

ANNOTATED AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, September 15, 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: 165 877 2214**. 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: 6:02 p.m.

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

Absent: Kesarwani, Bartlett

Councilmember Kesarwani present at 6:03 p.m.

Councilmember Bartlett present at 6:11 p.m.

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

Ceremonial Matters:

1. Pledge of Allegiance
2. Celebrating Berkeley's Entrepreneurial Spirit
3. Recognition of September 2026 as Hunger Action Month

City Manager Comments:

The City Manager provided an update of the status of the Harrison Street Encampment resolution.

City Auditor Comments:

The City Auditor provided an update on Item 14 regarding Workplace Relationship Policies.

Public Comment on Non-Agenda Matters: 10 speakers.

Public Comment by Employee Unions: 0 speakers.

Action: M/S/C (Blackaby/Tregub) to add an item to the agenda pursuant to Government Code Section 54954.2(b)(2) regarding Wildfire Resiliency Bills pending in the state legislature.

Vote: All Ayes.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 34 speakers.

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

Vote: All Ayes.

Urgency Item: Wildfire Resiliency Bills – Request for Governor’s Signature

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

Recommendation: On behalf of the City Council, the Mayor will send letters to the Governor requesting his signature on eight (8) high-impact wildfire resiliency bills that passed the California Legislature and are awaiting his signature.

Financial Implications: See report

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

Action: Councilmembers O’Keefe and Humbert added as co-sponsors. Approved recommendation.

1. Grant Application: California Strategic Growth Council, Community Resilience Center (CRC) Planning Grant for Civic Center

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or their designee to: 1. Submit a grant application under the California Strategic Growth Council’s Community Resilience Centers (CRC) Program for a Planning Grant for an amount up to \$500,000 for planning activities to prepare the two historic buildings in Berkeley’s Civic Center, the Maudelle Shirek Building (“MSB” or “Old City Hall”) and the Veterans Memorial Building (“VMB”) for future structural upgrades including capital improvements and seismic retrofits; 2. Subject to award, accept the grant, execute any resultant revenue agreements and amendments, accept any additional funding allocations from the CRC Program and designate the City Manager or their designee as the applicant’s authorized agent.

Financial Implications: See report

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Action: Adopted Resolution No. 72,419–N.S.

Consent Calendar

2. Contract: Downtown Berkeley Association for Addison Street Catenary Lighting

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to: 1. Enter into a sole source contract and any amendments with the Downtown Berkeley Association (DBA) for the City to provide \$150,000 to the DBA for actual incurred costs associated with the Addison Street Catenary Lighting project to support Downtown revitalization and placemaking in the Downtown Addison Street Arts District, and 2. Advance the city's approval to utilize city property as part of this effort (namely the connection/anchor points for the support guide wires for the lighting on the Addison Street side of the Center Street Garage building located at 2025 Center St).

Financial Implications: See report.

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Action: Adopted Resolution No. 72,420–N.S.

3. Loan Administration Board Dissolution; Repealing BMC Chapter 3.72

From: City Manager

Recommendation:

1. Adopt a Resolution authorizing the City Manager or their designee to assume direct administrative and operational oversight of the Revolving Loan Fund (RLF) program and the RLF Administrative Plan, upon dissolution of the Loan Administration Board (LAB); and

2. Adopt first reading of an ordinance repealing Berkeley Municipal Code Chapter 3.72. Loan Administration Board enabling legislation, thereby dissolving the Loan Administration Board.

Financial Implications: See report

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

Action: Adopted Resolution No. 72,421–N.S. Adopted first reading of Ordinance No. 8,032-N.S. Second reading scheduled for September 29, 2026.

