



Office of the City Manager

CONSENT CALENDAR
May 6, 2025

To: Honorable Mayor and Members of the City Council
 From: Paul Buddenhagen, City Manager
 Submitted by: Terrance Davis, Director, Public Works
 Subject: Contract No. 117441-1 Amendment: Chrisp Company for Painting Red Curbs to Enhance Compliance with California’s Daylighting Law (Assembly Bill 413)

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 117441-1 with Chrisp Company to paint red curbs at the approach to approximately 918 intersections to improve safety in compliance with California’s Daylighting Law (Assembly Bill 413, or AB 413). This contract amendment would increase the contract amount by \$375,574.42, for a new contract amount not to exceed of \$1,625,575.

FISCAL IMPACTS OF RECOMMENDATION

The total cost for painting red curbs at the approach to intersections to improve safety in compliance with California’s Daylighting Law is anticipated to cost up to \$1,250,000. The City has an existing on-call contract with Chrisp Company to provide traffic maintenance services in the City. This amendment would modify the City’s existing contract with Chrisp Company to increase the total contract amount by \$375,575. This one-time funding is recommended to be included in the Fiscal Year 2025 budget process. Funding for this request would be made available from Measure BB – Local Streets and Roads (Fund 134). The budget may be augmented using Measure FF funds toward the end of 2025, once available.

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| Original contract amount | \$1,250,000 |
| Remaining contract amount as of April 9, 2025 | \$992,600 |
| Anticipated spend on baseline activities before contract expiration on October 26, 2025 (not including this amendment) | \$118,175 |
| Proposed increase (this amendment) | \$375,574 |
| Total New Contract Amount | \$1,625,575 |

CURRENT SITUATION AND ITS EFFECTS

Since 2020, Public Works has been incorporating daylighting, or the practice of prohibiting parking within 20 feet of the approach to an intersection to increase visibility, into the City's annual pavement rehabilitation program, Vision Zero and transportation capital projects, traffic calming initiatives, and general work orders. However, there was no legal requirement to prohibit parking in daylighting zones until AB 413 went into effect on January 1, 2024. Compliance with AB 413 is made easier by marking daylighting zones with 20 feet of red curb adjacent to the prohibited parking space to remove ambiguity for both drivers and Parking Enforcement Officers. As a result of ongoing project and programmatic work, some of the City's 1,754 intersections already have 20 feet of red curb marked adjacent to the approach to intersections. However, the majority of intersections citywide are not marked, thus making compliance difficult for drivers and Parking Enforcement Officers.

Painting all daylighting zones citywide would remove subjectivity for drivers and Parking Enforcement Officers because the 20-foot daylighting distance would be marked, and drivers would not be left to estimate or measure the 20-foot distance.

Public Works has six Traffic Maintenance Workers who implement traffic calming initiatives and various work orders throughout the City. The Traffic Maintenance team is currently managing approximately 900 service requests. Given the team's small size and extreme demand for their services, Traffic Maintenance is currently working through a backlog of requests. This team does not have capacity to implement daylighting at all 1,754 intersections in the City in addition to their ongoing workload. Although their capacity is limited, Public Works Traffic Maintenance has made progress, addressing approximately 90 intersections on high-injury streets between February 1 and April 11. However, to accommodate daylighting, Traffic Maintenance had to shift priorities, causing additional delays to their service requests. Therefore, to expedite the marking of daylighting zones with red curb paint, it is prudent to utilize a vendor with whom the City currently has an on-call contract. This will allow Traffic Maintenance to resume addressing their existing service requests.

This recommendation's total project cost of \$1,625,575 encompasses labor and materials for Chrisp Company to perform site assessments and apply red curb paint to all daylighting zones, citywide. Anticipated daylighting implementation would occur according to the following prioritization schedule:

Priority 1 (months 1-4)

- Survey Site
- Post site notification, as needed
- Deactivate and remove existing parking meters in daylighting zones on high-injury corridors

- Relocate accessible parking spaces (blue zones) that currently fall within zones to be daylit to the nearest compliant locations as required by law
- Chrisp Company to paint red curbs at 918 prioritized intersections (refer to the map in Attachment 2 for the prioritized intersections).

Priority 2 (months 5-7)

- Survey site
- Post site notification, as needed
- Remove remaining parking meters not on high-injury streets from daylighting zones
- Chrisp Company to paint red curbs at remaining intersections citywide

Priority 3 (as needed)

- Chrisp Company to implement preventative infrastructure where necessary, based on repeat violations. Preventative infrastructure will include bike corrals, painted no parking areas, flexible delineator posts, or boulders.

