



Office of the City Manager

CONSENT CALENDAR  
April 29, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Mark Numainville, City Clerk

Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of March 10, 2025 (closed), March 11, 2025 (special and regular), March 18, 2025 (special and regular), March 25, 2025 (special and regular).

CONTACT PERSON

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

Attachments:

1. March 10, 2025 – Special Closed City Council Meeting
2. March 11, 2025 – Special City Council Meeting
3. March 11, 2025 – Regular City Council Meeting
4. March 18, 2025 – Special City Council Meeting
5. March 18, 2025 – Regular City Council Meeting
6. March 25, 2025 – Special City Council Meeting
7. March 25, 2025 – Regular City Council Meeting

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

**MONDAY, MARCH 10, 2025**

**4:30 P.M.**

2180 MILVIA STREET, BERKELEY, CA 94702

TELECONFERENCE LOCATION - 1619 EDITH STREET, BERKELEY, CA 94703

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.*

*To access the meeting remotely use this URL: <https://cityofberkeley-info.zoomgov.com/j/1613989284>. 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: **161 398 9284**. 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:** 4:34 p.m.

**Present:** Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii

**Absent:** Bartlett, O'Keefe, Humbert

**Public Comment - Limited to items on this agenda only – 0 speakers**

## CLOSED SESSION:

The City Council convened in closed session to meet concerning the following:

### 1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2)

a. WCAB Matter – #BER2200052; ADJ17945960

**Action:** M/S/C (Tregub/Blackaby) to authorize the City Manager to settle by Compromise and Release up to \$68,088.87 with a release of future medical care, as to a workers' compensation matter #BER2200052 and WCAB Case Number ADJ17945960.

**Vote:** Ayes – Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii; Noes – None; Abstain – None; Absent – Bartlett, O'Keefe, Humbert.

b. WCAB Matter –#BER2400023; ADJ18246762

**Action:** M/S/C (Blackaby/Lunaparra) to authorize the City Manager to settle by Compromise and Release up to \$100,000 with a release of future medical care, or in the alternative, by 22% Stipulations with Request for Award with open future medical care, as to a workers' compensation matter #BER2400023 and WCAB Case Number ADJ18246762.

**Vote:** Ayes – Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii; Noes – None; Abstain – None; Absent – Bartlett, O'Keefe, Humbert.

c. WCAB Matter –#BER2300048; ADJ10746024

**Action:** M/S/C (Tregub/Taplin) to authorize the City Manager to settle by Compromise and Release up to \$76,110 with a release of future medical care, or in the alternative, by 34% Stipulations with Request for Award with open future medical care, as to a workers' compensation matter #BER2300048 and a WCAB Case Number ADJ10746024.

**Vote:** Ayes – Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii; Noes – None; Abstain – None; Absent – Bartlett, O'Keefe, Humbert.

d. WCAB Matter –# BER2100079

**Action:** M/S/C (Blackaby/Lunaparra) to authorize the City Manager to settle by Stipulations at 51% = \$80,982.50 with Request for Award with open future medical care, as to a workers' compensation matter #BER2100079.

**Vote:** Ayes – Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii; Noes – None; Abstain – None; Absent – Bartlett, O'Keefe, Humbert.

### 2. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Paul Buddenhagen, City Manager, David White, Deputy City Manager, Sharon Friedrichsen, Budget Manager, Monica Walker, Interim Human Resources Director, Chaka Young, Employee Relations Manager

**Action:** No reportable action taken.

**3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1):**

- a. Selamawit Tezare v. City of Berkeley, Alameda Superior Court, Case No. 23CV030502

**Action:** M/S/C (Tregub/Lunaparra) to approve the settlement in the amount of \$287,500.

**Vote:** Ayes – Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii; Noes – None; Abstain – None; Absent – Bartlett, O’Keefe, Humbert.

**OPEN SESSION:**

The City Council met in closed session on March 10, 2025, Pursuant to Government Code Section 54956.9(d)(2) and provided directions to outside counsel and approved the following:

- A settlement by Compromise and Release with a release of future medical care, as to a workers’ compensation matter #BER2200052 and a WCAB Case Number ADJ17945960.
- A settlement by Compromise and Release with a release of future medical care, or in the alternative, by Stipulations with Request for Award with open future medical care, as to a workers’ compensation matter #BER2400023 and a WCAB Case Number ADJ18246762.
- A settlement by Compromise and Release with a release of future medical care, or in the alternative, by Stipulations with Request for Award with open future medical care, as to a workers’ compensation matter #BER2300048 and a WCAB Case Number ADJ10746024.
- A settlement by Stipulations with Request for Award with open future medical care, as to a workers’ compensation matter #BER2100079.

Council provided direction to the City Attorney pursuant to Government Code Section 54956.9(D)(1) to settle the following lawsuit in an amount not to exceed \$287,500 (Tezare v. City of Berkeley, Alameda Superior Court, Case No. 23CV030502).

**Adjournment**

**Action:** M/S/C (Tregub/Blackaby) to adjourn the meeting.

**Vote:** Ayes – Kesarwani, Taplin, Tregub, Blackaby, Lunaparra, Ishii; Noes – None; Abstain – None; Absent – Bartlett, O’Keefe, Humbert.

Adjourned at 5:21 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on March 10, 2025.

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Mark Numainville, City Clerk

Internal

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, March 11, 2025  
5:00 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

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## Preliminary Matters

**Roll Call:** 5:07 p.m.

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

**Absent:** Bartlett

Councilmember Bartlett present at 5:09 p.m.

Councilmember Humbert participated remotely under the Just Cause exception in the Brown Act as amended by AB 2449.

## Action Calendar – New Business

### 1. **2025 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)**

**From: City Manager**

**Recommendation:**

1. Review the City Council raw scores for all outstanding City Council referrals;
2. Approve the removal of referrals that have been nominated for removal by the Council; and
3. Direct the City Manager to run the ranking algorithm and return to Council with a final ranked list of referrals for adoption.

**Financial Implications:** No direct fiscal impacts

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

**Action:** 11 speakers. M/S/C (Tregub/O'Keefe) to:

1. Approve the removal of referrals that have been nominated for removal by the Council as revised to retain the following referrals as part of the Referral Prioritization Process:

- Adding BMC Chapter 13.107, Helping Achieve Responsible Development with Healthcare and Apprenticeship Training Standards (HARD HATS) Ordinance (ID# DMND0004099);
- Budget Referral: No Right on Red Signs (ID# DMND0004059);
- Prioritizing Pedestrians at Intersections (ID# DMND0002584);
- Berkeley Food Utility and Access Resilience Measure (FARM) (ID# DMND0004109);
- Adopt Berkeley Municipal Code Chapter 13.89: Community/Tenant Opportunity to Purchase Act (ID# DMND0004197); and
- Planning Commission Referral for a Pilot Density Bonus Program for the Telegraph Avenue Commercial District to Generate Revenue to House the Homeless and Extremely Low-Income Individuals (ID# DMND0004188).

2. Direct the City Manager to run the ranking algorithm and return to Council with a final ranked list of referrals for adoption.

**Vote:** All Ayes.

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 6:10 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on March 11, 2025.

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Mark Numainville, City Clerk

## Communications

### Item #1: 2025 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)

1. Anna Cheyette
2. Alfred Twu
3. Ross Bernet
4. Mike Wilson
5. Julia Moss
6. Grayson Savoie
7. Sunny
8. Sarah Bell

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

### Item #1: 2025 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)

9. Cameron Woo
10. Debbie Potter
11. Liz Ozol

## Supplemental Communications and Reports 3

### Item #1: 2025 City Council Referral Prioritization Process Using Re-Weighted Range Voting (RRV)

12. Presentation submitted by the City Clerk Department
13. Lydia Lopez
14. Aja Fasah
15. Tahirah Dean
16. Regina Mouton
17. Arianne Senten
18. Wilhelmenia Wilson on behalf of Health Black Families, Inc.
19. Rahel Smith
20. Toni Mandara
21. Chris Schildt

Internal

22. Michael Trujillo on behalf of the East Bay Community Law Center
23. Tracy Parent
24. Jonathan Bachrach
25. Aimee Baldwin
26. Kim Anno
27. Mirah Moriarty and Rodrigo Esteva
28. Rachel Katz
29. Amir Massih
30. Lanny F. DeVuono

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 11, 2025**  
**6:00 PM**

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

ADENA ISHII, MAYOR

Councilmembers:

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## Preliminary Matters

**Roll Call:** 6:38 p.m.

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

**Absent:** None

Councilmember Humbert participated the meeting remotely under the just cause exception in the Brown Act.

**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.*

### Report from Closed Session:

The City Council met in closed session on March 10, 2025, Pursuant to Government Code Section 54956.9(d)(2) and provided directions to outside Worker’s Compensation counsel and approved a settlement by Compromise and Release with a release of future medical care, as to a workers’ compensation matter #BER2200052 and a WCAB Case Number ADJ17945960.

