



Office of the City Manager

CONSENT CALENDAR
September 30, 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 July 8, 2025 (regular), July 22, 2025 (closed and regular), July 23, 2025 (regular), and July 29, 2025 (special and regular).

CONTACT PERSON

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

Attachments:

1. July 8, 2025 – Regular City Council Meeting
2. July 22, 2025 – Special Closed City Council Meeting
3. July 22, 2025 – Regular City Council Meeting
4. July 23, 2025 – Regular City Council Meeting
5. July 29, 2025 – Special City Council Meeting
6. July 29, 2025 – Regular City Council Meeting

MINUTES BERKELEY CITY COUNCIL MEETING

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

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - MESRUTİYET 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: 6:06 p.m.

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

Absent: Blackaby

Councilmember Blackaby present at 7:04 p.m.

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

Ceremonial Matters:

1. Recognition of Disability Pride Month, July 2025
2. Recognition of National Breast Feeding Month, August 2025

City Manager Comments:

1. The City Manager requested that as part of the action on Item 20, an item be added to the July 22, 2025 regular meeting agenda to hold a public hearing on the intent to vacate a portion of Carleton Street.

Public Comment on Non-Agenda Matters: 10 speakers.

Public Comment by Employee Unions (first regular meeting of the month): 1 speaker.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 37 speakers.

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

Vote: All Ayes.

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

Action: Adopted second reading of Ordinance No. 7,978–N.S., including supplemental material received from the City Manager in Supplemental Communications Packet 2.

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

Action: Adopted second reading of Ordinance No. 7,974–N.S.

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

Action: Adopted second reading of Ordinance No. 7,975–N.S.

Consent Calendar

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
Action: Adopted second reading of Ordinance No. 7,976–N.S.
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
Action: Adopted second reading of Ordinance No. 7,977–N.S.
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
Action: Adopted first reading of Ordinance No. 7,979–N.S. Second reading scheduled for July 22, 2025. Adopted Resolution No. 71,864–N.S.

Consent Calendar

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

Action: Adopted Resolution No. 71,865–N.S. (RLH & Associates), Resolution No. 71,866–N.S. (Ezer Consulting), Resolution No. 71,867–N.S. (GD Financials).

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

Action: Approved recommendation.

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

Action: Adopted Resolution No. 71,868–N.S.

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
Action: Adopted Resolution No. 71,869–N.S.
- 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
Action: Adopted Resolution No. 71,870–N.S.
- 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
Action: Adopted Resolution No. 71,871–N.S.

Consent Calendar

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
Action: Adopted first reading of Ordinance No. 7,980–N.S. Second reading scheduled for July 22, 2025.
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
Action: Adopted Resolution No. 71,872–N.S. (Coastland | DCCM), Resolution No. 71,873–N.S. (Telesis Engineers), Resolution No. 71,874–N.S. (West Coast Code).
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
Action: Adopted Resolution No. 71,875–N.S.

Consent Calendar

- 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
Action: Adopted Resolution No. 71,876–N.S. (Don's Tire Service), Resolution No. 71,877–N.S. (Morgan Tire).
- 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
Action: Adopted Resolution No. 71,878–N.S.
- 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
Action: Adopted Resolution No. 71,879–N.S.

Consent Calendar

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
Action: Adopted Resolution No. 71,880–N.S.
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
Action: Adopted Resolution No. 71,881–N.S.
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
Action: Adopted Resolution No. 71,882–N.S. and added an item to the July 22, 2025 meeting agenda to hold a public hearing on the intent to vacate a portion of Carleton Street from westerly terminus extending 381.23 feet easterly.

Consent Calendar

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

Action: Adopted Resolution No. 71,883–N.S. (SCL), Resolution No. 71,884–N.S. (Safety-Kleen), Resolution No. 71,885–N.S. (Lube Buster).

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

Action: Adopted Resolution No. 71,886–N.S.

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

Action: Adopted Resolution No. 71,887–N.S.