BACKGROUND

AB 413, California's daylighting law, was signed into law in October 2023. The law created a new section of the California Vehicle Code, section 22500(n), to prohibit stopping, standing, or parking a vehicle within 20 feet of any unmarked or marked crosswalk or within 15-feet of any crosswalk with a curb extension. The law went into effect on January 1, 2024, and starting on January 1, 2025, cities can issue citations for violating it, regardless of whether a curb is marked red or not.

The City's support for daylighting predates the state's action. On February 28, 2023, the City Manager received a referral from Council titled, "Creation of an Intersection Daylighting Policy," to develop a comprehensive intersection daylighting policy, including to identify priority areas for daylighting such as high-injury streets, streets and intersections with especially high pedestrian traffic, commercial districts, and streets near schools.

On January 21, 2025, the City Manager received a referral from City Council titled, "Budget Referral: Curb Marking and Preventative Infrastructure Upgrades at High-Risk Intersections in Accordance with the New California Daylighting Law, AB 413." The referral requested the City Manager allocate \$1,250,000 to Public Works as part of the second amendment to the Fiscal Year 2025 Annual Appropriations Ordinance budget process to mark red curbs at daylighting zones and to implement preventative infrastructure where necessary to prevent vehicles from illegally parking.

Starting January 1, 2025, Parking Enforcement has been issuing warnings to vehicles parked within 20 feet of the approach to an intersection. Starting April 1, 2025, Parking

Enforcement will be issuing \$64 fines for daylighting violations on most days of the year, and \$96 fines on Cal Football game days, pursuant to Resolution No. 71,627-N.S. "Establishing a New Schedule for Parking Violations, Fines, and Late Payment Penalties; and Rescinding, Resolution No. 70,924-N.S." (adopted December 10, 2024). However, warnings will continue in unpainted red curbs as people continue to learn about AB 413 and repeat offenders in unpainted daylighting zones may find they are ticketed.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Daylighting intersections improves road safety for sustainable modes of transportation, such as walking and biking. Actions that encourage walking and biking are important steps to reducing climate impacts and helping Berkeley achieve the goals outlined in the City's Climate Action Plan.

RATIONALE FOR RECOMMENDATION

Authorizing Public Works' on-call Traffic Maintenance contractor to paint red curbs and implement other preventative infrastructure would significantly accelerate the amount of time required to paint red curbs citywide to improve compliance with AB 413. Painting red curbs and implementing other preventative infrastructure within 20 feet of the approach to intersections would make it easier for drivers to understand the location of daylighting zones, and would streamline enforcement of AB 413 for Parking Enforcement Officers because they would not be expected to estimate or measure the 20-foot daylighting distance from a crosswalk.

ALTERNATIVE ACTIONS CONSIDERED

If this resolution is not approved, Public Works would continue to implement AB 413 over an extended period of time as part of the City's annual pavement rehabilitation program, Vision Zero and transportation capital projects, traffic calming initiatives, and general work orders. Delaying implementation would make it more difficult for drivers to avoid parking in prohibited areas and potentially lead to more citations.

CONTACT PERSON

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Attachments:

- 1: Resolution
- 2: Map of Prioritized Intersections

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

CONTRACT NO. 117441-1 AMENDMENT: CHRISP COMPANY TO PAINT RED CURBS TO IMPROVE COMPLIANCE WITH CALIFORNIA'S DAYLIGHTING LAW, AB 413

WHEREAS, California Assembly Bill 413 (AB 413) amends section 22500 of the Vehicle Code to prohibit the stopping, standing, or parking of a vehicle within 20 feet of the vehicle approach side of any unmarked or marked crosswalk or 15 feet of any crosswalk where a curb extension is present, starting on January 1, 2024; and

WHEREAS, the City of Berkeley can begin issuing citations for violating section 22500(n) of the Vehicle Code starting January 1, 2025; and

WHEREAS, the Berkeley City Council has directed City staff to develop a comprehensive intersection daylighting policy; and

WHEREAS, the Berkeley City Council has directed the City Manager to provide Public Works with the necessary funds to mark curbs with red paint and implement other preventative infrastructure to improve compliance with AB 413; and

WHEREAS, Public Works Staff has been painting red zones at the approach to intersections consistent with the spirit of AB 413 over a number of years as part of the City's annual pavement rehabilitation program, Vision Zero and transportation capital projects, traffic calming initiatives, and general work orders; and

WHEREAS, Chrisp Company will support Public Works Staff to paint approximately 20 feet of red curb at all daylighting zones citywide, consistent with AB 413; and

WHEREAS, funding is anticipated to be made available to Public Works as part of the second amendment to the Fiscal Year 2025 Annual Appropriations Ordinance budget process.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 117441-1 with Chrisp Company to increase the contract amount by \$375,575, for a new contract amount not to exceed \$1,625,575.

