizing and automating fines and fees across all municipal programs, Berkeley stands to achieve a more equitable, transparent, and cost-effective system, while laying the foundation for future enhancements such as advanced analytics and AI-driven customer support.

To achieve a centralized system, convening a dedicated cross-departmental strike team could drive timely coordination and bring the initiative across the finish line.

¹⁰⁹ Department of Labor. "Use Cases for Robotic Process Automation in UI Claims Processing." Accessed April 19, 2025. <https://www.dol.gov/agencies/eta/ui-modernization/promising-practices/rpa-use-cases>.

¹¹⁰ Sturges, Kim Kaul. "3 Ways to Harness the Power of Low-Code in Government & Public Services." servicenow.com, n.d. <https://www.servicenow.com/blogs/2024/power-low-code-government>.

¹¹¹ Nucleus Research. "ERP Pays for Itself--Fast," December 16, 2019. <https://nucleusresearch.com/research/single/erp-pays-for-itself-fast/>.

¹¹² Schwarz, Lisa. "ERP Automation Benefits and Trends." Oracle Net Suite, June 4, 2023. <https://www.netsuite.com/portal/resource/articles/erp/erp-automation.shtml?utm>.

Recommendation 5: Expand the Indigent Payment Plan to Other Areas of the BMC

Current Framework

Currently, Berkeley's Indigent Payment Plan program offers to reduce a parking fine down to its original amount and set up an installment plan for qualifying residents, who qualify by proof of their enrollment in government assistance programs such as EBT or Medi-Cal. According to staff overseeing this initiative, compliance rates under this plan exceed those in regular enforcement.¹¹³ This result hints to the relationship of compliance and the direct alignment of monthly payments with people's financial realities.

Proposed Change

Building on these findings, Berkeley can extend the Indigent Payment Plan beyond parking or specific code enforcement contexts to other parts of the BMC that involve fines and fees. Low-income residents often face collateral consequences—such as vehicle registration holds, towing risks, or even property liens—when they cannot pay large lump-sum fines.

Berkeley officials consistently acknowledged these inequities in interviews. Staff at Berkeley's Code Enforcement highlighted that compounding penalties disproportionately penalize vulnerable populations, creating additional layers of economic hardship for those least able to afford them.¹¹⁴ Similarly, the National Consumer Law Center's 2022 report documents extensively how punitive municipal fines create harmful financial instability among already struggling residents.¹¹⁵ Ultimately, once a household falls behind on one fine, additional fees or penalties usually accumulate, reducing the likelihood of eventual payment, subsequently harming the City's bottom line.

Financial Implications

With the numerous benefits and relief that payment plans provide, Ability-to-Pay models have been repeatedly underscored by other jurisdictions. For example, according to the San Francisco Municipal Transportation Agency, when they reduced their fee to enter a payment plan from \$60 to \$5, enrollment in the payment plan increased by 400 percent; resulting in an increase of nearly \$160,000 in total revenue for the City in the first two months.¹¹⁶

¹¹³ City of Berkeley Staff Interview. Parking Enforcement 2, 2025.

¹¹⁴ City of Berkeley Staff Interview. Code Enforcement, 2025.

¹¹⁵ NCLC. "No Fresh Start 2022: Will States Let Debt Collectors Push Families Into Poverty as the Cost of Necessities Soars?" Accessed March 30, 2025.

<https://www.nclc.org/resources/no-fresh-start-2022-will-states-let-debt-collectors-push-families-into-poverty/>.

¹¹⁶ Rodriguez, Joe Fitzgerald. "City Says Reduced Fee for Parking Citation Payment Program Boosting Revenues." San Francisco Examiner, May 14, 2018.

https://www.sfxaminer.com/news/city-says-reduced-fee-for-parking-citation-payment-program-boosting-revenues/article_520d8832-0300-5643-8267-3ad4c041176f.html.

Insights from the 2025 Mid-Year Budget Update

The City of Berkeley's Fiscal Year 2025 Mid-Year Budget Update notes that parking-ticket issuance grew by 12.9 percent during the first half of the fiscal year, yet parking-fine revenue fell by \$320,386 (9.85 percent).¹¹⁷ In the report, City staff attribute the revenue decline to a 2018 change in California law that prohibits towing solely for unpaid parking citations¹¹⁸ however, outstanding citations can still block a vehicle's registration and cars driven without valid registration remain subject to towing, license suspensions, added fines or fees, and can impact insurance coverage.¹¹⁹

This analysis has uncovered another possible factor: higher default rates among residents who cannot afford lump-sum payments. A BMC-wide IPP could reverse such losses by transforming large, unrealistic obligations into affordable, enforceable ones.

Scaling the IPP across the BMC has the potential to stabilize municipal finances by converting high-risk debt into steady receipts, lighten administrative workloads by curtailing costly enforcement actions, and fulfill the City's equity mandate by shielding its most vulnerable residents from cascading penalties wherever fines and fees can impact low-income Berkeley residents. In doing so, Berkeley can align itself with a growing national movement that recognizes humane, data-driven policy on fines as both fiscally prudent and socially responsible.

Evaluation of Recommendation 5 Based on Criteria

Total Score: 38/50

Based on the criteria evaluation, the proposal earned a score of 38 out of 50. By extending the IPP, the policy would deliver robust equity gains, safeguarding the lowest-income households from cascading late fees. It also presents a demonstrated fiscal upside, as higher participation rates are likely to boost overall revenue collections.

However, some middle-income residents may perceive the policy as preferential unless it is paired with the universal installment option described in Recommendation 6. In addition, expanding the IPP would increase the burden on staff to verify public-benefit eligibility for a wider range of citation types—unless that workload is mitigated by the software upgrades proposed elsewhere in the Report.

¹¹⁷ Friedrichsen, Sharon, and Henry Oyekanmi. "Fiscal Year 2025 Mid-Year Budget Update." City Budget. City of Berkeley, March 25, 2025.
<https://berkeleyca.gov/sites/default/files/documents/2025-03-25%20Item%2011%20FY%202025%20Mid-Year%20Budget%20Update%20Report.pdf>.

¹¹⁸ Ibid.

¹¹⁹ LegalClarity. "California Vehicle Code 465: Registration Rules and Penalties," December 27, 2024.
<https://legalclarity.org/california-vehicle-code-465-registration-rules-and-penalties/>.

Recommendation 6: Explore Automatic Fines and Fees Payment Plans Available to Anyone

Current Framework

At present, Berkeley's installment options are restricted almost exclusively to its Indigent Payment Plan, which residents may access only if they can document enrollment in programs, such as CalFresh/EBT, Medi-Cal, or General Assistance.¹²⁰ All other citation recipients must either pay the full amount in a single lump sum or navigate ad-hoc appeals, leaving most households without a structured, affordable path to compliance.

Unfortunately, many residents who do not meet the public-assistance test still lack the liquidity to pay large fines at once and the risk of widespread non-payment is poised to grow. As highlighted earlier, 63 percent of California households earning under \$35,000, 46 percent earning \$35,000–\$74,999, and even 30 percent earning \$75,000–\$149,999 reported difficulty meeting basic expenses.¹²¹ When core living costs already strain the budgets of more than just low-income families, a sudden \$75–\$100 parking ticket—or a far larger code enforcement penalty—can quickly become unpayable, driving citation holders into default.

Proposed Change

Berkeley can strengthen both fiscal stability and procedural fairness by making installment-based payment plans the default option for every fine or fee assessed under the BMC. Offering three- or four-month schedules at the moment a citation is issued aligns payment obligations with ordinary household cash-flow patterns, fostering timely partial payments instead of sporadic lump-sum defaults. Embedding an *automatic* three- or four-installment option into every notice issued under the BMC therefore meets residents where they are financially, converting what is often perceived as a sudden shock into a series of manageable obligations.

Studies highlight how many individuals hesitate or delay payments if the amount is too large at once, while smaller scheduled payments can encourage individuals to budget more effectively and keep their accounts current.¹²² Success stories from other jurisdictions bolster this approach. According to the Brennan Center for Justice's 2019 report, high fines frequently lead to non-payment, resulting in costly enforcement actions, including

¹²⁰ "Indigent Payment Plan for Parking Citations Application and Guidelines." City of Berkeley. Accessed March 23, 2025. <https://berkeleyca.gov/sites/default/files/documents/Indigent-Payment-Plan-for-Parking-Citations-Application-and-Guidelines%202025.pdf>.

¹²¹ California Budget and Policy Center. "Millions of Californians Are Struggling to Make Ends Meet." Accessed April 13, 2025. <https://calbudgetcenter.org/resources/millions-of-californians-are-struggling-to-make-ends-meet/>.

¹²² Hasler, Andrea, and Annamaria Lusardi. "Financial Fragility among Middle-Income Households: Evidence Beyond Asset Building." Working Paper. Global Financial Literacy Excellence Center: The George Washington University School of Business, March 4, 2019. <https://gflc.org/wp-content/uploads/2019/04/Financial-Fragility-among-Middle-Income-Households-WP-2019-1-v2-3.pdf>.

administrative expenses, collections procedures, and potential legal actions.¹²³ Conversely, reasonable fines aligned with individuals' ability to pay can provide more reliable revenue streams and minimize unnecessary expenditures associated with unpaid debts.

Research consistently shows that aligning fines with individuals' economic reality directly improves compliance rates,^{124 125} thereby boosting overall revenue and saving resources that would otherwise be spent on cumbersome enforcement actions.¹²⁶

Berkeley's leadership on this issue would set an important precedent, demonstrating how local governments can cultivate a balanced, inclusive, and fiscally responsible enforcement framework. By adopting comprehensive installment options for all residents, Berkeley can strengthen both its fiscal health and its commitment to an equitable civic environment.

Comprehensive Social Impacts

Municipalities nationwide have reported significant benefits from implementing equitable fine and fee reforms similar to those proposed for Berkeley. Reforms around fines and fees in Las Vegas, for example, improved community relations, enhancing trust between local governments and constituents.¹²⁷ This outcome is critical, given the broader societal impacts associated with financial penalties, including diminished community trust, heightened socioeconomic disparities, and perpetuated cycles of poverty.

Financial Implications

Although Berkeley's Indigent Payment options focus on those with demonstrated low income, research indicates that payment plan options offered to all residents can lead to greater compliance and increased revenue, regardless of income. Empirical evidence from other jurisdictions underscores this financial logic. When Palm Beach County clerks placed misdemeanor and traffic defendants on installment plans at the first point of contact, 85 out of 200 cases made payments, generating \$11,097 on \$61,823 owed; non-plan cases saw just four payers and a meager \$678 on \$73,693 assigned.¹²⁸ The ratio—roughly 16:1 in favor of structured installments—speaks not only to willingness but to capacity: residents

¹²³ Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019. <https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-t-en-counties/>.

¹²⁴ Harris, Alexes. *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor*. New York: Russell Sage Foundation, 2016. <https://muse.jhu.edu/pub/207/monograph/book/45636>.

¹²⁵ Obama Whitehouse Archives. "FINES, FEES, AND BAIL: Payments In the Criminal Justice System That Disproportionately Impact the Poor," December 2015. https://obamawhitehouse.archives.gov/sites/default/files/page/files/1215_cea_fine_fee_bail_issue_brief.pdf.

¹²⁶ Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019. <https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-t-en-counties/>.

¹²⁷ National League of Cities. "5 Lessons from NLC's Cities Addressing Fines and Fees Equitably Initiative," March 20, 2025. <https://www.nlc.org/article/2025/03/20/5-lessons-from-nlcs-cities-addressing-fines-and-fees-equitably-initiative/>.

¹²⁸ "Payment Plans as a Compliance Tool: Best Practices For Florida Courts." Fines and Fees Justice Center, August 2019. <https://finesandfeesjusticecenter.org/content/uploads/2020/05/Payment-Plans-Final-1.pdf>.

will comply when the obligation fits with a monthly budget cycle. By lowering barriers and placing people on payment plans immediately, the county has increased collections and reduced the number of cases that fall out of compliance.

As another example, in February 2017, the National Task Force on Fines, Fees and Bail Practices issued a bench card to help judges properly apply fees and fines. Later that year, Texas passed a law requiring courts to assess defendants' ability to pay earlier in the process, adjust financial penalties accordingly, limit warrants for noncompliance, and expand community service options—leading to a 7 percent increase in collections.¹²⁹

Reducing Administrative Costs and Default Rates

One commonly overlooked advantage of providing installment plans is a reduction in administrative overhead. According to the Brennan Center for Justice's 2019 report, for every unpaid citation, the City has the potential to incur costs associated with collection; additional administrative paperwork, sending notices, and in some cases, court proceedings.¹³⁰ In some municipalities, resources consumed in pursuit of delinquent fines often exceeded the revenue gained. One New Mexico county, for example, spent \$1.17 for every \$1.00 collected in fines and fees, illustrating how enforcement and oversight expenses rapidly erode any revenue gain.¹³¹ These costs mount as courts and their partners devote resources to paperwork, hearings, and other procedures to pursue unpaid obligations that frequently remain uncollected. Automatically implementing payment plans and shifting to an installment-based system would almost certainly cut any expenses related to collection efforts by turning potential defaulters into willing payers, while simultaneously preventing the City from funneling resources into endless attempts to collect from individuals who lack the immediate means to pay.

Evaluation of Recommendation 6 Based on Criteria

Total Score: 37/50

Based on the criteria evaluation, the proposal earned a score of 37 out of 50. By offering early payment plans, jurisdictions have realized higher net revenue and lower collection costs and have mitigated collateral harms, since timely partial payments prevent vehicle registration holds and other cascading penalties that accompany delinquency.

However, rolling out this approach depends on integrating new software into existing systems and ensuring staff are properly trained to use it.

¹²⁹ "Fees and Fines: The Criminalization of Poverty." Accessed April 7, 2025.

https://www.americanbar.org/groups/government_public/publications/public_lawyer_articles/fees-fines/.

¹³⁰ Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. "The Steep Costs of Criminal Justice Fees and Fines | Brennan Center for Justice," November 21, 2019.

<https://finesandfeesjusticecenter.org/articles/the-steep-costs-of-criminal-justice-fees-and-fines-a-fiscal-analysis-of-three-states-and-ten-counties/>.

¹³¹ Miller, Andrea L., and Nikole Hotchkiss. "Policy Reforms for Racial Justice: What Works for Fines and Fees." National Center for State Courts, December 2024. <https://ncsc.contentdm.oclc.org/digital/collection/financial/id/293>.

Conclusion

This report brings together key insights on Berkeley's fines and fees framework, while underscoring the prospective impact on the City's broader civic values. The analysis demonstrates that Berkeley's existing fines and fees system—characterized by decentralized departmental schedules, uneven informational access, and reliance on punitive lump-sum charges—has contributed to growing revenue shortfalls and imposed disproportionate burdens on financially vulnerable residents.

Employing a mixed-methods approach that combines document review, semi-structured staff interviews, budget analysis, and other jurisdiction benchmarking, this report developed a multi-criteria decision matrix to evaluate six targeted reforms. Each recommendation was assessed on political feasibility, cost, effectiveness, sustainability, and externalities, yielding clear prioritization; from low-barrier interventions, such as consolidating all fees into a single Master Fee Schedule; to more complex technology investments, such as centralized ERP and RPA; to expanding access to payment plans.

Early implementation phases should prioritize low-cost, high-impact actions while laying the groundwork for subsequent technology integrations and payment-plan expansions. . Collectively, these reforms promise to enhance transparency, promote equitable access, and stabilize long term revenues. A unified Master Fee Schedule and multilingual online resource page will streamline resident interactions and reduce clerical workload; updates to disability-parking and bicycle-registration ordinances will remove outdated requirements and align local law with state and federal standards; modernized software platforms will automate repetitive tasks, improve data accuracy, and free staff for higher-value work; and expanded income-sensitive and automatic installment payment options will convert high-risk debt into manageable obligations and bolster compliance.

Ultimately, regular reporting to the City Council and the Fines and Fees Steering Committee, including transparent updates on fiscal impacts, compliance metrics, and community feedback, will help maintain momentum and adaptability. By sequencing reforms to secure early administrative relief and building capacity for more complex changes, the City of Berkeley can progressively realize a fines and fees framework that balances fiscal responsibility with equitable access, operational efficiency, and public trust. Such an approach aligns with the City's broader "Care First, Jails Last" and "Reimagining Public Safety" initiatives, illustrating that reforms to fines and fees are not merely revenue tools but integral components of a more just and resilient local government framework.

Appendix I

Additional Sections of the Berkeley Municipal Code (BMC) for Staff to Consider for Inclusion in Payment Plan Eligibility

BMC Section	Description
6.04.080	Bathe, swim, wade in Aquatic Park
6.08.020	Going upon or using the wharf
6.24	Municipal Off-Street Parking Facilities (meters, pay-to-display)
6.32	Parks and Public Pathways—Use Restrictions
6.50.030	Prohibition on feeding wild animals on public property
12.32.050	Garbage collection and fees
12.32.060	Garbage collection and fees
12.36.070	Collecting recyclables from the curbside (aimed at low-income individuals)
12.40.040	Litter, Debris, and Noxious Plants
12.40.050	Litter, Debris, and Noxious Plants
12.40.060	Litter, Debris, and Noxious Plants
13.36.015	Creation of accessibility on commercial sidewalks—related restrictions
13.36.20	Obstructing entrance to or exit from public or private buildings
13.36.040	Obstructing City-owned planters and trees
13.52.040	Parking vehicle on private property
13.52.050	Parking vehicle on private property
13.52	Parking vehicle on private property (entire Chapter 13.52)
13.98.030	Placing graffiti as a nuisance—owner’s obligation to have graffiti removed
13.98.040	Penalties if owner does not remove or show good-faith efforts to remove graffiti

16.04.010 Sidewalk repair requirements—property owner’s duty to maintain public sidewalks

Appendix II

Public Safety Defined

Public Safety in the context of fines and fees reform refers to the deliberate use of financial penalties not simply as revenue tools or punitive measures, but as instruments for promoting equitable compliance and reinvesting in community wellbeing. A well designed system ensures that penalties deter harmful behavior without imposing disproportionate burdens on low-income residents or triggering secondary sanctions that can worsen economic instability. By providing transparent payment options, relief programs like installment plans and clear communication, municipalities foster voluntary compliance.

Moreover, reducing the administrative and enforcement resources tied up in pursuing delinquent fines frees up capacity to support upstream interventions, such as violence prevention, mental-health outreach, and social services, that address root causes of unsafe behavior. In this way, reforms to fines and fees serve both to uphold individual rights and to enhance collective safety by minimizing collateral harm and enabling proactive, preventive public safety strategies.



Office of the City Manager

CONSENT CALENDAR January 20, 2026

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 January 20, 2026

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 **\$480,000**

Project	Fund	Source	Amount
Vehicle Parts and Related Equipment	672	Equipment MTC.	\$480,000
Total:			\$480,000

CURRENT SITUATION AND ITS EFFECTS

On May 6, 2008, Council adopted Ordinance No. 7,035-N.S. effective June 6, 2008, which increased the City Manager's purchasing authority for services to \$50,000. As a result, this required report submitted by the City Manager to Council is now for those purchases in excess of \$100,000 for goods; and \$200,000 for playgrounds and construction; and \$50,000 for services. If Council does not object to these items being sent out for bid or proposal within one week of them appearing on the agenda, and upon final notice to proceed from the requesting department, the IFB (Invitation for Bid) or RFP (Request for Proposal) may be released to the public and notices sent to the potential bidder/respondent list.

BACKGROUND

On May 6, 2008, Council adopted Ordinance No. 7,035-N.S., amending the City Manager's purchasing authority for services

Formal Bid Solicitations and Request for Proposals
Scheduled for Possible Issuance After Council
Approval on January 20, 2026

CONSENT CALENDAR

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

Henry Oyekanmi, Director of Finance, 510-981-7329

Attachments:

1. Vehicle Parts and Related Equipment

Note: Originals of these attachments, with the live signatures of authorizing personnel, are 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
26-11779-C	Invitation for Bids (IFB): Vehicle Parts and Related Equipment – OEM, OES, and Aftermarket Pricing	1/21/26	2/22/2026	Vehicle Parts and Related Equipment – Original Equipment Manufacturer (OEM), Original Equipment Supplier (OES), and Aftermarket Pricing	\$480,000/ Three-year period.	FY26 672-54-626-722-0000-000-473-642120- \$180,000 FY27 672-54-626-722-0000-000-473-642120- \$180,000 FY28 672-54-626-722-0000-000-473-642120 - \$180,000	Public Works/Equipment Maintenance	Sarita Rubio 831-981-5372
Dept Total					\$480,000			
TOTAL					\$480,000			



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Gilman, Director, Health, Housing & Community Services

Subject: 1740 San Pablo Ownership Transfer

RECOMMENDATION

Adopt a Resolution:

1. Approving the transfer of the general partner for 1740 San Pablo, LP from an affiliate of BRIDGE Housing Corporation to Resources for Community Development or their affiliate; and
2. Extending the project's existing \$4,496,669 reservation of Measure U1 general funds for 24 months; and
3. Authorizing the City Manager or designee to execute all original or amended documents to effectuate this action.

FISCAL IMPACTS OF RECOMMENDATION

There are no expected fiscal impacts of the transfer itself. The City entered into an acquisition and predevelopment loan agreement with 1740 San Pablo, LP as the borrower for \$7,500,000 in Measure O funding (Fund #512) to support the project. The City also reserved \$4,496,669 in General Funds from Measure U1 (Fund #016) to support development costs for the project. Resources for Community Development (RCD) would assume the existing loan, which the City would amend to reflect the new partnership structure and to add the Measure U1 funds. RCD indicated that the project may have a funding gap due to tariffs increasing the cost of construction materials, and because of recent changes to the low-income housing tax credit program and fluctuations in tax credit pricing. RCD will pursue value engineering and non-City sources to mitigate that gap but may return to the City with a request for additional funding. At the time of this report, the City has approximately \$2,000,000 in housing funds unallocated to specific projects, comprised mostly of Measure O funds (Fund #512) and some Affordable Housing Mitigation Fee funds (Fund #120).

CURRENT SITUATION AND ITS EFFECTS

1740 San Pablo is a City-funded affordable housing project currently in predevelopment. BRIDGE Housing Corporation (BRIDGE) owns this project through its special purpose entity 1740 San Pablo, LP, and is seeking City Council approval to transfer the general partnership of that entity to another qualified affordable housing

developer. BRIDGE is choosing to transfer the project because it is refining its portfolio strategy and is prioritizing larger-scale (100+ unit) developments moving forward.

BRIDGE identified an interested party, Resources for Community Development (RCD), to take ownership of the project. A competitive bid for new ownership is not required because this action constitutes an administrative transfer of an existing, previously competitively awarded project—approved through the City’s 2019 Housing Trust Fund RFP—to a new management member of the same legal entity (1740 San Pablo, LP). No new procurement, renegotiation or expansion of scope would apply. Staff therefore recommends the transfer consistent with the existing loan agreements and the City Manager’s authority under Housing Trust Fund guidelines to approve transfers to qualified organizations. The City has worked with RCD on many affordable projects, including the recently completed 87-unit Maudelle Miller Shirek Community. Earlier this year, RCD was selected to develop two affordable housing projects as part of the Ashby BART West Lot Transit-Oriented Development team. RCD is a Berkeley-based developer whose portfolio includes more than 300 affordable units in Berkeley, and over 3,000 affordable units throughout the greater Bay Area.

RCD will assume the existing \$7,500,000 Housing Trust Fund loan for 1740 San Pablo. As part of this transfer approval, Council will also need to extend its 2024 reservation of Measure U1 funds for an additional \$4,496,669. This extension will allow RCD time to pursue additional financing, including highly competitive low-income housing tax credits.

BACKGROUND

1740 San Pablo is a 54-unit project for households earning between 30% and 60% of the Area Median Income (AMI). BRIDGE planned to prioritize three residential units for artists and potentially include studio space, if financially feasible. The project was first funded through the City’s 2019 Housing Trust Fund Request for Proposals process. On March 10, 2020, Council approved a resolution (69,315– N.S.) authorizing a loan to support the acquisition and predevelopment phases of the project. Due to rising construction costs and a change in the project that resulted in deeper affordability, BRIDGE requested additional development funding for the project in 2024. Subsequently, on June 25, 2024, Council passed a resolution (71,403–N.S.) authorizing an additional \$4,496,669 in development funding for 1740 San Pablo. That reservation was for a 24-month period and will need to be extended to allow RCD additional time to secure the project’s remaining financing.

1740 San Pablo was awarded 21 Project Based Vouchers from the Berkeley Housing Authority (BHA). It has also received \$3,087,650 in Infill Infrastructure Grant (IIG) funds from the State of California Department of Housing and Community Development (HCD), and an additional \$1.5 million from the Regional Center of the East Bay (RCEB). BRIDGE is working with all entities to transfer those awards to RCD. If RCD acquires the project, they plan to apply for 9% tax credits in 2026, which would put the project on track to begin construction by early 2027. RCD will explore the feasibility of an artist

preference for up to three residential units, subject to fair housing law and the logistics of implementing along with the City's adopted preference policy.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There will be no environmental impacts related to the transfer, and the project will remain as affordable rental housing for families.

RATIONALE FOR RECOMMENDATION

Because 1740 San Pablo is considered a small project, it is no longer aligned with BRIDGE's priorities as a nonprofit developer. Transferring the project to RCD will protect the City's investment in the project and will enable the project to move forward, providing additional affordable housing stock in Berkeley.

ALTERNATIVE ACTIONS CONSIDERED

None considered.

CONTACT PERSON

Kelly deWolfe, Community Development Project Coordinator, HHCS, (510) 981-5424

Attachment:

1: Resolution

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

AUTHORIZING THE TRANSFER OF 1740 SAN PABLO, LP FROM BRIDGE
HOUSING TO RESOURCES FOR COMMUNITY DEVELOPMENT

WHEREAS, the general partner of 1740 San Pablo, LP is an affiliate of BRIDGE Housing Corporation (BRIDGE); and

WHEREAS, on March 10, 2020, with Resolution 69,315-N.S., the City Council allocated \$7,500,000 Housing Trust Fund loan with Measure O bond funds to 1740 San Pablo, LP to support acquisition and predevelopment costs for 1740 San Pablo Avenue in Berkeley, CA; and

WHEREAS, on June 25, 2024, with Resolution No. 71,403-N.S., the City Council reserved an additional \$4,496,669 with Measure U1 funds to support development costs for 1740 San Pablo, conditioned on BRIDGE securing approvals and all remaining project financing within 24 months; and

WHEREAS, BRIDGE determined that the 1740 San Pablo project is no longer compatible with its strategic priorities and is seeking City approval to transfer the project to a qualified organization; and

WHEREAS, in 2025, BRIDGE selected Resources for Community Development (RCD), with the experience and expertise to develop affordable housing for families; and

WHEREAS, the City's existing Loan Agreement with 1740 San Pablo, LP requires City approval of any transfers, including partnership transfers.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City approves the transfer of the general partner role for 1740 San Pablo, LP from a BRIDGE affiliate to RCD or an RCD-controlled affiliate.

BE IT FURTHER RESOLVED that the Council approves BRIDGE's assignment and RCD's assumption of BRIDGE's obligations under the loan agreement for 1740 San Pablo.

BE IT FURTHER RESOLVED that the reservation of \$4,496,669 authorized with Resolution number 71,403-N.S. shall be extended for a period of no more than 24 months from the date of this Resolution, contingent on RCD obtaining all required City approvals and securing commitments for project funding that the City Manager or designee deems sufficient within the reservation period.

BE IT FURTHER RESOLVED that the City Manager or designee be authorized to refinance existing Housing Trust Fund loan (including any accrued interest) into a new loan with terms consistent with the HTF Guidelines.

BE IT FURTHER RESOLVED the City Manager, or designee, is hereby authorized to execute all original or amended documents or agreements to effectuate this action; a

signed copy of said documents, agreements, and any amendments will be kept on file in the Office of City Clerk.



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

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: Request for Proposals for Capacity Building for Emerging Nonprofit Affordable Housing Developers

RECOMMENDATION

Adopt a Resolution authorizing a Request for Proposals (RFP) for \$400,000 (\$200,000 per year for Fiscal Years 2027 and 2028) to support capacity building for emerging nonprofit affordable housing developers.

FISCAL IMPACTS OF RECOMMENDATION

The RFP process is intended to result in a recommendation to award capacity building grant funds to one or more qualifying emerging nonprofit affordable housing developers, up to a total of \$200,000 for each fiscal year (FY). The funds would be awarded from the general fund pursuant to Measure U1 (Fund #016) and would be subject to Council approval in the FY2027 and FY2028 budget processes.

CURRENT SITUATION AND ITS EFFECTS

On November 6, 2025, the Housing Advisory Commission took the following action:

Action: M/S/C (Haycox/Potter) to recommend that City Council release an RFP for \$400,000 (\$200,000 per year for FY 2027 and FY 2028) to support capacity building for emerging nonprofit affordable housing developers; and authorize the City Manager or designee to execute all original or amended documents or agreements to effectuate these actions.

Vote: Ayes: Bell, Haycox, Micael, Potter, Scott, Simon-Weisberg, and Twu. Noes: None. Abstain: None. Absent: Shere.

Housing and Community Services Division staff intend to release an RFP for a total of \$400,000 for two years of capacity building grants to encourage and support new or less experienced nonprofit developers to build capacity to pursue future affordable housing opportunities in Berkeley.

Eligible Applicants

The capacity building funds will be available to nonprofit developers with limited development experience that are actively working on or pursuing new opportunities for

affordable housing in Berkeley that could be eligible for City funding under the Housing Trust Fund (HTF) program or Small Sites Program (SSP). The City's HTF and SSP Guidelines include specific threshold requirements for developer experience for the City to consider funding predevelopment or development loans; applicants for the capacity building grants do not need to meet those standards. Applicants can request up to \$200,000 per fiscal year, however if the City receives multiple applications, the available funds may be allocated to one applicant or divided amongst multiple applicants.

Eligible Uses

Potential uses of the capacity building funds include (but are not limited to) the following:

- Staff development to increase technical knowledge and skills;
- Board development to improve organizational systems as well as an understanding of affordable housing development and finance;
- Development of internal systems such as operational policies and guidelines that help with staff development and business planning; and
- Creation of program policies and decision-making tools to assess development opportunities

Evaluation Criteria

Staff will review applications and prioritize funding based on need, the applicant's plan for increasing affordable housing development capacity, whether the applicant is actively working on or pursuing new affordable housing opportunities in Berkeley, and a demonstrated ability to manage governmental grant funding.

BACKGROUND

This RFP will provide an open and transparent process for qualified organizations to request capacity building support. The selected applicant(s) will enter into the City's community agency contract and will be required to report on the use of funds and progress towards capacity building goals on a quarterly basis.

The City has a history of providing operational support to local nonprofit developers through Community Housing Development Organization grants to qualified organizations (currently Resources for Community Development and Satellite Affordable Housing Associates). The City issued an RFP for capacity building for developers interested in pursuing SSP projects in 2018, through which Bay Area Community Land Trust (BACLT) was awarded \$50,000. Since then, Council approved subsequent annual allocations to BACLT in amounts ranging from \$100,000 to \$200,000 per fiscal year.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no direct environmental or climate impacts related to issuing the RFP and awarding capacity building grants.

RATIONALE FOR RECOMMENDATION

Issuing a new RFP offers a transparent process and allows organizations with limited development experience to apply. The capacity building funding could help an emerging developer grow its staffing, improve organizational processes, and be better positioned to create or preserve affordable housing in Berkeley.

ALTERNATIVE ACTIONS CONSIDERED

The City could opt to not release the RFP. This could negatively impact emerging developers' ability to pursue new affordable housing opportunities in Berkeley.

CONTACT PERSON

Asavari Devadiga, Community Development Project Coordinator, HHCS, 510-981-5426

Attachments:

1: Resolution

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

AUTHORIZING A REQUEST FOR PROPOSALS FOR CAPACITY BUILDING

WHEREAS, the City Council established a Housing Trust Fund (HTF) program to assist in the development and expansion of housing affordable to low- and moderate-income persons who either work or reside within the City of Berkeley, and authorized the City Manager to implement the HTF program; and

WHEREAS, there is a great need for affordable and special needs housing in the City of Berkeley as stated in the General Plan Housing Element and the City of Berkeley's Consolidated Plan; and

WHEREAS, the City intends to release a Request for Proposals (RFP) for capacity building to support newer or less experienced nonprofit developers to build capacity to pursue future affordable housing opportunities in Berkeley; and

WHEREAS, up to \$200,000 per fiscal year (FY) for FY2027 and FY2028 would be made available to one or more qualifying developers through the RFP process; and

WHEREAS, the RFP funds are general funds generated pursuant to Measure U1, and subject to approval by Council in the FY2027 and FY2028 budget processes.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council authorizes releasing a Request for Proposals for \$400,000 (\$200,000 per year for FY2027 and FY2028) in resources generated by Measure U1 (Fund #016) to support capacity building for emerging nonprofit affordable housing developers.

BE IT FURTHER RESOLVED that funding allocations to the selected applicant or applicants will be subject to Council approval as part of the annual budget approval cycle.

BE IT FURTHER RESOLVED that the City Manager, or designee, is hereby authorized to execute all original or amended documents or agreements to effectuate this action.



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

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: Acceptance of Fiscal Year 2026 Donations from Meals on Wheels of Alameda County (MOWAC) for the Berkeley Meals on Wheels Program

RECOMMENDATION

Adopt a Resolution accepting donations in an amount estimated to be up to \$225,000 for the Berkeley Meals on Wheels Program from the Meals on Wheels of Alameda County (MOWAC) agency, for Fiscal Year 2026 (FY2026).

FISCAL IMPACTS OF RECOMMENDATION

The donations will be received and deposited on a quarterly basis into Fund 111 Fund-Raising Activities and will be appropriated as part of the Second Amendment to the FY 2026 Annual Appropriations Ordinance. These donations will support the cost of hourly personnel and operating expenses needed to provide meals to home-bound seniors by the City of Berkeley Meals on Wheels program.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Meals on Wheels program contributes to the City's Strategic Plan goal to be a customer-focused organization that provides excellent, timely, easily accessible service to the community, particularly serving the older adult, homebound community. The Berkeley Meals on Wheels program provides over 60,000 nutritious meals to over 250 seniors each year.

MOWAC is a private, non-profit agency that raises funds for the six Meals on Wheels programs in Alameda County. MOWAC provides special grant funding and donations to programs to support the delivery of meals to home-bound seniors.

BACKGROUND

The City of Berkeley Meals on Wheels program is funded by an annual grant contract with the Alameda County Area Agency on Aging, as well as by client and community donations and the City's General Fund. While each Meals on Wheels program in the County is expected to support unfunded costs of the program to meet community needs, MOWAC helps programs meet additional needs by conducting its own fundraising efforts for the benefit of all programs countywide.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The Berkeley Meals on Wheels program packages its meals in compostable containers to reduce landfill waste. The program also offers volunteer bicycle delivery routes.

RATIONALE FOR RECOMMENDATION

Donations received from MOWAC will provide the Berkeley Meals on Wheels program with significant financial support that can be directly applied to both personnel and operating expenses for the program.

ALTERNATIVE ACTIONS CONSIDERED

Refusing donations from MOWAC would not be consistent with the City's Strategic Plan goals or its efforts to sustain an Age-Friendly Berkeley and is not recommended.

CONTACT PERSON

Rhianna Babka, Aging Services Manager, HHCS, (510) 981-5410

Attachments:

1: Resolution

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

FISCAL YEAR 2026 MEALS ON WHEELS OF ALAMEDA COUNTY DONATIONS FOR
THE BERKELEY MEALS ON WHEELS PROGRAM

WHEREAS, the Meals on Wheels of Alameda County (MOWAC) Agency's mission is to raise funds for the six Meals on Wheels programs in Alameda County, including Berkeley Meals on Wheels; and

WHEREAS, Alameda County distributes these funds on a quarterly and proportional basis to Meals on Wheels programs and special grant requests throughout Alameda County; and

WHEREAS, Berkeley Meals on Wheels provides over 60,000 nutritious meals to over 250 seniors each year; and

WHEREAS, MOWAC donations will assist in covering personnel costs or providing meals to homebound seniors; and

WHEREAS, the donations will be deposited into Fund 111 Fund-Raising Activities and will be appropriated as part of the Second Amendment to the FY 2026 Annual Appropriations Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that donations in an amount up to \$225,000 to the Berkeley Meals on Wheels program from the Meals on Wheels of Alameda County Agency are accepted to support personnel and operational costs of meal provision to home-bound seniors by the City of Berkeley Meals on Wheels program.



