

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, April 28, 2026
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 1027 BANCROFT WAY, BERKELEY, CA 94710

ADENA ISHII, MAYOR
COUNCILMEMBERS:

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

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

*This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 256 6464**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@berkeleyca.gov.*

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

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

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

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

Preliminary Matters

Roll Call: 6:03 p.m.

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

Absent: None

Councilmember Bartlett participated in the meeting remotely under the “just cause” exception in the Brown Act due to a need related to a physical condition.

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

Ceremonial Matters:

1. Recognition of April 2026 as American Muslim Appreciation and Awareness Month

City Auditor Comments:

The City Auditor gave a presentation on Berkeley’s Financial Condition (Item 9).

City Manager Comments: None

Public Comment on Non-Agenda Matters: 8 speakers.

Consent Calendar

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

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

Vote: All Ayes.

Consent Calendar

- 1. Amendments to BMC Title 3.24 (Landmarks Preservation Commission) to Revise Procedures for Designating Landmarks, Historic Districts and Structures of Merit and Incorporate Technical Edits**
From: City Manager
Recommendation: Adopt the second reading of Ordinance No. 8,005-N.S. amending BMC Title 3.24 (Landmarks Preservation Commission) to revise procedures for designating landmarks, historic districts and structures of merit, and to incorporate technical edits.
First Reading Vote: Ayes – Kesarwani, Taplin, Bartlett, O’Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – Tregub.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted second reading of Ordinance No. 8,005–N.S.
- 2. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of March 2, 2026 (closed), March 6, 2026 (special), March 10, 2026 (special and regular), March 16, 2026 (closed), March 17, 2026 (special), and March 24, 2026 (special and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Approved the minutes as submitted.
- 3. Police Accountability Board – Appointment of New Member**
From: City Manager
Recommendation: Adopt a Resolution appointing a new member to the Police Accountability Board (PAB) nominated by Councilmember Blackaby.
Financial Implications: See report
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Adopted Resolution No. 72,245–N.S.
- 4. Sale of Real Property – 1631 Fifth Street**
From: City Manager
Recommendation: Adopt a Resolution declaring 1631 Fifth Street exempt surplus land. Subsequently, adopt first reading of an Ordinance approving the sale of City property at 1631 Fifth Street and authorizing the City Manager to execute all necessary documents required to sell the property for \$750,000.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
Action: Adopted Resolution No. 72,246–N.S. and adopted first reading of Ordinance No. 8,006–N.S. Second reading scheduled for May 12, 2026.

Consent Calendar

- 5. Rescind Resolution No. 68,099-N.S. and Adopt a Resolution for Continual Participation in the Alameda County Operational Area**
From: City Manager
Recommendation: Adopt a Resolution rescinding Resolution No. 68,099-N.S. and authorizing the City Manager to execute an agreement, effective through 2035, with the Alameda County Operation Area Emergency Management Organization to establish the administrative pathways that enable resource sharing among cities, counties and the State during disasters.
Financial Implications: None.
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 72,247–N.S.
- 6. Contract No. 32400192 Amendment: GovernmentJobs.com (dba NEOGOV) for Online Data Management Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32400192 with GovernmentJobs.com (dba NEOGOV) for online data management services including applicant tracking, onboarding, and learning management to increase the not to exceed amount of \$180,000 by \$190,000 for a total not to exceed amount of \$370,000 with a contract end date of May 15, 2027.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 72,248–N.S.
- 7. Support Position on SB 894 (Allen) - California Wildfire Resilience Loan Program**
From: Disaster and Fire Safety Commission
Recommendation: Adopt an official Support position on Senate Bill 894 (Allen), the California Wildfire Resilience Loan Program, and authorize and direct the Mayor or City Manager or designee to send letters of support to Senator Ben Allen, Senator Jesse Arreguín, representing Berkeley in the California State Senate, and Assemblymember Buffy Wicks
Financial Implications: See report.
Contact: Keith May, Commission Secretary, (510) 981-3473
Action: No action taken.

Consent Calendar

8. **Support Position on SB 1076 (Pérez) - Insurance Coverage for Fire-Safe Homes Act**
From: Disaster and Fire Safety Commission
Recommendation: Adopt an official Support position on Senate Bill 1076 (Pérez), the Insurance Coverage for Fire-Safe Homes Act, and authorize and direct the Mayor or City Manager or designee to send letters of support to Senator Sasha Renée Pérez, Senator Jesse Arreguín, representing Berkeley in the California State Senate, and Assemblymember Buffy Wicks.
Financial Implications: See report.
Contact: Keith May, Commission Secretary, (510) 981-3473
Action: Approved recommendation.