The Council also gave direction to outside Worker’s Compensation counsel and approved a settlement by Compromise and Release with a release of future medical care, or in the alternative, by Stipulations with Request for Award with open future medical care, as to a workers’ compensation matter #BER2400023 and a WCAB Case Number ADJ18246762.

Similarly, the Council gave direction and approved a settlement by Compromise and Release with a release of future medical care, or in the alternative, by Stipulations with Request for Award with open future medical care, as to a workers’ compensation matter #BER2300048 and a WCAB Case Number ADJ10746024.

The Council also provided directions and approved a settlement by Stipulations with Request for Award with open future medical care, as to a workers’ compensation matter #BER2100079.

In addition, the Council provided direction to the City Attorney pursuant to Government Code Section 54956.9(D)(1) to settle the following lawsuit in an amount not to exceed \$287,500 (Tezare v. City of Berkeley, Alameda Superior Court, Case No. 23CV030502).

The City Council met in closed session on January 23, 2024, pursuant to Government Code Sections 54956.9(a) and 54956.9(d)(1), and directed the City Attorney to settle with Service

Employees International Union Local 1021, CSU/PTRLA for back pay of the remaining unpaid value of the 3% CalPERS cost sharing reduction retroactive to July 29, 2021, plus 10% simple interest.

The City Council met in closed session on December 3, 2024, pursuant to Government Code Sections 54956.9(a) and 54956.9(d)(2), and directed the City Attorney to settle with Public Employees Union Local 1 for back pay of the remaining unpaid value of the 3% CalPERS cost sharing reduction from August 8, 2021 to April 16, 2022, plus 10% simple interest.

**Ceremonial Matters:**

1. Recognition of American Red Cross Month, March 2025
2. Adjourned in Memory of Polly Armstrong, former District 8 City Councilmember
3. Adjourned in Memory of Mel Vapour, Berkeley Resident

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 10 speakers.

**Public Comment by Employee Unions:** 1 speaker.

**Action:** M/S/C (Blackaby/Tregub) to accept supplemental materials from the City Manager on Item 6 to clarify that there is just a single attachment to the item.

**Vote:** All Ayes.

**Action:** M/S/C (Tregub/Kesarwani) to accept an urgency item from Councilmember Tregub pursuant to Government Code Section 54954.2(b)(2) entitled Urgency Resolution: Condemning the recent incident, along with all acts of Islamophobia in Berkeley, and reaffirming unwavering support for the Muslim community in Berkeley and beyond.

**Vote:** All Ayes.

**Urgent Item: Urgency Resolution: Condemning the recent incident, along with all acts of Islamophobia in Berkeley, and reaffirming unwavering support for the Muslim community in Berkeley and beyond**

**From: Councilmember Tregub (Author), Councilmember Taplin (Co- Author) and Councilmember Lunaparra (Co- Author)**

**Recommendation:** Adopt an Urgency Resolution condemning the recent incident, along with all acts of Islamophobia in Berkeley, and reaffirming unwavering support for the Muslim community in Berkeley and beyond.

**Financial Implications:** None.

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

**Action:** Adopted Resolution No. 71,675–N.S.

**Public Comment on Consent Calendar and Information Items Only:** 30 speakers.

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

**Vote:** All Ayes.

## Consent Calendar

- 1. Inclusionary Housing Ordinance In-Lieu Fee; Amending Berkeley Municipal Code Chapter 23.328**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,954-N.S. amending Berkeley Municipal Code (BMC) Chapter 23.328 (F) to remove the exemption for projects with 5,000 square feet or less of RUFA.  
**First Reading Vote:** All Ayes  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted second reading of Ordinance No. 7,954–N.S.
  
- 2. Zoning Ordinance Amendments to Title 23 of the Berkeley Municipal Code for Consistency with State Law Related to Electric Vehicle Charging and Technical Edits**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,955-N.S. amending the following sections of the Zoning Ordinance to align the Berkeley Municipal Code (BMC) with state law related to electric vehicle charging, as well as additional non-substantive edits and corrections:  
-23.106.020 Lot Coverage  
-23.106.080 Building Separation  
-23.202.020 Allowed Land Uses (Residential Districts)  
-23.204.020 Allowed Land Uses (Commercial Districts)  
-23.204.090 C-NS North Shattuck Commercial District  
-23.204.100 C-SA South Area Commercial District  
-23.204.130 C-DMU Downtown Mixed-Use District  
-23.204.140 C-W West Berkeley Commercial District  
-23.204.150 C-AC Adeline Corridor Commercial District  
-23.206.020 Allowed Land Uses and Permit Requirements (Manufacturing Districts)  
-23.206.040 Use-Specific Regulations (Manufacturing Districts)  
-23.206.050 Protected Uses (Manufacturing)  
-23.302.070 Use-Specific Regulations (Supplemental Use Regulations)  
-23.306.010 Purpose (Accessory Dwelling Units)  
-23.306.030 Development Standards (Accessory Dwelling Units)  
-23.306.040 Permit Procedures (Accessory Dwelling Units)  
-23.310.020 General Requirements Excluding Incidental Beer and Wine  
-23.310.030 Alcohol Beverage Standards When Incidental to Food Service  
-23.322.030 Required Parking Spaces  
-23.322.080 Parking Layout and Design  
-23.334.030 Transportation Demand Management Program Requirements  
-23.502.020 Defined Terms (Glossary)  
**First Reading Vote:** All Ayes  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted second reading of Ordinance No. 7,955–N.S.

## Consent Calendar

- 3. Police Accountability Board – Appointment of New Member**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution appointing a new member to the Police Accountability Board nominated by Councilmember Humbert.  
**Financial Implications:** See report  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Adopted Resolution No. 71,676–N.S.
- 4. 2025 Updated Commissioners’ and Board Members’ Manual**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the 2025 Commissioners’ and Board Members’ Manual, with administrative and procedural amendments including new and reorganized commissions, ADA and teleconferencing policy changes, and gender-neutral language; and rescinding Resolution No. 69,063-N.S.  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Adopted Resolution No. 71,677–N.S.
- 5. Contract: Edgeworth Integration LLC to Purchase and Provide Installation of New Security System Server at Berkeley Animal Care Services**  
**From: City Manager**  
**Recommendation:** Following a positive recommendation from the Police Accountability Board at their February 5, 2025 regular meeting, adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Edgeworth Integration LLC for the purchase and installation of a new security camera system server (cameras already exist) to replace an obsolete server at Berkeley Animal Care Services (BACS) for March 12, 2025, to March 11, 2026, which establishes a contract in an amount not to exceed \$57,908.08.  
**Financial Implications:** See report  
Contact: Peter Radu, City Manager's Office, (510) 981-7000  
**Action:** Adopted Resolution No. 71,678–N.S.
- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on March 11, 2025**  
**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:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Approved recommendation as clarified in the materials submitted at the meeting from the City Manager to state that there is just a single attachment to the item.

## Consent Calendar

7. **Annual Purchase Orders for L.N. Curtis and Sons: Fire Department**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute annual purchase orders and any amendments with L.N. Curtis and Sons for the purchases of: turnouts, and personal protective equipment (PPE) such as wildland coats and pants, gloves, helmets, hearing and eye protection, and fire boots; Firefighting tools and equipment such as firehose, fire extinguishers, foam, ladders, pumps, and related tools and equipment; and the purchase order for FY2026 shall not exceed \$330,000, with an annual increase no more than 5% each year through March 27, 2028. A 20% contingency is added to cover costs arising from unforeseen incidents or operations for a total amount not to exceed (NTE) \$1,040,324.  
**Financial Implications:** See report  
 Contact: David Sprague, Fire, (510) 981-3473  
**Action:** Adopted Resolution No. 71,679–N.S.
8. **Contract No. 32400177 Amendment: Health Officer Coverage Contract – Dr. Lisa B. Hernandez**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or his designee to amend Contract No. 32400177 with Dr. Lisa B. Hernandez to increase by \$60,000 for a total not to exceed amount (NTE) of \$180,000.  
**Financial Implications:** See report  
 Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,680–N.S.
9. **Joint Homekey+ Application for MLK House at 2942-44 Martin Luther King, Jr. Way**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions approving the following actions in support of a Homekey+ program funding allocation by:  
 1. Authorizing the City Manager or designee to prepare and submit a joint application with Insight Housing to the State of California Housing and Community Development (HCD) Department’s Homekey+ program for the MLK House project, which will provide permanent supportive housing for veterans.  
 2. Authorizing the City Manager or designee to take all necessary actions for the City’s participation in HCD’s Homekey+ program, including entering into HCD’s Standard Agreement and any amendments.  
 3. Authorizing the City Manager or designee to execute all original or amended documents or agreements necessary to effectuate these actions.  
**Financial Implications:** See report  
 Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted Resolution No. 71,681–N.S. (Approval to Submit Joint Application); and Resolution No. 71,682–N.S. (Authorizing Joint Application and Participation).