4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on September 15, 2026

From: City Manager

Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

Financial Implications: \$25,822,884 - Various Funds

Contact: Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

- 5. Contract No. 32200227 Amendment: Fire Aside for Wildfire Resilience Software**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32200227 with Fire Aside, LLC for defensible space inspection and community chipper management software increasing the amount by \$150,000 for an amended total amount not to exceed \$410,000 and maintaining the same term which ends on May 17, 2028.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 72,422–N.S.
- 6. Purchase Orders for Bauer Compressors Inc. for Firefighting Supplies, Equipment, Service and Maintenance**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager, or their designee to execute annual purchase orders using a piggyback contract and any amendments with Bauer Compressors Inc. using the National Purchasing Partners (NPP) contract No. PS26090 in an amount not to exceed \$1,579,472 for Firefighting supplies, equipment and related service and maintenance from October 1, 2026 through March 4, 2030, with an option to extend one (1) year to March 4, 2031.
Financial Implications: See report
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 72,423–N.S.
- 7. Purchase Orders: Stryker Sales for Gurneys, Stair Chairs, and Mechanical CPR Units**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or their designee to utilize Sourcewell Contract No. 041823 to issue piggyback purchase orders and any amendments to Stryker Sales LLC for the lease of ten gurneys, ten powered gurney fastener systems (power load system), and ten evacuation chairs (stair chair), and twelve cardiopulmonary resuscitation (CPR) units for Fire Department response vehicles from October 1, 2026 through January 1, 2033 in an amount not to exceed \$1,591,355.
Financial Implications: \$1,591,355 - Various Funds
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 72,424–N.S.

Consent Calendar

8. Contract No.32300207 Amendment: Easy Does It for Accessible Wheelchair Van Services for Seniors & the Disabled

From: City Manager

Recommendation: Adopt a Resolution rescinding Resolution No. 72,259-N.S and authorizing the City Manager, or designee, to amend Contract No. 32300207 with Easy Does It increasing the amount by \$57,000 for the period of July 1, 2026, through June 30, 2027, for a total contract amount not to exceed \$307,000. These services support accessible wheelchair van services to customers of the Aging Services Division's Berkeley Rides for Seniors & the Disabled program.

Financial Implications: See report

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

Action: Adopted Resolution No. 72,425–N.S.

9. Revenue Contract: MARU for Aging Services - Information and Assistance Fiscal Years 2027 - 2030

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or designee to accept grant funding and execute any resultant revenue agreements and amendments with MARU (formally known as Korean Community Center of the East Bay), an East Bay non-profit organization. This funding will support Information and Assistance Services for Berkeley seniors from Fiscal Year 2027 through Fiscal Year 2030 (FY 2027 - FY 2030) in the projected annual amount of \$169,347.

Financial Implications: See report

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

Action: Adopted Resolution No. 72,426–N.S.

10. Revenue Contracts: Aging Services - Nutrition Programs Fiscal Years 2027 - 2030

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager or designee to receive grant funding and execute any resultant revenue agreements and amendments with Alameda County to provide congregate and home-delivered meals for seniors for Fiscal Year 2027 through Fiscal Year 2030 (FY2027-FY2030):

a. Congregate Meals in a projected annual amount of \$696,800; and

b. Home Delivered Meals in a projected annual amount of \$860,515.

Financial Implications: See report

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

Contact: Terrance Davis, Public Works, (510) 981-6300

Action: Adopted Resolution No. 72,427–N.S. (Congregate Meals), and Resolution No. 72,428–N.S. (Home Delivered Meals).

Consent Calendar

11. Shattuck Senior Homes Loan Modification Request

From: City Manager

Recommendation: Adopt a Resolution approving the following actions to modify two existing Housing Trust Fund (HTF) loans for Shattuck Senior Homes, located at 2425 Shattuck Avenue, by: 1. Combining the outstanding principal balances of the two existing loans into one new City loan in the amount of \$970,603 plus accrued interest. 2. Reducing the interest rate from 6% to 3% simple interest. 3. Extending the loan maturity date by 55 years to September 1, 2082. 4. Waiving the HTF Guidelines requirement to restrict 20% of units at 30% Area Median Income (AMI) and maintaining affordability requirements at 50% and 60% AMI. 5. Extending the Regulatory Agreement so that it is coterminous with the new loan maturity date of September 1, 2082. 6. Authorizing the City Manager or designee to execute all original or amended documents or agreements to effectuate these actions, including amendments to the existing loan agreements.