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Janelle Rodrigues, Director of Human Resources

Subject: Reestablish and Revise Job Class Specification and Pay Scale – Animal Services Supervisor (formerly Animal Services Operations Supervisor)

RECOMMENDATION

Adopt a Resolution to reestablish and revise the job class specification and pay scale of Animal Services Supervisor (formerly Animal Services Operations Supervisor) with an hourly pay scale of \$48.4266 to \$53.3904 distributed across three steps.

FISCAL IMPACTS OF RECOMMENDATION

The Animal Services Supervisor job classification has been reestablished and revised in preparation for future position requests and budgetary planning. The recommended pay scale for the proposed classification represents a fiscal impact of \$100,727 to \$111,052 (approximately \$180,060 to \$198,517 including full benefits) for one position.

CURRENT SITUATION AND ITS EFFECTS

The Animal Services Division of the City Manager's Office provides a wide range of services supporting public safety and animal welfare across Berkeley, Emeryville, Albany, and Piedmont. These include ordinance enforcement, wildlife removal, stray pet impoundment, and investigations of neglect, cruelty, nuisance, and bite cases, as well as sheltering services.

Currently, a single Animal Services Manager is responsible for overseeing 12 staff members – including animal control officers, medical personnel, and administrative staff – while also managing daily operations and long-term strategic planning. Without a mid-level supervisory role, the Manager lacks the capacity to implement recent consultant recommendations aimed at improving the efficiency and effectiveness of the Animal Services Division in alignment with industry best practices. Although the Senior Animal Control Officer serves as the lead, this classification does not have the authority or capacity to fully supervise subordinate staff. This blurring of roles leads to inconsistent leadership in the field among Animal Control Officers and does not address the oversight of the front desk administrative staff who handle customer service, communication, and documentation.

To address these challenges, the City Manager's Office Animal Services Division proposes to reestablish the Animal Services Operations Supervisor classification, which was abolished in 2017, and simultaneously revise the job class specification to reflect current industry standards and duties of the classification. Reinstating this position will provide formal supervision of staff and improve accountability, performance monitoring, and daily guidance; strengthen coordination between field and shelter operations; enhance customer service and internal workflows; and allow the Manager to focus on strategic initiatives, partnerships, and policy development, ultimately strengthening the shelter's ability to effectively serve both animals and the community.

BACKGROUND

The classification of Animal Services Supervisor falls under the Service Employees International Union Local 1021 Maintenance and Clerical (SEIU-MC) bargaining unit. The City formally notified SEIU-MC of the proposed job class specification revisions and engaged in five meet-and-confer meetings to address the potential impacts. These discussions resulted in a mutual agreement on the proposed changes.

The proposed salary is set 5% above the Senior Animal Control Officer and is 16% above the mean and 17% above the median when compared to neighboring agencies including County of Alameda, Fremont, Hayward, Oakland, and City and County of San Francisco (the bargaining unit's survey agencies as outlined in the memorandum of understanding).

The Personnel Board discussed and voted at its November 3, 2025 meeting to send the revised classification and pay scale to the City Council for approval.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

RATIONALE FOR RECOMMENDATION

The recommendation to reestablish the classification of Animal Services Supervisor will improve organizational structure, service delivery, and alignment with industry best practices.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Janelle Rodrigues, Director of Human Resources, (510) 981-6807.

Attachments:

1: Resolution

Reestablish and Revise Job Class Specification and Pay Scale – Animal Services Supervisor (formerly Animal Services Operations Supervisor)

CONSENT CALENDAR
January 20, 2026

Exhibit A to Resolution: Proposed Job Class Specification and Pay Scale –
Animal Services Supervisor

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

APPROVING REESTABLISHMENT AND REVISION OF JOB CLASS SPECIFICATION AND PAY SCALE OF ANIMAL SERVICES SUPERVISOR (FORMERLY ANIMAL SERVICES OPERATIONS SUPERVISOR)

WHEREAS, the Human Resources Department maintains the Classification and Compensation plan for the City of Berkeley; and

WHEREAS, job specifications are foundational components of the City's Classification and Compensation plan; and

WHEREAS, the Human Resources Department revised the job class specification of Animal Services Supervisor with an hourly pay range of \$48.4266 - \$53.3904; and

WHEREAS, the Personnel Board recommended adopting the revised job class specification and pay range for Animal Services Supervisor at its November 3, 2025, meeting; and

WHEREAS, employees who work in the classification of Animal Services Supervisor will be considered non-exempt under the Fair Labor Standards Act (FLSA); and

WHEREAS, the job classification of Animal Services Supervisor is represented by Service Employees International Union Local 1021, Clerical Chapter; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the classification for Animal Services Supervisor is reestablished with a job specification and pay range as shown in Exhibit A, effective January 20, 2026.

BE IT FURTHER RESOLVED that the Animal Services Supervisor classification has an hourly pay scale of \$48.4266 - \$53.3904 distributed across three steps:

Step 3	Step 4	Step 5
\$48.4266	\$50.8480	\$53.3904

Exhibits

A: Animal Services Supervisor – Job Class Specification and Pay Scale

CITY OF BERKELEY
ANIMAL SERVICES SUPERVISOR

Class Code XXXX

Pay Scale: \$48.4266 - \$53.3904 Hourly

Established Date: December 1, 1988

Reestablished Date: January 20, 2026

DEFINITION

Under general direction, supervises, organizes, assigns, and reviews the work of animal and services personnel in accordance with state and local codes, laws, and ordinances; responds to public inquiries and complaints; maintains records; performs related work as assigned.

CLASS CHARACTERISTICS

This is a first-line supervisory classification responsible for overseeing both field and shelter animal services personnel in daily operations of animal control and shelter services, including enforcement of animal-related laws and ordinances, and humane care and sheltering of a variety of animals. This class is distinguished from Animal Services Manager which has overall program planning and administration responsibilities for the entire division.

EXAMPLES OF ESSENTIAL FUNCTIONS

The essential functions outlined in the classification represent the fundamental requirements and primary purpose of the classification. Duties are illustrative of the essential functions of the classification intended to describe the general nature and level of work performed and are not intended to be an exhaustive list of duties that may be assigned. The omission of a specific duty statement does not exclude it from the position if the work is consistent with the concept of the classification or is similar or closely related to another duty statement. The City of Berkeley is committed to diversity, equity, inclusion, and providing reasonable accommodations to qualified individuals with disabilities in accordance with the Americans with Disabilities Act (ADA).

1. Organizes, schedules, assigns and reviews daily work of the Animal Services Assistants, Animal Control Officers, the Volunteer Coordinator, and/or front desk staff; adjusts schedules and areas of assignment based on daily staffing.
2. Oversees and helps manage the animal population, including assessing animals for adoption, monitoring for stress and deterioration, working with the clinic to monitor the animal's overall health, making euthanasia recommendations to the Manager, and approving or denying adoptions that require supervisory approval or adoptions where the staff members do not feel comfortable moving forward with the adoption.
3. Coordinates with external agencies including, but not limited to, law enforcement, veterinary and animal welfare professionals, local health departments, District and City Attorney's Offices, and the California Department of Public Health to provide assistance and prepare cases for prosecution and prevent and contain

the spread of infectious, animal-borne diseases through proactive education and intervention strategies.

4. Responds to public requests for shelter or operational related information and complaints; engages in proactive community outreach by building trusted relationships with the public, identifying and supporting at-risk pet owners, assisting individuals in crisis, and treating all people with empathy and compassion.
5. Maintains accurate records and prepares periodic or special reports regarding animal services activities, including animals euthanized, adopted, or returned to owners, and contract services provided to other jurisdictions; ensures the correct recordkeeping of animals and people in the animal management software system.
6. Provides technical expertise, guidance, and ongoing mentorship to ~~field and shelter~~, field services, shelter, and animal control personnel, and oversees performance and evaluation for subordinate staff.
7. Refers major non-routine problems to the manager.
8. Assists in the selection, training, and performance appraisal of employees; prepares documentation of disciplinary problems ~~training~~ of employees; conduct regular team meetings, including weekly briefings and monthly reviews, to align staff with departmental goals, enhance communication, and track progress.
9. Assists in long-term planning of division activities; assists the public at the counter, including collecting fees, processing paperwork for release or adoption of animals, conducting facility tours, and maintaining positive public relations.
10. Represents the division on animal services contract matters.
11. Provides support and supervision of Animal Control Officers and field operations in the absence of the Senior Animal Control Officer.
12. Monitors and orders supplies required for division operations; oversees vehicle and equipment maintenance to ensure operational readiness, safety, and adherence to established protocols; promotes and enforces safe work practices to ensure staff safety.
13. Evaluates and recommends revisions to operations, policies, and procedures.
14. Participates in shelter and operational activities when required; performs euthanasia of animals when required ~~and~~ at the direction of the Manager.
15. Patrols or assigns Animal Control Officers to patrol assigned areas, issues citations for violations of applicable regulations, and testifies in court as necessary.
16. Investigates complaints from the public and other agencies regarding nuisance, stray, uncontrolled, dangerous, wild, or diseased animals; investigates animal bites, conducts interviews, completes all necessary forms, attends animal-related hearings, and acts as quarantine officer when assigned.
17. Handles reported cases of abuse, cruelty, and other criminal activity; provides explanations to the public regarding state, and local laws, codes, and ordinances relating to the responsibilities of the Animal Care Services, including licensing and vaccination requirements.
18. Performs related duties as assigned.

KNOWLEDGE, SKILLS, AND ABILITIES:

Note: The level and scope of the knowledge and skills listed below are related to job duties as defined under Class Characteristics.

Knowledge of:

1. Principles and practices of effective supervision, including staff assignment, scheduling, training, coaching, performance evaluation, and discipline.
2. Laws, ordinances, regulations, and codes related to animal control, rabies control, dangerous animals, licensing, animal cruelty, and other relevant legal enforcement activities.
3. Principles and practices of animal control, animal law enforcement, humane animal care, and shelter operations, including animal health, behavior assessment, and placement.
4. Safe and humane methods for handling, capturing, transporting, housing, and euthanizing animals, including the use of specialized equipment and restraint techniques.
5. Public health concerns related to animals, including zoonotic disease recognition, prevention, and response.
6. Safety regulations, safe work practices, and protective equipment related to shelter and field operations.
7. Investigative techniques used in animal control and cruelty/neglect investigations, including documentation and case preparation.
8. Procedures for effective public engagement, education, de-escalation, and conflict resolution during stressful or emotionally charged situations.
9. Operational needs of shelter facilities, including cleaning protocols, inventory, vehicle and equipment maintenance, and emergency response.
10. Use of animal management software systems for accurate documentation of animals, people, and shelter/field activity.
11. Basic budgeting principles and purchasing procedures.
12. Community engagement strategies to promote responsible pet ownership, return-to-owner practices, and support for underserved populations.

Skill in and Ability to:

1. Organize, schedule, assign, and review the work of shelter and field staff, including Animal Control Officers, Animal Services Assistants, and administrative personnel.
2. Lead teams effectively through change, crisis, and day-to-day operations while promoting accountability and high performance.
3. Deal tactfully, patiently, and effectively with the public in person and on the telephone under hostile, emotional, or emergency conditions.
4. Assess animal health and behavior and making effective decisions regarding handling, treatment, disposition, or euthanasia of animals.
5. Handle, capture, and restrain animals safely, humanely, and confidently in stressful or emergency situations.

6. Administer euthanasia by lethal injection in a legal and humane manner, at the direction of the Manager.
7. Investigate complaints and violations thoroughly and objectively and prepare documentation and reports for possible prosecution.
8. Prepare clear, accurate, and concise records, reports, correspondence, and procedural documents.
9. Use independent judgment and initiative to prioritize tasks, resolve operational issues, and adapt to rapidly changing situations.
10. Interpret and apply relevant laws, codes, policies, and procedures related to animal services operations.

MINIMUM QUALIFICATIONS

A typical way of gaining the knowledge, skills, and abilities outlined above is:

Education

High school graduation or equivalent.

Experience

Three (3) years of journey-level experience, with one (1) year of lead supervisory experience, in animal control, animal law enforcement, and shelter operations.

Licenses, Certifications, and Other Requirements

1. Must possess a valid California driver's license and have a satisfactory driving record.
2. Must possess and maintain certification as a California Certified Animal Control Officer (CACO).
3. Completion of California Penal Code Section 832 Arrest, Search, and Seizure Course (non-handgun).
4. Must obtain and maintain training certification in the administration of euthanasia in accordance with California Code of Regulations Title 16 § 2039 - Sodium Pentobarbital/Euthanasia Training within one (1) year of appointment.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The City of Berkeley is committed to diversity, equity, inclusion, and providing reasonable accommodations to qualified individuals with disabilities in accordance with the Americans with Disabilities Act (ADA).

1. Frequently walk, stand, sit, kneel, squat, and twist and bend at the waist.
2. Frequently speak and hear well enough to communicate in person and over the telephone.
3. Frequently hear heart and lung sounds and measure blood pressure with or without corrective devices.
4. Frequently read standard text, fine print, various handwritings, and view a computer monitor.

5. Frequently use manual dexterity to handwrite, use a computer keyboard, manipulate equipment dials.
6. Frequently perform daily tasks with independent body mobility, agility, and stamina sufficient to stand, or sit, walk, stoop, and bend routinely for prolonged periods.
7. Frequently operate equipment requiring repetitive hand movement and fine coordination, including use of a computer keyboard.
8. Frequently independently reason and analyze data, and to reach objective conclusions.
9. Frequently work under stressful conditions, deadlines, and competing priorities.
10. Frequently work with other individuals successfully and collaboratively.
11. Frequently lift up to 50 pounds.
12. Frequently travel to various locations within and outside the City of Berkeley to meet program needs and to fulfill the job responsibilities.

WORKING CONDITIONS

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The City of Berkeley is committed to diversity, equity, inclusion, and providing reasonable accommodations to qualified individuals with disabilities in accordance with the Americans with Disabilities Act (ADA). While performing the duties of this job, the employee is regularly exposed to office and animal care environments, including kennels, outdoor areas, clinical spaces, and occasionally in the field. Duties involve exposure to excessive noise, strong or unpleasant odors, animal urine, feces, blood, and other bodily fluids, as well as chemical agents such as disinfectants and euthanasia solutions. The position requires both independent work and collaboration with others and may involve shifts, weekends, holidays, emergency response, field assignments, and alternative schedules.

CLASSIFICATION HISTORY

FLSA Status: Non-Exempt

Bargaining Unit: Service Employees International Union Local 1021 Maintenance and Clerical (SEIU-MC)

Established: January 20, 2026 (Reestablished)

Revisions: January 20, 2026 (Revised minimum qualifications, updated duties)



Office of the City Manager

CONSENT CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Contract: Clariti Cloud Inc. for a Comprehensive Permit Management System,
RFP Specification No. 24-11661-C

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Clariti Cloud, Inc. for the implementation of the Permit Software Procurement (PSP) Project—including software licensing, implementation services, integrations, data migration, training, hosting, and five years of support and maintenance—in an amount not to exceed \$5,359,128.

SUMMARY

The City's existing permitting system is increasingly difficult to maintain and no longer meets operational needs of the Planning and Development Department. The PSP Project was initiated to replace the current system with a modern, cloud-based system that improves customer service, streamlines and consolidates workflows, and enhances internal efficiency.

Following a competitive selection process (Request for Proposal (RFP) Specification No. 24-11661-C), including extensive demonstrations, cost analysis, reference checks, and evaluation of implementation approaches, staff recommend awarding a contract to Clariti Cloud, Inc., whose proposal offers the best overall value, lowest implementation risk, and strongest alignment with the City's business process modernization goals.

FISCAL IMPACTS OF RECOMMENDATION

The total not-to-exceed amount for the Clariti contract is \$5,359,128, which includes:

- \$4,871,934 for software subscription, implementation services, integrations, data migration, training, hosting, managed and custom integrations, and optional travel; and
- A 10% contingency of \$487,193 to accommodate change orders, for unforeseen implementation needs.

Funding of \$1,500,000 for the initial phase is available in the Permit Service Center Fund (621), into which revenues from all building and zoning permit applications are

deposited, under the Budget Code: 621-53-581-000-0000-000-472-612990-. Funding for the FY27 and FY28 phases will be included in the FY27-28 budget. No General Fund allocation is requested for this procurement; all costs will be covered through fees paid by permit applicants, which include a technology enhancement fee meant to pay for this kind of service.

CURRENT SITUATION AND ITS EFFECTS

The City's current permit processing platform is more than a decade old and not optimized for current workflows, resulting in:

- Slow system performance and data reliability issues
- Manual workarounds across the Planning and Development Department, Fire Department, and Public Works Department
- Limited self-service options for applicants
- High support and maintenance demands for the Information Technology Department
- Constraints on electronic plan review, mobile field inspections, and application intake

To address these challenges, the PSP Project was initiated to replace the legacy system with a single, modern, cloud-based solution that supports:

- Integrated permit intake, routing, and review
- Mobile inspections
- Customer-facing application and permit portal
- Automated fee calculation and financial reporting
- Compliance with State laws (e.g., AB 2234 electronic submittal and permit tracking requirements)

Before issuing the RFP, staff conducted extensive outreach to all internal City stakeholder departments whose work uses or is impacted by the City's permitting software. As part of this effort, the City engaged the consultant, Thirdwave, to lead a comprehensive business process review. Overseen by the Planning and Development Department with substantial help from the IT Department, Thirdwave worked with subject-matter experts from Land Use Planning, Building & Safety, Public Works, Fire, the Office of Energy & Sustainable Development, Toxics Management, and administrative and finance staff to create detailed *as-is* and *to-be* process maps. These maps—developed collaboratively through workshops, interviews, and validation sessions—were incorporated into the RFP to provide vendors with a clear and consistent understanding of the City's current-state challenges and future-state expectations.

The City received 11 bids in response to the RFP. A review panel comprised of staff from Planning, Public Works, Fire, and Information Technology scored each bid using the criteria established in the RFP. Evaluation categories included functional fit to

business requirements, technical architecture and security, implementation methodology, proposer qualifications and past performance, cost, and long-term support considerations. Based on this initial scoring, five firms were selected and invited to participate in structured virtual demonstrations with the review panel.

From these demonstrations, two finalists were selected and invited for in-person, two-day demonstrations covering core permitting workflows, inspections, plan review, payments, reporting/analytics, and administrative configuration. Panelists asked operational questions and evaluated how well each solution supported the City's mapped-to-be processes. In parallel, staff conducted reference checks with jurisdictions currently using each finalist's platform to assess real-world performance, implementation experience, and quality of ongoing support.

After completing the demonstrations and reference checks, the review panel reconvened to deliberate. The panel reached a unanimous recommendation that the City enter into agreement with Clariti Cloud, Inc., which received the highest overall evaluation.

The proposed new contract would begin on January 21, 2026, and last until September 21, 2032, unless extended by mutual agreement. The contract term includes both the one-time system implementation period of 20 months, and five years of ongoing software licensing, hosting, maintenance, and support following system go-live.

The PSP Project advances the City's Strategic Plan goals to:

- Be a customer-focused organization that provides excellent, timely, easily accessible service and information to the community; and
- Provide an efficient and financially healthy city government.

BACKGROUND

The Permit Software Procurement (PSP) Project was initiated to replace the City's legacy Accela permitting system, modernize workflows, improve public-facing permitting services, support digital plan review, and provide an integrated platform for Planning, Building, Fire, Public Works, Environmental Health, and related City functions.

The City issued RFP Specification No. 24-11661-C – Comprehensive Permit Management Software Solution, seeking a commercial off-the-shelf, cloud-based platform capable of configurable workflows, robust data management, online permitting, GIS integration, digital plan check, and modern inspection tools.

Following a thorough evaluation process—including review of written proposals, vendor demonstrations, reference checks, internal staff interviews, and cost analysis—the evaluation committee determined that Clariti Cloud, Inc. best meets the City's operational, technical, and financial requirements.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The recommended action is not a project under California Environmental Quality Act (CEQA). The new system will reduce paper consumption, in-person visits, and vehicle trips associated with permitting, supporting the City's climate goals.

RATIONALE FOR RECOMMENDATION

A modern, cloud-based permitting system is necessary to improve transparency and reduce permit processing times, support remote work, mobile inspections, and electronic approvals, and reduce reliance on outdated systems and manual workflows. Once implemented, the Clariti software will enhance the customer experience for applicants, architects, contractors, and residents, and ensure compliance with new regulatory mandates for online permitting and timeline tracking.

ALTERNATIVE ACTIONS CONSIDERED

1. Maintain existing Accela system: This is not recommended due to ongoing performance issues, a high support burden and related costs, and misalignment with business needs.
2. Rebid the RFP: This is not recommended, since a full competitive procurement was completed, multiple strong proposals were received, and the recommended vendor was selected through a comprehensive evaluation process.

CONTACT PERSON

Eryn Blackwelder, Senior Management Analyst, Planning and Development
Department, 510-981-7498

Attachments:

1: Resolution

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

CONTRACT: CLARITI CLOUD, INC. FOR THE COMPREHENSIVE PERMIT
MANAGEMENT SOFTWARE SOLUTION (RFP SPECIFICATION NO. 24-11661-C)

WHEREAS, the City of Berkeley issued RFP Specification No. 24-11661-C, Comprehensive Permit Management Software Solution, to acquire a modern, integrated permitting, licensing, inspections, and community-facing portal system; and

WHEREAS, the City requires a consolidated solution that supports the work of the Planning & Development Department, Fire Department, Public Works Department, Environmental Health Division, and Information Technology Department, and that integrates with existing systems and business processes; and

WHEREAS, after evaluation of written proposals, product demonstrations, reference checks, and Best and Final Offer submissions, Clariti Cloud, Inc. was determined to be the highest-ranked proposer; and

WHEREAS, the parties negotiated a cost of \$4,871,934 for implementation and for five years of annual software support, to be paid from PSC Fund account 621-53-581-000-0000-000-472-613130; and

WHEREAS, the City wishes to include a 10% contingency to accommodate potential change orders, schedule adjustments, or additional implementation needs.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council authorizes the City Manager to execute a contract and all necessary amendments with Clariti Cloud, Inc. for the Comprehensive Permit Management Software Solution, RFP Specification No. 24-11661-C, in an amount not to exceed \$5,359,128, for a period beginning January 21, 2026 and continuing until September 21, 2032.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute any required amendments or change orders, provided they remain within the not-to-exceed amount and comply with City contracting and fiscal oversight procedures.

CONSENT CALENDAR

January 20, 2026

To: Honorable Members of the City Council

From: Mayor Adena Ishii (Author), Councilmember Lunaparra (Co-Sponsor),
Councilmember Tregub (Co-Sponsor)

Subject: Caminos al Éxito: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember including \$250 from Mayor Ishii, \$250 from Councilmember Lunnaparra, and \$150 from Councilmember Tregub, to the Multicultural Institute for Caminos al Éxito 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.

BACKGROUND

Entering its second year of programming, Caminos al Éxito, is a one day parent and student conference on February 21, 2026, meant to provide resources pertaining to life after high school. Through a series of designated workshops, guest speakers, and resources translated in both English and Spanish, this conference is designed to support all Berkeley families.

This endeavor is done through the collective collaboration with the UC Berkeley's Chicanx Latinx Student Development Center (CLSD), Berkeley City College, Berkeley Unified School District, the Multicultural Institute, and Latinos Unidos de Berkeley (LUB). Hosted on Berkeley City College campus, families are going to be engaging with a variety of resources meant to demystify the college-going process, offer essential resources, and build community support for families navigating often unfamiliar or inaccessible educational systems.

FINANCIAL IMPLICATIONS

No General Fund impact; \$250 is available from Mayor Ishii's and Councilmember Lunaparra's and \$150 from Councilmember Tregub's budget discretionary accounts.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental impacts associated with the recommendations in this report.

CONTACT PERSON

Mayor Adena Ishii

510-981-7100

Attachments: Resolution for Council Expenditures

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

AUTHORIZING THE EXPENDITURE OF DISCRETIONARY FUNDS FROM THE OFFICE EXPENSE ACCOUNTS OF THE MAYOR AND COUNCILMEMBERS FOR A GRANT TO PROVIDE PUBLIC SERVICES FOR A MUNICIPAL PUBLIC PURPOSE

WHEREAS, Mayor Adena Ishii has funds in her office discretionary account; and

WHEREAS, a California non-profit tax-exempt corporation, Multicultural Institute, seeks funds from the City of Berkeley not to exceed \$500 per Councilmember, including the amount of \$250 from the office of Mayor Adena Ishii to Caminos al Éxito to provide the following service to support all Berkeley families; and

WHEREAS, entering its second year of programming, Caminos al Éxito, is a one day parent and student conference providing resources pertaining to life after high school; and

WHEREAS, through designated workshops, guest speakers, and resources translated in both English and Spanish; and

WHEREAS, through the collective collaboration UC Berkeley's Chicana Latinx Student Development Center (CLSD), Berkeley City College, Berkeley Unified School District, the Multicultural Institute, and Latinos Unidos de Berkeley (LUB); and

WHEREAS, at Berkeley City College, families are going to be engaging with a variety of resources meant to demystify the college-going process, offer essential resources, and build community support.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council Office Budget up to \$500 per office shall be granted to the Multicultural institute to fund the following service of offering aid to families in Berkeley through a one day student and parent conference.



CONSENT CALENDAR
January 20, 2026

To: Honorable Members of the Berkeley City Council

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

Subject: Refer to the City Manager the Development of Comprehensive Transportation Design Standards

RECOMMENDATION

Refer to the City Manager the development of comprehensive Transportation Design Standards to enhance safety for all transportation modes, including walking, biking, and transit. Current plans, such as Vision Zero Action Plan, the Berkeley Bike Plan, the Pedestrian Plan, the Berkeley Transit-First Policy Implementation Plan, and the 5-Year Paving Plan should guide an integrated, cross-departmental approach to developing the Standards. The three-to-five-year process should be incorporated into the Fiscal Year 2027 budget process, the five-year Capital Improvement Plan, and the Measure FF Safe Streets planning.

BACKGROUND

On December 2, 2025 the Berkeley City Council adopted the second reading of the 2025 California Fire Code Standards with local amendments “to refer Sections 503.2.1, 503.2.2, and 503.4.1 and Appendix D, including section D105.2, to the City Manager and the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Policy Committee to develop and recommend revisions for Council consideration by April 2026. The mayor will submit an agenda item for a meeting in January 2026 with a referral for staff to develop Transportation Design Standards.”

The recommendation to refer to the City Manager the development of Transportation Design Standards is a direct outgrowth of the December 2nd City Council meeting, where it became clear that having easy to understand, transparent design standards would help the City ensure vibrant, safe, sustainable streets that meet the operational needs of the Public Works Department, Emergency Services, AC Transit and other road users.

The development of comprehensive Transportation Design Standards is intended to enhance safety for all transportation modes, including walking, biking, and transit.

Current plans, such as the Vision Zero Action Plan, the Berkeley Bike Plan, the Pedestrian Plan, the Berkeley Transit-First Policy Implementation Plan, and national best practices for urban street design should guide an integrated, multi-departmental approach to developing the Standards. The three-to-five-year process should include a phased-in approach with proposed benchmarks for implementation and be incorporated into the Fiscal Year 2027 budget process and the five-year Capital Improvement Plan.

The City Council encourages staff to incorporate a research phase that explores examples and promising practices from other cities, such as, but not limited to: Austin, Texas; Portland, Oregon; Seattle, Washington; and Oakland, California. Additionally, staff should involve the appropriate commissions and identify other opportunities for the Berkeley community to engage in the planning process.

Funding for the development of the Transportation Design Standards aligns with the goals of Measure FF Safe Streets and should be incorporated into the FF and Fiscal Year 2027 budget adoption process.

FINANCIAL IMPLICATIONS

Development of Transportation Design Standards will require staff and consultant time over a multiyear effort. The planning should leverage Measure FF Safe Streets. Staff are also encouraged to seek grant funding from the public and/or private sector.

ENVIRONMENTAL SUSTAINABILITY

The environmental impacts associated with the recommendations in this report will be determined by the Transportation Design Standards.

CONTACT PERSON

Mayor Adena Ishii 510-981-7100



Rashi Kesarwani
Councilmember, District 1

CONSENT CALENDAR

January 20, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author), Councilmember Igor Tregub (Co-Sponsor), Councilmember Mark Humbert (Co-Sponsor)

SUBJECT: Referral to the City Manager to Allow Tiny Homes on Wheels as Permissible Accessory Dwelling Units (ADUs)

RECOMMENDATION

Refer to the City Manager to create a permitting process to allow a Tiny Home on Wheels as a legal Accessory Dwelling Unit (ADU). Tiny homes on wheels are generally considered to be detached dwellings less than 400 square feet in floor area, providing independent living quarters, including basic functional areas for cooking, sleeping, toileting, and bathing. They can retain their wheels and rest on pads instead of a foundation, and are connected to water, electric, and sewer utilities through RV-style hookups.

The referral should:

- Amend Berkeley Municipal Code Chapter 23.306, Accessory Dwelling Units, to incorporate tiny homes on wheels as an allowable type of ADU¹;
- Facilitate coordination among City Departments, such as Planning (Land Use and Building and Safety) and Fire to establish a clear set of guidelines, including code requirements and standards for installation; and
- Create online resources for homeowners, including a full list of requirements related to fire, safety, and installation as well as potentially pre-approved prefabricated tiny homes on wheels.

¹ City staff may want to consider using San Jose's amendments to their municipal code as a model: San Jose Municipal Code, 20.200.327: Dwelling, Tiny Home on Wheels.
https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.200DE_20.200.327DWTHOWHTH

CURRENT SITUATION AND ITS EFFECTS

Accessory Dwelling Units (ADUs) Are Naturally More Affordable Than Other Home Options. Innovations in constructing ADUs, such as modular (fully pre-fabricated) designs that can be installed with a crane or panel kits that allow the walls, roof, and sometimes floors to be delivered to the site as ready-to-assemble sections (panels), are bringing down the cost to construct an ADU. Further, a 2022 report from the Association of Bay Area Governments found that 19 percent of ADUs statewide are rented to family members at no cost, and another 16 percent statewide are rented to family and/or friends.² Tiny homes on wheels are even more affordable than other types of ADUs, taking just weeks to install (for permitting and hookups), rather than six months or longer for a typical ADU. Many come certified from a factory instead of having to be built from scratch and thus require fewer inspections.³

Other California Cities Have Permitted Tiny Homes on Wheels. The effort to legitimize use of tiny homes on wheels to address housing needs in California began as early as 2016. Fresno was the first city to permit tiny homes on wheels as a permanent, rentable additional unit,⁴ followed not long after by San Luis Obispo.⁵ The City of Los Angeles began permitting tiny homes on wheels in 2019⁶ with San Jose and San Diego close behind in 2020. In 2022, the City of Santa Cruz adopted an ordinance to allow tiny homes on wheels as both a type of ADU and as primary dwellings.⁷ This widespread appeal throughout California and other states to legally permit tiny homes on wheels is understandable given the current housing crisis. These units are quicker, easier and cheaper to install, saving both owners and renters time, effort and costs.⁸

² Association of Bay Area Governments, Final Affordability of Accessory Dwelling Units, June 13, 2022: https://abag.ca.gov/sites/default/files/documents/2025-04/ADU_Affordability_Report_June_13_2022.pdf

³ Peters, Adele, What's better than a tiny house? A tiny house on wheels?, 09 November 2020, <https://www.fastcompany.com/90572129/whats-better-than-a-tiny-house-a-tiny-house-on-wheels>

⁴ KQED California Report: "Fresno Passes Groundbreaking 'Tiny House' Rules," Sasha Khokha, January 19, 2016: <https://www.kqed.org/news/10833592/fresno-passes-groundbreaking-tiny-house-rules>

⁵ The San Luis Obispo Tribune: "Tiny Homes are now Legal in SLO. What the New Rules Say About Building One," Nick Wilson, November 28, 2018: <https://www.sanluisobispo.com/news/local/article222318655.html>

⁶ Tiny House Blog, January 2019, "Tiny Houses NOW Legal in Los Angeles: <https://tinyhouseblog.com/announcement/tiny-houses-now-legal-in-los-angeles/>

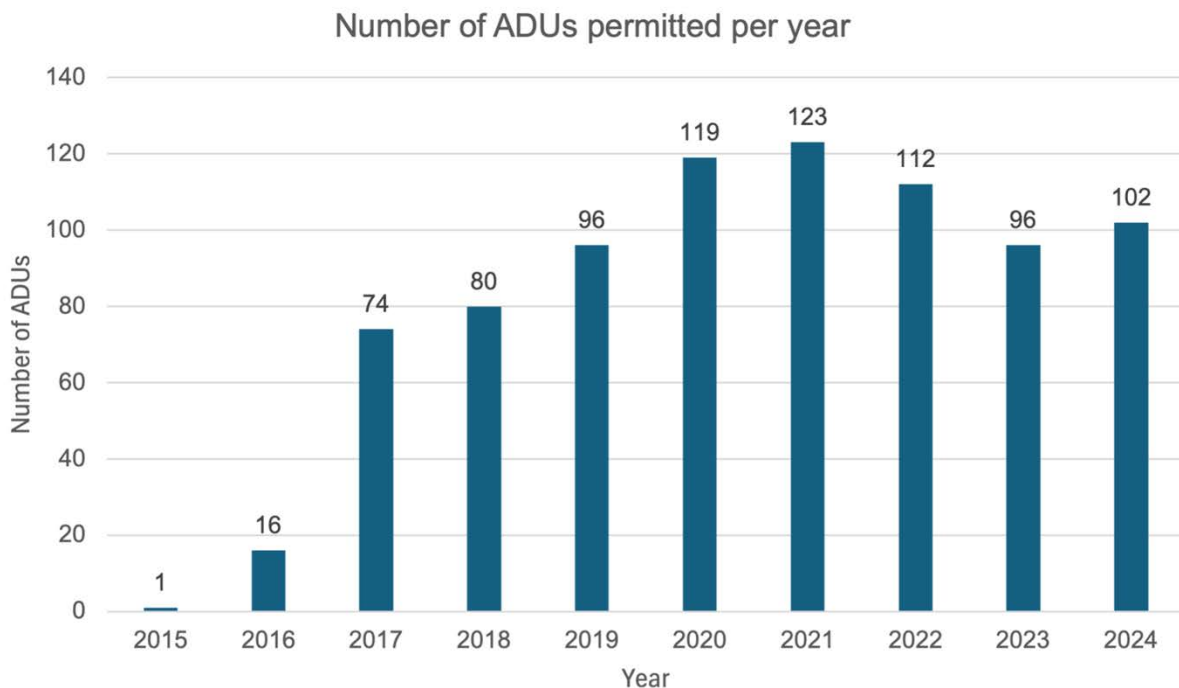
⁷ Santa Cruz County, Board of Supervisors Amending ORD-5413, December 6, 2022 <https://sccoplanning.com/Portals/2/County/Planning/policy/Tiny%20Homes%20on%20Wheels/Ordinance%205413%20Tiny%20Homes%20on%20Wheels.pdf>

⁸ "Sightline Institute: Homes on Wheels are Filling a Big Gap in Portland," Katie Gould, September 11, 2025: <https://www.sightline.org/2025/09/11/homes-on-wheels-are-filling-a-big-gap-in-portland/>

BACKGROUND

Permitted ADUs in Berkeley Have Steadily Increased Over Time. In Berkeley, the number of Accessory Dwelling Units (ADUs) permitted by the City has steadily increased over the past few years, as shown in Exhibit 1. A total of 16 ADU construction permits were approved in 2016, rising to 102 in 2024—more than a sixfold increase.⁹ The consistent and sizeable number of ADUs being built each year highlights their importance as a more affordable alternative to traditional housing types.

Exhibit 1: Number of ADUs Permitted in the City of Berkeley Has Steadily Grown



Source: City of Berkeley staff, and Housing Element and General Plan Annual Progress Reports (2023-2024)¹⁰

⁹ Note: While the number of ADUs permitted in 2023 was lower than in 2022, 91 units received certificates of occupancy compared to the 72 in 2022. This significantly higher number indicates continued progress in the completion and availability of ADU units despite a slight decrease in new permits issued.