## Consent Calendar

### 10. **Authorize Integration of BUSD Preferences with the City of Berkeley's Housing Preference Policy for BUSD Workforce Housing Project (1701 San Pablo)**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the Berkeley Unified School District (BUSD) Workforce Housing project (1701 San Pablo / SAHA / Abode) to apply both a set of housing preferences ("BUSD Preferences") (Exhibit A) developed by its Governance Committee and the City of Berkeley's Housing Preference Policy ("City Preferences"), integrated, with the following clarifications:

- Lottery results within BUSD preference tiers each will be re-sorted by applicant's total number of City preference points.
- Lottery results for Non-BUSD employees would also be re-sorted by applicant's total number of City preference points.
- The persons experiencing homelessness preference would be applied within the BUSD preference framework.
- Layering of City preferences onto BUSD preferences will be conditional on implementation feasibility, as determined by the City Manager.
- Prior to finalizing the Tenant Selection and Marketing Plan, the project team would need to submit a Fair Housing Analysis to the City.

**Financial Implications:** None

Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 71,683–N.S.

### 11. **Salary Adjustments – Deputy Director of Public Works (Unrepresented) and Deputy Director of Health, Housing, and Community Services (Unrepresented)**

**From: City Manager**

**Recommendation:** Adopt a Resolution increasing the top step of the Deputy Director of Public Works classification to \$110.9807 per hour and of the Deputy Director of Health, Housing, and Community Services to \$107.0460 per hour to rectify compaction with salaries of classifications they supervise.

**Financial Implications:** See report

Contact: Monica Walker, Human Resources, (510) 981-6800

**Action:** Adopted Resolution No. 71,684–N.S.

### 12. **Berkeley Fire Fighters Association – Side Letters Pertaining to Probationary Periods, Pre-Promotional Academies, and Vacation Slots**

**From: City Manager**

**Recommendation:** Adopt a Resolution approving three side letters with Berkeley Fire Fighters Association to (1) amend Section 33 of the union's Memorandum of Understanding (MOU) with the City to modify the Firefighter probationary period to 18 months; (2) amend Section 34.3.2 of the MOU to allow employees on 40-hour-week schedules to attend pre-promotional academies if placed on Outside the City status; and (3) amend Sections 19.4 and 19.5 of the MOU to create a new structure for vacation slots.

**Financial Implications:** None.

Contact: Monica Walker, Human Resources, (510) 981-6800

**Action:** Adopted Resolution No. 71,685–N.S.

## Consent Calendar

13. **Berkeley Chief Fire Officers Association Side Letter – Battalion Coverage**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving a side letter with Berkeley Chief Fire Officers Association adding Section 2.1.14 (Battalion Coverage) to the City's Memorandum of Understanding with the union.  
**Financial Implications:** See report  
Contact: Monica Walker, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 71,686–N.S.

## Council Consent Items

14. **A Referral to the City Manager to make a recommendation for further Council action: Transfer Tax Exemption for 100% Affordable Housing Projects**  
*(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*  
**From: Councilmember Tregub (Author), Councilmember Bartlett (Co-Sponsor) and Councilmember O'Keefe (Co-Sponsor)**  
**Recommendation:** Adopt a referral to the City Manager to study the fiscal impacts and feasibility of a transfer tax exemption for 100% affordable housing projects owned and operated by non-profit entities or community land trusts, including but not limited to: the rehabilitation of existing projects; acquisition, rehabilitation, and conversion of market-rate housing complexes into deed-restricted affordable housing; and land donated for the purpose of constructing deed-restricted affordable housing and make a recommendation for further Council action.  
*Policy Committee Recommendation: Forward item to Council with a Qualified Positive Recommendation that the Council: 1) Clarify that the rehabilitation of the restricted properties, would be included as part of the 100% affordable [housing projects]. 2) Bolster the rationale section of the report with greater detail and analysis.*  
**Financial Implications:** See report  
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140  
**Action:** Approved recommendation as recommended by the Land Use, Housing & Economic Development Policy Committee.

## Council Consent Items

**15. Referral to 4 x 4 Committee: Removing On-Site Manager Exemption Loophole for Certain Multi-Family Properties that are Adjacent and/or Share the Same Common Area**

**From: Councilmembers Igor Tregub (Author) and Terry Taplin (Co-Sponsor)**

**Recommendation:** Refer to the 4 x 4 Committee of the Berkeley City Council and Rent Stabilization Board a proposal related to the removal of an on-site manager exemption loophole, which is currently used by certain Berkeley properties to circumvent California Code Regulation, Title 25, Paragraph 42, for certain multi-family properties that are adjacent and/or share the same common area. If the recommended regulation is enacted, it is the intent of the referral to apply it to subject properties in a prospective manner that ensures that the rights of sitting tenants continue to be fully protected (i.e., a fully occupied property will not be required to rent to an on-site manager until at least one unit becomes vacant in accordance to all applicable state and local laws governing good cause eviction protections). The referral further requests that the 4 x 4 Committee discuss and provide recommendations as to:

- Any parameters that may limit the scope of this referral, including but not limited to situations in which one or more of the subject properties are owned by limited liability corporations (LLCs) and/or owners that own multiple other properties in Berkeley, California and/or beyond, with a total number of units or properties under ownership to be determined;
- Any exemptions to the on-site manager requirement for certain circumstances, such as for hardship of the property owner and/or LLC and/or other circumstances in which the interest of justice may supersede the public interest of this requirement;
- The enforcement mechanism and enforcing jurisdiction (i.e., City of Berkeley or Berkeley Rent Stabilization Board, with compensation by the City of Berkeley) that the City of Berkeley should employ in furtherance of the recommended regulation; and
- Any other provisions pertinent to the efficient, just, and fair administration of the recommended regulation.

**Financial Implications:** See report

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

**Action:** Item removed from the agenda by Councilmember Tregub.

## Council Consent Items

16. **First Year Free - Fill Empty Storefronts Act** (*Reviewed by the Land Use, Housing & Economic Development Policy Committee*)  
**From: Councilmember Hahn (Author)**  
**Recommendation:** Refer to the City Manager to (1) create and implement a First Year Free Program for Berkeley, modeled after San Francisco's successful program, for an initial period of 5 years and (2) study and report back to Council on other strategies to attract new businesses and fill empty storefronts.  
*Policy Committee Recommendation: Forward item to Council with a negative recommendation to take no action. The committee will revisit this issue at a later date with the intention of further developing the goals of the item.*  
**Financial Implications:** See report  
Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150  
**Action:** Approved recommendation of the Land Use, Housing & Economic Development Policy Committee to take no action.

Recess 8:22 p.m. – 8:34 p.m.

## Action Calendar – Public Hearings

17. **Appeal of Special Assessment Tax Lien – 1806 Walnut St**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a Resolution rejecting the property owners' appeal, and allowing the special assessment lien for 1806 Walnut Street (APN 057-2049-004) to be recorded with the County of Alameda as written and approved by the City Manager.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- Public Testimony:** The Mayor opened the public hearing. 4 speakers. M/S/C (Tregub/Taplin) to close the public hearing.  
**Vote:** All Ayes.
- Action:** M/S/C (Tregub/Taplin) to adopt Resolution No. 71,687–N.S. as revised in Supplemental Communications Packet #1 from the City Manager to reject the appeal and record the correct the lien amount of \$6,230.00.  
**Vote:** All Ayes.

Internal

## Action Calendar – New Business

18. **Adopt an Ordinance to Prohibit the Sale or Use of Algorithmic Devices to Set Rents or Manage Occupancy Levels for Residential Dwelling Units** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*  
**From: Housing Advisory Commission**  
**Recommendation:** Adopt an ordinance amending the Municipal Code adding section 13.63 to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units.  
*Policy Committee Recommendation: Forward item to Council with a Qualified Positive Recommendation to Council with a request to forward to the 4x4 Committee to review the effectiveness of the implementation.*  
**Financial Implications:** See report  
Contact: Mike Uberti, Commission Secretary, (510) 981-7400  
**Action:** 13 speakers. M/S/C (Lunaparra/Tregub) to adopt first reading of Ordinance No. 7,956–N.S. as written in Supplemental Communications Packet #2 by Councilmember Lunaparra and further amended on the dais to clarify definitions and applicability. Second reading scheduled for March 25, 2025.  
**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Tregub, O’Keefe, Blackaby, Lunaparra, Ishii; Noes – Humbert; Abstain – None; Absent – None.

## Information Reports

19. **FY 2025 First Quarter Investment Report: Ended September 30, 2024**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.

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

## Adjournment

**Action:** M/S/C (Taplin/Lunaparra) to adjourn the meeting.  
**Vote:** All Ayes.

Adjourned at 9:57 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on March 11, 2025.

