



## PROCLAMATION CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

**Tuesday, February 11, 2025  
4:00 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 attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at [http://berkeley.granicus.com/MediaPlayer.php?publish\\_id=1244](http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244). All Council meetings are recorded.*

*To access the meeting remotely use this URL: <https://cityofberkeley-info.zoomgov.com/j/1618982548>. 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: 161 898 2548**. 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).*

*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:

## 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 – New Business

### 1a. **Effective Mitigations for Berkeley’s Ember Resilience (EMBER): Fire Code Amendments**

#### **From: City Manager**

**Recommendation:** Provide feedback and direction on next steps for consideration or implementation of the following three proposals:

Proposal 1: Create a Berkeley Fire Zone 4 within the Fire Code to include – at minimum - the areas between Wildcat Canyon Rd. to the east, Grizzly Peak Blvd to the west, and the Berkeley City Limits to the south and north;

Proposal 2: Repeal the Berkeley Fire Code (BMC Chapter 19.48) and reenact BMC Chapter 19.48 to include an ember resistant “Zone Zero” and other defensible space best practices (Attachment 1) and schedule a Public Hearing for the first reading on March 25, 2025 pursuant to state law; and

Proposal 3: Research the Quantifying the Negative (QTN) approach, a methodology that measures the economic value of fire services by quantifying the losses it prevents and how it may be applied to quantify the value of the EMBER initiative, which staff would bring back to City Council no later than December 2025.

**Financial Implications:** See report

Contact: David Sprague, Fire, (510) 981-3473

## Action Calendar – New Business

### 1b. **Effective Mitigations for Berkeley’s Ember Resilience (EMBER): Building Code Amendments**

**From: City Manager**

**Recommendation:** Staff will return to Council by the end of 2025 with a resolution for the triannual adoption of the existing Berkeley Building, Historical and Fire Codes that will be applicable to Berkeley Fire Zone 3 and 4. These amendments to the 2025 California Building Standards will strengthen defenses against ignition of structures from embers, radiant heat and direct flame impingement during wildfire. Staff seeks Council’s input on this proposal and plan to return to Council at the end of 2025 with a resolution proposed for adoption that incorporates the Council’s feedback.

The amendments may include but are not limited to requiring Class A roofs during partial replacement of non-compliant roof and roof structures, requiring replacement of combustible siding with California Building Code (CBC) Chapter 7A compliant siding during partial replacements, installation of metal gutters and screens, installation of Chapter 7A compliant vents or vent screens, replacement of combustible decks and fences with Chapter 7A compliant materials and design during partial replacement, and six inches of vertical separation measured from the ground to any combustible siding.

Because of the fiscal impact that some of this work will have for homeowners, staff plans to investigate Federal, State or Municipal programs that would provide incentives and loans for improvements to existing non-compliant homes that focus on the highest priority items, such as roof material, siding, decks, ember resistant vents, and a 6” vertical separation between the siding and the ground at the base of a home near the foundation.

**Financial Implications:** See report

Contact: David Sprague, Fire, (510) 981-3473

### 1c. **Effective Mitigations for Berkeley’s Ember Resilience (EMBER): Leave Early and Fire Department Staffing**

**From: City Manager**

**Recommendation:** Provide insights, feedback and input on two proposals below as well as desired next steps:

1. Proposal 1: Evaluate the thresholds for the City’s Extreme Fire Weather designation and the National Oceanic and Atmospheric Administration’s (NOAA) Particularly Dangerous Situation (PDS) designation, considering how use of each would impact the City’s “Leave Early” concept. Staff propose returning to City Council no later than the 2nd week of May 2025; and

2. Proposal 2: Affirm City Council support for Fire Department staffing recommendations 1, 5, 6, and 10 from the Fire Department Standards of Coverage and Community Risk Assessment (SOC) study.

**Financial Implications:** See report

Contact: David Sprague, Fire, (510) 981-3473

## Action Calendar – New Business

### 1d. Request Inter-Departmental Collaboration and Implementation of Safe Passages

**From: Councilmember Blackaby (Author), Councilmember Humbert (Co-Sponsor), Councilmember O'Keefe (Co-Sponsor)**

**Recommendation:** Refer to the City Manager to direct the Departments of Public Works, Police and Fire to work collaboratively to implement Safe Passages Program – EMBER Initiative Phase 1 and 2 and report back to City Council on progress no later than the 2nd week of May 2025. This program will further facilitate responder ingress and community evacuation during wildfires by developing a plan to create and enforce no-parking zones in addition to existing 24/7/365 red curbs and no-parking zones during extreme fire weather conditions and/or the broader fire season.

**Financial Implications:** See report

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

## Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 6<sup>th</sup> of February, 2025.

/s/ Adena Ishii, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:



Date: February 6, 2025  
Mark Numainville, City Clerk

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

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

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

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

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

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

Agendas, agenda reports, and revised/supplemental material may be accessed via the online agenda for this meeting at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>

and may be accessed at reference desks at the following locations:

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

#### 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](mailto:ada@berkeleyca.gov), (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date.

Please refrain from wearing scented products to this meeting.



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.