Priority Intersections for Daylighting in Berkeley (AB 413)

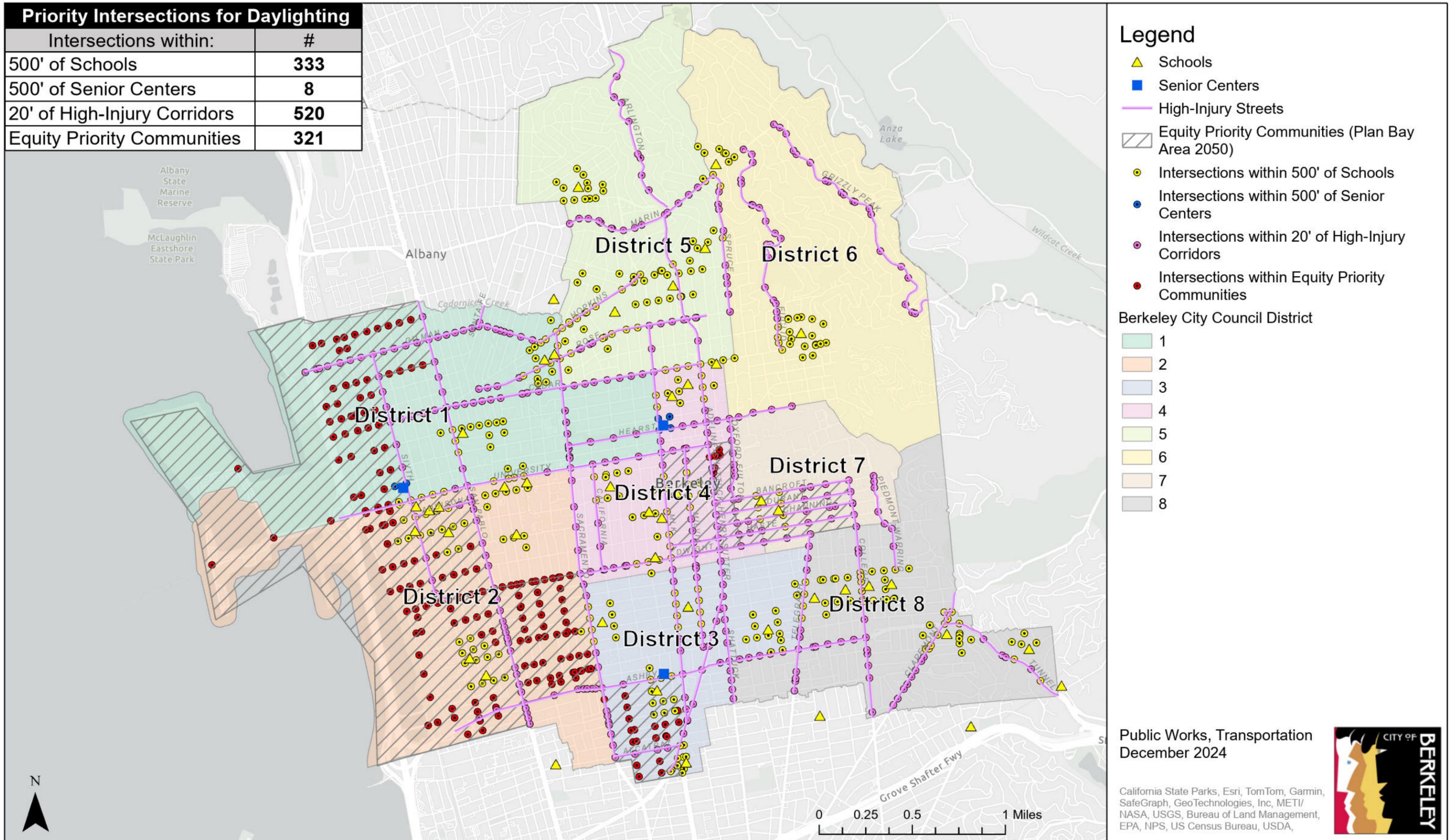
| Priority Intersections for Daylighting | |
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| Intersections within: | # |
| 500' of Schools | 333 |
| 500' of Senior Centers | 8 |
| 20' of High-Injury Corridors | 520 |
| Equity Priority Communities | 321 |

Legend

- ▲ Schools
- Senior Centers
- High-Injury Streets
- Equity Priority Communities (Plan Bay Area 2050)
- Intersections within 500' of Schools
- Intersections within 500' of Senior Centers
- Intersections within 20' of High-Injury Corridors
- Intersections within Equity Priority Communities

Berkeley City Council District

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Public Works, Transportation
December 2024

California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA,