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
Action: Approved recommendation.
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: Councilmembers Humbert, Bartlett, and Tregub added as co-sponsors. Adopted Resolution No. 71,888–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Councilmember Humbert - \$250; Councilmember Lunaparra - \$250; Councilmember Kesarwani - \$100; Councilmember O’Keefe - \$250; Councilmember Tregub - \$100; Councilmember Bartlett - \$250; Mayor Ishii - \$250.

Recess 7:55 – 8:00 p.m.

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

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 (Tregub/O’Keefe) to adopt first reading of Ordinance No. 7,981–N.S. Second reading scheduled for July 22, 2025.

Vote: All Ayes.

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 - 0 speakers.

Adjournment

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

Vote: All Ayes.

Adjourned at 8:08 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on July 8, 2025.

Rose Thomsen, Deputy City Clerk

Communications

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 1

Item #A: Zoning Ordinance and General Plan Amendments Relating to Middle Housing (*Continued from June 26, 2025*)

54. Gabriel Abud

55. Melanie Lawrence & John Smail

56. Theo Gordon

57. Tristan Meyer

58. Susan Taylor

59. Clifford Fred

60. Kamala Visweswaran

61. Margot Smith

62. Lisa Grosch

63. Janeece Cristales

64.4 Similarly worded form letters “I support...”

65.9 Similarly worded form letters “As a committed supporter...”

Supplemental Communications and Reports 2

Item #A: Zoning Ordinance and General Plan Amendments Relating to Middle Housing (*Continued from June 26, 2025*)

66. Supplemental agenda material submitted by the Planning and Development

Department

67. Victor Ichioka

68. Andy Kivel

69. Claire Kahane

70. Rick Smith

71. Mimi Moungovan

72. Tony Corman

73. David Simpson

74. Vicki Sommer

75. Diana Rossi

76. Dean Metzger (2)

77. Eduardo Teixeira

78. Carol Hirth

79. Constance Rivemale

80. Councilmember Rashmi Kesarwani

81. Irene Rice

82. Donna DeDiemar

83. Pam Zelnik

84. Anne Weinberger

85. Mary Lee Noonan

86. Diane Sosnoski

87. Leila Moncharsh and Isaac Warshauer on behalf of the Berkeley Architectural Heritage Association Preservation Committee

88. Dona Bretherick

Supplemental Communications and Reports 3

Item #A: Zoning Ordinance and General Plan Amendments Relating to Middle Housing (*Continued from June 26, 2025*)

89. Laura Klein

90. Judy Bebelaar

91. Peggy Radel

92. Janice Schroeder

93. Mara Gutierrez

94. May Palmer

95. Chris Konnerth

96. Katherine Ramage

97. David Rice

98. Dr. Bruce Feingold (2)

99. Rebecca Tuden

100. Robert Godes (2)
101. Christina Vecchiato
102. David Meyer
103. David A. Coolidge (2)
104. John Oram
105. Tamara Birdsall
106. Crystal Brunzell
107. Alison Lingo
108. Mary Staats
109. Summer Brenner
110. Isaac Warshauer
111. Susan McKearnan
112. Kristine Fowler
113. Stephanie Thomas
114. Darlene Pratt
115. Grace Munakata
116. Scott Hambly (2)
117. John Smail & Melanie Lawrence
118. Dolores Konn
119. Fred Krieger
120. Marjorie Winter
121. Darrell Owens
122. Diane Sosnoski
123. Bailey Smith (2)
124. Joel Myerson (2)
125. Madeleine Feingold
126. Doris Fulder
127. Raissa Lerner
128. Micky Duxbury
129. Tobey M. Wiebe
130. S. Entwistle
131. Donna DeDiemar on behalf of Rob Wrenn
132. Margaret Torn (3)
133. Erin Diehm (2)
134. Christopher Hamilton (2)

Action Calendar

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

135. Presentation submitted by the Planning Department

BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, JULY 22, 2025

5:30 P.M.

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

TELECONFERENCE LOCATION - 5617 NW JETTY AVE, LINCOLN CITY, OR 97367

TELECONFERENCE LOCATION - MARINA DEL SOL C-202, IXTAPA, ZIHUATANEJO
DE AZUETA, 40884, GUERRERO, MÉXICO

TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI,
AYDIN, TÜRKİYE

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/1612349631>. 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: 161 234 9631. 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: 5:42 p.m.