Financial Implications: See report

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

Action: Adopted Resolution No. 72,429–N.S.

12. Grant Application: Safe Routes to Transit and Bay Trail Program (SR2TBT)

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or his designee to submit a grant application to the Metropolitan Transportation Commission's Regional Measure 3 Safe Routes to Transit and Bay Trail Program (SR2TBT) for up to \$25,000,000 for construction of portions of the landside elements of the Berkeley Water Transportation Pier-Ferry Project.

Financial Implications: \$25,000,000 (Revenue)

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

Action: Adopted Resolution No. 72,430–N.S.

13. Supporting a Neighborhood Decarbonization Pilot Project in Berkeley

From: Environment and Climate Commission

Recommendation: The Berkeley Environment and Climate Commission recommends that the City Council adopt the attached resolution Supporting a Neighborhood Decarbonization Pilot Project in the City of Berkeley, which would: - Express the City's formal support for a neighborhood decarbonization pilot in Berkeley under Senate Bill 1221 (2024), with the goal of modeling equitable whole-home electrification for a neighborhood zone; and -Commit the City to being an active partner in pilot implementation, asking the City Manager to designate at least one staff member to participate in regular coordination meetings and support collaboration across relevant City departments; and -Affirm the City's intent to work collaboratively with PG&E, community organizations, Community Choice Aggregators, public health advocates, workforce development partners, and regional agencies to advance a pilot and help secure resources for its success.

Financial Implications: See report

Contact: Sarah Moore, Commission Secretary, (510) 981-7400

Action: Adopted Resolution No. 72,431–N.S.

Consent Calendar

14. **Whistleblower Program Special Report: Evaluation of Workplace Relationship Policies**

From: Auditor

Recommendation: We recommend that City Council receive this report and direct the City Manager to implement Recommendations 1 and 2 consistent with Management's Response. We further recommend that City Council refer Recommendation 3 to the Agenda and Rules Committee for consideration of whether to pursue adoption of nepotism and cronyism provisions in the Berkeley Municipal Code.

Financial Implications: See report

Contact: Jenny Wong, Auditor, (510) 981-6750

Action: Approved recommendation.

Council Consent Items

15. **District 1 Support for the Gilman District Merchants Association to Promote Longterm Sustainability and Area Improvements: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

From: Councilmember Kesarwani (Author)

Recommendation: Adopt a resolution approving the expenditure of an amount not to exceed \$65,000 from the FY 2026-27 office budget of District 1 Councilmember Rashi Kesarwani to provide a one-time capacity building grant to support the Gilman District Merchants Association (GDMA) to promote economic development, district-wide improvements and long-term sustainability of the Gilman District Street Fair (GDSF).

Distribution of funds should be approved by the Gilman District Coordinating Committee, the representative advisory board established to comply with the fiscal agent, the Berkeley Chamber of Commerce. Use of funds should prioritize: - Salary/stipend for part-time director of the GDMA; Stipends for key volunteers for the Gilman District Street Fair; -Business Administration for the GDMA outside of salaries including: -Publicity, promotion, membership building and website maintenance for the GDMA; -Event planning and execution of GDMA networking and social gatherings; -Public Safety Enhancement Grants to local businesses.

Financial Implications: \$65,000

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

Action: Councilmember Taplin added as a co-sponsor. Adopted Resolution No. 72,432–N.S.