9. **Berkeley's Financial Condition (FY 2016-FY 2025): Structural Deficit Poses Risk to Financial Sustainability**
From: Auditor
Recommendation: We recommend City Council request that the City Manager report back by Fall 2026, and annually thereafter, regarding the status of our audit recommendations until reported fully implemented by the Finance Department, Budget Office, and other relevant departments. This audit includes 9 recommendations to formalize the use of more sustainable budget strategies, ensure funds withdrawn from the Section 115 Trust are replenished, improve financial reporting, and develop a capital financing plan that proposes future funding mechanisms beyond existing sources to help address the City's growing unfunded capital needs. City management agreed or partially agreed to our recommendations. Please see our report for their complete response.
Financial Implications: See report
Contact: Jenny Wong, Auditor, (510) 981-6750
Action: Approved recommendation.

Council Consent Items

10. **Luna Dance Creativity: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**
From: Councilmember Taplin (Author)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Taplin, to support Luna's May Day Gathering and Bazaar event.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Adopted Resolution No. 72,249–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Bartlett - \$250; Councilmember Lunaparra - \$200; Councilmember Blackaby - \$250; Councilmember Tregub - \$150; Councilmember Humbert - \$200; Councilmember Kesarwani - \$100; Councilmember O'Keefe - \$250; Mayor Ishii - \$250.

Council Consent Items

11. **Resolution Supporting Megafire Prevention Package**
From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember O'Keefe (Co-Sponsor), Councilmember Humbert (Co-Sponsor)
Recommendation: Adopt a Resolution supporting the 2026 Joint Megafire Prevention Package in the California Legislature supported by Megafire Action, FireWERX, California Fire Safe Council, and the Karuk Tribe, among others. Send a copy of the Resolution to the six authors, Senator Jesse Arreguín, Assemblymember Buffy Wicks, and Governor Gavin Newsom.
Financial Implications: None
Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160
Action: Adopted Resolution No. 72,250–N.S. as revised in Supplemental Communications Packet #2 by Councilmember Blackaby with letters to be sent to designated officials.

Action Calendar – Public Hearings

12. Submission of the Program Year 2026 Annual Action Plan Containing Allocations of Federal Funds

From: City Manager

Recommendation: Conduct a public hearing on the Program Year (PY) 2026 Annual Action Plan (AAP) and upon conclusion, adopt a Resolution that authorizes the City Manager or his designee to:

1. Execute any resultant agreements and amendments for agencies receiving funding under the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), or Home Investment Partnerships Program (HOME) Program in accordance with the proposal approved hereunder. If the federal government does not allocate sufficient funds to cover the allocations attached to this resolution in this year or subsequent years, the City may either terminate the resultant agreements with agencies without any liability occurring to the City. A record copy of said contracts and any amendments are on file in the Office of the City Clerk; and
2. Adjust reporting due dates for Community Agency grantees for all Program Reports and Statement of Expenses for FY 2027 and FY 2028 contracts. Authorize new dates for Program Reports to be due on October 15, January 15, April 15, and July 15 and Statement of Expenses due on October 15, January 15, April 15, July 31; and
3. Allocate 20% of the PY 2026 (FY 2027) CDBG funds to Planning and Administration, up to 17.83% for public services, and the remaining to be distributed to Housing Services and Community Facility Improvements as outlined in Exhibit A with the Public Facility Improvements being a flexible line item should the HUD allocation differ than the amount currently allocated; and
4. Allocate the allowable 7.5% of the PY 2026 (FY 2027) ESG to Administration, \$6,676 to the Homeless Management Information System (HMIS), and the remaining amount to Rapid Re-housing, and shelter activities (not to exceed 60% of PY 2026 ESG entitlement); and
5. Allocate the allowable 10% of PY 2026 (FY 2027) HOME funds for program administration, up to the allowable 5% for Community Housing Development Organization (CHDO) operating support, and allocate the remainder to the Housing Trust Fund; and
6. Finalize the PY 2026 Annual Action Plan, including responses to public comments received until May 1, 2026, adding required U.S. Department of Housing and Urban Development (HUD) application forms and certifications, and including other HUD required information, submit it to HUD, and execute all documents necessary to receive the City's entitlement grants under the CDBG, ESG, and HOME Programs.

