



**REVISED AGENDA
(ADDED CONTINUED ITEM FROM JUNE 26, 2025 AND ADDED
TELECONFERENCE LOCATION)**

BERKELEY CITY COUNCIL MEETING

**Tuesday, July 8, 2025
6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - MESRUTIYET CAD. NO:52 TEPEBASI 34430
ISTANBUL, TURKEY

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. All Council meetings are recorded.

*To access the meeting remotely use this URL: <https://cityofberkeley-info.zoomgov.com/j/1600604713>. 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: 160 060 4713**. 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.*

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:

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: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Up to ten persons will be selected to address matters not on the Council agenda. If five or fewer persons are identified to provide non-agenda comment, each person selected will be allotted two minutes each. If more than five persons are selected to address matters not on the Council agenda, each person selected will be allotted one minute each.*

In-person attendees wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to the moment that the Presiding Officer calls for public comment on non-agenda items. Remote attendees must raise their hand in the videoconference application when the Presiding Officer calls for non-agenda speakers. The first five raised hands on the videoconference application will be selected to speak and the first five cards drawn at the meeting will be selected to speak. The number of in-person and remote speakers selected may be adjusted by the Presiding Officer if fewer than five speakers from either format are identified.

The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.

Public Comment by Employee Unions (first regular meeting of the month): *This period of public comment is reserved for officially designated representatives of City of Berkeley employee unions, with five minutes allocated per union if representatives of three or fewer unions wish to speak and up to three minutes per union if representatives of four or more unions wish to speak.*

Consent Calendar

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Three members of the City Council must agree to pull an item from the Consent Calendar or Information Calendar for it to move to Action. Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar – Continued Business

- A. Zoning Ordinance and General Plan Amendments Relating to Middle Housing**
(Continued from June 26, 2025)
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,978-N.S. amending Berkeley Municipal Code Title 23 (Zoning Ordinance) and the Zoning Map, for the purposes of encouraging development of “middle housing” in areas currently zoned R-1, R-1A, R-2, R-2A and MU-R (“low-density residential districts”), with an effective date of November 1, 2025.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Consent Calendar

- 1. Amendments to Ordinance Prohibiting the Sale or Use of Coordinated Pricing Algorithms (BMC 13.63) to Suspend Effective Date Until March 2026**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,974–N.S to amend the Ordinance Prohibiting the Sale or Use of Coordinated Pricing Algorithms (BMC 13.63) to suspend the effective date until March 1, 2026.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Farimah Brown, City Attorney, (510) 981-6998
- 2. FY 2026 Tax Rate: Fund Fire Protection and Emergency Response and Preparedness (Measure GG)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,975–N.S. setting the FY 2026 tax rate for funding Fire Protection and Emergency Response and Preparedness in the City of Berkeley at the rate of \$0.06695 (6.695 cents) per square foot of improvements for dwelling units and setting the rate for all other property at \$0.10132 (10.132 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 3. FY 2026 Tax Rate: Fund Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF)**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,976–N.S. setting the FY 2026 tax rate for funding Firefighting, Emergency Medical Response and Wildfire Prevention (Measure FF) in the City of Berkeley at the annual tax rate of \$0.1299 (12.99 cents) per square foot of improvements.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 4. FY 2026 Annual Appropriations Ordinance**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,977–N.S. adopting the FY 2026 Annual Appropriations Ordinance (AAO) in the amount of \$829,213,359 (gross appropriations) and \$687,764,462 (net appropriations).
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Paul Buddenhagen, City Manager, (510) 981-7000

Consent Calendar

5. **At-Will Designation: Assistant City Attorney**

From: City Attorney

Recommendation: Adopt (1) first reading of an Ordinance amending Berkeley Municipal Code Section 4.04.120(A) to designate the unrepresented classification of Assistant City Attorney as at-will and adopt a Resolution amending the Unrepresented Employee Manual and all other pertinent documents to effectuate the change.

Financial Implications: None

Contact: Farimah Brown, City Attorney, (510) 981-6950

6. **Contracts for Financial Consulting Services**

From: City Manager

Recommendation: Adopt three Resolutions authorizing the City Manager to approve contracts and any amendments with the following firms that provide temporary governmental financial consulting services as required by the Finance Department.