Council Consent Items

16. **Referral for an Information Report Assessing all Housing Related Impact, Development and Local Parcel Tax Fees to Provide Guidance and Better Understand the True and Total Costs of Developing Housing of All Types in the City of Berkeley**
From: Councilmember Kesarwani (Author)
Recommendation: Referral to the City Manager to direct Planning staff to prepare a comprehensive housing fee study to be presented to Council as an information report that would:
1. Collect Fee and Parcel Tax Data from Berkeley and other cities to create a housing production comparison matrix. Information should include a summary of categories, amounts, and bases for calculating impact fees, other development fees, and parcel taxes in all cities in the matrix; and
 2. Calculate local fee and parcel tax costs for housing development prototypes. Information should include the total fee burden applicable to several multifamily housing prototypes (examples could include fourplex/town homes; 10 unit small multifamily; 8-story midrise; 18-story high-rise) and estimate each selected jurisdiction's approximate applicable amount of impact fee, other development fee, and parcel taxes for the respective prototypes.
- Financial Implications:** Staff time
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: Councilmembers Humbert and Lunaparra added as co-sponsors. Approved recommendation.
17. **Zoning Ordinance Modification for Manufacturing Research and Development (M-RD) District**
From: Councilmember Kesarwani (Author)
Recommendation: Referral to the City Manager and Planning Commission to amend Berkeley Municipal Code (BMC) Chapter 23.206.020 to allow for a reduced level of discretion for Vehicle Repair and Service in the Manufacturing Research and Development (M-RD) District.
Financial Implications: See report
Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110
Action: Approved recommendation.

Council Consent Items

18. Resolution in Support of AB 1761 (Rogers) — Electricity: Calculation

Methodology: Data Disclosure

From: Councilmember Tregub (Author)

Recommendation: Adopt a resolution in strong support of Assembly Bill (AB) 1761 (Rogers), which would improve transparency in the calculation of the Power Charge Indifference Adjustment (PCIA) and other nonbypassable charges, and distribute copies to Governor Gavin Newsom; Senate President pro Tempore Monique Limón, Senate Utilities, Energy, and Communications Committee Chair Benjamin Allen and Senator Jesse Arreguín; Assembly Speaker Robert Rivas, Assembly Utilities and Energy Committee Chair Cottie Petrie-Norris and Assemblymembers Chris Rogers and Buffy Wicks; and Senator Steven Bradford, Chair of the Senate Energy, Utilities and Communications Committee to support its passage.

Financial Implications: Staff time

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

Action: Adopted Resolution No. 72,433–N.S.

19. Resolution in opposition to the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40

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

Recommendation: Adopt a resolution opposing the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40.

Financial Implications: Staff time

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

Action: Adopted Resolution No. 72,434–N.S. as revised in Supplemental Communications Packet #1 by Councilmember Tregub.

Council Consent Items

20. **Referral to the City Manager: RENAISSANCE (Revitalizing Enterprise and Neighborhoods through Activation, Investment, Safety, Streamlining, Accessibility, Networking, Collaboration, and Equity) – Part 2: Commercial Vacancy Blight Prevention and Mitigation**
From: Councilmember Tregub (Author), Councilmember O’Keefe (Co-Sponsor), Councilmember Blackaby (Co-Sponsor)
Recommendation: Commercial Vacancy Blight Prevention and Mitigation
Refer to the City Manager and City Attorney the development of an integrated strategy to prevent and reduce unmitigated ground-floor retail vacancies and blight, increase activation, and support the vitality and resilience of local businesses and other community-serving uses in Berkeley’s Commercial Districts.
Recommendations include but are not limited to developing regulations around the following solutions:
1. Subdivision of Larger Storefronts.
Develop policies that encourage the conversion or subdivision of larger storefront commercial spaces to allow for more diverse business and community uses.
 2. Flexible Mixed-Use Occupancy.
 - a. Review Berkeley’s existing zoning regulations for live/work, maker, creative, and related uses to identify regulatory barriers to the flexible use of underutilized commercial storefronts and modify the Zoning Ordinance and establish or update performance standards where necessary to address such barriers.
 - b. Explore performance standards to ensure that live/work, maker, and other creative uses help activate and enhance the vibrancy of the adjacent neighborhood.
 3. Financial Assurances Tied to Property Maintenance and Site Conditions.
To the extent permissible under state law, develop regulations requiring, as a condition of applicable development permits, performance bonds or other financial assurances sufficient to ensure appropriate property maintenance and site conditions if an approved development project is substantially delayed, suspended, or abandoned.
 4. Cold Shell Prevention.
 - a. Explore a regulatory framework to prevent premature deactivation of tenant-ready commercial spaces (commonly referred to as “cold shelling”) in buildings planned for demolition by considering indicators of project readiness, which could include demonstrated financial capacity, evidence that a portion of project funding is secured, and other relevant factors are considered.
 - b. Require a permit for the removal or decommissioning of utility hook-ups as part of building safety and habitability standards, to prevent practices that create and perpetuate prolonged vacancy and disinvestment.
 5. Warm Shell Development.
Establish requirements and/or incentives to ensure that ground floor retail spaces in new developments are delivered with basic utility connections (commonly referred to as “warm shells”), including utility and electricity hookups, when those services are available and have been connected to the rest of the building.
 6. Shared Commercial Facilities.
Explore and, where feasible, facilitate the creation of customer-accessible shared restroom facilities serving multiple ground-floor commercial spaces or buildings,