¹⁰ Note: The numbers for ADUs per year from 2015-2022 were provided by staff, numbers for 2023 and 2024 were extracted from the respective Housing Element and General Plan Annual Progress Reports.

RATIONALE FOR RECOMMENDATION

The proposed recommendation for adding tiny homes on wheels as a type of ADU is intended to make it easier for property owners to add a legally permitted tiny home on wheels on their property in a timely manner at a competitive price.

FISCAL IMPACT

Time-limited staff time from relevant departments (Planning, Fire, and Public Works) to develop a standard set of requirements to satisfy all building codes and safety regulations. Additional staff time from the Planning Department would be required to incorporate tiny homes on wheels in any ADU-related permitting process online and bring staff members up to speed on information about tiny homes on wheels.

ENVIRONMENTAL SUSTAINABILITY

Encouraging the creation of more ADUs enables the City to make more efficient use of residential land that is generally located in close proximity to public transit. Studies show that infill development is an effective strategy for reducing greenhouse gas emissions by reducing vehicle miles traveled when compared to homes created in outlying undeveloped areas.

CONTACT PERSON

Councilmember Rashi Kesarwani, District 1

(510) 981-7110



Brent Blackaby
Councilmember District 6

CONSENT CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmember Blackaby (Author), Mayor (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)

Subject: City Council Employee Recognition Program

RECOMMENDATION

Adopt a Resolution to institute a City Council led Employee Recognition Program.

FINANCIAL IMPLICATIONS

None

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley is committed to delivering excellent, timely, and accessible services that help create a resilient, safe, and connected community. Achieving these goals depends on attracting and retaining a talented, dedicated, and diverse City workforce.

Berkeley's employees keep the City running every day with skill, commitment, and professionalism. While the City's annual Staff Appreciation Day recognizes all employees, formal recognition by the City Council would elevate that appreciation—honoring individuals publicly and highlighting the vital role City staff play in serving the community.

To shine a public spotlight on this extraordinary work, this item proposes a City Council–led Employee Recognition Program. The program would honor nine (9) employees each year during nine separate Council meetings, with each Council office and the Mayor sponsoring one recognition. Upon approval, Councilmember Blackaby's office will partner with the Mayor's office and City Manager to implement the program.

BACKGROUND

The City already celebrates its workforce through a well-loved annual Staff Appreciation Day with leadership from staff volunteers on Team Unity, a staff-led initiative that strengthens recognition, connection, and workplace culture.

This proposed Council-led program would complement those efforts by offering a visible, public form of recognition—demonstrating the City Council's appreciation for staff excellence and sharing that appreciation with the broader Berkeley community during Council meetings.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

No sustainability impacts.

CONTACT PERSON

Councilmember Brent Blackaby Council District 6 510-981-7160

Attachments:

1: Resolution

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

CITY COUNCIL EMPLOYEE RECOGNITION PROGRAM

WHEREAS, Berkeley's city employees keep our city running—24 hours a day, 7 days a week—serving residents, businesses, students, workers, and visitors; and

WHEREAS, City staff protect public health and safety, keep our streets clean and lit, maintain parks and facilities, respond to emergencies, support businesses and nonprofits, care for our most vulnerable neighbors, and ensure access to knowledge, recreation, housing, and essential services; and

WHEREAS, from Zero Waste crews, librarians, arborists, recreation leaders, and maintenance workers, to public safety personnel, planners, engineers, health and housing staff, DEI professionals, accountants, attorneys and economic development teams, City employees bring skill, compassion, and dedication to their work every day; and

WHEREAS, much of this work happens seamlessly and behind the scenes, yet it profoundly improves the quality of life in Berkeley and strengthens our resilience as a community.

NOW THEREFORE, BE IT RESOLVED that the Berkeley City Council proudly recognizes and thanks all City employees for their extraordinary service and lasting contributions to our City.

BE IT FURTHER RESOLVED that the Berkeley City Council hereby establishes a Council-led Employee Recognition Program, through which nine (9) employees will be honored annually at nine separate City Council meetings, with each Councilmember and the Mayor recognizing one staff member.

BE IT FURTHER RESOLVED that Councilmember Blackaby's office, in collaboration with the Mayor's office and the City Manager, shall operationalize this Employee Recognition Program.

REVISED AGENDA MATERIAL for Supplemental Packet 2

Meeting Date: December 2, 2025

Item Number: 43

Item Description: Accessory Dwelling Units (ADUs): Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

Submitted by: Councilmember Lunaparra (author), Councilmember Bartlett (co-sponsor)

The ADU Condo Conversion Ordinance's goal of providing opportunities for more affordable home-ownership is critical to Berkeley's ability to address the housing crisis. Additionally, to prevent the displacement of sitting tenants, it is vital that renters in affected ADUs are provided with protections similar to those of tenants in other units proposed for condominium conversion. Based on feedback from tenants, housing supply advocates, and legal experts, this supplemental material proposes adding the following tenant protections to this ordinance:

- **Condition of Approval Language** - Adding the condition of approval language from BMC Section 21.28.090.B as part of the eligibility requirements for ADU conversion (except it shortens the cool-down period from ten years, like the Condo Conversion Ordinance, to five years). This language would disincentivize owners from displacing tenants to convert to condominiums by preventing approval of any ADU conversion for properties where there have been recent no-fault evictions for five years. This supplemental item also adds an Ellis Act savings clause to the proposed ordinance updates to ensure compliance with state law and reduce the City's legal liability.
- **First Right of Refusal for All ADU Tenants** - Granting any tenants in ADUs the first right of refusal to purchase their ADU after conversion. A previous supplemental item from other Councilmembers proposed reducing the Right of First Refusal time period from one year to three months. Out of a desire to reach a balanced solution, this supplemental item also mirrors that item's timeline of three months.
- **Owner Move-in Evictions** - Prohibiting owner move-in evictions for any existing tenants in a converted ADU at the time of conversion, equal to the requirements of BMC Section 21.28.090(C)(4). This would not apply to new tenants who begin leases after the ADU has been converted.
- **Affordable Housing Mitigation Fee (AHMF)** - Maintaining the affordable housing mitigation fee requirement for converting ADU units, but waiving the fee in its entirety if the owner converting the ADU has agreed as part of their application to allow for rent control on the unit. In other words, a property owner can opt to keep the newly converted ADU rent-controlled instead of paying the AHMF.

- **More precise language defining what ADUs are eligible for conversion -**
Clarifying whether ADUs created under previous code sections can also convert to condominiums would help clear a potential source of confusion for property owners. Additionally, limiting conversion to those ADUs created after 2003 would prevent the loss of rent-controlled housing.

When tenant protections for renters living in ADUs are proposed, concerns are often raised about the ability of property owners to “go out of business” for a relative to move into their ADU when it is already occupied by a tenant. This item’s proposed tenant protections would have no impact on those existing protections; they would only apply in the case that the property owner voluntarily opts to convert their ADU into a condo. This item does not propose any new restriction on ADU owners or new protections for ADU tenants beyond what currently exists under Berkeley law; rather, it ensures that the tenant protections already afforded to other tenants in Berkeley are similarly applied to ADU tenants, as we look to create more flexibility and options for ownership for ADUs.

A homeowner intending to build a new condo ADU will face no obstacles or fees from the tenant protections proposed by this supplemental item. All of these changes protect tenants and further the ordinance’s goal of encouraging ADU development, minimizing displacement, and providing opportunities for affordable home-ownership.

Attachments:

1. Amended Ordinance

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 after calendar year 2002, in compliance with BMC Chapter 23.306 (Accessory Dwelling Units) or its precursor, BMC Chapter 23C.24.
- 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 an application to convert an ADU to a condominium subdivision shall not be allowed if the ADU was removed from the rental market through a no-fault eviction during the preceding five years.
 - 1) ~~2) Covered Rental~~ or Tenant Occupied ADUs. If the ADU is tenant occupied or 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);
and
 - 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),

except that the period of the ERP shall last for 90 days rather than one year; and

- c. -An agreement signed by the owner that, at the time of sale of each unit, an affordable housing mitigation fee, pursuant to BMC 21.28.070, will be paid to the City of Berkeley, unless the application meets the affordable housing mitigation fee waiver requirement.
- 2) ~~3)~~ The affordable housing mitigation fee payment for ADU condominium subdivisions, pursuant to BMC 21.28.070 shall be waived for owner(s) that agree, as part of their ADU condominium subdivision application, to allow for rent or price controls on the converted units when rented, as allowed under California Civil Code Section 1954.52(b), to limit future rent increases to no more than 65% of the increase in the Consumer Price Index for all Bay Area Consumers. The City or, at the request of the City Manager, the Rent Board, shall enforce any violations of this section and shall have the authority to adjust tenants' rents when they are being overcharged.
- 3) ~~4)~~ 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 constructed after calendar year 2002, in compliance with BMC Chapter 23.306 or its precursor BMC Chapter 23C.24.
- 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 [21.29.010\(C\)\(2\)\(c\)](#).
- 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."

21.29.070 – Savings Clause

Ellis Act. This chapter shall be applied only to the extent permitted by state law as to dwelling units which have been entirely withdrawn from the rental market pursuant to the Ellis Act (California Government Code Chapter 12.75).



Office of the City Manager

PUBLIC HEARING

January 20, 2026

(Continued from December 2, 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: Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

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.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

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, allows 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. 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 (***Attachment 1***) would provide for such separate sales.

Currently, condominium conversions are regulated in BMC Chapter 21.28 (Condominiums and Other Common Interest Subdivisions). The purposes of Berkeley's Condominium Conversion regulations are to preserve the rental housing stock, protect existing renters, mitigate the loss of rental units through condominium conversion, and to create a transparent process for the conversion of rental units to condominiums.

Most ADUs are “naturally affordable” and exempt from rent control. In a study published in 2022, the Association of Bay Area Governments (ABAG) found that 20 percent of

ADUs are offered rent-free, 16 percent are rented at discounted rates (presumably to friends and family), and that most market-rate ADUs are affordable to low or moderate-income households in most markets.¹

Recognizing the generally affordable nature of ADUs, the Planning Commission's recommendation treats ADU condominiums differently than typical condominiums. These differences include:

- *Condominium Conversion Mitigation Fee*: The proposed ordinance would 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 three rent ordinance categories. The Planning Commission's recommendation bases tenant protections on an ADU's rent ordinance status.

A "Fully Covered Unit" is any residential rental unit that is not exempt under BMC 13.76.050. Covered units are subject to the rent-stabilization (rent ceiling/maximum annual rent increase) provisions and good-cause protections. According to the Rent Board, examples of Fully Covered Units include most multi-unit buildings built before June 1980, single family homes with tenants who moved in before 1996, and single-family homes with five or more rooms rented out with separate leases. For ADUs, examples of potentially Fully Covered Units include a legally established "secondary unit" with a certificate of occupancy predating the Rent Ordinance (June 1980), or a legally established "secondary unit" created before the City's first ADU regulations (2003).

"Partially Covered Units" are not subject to local rent ceilings but do remain subject to local just-cause eviction protections, registration, and annual security-deposit interest rules. According to the Rent Board, examples of Partially Covered Units include single family homes with current tenancies that began after 1996, most condominiums, and new construction that received a Certificate of Occupancy after June 1980. Post-2003 ADUs are typically Partially Covered.

¹ *Final Affordability of Accessory Dwelling Units*. https://abag.ca.gov/sites/default/files/documents/2025-04/ADU_Affordability_Report_June_13_2022.pdf

“Fully Exempt Units” include certain institutional housing types, Golden Duplexes, and tenancies in ADUs that started after November 2018 on properties where there is 1) only one single-family dwelling; 2) only one ADU; and 3) where an owner occupies either unit. Fully Exempt Units are not subject to local rent ceilings, local just-cause eviction protections, registration, or any annual security-deposit interest rules.

For purposes of the ADU Condominium ordinance, a Covered Rental ADU includes both Fully Covered and Partially Covered ADUs. The table below summarizes the applicability of tenants protections to ADU rentals.

Protection	Fully Covered	Partially Covered	Fully Exempt
Local rent ceilings (rent stabilization)	Yes	No	No
Petition rights	Yes	Some	No
Local just-cause eviction protections	Yes	Yes	No
Rent Board registration requirement	Yes	Yes	No
Annual security-deposit interest requirement	Yes	Yes	No
Local filing of rent-increase and termination notices	Yes	Termination notices only	No
Exclusive Right to Purchase (ERP) after condo conversion	Yes	Yes	No
Right to Remain / No Owner-Move-In — after condo conversion	Yes	Yes	No
Recent no-fault eviction screen — condo conversion eligibility	Yes	Yes	No

BACKGROUND

At its March 5, 2025 meeting, the Planning Commission received an informational report regarding AB 1033 implementation (**Attachment 3**) and directed staff to prepare an ordinance to permit 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**.

At its meeting of July 29, 2025, the City Council considered revisions to the Zoning Ordinance related to ADU development standards. At that meeting, the City Council adopted the Zoning Ordinance amendments, and continued consideration of the ADU condominium changes to a future meeting.

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).

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.

ALTERNATIVE ACTIONS CONSIDERED

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.

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: Public Hearing Notice

ORDINANCE NO. -N.S.

AMENDMENTS TO BERKELEY MUNICIPAL CODE TITLE 21 (SUBDIVISIONS) TO ALLOW SEPARATE SALE OF ACCESSORY DWELLING UNITS (ADU), AND A CONFORMING AMENDMENT TO TITLE 23 (ZONING) RELATED TO ADUS

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.* Covered Rental ADU means any rented ADU that is not a Fully-exempt unit under BMC 13.76.050(C). 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).

21.29.020. -- 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.

21.29.030 -- 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.

21.29.040 -- 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 for Covered Rental ADUs. 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

Covered Rental ADU, 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.

21.29.050 -- 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 Municipal Code Section 23.306.040(C)(2) is amended to read as follows:

2. The ADU shall not be sold separately from the main building, unless authorized under BMC 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;

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of 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

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%20in%20sights/closing%20californias%20housing%20gap/closing-californias-housing-gap-full-report.pdf>

⁸ Grabar, Henry. (2019). I Got Mine. Slate Magazine.

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 Turner 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'

<https://slate.com/business/2019/05/californiahousing-crisis-boomer-gerontocracy.html>

⁹ Choi, J., Zhu, J., Goodman, L., Ganesh, B., and Storchak, 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. Turner Center for Housing Innovation. <https://turnercenter.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.>

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>



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.



Development Department
Division

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 or 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:
 - o the Subdivision Map Act;
 - o the Davis-Stirling Act (the state law that regulates condominiums); and
 - o 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

**NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL**

**AMENDMENTS TO TITLE 21 (SUBDIVISIONS) TO ALLOW SEPARATE
SALE OF ACCESSORY DWELLING UNITS**

The public may participate in this hearing by remote video or in-person.

The Department of Planning and Development is proposing an Ordinance to adopt proposed amendments to Title 21 (Subdivisions Ordinance) to implement Assembly Bill (AB) 1033 to establish local regulations for the separate sale of ADUs as condominiums.

The hearing will be held on January 20, 2026 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 January 8, 2026. **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: January 9, 2026 – 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 January 8, 2026.

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Mark Numainville, City Clerk





Office of the City Manager

PUBLIC HEARING

January 20, 2026

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: Fees: Public Health Vital Statistics Vital Records

RECOMMENDATION

Conduct a public hearing and upon conclusion, adopt a Resolution establishing a new fee schedule for Vital Records with a \$2.00 increase in the fee for birth, death, and fetal death certificates to comply with Assembly Bill (AB) 64 and Health & Safety (H&S) Code 103625(f), effective February 1, 2026.

FISCAL IMPACTS OF RECOMMENDATION

The fee increase is expected to generate an additional \$10,564 for the rest of the current fiscal year. Of this amount, \$5,810.20 (55%) is estimated to accrue to City revenue. State law requires that the revenue collected be split and sent to different county, state, and federal programs.

Additional revenue will be deposited in Fund 011.

| Item                            | Current Fee | Proposed Fee   |
|---------------------------------|-------------|----------------|
| Birth Certificate Public        | \$31.00     | <b>\$33.00</b> |
| Birth Certificate County        | \$24.00     | <b>\$26.00</b> |
| Death Certificate Public/County | \$26.00     | <b>\$28.00</b> |
| Fetal Death Certificate         | \$23.00     | <b>\$25.00</b> |
| Stillbirth Certificate          | \$23.00     | \$23.00        |
| Disposition Permit              | \$12.00     | \$12.00        |
| Transit Letter                  | \$4.00      | \$4.00         |

### CURRENT SITUATION AND ITS EFFECTS

As a local health jurisdiction, the City of Berkeley is required by state law to provide this service and collect/distribute these fees.

Vital Records fees are increasing by \$2.00 due to AB 64, which requires the use of diacritical marks—such as accents and tildes—on English letters in names listed on vital records (e.g., birth, marriage, and death certificates).

The fee increase is required to help fund the system and process changes necessary for the state and local governments to implement this law, starting on July 1, 2026.

This service is a priority for the City to ensure the community receives accurate, timely, and accessible birth, death, and other vital records.

### BACKGROUND

The Public Health Vital Statistics Program is responsible for managing birth and death records for births and deaths occurring within the City of Berkeley. This includes filing, preserving, and issuing:

- Birth certificates
- Death certificates
- Fetal death and stillbirth certificates
- Permits and transport letters for the disposition of human remains

The program operates under the supervision of the City of Berkeley Health Officer and fulfills the following mandates:

- Establish permanent legal records recognized as prima facie evidence in court
- Prevent fraud by reporting birth and death data to other government agencies; and
- Support public health by analyzing statistical data for health evaluation and planning.

Certificates are available from the City of Berkeley for up to two years after the date of the event. After two years, records must be requested from Alameda County.

Certificates can be obtained in person, online via VitalChek.com, or by mail.

Vital Statistics provides free certificates to individuals who can verify homeless status (H&S Code Section 103577) and to youth in foster care who can verify foster status (H&S Code Section 103578).

Since 2005, certain fees have also included a \$2 fee to support domestic violence programs. After this requirement was established by the State in Health and Safety Code § 103627.5, the Berkeley City Council adopted on December 13, 2005,

Resolution No. 63,165-N.S., which approved the fee increase and established Fund 231 for this revenue.

Pursuant to H&S Code Section 103625 (a) and (b), the City of Berkeley Vital Statistics fees are used to offset the cost of record generation and maintenance, including staff, facility, equipment, and general office costs. Fees for certificates and permits are mandated to be distributed to the following funds:

- County Children's Trust Fund
- Umbilical Cord Blood Collection Program
- Domestic Violence Prevention
- Peace Officers Training Fund
- County treasury for indigent burials
- Department of Justice Missing Persons DNA Database Fund

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

#### RATIONALE FOR RECOMMENDATION

The services provided and fees collected are required by the California Health and Safety Code. Approving the \$2 increase per certificate will allow the City to continue offering these essential services locally and to meet its financial obligations to the State.

#### ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered as staff have not identified another source of funds that could cover the fee increases mandated by AB 64.

#### CONTACT PERSON

Alexandra Deitch, Sr. Health Services Program Specialist, HHCS 510-981-5379

#### Attachments:

1: Resolution

Exhibit A: City of Berkeley Vital Records Fee Schedule and Allocation of Vital Records

2: Public Hearing Notice

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

ESTABLISHING AND INCREASING CURRENT VITAL RECORDS FEES

WHEREAS, City of Berkeley Vital Statistics Program manages vital records for birth and death events that occur within the City limits; and

WHEREAS, effective February 1, 2026, vital records fees will increase pursuant to Assembly Bill (AB) 64 and Health and Safety (H&S) Code § 103625(f); and

WHEREAS, vital records fees collected by the City of Berkeley Vital Statistics Program are set by statute and require periodic updates, with the associated revenue deposited into Fund 011 and Fund 152; and

WHEREAS, the proposed changes in fees will allow the City of Berkeley Vital Statistics Program to continue to meet all Federal, State, and County health, safety, and regulatory requirements, while providing continued community access to birth and death certificates and permits, and transport letters for the disposition of human remains.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the proposed Published Charges, detailed in Exhibit A, are hereby established, effective February 1, 2026, for vital records offered by the City's Vital Statistics Program of Health, Housing, and Community Services department.

BE IT FURTHER RESOLVED that Resolution No. 70,116-N.S. is rescinded effective February 1, 2026.

Exhibit:

A: City of Berkeley Vital Records Fee Schedule and Allocation of Vital Records



**CITY OF BERKELEY VITAL RECORDS FEE SCHEDULE AND ALLOCATION OF  
VITAL RECORDS  
Effective February 1, 2026**

**I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD**

(Search/No Record fees are the same as copy fees -- Health and Safety (H&S) Code, Section 103650)

| <b>Birth - General Public</b>                                             | <b>Fee</b>     | <b>Allocation</b>                          |
|---------------------------------------------------------------------------|----------------|--------------------------------------------|
| H&S Code, § 103625(b)(f)                                                  | \$19.05        | Retained by City of Berkeley               |
| H&S Code, 103525.5, 100425 and Welfare & Institutions (W&I) Code, § 18966 | \$6.35         | To State Registrar each month              |
| W&I Code, § 18966 and H&S Code, § 103625(b)                               | \$3.60         | To County Children's Trust Fund            |
| H&S Code, § 103625(b)                                                     | \$2.00         | To Umbilical Cord Blood Collection Program |
| H&S Code, § 103627                                                        | \$2.00         | To Domestic Violence Prevention            |
| <b>Fee Total</b>                                                          | <b>\$33.00</b> |                                            |

| <b>Birth - Government Agency</b> | <b>Fee</b>     | <b>Allocation</b>               |
|----------------------------------|----------------|---------------------------------|
| H&S Code, § 103625(b)(f),        | \$17.80        | Retained by City of Berkeley    |
| H&S Code, § 100425, and 103525.5 | \$6.20         | To State Registrar each month   |
| H&S Code, § 103627               | \$2.00         | To Domestic Violence Prevention |
| <b>Fee Total</b>                 | <b>\$26.00</b> |                                 |

| <b>Death – Government Agency and General Public</b>                | <b>Fee</b>     | <b>Allocation</b>                                     |
|--------------------------------------------------------------------|----------------|-------------------------------------------------------|
| H&S Code, § 103625(a)(f), 100425 103525.5, and Penal Code, § 14251 | \$17.90        | Retained by City of Berkeley                          |
| H&S Code, § 103625(a)(f), 100425 103525.5, and Penal Code, § 14251 | \$6.20         | To State Registrar each month                         |
| Surcharge: Penal Code, § 14251                                     | \$1.90         | To Dept of Justice Missing Persons DNA Data Base Fund |
| H&S Code, § 103627                                                 | \$2.00         | To Domestic Violence Prevention                       |
| <b>Fee Total</b>                                                   | <b>\$28.00</b> |                                                       |

## Vital Records Fee Schedule and Allocation of Vital Records

| <b>Death – Government Agency and General Public</b>                | <b>Fee</b>     | <b>Allocation</b>               |
|--------------------------------------------------------------------|----------------|---------------------------------|
| <b>Fetal Death – Government Agency and General Public</b>          | <b>Fee</b>     | <b>Allocation</b>               |
| H&S Code, § 103625(a)(f), 100425 103525.5, and Penal Code, § 14251 | \$17.45        | Retained by City of Berkeley    |
| H&S Code, § 103625(a)(f), 100425 103525.5, and Penal Code, § 14251 | \$5.55         | To State Registrar each month   |
| H&S Code, § 103627                                                 | \$2.00         | To Domestic Violence Prevention |
| <b>Fee Total</b>                                                   | <b>\$25.00</b> |                                 |

| <b>Stillbirth</b>       | <b>Fee</b>     | <b>Allocation</b>               |
|-------------------------|----------------|---------------------------------|
| H&S Code, § 103040.1(f) | \$21.00        | Retained by City of Berkeley    |
| H&S Code, § 103627      | \$2.00         | To Domestic Violence Prevention |
| <b>Fee Total</b>        | <b>\$23.00</b> |                                 |

## II. PERMIT FOR DISPOSITION OF HUMAN REMAINS

| <b>Regular Permit</b>         | <b>Fee</b>     | <b>Allocation</b>                                                                  |
|-------------------------------|----------------|------------------------------------------------------------------------------------|
| H&S Code, § 103675            | \$2.50         | Retained by City of Berkeley                                                       |
| H&S Code, § 100430 and 103692 | \$6.50         | To State Registrar quarterly                                                       |
| Surcharge: H&S Code, § 103680 | \$1.00         | To Peace Officers Training Fund                                                    |
| Surcharge: H&S Code, § 103680 | \$2.00         | Retained by City of Berkeley for deposit into county treasury for indigent burials |
| <b>Fee Total</b>              | <b>\$12.00</b> |                                                                                    |

**NOTICE OF PUBLIC HEARING  
BERKELEY CITY COUNCIL**

**VITAL RECORDS: ESTABLISH FEE SCHEDULE AND CURRENT FEE INCREASE**

**The public may participate in this hearing by remote video or in-person.**

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Health, Housing, and Community Services is proposing to increase by \$2.00 the fees for the issuance of each birth, death, and fetal death certificates, effective February 1, 2026, pursuant to Assembly Bill (AB) 64 and Health and Safety (H&S) Code § 103625(f).

| <b>Item</b>                     | <b>Current Fee</b> | <b>Proposed Fee<br/>(Effective 02/01/2026)</b> |
|---------------------------------|--------------------|------------------------------------------------|
| Birth Certificate Public        | \$31.00            | <b>\$33.00</b>                                 |
| Birth Certificate County        | \$24.00            | <b>\$26.00</b>                                 |
| Death Certificate Public/County | \$26.00            | <b>\$28.00</b>                                 |
| Fetal Death Certificate         | \$23.00            | <b>\$25.00</b>                                 |
| Stillbirth Certificate          | \$23.00            | \$23.00                                        |
| Disposition Permit              | \$12.00            | \$12.00                                        |
| Transit Letter                  | \$4.00             | \$4.00                                         |

The hearing will be held on, January 20, 2026 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact **Alexandra Deitch** at **510-981-5379**.

A copy of the agenda material for this hearing will be available on the City's website at <https://berkeleyca.gov/> as of January 8, 2026. **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.**

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](mailto: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](mailto:clerk@berkeleyca.gov) for further information.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 12 days prior to the public hearing.

**Published:** January 2 and January 9, 2026 – The Berkeley Voice  
Published pursuant to Government Code Section 6062a

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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 January 8, 2026.

Mark Numainville, City Clerk



Office of the City Manager

PUBLIC HEARING
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Scott Ferris, Director, Parks, Recreation, & Waterfront

Subject: Changes to Selected Recreation and Camps Facilities and Program Fees

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. 71,833-N.S. and all amendatory resolutions.

FISCAL IMPACTS OF RECOMMENDATION

The proposed new fees and fee increases will provide additional revenue to offset the operation and maintenance costs associated with Facility Rentals, Nature Center & Adventure Playground Programs, Echo Lake, Berkeley Tuolumne and Berkeley Day Camp Programs, and Youth Hoops League. Funding for recreation programs and facilities comes from the General Fund, Camps Fund, and Marina Fund. Proposed fee increase revenue will be deposited into the appropriate fund as described below.

These fee increases would raise an estimated \$361,856 in FY 2027 to help offset program and facility maintenance costs (see Table 1). The revenue assumptions below are based on resident fees; non-resident fees are generally 20% higher, except, for example, at the Berkeley Waterfront, where there is no residency requirement.

These fee adjustments will factor into budget reduction plan discussions. The [Marina Fund fees](#) were discussed at the October 28, 2025 Council Budget & Finance Policy Committee meeting¹, as part of broader efforts to raise \$100k in new Waterfront recreation program revenue. (Note that the table below only includes revenue from new or increased fees; it does not include revenue from expansion of afterschool programs and camps to the Waterfront.) Camps Fund fees are needed to offset a projected \$300k operating deficit. The balance will be raised via additional changes in programming. General Fund fee revenue will be applied toward Parks, Recreation & Waterfront Department budget reduction plans. If not adopted, the department will need to generate alternate measures that will result in reductions to programs and services.

¹ See <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/2025-10-28%20Item%2003%20Marina%20Fund%20Update%20Presentation.pdf>

Table 1 - Summary of Estimated Annual Increase in Revenue

Fee	General Fund (011)	Camps Fund (125)	Marina Fund (608)	Total
Adventure Playground Party Package			\$20,225	\$20,225
Nature Center Party Package			\$8,394	\$8,394
Naturalist Classroom Program			\$4,300	\$4,300
Community Center Rentals	\$21,467	\$9,584		\$31,051
Camps (Echo Lake, BTC, Day Camp)		\$245,909		\$245,909
Youth Hoops League	\$9,200			\$9,200
Summer Fun Camps	\$22,777			\$22,777
YouthWorks Accelerator Program	\$20,000			\$20,000
TOTAL	\$73,444	\$255,493	\$32,919	\$361,856

CURRENT SITUATION AND ITS EFFECTS

On June 17, 2025, Council adopted an updated fee schedule for the Recreation Division programs (Resolution No. 71,833-N.S.) The City regularly reviews all recreation fees in an effort to keep programs and facilities accessible to residents while accounting for increased costs to deliver those services. Proposed fee changes described below are proposed to go into effect January 21, 2026.

Adventure Playground Birthday Party Package

Over the past years, City staff have received community feedback requesting expanded access to birthday party packages that align with existing field trip experiences. Families have expressed a desire for convenient, on-site celebrations that allow them to enjoy Adventure Playground and programmed activities while also securing nearby amenities such as picnic spaces and tables. While many residents currently reserve group rates for Adventure Playground and then relocate outside facility boundaries for picnic use, the proposed birthday party package consolidates all activity needs in one area, ensuring equitable access for all users and improving operational efficiency.

The proposed birthday party package with a fee of \$325 will offer families a 2-hour reservation, a group orientation and their own covered space with picnic tables. Additional add-on is available for \$150 and will include 1-hour of structured activity facilitated by trained recreation staff, access to designated private space, and curated equipment options depending on the activity type. Revenue from the Adventure Playground Birthday Party Package will be deposited in the Marina Fund.

Program	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
AP Birthday Party Package	2-Hour	N/A	\$325	N/A	N/A
AP Birthday Party Package Add-On	1-Hour	N/A	\$150	N/A	N/A

Naturalist Birthday Party Package

The Nature Center has received many requests over the years to offer birthday party packages. This new birthday party package will include a three-hour picnic reservation with tables and chairs under the trellised area between the Nature Center and the Nature Center Classroom, including a one-hour naturalist program from trained City staff.

The proposed fee is \$425. The proposed Program packages will include structured activity blocks facilitated by trained recreation staff, access to designated private space, covered picnic tables, and curated equipment options depending on the activity type. Revenue from the Naturalist Birthday Party Package will be deposited in the Marina Fund.

Program	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
Naturalist Birthday Party Package	3-Hour	N/A	\$425	N/A	N/A

Naturalist Classroom Program

Shorebird Park Nature Center has garnered a reputation for delivering a broad range of exceptional science and environmental education programs for the public. For decades we have offered 3-hour field trips to local school groups, however, the current fee of \$200 has not changed since 2017. The proposed fee increase to \$300 is needed due to the rising costs associated with specialized equipment and materials, facility maintenance and staffing. Staff are also proposing a fee increase from \$65 to \$100 for our one-hour long Naturalist Classroom Program for the same reasons listed above. Revenue from the Naturalist Classroom Program will be deposited in the Marina Fund.

Program	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
Naturalist Classroom Program	3-Hour	\$200	\$300	N/A	N/A
Naturalist Classroom Program	1-Hour	\$65	\$100	N/A	N/A

Community Center Facility Rental Fees

The City has not increased community center facility fees since 2017. Over the past several years, operational costs associated with maintaining and staffing recreation centers, gymnasiums, and shared-use facilities have steadily increased. There is significant demand for rentals, particularly in gymnasiums and multipurpose rooms. Fees for these facilities are proposed to increase 20% to offset costs of facility maintenance and staffing for these rentals. Revenue from community center facility rental fees will be deposited in the General Fund and the Camps Fund.

Facility Rental	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
Youth, Senior, Disabled – Regular Hours	Hour	\$41	\$49	\$49	\$59
Youth, Senior, Disabled – Non-Regular Hours	Hour	\$61	\$65	\$73	\$78
Auditorium/Social Hall – Regular Hours	Hour	\$67	\$80	\$80	\$96
Auditorium/Social Hall – Non-Regular Hours	Hour	\$82	\$100	\$98	\$120
Fireside Room/Community Room – Regular Hours	Hour	\$52	\$62	\$62	\$74
Fireside Room/Community Room – Non-Regular Hours	Hour	\$67	\$78	\$80	\$94
Game Room/Arts & Crafts/Meeting Room – Regular Hours	Hour	\$46	\$55	\$55	\$66

Facility Rental	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
Game Room/Arts & Crafts/Meeting Room – Non-Regular Hours	Hour	\$62	\$69	\$74	\$83
Gym – Regular Hours	Hour	\$64	\$77	\$77	\$92
Gym – Non-Regular Hours	Hour	\$75	\$96	\$90	\$115

Camps Fund Programs

PRW operates self-sustaining camp and recreation programs through the Camps Fund, a self-supporting fund, with revenues expected to cover expenditures. The Camps Fund (CF) is comprised of five programs:

- Day Camp, a summer day camp program in Berkeley;
- Cazadero Camp, operated by Cazadero Performing Arts Camp and offering music and performing arts programs, located in Sonoma County;
- Echo Lake Camp, offering Family Camp, Youth Camp, Counselor-in-Training and other programs, located near South Lake Tahoe; and
- Tuolumne Camp (BTC), offering Family Camp, Counselor-in-Training, and other programs, located near Yosemite National Park.
- Fee Classes, including internal and contractor-run classes in health and fitness, martial arts, youth enrichment, sports, and education.

Prior to the 2013 Rim Fire, which caused the destruction of BTC, the Camps Fund revenue consistently outpaced expenses. Since that time the fund has operated in a deficit. While the CF has made significant strides since BTC reopened four years ago, the operational deficit of approximately \$300,000, which is reduced from previous years, still exists. The proposed fee increases will raise an estimated \$245,909 in revenue in FY26 to help offset these costs. Additional changes in programming at Echo Lake Camp and BTC are anticipated to offset more of this deficit.

To cover rising costs in staffing, utilities, food, equipment and supplies, and transportation-related expenses, fee increases are proposed of 10% in 2026 and 5% in 2027 for Echo Lake Youth Camp and Counselor-in-Training (CIT), Berkeley Tuolumne Camp CIT, and Berkeley Day Camp Core, AM, PM and CIT Programs (see table below). Attachment 2, Tables 9-12 compare proposed fees to those of similar programs in the region.

Program	Unit	Res Current	Res Proposed 1/21/26	Res Proposed 1/1/27	Non-Res Current	Non-Res Proposed 1/21/26	Non-Res Proposed 1/1/27
Echo Lake Youth Camp	1-Week	\$846	\$930	\$977	\$1,015	\$1,117	\$1,172
Echo Lake CIT	1-Week	\$323	\$355	\$373	\$389	\$428	\$449
Echo Lake CIT	2-Weeks	\$470	\$517	\$543	\$565	\$622	\$653
Tuolumne CIT	1-Week	\$323	\$355	\$373	\$389	\$428	\$449
Tuolumne CIT	2-Weeks	\$488	\$537	\$614	\$586	\$645	\$677
Day Camp	1-Week	\$282	\$310	\$326	\$339	\$373	\$392
Day Camp AM Care	1-Week	\$60	\$66	\$69	\$71	\$78	\$82

Program	Unit	Res Current	Res Proposed 1/21/26	Res Proposed 1/1/27	Non-Res Current	Non-Res Proposed 1/21/26	Non-Res Proposed 1/1/27
Day Camp PM Care	1-Week	\$92	\$101	\$107	\$111	\$122	\$128
Day Camp CIT	2-Weeks	\$228	\$251	\$263	\$273	\$300	\$315
Adult Backpacking	4-days	-	\$600	\$660	-	\$720	\$792

Berkeley Day Camp

Increased fees are required to offset costs of staffing, supplies and materials, field trip expenses, and equipment related to operations. The proposed fee increase will help cover costs, while maintaining program fees below market rate pricing compared to similar style camps that are operating out of Berkeley and surrounding cities.