Financial Implications: See report.

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

Public Testimony: The Mayor opened the public hearing. 2 speakers.

M/S/C (Humbert/Tregub) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Tregub/Blackaby) to adopt Resolution No. 72,251–N.S.

Vote: All Ayes.

Action Calendar – Public Hearings

13. California Municipal Finance Authority Bond Financing for Ephesian Legacy Court Apartments Project

From: City Manager

Recommendation: Conduct the public hearing on April 28, 2026, under the requirements of Tax and Equity Fiscal Responsibility Act (“TEFRA”) and the Internal Revenue Code of 1986, as amended (the “Code”), and upon conclusion:

Adopt a Resolution approving the issuance of the Bonds by the California Municipal Finance Authority (“CMFA”) for the benefit of Ephesian Legacy Court Limited Partnership, a California limited partnership (the “Borrower”), to provide for the financing of Ephesian Legacy Court (the “Project”). The adoption is intended to solely satisfy the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following).

Financial Implications: See report.

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

Public Testimony: The Mayor opened the public hearing. 0 speakers.

M/S/C (Humbert/Tregub) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Humbert/Kesarwani) to adopt Resolution No. 72,252–N.S.

Vote: All Ayes.

Action Calendar – Public Hearings

14. Amendments to Berkeley Municipal Code Title 23 (Zoning) for Consistency with State Law and Technical Edits (SLTE 2026)

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion adopt the first reading of an Ordinance amending Berkeley Municipal Code (BMC) Title 23. The proposed changes apply to the sections of the BMC listed below:

- Section 23.202.020 (Residential Districts – Allowed Land Uses)
- Section 23.202.050 (Residential Districts – R-1 Residential Multi-Unit 1 District)
- Section 23.202.080 (Residential Districts – R-2 Residential Multi-Unit 2 District)
- Section 23.202.090 (Residential Districts – R-2A Residential Multi-Unit 2A District)
- Section 23.206.030 (Manufacturing Districts – Additional Permit Requirements)
- Section 23.206.060 (Manufacturing Districts – M Manufacturing District)
- Section 23.206.070 (Manufacturing Districts – MM Mixed Manufacturing District)
- Section 23.206.080 (Manufacturing Districts – MU-LI Mixed Use-Light Industrial District)
- Section 23.206.090 (Manufacturing Districts – MU-R Mixed Use Residential District)
- Section 23.304.100 (General Development Standards – Site Features in Residential)
- Section 23.306.030 (Accessory Dwelling Units – Development Standards)
- Section 23.306.040 (Accessory Dwelling Units – Permit Procedures)
- Section 23.322.040 (Parking and Loading – General Requirements)
- Section 23.322.050 (Parking and Loading – Parking Reductions)
- Section 23.322.100 (Parking and Loading – On-site Loading Spaces)
- Section 23.326.070 (Demolition of Non-Residential Buildings)
- Section 23.330.030 (Density Bonus—Application Requirements)
- Section 23.330.080 (Density Bonus – Regulatory Agreements)
- Section 23.410.020 (Appeals and Certifications – Appeal Subjects and Jurisdiction)
- Section 23.502.020 (Glossary – Defined Terms)

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 1 speaker.

M/S/C (Tregub/Humbert) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Tregub/Humbert) to adopt the first reading of Ordinance No. 8,007–N.S. Second reading scheduled for May 12, 2026.

Vote: All Ayes.

Action Calendar – Public Hearings

15. 1646 and 1650 Fifth Street Re-Zoning and Associated General Plan Amendments

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion:

1. Adopt a Resolution to:

a. Amend the General Plan Land Use Map to change the existing Manufacturing (M) and Mixed Use (MU) land use designation to solely Mixed Use and

b. Amend the West Berkeley Plan to include conforming land use district map amendments; and

2. Adopt an Ordinance amending the Zoning Map to rezone portions of 1646 and 1650 Fifth Street from Mixed Use-Light Industrial (MU-LI) to Mixed Use-Residential (MU-R).

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 1 speaker.

M/S/C (Humbert/Ishii) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Humbert/Kesarwani) to:

1. Adopt Resolution No. 72,253–N.S.

2. Adopt the first reading of Ordinance No. 8,008–N.S. Second reading scheduled for May 12, 2026.

Vote: All Ayes.