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Mark Numainville, City Clerk

## Communications

**Item #18: Adopt an Ordinance to Prohibit the Sale or Use of Algorithmic Devices to Set Rents or Manage Occupancy Levels for Residential Dwelling Units**

***(Reviewed by the Land Use, Housing & Economic Development Policy Committee)***

1. Krista C. Gulbransen

**Civic Center Park**

2. Elana Naftalin-Kelman
3. Yael Galinson
4. Ashley E. McClure
5. David Tepper
6. Lisa Lum (2)
7. Robin Kibby
8. Erik Dreher
9. Daniel Jurnove
10. Ben Buettner
11. Micky Duxbury
12. Catarina Negrin
13. Stacey Zolt Hara
14. Patrick Golier
15. David Kerr
16. Whitney Moss
17. Peggy Scott (2)
18. Lisa Mazur Librizzi
19. Elisabeth Hruska

**Encampments**

20. Aileen Paterson
21. Russbumper
22. Josh Atwood
23. Aimee Baldwin

**Peace and Justice Commission Resolution**

24. Haiganoush Preisler
25. Joseph Mutti
26. Jennifer Fechner
27. Tim O'Brien
28. Dorothea Dorenz
29. Chris Taaffe
30. Erika Andersen
31. Alexander Cruzado
32. Sam Long
33. Michael Cassidy
34. 12 Similarly worded form letters

**Safety Concerns**

35. Cecelia Mautner

**Mailbox**

36. Elsa Tranter

**Public Safety Community Meeting**

37. Jack Kurzweil

38. Enrique Marisol

39. Igor Tregub

**Sanctuary Protocol**

40. Director of Security

**Plans**

41. Tillymaui

**Library Printing Services**

42. Alex S. Merenkov

43. Bill Kolb

**Daylighting Law**

44. Shirley Kirsten (3)

45. Mieka Strawhorn

46. Wahid Amiri

47. Sandra Sanchez

**Proposed Public Restroom**

48. Aimee Baldwin

49. Wahid Amiri

50. Analisa Madron

**Cesar Chavez Park**

51. Maggie Dilley

52. Amy Thomson

53. Katherine Westine

54. Randall Gee

55. The Froedin-Morgensen Family

56. Antonio Guzman

57. Wini Williams

58. Lucy Thrupp

59. Save CC (2)

60. Frances Shaw

61. Cameron Woo

**Round Park**

62. Joseph Lee (3)

**Housing Concern**

63. Bing Fantasy Football (6)

**Bay Wheels Station**

64. Alex S. Merenkov

65. Sandra Sanchez

**Speed Bumps**

66. Lolita Brewster

**BOTTLEBIN Smart Bin**

67. Tammy E. Apple

**2x2 Meeting**

68. Rebecca Levenson (2)

69. Jennie Hicks and Ian Wulfson

70. Sasha Courtade

**Publicize Effects**

71. Kellie Stoddart

**Civil Action Petition**

72. Ian A. Leipper

**Bicycle Plan**

73. James McGrath

74. Laura Fujii

75. Octavio Raygoza

**Gold Award Project**

76. Ona Weiss

**Business Safety**

77. David Lerman

**Literacy Project**

78. Pat Kennedy

**Up Zoning**

79. Deborah Barer

**Berkeley Public Eye**

80. Bernard Marszalek

**PG&E Gas Lines**

81. David Lerman

**Unit Inspections**

82. Alex Merenkov

83. Manreet Gill

**Golden Gate Fields**

84. Roger Hooks

**Intersection Safety Concern**

85. Asa Bradman

**Certificates**

86. Justin Wong

**Middle East Conflict**

87. Alexander Cruzado

**Red Cross Month**

88. Teresa Deloach Reed

**Traffic Concern**

89. Shirley Kirsten (2)

**URL's**

90. Julie Elis

91. Flip Side

92. Nancy Fox

**Forwards**

93. Eid

94. Josh Atwood (2)

**Mail to the Mayor**

95. Eid

**BESO Amendments**

96. Hannah Wenrich (9)

97. Isabella Almeida (9)

**Apartment Values**

98. Barbara Gilbert

**Healthy Foods**

99. Roberto Terrones on behalf of the Sugar-Sweetened Beverage Product Panel of Experts (SSBPPE)  
100. Kenneth Hecht

**GOP Budget Cuts Concern**

101. Kellie Stoddart

**Commission Vacancies**

102. Samuel J. Harvey on behalf of the Fair Campaign Practices Commission/Open Government Commission

**Screenshots**

103. Josh Atwood

**Chess Club**

104. Jesse Sheehan

**2138 Kittredge St.**

105. Carol A. Bagshawe

**Supplemental Communications and Reports 1**

**Urgent Item: Urgency Resolution: Condemning the recent incident, along with all acts of Islamophobia in Berkeley, and reaffirming unwavering support for the Muslim community in Berkeley and beyond**

104. Urgency item submitted by Councilmember Tregub, Councilmember Taplin and Councilmember Lunaparra

**Item #2: Zoning Ordinance Amendments to Title 23 of the Berkeley Municipal Code for Consistency with State Law Related to Electric Vehicle Charging and Technical Edits**

105. James M. Lloyd, on behalf of the California Housing Defense Fund (“CalHDF”)

**Item #14: A Referral to the City Manager to make a recommendation for further Council action: Transfer Tax Exemption for 100% Affordable Housing Projects**

*(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*

106. Tess Fruge

**Item 17: Appeal of Special Assessment Tax Lien – 1806 Walnut St**

107. Revised agenda material submitted by Jordan Klein, Planning & Development Director

**Supplemental Communications and Reports 2**

**Urgent Item: Urgency Resolution: Condemning the recent incident, along with all acts of Islamophobia in Berkeley, and reaffirming unwavering support for the Muslim community in Berkeley and beyond.**

108. Dorothea Dorenz

109. Berkeley Network for Palestine

**Item #14: A Referral to the City Manager to make a recommendation for further Council action: Transfer Tax Exemption for 100% Affordable Housing Projects**

110. Courtney Pal on behalf of Resources for Community Development

**Item #15: Referral to 4 x 4 Committee: Removing On-Site Manager Exemption Loophole for Certain Multi-Family Properties that are Adjacent and/or Share the Same Common Area**

111. Dan Lieberman

**Item #18: Adopt an Ordinance to Prohibit the Sale or Use of Algorithmic Devices to Set Rents or Manage Occupancy Levels for Residential Dwelling Units** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*

112. Revised material, submitted by Councilmember Lunaparra

113. Hannah Holloway on behalf of TechEquity

114. David Shere

**Supplemental Communications and Reports 3**

**Item #3: Police Accountability Board – Appointment of New Member**

115. Jose D. Murrillo on behalf of the Office of the Director of the Police Accountability

**Item #6: Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on March 11, 2025**

116. Supplemental agenda material submitted by the City Manager's Office

**Item #14: A Referral to the City Manager to make a recommendation for further Council action: Transfer Tax Exemption for 100% Affordable Housing Projects** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*

117. Lillian

118. Amie Fishman on behalf of the Non-Profit Housing Association of Northern California

119. Sophia DeWitt on behalf of East Bay Housing Organizations

120. Karen Nemsick

121. Susan Friedland

**Item #17: Appeal of Special Assessment Tax Lien – 1806 Walnut St**

122. Presentation submitted by the Planning & Development Department

123. Jonathan Hicks

**Item #18: Adopt an Ordinance to Prohibit the Sale or Use of Algorithmic Devices to Set Rents or Manage Occupancy Levels for Residential Dwelling Units** *(Reviewed by the Land Use, Housing & Economic Development Policy Committee)*

124. Presentation submitted by the Housing Advisory Commission

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, March 18, 2025  
4:00 PM**

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

TELECONFERENCE LOCATION - 181 WELLINGTON STREET W, TORONTO, ON  
M5V 0A1, CANADA

TELECONFERENCE LOCATION - 2928 LINDEN AVENUE, BERKELEY, CA 94705

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/1609781710>. 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: 160 978 1710**. 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:** 4:07 p.m.

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

**Absent:** Kesarwani, Bartlett

Councilmember Kesarwani present at 4:20 p.m.

Councilmember Bartlett present at 5:28 p.m.

## Worksession

### 1. 2024 Berkeley Police Department Annual Report

**From:** City Manager

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

**Action:** 2 speakers. Presentation made and discussion held.

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 6:01 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on March 18, 2025.

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Mark Numainville, City Clerk

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

**Item #1: 2024 Berkeley Police Department Annual Report**

1. Presentation submitted by the Police Department
2. Report submitted by the Police Department

**MINUTES  
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## Preliminary Matters

**Roll Call:** 6:19 p.m.

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

**Absent:** Bartlett

Councilmember Bartlett present at 6:30 p.m.

Councilmember Bartlett participated the meeting remotely under the just cause exception in the Brown Act.

**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. Adjourned in Memory of Sarah Reynoso, Former City Employee

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 6 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 4 speakers.