1. Contract No. 32200214 Amendment: RLH & Associates. in an amount not to exceed \$300,000; and

2. Contract No. 32500185 Amendment: Ezer Consulting, LLC in an amount not to exceed \$150,000; and

3. Contract: GD Financials in an amount not to exceed \$150,000

Financial Implications: See report

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

7. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 8, 2025**

From: City Manager

Recommendation: Approve the request for proposals or invitation for bids 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

8. **Grant Application: California Fire Safe Council (CFSC) Grant to Continue Funding an Alameda County Coordinator**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager or his designee to apply for and accept a grant, and any amendments for not more than \$225,000 per year in Fiscal Year (FY) 25, FY26 and FY27, from the California Fire Safe Council (CFSC) Grant to contract a county coordinator to serve Alameda County communities, provide resources and education on wildfire safety, promote collaboration, assist local groups with funding opportunities, and aid multi-jurisdictional planning.

Financial Implications: See report

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

Consent Calendar

- 9. Amend SEIU-CSU MOU Exhibits A-D with Updated Hourly Pay Rates**
From: City Manager
Recommendation: Adopt a Resolution amending the Service Employees International Union (SEIU) Local 1021, Service Employees International Union Local 1021 Community Services & Part-Time Recreation Leaders Association (“Union”) Memorandum of Understanding (“MOU”) Exhibits A, B, C, and D (Salary Ranges) with updated hourly pay rates.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
- 10. Amend SEIU-MC Section 32 Probationary Period for Public Safety Dispatcher I and Public Safety Dispatcher II**
From: City Manager
Recommendation: Adopt a Resolution amending the Service Employees International Union (SEIU) Local 1021, Maintenance and Clerical (“Union”) Memorandum of Understanding (“MOU”) Section 32 Probationary Period for Public Safety Dispatcher I (“PSD I”) and Public Safety Dispatcher II (“PSD II”).
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
- 11. Construction Contract: Team Ghilotti for the South Cove West Lot Repaving Project**
From: City Manager
Recommendation: Adopt a Resolution: 1. Approving the plans and specifications for the rescoped South Cove West Lot Repaving Project (Bid Specification No. 25-11687-C); and 2. Accepting the bid of TEAM GHILOTTI as the lowest responsive and responsible bidder on the Project; 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, with TEAM GHILOTTI, for the South Cove West Lot Repaving Project, in an amount not to exceed \$1,884,641, which includes a contract amount consisting of base bid of \$1,667,141, additive alternative A2 in the amount of \$50,500, and a 10% contingency in the amount of \$167,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 12. Lease Amendment with Yoonaco, Inc. (Hana Japan) at 235 University Avenue**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending the City’s improved property lease with Yoonaco, Inc. (Hana Japan) for property at 235 University Ave to extend the initial lease term through June 30, 2026, replace the five-year extension option with a one-year extension option, maintain the rent at the current rate of \$7,868 per month for the lease term, and remove the daily operating requirement for the first floor of the property.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Consent Calendar

13. Contracts for Plan Checking Services

From: City Manager

Recommendation: Adopt three Resolutions authorizing the City Manager to execute contracts and any amendments for plan checking services for three-year terms with the following firms:

1. Coastland | DCCM for an amount not to exceed \$1,000,000
2. Telesis Engineers for an amount not to exceed \$1,500,000
3. West Coast Code Consultants for an amount not to exceed \$2,000,000

Financial Implications: See report

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

14. Contract No. 32810081 Amendment: FirstCarbon Solutions, Inc. for California Environmental Quality Act Compliance for the Solid Waste & Recycling Transfer Station Replacement Project

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend the existing contract with FirstCarbon Solutions, Inc. for the Solid Waste & Recycling Transfer Station Replacement Project compliance with the California Environmental Quality Act. The Contract will be increased from \$650,000 to \$725,000.

Financial Implications: See report

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

15. Contracts: Don's Tire Service Inc. and Morgan Tire of Sacramento Inc.

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager to:

1. Execute a contract with any amendments with Don's Tire Service Inc. to provide tire services for a three-year period from August 1, 2025, to August 1, 2028, in an amount not to exceed \$400,000, with an option to extend for two additional one-year terms, with service rates to be adjusted annually in accordance with the Consumer Price Index.
2. Execute a contract with any amendments with Morgan Tire of Sacramento Inc. to provide tire services for a three-year period from August 1, 2025, to August 1, 2028, in an amount not to exceed \$400,000, with an option to extend for two additional one-year terms, with service rates to be adjusted annually in accordance with the Consumer Price Index.