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

Absent: Bartlett

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

CLOSED SESSION:

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

1. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Paul Buddenhagen, City Manager, David White, Deputy City Manager, Shana Amenaghawon, Interim Budget Manager, Janelle Rodrigues, Human Resources Director, Monica Walker, Human Resources Manager, Chaka Young, Employee Relations Manager

Employee Organizations: Berkeley Fire Fighters Association Local 1227 I.A.F.F., Berkeley Chief Fire Officers Association Local 1227 I.A.F.F., Berkeley Fire EMS Professionals Association, Berkeley Police Association; SEIU 1021 Community Services and Part-Time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, IBEW Local 1245, Public Employee Union Local 1, Unrepresented Employees

Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

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

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

Adjourned at 6:10 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on July 22, 2025.

Mark Numainville, City Clerk

MINUTES BERKELEY CITY COUNCIL MEETING

**Tuesday, July 22, 2025
6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 5617 NW JETTY AVE, LINCOLN CITY, OR 97367
TELECONFERENCE LOCATION - MARINA DEL SOL C-202, IXTAPA, ZIHUATANEJO
DE AZUETA, 40884, GUERRERO, MÉXICO
TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI,
AYDIN, TÜRKİYE

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/1602078591>. 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: 160 207 8591**. 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: 6:37 p.m.

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

Absent: Bartlett

Councilmember Bartlett present at 6:45 p.m.

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

Ceremonial Matters:

1. Recognition of July 17, 2025 as Port Chicago Remembrance Day
2. Adjourn in memory of Marie Gunter, Sustainability Advocate
3. Adjourn in memory of George Leitmann, UC Berkeley Professor
4. Adjourn in memory of Rita Maran, former Peace & Justice Commissioner

City Manager Comments:

The City Manager requested that the Council move Item 11 to the Action Calendar.

Public Comment on Non-Agenda Matters: 4 speakers.

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 6 speakers.

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

Vote: All Ayes.

Consent Calendar

1. **At-Will Designation: Assistant City Attorney**
From: City Attorney
Recommendation: Adopt second reading of Ordinance No. 7,979–N.S amending Berkeley Municipal Code Section 4.04.120(A) to designate the unrepresented classification of Assistant City Attorney as at-will.
First Reading Vote: All Ayes.
Financial Implications: None
Contact: Farimah Brown, City Attorney, (510) 981-6950
Action: Adopted second reading of Ordinance No. 7,979–N.S.
2. **Lease Amendment with Yoonaco, Inc. (Hana Japan) at 235 University Avenue**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,980–N.S. 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.
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
Action: Adopted second reading of Ordinance No. 7,980–N.S.
3. **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: Adopt second reading of Ordinance No. 7,981–N.S. 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
First Reading Vote: All Ayes.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Adopted second reading of Ordinance No. 7,981–N.S.

Consent Calendar

- 4. Appointment of Emergency Standby Officers**
From: City Manager
Recommendation: Adopt a Resolution confirming the appointment of newly nominated standby officers for the Mayor and City Council to serve in the event the elected official is unavailable during an emergency, and rescinding Resolution No. 70,833-N.S.
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
Action: Adopted Resolution No. 71,889–N.S. as revised in Supplemental Communications Packet #1 by the City Manager.
- 5. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 22, 2025**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids that will be or 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.
- 6. Reallocation of FY 2025 Youth Resiliency Funding**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to reallocate Youth Equity Partnership (YEP) funds awarded through the FY 2025 - 2028 community agency contracting process to the Berkeley Public Schools Fund, Contract No. 32500058, and amend the Schools Fund's existing contract as follows: 1. Remove the Black Girls United (BGU) program from the contract (at the contractor's request). 2. Reallocate \$20,000 of the BGU funding to the Longfellow Identity Affirming Programs (LIAP) for FY 2026 through FY 2028, increasing their total annual allocation from \$25,300 to \$45,300. 3. Return the remaining \$27,817 initially awarded to BGU, annually, to the General Fund for FY 2026 - 2028.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,890–N.S.