Information Reports

16. UCSF Benioff Homelessness and Housing Initiative’s Interim Evaluation of the Berkeley Encampment Resolution/RV Buyback Program

From: City Manager

Contact: Peter Radu, City Manager's Office, (510) 981-7000

Action: Received and filed.

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

Adjournment

Action: M/S/C (Humbert/Lunaparra) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 7:41 p.m.

Communications

Hopkins St.

1. Justin Kao
2. Kori Kody
3. Brooke DuBose
4. Joel Myerson
5. Rudy VanderLans (3)
6. Cort Cooper
7. Katherine Calvert
8. Carol Hirth
9. Kristen Anderson
10. Catherine Ryan
11. Susan Schwartz on behalf of Friends of Five Creeks
12. Jan Woo
13. Paul Litsky
14. Meryl Siegal
15. Joseph Sutton (2)
16. Billy McDonald and Roberta Brooks
17. Philippa Kelly
18. Chris Edmunds
19. Charles Steidtmann
20. Janet Stromberg
21. Myriam and Richard Misrach
22. Lisa Bruce
23. Rachel Gold (2)
24. Cherie and Ron Hearne
25. Peggy Radel
26. Ellen Greenblatt
27. Katherine de Runtz (2)
28. Sondra Jensen
29. Sean Keller
30. Joe DiStefano
31. Brian Edquist
32. Ross Bernet
33. Thea Davison
34. Joanna Dillon
35. Jennifer Rose
36. Thomas J. Ayres

GO Bond Measures

37. Keri Hall
38. Greg Chang
39. Aimee Phan
40. EJ Holowicki
41. Nick Lewis

Proposed Local Tax Increase

42. Barbara Gilbert

Missing Person Case Concern

43. Hanifea Click (5)

44. Racarra Miller

45. Michele Yvonne Lazaneo

Public Safety Technology

46. Taj Herzer-Baptiste

Fireworks Concern

47. Mark Delepine

Flock Concerns

48. Colin Elbasani

49. Sarah Rosenkrantz

50. Larry Hendel

51. Larisa Cummings

52. Lanny DeVuono

53. Sierra Goetz

Economic Data

54. Margot Smith

Cement Factory

55. Cecelia Mautner

2128 Oxford St.

56. Steven Schuyler (4)

57. Margot Smith

Trash Dumping Concern

58. Craig Nagasawa

Upzoning

59. Kori Kody

60. Ron Kemper

61. Gloria Frym

62. Gael Alcock

63. Michael Weber

64. Summer Brenner

Lead Contamination Concern

65. Jane Terjung, Bill Naylor, and Concerned Neighbors

Union Pacific Railway

66. David McGuire

67. Susan Schwartz on behalf of Friends of Five Creeks (2)

Tenant Communications

68. Hector91 Phuentes (2)

Development Agreement

69. Jennifer Cogley

City Events

70. Rainbow Rubin

2425 Durant

71. DeSeana Williams

Betta Fish Concern

72. Ariel Heinicke

Electric Chargers

73. Doreet and Jeff Stein

Vehicles on Sidewalks

74. Jessaw Greenman

Newsletters

75. Berkeley Art Center

76. Berkeley Historical Society & Museum

Forwards

77. Russbumper (2)

E-Scooters

78. Robert Borghese (9)

79. Carson Lepre (6)

80. Aaron Dickinson (2)

81. Antonio Vargas

82. Hazel Santander

83. Shared Mobility Program (2)

84. Lime Virtual Ride Expert (3)

85. Jenny

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item 11: Resolution Supporting Megafire Prevention Package

86. Revised agenda material submitted by Councilmember Blackaby

Supplemental Communications and Reports 3

Item 9: Berkeley's Financial Condition (FY 2016-FY 2025): Structural Deficit Poses Risk to Financial Sustainability

87. Presentation submitted by the City Auditor

88. Ray Yep, Margo Schueler, Larry Henry

Item 12: Submission of the Program Year 2026 Annual Action Plan Containing Allocations of Federal Funds

89. Presentation submitted by the Health, Housing, and Community Services Department

Item 14: Amendments to Berkeley Municipal Code Title 23 (Zoning) for Consistency with State Law and Technical Edits (SLTE 2026)

90. Presentation submitted by the Planning and Development Department

91. Brianna Morales, on behalf of the Housing Action Coalition

Item 12: Submission of the Program Year 2026 Annual Action Plan Containing Allocations of Federal Funds

92. Presentation submitted by the Planning and Development Department