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

**Vote:** All Ayes.

## Consent Calendar

- 1. Contract No. 31900122-1 Amendment: Rolling Orange, Inc. for Website Maintenance and Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 31900122-1 with Rolling Orange, Inc. for additional website maintenance and support for an amount not-to-exceed \$120,000 and a total contract value not-to-exceed \$794,300 from March 1, 2019 to June 30, 2027.  
**Financial Implications:** IT Cost Allocation Fund - \$120,000  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,688–N.S.
- 2. Contract: Pride Industries for Citywide Custodial Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a three-year contract and any amendments with Pride Industries to provide Citywide Custodial Services at various City facilities and locations, twenty-one (21) in total, from April 1, 2025, to March 31, 2028, for a total not to exceed of \$5,500,000, with an option of two (2) one-year extensions for a maximum term of five (5) years.  
**Financial Implications:** Various Funds - \$5,500,000  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,689–N.S.
- 3. Contract: SubTerra Construction, Inc. for Adeline St, Shattuck Ave., Oxford St., Fulton St., University Ave., Kala Bagai Way, and Woolsey St.; Sewer Rehabilitation Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving plans and specifications for the Sanitary Sewer Project, located on Adeline St., Shattuck Ave., Oxford St., Fulton St., University Ave., Kala Bagai Way, and Woolsey St.; 2. Accepting the bid of the lowest responsive and responsible bidder, SubTerra Construction, Inc.; 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, in an amount not to exceed \$8,962,808, which includes a 10% contingency of \$814,800; and 4. Authorizing the City Manager to execute reimbursement contracts with the University of California (\$210,000), Addison Labs Foundation (a 501.c.3 organization, \$120,000), and Core Spaces (\$120,000).  
**Financial Implications:** Sanitary Sewer Fund - \$8,962,808  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,690–N.S.

## Consent Calendar

- 4. Contract No. 32400141 Amendment: Mercury Associates, Inc. for Fleet Consulting Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32400141 with Mercury Associates, Inc. to complete a right sizing study and provide fleet consulting services. This amendment increases the contract amount by \$100,000, for a new total amount not to exceed of \$225,000 for the current contract period of December 1, 2023, through December 30, 2026.  
**Financial Implications:** Various Funds - \$100,000  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,691–N.S.
- 5. Contract: APB General Engineering for Urgent Sewer Repair FY2025 Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving plans and specifications for the Urgent Sewer Repair FY2025 Project; 2. Accepting the bid of the lowest responsive and responsible bidder, APB General Engineering; 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, in an amount not to exceed \$470,910, which includes a 10% contingency of \$42,810.  
**Financial Implications:** Sanitary Sewer Fund - \$470,910  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,692–N.S.
- 6. Fiscal Year 2026 Street Lighting Assessments – Initiating Proceedings**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions describing proposed improvements to be used to determine the annual assessments levied for Berkeley Street Lighting Assessment District No. 1982-1 and Street Lighting Assessment District No. 2018, and ordering the preparation of Engineer’s Reports.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,693–N.S. (District No. 1982-1), and Resolution No. 71,694–N.S. (District No. 2018).

## Consent Calendar

### 7. **Establishing a Measure FF SAFE STREETS Citizen Oversight Committee**

**From: City Manager**

**Recommendation:** Adopt a Resolution: 1. Establishing a SAFE STREETS Citizen Oversight Committee (SSCOC) to review expenditures and progress reports from the City Manager and City Auditor to ensure compliance with the intent of Measure FF, passed by voters on November 5, 2024, evaluating the impacts and outcomes of tax expenditures on stated goals and prepare public reports on the Committee's findings; and 2. Authorizing the City Manager to further implement Section 7.11.040 of City Ordinance 7,952-N.S, to ensure compliance with all requirements.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,695–N.S.

## Council Consent Items

### 8. **California Triathlon Club: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

**From: Councilmember Lunaparra (Author)**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Lunaparra's discretionary fund and funds from any other Councilmembers who would like to contribute to the California Triathlon Club (Cal Tri) for the Fall 2025 Bearathlon Triathlon event with funds relinquished to the City's general fund for this purpose.

**Financial Implications:** Councilmember's Discretionary Fund - \$500

Contact: Cecilia Lunaparra, Councilmember, District 7, (510) 981-7170

**Action:** Adopted Resolution No. 71,696–N.S. amended to include contributions from the following Councilmembers up to the amounts listed: Councilmember Humbert - \$250; Councilmember Tregub - \$100; Councilmember Taplin - \$500; Councilmember Blackaby - \$250; Councilmember Bartlett - \$250; Councilmember Kesarwani - \$100; Councilmember O'Keefe - \$100; Mayor Ishii - \$500.

## Action Calendar – Public Hearings

9. **2024 Local Hazard Mitigation Plan (LHMP)**

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution adopting the 2024 Local Hazard Mitigation Plan (LHMP) and amending the General Plan to incorporate the 2024 LHMP.

**Financial Implications:** See report

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

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

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

**Vote:** All Ayes.

**Action:** M/S/C (Taplin/Tregub) to adopt Resolution No. 71,697–N.S. adopting the 2024 Local Hazard Mitigation Plan (LHMP) and amending the General Plan to incorporate the 2024 LHMP.

**Vote:** All Ayes.

Recess 7:33 p.m. – 7:45 p.m.

## Action Calander – New Business

10. **Formation of a Sex Trafficking Task Force to Address Current Sex Trafficking in Berkeley** (*Reviewed by Health, Life Enrichment, Equity & Community Policy Committee*)

**From: Commission on the Status of Women**

**Recommendation:**

To recommend to Council to refer to the City Manager to form a sex trafficking task force. The Task Force's objective shall be two-fold: to develop recommendations of sex trafficking prevention strategies to be implemented including through social media and to provide recommendations for supports for women and girls seeking to exit sex trafficking.

That the Task Force be comprised as follows: 2 members of the Commission on the Status of Women (1 of whom will be a UC Berkeley student); 1-2 members of the Berkeley Police Department formerly or currently working on this issue in Berkeley as determined by the Berkeley Police Department; 2 members of the 2x2 Committee (1 of whom shall be a Councilmember and 1 of whom shall be a School Board member); 1 member of the City of Berkeley Youth Commission who is a Berkeley High School student; 1 person with knowledge and expertise in sex trafficking, prevention and resources, that person unidentified with a Berkeley City-funded agency so as to avoid any potential conflict of interest in the recommendations; 1 woman with a history of having been sex-trafficked (a stipend is recommended for that member of the Task Force); and 1 person with expertise in workplace development and related economic resources.

*Policy Committee Recommendation: No final action taken. Item is automatically returning to Council agenda pursuant to the time limit for items referred to policy committees.*

**Financial Implications:** See report

Contact: Okeya Vance-Dozier, Commission Secretary, (510) 981-7100

**Action:** Moved to Consent Calendar. Referred the item back to the Commission on the Status of Women to develop a subcommittee to identify recommendations for sex trafficking prevention strategies and supports for women and girls seeking to exit sex trafficking.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, O'Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – Tregub.

11. **Revised External Fixed Surveillance Camera Locations and Vendor Transition**  
**From: City Manager**

**Recommendation:** We recommend Council approve a Resolution authorizing the City Manager to begin the Surveillance Technology Ordinance (STO) process with a proposal to transition the External Fixed Video Surveillance Camera program from Edgeworth Integration, LLC to Flock Safety. This proposal also reallocates camera placements away from corridors already served by the ALPR system and positions them in areas with high pedestrian traffic. The change addresses installation challenges such as PGE power limitations and Caltrans right-of-way delays and strengthens the City's ability to respond to and investigate crime. We recommend that the resolution authorize the City Manager to execute all necessary actions to implement this transition in compliance with applicable ordinances and policies. We

## Action Calander – New Business

also recommend that Council provide authorization as required by the STO to the City Manager to seek available grant funding for surveillance cameras.

The proposed camera placements result from a detailed review of key factors. We identified locations where monitoring would capture individuals entering or exiting areas of heavy pedestrian traffic. Analysis of crime trends and retail theft data revealed zones that would benefit most from surveillance. Local feedback from business districts and community meetings also indicated specific areas of concern. These considerations have led us to propose camera sites adjacent to key intersections: - Center / MLK; - College / Ashby; - Milvia / Alston; - 9th / Gilman; - Center / Shattuck; - Solano / Colusa; - University / Shattuck; - 4th / Hearst; - Cedar / Shattuck; - Adeline / Fairview; - Durant / Telegraph; - Shattuck / Ashby; - 4th / Virginia; - 62rd / King; - University / MLK; - College / Alcatraz.

In the case that additional funding becomes available and/or Council wishes to authorize more locations, we propose additional camera sites adjacent to these intersections: Ashby / Domingo, Ashby / San Pablo, Ashby / 6th and University / San Pablo.

This revision responds to two main issues. First, camera placements along Ashby and San Pablo will encounter delays due to Caltrans right-of-way challenges and Edgeworth cameras have electricity requirements that cannot be accommodated within our flat-rate contracts for traffic signals with PGE, and installing a dedicated meter would be prohibitively expensive. These challenges render the installation of Edgeworth cameras unfeasible. Second, the widespread deployment of ALPRs now covers vehicle movements, which makes the previously approved locations redundant. The new approach concentrates on high-foot-traffic areas that promise improved evidence collection during incidents.