Council Consent Items

including through zoning allowances, coordinated development standards, and incentives. These should emphasize cost-neutral or revenue-supporting implementation approaches, such as integration into private development projects, public-private partnerships, or maintenance models funded by participating property owners, while ensuring compliance with applicable building, accessibility, and public health requirements.

7. Demonstration of Utility-Related Delays.

Where delays in utility approvals or service connections are cited, require developers to provide reasonable documentation from utility providers demonstrating that such delays are outside of the developer's direct control. Explore opportunities for improved coordination with utility providers and City processes to help mitigate such delays and support the timely delivery of usable ground floor commercial space.

8. Utility Equipment Undergrounding.

Develop regulations requiring large new residential and commercial mixed-use developments to locate transformers and other large utility equipment below grade, to the extent feasible and consistent with applicable utility requirements.

Financial Implications: See report

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

Action: Approved recommendation.

Action Calendar – Old Business

- 21a. Resolution Reinstating the Berkeley Police Department's Ability to Use Tear Gas for Critical Life-Threatening Incidents Only and Lifting the COVID-19 Moratorium on Smoke and Oleoresin Capsicum (OC) Spray** *(Continued from July 14, 2026) (Item Contains Supplemental Material) (Reviewed by the Public Safety Policy Committee)*

From: Councilmember Kesarwani (Author)

Recommendation: Adopt a Resolution amending the Berkeley City Council's June 9, 2020 direction regarding smoke, OC spray, and tear gas to allow the Berkeley Police Department (BPD) Special Response Team (SRT) to use tear gas under circumstances in which there is a significant risk of injury or death, maintain the prohibition on the use of tear gas solely for crowd control, and lift the temporary moratorium on the use of smoke and OC spray.

Policy Committee Recommendation: To send the item with a Qualified Positive recommendation to Council that includes:

- 1. Making the resolution text explicit regarding permissible uses and policy limitations (particularly defining "critical incident" and excluding crowd control use),*
- 2. Clarifying and attaching relevant use policies for public transparency, and*
- 3. Developing an appropriate after-action reporting framework aligned with existing reporting and Transparency Hub practices.*

Financial Implications: See report

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

Action: 63 speakers. M/S/Failed (Humbert/Taplin) to extend the meeting to 12:00 a.m.

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

Action: M/S/Carried (Kesarwani/Humbert) to call a special meeting on September 29, 2026 at 4:00 p.m. to hear Items 21a and 21b.