Berkeley Echo Lake Camp

Echo Lake Camp is embarking on its 102nd season of providing high quality, inclusive, recreation opportunities for the Berkeley community. Echo Lake programming has grown consistently since 2022 and fills all sessions with waitlists throughout the summer. Both personnel and non-personnel costs have increased in recent years, and fee increases are needed to offset the costs for youth camp and the counselor-in-training (CIT) programs. In addition, fees are proposed for a new adult backpacking program at Echo Lake. This will be an extension of our current Youth Backpacking program and will allow us to build a foundation for Fall and Spring programming.

Berkeley Tuolumne Camp

The proposed increased fees for Berkeley Tuolumne Camp are needed to offset increasing personnel and non-personnel costs associated with the CIT program. With these changes, our program continues to be lower cost than similar programs in the region.

Fee Classes

The Recreation division offers various fee class programs, in partnership with contractors, who offer specialized classes for the Community. Revenue from these classes is shared with the contractor in various percentages based on the offering and the overall costs to the City.

Youth Hoops League

The City of Berkeley Youth Hoops Sports Program has had a longstanding history of offering fun, competitive programs and leagues for the Berkeley youth community grades K-5th. Since 2017, we have sold out each program with extensive waitlists. Each season, we offer participants over 12 practices once per week and 8 regular season games, with the chance to make playoffs. Each practice is led by volunteer coaches, with city staff present to provide support. Games are officiated by our sports official staff along with city staff who work our book and scoreboard to ensure that teams are providing equal playing time to all players. All equipment and gym space is provided by the City to teams for both practices and games. Prior to the season we run observation nights to help ensure that teams are as balanced as possible and we also run mandatory trainings for all our volunteer coaches. All players receive a reversible jersey that they get to keep, as well as a small goodie bag at the end of the season.

Since 2022, there has been a 20% increase in supply costs as well as a 12% increase in personnel costs. Increased fees are required to offset the growing cost of the programs,

including sports personnel, materials and equipment costs. Revenue from the Youth Hoops League will be deposited in the General Fund.

Program	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
Youth Hoops League	Season	\$30	\$100	\$36	\$120

Summer Fun Camps

Summer Fun Camps are community center-based, subsidized programs offered during the summer for youth ages 5-12. These programs provide a range of enriching activities including outdoor play, games, arts and crafts, dance and drama, swimming, and field trips.

Fees for these programs have not increased since 2020. Since then, operational costs for Summer Fun Camps have increased by more than 18%. Fee increases are needed to offset the increased costs of staffing, equipment, supplies and additional participants. Revenue from our subsidized Summer Fun Camps will be deposited in the General Fund.

Program	Unit	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
Summer Fun Camp					
Core	Session	\$150	\$165	\$180	\$198
AM Care	Session	\$25	\$27.50	\$30	\$33
PM Care	Session	\$75	\$82.50	\$90	\$99

YouthWorks Accelerator Program

The City is launching a new program within YouthWorks to place interns in professional businesses. The Accelerator program will provide a limited number of local businesses with the opportunity to have a summer intern (for a seven week period over the summer), who is a trained City employee, who is new or relatively new to employment and who is versatile, capable and ready to learn and support. The Accelerator interns get placed in a professional level internship where they can receive a pre-career professional experience. The proposed fee for professional businesses is up to \$2,500, depending on the number of hours that their intern works, to offset the City's cost of employing the intern.

This will be in addition to the existing YouthWorks internship program, which provides employment opportunities and life skills training that help participants transition into the workforce. The YouthWorks program focuses on historically underserved communities and aligns with the City of Berkeley's commitment to racial equity, recognizing systemic barriers and working to expand access to education, employment and self-sufficiency.

Scholarship Program

In 2025, the City provided over \$300k in scholarships to Berkeley residents. The City offers 50% and 100% scholarships for a variety of programs in both the General Fund and the Camps Fund, including Afterschool Programs, Swim Lessons, Summer Camps, Echo Lake Youth Camp and BTC Family Camp.

City of Berkeley residents can apply annually to qualify for a scholarship. Scholarship percentages are determined using HUD income guidelines. To qualify for a 100% scholarship,

applicants must meet HUD's current "Very Low Income Limits." To qualify for a 50% scholarship, applicants must meet HUD's current "Very Low Income Limits" plus the difference of "Low Income Limits" and the "Very Low Income Limits." These thresholds were increased by Council from "Extremely Low Income" in 2022 to expand the number of eligible families.

BACKGROUND

The Parks, Recreation and Waterfront Department's annual operational budget (excluding capital improvement projects) is approximately \$42 million. It is primarily supported by four funds: the Parks Tax Fund, the Marina Fund, the Camps Fund, and the General Fund. The Recreation Division relies predominantly on the General Fund and the Camps Fund to support its programs. Program fees offset the costs associated with program delivery, facility operations, and ongoing maintenance. Fees for programs and reservations tied to the self-supporting Camps Fund, Parks Tax Fund, and Marina Fund are used to cover the costs of providing these services.

The proposed fees were brought before the Parks, Recreation & Waterfront Commission on November 12, 2025 at their regular meeting, and no action was taken. The Nature Center and Adventure Playground fees were included as part of a broader set of fee increases to address the projected Marina Fund deficit in a [presentation](#) to the Council Budget & Finance Policy Committee on October 28, 2025.²

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The proposed fee increases will support sustainability in these recreation programs which provide direct and indirect environmental benefits. Recreation programs connect the community with the environment, emphasize the importance of environmental stewardship, and teach youth and community members about our local environmental resources and how to preserve them.

CONTACT PERSON

Scott Ferris, Director, Parks, Recreation & Waterfront 510-981-6711

Attachments:

1. Resolution
 - Exhibit A: Recreation Fee Schedule
 - Exhibit B: Scholarships and Special Use Rental Policy
2. Recreation Fee Schedule: Current vs. Proposed
3. Recreation Fee Schedule: Fee Comparisons
4. Notice of Public Hearing

² See <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/2025-10-28%20Item%2003%20Marina%20Fund%20Update%20Presentation.pdf>.

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

CHANGES TO SELECTED RECREATION FACILITIES AND CAMPS PROGRAM FEES AND
RESCINDING RESOLUTION NO. 71,833-N.S

WHEREAS, on June 17, 2025, Council adopted the new Fee Schedule for Recreation Division programs (Resolution No. 71,833-N.S.); and

WHEREAS, the proposed Echo Lake Camp, Tuolumne Camp, and Berkeley Day Camp new fees and fee increases will provide additional revenue to the Camps Fund which will help cover the cost of delivering programs; and

WHEREAS, the facility and program fee increases will provide additional revenue to the General Fund (011), Camps Fund (125), and Marina Fund (608), which will help cover the cost of delivering services and maintaining facilities; and

WHEREAS, the Youth Works Accelerator program will provide for an expanded program offering to the Youthworks Internship Program in a fiscally responsible manner; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the rates and charges set forth in Exhibit A are hereby fixed and established for the Parks and Recreation programs and facilities and shall be effective January 21, 2026, unless otherwise noted in Exhibit A.

BE IT FURTHER RESOLVED that Resolution No. 71,833 N.S.; and all amendatory resolutions are hereby rescinded effective January 20, 2026.

Exhibits

A: Recreation Fee Schedule

B: Scholarships and Special Use Rental Policy

Resolution - Exhibit A: Recreation Fee Schedule
Effective January 21, 2026 (unless otherwise noted below)

Program Area	Unit of Measure	Resident	Non-Resident
I. DIRECTOR'S AUTHORITY TO IMPLEMENT NEW FEES			
The Director of Parks Recreation and Waterfront, or his/her designee, reserves the right to establish fees for new Recreation programs based on comparison with other municipalities.			
New Programs	Various	Up to \$450	Up to \$540
II. FACILITY RENTAL CHARGES			
1. Room Rentals: Regular Hours (1-Hour Minimum); Non-Regular Hours (2-Hour Minimum) James Kenney (JK), Live Oak (LO), Frances Albrier (FA), Martin Luther King (MLK), Willard (W)			
A. Youth, Senior, Disabled			
Regular Hours	Hour	\$49	\$59
Non-Regular Hours	Hour	\$65	\$78
B. All Other			
Auditorium (FA), Social Hall (LO), Community Room – Full (W)			
Regular Hours	Hour	\$80	\$96
Non-Regular Hours	Hour	\$100	\$120
Fireside Room (LO), Community Room (JK, YAP), Community Room – Half (W)			
Regular Hours	Hour	\$62	\$74
Non-Regular Hours	Hour	\$78	\$94
Game Room (MLK), Arts & Crafts Room (FA, JK, LO, YAP) Meeting Room (JK, LO, MLK, FA)			
Regular Hours	Hour	\$55	\$66
Non-Regular Hours	Hour	\$69	\$83
Outdoor Patio (W)	Hour	\$40	\$48
Outdoor Patio (W)	4-hours	\$150	\$180
C. Multi Room Discount			
2nd room	Rental	25% discount	25% discount
3rd room, each additional room	Rental	50% discount	50% discount
D. Gym Rentals (JK, MLK)			
Regular Hours	Hour	\$77	\$92

Program Area	Unit of Measure	Resident	Non-Resident
Non-Regular Hours	Hour	\$96	\$115
E. Filming Fee			
Parks and Facilities	½ Day	\$400	\$400
	Full Day	\$800	\$800
F. Surcharges			
Table & Chair Set-Up	Rental	\$63	\$76
Kitchen Use	Rental	\$86	\$103
Small Storage Room	Month	\$21	\$25
Large Storage Room	Month	\$31	\$37
Stage Use w/Room Rental	Hour	\$26	\$31
P/A system & staff operation	Hour	\$42	\$50
Cleaning/Damage Deposit All Rentals (Refundable)	Rental	\$200	\$200
2. City Athletic Fields			
A. Cedar Rose, Codornices, Glendale-La Loma, Grove, James Kenney, Ohlone, Rosa Parks, San Pablo, Thousand Oaks, Willard			
Youth non-profit leagues	2-Hours	\$36	\$43
Adults, for-profits, private schools	2-Hours	\$72	\$86
Maintenance Deposit		40% of Fee	40% of Fee
B. Gabe's Fields at Harrison Park, Natural Turf			
Youth non-profit leagues	2-Hours	\$36	\$43
Adults, for-profits, private schools	2-Hours	\$83	\$100
Youth, for-profits, private schools, with lights	2-Hours	\$66	\$80
Adults, for-profits, private schools, with lights	2-Hours	\$113	\$136
C. Gilman Fields, Natural Turf			
Youth non-profit leagues, no lights	2-Hours	\$36	\$43
Adults, for-profits, private schools, no lights	2-Hours	\$83	\$100
Youth non-profit leagues, with lights	2-Hours	\$66	\$80
Adults, for-profits, private schools, with lights	2- Hours	\$113	\$136
D. Gilman Fields, Synthetic Turf			
Youth non-profit leagues, no lights	2-Hours	\$50	\$60

Program Area	Unit of Measure	Resident	Non-Resident
Adults, for-profits, private schools, no lights	2-Hours	\$104.50	\$125.50
Youth non-profit leagues, with lights	2-Hours	\$80	\$96
Adults, for-profits, private schools, with lights	2- Hours	\$134.50	\$161.50
E. Sports Field User Fines (Policy Violations: Applicable to All Athletic Fields)			
Playing on Closed Grass Fields	1st Offense	\$250	\$250
	2nd Offense	\$500	\$500
Running practices in main goal areas	1st Offense within 12 mo	\$50	\$50
	2nd Offense within 12 mo	\$100	\$100
	3rd Offense within 12 mo	\$200	\$200
Dogs, Alcohol, Trash, Wheeled vehicles	Incident	\$100	\$100
Field Monitor	Hourly	\$25	\$25
F. Additional Rules (Applicable to All Athletic Fields)			
Weekday slots used before 3:30pm throughout the year are discounted 50%			
Weekday slots 5:30pm-7:00pm are charged as full two-hour slot			
All other slots are pro-rated in 30-minute increments			
3. Skate Park Rental			
Rental (includes 2 staff members)	Hour	\$250	\$300
Birthday Party Rental (includes 2 staff members & lesson)	Hour	\$350	\$420
Cleaning/Damage Deposit (refundable)	Rental	\$200	\$200
4. Outdoor Court Reservations			
Tennis Courts, Pickleball Courts, Basketball Courts			
A. Day Use			
Adult	Hour	\$8	\$10
Youth, Senior, Disabled	Hour	\$6	\$7
B. Night Use/Lighted Courts			
Adult	Hour	\$12	\$14
Youth, Senior, Disabled	Hour	\$10	\$12
C. Pickleball Courts (Striped, without nets)			
Adult	Hour	\$5	\$6

Program Area	Unit of Measure	Resident	Non-Resident
Youth, Senior, Disabled	Hour	\$4	\$5
5. Swim Centers (1-hour minimum) King Pool, West Campus Pool			
1-35 people	Hour	\$100	\$120
36-70 people	Hour	\$145	\$174
71-100 people	Hour	\$177	\$212
101-150 people	Hour	\$217	\$260
Cleaning/Damage Deposit (refundable)	Rental	\$200	\$200
6. Picnic Areas (4-hour minimum)			
Aquatic Park Area 1	4-hours	\$50	\$60
Aquatic Park Area 2	4-hours	\$54	\$65
Aquatic Park Area 3	4-hours	\$54	\$65
Aquatic Park Area 4	4-hours	\$54	\$65
Berkeley Way Mini Area 1	4-hours	\$33	\$40
Cedar Rose Area 1	4-hours	\$36	\$43
Cedar Rose Area 2	4-hours	\$36	\$43
Cedar Rose Area 3	4-hours	\$36	\$43
Cesar Chavez Area 1	4-hours	\$50	\$50
Cesar Chavez Area 2	4-hours	\$220	\$220
Cesar Chavez: Area 3	4-hours	\$70	\$70
Codornices Park Area 1	4-hours	\$83	\$100
Codornices Park Area 2	4-hours	\$66	\$79
Codornices Park Area 3	4-hours	\$50	\$60
Codornices Park Area 4	4-hours	\$50	\$60
Cragmont Area 1	4-hours	\$50	\$60
Cragmont Area 2	4-hours	\$50	\$60
Cragmont Area 3	4-hours	\$50	\$60
Glendale La Loma Area 1	4-hours	\$40	\$48
Greg Brown Park Area 1	4-hours	\$33	\$40
Grove Area 1	4-hours	\$50	\$60
Horseshoe Park 1	4-hours	\$75	\$75

Program Area	Unit of Measure	Resident	Non-Resident
James Kenney Area 1	4-hours	\$50	\$60
James Kenney Area 2	4-hours	\$50	\$60
John Hinkel Area 1	4-hours	\$40	\$48
John Hinkel Area 2	4-hours	\$50	\$60
King School Area 1	4-hours	\$33	\$40
Live Oak Park Areas 1	4-hours	\$66	\$79
Live Oak Park Areas 2	4-hours	\$66	\$79
Ohlone Park @ McGee Area 1	4-hours	\$50	\$60
San Pablo Park Area 1	4-hours	\$33	\$40
San Pablo Park Area 2	4-hours	\$33	\$40
San Pablo Park Area 3	4-hours	\$33	\$40
San Pablo Park Area 4	4-hours	\$33	\$40
San Pablo Park Area 5	4-hours	\$33	\$40
Strawberry Creek Area 1	4-hours	\$50	\$60
Strawberry Creek Area 2	4-hours	\$33	\$40
Shorebird Park Area 1	4-hours	\$75	\$75
Shorebird Park Area 2	4-hours	\$75	\$75
Shorebird Park Area 3	4-hours	\$45	\$45
Shorebird Park Area 4	4-hours	\$75	\$75
Willard Park Area 1	4-hours	\$50	\$60
Bounce House Permit	Per Use	\$30	\$36
7. Parks & Open Space (not athletic fields)			
A. Special Events			
1-99 Participants	Day	\$180	\$350
100-249 Participants	Day	\$270	\$500
250-499 Participants	Day	\$350	\$700
500+ Participants	Day	\$550	\$1,000
Cleaning/Damage Deposit (refundable)	Day	\$700	\$700
B. Special Events – Additional Days			
1-99 Participants	Day	\$170	\$340
100-249 Participants	Day	\$230	\$460

Program Area	Unit of Measure	Resident	Non-Resident
250-499 Participants	Day	\$250	\$600
500+ Participants	Day	\$450	\$900
C. John Hinkel Amphitheater			
Rental	4-hours	\$200	\$240
Each Additional Hour (after 4 hours)	Hour	\$75	\$90
Cleaning/Damage Deposit (refundable)	Rental	\$500	\$500
Add-on: Picnic Area 2 - Lower Level	4-hours	\$15	\$20
Multi-Day Discount – Applies to reservations that are greater than 3-days (Applies to the Full Permit)	4-hours	20% discount	20% discount
D. Camp Day Use Fee			
1-50 Participants	Day	\$50	\$50
51-100 Participants	Day	\$100	\$100
101-150 Participants	Day	\$150	\$150
E. Small Turf Areas in Parks (Ages 8 yrs & under; Mon-Fri only; Max 3 days per week)			
Aquatic Park, James Kenney Park, Live Oak Park, Ohlone Park	2-Hours	\$25	\$30
8. Weddings & Events (4-hour minimum)			
A. Rose Garden			
Rental	4-Hours	\$1,000	\$1,200
Each Additional Hour (after 4 hours)	Hour	\$170	\$204
Cleaning/Damage Deposit (refundable)	Rental	\$700	\$700
B. Cragmont, Live Oak Park			
Rental	4-Hours	\$450	\$540
Each Additional Hour (after 4 hours)	Hour	\$75	\$90
Cleaning/Damage Deposit (refundable)	Rental	\$350	\$350
C. John Hinkel (Outside Areas)			
Rental	Hour	\$450	\$540
Each Additional Hour (after 4 hours)	Hour	\$75	\$90
Cleaning/Damage Deposit (refundable)	Rental	\$350	\$350
Add-on: Picnic Area 2 - Lower Level	4-hours	\$15	\$20
Multi-Day Discount – Applies to reservations that are greater than 3-days (Applies to the Full Permit)	4-hours	20% discount	20% discount

Program Area	Unit of Measure	Resident	Non-Resident
D. Horseshoe Park (Small Park)			
Rental	4-Hours	\$450	\$540
Each Additional Hour (after 4 hours)	Hour	\$75	\$90
Cleaning/Damage Deposit (refundable)	Rental	\$350	\$350
E. Old Ferry Dock			
Rental	4-Hours	\$450	\$540
Each Additional Hour (after 4 hours)	Hour	\$75	\$90
Cleaning/Damage Deposit (refundable)	Rental	\$350	\$350
F. Spinnaker Way Vista			
Rental	4-Hours	\$750	\$750
Each Additional Hour (after 4 hours)	Hour	\$170	\$170
Cleaning/Damage Deposit (refundable)	Rental	\$700	\$700
G. Yacht Club Point			
Rental	4-Hours	\$750	\$750
Each Additional Hour (after 4 hours)	Hour	\$170	\$170
Cleaning/Damage Deposit (refundable)	Rental	\$700	\$700
9. Mini-Amphitheater/Outdoor Classroom (4-hour minimum)			
Codornices Park #A1 (Next to Picnic Site #2)	4-hours	\$40	\$48
Live Oak Park #A1	4-hours	\$50	\$60
Shorebird Park #A1 (Near Nature Center Playground)	4-hours	\$50	\$50
III. SWIM CENTER FEES			
1. Admissions			
Lap Swim, Family Swim, Recreation Swim, Independent Exercise			
Adult (Drop-in)	Swim	\$7	\$8
Adult (10-Swim Card)	10-Swims	\$58	\$70
Adult (Monthly)	Month	\$85	\$102
Youth, Senior, Disabled (Drop-In)	Swim	\$4	\$5
Youth Senior Disabled (10-Swim Card)	10-Swims	\$33	\$40
Youth Senior Disabled (Monthly Card)	Month	\$49	\$60
2. Red Cross Swim Sessions			
A. Group Lessons (Subsidized)			

Program Area	Unit of Measure	Resident	Non-Resident
Adult	4-Class Session	\$40	\$48
Adult	8-Class Session	\$79	\$95
Youth, Senior, Disabled	4-Class Session	\$38	\$46
Youth, Senior, Disabled	8-Class Session	\$76	\$91
B. Group Lessons (Cost Recovery)			
Adult	4-Class Session	\$48	\$58
Adult	8-Class Session	\$96	\$115
Youth, Senior, Disabled	4-Class Session	\$44	\$53
Youth, Senior, Disabled	8-Class Session	\$88	\$106
C. Organized Youth Groups (Residents Only)			
10-15 participants	Session	\$65	\$65
16-21 participants	Session	\$62	\$62
22-32 participants	Session	\$54	\$54
33-43 participants	Session	\$48	\$48
44-54 participants	Session	\$39	\$39
55+ participants	Session	\$37	\$37
3. Premium Classes Continuous & Coached Workouts: Water Aerobics, Parent/Tot, Stroke Technique, Master Swim			
Adult (Drop-in)	Swim	\$8	\$10
Adult (10-Swim Card	10-Swims	\$75	\$90
Adult (Monthly)	Month	\$94	\$113
Youth, Senior, Disabled (Drop-In)	Swim	\$6	\$7
Youth Senior Disabled (10-Swim Card)	10-Swims	\$56	\$67
Youth Senior Disabled (Monthly Card)	Session	\$70	\$84
4. Private Swim Lessons (1/2 hour session)			
Individual (One-on-One)	Lesson	\$30	\$36
Semi-Private Lesson (2 or more Participants)	Lesson	\$50	\$60
IV. RECREATION PROGRAMS			
1. Sports			
A. Adult Softball League			

Program Area	Unit of Measure	Resident	Non-Resident
4 Game Season	Team	\$376	\$451
8 Game Season	Team	\$752	\$902
10 Game Season	Team	\$940	\$1,128
B. Adult Basketball League			
8 Game Season	Team	\$800	\$960
	Individual	\$120	\$144
10 Game Season	Team	\$1,000	\$1,200
	Individual	\$150	\$180
C. Adult Volleyball League			
8 Game Season	Team	\$360	\$432
10 Game Season	Team	\$450	\$540
12 Game Season	Team	\$540	\$648
15 Game Season	Team	\$675	\$810
D. Open Gym Volleyball			
Drop-In	Drop-In	\$5	\$5
E. Youth Baseball			
Individual	Session	\$51	\$61
F. Youth Hoops League			
Individual	Session	\$100	\$120
G. Youth Twilight Basketball			
Individual	Session	\$27	\$32
H. Youth Flag Football League			
Individual	Session	\$30	\$36
I. Tennis Lessons			
Youth	Session	\$73	\$88
Adult	Session	\$107	\$128
J. Skate Park Lessons & Classes			
Full Day	Session	\$258	\$310
1/2 Day Camp	Session	\$195	\$234
Park Introduction	Session	\$11	\$13
Trick Clinic	Session	\$11	\$13

Program Area	Unit of Measure	Resident	Non-Resident
Private Lessons	Hour	\$43	\$52
Group Lessons	Session	\$108	\$130
2. Programs at Centers			
A. After School Program (Subsidized)			
Transitional Kindergarten/Kindergarten	Day	\$14	\$17
1 st Grade – 5 th Grade	Day	\$12	\$14
B. After School Program (Cost Recovery)			
Transitional Kindergarten/Kindergarten	Day	\$18	\$22
1 st Grade – 5 th Grade	Day	\$16	\$19
C. Summer Fun Camps			
Core	Session	\$165	\$198
AM Extended Care	Session	\$27.50	\$33
PM Extended Care	Session	\$82.50	\$99
3. Waterfront Programs			
A. Adventure Playground			
Child Admission (anyone between 1 and 14 years old)	Day	\$5	N/A
Group size 5-10	2-hours	\$75	N/A
Group size 11-20	2-hours	\$105	N/A
Group size 21-30	2-hours	\$158	N/A
Group size 31-40	2-hours	\$210	N/A
B. Education Programs			
Naturalist Classroom Program	3-hours	\$300	N/A
Naturalist Classroom Program	1-hour	\$100	N/A
Docent Training	Session	\$65	N/A
C. Nature Center & Adventure Playground Rentals			
AP Birthday Party Package	2-hours	\$325	N/A
AP Birthday Party Package Add-On	1-hour	\$150	N/A
Naturalist Birthday Party Package	3-hours	\$425	N/A

Program Area	Unit of Measure	Resident (as of 1/21/2026)	Resident (as of 1/1/2027)	Non-Resident (as of 1/21/2026)	Non-Resident (as of 1/1/2027)
V. Camp Programs					
1. Berkeley Day Camp					
Youth Core Program	5-Day	\$310	\$326	\$373	\$392
AM Extended Care	5-Day	\$66	\$69	\$78	\$82
PM Extended Care	5-Day	\$101	\$107	\$122	\$128
Counselor-In-Training	10-Day	\$251	\$263	\$300	\$315
Cancelled Reservation	Session	25% of reservation not to exceed \$150			
2. Echo Lake Camp					
A. 50 & Better Camp					
50 & Better Camp Tent (up to 2 campers)	5-Day	\$818		\$981	
50 & Better Camp Tent (up to 2 campers)	4-Day	\$650		\$780	
50 & Better Camp Tent (up to 2 campers)	Weekend	\$515		\$618	
50 & Better Camp Additional Camper	1-Day	\$55		\$66	
B. Counselor-In-Training					
Counselor-In-Training	2-Week	\$517	\$543	\$622	\$653
Counselor-In-Training	1-Week	\$355	\$373	\$428	\$449
C. Family Camp Sessions					
Full-Week Standard Tent (up to 3 campers)	7-Day	\$1,843		\$2,212	
Full-Week Low-Occupancy Tent	7-Day	\$1,595		\$1,914	
Nightly Rate: Mon, Tues, or Wed	1-Night	\$450		\$540	
Weekend Standard Tent (up to 3 campers)	4-Day	\$1,397		\$1,676	
Weekend Low-Occupancy Tent	4-Day	\$1,226		\$1,471	
Mid-Week Standard Tent (up to 3 campers)	4-Day	\$1,210		\$1,452	
Mid-Week Low-Occupancy Tent	4-Day	\$1,062		\$1,274	
Additional Camper Fee (1-Day)	1-Day	\$90		\$108	
Additional Camper Session-Based Daily Rate	1-Day	\$80		\$96	
D. Day Use Fees					
Adult (15+) Day Use	1-Day	\$108		\$129.60	
Youth (7-14) Day Use	1-Day	\$72		\$86.40	
Child (3-6) Day Use	1-Day	\$54		\$64.80	

Program Area	Unit of Measure	Resident (as of 1/21/2026)	Resident (as of 1/1/2027)	Non-Resident (as of 1/21/2026)	Non-Resident (as of 1/1/2027)
E. Group Rental Rates					
Adult (15+)	1-Day	\$85		\$102	
Youth (7-14)	1-Day	\$71.50		\$85.80	
Child (3-6)	1-Day	\$52.80		\$63.36	
Infant (0-3)	1-Day	\$0		\$0	
Cleaning / Damage Deposit	Rental	\$2,000.0		\$2,000	
F. New Camper Welcome Weekend	Weekend	\$195		\$234	
G. School Outdoor Education					
Teachers & Adult Chaperones	1-Day	\$60		\$72	
Youth Participants	1-Day	\$45		\$54	
H. Work Weekend	Weekend	\$0		\$0	
I. Youth Camp					
6-Day Program	6-Days	\$930	\$977	\$1,116	\$1,172
J. Wedding Rental					
Wedding Rental	4-Hours	\$750		\$900	
Wedding Rental - Each Additional Hour (after 4 hours)	Hour	\$125		\$150	
Cleaning / Damage Deposit	Rental	\$2,000		\$2,000	
K. Backpacking Program					
Beginning Backpacking	6-Day	\$1,275	\$1,339	\$1,529	\$1,605
Advanced Backpacking	6-Day	\$1,680	\$1,764	\$2,016	\$2,117
Adult Backpacking	4-Day	\$600	\$660	\$720	\$792
3. Tuolumne Camp					
A. 50 & Better Camp					
50 & Better Camp Tent (up to 2 campers)	5-Day	\$1,008		\$1,210	
50 & Better Camp Tent (up to 2 campers)	4-Day	\$806		\$967	
50 & Better Camp Tent (up to 2 campers)	Weekend	\$605		\$726	
50 & Better Camp Additional Camper per day	1-Day	\$60		\$72	
B. Leaders-In-Training (LIT)	4-Day	\$941		\$1,129	
C. Counselor-In-Training (CIT)					
Counselor-In-Training	2-Week	\$537	\$614	\$645	\$677

Program Area	Unit of Measure	Resident (as of 1/21/2026)	Resident (as of 1/1/2027)	Non-Resident (as of 1/21/2026)	Non-Resident (as of 1/1/2027)
Counselor-In-Training	1-Week	\$355	\$373	\$428	\$449
D. Family Camp					
Full-Week Standard Tent (up to 3 campers)	1-Week	\$2,195		\$2,633	
Full-Week Low-Occupancy Tent	1-Week	\$1,887		\$2,264	
Weekend Standard Tent (up to 3 campers)	4-Day	\$1,664		\$1,997	
Weekend Low-Occupancy Tent	4-Day	\$1,459		\$1,751	
Mid-Week Standard Tent (up to 3 campers)	4-Day	\$1,430		\$1,716	
Mid-Week Low Occupancy Tent	4-Day	\$1,210		\$1,452	
Nightly Rate: Mon, Tues, or Wed	1-Day	\$525		\$630	
E. Family Camp Day Use Fees					
Adult (15+) Day Use	1-Day	\$135		\$162	
Youth (7-14) Day Use	1-Day	\$90		\$108	
Child (3-6) Day Use	1-Day	\$68		\$81.60	
Additional Camper Fee (1-Day)	1-Day	\$100		\$120	
Additional Camper Session-Based Daily Rate	1-Day	\$90		\$108	
F. Group Rental Rates					
Adult (15+)	1-Day	\$110		\$132	
Youth (7-14)	1-Day	\$93		\$111.60	
Child (3-6)	1-Day	\$78		\$93.60	
Infant (0-3)	1-Day	\$0		\$0	
Cleaning / Damage Deposit	Rental	\$2,000		\$2,000	
G. New Camper Welcome Weekend	Weekend	\$195		\$234	
H. School Outdoor Education					
Adult Chaperones	1-Day	\$75		\$90	
Youth Participants	1-Day	\$56		\$67.20	
I. Work Weekend	Weekend	\$0		\$0	
J. Youth Camp					
5-Day Program	5-Day	\$840		\$1,008	
6-Day Program	6-Day	\$1,008		\$1,210	
7-Day Program	7-Day	\$1,176		\$1,411	

Program Area	Unit of Measure	Resident (as of 1/21/2026)	Resident (as of 1/1/2027)	Non-Resident (as of 1/21/2026)	Non-Resident (as of 1/1/2027)
Per Day Fee	1-Day	\$168		\$202	
K. Wedding Rental					
Wedding Rental	4-Hour	\$1,000		\$1,200	
Wedding Rental - Each Additional Hour (after 4 hours)	Hour	\$150		\$180	
Cleaning / Damage Deposit	Rental	\$2,000		\$2,000	
4. Resident Camp Surcharges					
Family Camp Program Deposit Payment (Non-Refundable)	Reservation	\$500 per reservation			
Late Fee	Reservation	\$75 per reservation if balance is not paid by dates specified			
Changes to Reservation resulting in reduction in length of stay (30 days or more before arrival)	Reservation	\$100			
Cancel Reservation (30 days or more before arrival)	Reservation	25% of reservation not to exceed \$150 (after \$500 non-refundable deposit)			
Cancel Reservation (due to emergency or illness, with Doctor's Letter)	Reservation	No Charge			

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
VI. Youth Works Program					
1. Accelerator Program					
Summer Intern at Business Site	7-Weeks	-	Up to \$2,500	N/A	N/A

Resolution - Exhibit B: Scholarships and Special Use Rental Policy
Effective January 21, 2026

I. Scholarships/Low-Income Fee Support

Eligibility

Scholarships are available to Berkeley Residents who meet Federal low-income guidelines. The City of Berkeley offers partial (50%) or full (100%) scholarships to Berkeley Residents for a wide variety of Recreation Division Programs. Scholarship eligibility is based upon Housing and Urban Development (HUD) income thresholds, and applicants must submit documents to verify their proof of residency and gross household income or submit a low-income affidavit form to qualify.

- **100% Scholarship:** Applicants must meet HUD's current "Very Low Income Limits."
- **50% Scholarship:** Applicants must meet HUD's current "Very Low Income Limits" plus the difference between the "Low Income Limits" and the "Very Low Income Limits."

The most up-to-date version of HUD's Income Limits can be found here:

<https://www.huduser.gov/portal/datasets/il.html>

Annual Renewal Process

Following initial approval for a scholarship, applicants must renew their scholarship eligibility annually by submitting current proof of Berkeley residency and income. City of Berkeley Recreation Administration Staff will reach out to scholarship recipients annually to request renewal documentation.

II. Special Use Rental Policy

1. A primary goal of the City's Community Centers is to become a "hub" of resources and referrals for neighborhoods by establishing a relationship of mutual support and trust. Through this trust, we promote safe neighborhoods and opportunities for families and youth to be engaged in activities that enhance the community and support the goals of the Parks Recreation and Waterfront Department. Each year the Parks Recreation and Waterfront Department receives numerous requests from community groups to meet at its Community Centers as well as the Berkeley Marina Conference Room for no fee. As a way to cultivate community relationships and respond to community requests for free meeting space, the City has created a policy whereby qualified local groups (e.g., neighborhood, Community Agency Contract, or non-profit groups that comply with this policy) are allowed to hold meetings, free of charge, at the City's

Community Centers and the Berkeley Marina Conference Room during normal business hours.

2. **Application Process**

A completed application and attachments must be submitted before a reservation is confirmed. Groups applying for a Special Use Rental must support and benefit the goals of the City of Berkeley Parks Recreation and Waterfront Department ("PRW"). The department is committed to administering excellent recreation programs at our community centers, camps, marina and parks; developing new programs that improve access for 18 Exhibit B historically underserved participants; maintaining our trees and municipal urban forest, landscaping and infrastructure; and, developing Capital Projects with community input to improve and enhance residents' park and facility experience.

All interested groups must submit a completed Special Use Rental application on an annual basis, with all of the following attached:

- Proof that membership has approved meetings (either by providing a Board resolution, Agendas, or Minutes).
- A \$200 Cleaning/Damage Deposit (Refundable).
- A written statement that the group/non-profit organization does not discriminate on the basis of race, color, religion, ancestry, national origin, age, sex, sexual orientation, marital status, political affiliation, veterans' status, disabilities (physical and mental), and medical condition (including cancer and HIV status).
- A written statement describing the group's goals and how they support and benefit the goals of the City of Berkeley Parks Recreation and Waterfront Department.

In addition to the above requirements that apply to all interested groups, Community Agency Contract and non-profit groups must also submit:

- List of membership roster with names, addresses, and phone numbers
- Proof of non-profit status (required for non-profit groups)
- At least 14 days before the date of the first meeting, qualified groups must provide a valid Certificate of Insurance (COI) containing the City's minimum liability requirements, and naming the city of Berkeley as additional insured on separate Endorsement. This COI must cover all of the group's reserved dates for the year. If the COI is not provided at least 14 days prior to the first reserved date, the reservation will be cancelled.

PRW will not begin to review the application until the application is complete, including all required information and attachments. A reservation is not confirmed until the applicant receives written notice of approval from PRW.

Applications may be picked up at: 1) any Recreation Center; 2) Recreation Division Office, 1720 8th St., Berkeley, CA 94710; 3) Berkeley Marina Office; or 4) City of Berkeley website: www.cityofberkeley.info/parks.

Approval of applications is at the discretion of the Recreation and Youth Services Manager or designee; a decision denying the application is final and not subject to appeal. If PRW denies the fee waiver application, the interested group may apply to rent the room for the standard fee.