**Financial Implications:** See report

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

**Action:** M/S/Failed (Lunaparra/Tregub) to:

1. Adopt a Resolution with the addition from the City Manager to cite Berkeley Municipal Code Chapter 2.99 in the first resolved clause, removal of the intersection of Telegraph Avenue & Durant Avenue from the list of proposed camera sites, and addition of the following resolved clause:

*BE IT FURTHER RESOLVED THAT Flock Safety will be directed to not share information, data, or other assets from the External Fixed Video Surveillance Camera program with any personnel or agencies outside of the City of Berkeley, including in response to an administrative subpoena or other request from another government agency, unless compliance is required by court order, or other appropriate directive. Violation of this provision shall be considered grounds for termination of the contract. Flock Safety will inform the City of Berkeley immediately upon receiving any legal or other orders from other jurisdictions.*

2. Refer to the City Manager to consider as part of the contracting process the language proposed by Councilmember Barlett related to liquidated damages, and data ownership, storage, and access.

## Action Calander – New Business

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

**Action:** 30 speakers. M/S/Carried (Humbert/Blackaby) to adopt Resolution No. 71,698–N.S. with the addition from the City Manager to cite Berkeley Municipal Code Chapter 2.99 in the first resolved clause, and addition of the following resolved clause:

*BE IT FURTHER RESOLVED THAT Flock Safety will be directed to not share information, data, or other assets from the External Fixed Video Surveillance Camera program with any personnel or agencies outside of the City of Berkeley, including in response to an administrative subpoena or other request from another government agency, unless compliance is required by court order, or other appropriate directive. Violation of this provision shall be considered grounds for termination of the contract. Flock Safety will inform the City of Berkeley immediately upon receiving any legal or other orders from other jurisdictions.*

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Tregub, O’Keefe, Blackaby, Humbert, Ishii; Noes – Lunaparra; Abstain – None.

## Public Comment – Items Not Listed on the Agenda - 2 speakers.

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 10:05 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on March 18, 2025.

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Mark Numainville, City Clerk

## Communications

### Bicycle Plan

1. Marc Hedlund, with Libby Lee-Egan
2. Marla Wilson

### Construction on Webster

3. Joshua Sopher

**Downtown Safety Concern**

- 4. John Craner
- 5. Simone Arpaio (2)
- 6. Javier F. Suazo
- 7. Eduardo D (2)

**Berkeley Marina**

- 8. Gordon Meyer

**Police Accountability Newsletter**

- 9. Hansel Alejandro Aguilar

**Hopkins/McGee**

- 10. Shirley Kirsten (3)

**Battery Recycling**

- 11. Martin Bourque (2)
- 12. David Lerman (2)

**Community Vigil**

- 13. Berkeley Network for Palestine (2)
- 14. Summer Brenner

**TBS Today**

- 15. Elsa Tranter

**Berkeley Waterfront Park User Concern**

- 16. Kirsten Mahoney

**Encampments**

- 17. Steven Donaldson
- 18. Joann Driscoll

**UC Berkeley**

- 19. John Craner

**Housing Concern**

- 20. Bingo Fantasy Football (3)

**Public Comment Concerns**

- 21. Jack Kurzweil
- 22. Summer Brenner

**Aquatics Program Concerns**

- 23. Florence Reinisch

**Tree Cutting**

24. Edward Brent (2)

**2138 Kittredge St.**

25. Sharon Gong

**Proclamation Request**

26. Walton Li

**Use of Taxpayer Money**

27. Martha Stackawicz

**Street Lighting**

28. David Lerman

**Affordable Housing**

29. Moni T. Law

**Insight Housing**

30. Del and Kathy Totten

**Civic Center Park**

31. Jill Korte

32. John Rice

33. Jason McGatlin

34. Holly Scheider

35. Peggy Scott

36. Michael O’Heaney

37. Maria Schell Hassid

38. Cara Delacroix

39. Enrique Marisol

**01Peace and Justice Commission Resolution**

40. Rev. Niels Teunis and Rev. Angela Jernigan

41. Angela Isaacs

42. Dan Weinberg

**Blind Intersection @ Hopkins CT and Hopkins Ave**

43. Wahid Amiri

**Chess Club**

44. Jesse Sheehan (2)

**URL’s**

45. Russbumper

**Middle East Conflict**

46. Russbumper

**Supplemental Communications and Reports 1**

**Item #11: Revised External Fixed Surveillance Camera Locations and Vendor Transition**

47. Victoria Cole on behalf of SafeBears (2)

**Supplemental Communications and Reports 2**

**Item #11: Revised External Fixed Surveillance Camera Locations and Vendor Transition**

48. Sherry Perez

49. Markus Feyh

50. Enrique Marisol

51. Lisa Teague

52. Sheridan Eggers

53. Sarah Freedman

54. Mark Rhoades

55. Beth Roessner

56. David Shiver

57. Suzan Steinberg

58. 38 Similarly worded form letters

**Supplemental Communications and Reports 3**

**Item #11: Revised External Fixed Surveillance Camera Locations and Vendor Transition**

59. Tom Parrish

60. Gary E.

61. Sylvia

62. Truce Hansen

63. Nigel

64. Laksh Lakireddy

65. Fern Wildtruth

66. Jovi Vidal

67. Tobey Wiebe

68. Anthony Iacono

69. Janice Schroeder

70. Lily Simonson

71. Saanvi Arora

72. Frankie Cunningham

73. Caitlin Chan

74. Sulakshana

75. Tracy Rosenberg on behalf of Oakland Privacy

76. Simone Arpaio

77. Alberto Malvestio

- 78. Gregory Kalkanis
- 79. Amy Murray
- 80. Marc Steyer
- 81. 30 Similarly worded form letters to support
- 82. 60 Similarly worded form letter to oppose

Internal

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, March 25, 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/1611397649>. 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: 161 139 7649**. 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:** 4:09 p.m.

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

**Absent:** Kesarwani, Bartlett

Councilmember Bartlett present at 4:14 p.m.

Councilmember Kesarwani present at 4:16 p.m.

## Consent Calendar

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

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

**Vote:** Ayes – Taplin, Tregub, O’Keefe, Blackaby, Lunaparra, Humbert, Ishii; Noes – None; Abstain – None; Absent – Kesarwani, Bartlett.

## Consent Calendar

- 1. Amend Memorandums of Understanding for Represented Employee Groups to Include Cesar Chavez Day as a Paid City Holiday**

**From:** City Manager

**Recommendation:** Adopt a Resolution amending Memorandums of Understanding (MOUs) for represented employee groups to include Cesar Chavez Day as a paid city holiday, to be observed on the last Monday of March beginning in 2025.

**Financial Implications:** See report

Contact: Monica Walker, Human Resources, (510) 981-6800

**Action:** Adopted Resolution No. 71,699–N.S.

## Action Calendar – New Business

- 2. Pavement Management & Infrastructure Planning Presentation**

**From:** City Manager

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

**Action:** 9 speakers. Presentation made and discussion held.

## Action Calendar – New Business

3. **2025 City Council Referral Prioritization Results Using Re-Weighted Range Voting (RRV)**  
**From: City Manager**  
**Recommendation:** Review the completed Re-Weighted Range Voting (RRV) rankings for all outstanding City Council referrals and adopt a Resolution approving the list of prioritized referrals to city staff.  
**Financial Implications:** No direct fiscal impacts  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** 1 speaker. M/S/C (Taplin/Tregub) to adopt Resolution No. 71,700–N.S. approving the list of prioritized referrals to city staff.  
**Vote:** All Ayes.

## Adjournment

**Action:** M/S/C (Tregub/Humbert) to adjourn the meeting.  
**Vote:** All Ayes.

Adjourned at 6:29 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on March 25, 2025.

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Mark Numainville, City Clerk

## Communications

- None

## Supplemental Communications and Reports 1

- None

## Supplemental Communications and Reports 2

- None

## Supplemental Communications and Reports 3

### Item #2: Pavement Management & Infrastructure Planning Presentation

1. Presentation submitted by the Public Works Department

### Item #3: 2025 City Council Referral Prioritization Results Using Re-Weighted Range Voting (RRV)

2. Presentation submitted by the City Clerk Department

Internal

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, March 25, 2025**  
**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

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## Preliminary Matters

**Roll Call:** 6:49 p.m.

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

**Absent:** None

**Land Acknowledgement Statement:** *The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochochenyo (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 National Library Week 2025
2. Adjourned in Memory of Marty Schiffenbauer, Rent Control Pioneer and Community Activist

### City Manager Comments:

The City Manager noted that for Item 12 Notice of Decision, the designation has been appealed and will be scheduled for a future Council meeting.