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

Action Calendar – Old Business

21b. Social Justice Implications of Proposed Use of Controlled Weapons and Other Policing Tools *(Continued from July 14, 2026)*

From: Peace and Justice Commission

Recommendation: Adopt a Policy approving the following actions with regard to the appropriateness of certain chemical weapons and other tools:

1. Retain the existing 2020 bans on chemical weapons (CS and OC), and the 1982 bans on police dogs and helicopters.
2. Retain the 1997 requirement for public reporting of each use of pepper spray.
3. Request the City Manager to engage an academic institution such as UC Berkeley, UCSF, or Stanford to study the health impacts of tear gas and other chemical weapons and canine support, potential short-term and long-term impacts on vulnerable populations and possible alternatives to the use of chemical weapons that provide officer safety, suspect safety, and safety to the general public.

Financial Implications: None

Contact: Tasha Tervalon, Commission Secretary, (510) 981-7000

Action: See action on Item 21a.

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

Adjournment

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

Vote: All Ayes.

Adjourned at 10:56 p.m.

Communications

Earthquake Prevention

1. John J. Parman

Mural

2. Gael Alcock

Red Curb Installation

3. Lindsay Schachinger
4. Sarah Siefke-Cottle

Green Waste Bin

5. Genevieve Nonet
6. Brent Blackaby

Housing/Housing Concerns

7. Riti Dhesi
8. Vicki Sommer
9. David Lerman

- 10. Maxwell Davis on behalf of the Sierra Club
- 11. Patrick Kennedy (2)
- 12. Russbumper

UA Theater

- 13. Laura Linden
- 14. Melanie Lawrence and John Smail

Parking

- 15. Heather Siglin on behalf of the North Shattuck Association
- 16. Alvin Ludwig
- 17. Lisa M. Asta

Noise Concerns

- 18. Hani Haris
- 19. Lucia Hammond

Speed Limit Concerns

- 20. Anne Whyte
- 21. Scott Sacherer

Sidewalk Concern

- 22. Laura

Flags at Half Mast Concern

- 23. Deirdre Duhan

Proclamation Enquiry

- 24. Dhruv Pandrangi

Flock Concerns

- 25. Jose Vilar
- 26. Summer Brenner (2)
- 27. James Northrup
- 28. Camille Snyder
- 29. Margot Smith (2)
- 30. Janice Schroeder
- 31. Jack Kurzweil
- 32. Nancy Bartell
- 33. Jeanie Dooha
- 34. Glenn Turner
- 35. Sam Holtzman
- 36. Karen Dabrusin
- 37. Russbumper (2)

ADA Concerns

38. Steven Schuyler (4)

Harrison Street

39. Jennifer Kamenetz
40. Eric Friedman
41. Cecelia Mautner
42. Russbumper
43. Alan Mond (2)

Tenant Concern

44. Alex Merenkov

Taxi Scrip

45. Leonard Talmy

Middle East Conflict

46. Aaron Balbo

Music History Plaque

47. Eddie Jones

Safety Concerns

48. Charles Van Tassel
49. Patricia Bruning
50. Lauren Parsons
51. David Lerman

Animal Shelter Concern

52. Francesca Agrusa

1820 University Ave

53. Avi Nevo

Zone 0 Regulations

54. Zohra Kalinkowitz

1130 Oxford Street

55. Claire Kahane
56. Marc Bernstein
57. Gloria Frym
58. Dennis Fantin
59. Derek Abbassi
60. Jessica Samuels

AAHRC

61. Eric Friedman

Traffic Safety Concern

- 62. Joe Clucas
- 63. Kenny Yu (2)

Municipal Submission

- 64. Nadelyn Zoe King (2)

Citation Concern

- 65. Chase Lenzley

Request for Policy Review

- 66. Concerned Resident

UC Berkeley Concerns

- 67. Steven Schuyler

EBMUD

- 68. Eduardo Teixeira

Raise a Glass to Berkeley

- 69. Jeffrey Church

Supporting Elderly Citizens

- 70. Dawn Howard

Encampments

- 71. David Lerman (2)