Qualified Groups: In order to qualify for this policy, groups must comply with all of the requirements set forth above in section I. In addition, groups must support and benefit the goals of the City of Berkeley Parks Recreation and Waterfront Department and groups must be one of the following:

- Neighborhood Groups: Any group living in a specific area of Berkeley that comes together to either exchange ideas for neighborhood improvement and community building, or to help solve neighborhood problems or issues.
- Non-profit Groups: Any organized non-profit group that meets at least quarterly.
- Community Agency Contract Groups: Any City of Berkeley Community Agency Contract group that serves youth under 18 years of age.

There must be adult leaders, advisors and/or chaperones attending each meeting.

3. Limitations

- Qualified groups may hold a regular meeting of up to two hours at a specified meeting room in a Community Center or the Marina Conference Room for up to eight (8) times per year during regular operating hours.
- Exception: The Community Room, Auditorium, or Social Hall at each Community Center may be used for one additional "larger scale" meeting, such as a banquet or social event, each year.
- Meetings must be open to the public.
- Regular Business Operating Hours are when the Community Center or Marina Office is open (Hours may vary for each facility based on its regular schedule of use).

- Qualified groups may not conduct the following activities: for-profit business or commercial activities; campaign activities; private instruction; or fundraising (unless fundraising proceeds are devoted solely to municipal recreation and park improvements, which must be demonstrated with a written request to the Recreation and Youth Services Manager/designee).
- A reservation for the qualified group may be scheduled a maximum of 180 days in advance and a minimum of 14 days in advance, and must not conflict with ongoing programs, paid rentals, or classes.
- A qualified group is required to do set-up, takedown and clean up.
- Any additional fees other than the waived rental fee (e.g., kitchen use, stage, setup/take down, etc.) shall apply and are the sole financial responsibility of the qualified group.
- The City has the right to cancel a reservation at any time.
- Groups cancelling a reservation must give at least 72-hours-notice. If proper notice of cancellation is not given, the City reserves the right to revoke the group's reservations for the entire year, or any part of the year. The City may revoke the group's reservations for the entire year, or any part of the year for any of the following reasons: if the group fails to abide by any of the information in its application; the group fails to comply with any of the Rules and Regulations of the City's Facility Rental Policy.

ATTACHMENT 2: Recreation Fee Schedule: Current vs. Proposed

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
II. FACILITY RENTAL CHARGES					
1. Room Rentals: Regular Hours (1-Hour Minimum); Non-Regular Hours (2-Hour Minimum)					
James Kenney (JK), Live Oak (LO), Frances Albrier (FA), Martin Luther King (MLK), Willard (W)					
A. Youth, Senior, Disabled					
Regular Hours	Hour	\$41	\$49	\$49	\$59
Non-Regular Hours	Hour	\$61	\$65	\$73	\$78
B. All Other					
Auditorium (FA), Social Hall (LO), Community Room – Full (W)					
Regular Hours	Hour	\$67	\$80	\$80	\$96
Non-Regular Hours	Hour	\$82	\$100	\$98	\$120
Fireside Room (LO), Community Room (JK, YAP), Community Room – Half (W)					
Regular Hours	Hour	\$52	\$62	\$62	\$74
Non-Regular Hours	Hour	\$67	\$78	\$80	\$94
Game Room (MLK), Arts & Crafts Room (FA, JK, LO, YAP) Meeting Room (JK, LO, MLK, FA)					
Regular Hours	Hour	\$46	\$55	\$55	\$66
Non-Regular Hours	Hour	\$62	\$69	\$74	\$83
D. Gym Rentals (JK, MLK)					
Regular Hours	Hour	\$64	\$77	\$77	\$92
Non-Regular Hours	Hour	\$75	\$96	\$90	\$115
IV. RECREATION PROGRAMS					
1. Sports					
F. Youth Hoops League					
Individual	Session	\$30	\$100	\$36	\$120
2. Programs at Centers					
C. Summer Fun Camps					
Core	Session	\$150	\$165	\$180	\$198
AM Extended Care	Session	\$25	\$27.50	\$30	\$33

Changes to Selected Recreation Facilities and Camps Program Fees

PUBLIC HEARING
January 20, 2026

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
PM Extended Care	Session	\$75	\$82.50	\$90	\$99
3. Waterfront Programs					
B. Education Programs					
Naturalist Classroom Program	3-hours	\$200	\$300	N/A	N/A
Naturalist Classroom Program	1-hour	\$65	\$100	N/A	N/A
C. Nature Center & Adventure Playground Rentals					
AP Birthday Party Package	2-hours	-	\$325	N/A	N/A
AP Birthday Party Package Add-On	1-hour	-	\$150	N/A	N/A
Naturalist Birthday Party Package	3-hours	-	\$425	N/A	N/A

Program Area	Unit of Measure	Resident (Current)	Resident (as of 1/21/2026) (Proposed)	Resident (as of 1/1/2027) (Proposed)	Non-Resident (Current)	Non-Resident (as of 1/21/2026) (Proposed)	Non-Resident (as of 1/1/2027) (Proposed)
V. Camp Programs							
1. Berkeley Day Camp							
Youth Core Program	5-Day	\$282	\$310	\$326	\$339	\$373	\$392
AM Extended Care	5-Day	\$60	\$66	\$69	\$71	\$78	\$82
PM Extended Care	5-Day	\$92	\$101	\$107	\$111	\$122	\$128
Counselor-In-Training	10-Day	\$228	\$251	\$263	\$273	\$300	\$315
2. Echo Lake Camp							
B. Counselor-In-Training							
Counselor-In-Training	2-Week	\$470	\$517	\$543	\$565	\$622	\$653
Counselor-In-Training	1-Week	\$323	\$355	\$373	\$389	\$428	\$449
I. Youth Camp							
6-Day Program	6-Days	\$846	\$930	\$977	\$1,015	\$1,116	\$1,172
K. Backpacking Program							
Adult Backpacking	4-Day	-	\$600	\$660	-	\$720	\$792
3. Tuolumne Camp							
C. Counselor-In-Training (CIT)							

Changes to Selected Recreation Facilities and Camps Program Fees

PUBLIC HEARING
January 20, 2026

Program Area	Unit of Measure	Resident (Current)	Resident (as of 1/21/2026) (Proposed)	Resident (as of 1/1/2027) (Proposed)	Non-Resident (Current)	Non-Resident (as of 1/21/2026) (Proposed)	Non-Resident (as of 1/1/2027) (Proposed)
Counselor-In-Training	2-Week	\$488	\$537	\$614	\$586	\$645	\$677
Counselor-In-Training	1-Week	\$323	\$355	\$373	\$389	\$428	\$449

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
VII. Youth Works Program					
2. Accelerator Program					
Summer Intern at Business Site	7-Weeks	-	Up to \$2,500	N/A	N/A

ATTACHMENT 3: Recreation Fee Schedule: Fee Comparisons**Table 1: Adventure Playground Birthday Party Package – Per Hour**

Note: This analysis compares the fee per hour for birthday parties at a destination park with rental space both in Berkeley and in the surrounding cities. City of Berkeley's Recreation proposes to offer a new program.

Agency	Fee (Per Hour)
Tilden Merry Go Round	\$120.00
<i>City of Berkeley (Proposed)</i>	<i>\$162.50</i>
Swings and Wings (Indoor Trampolines)	\$183.75
Sticky Art Lab	\$190.00
Fairyland	\$205.00

Table 2: Naturalist Birthday Party Package – Per Hour Comparison

Note: This analysis compares the fee per hour for birthday party packages with a naturalist program and rental space in the surrounding cities. City of Berkeley's Recreation proposes to offer a new program.

Agency	Fee (Per Hour)
Sulphur Creek Nature Center – Hayward (HARD)	\$140.00
<i>City of Berkeley – Cost Recovery (Proposed)</i>	<i>\$142.00</i>
Lindsey Wildlife Museum	\$220.00
Chabot Space & Science Center	\$240.00
CuriOdyssey	\$312.00
Aquarium of the Bay	\$425.00
Things that Creep	\$499.00

Table 3: Naturalist Classroom Program

Note: This analysis compares the rates per hour for naturalist programs at a nature (or science center) for groups.

Agency	Fee (Per Hour)
<i>City of Berkeley – Cost Recovery (Current)</i>	<i>\$65.00</i>
<i>City of Berkeley – Cost Recovery (Proposed)</i>	<i>\$100.00</i>
Hayward – HARD (Wetland Ecology)	\$119.00
KIDS for the Bay	\$125.00
Chabot Space & Science Center	\$150.00
CuriOdyssey	\$156.25
Hayward - HARD (Naturalist)	\$165.00
Lindsey Wildlife Museum	\$188.00

Table 4: Auditorium/Social Hall/Willard Community Room – Per Hour Fee Comparison

Note: This analysis compares the fees per hour at similarly sized auditoriums, social halls, and community room spaces in Berkeley and in the surrounding cities.

Agency	Resident Rate	Non-Resident Rate
City of Berkeley (Current)	\$67	\$80
City of Berkeley (Proposed)	\$80	\$96
City of Oakland (DeFremery Social Hall)	\$90	\$90
City of Oakland (Arroyo Social Hall)	\$120	\$140
City of Albany	\$132	\$171
City of Piedmont – Veteran’s Memorial Building	\$135	\$213
City of Richmond – Nevin Community Center	\$139	\$139
City of Richmond – Richmond Rec. Complex	\$158	\$158
City of Piedmont – Community Hall	\$176	\$407
City of El Cerrito	\$231	\$231
City of Lafayette – Live Oak Room	\$250	\$250
City of Lafayette – Jennifer Russell	\$275	\$275

Table 5: Fireside Room/Community Room/Willard Community Room (Half) – Per Hour Fee Comparison

Note: This analysis compares the fees per hour at similarly sized community room spaces in Berkeley and in the surrounding cities.

Agency	Resident Rate	Non-Resident Rate
City of Oakland – Bushrod	\$50	\$60
City of Berkeley (Current)	\$52	\$62
City of Berkeley (Proposed)	\$62	\$74
City of Oakland – Charles Porter Multipurpose	\$65	\$80
City of Oakland – Carmen Flores	\$75	\$75
City of Albany	\$78	\$78
City of Lafayette – Sequoia Room	\$100	\$100
City of Richmond	\$104	\$104
City of El Cerrito	\$117	\$117

Table 6: Game Room/Arts & Crafts/Meeting Rooms – Per Hour Fee Comparison

Note: This analysis compares the fees per hour at similarly sized community room spaces in Berkeley and in the surrounding cities.

Agency	Resident Rate	Non-Resident Rate
City of Oakland – Carmen Flores Meeting Room	\$40	\$50
City of Oakland – deFremery	\$40	\$50
City of Berkeley (Current)	\$46	\$55
City of Berkeley (Proposed)	\$55	\$66
City of Albany	\$58	\$58
City of Richmond	\$83	\$83
City of El Cerrito	\$94	\$94
City of Lafayette	\$100	\$100

Table 7: Gymnasium – Per Hour Fee Comparison

Note: This analysis compares the fees per hour at similarly sized gymnasiums in Berkeley and in the surrounding cities.

Agency	Resident Rate	Non-Resident Rate
BUSD – Other Gyms	\$54	\$54
City of Oakland (Practices)	\$60	\$80
<i>City of Berkeley (Current)</i>	\$64	\$77
<i>City of Berkeley (Proposed)</i>	\$77	\$92
Berkeley Youth Alternatives	\$85	\$125
City of Oakland (Games)	\$125	\$145
City of Richmond (Social Rentals)	\$150	\$150
UC Berkeley	\$200	\$200
BUSD – BHS Gym	\$202	\$202
City of Richmond (Sports Rentals)	\$259	\$259

Table 8: Youth Camp Program Fees – Per Session Comparison

Note: This analysis compares the per camper rate for a Youth Camp Enrollment during primary program periods for a 6-day, 5-night session. Other camps have varied schedule models and fees have been adapted for comparative purposes. Where camps include additional surcharges or operational fees in addition to the base rate, such rates have been calculated for comparison. Session fees are pro-rated or extended where applicable.

Agency	Fee
YMCA Camp Ravencliffe	\$638
<i>Berkeley Echo Lake Camp (Current)</i>	\$846
YMCA Camp Loma Mar	\$925
<i>Berkeley Echo Lake Camp (Proposed)</i>	\$930
Cazadero (Young Musicians)	\$1,110
Camp Concord	\$1,500
Sierra Nevada Journeys	\$1,250
Camp Winnarainbow (1 week)	\$1,375
Camp Augusta	\$2,014
Mountain Camp	\$2,600

Table 9: Counselor-In-Training – Per Session Comparison for Echo Lake

Note: This analysis compares the per camper rate for a Counselor-In-Training Program during primary program periods for one week, two-week and three-week sessions.

Agency	Fee
<i>Berkeley Echo Lake Camp (One Week; Current)</i>	\$323
<i>Berkeley Echo Lake Camp (One Week; Proposed)</i>	\$355
<i>Berkeley Echo Lake Camp (Two Week; Current)</i>	\$494
<i>Berkeley Echo Lake Camp (Two Week; Proposed)</i>	\$593
Camp Concord (One Week)	\$1,050
Sierra Nevada Journeys (Two Week)	\$2,500
Mountain Camp (Two Week)	\$5,350
Camp Winnarainbow (Two Week)	\$1,375

Table 10: Counselor-In-Training – Per Session Comparison for Berkeley Tuolumne Camp

Note: This analysis compares the per camper rate for a Counselor-In-Training Program during primary program periods for one week, two-week and three-week sessions.

Agency	Fee
<i>Berkeley Tuolumne Camp (One Week; Current)</i>	\$323
<i>Berkeley Tuolumne Camp (One Week; Proposed)</i>	\$355
<i>Berkeley Tuolumne Camp (Two Week; Current)</i>	\$488
<i>Berkeley Tuolumne Camp (Two Week; Proposed)</i>	\$537
Camp Krem (10-Days)	\$800
Camp Concord (One Week)	\$1,050
Sierra Nevada Journeys (Two Week)	\$2,500
Camp Tawonga (Four Week)	\$6,995

Table 11: Day Camp Program Fees- Per Session Comparison

Note: This analysis compares the per session rate for a single Day Camp Enrollment during primary program periods for a 5-day session Monday through Friday. Agencies are all comparative in hours of services, activities and locations provided per registration.

Agency	Fee
<i>Berkeley Day Camp (Current)</i>	\$282
<i>Berkeley Day Camp (Proposed)</i>	\$310
Alameda Recreation and Parks Department	\$340
Camp JCAS	\$450
MOCHA	\$450
UC Berkeley Summer Camps	\$472
CAMP 510	\$525
Galileo Camp	\$525
Kids for the Bay Summer Camp	\$540
Sees the Day Summer Camp	\$550
Redwood Day	\$575
Steve & Kate's Camp	\$620
Monkey Business	\$669

Table 12: Day Camp Counselor-In-Training Program Fees- Per Session Comparison

Note: This analysis compares the per session rate for a single Day Camp Counselor-in-Training Program Enrollment during primary program periods for 5-day sessions, Monday through Friday. Agencies are all comparative in hours of services, activities and locations provided per registration.

Agency	Program Length	Fee
<i>Berkeley Day Camp (Current)</i>	<i>5-Day</i>	<i>\$114</i>
<i>Berkeley Day Camp (Proposed)</i>	<i>5-Day</i>	<i>\$125.50</i>
Camp 510	5-Day	\$225
Sees The Day Summer Camp	5-Day	\$300
Monkey Business	5-Day	\$309
Redwood Day	5-Day	\$400
UC Berkeley Summer Camp	5-Day	\$431
Camp JCAS	5-Day	\$450
Steve & Kate's Camp	5-Day	\$470
Kids for the Bay	5-Day	\$490
Galileo Camp	5-Day	\$560

Table 13: Youth Hoops League Fees – Per Session Comparison

Note: This analysis compares the total combined fee for Youth Basketball games during primary program periods for Winter and Spring play. Other Youth Basketball Sports programs have fee models that differ from the City of Berkeley's, which may include various league play, recovery surcharges, and or other special accommodations. This analysis assumes base Youth Basketball program accommodations. Game fees are pro-rated or extended where applicable.

Agency	Fee
<i>Youth Hoops League (Current)</i>	<i>\$30</i>
<i>Youth Hoops League (Proposed)</i>	<i>\$100</i>
Hayward (HARD)	\$167
City of Dublin (Jr. Warriors)	\$191
City of San Ramon	\$199
City of Concord	\$209
City of Albany	\$225
City of Pleasanton	\$286
City of San Jose	\$375
Walnut Creek Youth Athletic Association	\$395

Table 14: Summer Fun Camp Program Fees- Per Session Comparison

Note: This analysis compares the per session rate for a single Summer Fun Camp enrollment during primary program periods for a 5-day session Monday through Friday. Agencies are all comparative in hours of services, activities and locations provided per registration.

Agency	Fee
City of San Pablo	\$90
<i>Summer Fun Camp (Current)</i>	<i>\$150</i>
Oakland Town Camp	\$158
<i>Summer Fun Camp (Proposed)</i>	<i>\$165</i>
City of Hercules (Adventures Unlimited)	\$188
City of Emeryville	\$194
City of Richmond	\$207
Friendship Summer Camp (Albany)	\$390

Table 15: Adult Backpacking Fees - Per Session Comparison

Note: This analysis compares the per camper rate for Adult Backpacking Programs operating in the Sierra Nevada.

Agency	Fee
<i>City of Berkeley (Proposed)</i>	<i>\$600</i>
Sierra Club Outings	\$925
Sierra Mountain Trekking	\$1,150
Wildland Trekking	\$1,660

NOTICE OF PUBLIC HEARING

BERKELEY CITY COUNCIL CHANGES TO SELECTED RECREATION FACILITIES AND CAMPS PROGRAM FEES

The public may participate in this hearing by remote video or in-person.

Notice is hereby given by the City Council of the City of Berkeley that a public hearing will be conducted by said city council of the City of Berkeley at which time and place all persons may attend and be heard upon the following:

The Department of Parks, Recreation & Waterfront is proposing to increase selected fees and policies, as contained in the attached Recreation Fee and Policy Schedule and excerpted below:

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
II. FACILITY RENTAL CHARGES					
1. Room Rentals: Regular Hours (1-Hour Minimum); Non-Regular Hours (2-Hour Minimum) James Kenney (JK), Live Oak (LO), Frances Albrier (FA), Martin Luther King (MLK), Willard (W)					
A. Youth, Senior, Disabled					
Regular Hours	Hour	\$41	\$49	\$49	\$59
Non-Regular Hours	Hour	\$61	\$65	\$73	\$78
B. All Other					
Auditorium (FA), Social Hall (LO), Community Room – Full (W)					
Regular Hours	Hour	\$67	\$80	\$80	\$96
Non-Regular Hours	Hour	\$82	\$100	\$98	\$120
Fireside Room (LO), Community Room (JK, YAP), Community Room – Half (W)					
Regular Hours	Hour	\$52	\$62	\$62	\$74
Non-Regular Hours	Hour	\$67	\$78	\$80	\$94
Game Room (MLK), Arts & Crafts Room (FA, JK, LO, YAP) Meeting Room (JK, LO, MLK, FA)					
Regular Hours	Hour	\$46	\$55	\$55	\$66
Non-Regular Hours	Hour	\$62	\$69	\$74	\$83
D. Gym Rentals (JK, MLK)					
Regular Hours	Hour	\$64	\$77	\$77	\$92
Non-Regular Hours	Hour	\$75	\$96	\$90	\$115
IV. RECREATION PROGRAMS					
1. Sports					

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
F. Youth Hoops League					
Individual	Session	\$30	\$100	\$36	\$120
2. Programs at Centers					
C. Summer Fun Camps					
Core	Session	\$150	\$165	\$180	\$198
AM Extended Care	Session	\$25	\$27.50	\$30	\$33
PM Extended Care	Session	\$75	\$82.50	\$90	\$99
3. Waterfront Programs					
B. Education Programs					
Naturalist Classroom Program	3-hours	\$200	\$300	N/A	N/A
Naturalist Classroom Program	1-hour	\$65	\$100	N/A	N/A
C. Nature Center & Adventure Playground Rentals					
AP Birthday Party Package	2-hours	-	\$325	N/A	N/A
AP Birthday Party Package Add-On	1-hour	-	\$150	N/A	N/A
Naturalist Birthday Party Package	3-hours	-	\$425	N/A	N/A

Program Area	Unit of Measure	Resident (Current)	Resident (as of 1/21/2026) (Proposed)	Resident (as of 1/1/2027) (Proposed)	Non-Resident (Current)	Non-Resident (as of 1/21/2026) (Proposed)	Non-Resident (as of 1/1/2027) (Proposed)
V. Camp Programs							
1. Berkeley Day Camp							
Youth Core Program	5-Day	\$282	\$310	\$326	\$339	\$373	\$392
AM Extended Care	5-Day	\$60	\$66	\$69	\$71	\$78	\$82
PM Extended Care	5-Day	\$92	\$101	\$107	\$111	\$122	\$128
Counselor-In-Training	10-Day	\$228	\$251	\$263	\$273	\$300	\$315
2. Echo Lake Camp							
B. Counselor-In-Training							
Counselor-In-Training	2-Week	\$470	\$517	\$543	\$565	\$622	\$653
Counselor-In-Training	1-Week	\$323	\$355	\$373	\$389	\$428	\$449
I. Youth Camp							
6-Day Program	6-Days	\$846	\$930	\$977	\$1,015	\$1,116	\$1,172
K. Backpacking Program							
Adult Backpacking	4-Day	-	\$600	\$660	-	\$720	\$792
3. Tuolumne Camp							
C. Counselor-In-Training (CIT)							
Counselor-In-Training	2-Week	\$488	\$537	\$614	\$586	\$645	\$677
Counselor-In-Training	1-Week	\$323	\$355	\$373	\$389	\$428	\$449

Program Area	Unit of Measure	Resident (Current)	Resident (Proposed)	Non-Resident (Current)	Non-Resident (Proposed)
VI. Youth Works Program					
1. Accelerator Program					
Summer Intern at Business Site	7-Weeks	-	Up to \$2,500	N/A	N/A

The hearing will be held on January 20, 2026 at 6:00 PM in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact Scott Ferris at 510-981-6711.

A copy of the agenda material for this hearing will be available on the City's website at <https://berkeleyca.gov/> as of January 8, 2026. **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.**

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@cityofberkeley.info for further information.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 12 days prior to the public hearing.

Published: January 2, 2026 and January 9, 2026 – The Berkeley Voice
Published pursuant to Government Code Section 6062a

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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 January 8, 2026.

\_\_\_\_\_  
Mark Numainville, City Clerk



Office of the City Manager

PUBLIC HEARING

January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Amendments to Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review

RECOMMENDATION

Conduct a public hearing, and upon conclusion, adopt a first reading of an ordinance amending Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review for such projects and for residential projects in the Multi-Use Residential (MU-R) zoning district.

SUMMARY

The amendments in the proposed ordinance (**Attachment 1**) include:

- Implement Program 32 of the Housing Element, and bring the Zoning Ordinance into compliance with State law, by permitting by-right approval of qualifying housing projects on sites identified in previous Housing Elements; and
- Revise Design Review requirements for such projects, and for residential projects in the Multi-Use Residential (MU-R) zoning district. These revisions would preserve staff-level design review, include an advisory visit to the Design Review Committee (DRC), and would remove a right of appeal for these projects based on Design Review-related decisions.

FISCAL IMPACTS OF RECOMMENDATION

The proposed Ordinance amendments, which would allow by-right approvals for projects in certain locations and would also partially streamline the Design Review process for some projects, may result in marginal savings of staff time and related costs. Such savings would be offset by reduced fee revenues.

CURRENT SITUATION AND ITS EFFECTS

*By-Right Approval of Projects on Previous Housing Element Sites*

Pursuant to Government Code Section 65583.2(c), a non-vacant site that has been identified as a housing opportunity site in a prior Housing Element, or a vacant site that has been included in two or more consecutive Housing Element planning periods, must allow residential uses by right (i.e., with a Zoning Certificate) for housing developments in which at least 20% of the units are affordable to lower income households. The City Council committed to amending Title 23 to conform with this requirement in Program 32 (By-Right Approval on Reused Sites for Affordable Housing) of the City's 2023-2031 *Housing Element Update*.<sup>1</sup>

There are currently 14 sites on which projects that include at least 20% affordable housing would be approved by right under the proposed amendments. They are listed below and included in the map in **Attachment 2**.

1. 2108 Allston Way (C-DMU)
2. 2104 Dwight Ave. (C-AC)
3. 1049 Gilman Street (C-W)
4. 1111 University Ave. (C-U)
5. 1819 San Pablo Ave. (C-W)
6. 2040 San Pablo Ave. (C-W)
7. 2197 San Pablo Ave. (C-W)
8. 2400 San Pablo Ave. (C-W)
9. 2424 San Pablo Ave. (C-W)
10. 2546 San Pablo Ave. (C-W)
11. 1451 Shattuck Ave. (C-NS)
12. 2450 Shattuck Ave. (C-DMU)
13. 2627 Shattuck Ave. (C-AC)
14. 2821 Shattuck Ave. (C-SA)

As future Housing Elements are adopted, the list of eligible parcels could change. Any developed parcels would no longer qualify, and any new parcels which meet the requirements of the proposed ordinance would be added in future Housing Element cycles.

Government Code Section 65583.2(i) provides jurisdictions the option of applying Design Review to Program 32 projects. Pursuant to state law, Design Review for projects that qualify under Government Code Section 65583.2(i) would not be considered a project for the purposes of CEQA.

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<sup>1</sup> [2023-2031 Housing Element Update](https://berkeleyca.gov/sites/default/files/documents/Berkeley_2023-2031%20Housing%20Element_02-17-2023v2_0.pdf), pp. 150-151.  
[https://berkeleyca.gov/sites/default/files/documents/Berkeley\\_2023-2031%20Housing%20Element\\_02-17-2023v2\\_0.pdf](https://berkeleyca.gov/sites/default/files/documents/Berkeley_2023-2031%20Housing%20Element_02-17-2023v2_0.pdf)

*Design Review Requirements and Program 32 Sites*

BMC Section 23.406.070 subjects all projects in Non-Residential zoning districts to Design Review. All of the sites that currently meet the Program 32 requirements are in Commercial (that is, Non-Residential) zoning districts, and are therefore subject to Design Review. The California Government Code provides jurisdictions with the option of subjecting eligible projects on Project 32 sites to existing design review requirements.

Existing Design Review requirements include a right to appeal decisions of the DRC, as well as staff-level design review determinations, to the ZAB and to the City Council. Therefore, projects on Program 32 sites that would otherwise be approvable with a Zoning Certificate may be subject to procedural delays based on appeals of design review decisions.

*Design Review Requirements and Middle Housing in the MU-R Zoning District*

BMC Section 23.406.070 subjects all projects in Non-Residential zoning districts to Design Review. The Mixed Use-Residential (MU-R) zoning district is classified as a Manufacturing District and therefore a Non-Residential District, and projects proposed on MU-R sites are subject to Design Review. In July 2025, the City Council adopted the Middle Housing zoning standards, which granted ministerial approval for residential uses in the MU-R zoning district that comply with objective development standards. Notably, the Middle Housing zoning standards did not include a pathway for appeals of code compliant projects.

Before the Middle Housing zoning changes, residential projects in the MU-R required a Use Permit, which included a required hearing before the DRC. However, projects with fewer than five units in the MU-R district were approvable with an Administrative Use Permit (AUP), which did not require a hearing before the DRC, but were subject to staff-level design review. Existing Design Review requirements include a right to appeal decisions of the DRC, as well as staff-level design review determinations, to the ZAB and to the City Council. Therefore, Middle Housing projects in the MU-R zoning district that would otherwise be approvable with a Zoning Certificate may be subject to procedural delays based on appeals of design review decisions.

**BACKGROUND***Planning Commission Meeting: December 3, 2025*

At its meeting on December 3, 2025, the Planning Commission conducted a public hearing on Zoning Ordinance changes to implement Program 32 of the Housing Element and to consider changes to Design Review requirements for Program 32 projects and residential projects in the MU-R zoning district.

The Planning Commission expressed support for the intent of both Program 32 and the Middle Housing zoning changes to streamline approvals of new housing. The Planning Commission acknowledged the benefits of Design Review in improving project design

but did not want to subject Program 32 and residential projects in the MU-R to potential delays and additional costs related to possible design-review related appeals. While design review appeals are permitted under the BMC, they are rare; staff recall fewer than five such appeals over a 20-year period. However, as nearly all residential projects in previous decades have required Use Permits and Public Hearings, appellants may have been more likely to utilize the Use Permit appeal pathway than the one offered by Design Review. With ministerially approved projects, the design review appeal pathway would be the only appeal pathway available to those with concerns or opposition to proposed projects. Therefore, there may be more instances of design review-based appeals moving forward.

After discussion, the Planning Commission recommended:

- Retain staff-level design review for projects that meet Program 32 requirements and for residential projects in the MU-R zoning district.
- For Program 32 projects and for residential projects in the MU-R zoning district of five units or more, require a single visit to the DRC for non-binding input on design related issues. Such input would not be considered a “decision,” for the purposes of appeal rights.

As noted above, before the Middle Housing zoning changes, projects of fewer than five units in the MU-R were not required to be heard before the DRC. The Planning Commission therefore exempted these projects from the requirement to visit the DRC, as that would constitute an additional procedural step that was not required prior to the Middle Housing zoning changes.

- Exempt staff-level Design Review conducted under this section from appeal.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The proposed Ordinance would require by-right approval (i.e., no discretionary review process) of certain qualifying housing development projects on specific sites. An action that does not include agency discretion does not meet the definition of a project (California Public Resources Code §21065) under CEQA. Therefore, projects approved pursuant to the proposed Ordinance would not be subject to CEQA. Additionally, development on these sites was analyzed as part of the Final EIR for the *2023-2031 Housing Element Update*.

The proposed Ordinance includes a provision applying design review to qualifying projects. Pursuant to Government Code Section 65583.2(i), such design review would not constitute a project under CEQA.

RATIONALE FOR RECOMMENDATION

The proposed Ordinance amendments to codify Program 32 were included in the 2023-2031 Housing Element Update and are required under State law.

The proposed Ordinance amendments related to Design Review would preserve the existing benefits of staff-level and DRC consultation on design-related issues, without resulting in process-related delays, or providing an appeal pathway for projects that are otherwise approvable ministerially.

ALTERNATIVE ACTIONS CONSIDERED

Staff recommended that the Planning Commission consider exempting Project 32 projects from Design Review entirely, as permitted under State law.

CONTACT PERSON

Justin Horner, Principal Planner, Planning and Development, 510-981-7476

Attachments:

- 1: Ordinance
- 2: Map of Program 32 sites
- 3: Planning Commission Staff Report and Adopted Planning Commission Resolution, December 3, 2025.
- 4: Public Hearing Notice





ORDINANCE NO. -N.S.

# AMENDMENTS TO TITLE 23 (ZONING) TO PERMIT BY-RIGHT APPROVAL OF QUALIFYING HOUSING PROJECTS ON SITES IDENTIFIED IN PREVIOUS HOUSING ELEMENTS

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

**Section 1.** That the lines “Multi-Unit Residential” and “Mixed-Use Residential” in Table 23.204-1 in BMC Section 23.204.020 be amended to read as follows:

| ZC = Zoning Certificate<br>AUP = Administrative Use Permit<br>UP(PH) = Use Permit<br>NP = Not Permitted<br>-- = Permitted with AUP, see <a href="#">23.204.020(B)</a><br>[#] = Table Note Permit Requirement<br>* 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    |                                                                  |
| <b>Residential Uses</b>                                                                                                                                                                                                                          |                      |         |         |         |         |         |         |         |         |         |         |                                                                  |
| Multi- Unit Residential                                                                                                                                                                                                                          | UP(H)*               | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | 23.204.060.B.3;<br>23.302.070.H<br><a href="#">23.302.070(M)</a> |
| Mixed-Use Residential                                                                                                                                                                                                                            | UP(PH)*              | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | UP(PH)* | 23.204.060.B.3;<br>23.302.070.H<br><a href="#">23.302.070(M)</a> |

**Section 2.** That BMC Section 23.302.070(M) be added to read as follows:

**M. Housing Element Opportunity Sites.** Pursuant to Government Code Section 65583.2(c), a non-vacant site that has been identified as a housing opportunity site in a prior housing element and a vacant site that has been included in two (2) or more consecutive housing element planning periods shall be allowed residential use by right (with approval of a building permit) for housing developments in which at least twenty percent (20%) of the units are affordable to lower income households. Pursuant to Government Code Section 65583.2(i), the development shall comply with all objective development standards and a proposed subdivision of the property shall be subject to all laws, including, but not limited to, city ordinances implementing the Subdivision Map Act. If applicable, such projects shall be subject to [staff-level](#) design review pursuant to BMC Section 23.406.070(C)(2)(D).

Section 3. That the line “Multi-Unit Residential” in Table 23.206-1 in BMC Section 23.206.020 be amended to read:

|                        | <b>M</b> | <b>MM</b> | <b>MU-LI</b> | <b>MU-R</b> | <b>M-RD</b> | <b>Use-Specific Standards</b>                           |
|------------------------|----------|-----------|--------------|-------------|-------------|---------------------------------------------------------|
| Multi-Unit Residential | NP       | NP        | NP           | ZC*         | NP          | 23.206.090(B)(8)<br><a href="#">23.406.070(C)(2)(d)</a> |

Section 4: That BMC Section 23.406.070(C)(2) be amended to read as follows:

*2. Projects Not Requiring a Use Permit.*

(a) For a project that does not require a Use Permit, Department staff conducts Design Review before the Zoning Officer takes action on the required permit or approval.

(b) The Zoning Officer will consider the Design Review recommendations when acting on the required permit or approval. The Zoning Officer may require modifications to the project design as a condition of approval.

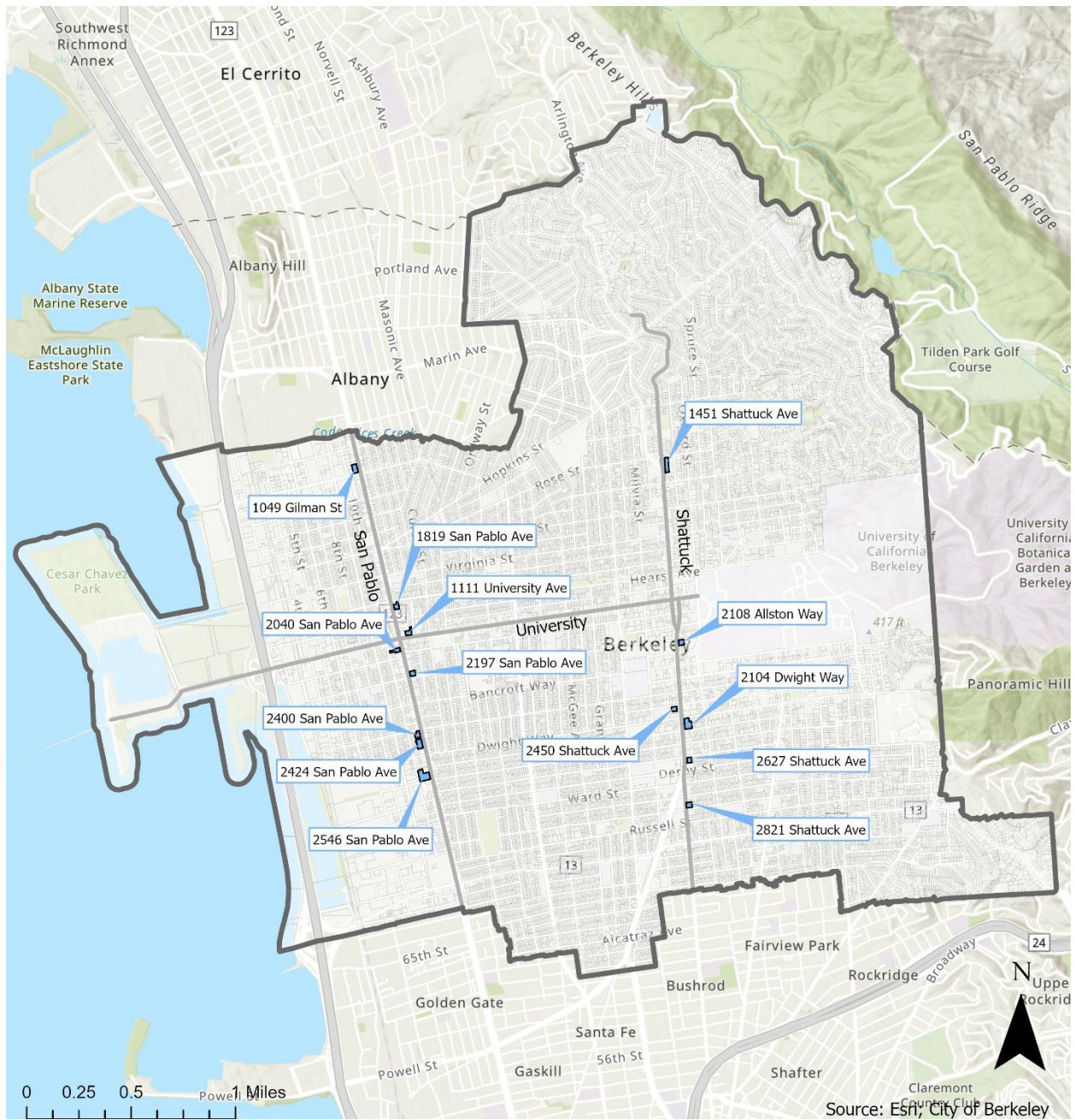
(c) The Department will verify conformance with Design Review recommendations and design-related conditions of approval when issuing a building permit, sign permit, or Zoning Certificate for the project. Final Design Review is not required.