Consent Calendar

7. **Revenue Grant Agreements: Funding Support from Alameda County to Conduct Public Health Services**

From: City Manager

Recommendation: Adopt three Resolutions authorizing the City Manager or designee to submit grant agreements to Alameda County, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following three revenue agreements:

1. Berkeley High School and Berkeley Technology Academy Health Center Programs in the projected amount of \$187,926 for Fiscal Year 2026.
2. School Linked Health Services Program (Measure A Funding) in the projected amount of \$200,011 for Fiscal Year 2026.
3. Tobacco Prevention Program in the projected amount of \$82,600 for Fiscal Year 2026.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,891–N.S. (Health Center Programs); Resolution No. 71,892–N.S. (School Linked); Resolution No. 71,893–N.S. (Tobacco Prevention).

8. **Revenue Grant Agreements: Funding Support from the State of California to Conduct Public Health Services**

From: City Manager

Recommendation: Adopt three Resolutions authorizing the City Manager or designee to submit grant agreements to the State of California, to accept the grants, and execute any resultant revenue agreements and amendments to conduct public health promotion, protection, and prevention services for the following three revenue agreements:

1. Maternal, Child and Adolescent Health (MCAH) Program, in the projected amount of \$377,000 for Fiscal Year 2026. See match information in Fiscal Impacts section below.
2. Tobacco Trust Fund: There is no match required, and this contract is expected to be for \$600,000 for Fiscal Year 2026 through Fiscal Year 2027.
3. Women, Infant, Children Program There is no match required, and this contract is expected to be for \$2,557,619 for Federal Fiscal Year 2026 through Federal Fiscal Year 2028.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,894–N.S. (MCAH); Resolution No. 71,895–N.S. (Tobacco Trust Fund); Resolution No. 71,896–N.S. (Women, Infant, Children Program).

Consent Calendar

- 9. Supplemental Military Leave Compensation Policy**
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 63,646–N.S. to the City’s Supplemental Military Leave Compensation Policy to be retroactively effective from July 1, 2025, going forward in order to provide supplemental wages for employees called to involuntary active military service.
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,897–N.S.
- 10. 2024 Annual Military Equipment Report (Assembly Bill 481)**
From: City Manager
Recommendation: Adopt a Resolution approving the 2024 Annual Military Equipment Report.
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Adopted Resolution No. 71,898–N.S.
- 11. Surveillance Technology Ordinance Submission for Berkeley City Jail Surveillance System**
From: City Manager
Recommendation: Adopt a Resolution: 1. Accepting the attached Surveillance Acquisition Report for the Berkeley City Jail Surveillance System, pursuant to Berkeley Municipal Code (B.M.C.) Chapter 2.99. 2. Accepting the attached Surveillance Use Policy: Use of Internal Video Surveillance System (BPD Policy 1306).
Financial Implications: See report
Contact: Jennifer Louis, Police, (510) 981-5900
Action: Moved to Action Calendar. 2 speakers. M/S/C (O’Keefe/Taplin) to adopt Resolution No. 71,899–N.S.
Vote: All Ayes.
- 12. Appointment of Ian Hunt to the Mental Health Commission**
From: Mental Health Commission
Recommendation: Adopt a Resolution approving the recommendation for appointment of Ian Hunt to the Mental Health Commission. Mr. Hunt will represent the Special Interest Category (consumer), beginning his 3-year term on July 23, 2025, ending on July 22, 2028.
Financial Implications: See report
Contact: Jamie Works-Wright, Commission Secretary, (510) 981-5400
Action: Adopted Resolution No. 71,900–N.S.