Financial Implications: See report

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

Consent Calendar

16. **Contract: Kept Companies Inc. dba Fleetwash Inc. for Vehicle Washing Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments with Kept Companies Inc., dba Fleetwash Inc., to provide vehicle washing services for a three-year period from July 1, 2025 to July 1, 2028 in an amount not to exceed \$300,000, with an option to extend for two additional one-year terms with service rates to be adjusted annually in accordance with the Consumer Price Index.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
17. **Contract: Kerex Engineering, Inc. for FY 2025 Drainage Improvements (Specification No. 23-11561-C & 25-11677-C)**
From: City Manager
Recommendation: Adopt a Resolution:
1. Approving plans and specifications for the FY 2025 Drainage Improvements Project;
2. Accepting the bid of Kerex Engineering, Inc. as the lowest responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions, or other change orders until project completion, in accordance with the approved plans and specifications in an amount not to exceed \$4,397,236.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
18. **Contract: Technology, Engineering, and Construction, Inc. for Tank Maintenance, Repairs, and Certification Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a three-year contract and any amendments with Technology, Engineering, and Construction, Inc. doing business as TEC Accutite, to provide underground and aboveground tank maintenance and certification at various City facilities and locations for a total not to exceed of \$200,000 for a three-year term with an option of two one-year extensions, for a maximum term of five years.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

- 19. Contract: United Storm Water, Inc. for On-Call Storm Water Maintenance**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a three-year contract and any amendments with United Storm Water Inc. to provide on-call stormwater maintenance at various City facilities and locations for a total not to exceed of \$200,000, with an option of two one-year extensions, for a maximum term of five years.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 20. Intent to Vacate A Portion of Carleton Street From Westerly Terminus Extending 381.23 Feet Easterly**
From: City Manager
Recommendation: Adopt a Resolution declaring intent to vacate a 381.23-linear-foot (27,449 square foot) portion of the public right-of-way on Carleton Street, located at the westerly terminus of Carleton Street, and conveying the City's interests in the vacated right of way to Bayer Healthcare LLC ("Bayer") for the purposes of relieving the City of associated maintenance costs and improving Bayer's site circulation and security.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 21. Purchase Order: SCL, Safety-Kleen Systems Inc. and Lube Buster Inc. for Vehicle Lubricant Materials**
From: City Manager
Recommendation: Adopt three Resolutions authorizing the City Manager to:
1. Execute a purchase order with SCL to provide vehicle lubricant materials for a three-year period from August 1, 2025 to August 1, 2028, in an amount not to exceed \$140,000 with an option to extend for two additional one-year terms, with an annual service rates to be adjustment in accordance with the Consumer Price Index.
2. Execute a purchase order with Safety-Kleen Systems Inc. to provide vehicle lubricant materials for a three-year period from August 1, 2025 to August 1, 2028, in an amount not to exceed \$140,000 with an option to extend for two additional one-year terms, with an annual service rates adjustment in accordance with the Consumer Price Index.
3. Execute a purchase order with Lube Buster Inc. to provide vehicle lubricant materials for a three-year period from August 1, 2025 to August 1, 2028 in an amount not to exceed \$140,000, with an option to extend for two additional one-year terms, with an annual rates adjustment in accordance with the Consumer Price Index.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300

Consent Calendar

- 22. Reinstating Street Sweeping on the 2900 Block of Regent Street**
From: City Manager
Recommendation: Adopt a Resolution to reinstate mechanical street sweeping on the 2900 block of Regent Street, between Russell Street and Webster Street, in response to a community member petition per recommendation by the City's Transportation and Infrastructure Commission.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
- 23. Appointment of Patricia Fontana-Narell to the Mental Health Commission**
From: Mental Health Commission
Recommendation: Adopt a Resolution approving the recommendation for appointment of Patricia Fontana-Narell to the Mental Health Commission. Patricia Fontana-Narell will be a representative of the Special Public Interest Category, family member, beginning her 3-year term on July 9, 2025 and end on July 8, 2028.
Financial Implications: None
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400

Council Consent Items

- 24. Letter in Support of Continued Funding for Berkeley**
From: Councilmember Taplin (Author), Councilmember Blackaby (Co-Sponsor), Councilmember Tregub (Co-Sponsor), Mayor Ishii (Co-Sponsor)
Recommendation: Adopt a letter in support of expanding funding for the Berkeley Rides for Seniors & The Disabled (BRSD) to continue open enrollment for Berkeley residents and distribute to Supervisor Nikki Fortunato Bas.
Financial Implications: None
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
- 25. Port Chicago Alliance: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**
From: Councilmember Taplin (Author)
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Taplin, to support the Port Chicago Alliance in celebration and execution of Port Chicago Remembrance Weekend.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Action Calendar

The public may comment on each item listed on the agenda for action. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again during the Action Calendar public comment period on the item

The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time.