(d) Multi-Unit Residential in the MU-R, and Housing Element Opportunity Site Projects (BMC Section 23.302.070(M)):

1. For projects including 5 or more units, staff shall schedule a single consultation meeting of the Design Review Committee for non-binding input on design-related issues; and
2. Staff-level design review conducted under this section shall not be subject to the Appeal provisions of 23.406.070(O).

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

Parcels currently subject to proposed Zoning Ordinance amendment





Planning and Development Department  
Land Use Planning Division

## STAFF REPORT

DATE: December 3, 2025

To: Members of the Planning Commission

From: Justin Horner, Principal Planner

Subject: Amendments to Title 23 (Zoning) to permit by-right approval of qualifying housing projects on sites identified in previous Housing Elements, and revisions related to Design Review for such projects and for Middle Housing projects in the Multi-Use Residential (MU-R) zoning district.

### RECOMMENDATION:

Conduct a public hearing, receive public comment, and upon conclusion, make a recommendation to the City Council on proposed amendments (**Attachment 1**) to the Zoning Ordinance to:

- Implement Program 32 of the Housing Element, and bring the Zoning Ordinance into compliance with State law, by permitting by-right approval of qualifying housing projects on sites identified in previous Housing Elements; and
- Revise Design Review requirements for such projects, and for Middle Housing projects in the Multi-Use Residential (MU-R) zoning district.

### BACKGROUND

#### *By-Right Approval of Projects on Previous Housing Element Sites*

Pursuant to Government Code Section 65583.2(c), a non-vacant site that has been identified as a housing opportunity site in a prior Housing Element, or a vacant site that has been included in two or more consecutive Housing Element planning periods, must allow residential uses by right (i.e. with a Zoning Certificate) for housing developments in which at least 20% of the units are affordable to lower income households. The City Council committed to amending Title 23 to conform with this requirement in Program 32 (By-Right Approval on Reused Sites for Affordable Housing) of the City's 2023-2031 *Housing Element Update*.<sup>1</sup>

<sup>1</sup> 2023-2031 *Housing Element Update*, pp. 150-151.

[https://berkeleyca.gov/sites/default/files/documents/Berkeley\\_2023-2031%20Housing%20Element\\_02-17-2023v2\\_0.pdf](https://berkeleyca.gov/sites/default/files/documents/Berkeley_2023-2031%20Housing%20Element_02-17-2023v2_0.pdf)

There are currently 14 sites on which projects that include at least 20% affordable housing would be approved by right under the proposed amendments. They are listed below and included in the map in **Attachment 2**.

1. 2108 Allston Way (C-DMU)
2. 2104 Dwight Ave. (C-AC)
3. 1049 Gilman Street (C-W)
4. 1111 University Ave. (C-U)
5. 1819 San Pablo Ave. (C-W)
6. 2040 San Pablo Ave. (C-W)
7. 2197 San Pablo Ave. (C-W)
8. 2400 San Pablo Ave. (C-W)
9. 2424 San Pablo Ave. (C-W)
10. 2546 San Pablo Ave. (C-W)
11. 1451 Shattuck Ave. (C-NS)
12. 2450 Shattuck Ave. (C-DMU)
13. 2627 Shattuck Ave. (C-AC)
14. 2821 Shattuck Ave. (C-SA)

The proposed ordinance would remain part of the Zoning Ordinance. As future Housing Elements are adopted, the list of eligible parcels could change. Any developed parcels would no longer qualify, and any new parcels which meet the requirements of the proposed ordinance would be added in future Housing Element cycles.

#### *Middle Housing in the Multi-Use Residential (MU-R) Zoning District*

In July 2025 the City Council adopted changes to the Zoning Ordinance to allow ministerial approval of most residential projects in Berkeley's historically low-density residential zoning districts. Under these Middle Housing zoning changes, residential projects that comply with objective development standards are approvable with a Zoning Certificate and are not subject to appeal or any discretionary hearings. These changes applied to Single-Family Residential and Multi-Family Residential uses in the MU-R zoning district.

#### *Design Review (BMC Section 23.406.070)*

The Zoning Ordinance includes Design Review requirements. BMC Section 23.406.070(A) includes the purpose of Design Review:

*A. Purpose.* Design Review is a discretionary process to ensure that exterior changes to buildings comply with the City of Berkeley Design Guidelines and other applicable City design standards and guidelines. The purpose of Design Review is to:

1. Encourage excellence in building and site design;

2. Ensure that development is compatible with its urban context; and
3. Provide a pleasing urban environment for persons living, working, or visiting the city.

Pursuant to BMC Section 23.406.070(B), Design Review is required for:

- Projects in all Non-Residential Districts.
- Mixed use and community and institutional projects in the R-3 district within the Southside Plan area; and
- Commercial, mixed-use, and community and institutional projects in the R-4, R-SMU, and R-S districts.

All of the sites that meet the requirements of Government Code Section 65583.2(c), and all of the sites located in the MU-R district, are in Non-Residential Districts and are therefore subject to Design Review. Government Code Section 65583.2(i) provides jurisdictions the option of applying Design Review to such projects. Pursuant to state law, Design Review for projects that qualify under Government Code Section 65583.2(i) would not be considered a project for the purposes of CEQA.

Projects that meet the requirements of Government Code Section 65583.2(c), as well as Multi-Unit Residential uses in the MU-R zoning district, would be approvable with a Zoning Certificate. Therefore, the Design Review pathway for these projects would be BMC Section 23.406.070(C)(2) – *Projects Not Requiring a Use Permit*. Under this section, staff-level Design Review is conducted before the Zoning Officer acts on the approval. Pursuant to BMC Section 23.404.040(D), a Notice of Design Review must be posted at least 14 days before the staff-level Design Review decision.

Pursuant to BMC Section 23.410.020, staff-level Design Review decisions are appealable to the Zoning Adjustments Board (ZAB) if the appeal is received within 14 days of posting of a Notice of Design Review. Action taken by the ZAB on the Design Review is appealable to the City Council within 14 days of the mailing of a Notice of Decision.

While Design Review appeals are permitted under the BMC, they have hitherto been very rare. Staff has recalled fewer than five such appeals over a 20-year period. However, as nearly all residential projects in previous decades have required Use Permits and Public Hearings, appellants may have been more likely to utilize the Use Permit appeal pathway than the one offered by Design Review. With ministerially-approved projects, the Design Review appeal pathway would be the only appeal pathway available to proponents with concerns or opposition to proposed projects. Therefore, there may be more instances of Design Review-based appeals moving forward.

*Planning Commission Meeting: November 5, 2025*



At its meeting on November 5th, 2025, the Planning Commission conducted a public hearing on Zoning Ordinance changes to implement Program 32 of the Housing Element and to decide whether such projects would be subject to Design Review. Staff proposed Zoning Ordinance amendments that included subjecting such projects to Design Review, but the staff report included a discussion of exempting such projects entirely from Design Review.

After discussion, the Planning Commission directed staff to return to the Planning Commission with revisions to the BMC which would capture the following:

- Retain staff-level Design Review for projects that meet Government Code requirements;
- Require a single visit to the Design Review Committee (DRC) for non-binding input on design related issues. Such input would not be considered a “decision,” for the purposes of appeal rights; and
- Exempt such staff-level Design Review from appeal.

## DISCUSSION

**Attachment 1** includes Zoning Ordinance amendments that:

- Implement Program 32 of the Housing Element, and bring the Zoning Ordinance into compliance with State law, by permitting by-right approval of qualifying housing projects on sites identified in previous Housing Elements; and
- Revise Design Review requirements for such projects, and for Middle Housing projects in the Multi-Use Residential (MU-R) zoning district, per Planning Commission’s direction from its November 5, 2025 meeting.

**Projects in the MU-R Zoning District.** At the time of its November meeting, the Planning Commission was scheduled to hear an item at its December meeting related to Design Review for middle housing projects in the MU-R zoning district. The middle housing zoning changes apply to projects in the Residential Multi-Unit 1 (R-1), Residential Multi-Unit 2 (R-2), Residential Multi-Unit 2A (R-2A), and MU-R zoning districts. As explained above, Design Review only applies to projects in non-residential zoning districts, and there was no City Council action to expand Design Review, or require any design standards, for residential projects in residential zones as part of the middle housing zoning changes. As also noted above, Design Review provides an appeal pathway for residential projects. Given City Council’s clear direction in the middle housing zoning changes to provide ministerial approval, without appeal or discretionary hearing, for qualifying housing projects, staff had initially planned to bring forward amendments to completely exempt Multi-Unit Residential projects in the MU-R district from Design Review.

However, given the Planning Commission's discussion at its meeting of November 5th, 2025, staff instead prepared zoning ordinance amendments to treat residential projects in the MU-R similarly to the projects subject to the requirements of Government Code Section 65583.2(c).

Before the middle housing zoning changes, residential projects in the MU-R required a Use Permit, which included a required hearing before the DRC. However, projects with fewer than five units in the MU-R district could be approved through an Administrative Use Permit (AUP), which did not require a hearing before the DRC and was subject to staff-level Design Review. As the purpose of the proposed amendments is to streamline the Design Review process for the MU-R district, the amendments propose exempting smaller residential projects from the new provision that requires a visit to the DRC. Without this exemption, these projects would face an additional step—an advisory visit to the DRC—that was not previously required.

#### ENVIRONMENTAL REVIEW

The proposed ordinance would require by-right approval (i.e. no discretionary review process), of certain qualifying housing development projects on specific sites. An action that does not include agency discretion does not meet the definition of a project (California Public Resources Code §21065) under CEQA. Therefore, projects approved pursuant to the proposed ordinance would not be subject to CEQA.

The proposed ordinance includes a provision applying design review to qualifying projects. Pursuant to Government Code Section 65583.2(i), such design review would not constitute a project under CEQA.

#### NEXT STEPS

Staff recommend that the Planning Commission conduct a public hearing, receive public comment, discuss the proposed ordinance amendments, and forward a recommendation to the City Council to adopt the amendments, including any modifications identified through Commission discussion and action.

#### CONTACT PERSON

Justin Horner, Principal Planner, Planning and Development, 510-981-7476

#### Attachments:

1. Resolution;  
    Att. A: Ordinance Amendments
2. Map of Eligible Sites under Government Code Section 65583.2(c).
3. Public Hearing Notice.



## ATTACHMENT 1

PLANNING COMMISSION  
RESOLUTION NO. 2024-10

**A RESOLUTION OF THE CITY OF BERKELEY PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT PROPOSED AMENDMENTS TO TITLE 23 (ZONING) TO PERMIT BY-RIGHT APPROVAL OF QUALIFYING HOUSING PROJECTS ON SITES IDENTIFIED IN PREVIOUS HOUSING ELEMENTS, AND REVISIONS RELATED TO DESIGN REVIEW FOR SUCH PROJECTS AND FOR MIDDLE HOUSING PROJECTS IN THE MULTI-USE RESIDENTIAL (MU-R) ZONING DISTRICT.**

**WHEREAS**, pursuant to Government Code, Title 7, Division 1, Chapter 3, Article 10.6. Housing Elements Section 65583.2(c), a non-vacant site that has been identified as a housing opportunity site in a prior Housing Element and a vacant site that has been included in two or more consecutive Housing Element planning periods shall be allowed residential use by right for housing developments in which **at least 20 percent of the units are affordable to lower income households; and**

**WHEREAS**, on January 18, 2023, the City Council adopted the 2023-2031 Housing Element Update, which included Program 32 (By-Right Approval on Reused Sites for Affordable Housing), committing the City Council to amend Title 23 to codify the requirements of Government Code, Title 7, Division 1, Chapter 3, Article 10.6. Housing Elements Section 65583.2(c); and

**WHEREAS**, on December 3, 2025, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

**WHEREAS**, a public hearing notice was published in the Berkeley Voice and posted in three public places pursuant to California Government Code Section 65090 on October 17, 2025, for the public hearing held on November 5, 2025.

**WHEREAS**, all documents constituting the record of this proceeding are and shall be retained by the City of Berkeley Planning and Development Department, Land Use Planning Division, at 1947 Center Street, Berkeley, California.

**WHEREAS**, The proposed ordinance would require by-right approval (i.e. no discretionary review process), of certain qualifying housing development projects on specific sites. A by-right approval does not meet the definition of a project (California Public Resources Code §21065) under CEQA. Therefore, projects approved pursuant to the proposed ordinance would not be subject to CEQA.

**NOW, THEREFORE, IT BE RESOLVED** that the Planning Commission does hereby recommend to the City Council of the City of Berkeley to: adopt the proposed Title 23 amendments included in Attachment A.

Pursuant to Berkeley Municipal Code Section 23.412.060, the Planning Commission makes the following findings to support its recommendation for the zoning ordinance amendments:

- (1) **The proposed amendment is consistent with the General Plan and any applicable specific plan or area plan.** The proposed amendments were included in the *2023-2031 Housing Element Update* to the General Plan.
- (2) **The proposed amendment is consistent with state law.** The proposed amendments would codify the requirements of Government Code, Title 7, Division 1, Chapter 3, Article 10.6. Housing Elements Section 65583.2(c).
- (3) **The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare.** The proposed amendments serve the public interest by facilitating additional housing capacity and bringing Title 23 into legal conformance.
- (4) **The proposed amendment is internally consistent with other applicable provisions of the Zoning Ordinance.** The proposed amendments create no inconsistencies with other provisions of the Zoning Ordinance; and

**BE IT FURTHERED RESOLVED**, the amendments do not change the designation of any parcel to reduce the intensity of use allowed under the existing General Plan or zoning pursuant to Gov. Code section 66300(b)(1).

**I HEREBY CERTIFY** the foregoing resolution was passed and adopted by the Planning Commission of the City of Berkeley, at a regular meeting thereof, held on the 5th day of November 2025, by the following vote:

**AYES:** Commissioners Merker, Vincent, Kahn, Two, Hauser and Wang

**NOES:** Commissioner Oatfield

**ABSENT:** Commissioner Owens and Chairperson Marthinsen

**ABSTAIN:** None

A handwritten signature in dark ink, appearing to read "Justin Horner", is written over a faint, repeating watermark of the word "PLAN" in a light blue or grey color. The signature is fluid and cursive.

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**JUSTIN HORNER, SECRETARY TO THE PLANNING COMMISSION**



**NOTICE OF PUBLIC HEARING  
BERKELEY CITY COUNCIL  
AMENDMENTS TO TITLE 23 (ZONING) TO PERMIT BY-RIGHT  
APPROVAL OF QUALIFYING HOUSING PROJECTS ON SITES  
IDENTIFIED IN PREVIOUS HOUSING ELEMENTS, AND REVISIONS  
RELATED TO DESIGN REVIEW FOR SUCH PROJECTS AND FOR  
RESIDENTIAL PROJECTS IN THE MULTI-USE RESIDENTIAL (MU-R)  
ZONING DISTRICT.**

**The public may participate in this hearing by remote video or in-person.**

Notice is hereby given by the City Council of the City of Berkeley that on **TUESDAY, January 20, 2026 at 6:00 P.M.** a public hearing will be conducted to consider the Planning and Development Department proposal to amend BMC Titles 21 (Subdivisions) and 23 (Zoning) Section 23.204.020 to implement Senate Bill 684 (small-lot subdivisions).

The hearing will be held on January 20, 2026 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact Justin Horner, Principal Planner at (510) 981-7472 or [jhorner@berkeleyca.gov](mailto:jhorner@berkeleyca.gov).

A copy of the agenda material for this hearing will be available on the City's website at <https://berkeleyca.gov/> as of January 8, 2026. **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.**

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](mailto: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](mailto:clerk@berkeleyca.gov) for further information.