Natural Grass Soccer Field Concerns

- 72. Ted Steen

Lighting Nuisance

- 73. YMCA Concerned Resident

Senior Housing

- 74. Doanld Anderson

PG&E Transformers

- 75. Patrick Kennedy

2025 ARDA

- 76. Jennifer Cogley

Public Safety

- 77. Jason Martens

Parade Invitation

78. Allen Cain

Berkeley Adult School

79. Jessica Hahn

Proclamation Request

80. Katharine Bierce

Francisco Street

81. David Lerman

Invitation

82. Mohamad Rawoas

Parking at Berkeley Marina

83. Solange Gould

Coal Facilities

84. Jack Kurzweil

Crosswalk Concerns

85. Bruce Brody

Police Dogs

86. Direct Action Everywhere

Dumping Concerns

87. Eli Kehler (5)

BAMM

88. Sheila Kolenc

FY 2027-2031 Paving Plan

89. Tony Benado

Summer Achievers Camp Concerns

90. Nicoletta Karam

Rental Units

91. Kim Ambrocio

Officer Commendations

92. Office of the Director of Police Accountability

2700 Shattuck Ave Appeal

93. Alisha Pember

City Concerns

94. Michai Freeman

Public Comment

95. Stephen Alpert (3)

Sanitation and Safety Concerns

96. Brett Cooper

Community Input Concern

97. Jane White

Willard Park Restroom

98. Kyle Miller

North Berkeley Library

99. Phoebe Thomas

Pause PAB Appointment

100. Eric Friedman

PAVEN

101. Chris Ward Kline

Transportation Program

102. Eric Liddle

Mobile Crisis Team

103. Gabriella Raymond (2)

Sign Repair and Replace

104. Lily Liang

Resorcery Org

105. Jenne King

Youth Mental Health Resource

106. Isabella

Mental Health Response Concern

107. Boona Cheema

Street Rehabilitation

108. Mary Lee Noonan

Underdevelopment Concern

109. Ben Buettner

Nighttime Corridor

110. Tony Smith

Proposed Lien and Hearing Rights

111. Willie Phillips (3)

BMR Rent Clarifications

112. Alex Merenkov (2)

Demolition and Construction Notice

113. Erik Knaresboro and Guide Vito

BORP Anniversary

114. DP Neyhart

S.A.F.E. Initiative

115. La Monte T. Bannister III

2012 Channing Way

116. Grace Smith

117. Tim Donnelly

118. Travis Bell

Berkeley Bank Concern

119. Geoffrey Lomax

Streetlights

120. Chrissy Hoffman

Invitation

121. Tatiana Hughes

ICE Concerns

122. Margot Smith

HTT Office Coverage

123. Mandy Clafin

John Craner's Retirement Party

124. The Downtown Berkeley Association

Newsletters

125. Glomax

126. Margot Smith

Zoning/Upzoning

- 127. Barbara Anscher
- 128. Linda Gallaher-Brown
- 129. 22 Similarly worded form letters

Hopkins

- 130. Howard Goldberg
- 131. Willard Bohn
- 132. Margot Murtaugh
- 133. Lisa Brenneis
- 134. Dorothy Gordon
- 135. Sally Carson
- 136. Nancie Kester
- 137. Rob Kirby
- 138. Phyllis Oyama (3)
- 139. Barbara Llewellyn
- 140. Gary Croner
- 141. Tamara Birdsall (2)
- 142. Chris Edmunds
- 143. Keri Ferencz and James Levine
- 144. Susan Bogas
- 145. Tony Kaes
- 146. Mary Ajideh
- 147. Wendy Hoben
- 148. Marguerite Lee
- 149. Virginia Kamp (2)
- 150. Alan Schoenfeld (2)
- 151. Hilary Near
- 152. Eric Taylor
- 153. Colin Elbasani
- 154. Jeremiah Maller
- 155. Ann Rawley (2)
- 156. Melanie Lawrence and John Smail
- 157. Mike Olson
- 158. Abe Hardin
- 159. Mark Witriol
- 160. David White
- 161. Cady Masterman
- 162. Shaun O'Sullivan
- 163. Gail Greenwood
- 164. John and Diane Rice
- 165. Emilie Strauss
- 166. John Waters