If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action items may be reordered at the discretion of the Chair with the consent of Council.

The Presiding Officer may open and close an additional comment period for Action items on this agenda (excluding any public hearings, appeals, and/or quasi-judicial matters), at the start of the Action Calendar. Those who speak on an item during this comment period may not speak a second time when the item is taken up by Council.

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. For certain hearings, this is followed by five-minute presentations each by first the appellant and then the applicant. The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to be recognized and to determine the number of persons interested in speaking at that time.

If ten or fewer persons are interested in speaking during a public hearing, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

When applicable, each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.

Action Calendar – Public Hearings

26. Zoning Ordinance Amendments to Title 23 of the Berkeley Municipal Code for Consistency with State Law and Technical Edits (SLTE 2025)

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, adopt the first reading of an Ordinance amending the following sections of the Berkeley Municipal Code (BMC) to maintain consistency and accuracy:

3.24.110 Landmarks, historic districts and structures of merit- Designation – Criteria for consideration

23.106.030 Floor Area, Gross

23.202.030 Additional Permit Requirements (Residential)

23.204.030 Additional Permit Requirements (Commercial Districts)

23.206.030 Additional Permit Requirements (Manufacturing Districts)

23.302.020 General Use Regulations

23.304.070 Unenclosed Accessory Structures in Residential Districts

23.326.030 Demolition of Residential Units

23.326.050 Demolition of Accessory Buildings

23.326.070 Demolition of Non-Residential Buildings

Financial Implications: None

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

27. ***Removed from the Agenda by the City Manager*** Approval and Levy of 2018 Clean Stormwater Fee in FY 2026

From: City Manager

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

Public Comment – Items Not Listed on the Agenda

Adjournment

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

Archived indexed video streams are available at:

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

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

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

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

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

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

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

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

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

Libraries: Main – 2090 Kittredge Street,
Claremont Branch – 2940 Benvenue, West Branch – 1125 University,
North Branch – 1170 The Alameda, Tarea Hall Pittman South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at ada@berkeleyca.gov, (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900 or by email at clerk@berkeleyca.gov.

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 3, 2025.***

Mark Numainville, City Clerk

## **Communications**

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).*

### **Daylighting**

1. Mark Brucker

### **SB 692**

2. Molly Miller

### **Escalation Request**

3. Ahmed Elghiyati (2)

### **Further Building**

4. Kit Vanbuskirk

### **Measure FF**

5. Commission on Aging

### **Platform Screen Doors**

6. June Ruyle

### **EMBER**

7. Kelly Kenny
8. Berkeley FireSafe Council
9. Barbara Freeman (2)

### **New Parking Meters**

10. Judith L. Bloom

### **AC Transit Feedback**

11. Omowale Fowles

### **Wyman's Jewelz**

12. Ivory Lewis

### **39th Annual Berkeley Juneteenth Festival**

13. Delores Nochi Cooper

### **Formal Complaint**

14. Jamie Passanisi

**Kala Art Institute**

15. Ellen Lake

**Ohlone Park**

16. Nicolas Alexander

17. Sahil Shah

18. Erik Dreher

19. Kristin Leimkuhler

20. Bonnie Borucki

21. Ellen Lewis

22. Isaac Nicholson

23. Rebecca Wolf-Prusan

24. James Loza

25. Dan Cutter

**Encampments**

26. Molly Miller

27. Stephen Most

28. Eric Friedman

29. Elana Auerbach

**Homelessness Concerns**

30. David Freeling

**Streets, Bikes, Bollards, Etc.**

31. Diana

32. Shirley Kirsten (3)

33. Nicole Adams

34. Ciara Corrales

**Safety Concerns**

35. Sheila Goldmacher

36. James McFadden

37. Paola Laverde

**Model House**

38. Gael Alcock (2)

**Cannabis Tax**

39. Jim Wilk (2)

**Children's Hospital Oakland**

40. Aladrian Hillmon

**Fuel Break**

41. Bob Flasher

**Ashby BART Housing**

42. Gregory Kalkanis

**Spam Concern**

43. Amina & Chris

**Traffic Laws**

44. Molly Reno

**Protest Concern**

45. Raymond Barglow (2)

**Public Facilities**

46. Lori Roth

47. Leon Berkowitz

**Venture Capital**

48. David Lerman

**Youth Advisory Collective**

49. Layla Jurow

**RV Regulations**

50. Eric Friedman

**Homeless Policy Concern**

51. David Lerman

**E-Scooter**

52. Robert Borghese (9)

**URL's**

53. Barbara Freeman

**Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.