**Published:** January 9, 2026 – 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.**

~~~~~  
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 January 8, 2026.

Mark Numainville, City Clerk



Office of the City Manager

INFORMATION CALENDAR

January 20, 2026

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: Small Sites Program Update

INTRODUCTION

City Council approved the Small Sites Program (SSP) in 2018. As individual loan applications do not require Council approval, Council directed staff to provide the Housing Advisory Commission and Council with SSP updates. This report includes an update on the SSP and information on the newest project awarded SSP loan funds.

SUMMARY

The Department of Health, Housing, and Community Services' (HHCS) / Housing and Community Services Division (HCS) staff shared two information reports – one in December 2019, after the approval of the first SSP project, Stuart Street Apartments (1638 Stuart) and a second in January 2024, after the approval of Solano Avenue Cooperative (1685 Solano). This report includes an update on the SSP and information on the third project awarded SSP loan funds, California Street Apartments (2627 California).

CURRENT SITUATION AND ITS EFFECTS

The City issued its third SSP Notice of Funding Availability (NOFA) in July 2024 and received one application from Bay Area Community Land Trust (BACLT) for the acquisition and renovation of the 12-unit California Street Apartments. BACLT requested \$3,599,348 for the project. BACLT acquired the occupied property in November 2024 and completed the project's first phase, focusing on abatement and mold remediation. BACLT's second phase of renovations will address the building envelope, major systems, and unit interiors, based on a scope substantiated by a third-party physical needs assessment.

The proposed project meets the SSP goals by protecting existing tenants from Ellis Act evictions and restricting units for long-term affordability.

Contingent upon resident support, BACLT intends to operate the 12-unit property as a non-equity or limited-equity cooperative serving households earning up to 80% of the Area Median Income, with shared management responsibilities between the residents and BACLT. In either model, BACLT will retain ownership of the land and lease the

improvements to the residents. The California Street Apartments application is available online at the [City of Berkeley website](#). HCS staff's project review is attached.

The City issued its fourth SSP NOFA for \$2.5 million in August 2025. The NOFA includes \$1.4 million unallocated through the 2024 SSP NOFA process and \$1.1 million in new funding adopted by Resolution 71,861-N.S. for FY2026. At the time of drafting of this report, no applications have been received, though two local organizations indicated they are pursuing potential SSP projects.

BACKGROUND

The SSP was created in 2018 by Resolution No. 68,623-N.S., adopted on October 2, 2018. The program serves as an over-the-counter application process with projects approved by the City Manager. SSP proposals do not go to the Housing Advisory Commission or City Council for approval. Projects that meet the program criteria receive funding, if funding is available.

There is no permanent funding source for the Small Sites Program. Staff release NOFAs after Council allocates funds to the program. To date, HHCS/HCS has released four SSP NOFAs and funded three projects.

Summary of SSP NOFAs

SSP NOFA Released	Project Awarded	Units	City Funds (SSP Loan)	SSP Funds Per Unit	Year Rehab Completed
2019	Stuart Street Apartments	8	\$2,102,500	\$263K	2022
2020	Solano Avenue Cooperative	13	\$3,900,000	\$300K	2023
2024	California Street Apartments	12	\$3,599,348	\$300K	TBD
2025	\$2.5M NOFA released in August 2025. To be updated when a project is funded.				

If the City receives multiple proposals concurrently in response to a NOFA, staff would prioritize the application that best meets the SSP goals. The proposals are reviewed based on the SSP Guidelines [posted on the City's website](#).

Renovations are inherently riskier than new construction, as building deficiencies are often uncovered in the course of the project and may exceed the required construction

contingency. To help mitigate the risk, the City requires SSP developers to hire third-party construction managers if they cannot demonstrate sufficient in-house capacity. SSP projects require significant HHCS/HCS staff involvement, relative to new construction projects carried out by higher capacity developers with multiple other lenders and layers of oversight.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

BACLT's rehab scope for California Street Apartments includes replacing all windows with double-paned insulated windows and upgrading all lighting to LED and kitchen appliances to energy-star grade. BACLT will consider switching from gas heating to heat pump electric heaters as part of the electrical upgrade of the property.

POSSIBLE FUTURE ACTION

HHCS is accepting applications for the Small Sites Program under its active NOFA for \$2.5 million. The funding is anticipated to support one new SSP project.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

The number and size of feasible projects varies with the amount of SSP funds available; therefore, the fiscal impacts will depend on Council's future actions. A significant expansion of funds available for SSP projects would require additional staffing, since the program anticipates an expedited timeline and requires close staff involvement.

CONTACT PERSON

Asavari Devadiga, Community Development Project Coordinator, HHCS, 510-981-5426

Attachments:

1. 2627 California Street Project Review Form

Small Sites Program - Project Review

Applicant:	Bay Area Community Land Trust
Project Name:	California Street Apartments
Project Address:	2627 California Street
SSP Funds Requested:	3,599,348

Project Summary:

BACLT is in the process of acquiring an occupied, 12-unit property at 2627 California Street. The building consists of two studio units, three 1-BR units, six 2-BR units, and one 3-BR unit. BACLT is planning to renovate the property to upgrade the building envelope, major systems, and unit interiors. BACLT will work with the existing residents in transitioning the rental property into either a limited equity housing cooperative (LEHC) or a resident operated nonprofit (RON, a type of non-equity cooperative). BACLT will educate and train residents in cooperative management, and the residents will choose the model they prefer.

Program Objectives:

Are residents at imminent risk of Ellis Act evictions?	yes
Is the property occupied?	yes
Do the existing residents include vulnerable populations (i.e. families with minor children, elderly, disabled, and catastrophically-ill persons)? <i>If yes, describe vulnerable population, below.</i>	yes
Among the existing residents there are three households with elderly people, one with a disabled household member, and one family with minor children.	
Average AMI of current residents:	53%
Subsidy per unit:	299,946
Number of affordable units proposed:	12
Proposed conversion to LEHC?:	yes

Developer Experience and Capacity

Developer must have completed one comparable project, and have the demonstrated capacity to undertake the proposed project.

Developer Capacity

BACLT is a small, Berkeley-based nonprofit developer. In recent years, the organization has worked to increase its organizational and development capacity, thanks in part to capacity building grants from the City of Berkeley. BACLT grew from one part-time staff person in 2018 to having six staff in 2024. The development team will consist of two BACLT staff: the Organizational Director and Project Manager who have experience in managing projects and cooperatives similar to the proposed project. BACLT will also hire a third-party construction manager to oversee the project renovation, and keeping that consultant on through the renovation process will be a condition of the City's loan.

The organization's financial indicators are mixed. The current ratio is a little low (1.6 compared to the preferred 2.0 or higher), but their cash ratio and days cash (number of days BACLT can fund operations with current resources) are strong. A small organization such as BACLT is more impacted by changes in income and expenses than a larger organization with more financial resources. The City awarded another \$200k in capacity building support for BACLT in FY2025, and BACLT's developer fee will help support the organization's growth.

Developer Experience

Since the approval of the Small Sites Program in 2018, the City has awarded two loans to BACLT for two projects: an 8-unit property at 1638 Stuart and a 13-unit property at 1685 Solano. Both projects are completed and occupied. BACLT faced significant budget challenges with the Stuart project, due to the extremely poor condition of the buildings and inadequate initial estimates for the construction scope and budget. BACLT requested additional funding from the City in 2020, 2021, and 2022 to support the renovation work. The Solano project was partially occupied, and BACLT worked closely with the tenants to coordinate the acquisition and renovation. In addition to the Berkeley projects, BACLT owns two properties in Oakland, including one that is under renovation and substantially complete.

California Street Apartments

Property Eligibility

Total number of units:	12
Do all residential units meet the City's definition of 'dwelling unit'?	yes
Is the majority of the property residential?	yes

Project Scope

Does the proposed renovation meet the health and safety needs of the	yes
Is the renovation scope and budget supported by a physical needs assessment (PNA) of the property?	yes

The property's physical needs assessment (PNA) identified \$874,400 in immediate capital needs, all of which are included in the proposed renovation scope and budget. The rehab scope will involve new roof installation, window replacement, electrical system upgrades, and installation of new drainage. In addition, there will be general upgrade of the units, including new appliances, heaters, kitchen and bath upgrades and flooring. Some longer term scope items identified in the PNA will be addressed during operations, and will be paid for out of the replacement reserves.

Project Budget

Is the proposed City loan leveraged with private financing?	yes
Is the proposed per unit subsidy under the program limits?	yes
Is the acquisition price substantiated by an appraisal showing both the fair market value and the anticipated restricted value?	yes
Are fees charged to the project reasonable?	yes
Is the developer fee less than the program limit of \$80,000 plus \$10,000 per unit, not to exceed 5% of project costs (excluding the developer fee)?	no, see note
Are construction management fees less than \$25,500?	no, see note
Does the renovation budget include state prevailing wage rates?	yes
Construction contingency (must be 15% or higher)	15%
Soft cost contingency (must be 15% or higher)	13%
Do the reserves comply with the following?	
Operating: 25% of budgeted 1st year operating expenses	yes
Replacement: Greater of \$2,000 per unit or the amount necessary to pay replacement costs for the next 10 years, as specified in the PNA.	no, see note
Vacancy: The monthly rent for units (residential and commercial) vacant at acquisition, multiplied by the number of months expected to remain vacant during renovation and lease-up.	yes

Developer Fee and Construction Management Fee:

Under the SSP, BACLT is eligible for a \$200k developer fee. BACLT requested \$284k, which is approximately 6% of the total project costs. BACLT also requested a higher construction management fee, to reflect industry standards.

Financing:

The City loan is contingent upon BACLT securing private financing. BACLT provided an LOI from Bay Area LISC, indicating their intent to lend up to \$1,270,000 to the project. BACLT's budgets indicated a need for \$1,499,491 from LISC. BACLT will need to secure its commitment from LISC in the amount needed to make the project feasible.

Contingencies:

BACLT's hard and soft cost contingencies are slightly lower than the 15% required by the SSP. The construction contingency is about \$23k short, and the soft cost contingency is a little over \$6k short. With careful oversight and cost controls, these deficiencies should not impact the feasibility of the project.

Replacement Reserves:

The capitalized replacement reserve is budgeted at \$2K per unit (\$24K), which falls short of the \$36k PNA estimate of what is required for anticipated capital needs in the first ten years of operations.

Operating Proforma

Is there a positive cash flow for 15+ years after project completion?

yes

Do the vacancy rates meet or exceed program requirements (5% residential, 20% commercial)

yes

Do the reserve deposits comply with the following:

Operating: None unless balance drops below 25% of prior year's operating expenses

TBD

Replacement: The higher of a) the amount needed according to the approved 20-year PNA, or b) \$400 per unit per year (\$350 per unit for projects with 11+ units)

no, see note

Reserve Deposits:

As part of annual compliance monitoring, staff will review the project's reserves to determine whether additional deposits are required.

- The operating budget currently shows no annual deposits to the operating reserve.
- BACLT budgeted \$350 per unit per year for replacement reserve deposits, which is not sufficient to keep up with the projected capital needs identified in the PNA. BACLT plans to supplement the reserve with a property tax refund, and deposits from the project's cash flow.

California Street Apartments

Existing Tenants and Affordability

Have 75% of existing households acknowledged their agreement to participate (in the conversion to restricted affordability and cooperative conversion, if applicable)?

yes

Does the project have an average affordability of 80% of the area median income (AMI)?

yes

Do 66% or more of the existing households income-certify, with incomes averaging up to 80% AMI? Up to 34% of households may be over-income (above 120% AMI) or refuse to certify.

yes

Existing Tenants:

Ten out of 12 units are occupied, with a total of 19 residents. Household sizes vary from 1 to 4 members, and incomes range from 4% of the area median income (AMI) to 100% AMI. All units will be restricted at 80% AMI. The two existing households that are over 80% AMI are eligible to stay, and new residents moving in will need to meet the income qualifications.

Limited Equity Housing Cooperative

Is applicant proposing to convert the property to a limited equity housing cooperative (LEHC)?

yes

Applicant experience with LEHC conversion:

BACLT is proposing some level of resident management (LEHC or RON). BACLT has extensive experience working with resident communities on cooperative conversions, including providing education, technical assistance, and oversight. The existing tenants have expressed support for this effort.

Exceptions to the Program Guidelines

Did the Applicant request or does the project require any exceptions to the program guidelines?

yes

Describe exceptions, below.

Developer Fee and Construction Management Fee:

Under the SSP, BACLT is eligible for a \$200k developer fee. BACLT requested \$284k, which is approximately 6% of the total project costs. BACLT also requested a higher construction management fee, to reflect industry standards. Housing staff think both are acceptable, given the amount of project management and oversight required for an acq-rehab project.

Contingencies:

BACLT's hard and soft cost contingencies are 13% instead of the 15% required under the Small Sites Program. While not a significant shortfall, BACLT will need to demonstrate cost control strategies during the renovations to stay within the budget. The City subsidy is nearly at the maximum allowed under the program for a project of this size.

Replacement Reserves:

The construction budget, capitalized replacement reserve, and ongoing replacement reserve deposits are sufficient to address the project's immediate capital needs as identified in the PNA, but not the anticipated repairs that will fall within the first 10-20 years of project operations. BACLT has a plan to supplement the replacement reserve in anticipation of future repair needs, and City staff will review progress towards that goal as part of its annual monitoring.

Funding Recommendation

Fund the project at \$3,599,348, conditioned on BACLT complying with the following:

- Securing a first mortgage in an amount sufficient to complete the project
- Retaining a construction management consultant to oversee the renovations
- Submitting a City-approved relocation plan prior to construction start
- Meeting the City's requirements for converting the property to a cooperative
- Securing CEQA and NEPA approvals, as applicable

Note: Separate from this process, the City will enter into a contract for FY2025 capacity building funds that will include performance standards to support BACLT's continued growth.



Office of the City Manager

INFORMATION CALENDAR
January 20, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Landmark Preservation Ordinance Notice of Decision: 1929 Martin Luther King Jr. Way /#LMIN2025-0002

INTRODUCTION

The attached Landmarks Preservation Commission Notice of Decision (NOD) is presented to the Mayor and City Council pursuant to Berkeley Municipal Code/Landmarks Preservation Ordinance (BMC/LPO) Section 3.24.160, which requires that “a copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting.”

CURRENT SITUATION AND ITS EFFECTS

The Landmarks Preservation Commission (LPC/Commission) has designated the subject property as a Landmark. This action is subject to a 15-day appeal period, which began after the notice was mailed on January 5, 2026.

BACKGROUND

BMC/LPO Section 3.24.190 allows the Council to review any action of the Commission in granting or denying Landmark, Structure of Merit, or Historic District status. For Council to review the decision on its merits, Council must appeal the Notice of Decision. To do so, a Council member must move this Information Item to Action and then move to set the matter for hearing on its own. Such action must be taken within 15 days of the mailing of the Notice of Decision, or by January 20, 2026. Such certification to Council shall stay all proceedings in the same manner as the filing of an appeal.

If the Council chooses to appeal the action of the Commission, then a public hearing will be set. The Council must then rule on the designation within 30 days of closing the hearing, otherwise the decision of the Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Commission and make its own decision, the attached NOD is deemed received and filed.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE IMPACTS

Landmark designation and discretionary alteration reviews by staff and LPC provide opportunities for the adaptive re-use and rehabilitation of historic 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 Council may choose to appeal the decision, in which case it would conduct a public hearing at a future date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

There are no known fiscal impacts associated with this action.

CONTACT PERSON

Marytonae Sanchez, Assistant Planner, Planning and Development, 510-981-7419

Attachments:

1: Notice of Decision – #LMIN2025-0002/1929 Martin Luther King Jr. Way



LANDMARKS PRESERVATION COMMISSION

Notice of Decision

DATE OF BOARD DECISION: November 6, 2025

DATE NOTICE MAILED: January 5, 2026

APPEAL PERIOD EXPIRATION: January 20, 2026

EFFECTIVE DATE (Barring Appeal or Certification): January 21, 2026¹

1929 Martin Luther King Jr. Way – The KPFA Radio Building

Landmark application #LMIN2025-0002 for the consideration of City Landmark or Structure of Merit designation status for a commercial building constructed in 1991 (APN: 057-2059-013-01).

The Landmarks Preservation Commission of the City of Berkeley, after conducting a public hearing, **APPROVED** the following designation:

- **City Landmark Designation**
 - **Applicant:**

Carol Wolfley
2713 Ellsworth Street
Berkeley, CA 94702

Candice Schott
1420 Kains Avenue
Berkeley, CA 94702
 - **Property Owner:**

Stephanie Wells, Executive Director
The Pacifica Foundation Inc.

¹ Pursuant to BMC Chapter 3.24, the City Council may “certify” any decision of the LPC for review, which has the same effect as an appeal. In most cases, the Council must certify the LPC decision during the 15-day appeal period. However, pursuant to BMC Section 1.04.070, if any portion of the appeal period falls within a Council recess, the deadline for Council certification is suspended until the first Council meeting after the recess, plus the number of days of the appeal period that occurred during the recess, minus one day. If there is no appeal or certification, the Use Permit becomes effective the day after the certification deadline has passed.

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
#LMIN2025-0002
1929 Martin Luther King Jr. Way
Mailed: January 5, 2026
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1929 Martin Luther King Jr. Way
Berkeley, CA 94704

ZONING DISTRICT: Downtown Mixed-Use District (C-DMU)

ENVIRONMENTAL REVIEW STATUS: The project is not subject to review under the California Environmental Quality Act ("CEQA") pursuant to the Class 8 exemption for "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves the procedures for protection of the environment." (CEQA Guidelines Section 15308 "Actions by Regulatory Agencies for Protection of the Environment.")

Here, the Landmarks Preservation Ordinance (BMC 3.24) is a local ordinance to ensure the maintenance, restoration, enhancement, and/or protection of historic structures, which are part of the environment under CEQA. (See Pub. Res. Code § 21084.1.)

None of the exceptions to this exemption apply here: (1) this Project is not exempt under Class 3, 4, 5, 6, or 11, so the location exception does not apply; (2) this Project does not involve cumulative impacts from successive projects of the same type in the same place; (3) there is not a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances; (4) the Project will not result in damage to scenic resources; and (5) the Project is not located on a site which is included on a list compiled pursuant to Section 65962.5 of the Government Code. (See CEQA Guidelines 15300.2.)

The application materials for this project is available online at:

<https://berkeleyca.gov/construction-development/land-use-development/zoning-projects> or
<https://aca-prod.accela.com/BERKELEY/Default.aspx>

FINDINGS AND APPLICATION MATERIALS ARE ATTACHED TO THIS NOTICE

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
#LMIN2025-0002
1929 Martin Luther King Jr. Way
Mailed: January 5, 2026
Page 3 of 5

COMMISSION VOTE: 6-0-0-0

YES: CRANDALL, FINACOM, ORBUCH, SCHWARTZ, LEUSCHNER,
MONTGOMERY

NO: NONE

ABSTAIN: NONE

ABSENT: NONE

TO APPEAL THIS DECISION (see Section 3.24.300 of the Berkeley Municipal Code):

To appeal a decision of the Landmarks Preservation Commission to the City Council you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley. The City Clerk's telephone number is (510) 981-6900.
 - a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of Chapter 3.24.
2. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
 - a. The basic fee for persons other than the applicant is \$3,000. This fee may be reduced to \$1,000 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less. Signatures collected per the filing requirement in BMC Section 3.24.300.A may be counted towards qualifying for the reduced fee, so long as the signers are qualified. The individual filing the appeal must clearly denote which signatures are to be counted towards qualifying for the reduced fee.
 - b. The fee for all appeals by Applicants is \$6,000.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the Landmarking will be final on the first business day following expiration of the appeal period.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to this decision, the following requirements and restrictions apply:

1. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Landmarks Preservation Commission at, or prior to, the public hearing.

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
#LMIN2025-0002
1929 Martin Luther King Jr. Way
Mailed: January 5, 2026
Page 4 of 5

2. You must appeal to the City Council within fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, your appeal of this decision must include the following information:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

PUBLIC COMMENT:

Communications to Berkeley boards, commissions or committees 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 a City board, commission or committee, 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 secretary of the relevant board, commission or committee. 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 secretary to the relevant board, commission or committee for further information.

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
#LMIN2025-0002
1929 Martin Luther King Jr. Way
Mailed: January 5, 2026
Page 5 of 5

FURTHER INFORMATION:

Questions about the project should be directed to the project planner, Marytonae Sanchez, at (510) 981-7419 or msanchez@berkeleyca.gov. All project application materials may be viewed at the Permit Service Center (Zoning counter), 1947 Center Street, 3rd Fl., during regular business hours.

ATTACHMENTS:

1. Findings for Approval
2. Application Materials

ATTEST:



Allison Riemer, Secretary

Landmarks Preservation Commission

cc: City Clerk

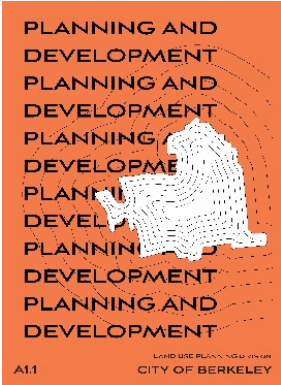
Stephanie Wells, Executive Director of The Pacifica Foundation Inc., 1929 Martin Luther King Jr. Way, Berkeley, CA 94704

Landmarks Preservation Commission Findings for Designation

1929 Martin Luther King Jr. Way (KPFA Radio Building)

November 6, 2025

Landmark Initiation – #LMIN2025-0002



Quick Facts	Project Description:
Initiated by: 50 Berkeley resident petitioners Application Author: Carol Wolfley Property Owner: Pacifica Foundation Inc., represented by Maria Negret Project Address: 1929 Martin Luther King Jr. Way GP Land Use: Downtown Zoning: Downtown Mixed-Use (C-DMU) District Historic District: N/A CEQA: Categorically exempt, pursuant to CEQA Guidelines Section 15308 "Actions by Regulatory Agencies for Protection of the Environment." Submittal Date: April 2, 2025 Date Deemed Complete: August 20, 2025 Project Planner: Marytonae Sanchez	The applicant is seeking consideration of City Landmark or Structure of Merit designation for a commercial building constructed in 1991 (APN: 057-2059-013-01).
	Permits Requested:
	Landmark or Structure of Merit Designation. To designate a property as a City Landmark or Structure of Merit, pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.
	Staff Recommendation:
	Staff recommends that LPC: 1. Receive public testimony and close the hearing on this matter. 2. Consider the extent to which the property meets the criteria for local designation under BMC Section 3.24.110. 3. Make findings as deemed appropriate for final action.

CEQA FINDINGS

The project is not subject to review under the California Environmental Quality Act (“CEQA”) pursuant to the Class 8 exemption for “actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves the procedures for protection of the environment.” (CEQA Guidelines Section 15308 “Actions by Regulatory Agencies for Protection of the Environment.”)

Here, the Landmarks Preservation Ordinance (BMC 3.24) is a local ordinance to ensure the maintenance, restoration, enhancement, and/or protection of historic structures, which are part of the environment under CEQA. (See Pub. Res. Code § 21084.1.)

None of the exceptions to this exemption apply here: (1) this Project is not exempt under Class 3, 4, 5, 6, or 11, so the location exception does not apply; (2) this Project does not involve cumulative impacts from successive projects of the same type in the same place; (3) there is not a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances; (4) the Project will not result in damage to scenic resources; and (5) the Project is not located on a site which is included on a list compiled pursuant to Section 65962.5 of the Government Code. (See CEQA Guidelines 15300.2.)

LANDMARK PRESERVATION ORDINANCE FINDINGS

1. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110 (A) (2-4) of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the property at 1929 Martin Luther King Jr. Way meets the criterion for City Landmark designation based on its cultural, educational, and historical value as the home of KPFA Radio for nearly half its life, the first listener-supported radio station in the United States and a pioneer of public broadcasting, its location within the Civic Center core, and one of the few postmodern buildings in Berkeley.

FEATURES TO BE PRESERVED

This designation shall apply to the subject property, and the following distinguishing features of the property shall be preserved, and missing features shall be restored to the extent possible:

- The Martin Luther King Jr. Way façade, including the overall composition, arrangement of architectural features, the balcony, and the broadcast speaker
- The original front glass entry doors, to remain transparent, and the postmodern decorative metal grille above
- The exterior cladding of Heath ceramic tiles
- The skylit interior core, including its spatial configuration and massing
- The overall form and massing of the building
- The embossed “KPFA” and “Pacifica” signage on the exterior
- The scuppers on the north facade

Planning and Development Department Land Use Planning Division

City of Berkeley Ordinance #4694 N.S.

LANDMARK APPLICATION

KPFA RADIO BUILDING

1929 MARTIN LUTHER KING, JR WAY

BERKELEY 94704 ALAMEDA COUNTY



Figure 1. KPFA Radio Building facade



Figure 2. KPFA Radio Building 2nd floor

2. Assessor's Parcel Number: 057 205901301 57-2059-13-1

Block and Lot: 2059

Tract: Twitchel

Dimensions: L-shaped - Main Lot: 50' x 124.65', Pkg Area: 53.85' x 35' plus 2 x 10.6

Cross Streets: Berkeley Way and University Ave

3. Is property on the State Historic Resource Inventory? NO

Is property on the Berkeley Urban Conservation Survey? NO

4. Application for Landmark includes:

- a. **Building:** YES **Garden:** N/A **Other features:** View of Radio Tower
- b. **Landscape and Open Space:** N/A
- c. **Historic Site:** NO
- d. **District:** NO
- e. **Other:** Entire Property

5. Historic Name: KPFA Radio Building

Commonly Known Name: KPFA Radio

6. Date of Construction:

a. **Factual:** 1991 b. **Approximate:**

Source of Information: Architect's website:

<https://trachtenbergarch.com/project/pacifica-radio-kpfa-94-1-fm/>

7. Architect: Denny Abrams, Principal Abrams Millikan and David Trachtenberg Project Architect

8. Builder: Oliver & Company

9. Style: Regional Modernism

10. Original Owners: The Pacifica Foundation Inc. (KPFA Radio)

Original Use: Community radio station

11. Present Owners: The Pacifica Foundation Inc. (KPFA Radio)

12. Present Use: Community radio station and media resource center

Commercial: Office

Institutional: Training center

Other: Radio station

Current Zoning: C-DMU Buffer

Adjacent Property Zoning: C-DMU Buffer

13. Present Condition of Property:

Exterior: Good

Interior: Good

Grounds: Good

Has the property's exterior been altered? NO

14. Description: Built in 1991, the KPFA Radio Building is a two story building that includes state of the art production studios, historic music library, conference rooms, offices, archives, roof garden and support facilities. It is bound by Martin Luther King, Jr. Way on the west, Berkeley Way on the north, Bonita on the east and University Ave on the south.

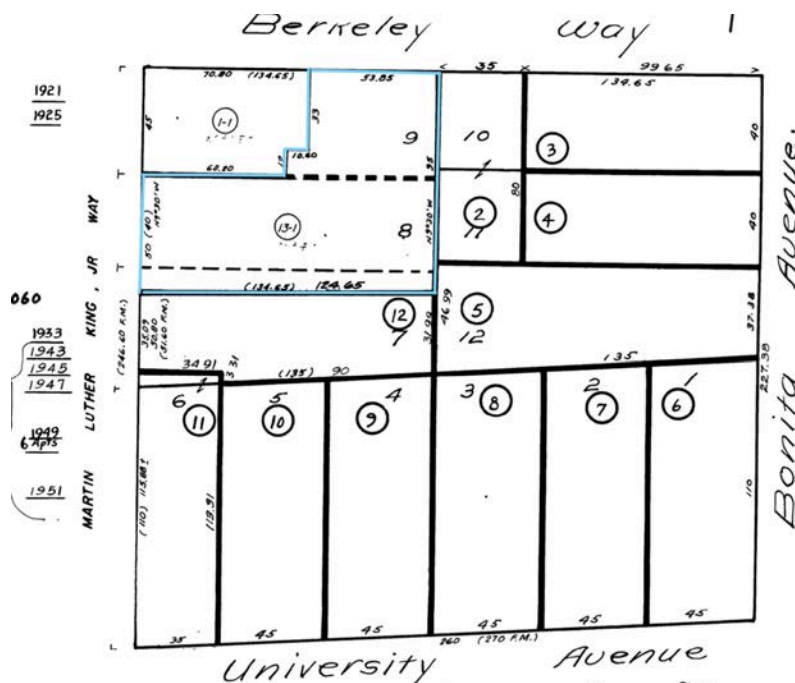


Figure 3. Detail of Assessors Map Block 2059

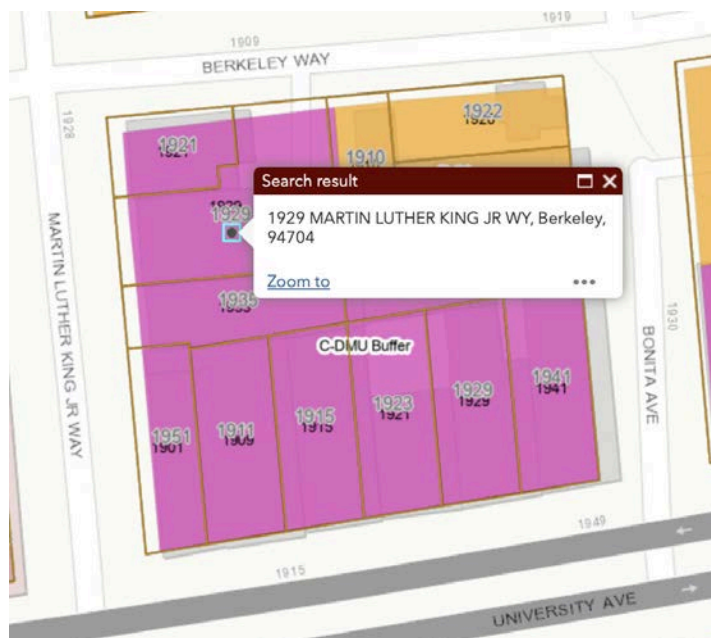


Figure 4. Detail from City of Berkeley zoning map



Figure 5. Detail of Alameda County Parcel Viewer map

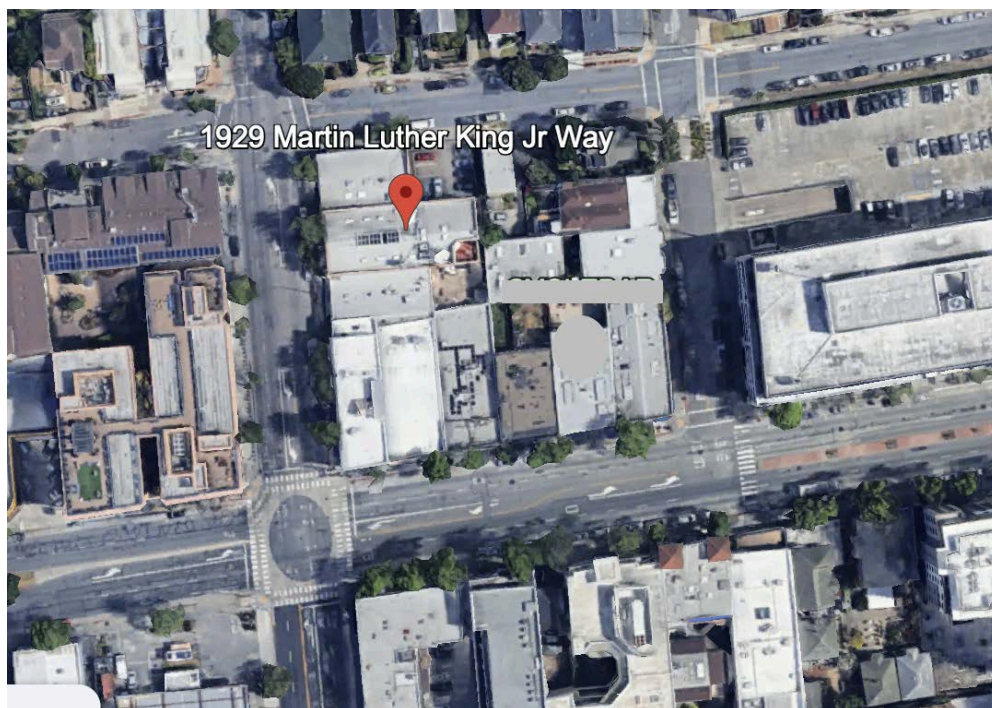


Figure 6. Immediate neighborhood from Google Earth

Features to be preserved

Retractable roof

West Facade facing Martin Luther King, Jr. Way

15. History:

“The Twichell Tract, in which the current KPFA building sits, “was part of Rancho San Antonio, a 44,800-acre Spanish land grant given to Sergeant Luís María Peralta (1759–1851) in 1820 by the last

Spanish governor, Don Pablo Vicente de Sol, in recognition of Peralta's forty years of military service to the Spanish king. The rancho included lands that form Oakland, Alameda, Piedmont, Emeryville, Berkeley, and parts of San Leandro and Albany.

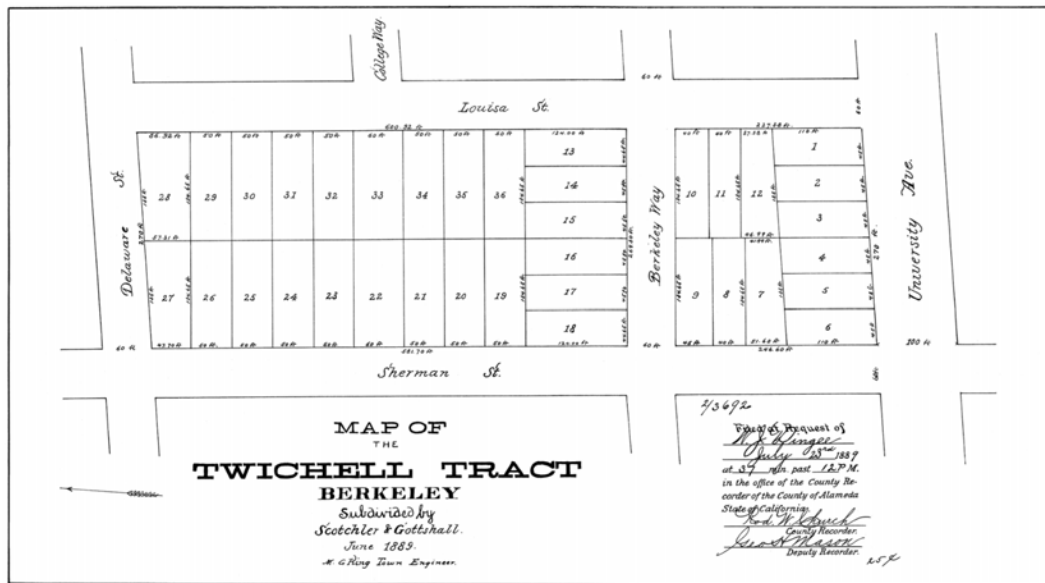


Figure 7. The northern blocks of the Twichell Tract were not subdivided until June 1889. Book 19 page 47

In 1842, Luís Peralta divided the rancho among his four sons. Domingo and José Vicente were given the land that now comprises Oakland and Berkeley.

Within less than a decade, squatters overran the Peraltas' properties, stole their cattle, and sold it in San Francisco. Worse, parcels of ranch land were sold without legal title. Domingo and Vicente Peralta fought the appropriations in the courts. In 1856, the U.S. Supreme Court confirmed their title, but by then the brothers had been forced to sell most of their lands to cover legal costs and taxes. The various buyers engaged cartographer Julius Kellersberger¹ to map the Peralta Ranchos for subdivision purposes.

Plot 79, which contained the future Twichell Tract, was a 160-acre parcel located just north of Francis K. Shattuck's land. Its boundaries were today's M.L. King, Jr. Way to the west, Cedar Street to the north, Arch Street to the east, and Addison Street to the south. Like so much of the Peraltas' lands, Plot 79 was acquired by the French-born, San Francisco-based financier François Louis Alfred Pioche. Pioche apparently sold it to Joshua Hathaway, who died without paying, as one surmises from Pioche's 1857 lawsuit to recover the 160 acres from the Hathaway estate...."

The neighborhood north of University Avenue, between Shattuck Avenue and Martin Luther King, Jr. Way (formerly Grove Street), was mostly farmland during the second half of the 19th century. Subdivision into building lots began in a piecemeal fashion after train service from Oakland to downtown Berkeley was inaugurated in 1876.

The earliest of the four tracts in the area between University Avenue and Delaware Street were the Clapp Tract (1876) and the College Tract (subdivided in 1876, map filed in 1877). Block A of the Twichell Tract was subdivided in 1877, the rest of the tract in 1889. Sea View Park was subdivided in 1890.

With the arrival of electric streetcars in 1891, the area's development received a boost, accelerating as the line was extended from University Avenue to Cedar Street in 1902. By 1911, the neighborhood was almost fully built, and primarily residential.

Included in the architectural mix were Victorian houses built in the earlier years of settlement, but the dominant building style was Colonial Revival, fashionable between 1895 and 1905.



Figure 8. The dilapidated former house of Samuel Heywood, 1929 Grove Street, in 1967. KPFA now occupies the site. (Donogh files, BAHA archives) courtesy Daniella Thompson

No appreciable change occurred in the neighborhood's character until the mid-20th century. From the 1950s until the early '70s, older houses on nearly every block were demolished, giving way to large, boxy apartment blocks. This trend was halted with the passage of the Neighborhood Preservation Ordinance in 1973.

During the 1960s, BART construction resulted in the loss of nearly all the houses along the north side of Hearst Avenue between Milvia and Sacramento streets. In response to citizen action, Ohlone Park was created instead of the apartments that BART had intended to construct on top of the train tube.

Today, the west side of M.L. King, Jr., Way between Berkeley Way and Hearst Avenue is entirely commercial, as is the east side of the street between Hearst Avenue and Delaware Street. All four corners on the intersection of M.L. King, Jr., Way and Hearst Avenue have changed dramatically since 1950.”¹

The previous Victorian style home of Samuel Heywood is the current site of KPFA Radio Building

SAMUEL HEYWOOD and family - occupants at 1929 Grove St 1897-

From Berkeley Architectural Heritage Association

https://berkeleyheritage.com/eastbay_then-now/heywood4.html

“Samuel Heywood (1833–1903) was Zimri Brewer Heywood’s fourth son, the first Heywood to have settled in Berkeley, and the one most closely associated with the family’s West Berkeley lumber yard.....

¹ Daniella Thompson Landmark application for the Charles H. Spear House, 1905 Martin Luther King, Jr. Way (2017).

....When Jacobs retired around 1876, Sam Heywood took over as sole manager. His 1874 marriage to Emma Frances Dingley would produce five children, and in 1880, the U.S. census recorded Emma's mother and two teenaged sisters in the household. It was time to provide ampler quarters for the growing family. Samuel responded by building a large, two-story house on a double lot at 812 Delaware Street. The Heywood lived here until 1897, when they moved to a turreted Queen Anne house at 1929 Grove Street (current location of KPFA)...

Property Sold

In 1967 property was listed for \$125,000 as 1921-1931 Grove and 1906-1908 Berkeley Way - "2 stores, 2 apartments...Adjacent old house on a 50 x 124 lot should be torn down..."²

It is likely that the house was torn down around that time, since the property was described as an empty lot when work began on the KPFA building in 1991.

BERKELEY BOARD OF REALTORS
L.C.I. MULTIPLE LISTING SERVICE

APR 18 1967

141-1921-31 Grove & 1906-08 Berkeley Way
125,000

Not responsible for errors or omissions

PRICE: \$125,000.00

LOCATION: 1921-31 Grove & 1906-08 Berkeley Way, Berkeley

LOT SIZE: 95 x 124

IMPROVEMENTS: 2 stores - 2 apartments, old house

INCOME: (Estimated) Small store \$75.00; small apartment \$45.00; 3 room apartment \$75.00. Over 1800 square feet vacant store, should bring good rental as carrier. Adjacent old house on 50 x 124 lot should be torn down, make temporary parking lot.

EXPENSES: (Estimated) Taxes \$1,700.00 approx.
Water \$55.00
Insurance \$300.00 approx.
Total Annual Expenses \$2,055.00

ANNUAL "BROKERS" OPERATING NET: Clear.

LOANS:

TERMS: \$30,000 down; owners carry first, may subordinate to qualified buyer. Exchange for: Would consider Albany or El Cerrito income property. Value in commercial zoned lot. Fire zone #2. Stores, apartments or possibly medical center.

REMARKS: Legal description: Parcel 1, portion of Lot 9, Twitchell Tract. Parcel 2, Lot 8 and northern 10 feet of Lot 7, Twitchell Tract. How shown: Listing Office only.

LISTING OFFICE: H.O. Rogers Realty Co. -- 1519 Solano Avenue, Berkeley -- 524-1452
(Oliver E. Ganoung 525-2617)

L.C.I. No. 141
EXP DATE 9-12-67
DATE 4-12-67
AGE older
CONST
STORIES store-1
HEAT heaters
ROOF t&g
FLOORS
PARKING
BASEMENT
STOVES
REFRIG.
APT. FURN.
SEP METERS yes
DRAPES

Figure 9. Berkeley Board of Realtors 4/18/1967 courtesy of BAHA

Alameda County Assessor's website: 1991 and earlier, 1929 MLK Jr Way is listed as code 3000 (Vacant Commercial Land). Starting in 1992, it is listed with code 9400 (One to five story office building). The property was subsequently purchased by the Pacifica Foundation.

² Courtesy of Berkeley Architectural Heritage Association

KPFA's new headquarters

RICHARD WOLINSKY - from KPFA Program Guide Dec 1990

"First came the hole, then the slab. And now the framework. The new KPFA building is on the rise... Construction began in October 1990...After the empty lot was excavated...the move to the new building required applying to the FCC for a construction permit...COB permits were secured... We have line of site microwave access from the station to our transmitter atop Grizzly Peak. The new building requires a giant tower for the microwave as well as for the KPFB antenna and a satellite dish...KPFB antenna must be raised ten feet so it meets the stricter Russian standard (rather than the US standard to which the COB adheres to (no jokes please)...Designed for energy efficiency, with skylights, window-treatments and quiet air conditioning for the studios. Cool in summer and warm in winter...Long a haven in a heartless world for radicals, KPFA now has a haven of its own."³

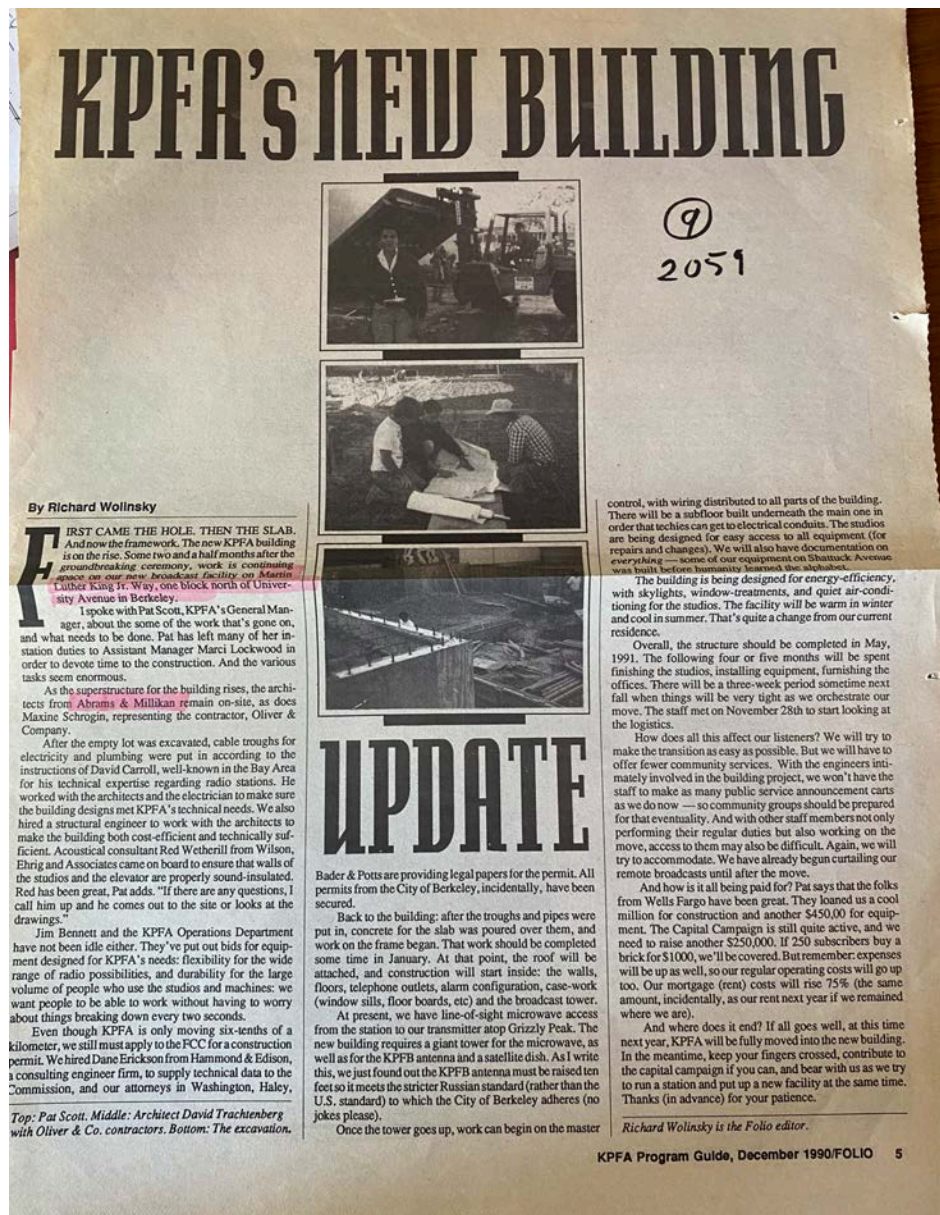


Figure 10. KPFA Program Guide by Richard Wolinsky 1990

³ KPFA Program Guide by Richard Wolinsky 1990



Figure 11. San Francisco Chronicle February 17, 1992 Improved Headquarters by Allen Temko

16. Significance: Cultural Value consistent with Chapter 3.24.110 A.2

The KPFA building is a site of historic cultural significance, for its pioneering role as the first listener sponsored community radio station in the United States. KPFA is the crown jewel of the Pacifica Foundation Inc. which expanded from one Berkeley station to an interconnected network of 5 metropolitan area stations and 213 affiliate stations nationally. With the exception of the 500-watt UCB college radio station, KPFA's building houses the only broadcast studio in Berkeley and it reaches a wide audience across the Bay Area and Northern California with its powerful 59,000 watt transmitter. KPFA and the Pacifica Foundation Inc. are nationally recognized as symbols of the social and political movements that have shaped Berkeley and the wider world.

KPFA's Mission is to:

- To promote cultural diversity and pluralistic community expression.
- To contribute to a lasting understanding between individuals of all nations, races, creeds and colors.
- To promote freedom of the press and serve as a forum for various viewpoints.
- To maintain an independent funding base.

KPFA's building as a home site for independent listener sponsored media has made significant contributions to Berkeley's and California's historic culture of investigative inquiry, leadership in diversity, and informed social and political action.

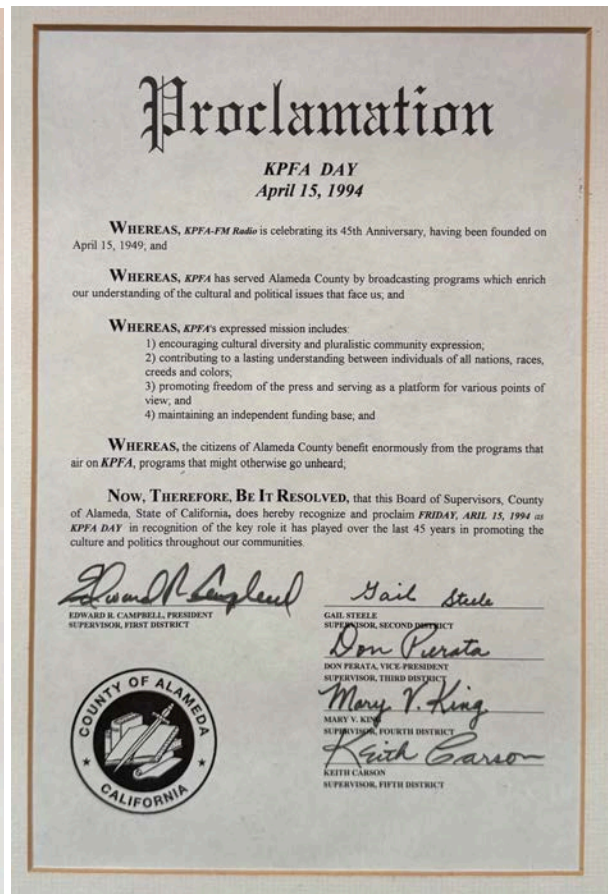


Figure 12 & 13. City of Berkeley Proclamation Recognizing KPFA's Contributions/Alameda County Proclamation of KPFA Day - photos by Lan Wolfley



Figure 14. Congressional Recognition from Representative Ron Dellums 8th Congressional District

The Pioneering Culture of Listener Sponsorship

KPFA, was the first Pacifica Foundation Inc. listener-supported, progressive media radio station and has been in existence for more than 75 years. Pacifica is the oldest independent community radio network in the US. KPFA was founded in 1949 by conscientious objector, Lewis Hill and a group of like-minded friends. His vision was to establish a medium that promoted pacifism and that was completely independent from advertisers. “He refined his idea to create a commercial-free radio station, one that would be an oasis for dialogue and a healthy exchange of ideas. He came to believe that pacifists, if they were going to have an influence in the world, needed to stand for specific ideas, not narrowly against the status quo, and that this public engagement might be an example of non-violent direct action.”⁴