Consent Calendar

13. **Police Accountability Board Report: Fair and Impartial Policing Implementation** (Reviewed by the Public Safety Committee) (Item contains supplemental material)

From: Police Accountability Board

Recommendation: Approve the following recommendations and instruct the Berkeley Police Department (BPD) and Police Accountability Board (PAB) to proceed with their implementation:

Recommendations to the Berkeley Police Department: 1. Three-prong approach. a. Definition of Low-Level Traffic Infractions: A definition consistent with SB 50 should be adopted. b. Primary Collision Factors: This prong should specify the mode of the party at fault. c. Community Reports: Under the category of "a variety of unsafe driving incidents," policies should be put in place that specify which calls for service will result in law enforcement action. That specification should be derived from an analysis of the 13% of calls from community members that resulted in a citation or arrest, as per the City Auditor's July 2021 report. d. Community Caretaking: This prong needs more specificity, and its components should be based on Berkeley data rather than national statistics, as is done for Prong 1 (Primary Collision Factors). Specifically, the analysis should examine which other factors (non-PCFs) are highly associated with severe and fatal collisions in Berkeley. The open-ended quality of this prong may contribute to more non-safety-related stops than is called for in the Council directive. If more specificity is not possible or feasible, this prong should be eliminated. e. Reporting: Future BPD updates on FIP implementation should include statistical information enabling an analysis of the impact of the three-prong approach on reducing or eliminating stops for low-level offenses—a primary focus of the Council directive—in a manner that supports an overall assessment and an understanding of the approach's impact on reducing racial disparities in traffic stops. 2. Evidence-based definition for stops of criminal suspects: a. Establish an evidence-based definition for stops of criminal suspects. b. Explain how precision-based policing, feedback loops, and accountability measures referenced in BPD FIP implementation updates relate to this recommendation and addresses the directive to establish an evidence-based definition for stopping criminal suspects. 3. Enhanced implicit bias training: Per the Council's directive, ensure that BPD personnel receive intensive annual training dedicated to implicit bias. 4. EIS: Pending the deployment of a new Early Intervention and Risk Management system, EIS audits should be focused on officers who are outliers on the variables stipulated in the Department's EIS, with a particular focus on racial disparities in stops, arrests, and searches. A designated PAB Member should serve as an observer in this process, as has been informally agreed to. Future audit reports should include the scope of what was reviewed and a clear statement of findings within the confines of officer confidentiality. 5. Written consent searches: Future reporting to the council should include the number of consent searches conducted per reporting period and their effect on racial disparities in searches, compared to consent search numbers before implementation. 6. Warrantless searches of people on supervised release: Future FIP updates should identify the impact of the new BPD Policy 311.6 on the numbers of searches and arrests of people on probation and parole and the racial disparities in them. 7. Profiling by proxy: Future BPD updates should specify what

Consent Calendar

instructions dispatchers are given on profiling by proxy, and any impact the instruction and corresponding Communications Manual amendments have had on racial disparities in departmental response to calls for service. 8. Business cards: Ensure that business cards are distributed as mandated by the Council directive. 9. Make resources on police-civilian encounters publicly available, such as through RAHEEM.org.

Recommendations to the Police Accountability Board:

1. Scenario-based training: The 2021 Council specifically referred to the PAB oversight of the implementation of a scenario-based training component in the existing officer training required by the California Penal Code. This topic will be agendized for discussion at a future PAB meeting, including the appropriateness of, and ability of the PAB to oversee departmental training. 2. Crisis Intervention Team (CIT): The 2021 Council item refers to the PAB accelerating CIT activity. This will be discussed in future PAB meetings.

Recommendations to the Berkeley City Council:

1. Establish metrics to assess the success of implementing FIP directives. Currently, the BPD appears to be focused entirely on policy, and on tests of bias, as evidenced in its recently published Annual Report. The PAB has focused instead on outcomes, addressing the key question of whether racial disparities have decreased in any of the areas subject to FIP directives. 2. Eliminate reporting requirements for recommendations that the PAB ascertains have been fully implemented. 3. Require BPD to report biannually on: a. Traffic stops by each prong of their 3-prong framework and by race within each prong. b. Stop, search, and arrest data by probation/parole status and race. c. Calls for service by the race of the reporter and reportee.