199 Seawall Letter and Summary

- 167. Terry Ayyad (2)

E-Scooters

- 168. Laurie McWhorter
- 169. Oren (2)
- 170. Antonio Vargas (3)
- 171. Joey T
- 172. Aaron Dickinson (2)
- 173. Anosh Dumasia (3)
- 174. Carson Lepre (10)
- 175. Robert Borghese (22)

Forwards/URLs

- 176. Russbumper (24)
- 177. Eid Abdallah (28)

Supplemental Communications and Reports 1

Item #19: Resolution in opposition to the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40

- 178. Revised agenda material submitted by Councilmember Igor Tregub

Item #21a: Resolution Reinstating the Berkeley Police Department's Ability to Use Tear Gas for Critical Life-Threatening Incidents Only and Lifting the COVID-19 Moratorium on Smoke and Oleoresin Capsicum (OC) Spray *(Continued from July 14, 2026) (Item Contains Supplemental Material) (Reviewed by the Public Safety Policy Committee)*

- 179. Supplemental agenda material submitted by the Office of the Director of Police Accountability
- 180. Revised agenda material submitted by Councilmember Brent Blackaby
- 181. Police Accountability Board

Supplemental Communications and Reports 2

Item #19: Resolution in opposition to the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40

- 182. Diana Bohn

Item #21a: Resolution Reinstating the Berkeley Police Department's Ability to Use Tear Gas for Critical Life-Threatening Incidents Only and Lifting the COVID-19 Moratorium on Smoke and Oleoresin Capsicum (OC) Spray *(Continued from July 14, 2026) (Item Contains Supplemental Material) (Reviewed by the Public Safety Policy Committee)*

- 183. Elana Auerbach
- 184. Elizabeth Ferguson
- 185. Jamie Greenwood

186. Sally Nelson

Supplemental Communications and Reports 3

Urgency Item: Wildfire Resiliency Bills – Request for Governor’s Signature

187. Submitted by Councilmember Brent Blackaby

Item #12: Grant Application: Safe Routes to Transit and Bay Trail Program (SR2TBT)

188. Allison Granzella

Item #15: District 1 Support for the Gilman District Merchants Association to Promote Longterm Sustainability and Area Improvements: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

189. Jules Kobelin

190. Bobbi Fabian

191. Julie McCray (2)

Item #19: Resolution in opposition to the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40

192. Phil Catalfo and Michelle Lerager

Item #20: Referral to the City Manager: RENAISSANCE (Revitalizing Enterprise and Neighborhoods through Activation, Investment, Safety, Streamlining, Accessibility, Networking, Collaboration, and Equity) – Part 2: Commercial Vacancy Blight Prevention and Mitigation

193. Beth Roessner

Item #21a: Resolution Reinstating the Berkeley Police Department’s Ability to Use Tear Gas for Critical Life-Threatening Incidents Only and Lifting the COVID-19 Moratorium on Smoke and Oleoresin Capsicum (OC) Spray *(Continued from July 14, 2026) (Item Contains Supplemental Material) (Reviewed by the Public Safety Policy Committee)*

194. Maxwell DeFanti

195. Kelly Hammargren

196. Janice Schroeder

Item #19: Resolution in opposition to the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40

Item #21a: Resolution Reinstating the Berkeley Police Department's Ability to Use Tear Gas for Critical Life-Threatening Incidents Only and Lifting the COVID-19 Moratorium on Smoke and Oleoresin Capsicum (OC) Spray *(Continued from July 14, 2026) (Item Contains Supplemental Material) (Reviewed by the Public Safety Policy Committee)*

Item #21b: Social Justice Implications of Proposed Use of Controlled Weapons and Other Policing Tools *(Continued from July 14, 2026)*

197. Janice Schroeder