In 1949, FM radio was in its infancy having been created in 1933 by American engineer Edwin Armstrong. FM radio offered a “higher fidelity-more accurate reproduction of the original program sound... less susceptible to common forms of interference, having less static and popping sounds than are often heard on AM.”⁵ KPFA was an early adopter of the FM band and because so few people had FM radios, KPFA offered FM radios as a premium to their listeners in their early fundraisers.

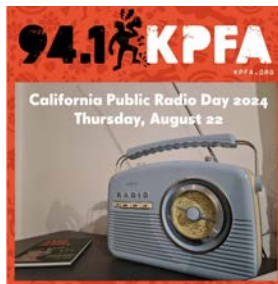


Figure 15. Early FM radio courtesy of KPFA

The station preserves its editorial integrity by protecting the journalistic freedom of its staff and diverse management team and KPFA operates as an independent listener supported organization with over 11,000 donating members.



Figure 16. Capital Campaign Builders in KPFA Lobby - photo courtesy of Lan Wolfley

⁴ From Pacifica Network [Pacifica Remembers Its Pacifist Roots](#)

⁵ Wikipedia on FM Broadcasting https://en.wikipedia.org/wiki/FM_broadcasting

Historic Cultural Value: consistent with Chapter 3.24.110 A.4

The building at 1929 Martin Luther King Jr. Way has been witness to many historic events and recordings:

In 1999, over ten thousand community members mobilized and rallied in front of the station and around Berkeley for almost five months, to protect KPFA and support KPFA members' rights. The demonstrations made nation-wide news, garnered support from the City of Berkeley, Oakland and San Francisco, including a resolution passed by the Berkeley City Council calling on Pacifica to unlock the doors, rehire dismissed staff and institute local control of programming. These events garnered national attention in addition to local support from the Berkeley City Council, the City of Oakland, Alameda and Marin Counties, and the California State Legislature, highlighting the building's role as a historical community resource and its historical importance.



Figure 17 and 18. Daily Cal 8/3/1999 and Protesters at MLK, Jr Park at Berkeley Civic Center

Brian Edwards-Tiekert, Host of UpFront had this to say: "I had a strong first impression of the building: the evening I was scheduled to begin training in KPFA's News Department was the day the US started the invasion of Iraq. The station had played a crucial role in broadcasting the voices of dissidents and critics of the rush to war at a time where there were few other platforms available to them. KPFA had broadcast live from the historic anti-war demonstrations in the lead-up to the invasion. When I arrived at KPFA's front door on a cold, dark evening, there was an impromptu vigil of around a dozen people who collected around the speaker that overhangs KPFA's entrance, playing what's on air. In a time of great crisis, people were instinctively drawn to KPFA -- and the building itself was designed to accommodate that connection."⁶

⁶ From a recent communication from Brian Edwards-Tiekert

The building is a living testimony to the evolution of non-commercial radio from its pioneering FM broadcasting to its multi-media platforms for investigative news, diverse music and discussions on social justice, environmental sustainability, economics, global peace and more.. In December of 2018, The Nation magazine's Progressive Honor Roll honored KPFA as the Most Valuable Radio Station and KPFA has been recognized by the City of Berkeley for its significant contributions.⁷

Historic Cultural Dates for the KPFA Building

- 1946 - Lewis Hill began creating the first listener-supported non-commercial radio station in the United States.
- 1949 - April 15, Pacifica first went on the air as KPFA 94.1 FM in Berkeley,
- In the 1950's, Elsa Knight Thompson helped build a news and public affairs department. Her many groundbreaking broadcasts included a 1958 program covering civil liberties for homosexuals, recognized as the first documentary regarding gay rights.
- The tradition of covering newsworthy issues continued into the 1960's covering the House on Un-American Activities Committee in San Francisco including the protests in what later would be turned into a documentary. In the 1970s KPFA coverage of the Vietnam War, conflicts in the Middle East, and reporting of the 1972 Democratic and Republican conventions provided independent perspectives of historic significance. Over the decades, KPFA's coverage of the Iran-Contra Hearings earned the station a George Polk award and further established KPFA's reputation for unbiased reporting.
- 1964 KPFA covered the UC Berkeley Free Speech Movement with live broadcasts from Sproul Plaza, rallies and sit-ins.
- In the seventies, KPFA played a key role in covering the kidnapping of Patty Hearst. "A group calling themselves the "Symbionese Liberation Army: Western Regional Unit" sent Berkeley radio station KPFA their first public communiqué... The SLA announced their involvement with an "arrest warrant" sent to Berkeley radio station KPFA and received by station manager Paul Fisher. The document announced that Hearst had been "arrested" as a result of a "warrant issued by: The Court of the People." It went on to state that Hearst had been "removed to a protective area of safety" and that any attempts to rescue her would lead to her execution...the SLA sent an audio taped communiqué on February 12, 1974, again via radio station KPFA. In this second message, both Cinque and Patricia spoke. Patricia's role was to reassure her family that she was still alive and in good condition...
- 1991 - September KPFA moved to its specially constructed ADA compliant multi-media center building at 1929 Martin Luther King Jr. Way from its former upstairs space at 2201 Shattuck Ave.
- 1999 - Over the course of five months, up to an estimated 15,000 Bay Area concerned citizens demonstrated at the KPFA station building and throughout Berkeley in support of independent community media, demanding the reopening of KPFA after a conflicted and disputed shutdown. These events garnered national attention and support from local governments in Berkeley, Alameda County, and California and embodied the social, cultural, and political fabric of the region.

In describing KPFA's history for the 75th birthday KPFA Host/Producer Kris Welch talks about the events of 1999 and the powerful community response in defense of the station in a video posted on KPFA's YouTube channel. <https://www.youtube.com/watch?v=lcfWO5xTGd8>

- KPFA has been a longtime FCC emergency alert station and has served as a historic community resource during Berkeley and Northern California earthquakes, fires, floods and power outages mobilizing to broadcast and post information for evacuations, bulletins, and supplies. KPFA has provided programming and engineering support for Pacifica sister stations and helped during the recent

⁷ The Nation Magazine December 20, 2018: <https://www.thenation.com/article/archive/2018-progressive-honor-roll/>

LA fires, immigration raids and No Kings Day. News producer Vanessa Tait reported: “KPFA’s transmitter was knocked off the air by the Oakland firestorm on October 20, 1991. But in the station’s recently opened studios, the newsroom was a hive of activity. The news team broadcast hourly updates and reports from KPFA journalists on the ground via local channel KPFB, which was still on the air.”

- KPFA’s upstairs news studio was the birthplace of Free Speech Radio News, an independent newscast created during the 2000 democracy fight at Pacifica Radio. The network’s striking freelance journalists founded FSRN as a worker-run collective, doing much of its production and distribution at KPFA in the early years.
- KPFB, a smaller KPFA associate station, also housed at 1929 Martin Luther King Jr. Way has historically broadcast City of Berkeley City Council and School Board meetings where on many occasions, hundreds of residents overflowed onto the steps outside meetings when historic decisions were made.
- In 2013 a few blocks away from KPFA’s building, producers from the station covered community efforts to help protect the Berkeley Post Office from being sold and commercialized.
- In 2025 - KPFA celebrated its 76th birthday

For a more comprehensive history of KPFA and the Pacifica network: <https://kpfa.org/about/history/>



Figure 19. Larry Bensky and Daniel Ellsberg 1999

An Archive of Historic Cultural Treasures

The KPFA building is not only a home for production but also serves as an historical archive for a wide range of political, social, musical and cultural events captured over decades by KPFA producers, hosts and staff members from 1949 to the present. From its beginning with FM broadcasting to its multi-media platforms of today KPFA holds the history of the evolution of independent media.

Over its 76 year history, KPFA has drawn such luminaries as Daniel Elsberg, Joan Baez, Dolores Huerta, Noam Chomski, May Angelou, Jane Fonda, Oliver Stone and many more in interviews and

recordings, Jerry Brown's, *We the People* was broadcast daily from the KPFA studios at 1929 Martin Luther King, Jr. Way from 1994 to 1997. In the 1990's *Democracy Now!*, a breaking news and public affairs program was created and continues to be broadcast on KPFA, and Pacifica stations today.. Some of KPFA's award winning programs include; Letters and Politics with Mitch Jeserich—spanning historical explorations from Ancient Greece, to the history of the United States and now, *Flashpoints* with Dennis Bernstein; *Democracy Now!*, with Amy Goodman; *A Rude Awakening* with Sabrina Jacobs; *This Way Out*, the only internationally distributed weekly LGBTQ radio program; and *Rising Up* with Sonali Kolhatkar.

During the COVID-19 pandemic, KPFA provided essential community support information while addressing the social and economic impacts of the crisis. KPFA covers national conventions and elections.

Short list of nationally and internationally recognized voices heard from KPFA's studios at 1929 MLK, Jr. Way:

Maya Anjelou, American memoirist, poet, and civil rights activist
Margaret Atwood, Canadian novelist, poet, literary critic and an inventor
Joan Baez, American singer, songwriter, musician, and activist
Phillis Bennis, American Jewish writer, activist, and political commentator
Larry Bensky, KPFA broadcaster, literary and political journalist
Jerry Brown, Former CA Governor *We the People* show from 1994 to 1997
Richard Chamberlain, American actor and singer
Noam Chomsky, American professor and public intellectual
Angela Davis, American Marxist and feminist political activist, philosopher, academic, and author
Joy DeGruy, American author, academic, and researcher
Donovan, Scottish musician, songwriter and record producer
Daniel Ellsberg, American activist, economist, & United States military analyst, the Pentagon Papers
Jane Fonda, American actress and activist
David Graeber, anthropologist, anarchist, and one of the initiators of Occupy Wall St
Chris Hedges, American journalist, author, commentator and Presbyterian minister
Seymour Hersh, American investigative journalist and political writer
bell hooks, American author
Dolores Huerta, American labor leader and feminist activist
Molly Ivans, American newspaper columnist, author, and political commentator
Erica Jong, American novelist, satirist, and poet
Ro Khanna, American politician and lawyer serving as the U.S. representative from CAs 17th congressional district since 2017
Barbara Lee, American politician who has served as the 52nd mayor of Oakland
Gabor Mate, Canadian physician who specializes in the study and treatment of addiction
Bill Means, American Indian Movement (AIM) activist and co-founder
Rashid Khalidi, Palestinian-American historian of the Middle East
Naomi Klein, Canadian author, social activist, and filmmaker
Tony Kushner, American author, playwright, and screenwriter
Peter Kuznik, professor of history and director of the award-winning Nuclear Studies Institute at American University, co-writer of *Oliver Stone's Untold History of the United State*
Alexander McCall Smith, Scottish legal scholar and author of fiction

Keith McHenry, American activist, best known as the co-founder of Food Not Bombs.
Bill McKibbin, author, educator, environmentalist, and Co-founder of 350.org
Ralph Nader, American lawyer and political activist involved in consumer protection, environmentalism, and government reform causes, *The Ralph Nader Radio Hour*
Thich Nhat Hanh, global spiritual leader, poet and peace activist
Johnnie Otis, Greek American singer, musician, composer, bandleader, record producer, talent scout, and preacher, host of the *Johnny Otis Show* on KPFA k2004-2007
Greg Palast, author and free lance journalist
Ilan Pappé, Israeli historian, political scientist, and former politician
Ari Shaw, Senior Fellow and the Director of International Programs at the Williams Institute, specializing in international human rights, LGBTQ+ law and policy
Norman Solomon, American journalist, media critic, activist, National Director of Roots Action
Oliver Stone, film director *Oliver Stone's Untold History of the United States*
Desmond Tutu, South African Anglican bishop and theologian
John Updike, American novelist, poet, short-story writer, art critic, and literary critic
Gore Vidal, American writer
Alice Waters, American chef, restaurateur, food writer, and author
Alice Walker, American novelist, short story writer, poet, and social activist
Richard D. Wolff, American Marxian economist, professor emeritus, weekly *Economic Update* show



Figure 20. Jane Fonda in conversation with Sasha Lilley of *Against the Grain* in 2005



Figure 21. Donovan with Dirk Richardson of *The Hear & Now* in 2004

News

At a time when independent news is under attack, KPFA's news department covers Berkeley, Bay Area, California national and international news with updates throughout the day on weekdays, and on weekend evenings. Over the years KPFA news has provided a voice for marginalized communities while covering breaking news, economic, health, environmental, and political events.

A Radio Media Champion for Berkeley's Cultural Diversity Movements

KPFA programming has honored and reflected the changing historical demographic and geographic cultural diversity of Berkeley, the Bay Area, California and the United States

During the Civil Rights Movement KPFA sent reporters to the South and If it were not for KPFA and other Pacifica stations the public would not have access to many **recordings of the speeches of Martin Luther King, Rosa Parks and Malcolm X.**

The station building has served as a media center for hosting historic interviews on **The Farmworkers Movement, Black Lives Matter, Me Too, Immigrant rights** issues and the many important movements of the times.

Diverse Programming Include

Africa Today is a weekly news program providing information and analysis about Africa and the African Diaspora, hosted by Walter Turner.

Apex Express is a collective member of AACRE, Asian Americans for Civil Rights and Equality. AACRE focuses on long-term movement building, capacity infrastructure, and leadership support for Asian Americans and Pacific Islanders committed to social justice.

Bay Native Circle is a weekly program presenting special guests and explores today's Native issues, peoples, cultures, music & events with rotating hosts Morning Star Gali, Tony Gonzales, Eddie Madril and Janeen Antoine. The station covered Indigenous community events including the Occupation of Alcatraz, and protests at Standing Rock. The KPFA building supports the preparation for annual live broadcasts on Alcatraz for Indigenous People's Day and Thanksgiving sunrise ceremonies.

Hard Knock Radio went on the air in 2001. The show hosted by Davy D and Anita Johnson explores local hip hop culture and politics.

La Onda Bajita is a bilingual, Xicano/a/x Indigenous collective and radio program on KPFA 94.1 fm in the SF Bay Area. Since the late 1970s we have held a strong, steadfast commitment to give voice to Spanish-speaking & native communities. We use the power of words as a tool for change. We also continue to bring that Lowrider soul. This long running lowrider cruising show continues to creep along with a mix of barrio oldies and raza knowledge.

La Raza Chronicles is a weekly Latino affairs magazine program with a local and international focus, highlighting the social, political and cultural events affecting the Latino community.

Law & Disorder exposes the cracks in our system, agitates for resistance and collectively builds a new world where all of us thrive. Hosted by Cat Brooks. Produced by Jesse Strauss.

Making Contact is a radio program and podcast on KPFA Radio that focuses on social justice issues and the people involved in movements for change. The weekly show is hosted by Amy Gastelum, Salima Hamirani, Anita Johnson, and Lucy Kang

Pushing Limits provides critical coverage of disability issues and brings insight into the grassroots disability movement to the general public. Host-Producer of Pushing Limits, Adrienne Lauby had this to say “Pushing Limits could not have existed in the old building. We would have had to picket outside for access. LOL. Berkeley played an historic role in the Disability Rights Movement but one activist-producer* of KPFA’s “Disability Rap” had to be carried upstairs. 1929 MLK Dr. has an elevator and has aired Pushing Limits, a disability program, since 2003.” She also listed some luminaries in the disability movement associated with the program: Judy Heumann, Jana Overbo, Mary Lou Breslin and Pam Walker.

This Way Out is the only internationally distributed weekly LGBTQ radio program, currently airing on some 200 local community radio stations around the world. The award-winning half-hour magazine-style program features a summary of some of the major news events in or affecting the queer community (NewsWrap), in-depth coverage of major events, interviews with key queer figures, plus music, literature, entertainment — all the information and culture of a community on the move!

Women’s Magazine is an hour long radio program that presents and discusses women’s lives and issues globally and locally from a radical, multiracial, feminist, mujerist, womanist perspective.

Voices of the Middle East and North Africa airs once a week and is a richly diverse and fascinating world of culture and politics of the Middle East and North Africa, co-hosted by Khalil and Malihe.

Environmental Programming

Bioneers: Revolution from the Heart of Nature An award-winning series featuring social and scientific innovators with creative solutions to the most pressing challenges we face.

Terra Verde delivers news and views about the most critical environmental issues across California and globally.

A Rude Awakening is an award-winning climate crisis and environmental justice radio show with interviews and commentary – hosted and produced by Sabrina Jacobs

Education

Education Today is a radio show hosted by Kitty Kelly Epstein and Jaron Epstein that airs weekly

Choose to Be Curious is a show all about curiosity. We talk about research and theory, but mostly it’s conversations about how curiosity shows up in work and life. Hosted by Lynn Borton.

Music

The KPFA music studio has hosted local and nationally acclaimed musicians in live performances across a wide range of music genres including: jazz, Latin jazz and rhythms, blues, hip hop, classical, country, indigenous, bluegrass, world music, avant-garde compositions and more. KPFA’s extensive music library

offers diverse listening experiences and ensures that the musical traditions of our local communities and beyond are preserved and celebrated.



Figure 22. Historic Music Library - photo courtesy of Lan Wolfley

The station's cultural programming includes historic book reviews, poetry, and discussions on theater and film, making KPFA a significant cultural resource for the community.

KPFA's programming supports the Bay Area's caring culture by providing resources and information about community responses to urgent and life threatening challenges, affecting individuals and families.

Cultural Value as an Educational Institution

The KPFA building is a historic media training center that has offered decades of students and interns opportunities to acquire broadcasting and production skills through KPFA's News Department and other training and apprenticeship programs. The station has built strong relationships with local educational institutions including Berkeley Community College, UC Berkeley, Berkeley Media Center, and community organizations by providing collaborative hands-on learning in a real-world environment. KPFA as an educational resource helps to ensure that the knowledge and skills needed to understand, and participate in the production of independent media are passed onto future generations.

National YES State YES County YES City YES Neighborhood: YES.

KPFA 94.1 FM. has been a significant historical resource over a wide signal range across Northern California from well above Santa Rosa to as far south as the San Jose area. KPFA programming is also heard on KPFB 89.3 FM in Berkeley, KFCF 88.1 FM in Fresno, and KU Satellite intergalactically. KPFA content is shared with Pacifica's 200 affiliate stations across the United States and [KPFA.org](https://www.kpfa.org) listeners world-wide. KPFA also posts on KPFA Facebook @KPFA94.1 and Twitter, YouTube, Instagram, Tik Tok @kpfaradio

Architectural Value: consistent with Chapter 3.24.110 A.1(c)

In 1991 when the building first opened, San Francisco Chronicle's architecture critic, Allan Temko remarked: "*So KPFA is a modest instant landmark, unprepossessing but with clear identity*" and "*Station KPFA's new building has a distinct Berkeley flavor*"

Award winning building:: The Berkeley Architectural Heritage Association's *1991 Honor Award*; and the Berkeley Design Advocates' *1993 Best Commercial Building*.

David Trachtenberg was the licensed Project Architect for this project while an associate at Abrams Millikan & Associates."

Denny Abrams had this to say recently: "The style is mainly expressed in the facade of the building. The remainder of the building gets its form from functions and need. The inspiration for the style of the facade is in part the legacy of John Hudson Thomas. His use of stucco on well-proportioned facades that rise above the roof line was always inspiring. Embossing the stucco with decorative elements are also part of his legacy. When David [Trachtenberg] and I were finalizing the details of the facade we realized that this was truly a very specialized historical work of architecture that deserved to be memorialized by embossing the facade."

Architect Denny Abrams added that "The KPFA building is an outstanding example of Post Modernism and Regional Modernism, a style that blends the functional demands of a radio station with the aesthetic considerations of its surrounding environment..... The building's design is not only architecturally significant but also serves as a prototype of how media-related architecture can be both functional and artistically expressive. The two-story structure houses essential broadcasting facilities, with production, administrative and communal spaces, interconnecting with interior windows which enhance communication and collaboration among staff. The design was shaped with the input of KPFA's stakeholders, ensuring that the building met the unique demands of community radio broadcasting." ⁸

Architect David Trachtenberg writes "The Pacifica Radio/ KPFA 94.1 FM building provides an efficient, economical, and memorable home for two venerated Berkeley institutions. As community-based and listener-supported radio producers, Pacifica and KPFA depend on professional staff, as well as a diverse group of volunteers and contributors, to facilitate their day-to-day operations. Accordingly, the design process engaged all the stakeholders by way of consensus-building meetings and extensive personal interviews. The resulting schematic renderings were used to galvanize a significant capital campaign and give new focus, energy and identity to both organizations.

The facade evokes a temple in its simple three-part, symmetrical composition. We recall that during the design process, some voices criticized the design of the facade for being too "historicist" and not being enough "of our own time," ie a design that would evoke the chaotic, asymmetrical, modern, challenging, or uncomfortable condition of our own moment in history. However, such an approach was not of interest to us. We[In] hindsight, we believe we made the right call. The iconography of KPFA as a

⁸ Denny Abrams- email correspondence July 23, 2024

temple has a certain logic for KPFA embodies a set of values and beliefs as deeply held by its adherents as any religious order.

KPFA's previous digs, a ramshackle warren of rooms above Eddie's [Edy's] Soda Fountain on Shattuck Avenue, had terrible acoustics— and worse equipment. The new building would be a state-of-the-art facility with a fairly complex mix of sound studios, mixing rooms, conference spaces, and offices. Through [Though] counter-intuitive, Pat Scott, General Manager during the period when we were designing the building, directed us to place the most sound-sensitive rooms adjacent to and visible to the large central atrium and stairway. She wanted her staff to see the guts of the operation as they moved about the building and never to forget that they were in the building to create great radio content. We also recall, with delight, that the building, at its inauguration, was dubbed “The People's Cadillac”.

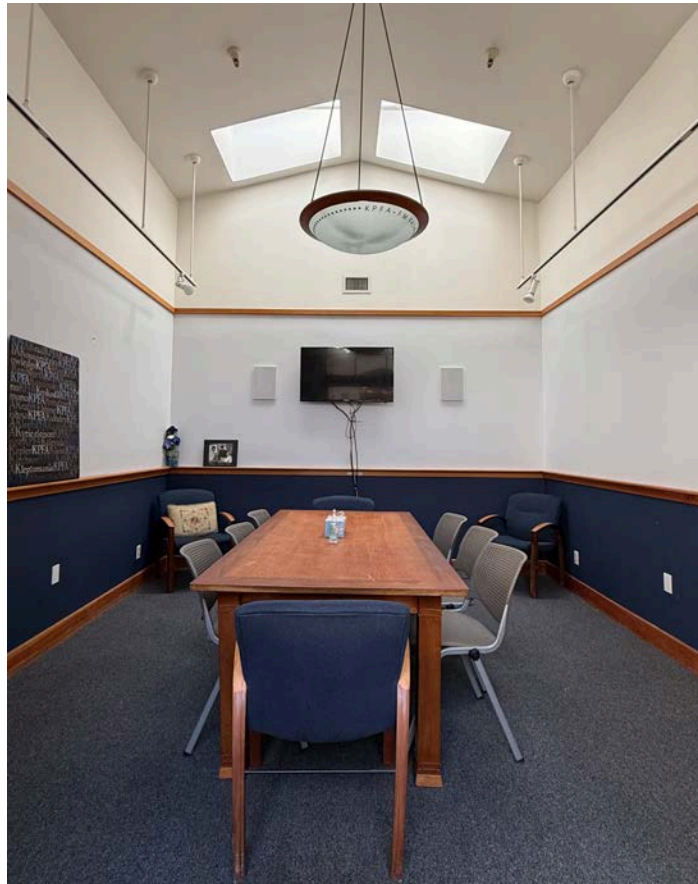


Figure 23. Conference Room - photo courtesy of Lan Wolfley

Architect S. Ross Bogen further describes the building style with “The architecture of the building is emblematic of its time: while not necessarily intended as such by its designers, it is part of the New Urbanism of the late 20th century, fitting into its surroundings and respecting the historical context of its neighbors. It does this by “holding the street”, building up to the sidewalk to maintain the unity of the street wall of commercial storefronts that about it, and abiding by the conventions that govern their early-20th century design: overall form reflecting traditional human-scaled elements, use of craft-based ornament, and limited (abstracted in KPFA's case) references to historical architecture. In this respect it is also related to the Postmodernism of the previous decade and the broader Regional Modernism of the latter half of the 20th century.

The basic organization of the facade - described by its designer, architect David Trachtenberg - as “evoking a temple” via a simplified, symmetrical three-bay form, could be described as following a Roman “basilica” form, with a raised and arched central bay bordered by narrower ones, divided

horizontally to reflect the two internal stories behind them. This is the convention adopted throughout the post-Roman west for church architecture, so familiar in Romanesque churches (often referred to as “basilicas”) and reaching their peak in the Gothic cathedrals of the late middle ages. There is no more fundamental historical precedent in Western architecture, other than the actual greco-roman temple front, and this building does its modest part, in a reformation of sorts contrary to earlier 20th century modernist dogma, to reinstate it for an important public institution.

In addition, the arched central bay-plus-side-windows also references a late Renaissance figure, the *serliana*, named for 16th C. Venetian architect Sebastiano Serlio. It is more popularly known as the “palladian window”, for Andrea Palladio, Serlio’s much better known Venetian contemporary, who employed it to much broader and visible effect in northern Italy, and whose published design work was taken up by 18th century English and then American architects. So ubiquitous as to be almost a cliché in residential architecture of the late 19th-early 20th century (not to mention late 20th C. post-Modern and current day historicist pastiche rampant in suburban commodity housing), here it is employed at what is termed “giant scale” in classical architecture to emphasize the basilica form that organizes the interior, as it should in any proper work of public architecture. It is set within a gabled parapet that forms a counterpoint to the arched opening, reflects the roof beyond and evokes historical conventions employed by early-20th C. Bay Area architects such as John Hudson⁹ Thomas.

The facade performs the essential function of expressing the overall concept of the building, which reflects the basilica form in its interior organization, with a high central space bordered by two-story aisles. Where the building departs from classical precedent is in the space above the aisles, which classically (or gothically) would have high clerestory windows. Here there is a marvelous gabled skylight, retractable ala the more dramatic applications in new athletic stadiums, that is visible through the facade’s arched central window, and is as much a part of the design as anything else on the outside of the building.

The *serliana* is minimally detailed, almost to the point of abstraction, but the facade employs text in a decorative way to evoke ornament and communicate the building’s purpose, and add fine-grained detail to relate it to its older neighbors. Over the central arch, letters in a classical serif font spelling out “Pacifica” are incised in the plaster surface, a device cited by the architects as inspired by the work of John Hudson Thomas. Over the entry, a balcony forms a canopy, and a recessed band at the lower edge forms a marquee of sorts, with applied metal letters - in an almost Art Deco sans-serif font - spelling out the radio station’s call sign and frequency. It’s a subtle nesting of historical allusions to the different eras combined in the building: its philosophical foundations in the early-20th C. Progressive Movement and the technological promise of the Radio Age.

The entry itself is the more highly detailed and ornamented section of the facade, as appropriate to the part most closely encountered by anyone visiting the building. Teal craft tiles with gold accents form a wainscot and surround for the glazed bronze doors, which are topped by a transom light. A decorative flourish from the classicized language of the Progressive Era are romanized bronze grilles applied to the transom and doors that, unfortunately, have had to be removed from the doors due to unaccounted-for structural stress on the frames, but may be reinstalled after the frames have been reengineered and reinforced. Enlivening the wall space on either side of the doors are display cases designed for announcements.

The other exposed elevation of the building is on the north, overlooking a parking lot but visible from Berkeley Way. This wall is restrained and even plain, as expected for a minor side, but it has a careful composition of evenly spaced second story windows, with a notched parapet - alternate notches holding roof overflow scuppers - reinforcing the rhythm of the windows below.”¹⁰

Architect: David Trachtenberg

⁹ Denny Abrams- email correspondence July 23, 2024

¹⁰ S. Ross Bogen, AIA, Landmarks committee chair, Tracy Historical Museum

Stackhouse De La Pena Trachtenberg Architects - Founding Principal

"His Harvard design thesis was the design of a Jewish Community Center in Berkeley, California. Thesis Advisor: Moshe Safdie. He returned to the Bay Area and worked for various architects, builders, and developers for a couple of years. David started Trachtenberg Architects in 1991 and has been running his own firm for 28 years. The office has designed over two hundred buildings, the majority of which are in or around Berkeley.

Local projects include buildings for KPFA Radio, The Trust for Public Land, ACLU Headquarters, The Berkeley Bowl Marketplace, Saul's Deli, Comal Restaurant, Backroads, MIG Headquarters, Jung Institute, Pathways Homeless Shelter, SYDA Meditation Temple, Acme Bread Company, Cody's Books, Kermit Lynch offices, Peet's Coffee Headquarters, and about fifty private residences. Most of the projects these days are large multi-family projects. They have built 300 units so far in Berkeley and have another 1,500 in the pipeline."

He continues to influence the face of Berkeley with his many works throughout the city - from single-family homes, to multi-family structures, many Berkeley businesses and well-loved Berkeley institutions."¹¹

"What do Berkeley Bowl, the Rose Grocery project and the new Read Building on Fourth Street have in common? Their architect is David Trachtenberg, known for responding to the historical feel of Berkeley architecture while creating structures with a distinctive look.

His architectural forebears include Bernard Maybeck and Julia Morgan, founders of the Bay Region style of architecture, which emphasized building with natural materials and featured rooms that interacted with the outdoors. But he also brings a contemporary sensibility to his work and bridges the gap between past and present - sometimes in a single building...

Trachtenberg, 50, grew up in Pittsburgh as a triplet in a family with five children. He received a bachelor's degree in architecture from UC Berkeley before earning a master's degree in architecture from the Harvard Graduate School of Design.

He lives in a century-old Berkeley brown shingle house and has run Trachtenberg Architects in the same city since 1991. Robert Nishimori, the other principal, and project architects Isaiah Stackhouse and Neven Krickovich work there with him. Examples of the firm's residential and commercial work can be found from Petaluma to San Jose, including several San Francisco projects. But Trachtenberg's primary accomplishment is helping to shape the look of Berkeley with commercial buildings such as Saul's Restaurant & Delicatessen, the former Cody's Books on Fourth Street, and the mixed-use building that houses La Farine bakery on Solano Avenue.

Berkeley architect David Snippen said, "What Trachtenberg has contributed to Berkeley is a legacy of very fine architecture that hopefully will be understood and admired for a long time. It's added a lot to the cultural inventory." A member of the city's Design Review Committee, Snippen adds, "When we see him come in with a project, we take a breath and relax."...

He's known for creating spaces with a terrific sense of flow and pleasing proportions. His buildings feel inviting, and although that partly derives from his Bay Region predecessors, another key influence is Christopher Alexander (formerly of Berkeley and now in England), who wrote prolifically about the design process and produced many insights about why certain spaces feel right and even timeless."¹²

¹¹ From Urban Adamah "David Trachtenberg - Urban Adamah" <https://urbanadamah.org/team/david-trachtenberg/>

¹² **David Trachtenberg: Refining that Berkeley look**
<https://www.sfgate.com/homeandgarden/article/David-Trachtenberg-Refining-that-Berkeley-look-3186496.php>
Architect David Trachtenberg's projects adapt to the times but are inspired by the Bay Region style
 By Eve Kushner, Special to The Chronicle Nov 5, 2008

Architect: Denny Abrams
Abrams/Millikan & Associates
Urban Ecology

“Graduate UC Berkeley joint program City and Regional Planning & Urban Economics. Worked as City Planner for Hud 1968, Planner at Sasaki Walker 1969, Research in Architecture and Urban Design with Christopher Alexander at Center for Environmental Structure. 1968 - 1974. Started Abrams Millikan & Kent design build firm 1974 to present. Designed & built many residential projects. Notable projects are Fourth Street, Berkeley 1978 to present and Bancroft Center 1989 to present, Northface Headquarters 1983, KPFA & WBAI production studios. Lectures ULI, UC Berkeley Haass, UC Berkeley Architecture, NYU City planning, Princeton University City Planning”¹³

“Denny Abrams made his mark on Berkeley by transforming Fourth Street from a rundown strip of warehouses into a walkable urban idyll that remains one of the region’s most inviting commercial districts. He’s still pursuing projects with Abrams/Millikan & Associates, his Fourth Street-based design/build development firm, but he’s also found a very different field to play in, backing some of the most creative artists in jazz.”¹⁴



Figure 24. Skylight courtesy of David Trachtenberg

Builder

“Lloyd H. Oliver and Charles E. Coburn founded Oliver & Coburn in 1946—just 9 years after Lloyd Oliver helped complete the construction of the Golden Gate Bridge.

Today we are Oliver & Company: a hands-on, full-service construction company. We have completed over 2,000 buildings across Northern California; all have been completed to the full satisfaction of our clients.

We handle the work ourselves—we are not a construction broker. Our crew includes over seventy-five carpenters and experienced field staff supported by a twenty-five person in-house project management team. We all work together, solving problems daily to keep each project moving forward.

Our ability to execute stems from the long-term relationships we have with our employees; the average tenure for an employee of Oliver & Company is over seventeen years, with some employees staying with us their entire careers. Simply put, we believe we have the best team in the industry.

We are highly selective about our projects and clients. A founding member of the Construction Employers Association, we are known for our integrity and commitment to working closely with our clients and successfully bringing their projects to completion.”¹⁵

¹³ Denny Abrams LinkedIn page <https://www.linkedin.com/in/denny-abrams-a94a518>

¹⁴ **Berkeleyside - Denny Abrams, creator of Fourth Street, has a jazzy second life** By Andrew Gilbert May 26, 2021 <https://www.berkeleyside.org/2021/05/26/fourth-street-denny-abrams-jazz-music>

¹⁵ Oliver and Company - About <https://oliverandco.net/company/about-us/>

17. Is the property endangered? YES.

The KPFA Radio Building is being used as collateral on a loan made to the Pacifica Foundation Inc. Pacifica owns KPFA and 4 other stations. KPFA may be at risk of being sold and converted for a different use. Other Pacifica buildings have been sold to pay off debt. The original purchase of the KPFA site included the buildings at 1921-1925 MKJ Jr Way, adjacent to the KPFA building on the north side. See *Figure 16*. In 2019, Pacifica was forced to sell those properties to reduce loan balances. In 2024, the Los Angeles KPFA station building was also sold.

Today, the importance of KPFA and Pacifica is not missed by the authors of Project 2025. On pages 245-247 of Project 2025, not only are they going after NPR and PBS but Pacifica Radio as well. Over the last few decades news media has been reduced to a few large conglomerates who control what we hear and read. Their primary motive is profit. Information is reduced to sound bites by highly-paid pundits with repetitious stories omitting details that might shed light on corruption, civil rights abuses and threats to our democracy. KPFA, listener-supported since 1949, is beholden to no one but the listeners and is committed to providing thorough coverage of local, national and world events.

KPFA is the flagship station of the Pacifica network. It is the most financially sustainable station with a valuable and historic mission worthy of support. Once lost, it could not be reconstructed. Because of the KPFA building's unique value as a treasured community resource we strongly urge that the KPFA building at 1929 Martin Luther King Jr. Way be designated as an historic landmark to protect it now and for future generations and to celebrate its many and major contributions to the City of Berkeley and beyond.

18. Photographs: from the KPFA photo archives and staff members **Date:** see photos

Repository: KPFA photo archives, Attn. Peter Stickney

Photographer: see photos

19. Bibliography:

Architects: <https://trachtenbergarch.com/project/pacifica-radio-kpfa-94-1-fm/> and <http://www.urbanecology.org/portfolio/abrams.html>

Descriptions of building: S. Ross Bogen, AIA, Landmarks committee chair, Tracy Historical Museum

Neighborhood Historic Information: Daniella Thompson, Architectural Historian

KPFA: <https://kpfa.org/>

KPFA Facilities: <https://kpfa.org/facilities/>

KPFA Programs: https://kpfa.org/programs/_s_of_radio_production_broadcasting

The History of KPFA: <https://kpfa.org/about/history/>

Kris Welch - 50 Years at KPFA - Interview: <https://www.youtube.com/watch?v=iLTDekq6qR8>

KPFA Presents the 75th Birthday Special - Part 2: <https://www.youtube.com/watch?v=IcfWO5xTGd8>

Paul Robeson - KPFA Interview, February 8 1958: https://www.youtube.com/watch?v=zDb9nM_iiXw

Wikipedia, KPFA: <https://en.wikipedia.org/wiki/KPFA>

20. Recorder:

Date:

Organization:

References

1. Charles Burress (July 15, 1999). "[Battleground at KPFA -- Employees Locked Out: Hundreds of fans protest changes at Berkeley radio station](#)". *San Francisco Chronicle*. Retrieved 2012-02-22.
2. Charles Burress, Janine DeFao (July 16, 1999). "[Legislators Step Into KPFA Clamor: Hearing demanded as protesters besiege Berkeley station a third night](#)". *San Francisco Chronicle*. Retrieved 2012-02-22.
3. Michael Taylor (July 17, 1999). "[Berkeley Gets Radical Over KPFA Lockout: Anyone with a cause welcome to protest](#)". *San Francisco Chronicle*. Retrieved 2012-02-22.



Office of the City Manager

INFORMATION CALENDAR

January 20, 2026

To: Honorable Mayor and Members of the City Council
 From: Paul Buddenhagen, City Manager
 Submitted by: Jennifer Louis, Chief of Police
 Subject: Surveillance Technology Ordinance Report Update

BACKGROUND

On November 10, 2025, the City Manager submitted the 2025 Annual Surveillance Technology Report to the City Council, pursuant to Chapter 2.99 of the Berkeley Municipal Code (BMC). Following the submission of that report, the City received a request to provide additional context regarding the “effectiveness” of the reported technologies. Due to the proximity of the reporting period’s close to the submission deadline, there was insufficient time to fully analyze and include the most recent data in the original document. This Information Item is intended to provide additional information on the 2025 Annual Surveillance Technology Report regarding the effectiveness of technology for community assessment.

CURRENT SITUATION AND ITS EFFECTS

Under BMC 2.99.020(2)(f), a Surveillance Technology Report must include:

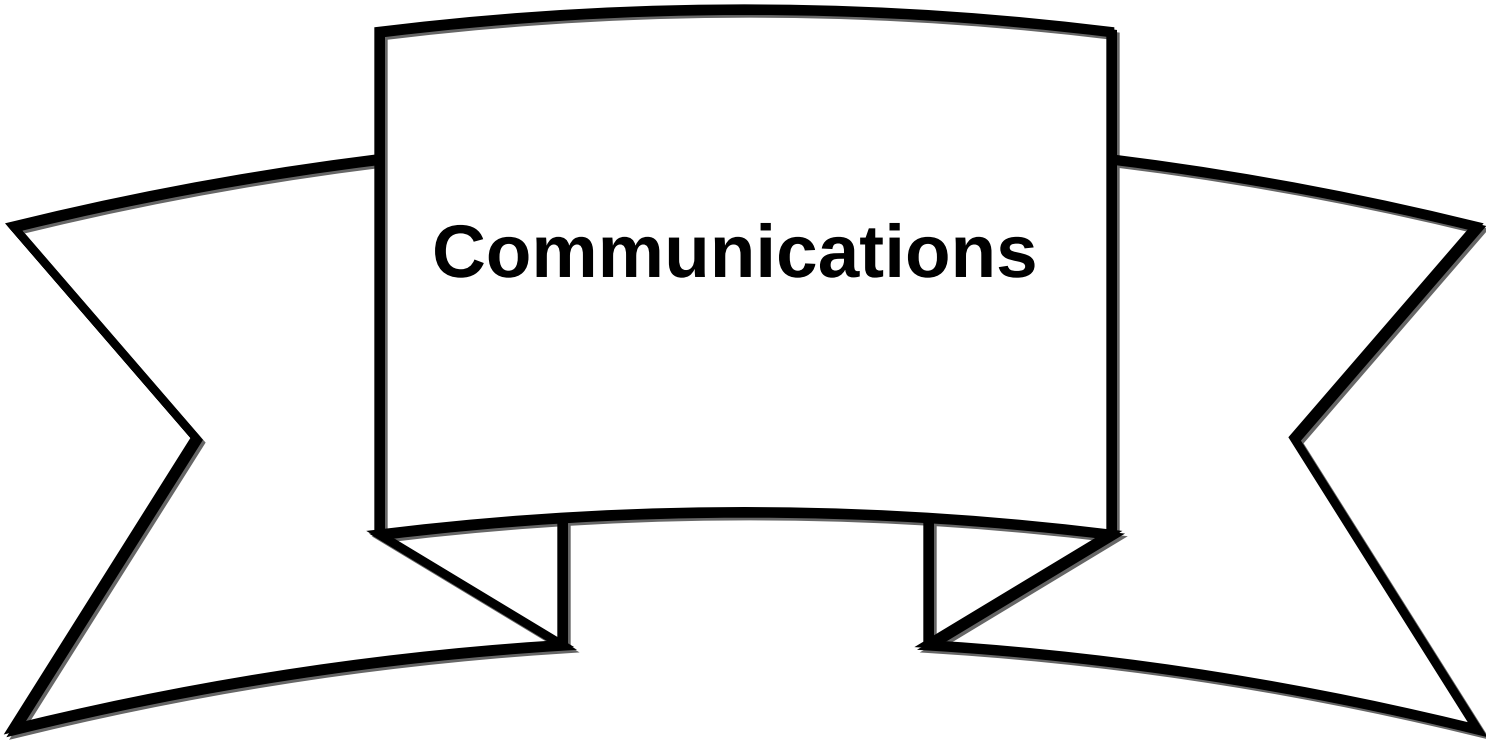
“Information that helps the community assess whether the Surveillance Technology has been effective in achieving its identified outcomes.”

Effectiveness in public safety is a multifaceted concept that cannot be captured by a single metric. While statistical data is a critical component, the Department evaluates the utility of these tools through a variety of lenses to ensure a holistic assessment of their value to the community.

The identified outcomes for fixed ALPRs are to aid criminal investigations and recover stolen property. During the reporting period, the technology was effective in meeting these outcomes: the system was instrumental in at least 55 arrests, assisted in over 100 other investigations, including those for homicides, robberies and commercial burglaries, and led to the recovery of at least 43 stolen vehicles. Additionally, robbery closure rates jumped 10 percentage points in the nine months after ALPR implementation compared to the previous nine month period.

CONTACT PERSON

Jen Louis, Chief of Police, (510) 981-5700



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