Policy Committee Recommendation: To send item to City Council with a qualified positive recommendation highlighting the refined actions agreed upon by PAB and BPD as captured in their joint letter, and to close the Fair and Impartial Policing (FIP) Task Force referral from the February 23, 2021 City Council meeting, with the understanding that the specific recommendations in that referral have been completed, although work on fair and impartial policing will continue.

Financial Implications: See report

Contact: Hansel Aguilar, Commission Secretary, (510) 981-4950

Action: Approved recommendation as recommended by the Public Safety Committee.

Council Consent Items

14. Resolution in Support of California Senate Bill 81 (Arreguín) Health and Care Facilities: Information Sharing to Amend Sections 56.05 and 56.10 of the Civil Code, and to Add Chapter 1.5 to Division 2 of the Health and Safety Code, Relating to Health and Care Facilities

From: Councilmember Tregub (Author), Mayor Ishii (Co-Sponsor), Councilmember Humbert (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor)

Recommendation: Adopt a Resolution in support of California State Senate (SB) Bill 81 (Arreguín), Healthcare Provider Entities: Information Sharing amend Sections 56.05 and 56.10 of the Civil Code, and to add Chapter 1.5 (commencing with Section 1249) to Division 2 of the Health and Safety Code, relating to health and care facilities, and declaring the urgency thereof, to take effect immediately; and distribute copies to the California Governor Gavin Newsom, Senator Jesse Arreguín, Assemblymember Buffy Wicks, California Senate President pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas to advocate for its passage. SB 81 would mandate healthcare facilities to develop protocols for monitoring and receiving visitors, as well as designating certain areas as nonpublic in order to maintain a secure environment aligned with the facility's mission and commitment to patient care. Additionally, the bill would prohibit immigration enforcement agents from entering nonpublic areas of a facility without a valid judicial warrant or court order. It would also protect patient information by barring the disclosure of a person's current or past immigration status or place of birth for purposes related to immigration enforcement.

Financial Implications: Staff time.

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

Action: Adopted Resolution No. 71,901–N.S. as revised in Supplemental Communications Packet #1 by Councilmember Tregub.

Action Calendar – Public Hearings

15. Ordinance Vacating a Portion of Carleton Street from Westerly Terminus Extending 381.23 Feet Easterly

From: City Manager

Recommendation:

1. Conduct a public hearing and upon conclusion, adopt the first reading of an Ordinance vacating 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.
2. Schedule a public hearing and second reading of the Ordinance for the July 29, 2025, Council meeting.
3. Upon conclusion of the second reading of the Ordinance, authorize the City Manager to execute a deed quit claiming that portion of the right-of-way of Carleton Street and conveying to the adjacent property owner, Bayer Healthcare LLC ("Bayer").

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 13 speakers.

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

Vote: All Ayes.

Action: M/S/C (Taplin/Kesarwani) to adopt the first reading of Ordinance No. 7,982–N.S. Public hearing and second reading scheduled for July 29, 2025.

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

Recess 8:42 p.m. – 8:59 p.m.

16. Memorandum of Understanding (MOU) Compendium: Agreements with Other Law Enforcement Agencies and Private Organizations

From: City Manager

Recommendation:

Conduct a public hearing, and upon conclusion, adopt a Resolution:

1. Approving the attached Compendium reflecting the current operational agreements between the Berkeley Police Department and other law enforcement agencies and private organizations.
2. Accepting the attached Suspicious Activity Report (SAR).
3. Accepting the attached Mutual Aid requests and responses report as submitted in accordance with existing City Council directives.

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 9 speakers.

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

Vote: All Ayes.

Action: M/S/C (Blackaby/Humbert) to adopt Resolution No. 71,902–N.S.

Vote: All Ayes.

Action Calendar – New Business

17. Surveillance Technology Ordinance Submission for External Fixed Surveillance Cameras (Flock Safety Condor Video Cameras)

From: City Manager

Recommendation: Adopt a Resolution: 1. Accepting the attached Surveillance Acquisition Report for the Flock Safety Condor video cameras, pursuant to Berkeley Municipal Code (B.M.C.) Chapter 2.99.