**Public Comment on Non-Agenda Matters:** 10 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 3 speakers.

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

**Vote:** All Ayes.

## Consent Calendar

- 1. Proposed Amendments to the Building Emissions Saving Ordinance (BESO); Amending Berkeley Municipal Code Chapter 19.81** *(Item contains revised material)*  
**From: City Manager**  
**Recommendation:** Adopt a new first reading of Ordinance No. 7,953-N.S. amending the Building Emissions Saving Ordinance (BESO), Chapter 19.81 of the Berkeley Municipal Code, to establish a flexible resilience standard for small residential buildings containing up to four units.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted first reading of Ordinance No. 7,953–N.S. Second reading scheduled for April 15, 2025.
- 2. Adopt an Ordinance to Prohibit the Sale or Use of Pricing Algorithms to Set Rents or Manage Occupancy Levels for Residential Dwelling Units; Adding Berkeley Municipal Code Chapter 13.63**  
**From: Housing Advisory Commission**  
**Recommendation:** Adopt second reading of Ordinance No. 7,956-N.S. amending the Municipal Code adding Chapter 13.63 to prohibit the sale or use of pricing algorithms to set rents or manage occupancy levels for residential dwelling units.  
**First Reading Vote:** Ayes – Kesarwani, Taplin, Bartlett, Tregub, O’Keefe, Blackaby, Lunaparra, Ishii; Noes – Humbert; Abstain – None; Absent – None.  
**Financial Implications:** See report  
Contact: Mike Uberti, Commission Secretary, (510) 981-7400  
**Action:** Adopted second reading of Ordinance No. 7,956–N.S. with the minor clarifying addition published in Supplemental Communications Packet #2 to use the term “coordinated pricing algorithm” throughout the ordinance.
- 3. Minutes for Approval**  
**From: City Manager**  
**Recommendation:** Approve the minutes for the Council meetings of February 3 (closed), February 11, 2025 (special and regular), February 25, 2025 (special and regular).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900  
**Action:** Approved the minutes as submitted.

## Consent Calendar

- 4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on March 25, 2025**  
**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:** Various Funds - \$6,575,000  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Approved recommendation.
- 5. Contract No. 32000118 Amendment: NEXGEN Asset and Work Order Management Software Maintenance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000118 with NEXGEN Asset Management to provide additional funding for software maintenance and professional services, increasing the amount by \$1,123,457, for a total not-to-exceed amount of \$2,830,366 through June 30, 2029.  
**Financial Implications:** Various Funds - \$1,123,457  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,701–N.S.
- 6. Contracts: On-Call Landscape Architectural Services for Capital Improvement Projects**  
**From: City Manager**  
**Recommendation:** Adopt five Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call landscape architectural services for capital improvement projects, for contract periods of May 1, 2025 through April 30, 2028:  
1. Carducci & Associates, Inc., for an amount not to exceed \$450,000.  
2. Moore Iacofano Goltsman, Incorporated (MIG, Inc.), for an amount not to exceed \$450,000.  
3. PGAdesign, Inc., for an amount not to exceed \$450,000.  
4. Royston Hanamoto Alley & Abey (RHAA), for an amount not to exceed \$450,000.  
5. RRM Design Group, for an amount not to exceed \$450,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,702–N.S. (Carducci), Resolution No. 71,703–N.S. (MIG), Resolution No. 71,704–N.S. (PGAdesign), Resolution No. 71,705–N.S. (RHAA), and Resolution No. 71,706–N.S. (RRM).

Internal

## Consent Calendar

### 7. **Adopt a Mitigated Negative Declaration for the Tom Bates Regional Sports Complex Restroom and Community Space Project**

**From:** City Manager

**Recommendation:** Adopt a Resolution adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) for the Tom Bates Regional Sports Complex Restroom and Community Space Project.

**Financial Implications:** See report

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

**Action:** Adopted Resolution No. 71,707–N.S.

## Action Calendar – Public Hearing

### 8. **Establishment of M-RD Zoning District, Associated General Plan and West Berkeley Plan Amendments, and Environmental Impact Report**

**From:** City Manager

**Recommendation:** Conduct a public hearing and upon conclusion:

1. Adopt the first reading of an Ordinance amending Title 23 of the Berkeley Municipal Code (BMC) and the Zoning Map to establish the Manufacturing, Research & Development (M-RD) zoning district to encourage redevelopment of the former Pacific Steel Casting (PSC) site.

2. Adopt a Resolution:

a. Approving and adopting West Berkeley Plan and General Plan amendments to be consistent with the associated Ordinance amendments; and

b. Certifying the Environmental Impact Report (EIR) (SCH#2022120549) and adopt related California Environmental Quality Act (CEQA) findings, a statement of overriding considerations, mitigation measures, and a mitigation monitoring and reporting program.

**Financial Implications:** See report

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

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

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

**Vote:** All Ayes.

**Action:** M/S/C (Kesarwani/Taplin) to:

1. Adopt first reading of Ordinance No. 7,957–N.S. amending Title 23 of the Berkeley Municipal Code and the Zoning Map to establish the Manufacturing, Research & Development (M-RD) zoning district to encourage redevelopment of the former Pacific Steel Casting (PSC) site. Second reading scheduled for April 15, 2025.

2. Adopt Resolution No. 71,708–N.S. approving and adopting West Berkeley Plan and General Plan amendments to be consistent with the associated Ordinance amendments; and certifying the Environmental Impact Report (EIR)

(SCH#2022120549) and adopt related California Environmental Quality Act (CEQA) findings, a statement of overriding considerations, mitigation measures, and a mitigation monitoring and reporting program.

**Vote:** All Ayes.

## Action Calendar – Public Hearings

Recess 8:07 p.m. – 8:18 p.m.

### 9. ZAB Appeal: 3000 Shattuck Avenue, Use Permit #ZP2022-0046

**From: City Manager**

**Recommendation:** Conduct a public hearing and, upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board (ZAB) decision to approve a Use Permit to demolish a gas station, and construct a 10-story (114 feet) mixed-use building utilizing a State Density Bonus request, with 166 dwellings, including 17 Very Low-Income units, and 1,000 square-feet of commercial space, and dismiss the appeals.

**Financial Implications:** None

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

**Public Testimony:** The Mayor opened the public hearing. 17 speakers.

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

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Blackaby, Humbert, Ishii; Noes – None; Abstain – None; Absent – None; Recused – Tregub (Considered and voted on the Use Permit as a member of the Zoning Adjustments Board), O’Keefe (Considered and voted on the Use Permit as a member of the Zoning Adjustments Board), Lunaparra (Considered and voted on the Use Permit as a member of the Zoning Adjustments Board).

**Action:** M/S/Failed (Kesarwani/Taplin) to adopt a resolution affirming the Zoning Adjustments Board (ZAB) decision to approve a Use Permit to demolish a gas station, and construct a 10-story (114 feet) mixed-use building utilizing a State Density Bonus request, with 166 dwellings, including 17 Very Low-Income units, and 1,000 square-feet of commercial space, and dismiss the appeals.

**Vote:** Ayes – Kesarwani, Blackaby, Humbert, Ishii; Noes – Taplin, Bartlett; Abstain – None; Absent – None; Recused – Tregub (Considered and voted on the Use Permit as a member of the Zoning Adjustments Board), O’Keefe (Considered and voted on the Use Permit as a member of the Zoning Adjustments Board), Lunaparra (Considered and voted on the Use Permit as a member of the Zoning Adjustments Board).

The ZAB decision stands unless the Council takes up the appeal again within 30 days, under BMC 23.410.040.I.

Internal

**Action Calendar – New Business****10a. Allocation of \$2,294,774 Million Over 2 Years, FY 2026 and FY 2027, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs) From: Sugar Sweetened Beverage Product Panel of Experts**

**Recommendation:** Adopt a Resolution allocating \$2,294,774 from the General Fund in Fiscal Year 2026 (July 1, 2025 through June 30, 2026) and Fiscal Year 2027 (July 1, 2026 through June 30, 2027) that shall be invested in a grant program administered and coordinated by the Department of Health, Housing, and Community Services' (HHCS) Public Health Division (HHCS/PHD) consistent with the Sugar-Sweetened Beverage Product Panel of Experts (SSBPPE) Commission's goals to reduce the consumption of sugar sweetened beverages (SSB) in Berkeley and to address the health effects of SSB consumption. The total of \$2,294,774 million will be distributed in two installments of \$1,147,387 for FY2026 and \$1,147,387 for FY2027. In each of these years, the funds will be distributed as follows:

- a. Direct the City Manager to award up to 42.5% of the allocated funds to Berkeley Unified School District (BUSD) through a grant to implement and enhance the BUSD cooking and gardening programs which aid in reducing the consumption of sugar-sweetened beverages (SSBs) amongst students. The BUSD funding process is separate from the RFP process for community-based organizations and shall be guided by the SSBPPE Commission's Criteria for the BUSD Funding Proposal.
- b. Direct the City Manager to award at least 42.5% of the allocated funds through an RFP process managed by HHCS/PHD for grants to community-based organizations consistent with the SSBPPE Commission's goals to reduce the consumption of SSBs and to address the effects of SSB consumption. The RFP process for community-based organizations is separate from the BUSD funding process and shall be guided by the SSBPPE Commission's Selection Criteria for Community Agency Grants.
- c. Direct the City Manager to utilize up to 15% of the allocated funds to support HHCS/PHD to coordinate and monitor the grant process, coordinate the overall program evaluation, and produce an annual report that disseminates process and outcome data from the epidemiologist resulting from the SSBPPE Commission funding program as well as pay certain City of Berkeley Finance Department costs related to the sugary drink tax.

**Financial Implications:** See report

Contact: Roberto Terrones, Commission Secretary, (510) 981-5400

**Action:** See action for Item 10b.

Internal

**Action Calendar – New Business****10b. Companion Report: Allocation of \$2,294,774 Million Over Two Years, FY2026 and FY2027, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs)****From: City Manager**

**Recommendation:** Adopt a Resolution allocating \$2,294,774 from the General Fund total for Fiscal Year 2026 (July 1, 2025, through June 30, 2026) and Fiscal Year 2027 (July 1, 2026, through June 30, 2027) to be invested in a grant program administered and coordinated by the Department of Health, Housing, and Community Services' (HHCS) Public Health Division (HHCS/PHD). This program will align with the Sugar-Sweetened Beverage Product Panel of Experts (SSBPPE) Commission's goals to reduce sugar-sweetened beverage (SSB) consumption in Berkeley and address the health effects of SSB consumption. The total amount will be distributed in two installments of \$1,147,387 annually for FY2026 and FY2027, as follows:

A. Award up to \$905,292 of the allocated amount to the Berkeley Unified School District (BUSD) for the period of July 1, 2025, to June 30, 2027, through a grant proposal process. These funds will support the reduction of SSB consumption through the implementation and enhancement of BUSD cooking and gardening programs. The BUSD funding process will be separate from the general community-based organization funding process and guided by the SSBPPE Commission's Criteria for BUSD Funding (Attachment 2 to the report).

B. Award up to \$905,292 of the allocated amount for the period of July 1, 2025, to June 30, 2027, through an Request for Proposal (RFP) process managed by HHCS/PHD. These grants will be awarded to community-based organizations (CBOs) and will align with the SSBPPE Commission's goals to reduce SSB consumption and address the effects of SSB consumption. The RFP process to determine CBO funding will be separate from the BUSD funding process and guided by the SSBPPE Commission's Criteria for Community Agency Grants (Attachment 3 to the report).

C. For the period of July 1, 2025, to June 30, 2027, allocate \$128,990 to the Finance Department for staffing costs and Muni-Services fees, and \$355,200 to HHCS/PHD for staffing, operating, service delivery and consulting costs. HHCS/PHD will coordinate and monitor the grant process, manage awarded contracts, and provide activities aligned with the sugary beverage tax goals including providing education, outreach, and technical assistance to support local vendors as they work to comply with the Healthy Checkout ordinance and monitoring Berkeley funded hydration stations, and HHCS will provide an annual presentation to the SSBPPE Commission focused on process and outcome data and updates on Finance Department fees related to the sugary drink tax, to inform the Commission's annual report.

D. Carry over any sugary drink tax revenue received in excess of \$2,294,774 during FY2026 and FY2027 to be awarded for related services in FY2027–FY2029.

**Financial Implications:** See report

Contact: Henry Oyekanmi, Finance, (510) 981-7300, Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

**Action:** Moved to Consent Calendar. Adopted Resolution No. 71,709–N.S.

Internal

## Information Reports

11. **FY 2025 Mid-Year Budget Update Report**  
**From: City Manager**  
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000, Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.
12. **Landmarks Preservation Ordinance Notice of Decision (LPO NOD): 2138 Kittredge Street/#LMIN2024-0006**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.
13. **Landmarks Preservation Ordinance Notice of Decision (LPO NOD): 3332 Adeline Street/#LMSAP2025-0001**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 3 speakers.**

## Adjournment

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

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Blackaby, Humbert, Ishii; Noes – None; Abstain – None; Absent – Tregub, O’Keefe, Lunaparra.

Adjourned at 9:57 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on March 25, 2025.

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Mark Numainville, City Clerk

## Communications

**Item #1: Proposed Amendments to the Building Emissions Saving Ordinance (BESO); Amending Berkeley Municipal Code Chapter 19.81 (Item contains revised material)**

1. David Lerman (2)
2. Isabella Almeida (9)

**Item #9: ZAB Appeal: 3000 Shattuck Avenue, Use Permit #ZP2022-0046**

3. Alisha Pember

4. Larisa Cummings (2)
5. Lorrie LeLe on behalf of East Bay Residents for Responsible Development

**Waterfront**

6. Andrew Sullivan
7. Kirk van Moon
8. Ross Stevenson
9. Noah Sudarsky
10. Kirsten Mahoney
11. Madeleine King

**Fire Zone Concerns**

12. Warren & Lorna Byrne (2)
13. Deirdre Duhan
14. Evan and Erika Mills
15. Bruce H. Feingold
16. Joan Wilson

**Encampments**

17. Steven Donaldson
18. Steve Smith
19. Steve Martinot
20. Nigel F.

**Shattuck Security System**

21. Isabel Thompson

**Cash in Stores**

22. Max Aue

**Red Cross**

23. Sheryl Drinkwater

**Cesar Chavez Park**

24. Stefani Berger

**Adult Education Week**

25. Brigitte Luna

**Downtown Building**

26. John Rice

**Housing Safety Concern**

27. David Lerman
28. Constance Rivemale

**Bicycles and Pedestrians**

- 29. Lucas Miller
- 30. Rachel Doughty
- 31. Sheila Newberry
- 32. Beatriz Motta
- 33. John J. Parman
- 34. Lee Bishop
- 35. Lucas Cantor

**Status of Grievance**

- 36. Hector91 Phuentes
- 37. Kawal Ulanday

**Towing Services**

- 38. Andrew Paul Gutierrez

**Civic Center Park**

- 39. Libby Hruska
- 40. Councilmember Taplin

**Relocation of People's Park**

- 41. Richard

**ICE Concerns**

- 42. Marla Wilson

**Plans**

- 43. Tillymaui

**Forwards**

- 44. Russbumper
- 45. Josh Atwood

**Middle East Conflict**

- 46. Cynthia Papermaster
- 47. Russbumper

**UC Berkeley**

- 48. Andrey Vinogradsky

**Daylighting Concern**

- 49. Shirley Kirsten
- 50. Sandra Sanchez (2)

**Parking Concern**

- 51. Rolf Bell
- 52. Fred Botha

53. Shirley Kirsten

**Chess Club**

54. Jesse Sheehan

**URL's**

55. Josh Atwood

56. Russbumper (3)

**Supplemental Communications and Reports 1**

**Item #9: ZAB Appeal: 3000 Shattuck Avenue, Use Permit #ZP2022-0046**

57. Supplemental material, submitted by Planning & Development Department

58. Lynn Cooper

**Supplemental Communications and Reports 2**

**Item #2: Adopt an Ordinance to Prohibit the Sale or Use of Pricing Algorithms to Set Rents or Manage Occupancy Levels for Residential Dwelling Units; Adding Berkeley Municipal Code Chapter 13.63**

59. Revised agenda material submitted by Councilmember Lunaparra, Councilmember Tregub, and Councilmember Blackaby

**Item #9: ZAB Appeal: 3000 Shattuck Avenue, Use Permit #ZP2022-0046**

60. Dave Fogarty

61. Janis Chang

62. Allison Riemer on behalf of Amy Chang

63. Larissa Cummings

64. Reed Dillingham

65. Paul Dillingham

**Supplemental Communications and Reports 3**

**Ceremonial Matters**

66. Presentation submitted by the Berkeley Public Library

**Item #8: Establishment of M-RD Zoning District, Associated General Plan and West Berkeley Plan Amendments, and Environmental Impact Report**

67. Presentation submitted by the Planning and Development Department

68. Ashley James on behalf of Allan Moore

69. Christy Shirilla on behalf of Biocom California

70. Chip Harley

71. Todd Jersey

72. Darren

73. Beth Roessner

74. Jonathan Bachrach

75. Julie McCray

**Item #9: ZAB Appeal: 3000 Shattuck Avenue, Use Permit #ZP2022-0046**

76. Presentation submitted by the Planning and Development Department

- 77. Daniel Peven on behalf of Yolanda Huang
- 78. Yolanda Huang
- 79. Gregory Kalkanis
- 80. Alisha Pember on behalf of Appellant East Bay Residents for Responsible Development
- 81. Todd Darling and Linda Jensen Darling
- 82. Penny Dedel

**Item #10a: Allocation of \$2,294,774 Million Over 2 Years, FY 2026 and FY 2027, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs)**

- 83. Martin Borque (2)
- 84. Bernard Marszalek

**Item #10b: Companion Report: Allocation of \$2,294,774 Million Over Two Years, FY2026 and FY2027, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs)**

- 85. Holly Scheider (2)

**Miscellaneous**

- 86. Unknown