2. Re-affirming the associated Berkeley Police Department (BPD) Use Policies (BPD Policy 351: External Fixed Video Surveillance Cameras and BPD Policy 1304: Surveillance Use Policy—External Fixed Video Surveillance Cameras), which were previously approved by Council on June 13, 2023.

Financial Implications: See report

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

Action: M/S/C (Humbert/Taplin) to suspend the rules and extend the meeting to 12:00 a.m.

Vote: All Ayes.

Action: M/S/C (Blackaby/Kesarwani) to suspend the rules and extend the meeting to 12:30 a.m.

Vote: All Ayes.

Action: M/S/Failed (Tregub/Ishii) on the severed portion of the motion to change the retention period to 90 days in the policy.

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

Action: 20 speakers. M/S/C (Tregub/Ishii) to:

1) adopt Resolution No. 71,903–N.S. accepting the attached Surveillance Acquisition Report for the Flock Safety Condor video cameras, pursuant to Berkeley Municipal Code (B.M.C.) Chapter 2.99. and re-affirming the associated Berkeley Police Department (BPD) Use Policies (BPD Policy 351: External Fixed Video Surveillance Cameras and BPD Policy 1304: Surveillance Use Policy—External Fixed Video Surveillance Cameras), which were previously approved by Council on June 13, 2023; and

2) As part of Item 17, the Berkeley City Council directs the City Manager to address each of the elements below:

1. Biannual (Twice Per Year) Audit Report

The Berkeley Police Department’s Biannual Surveillance Technology Report, presented each November, shall include, but not be limited to the following information from the preceding review period as an additional privacy safeguard:

a. Confirm that BPD doesn’t enter any direct data sharing agreements or give direct access to outside agencies. A log of any instance of when surveillance video and/or audio data has been shared, including date, time, reason for search, and any recipient agencies.

Action Calendar – New Business

2. The Council supports the following recommendations of the Berkeley Police Accountability Board (PAB):

- a. Use Policies Section 351.4.2/1304.2: “Video surveillance systems and recordings are subject to the Berkeley Police Department's Immigration Law Policy, and hence may not be shared with federal immigration enforcement officials, unless required by federal law.”
- b. Use Policies Section 351.4.2/1304.2: “Video recordings shall not be disclosed to law enforcement agencies from other states if the purpose of the request is to support the enforcement of laws that restrict or criminalize reproductive rights or rights regarding the provision or receipt of gender-affirming care.”
- c. The Sanctuary City Ordinance, scheduled for a Council vote in Fall 2025, will likely, among other topics, address how the City of Berkeley handles and reports requests from federal immigration authorities, vendors, or any non-local agencies to access data for federal immigration enforcement purposes, as well as the recipients of such reports. Additionally, in the event a Federal Agency is given BPD-owned data stored with Flock the Berkeley Police Chief or designee will notify the City Manager, City Attorney, and City Council within 72 hours of the discovery of the incident.
- d. Add a new section to the Fixed Video Surveillance Policy requiring BPD to observe certain safeguards with respect to surveillance camera data from the Berkeley Police Department's ALPR policy (Section 1304.12).

3. Additional Safeguards

- a. The Berkeley City Council reaffirms its intention to approve contracts that are in full compliance with Berkeley City Law, including but not limited to subject BPD policies and the to-be-delivered Sanctuary City Ordinance. As a matter of course, the Berkeley City Council directs the City Manager to ensure that no proposed contractual clauses with Flock for proposed Flock Safety Condor Video Cameras are, or could potentially be, in conflict with Berkeley City Law, prior to final approval of the contract by the Berkeley City Council. For example, Sections 4.3 and 5.3 of Flock boilerplate contractual language appears to contradict city policy. These and other provisions are to be discussed during contract negotiations.
- b. The City of Berkeley reaffirms the City Manager's authority, which may be delegated to the Berkeley Police Chief, to pause or end the deployment of the subject equipment at any time and for any cause. The City Council shall be, within 48 hours, notified of any such decision to pause or end its deployment.

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

Information Reports

18. Reimagining Public Safety Status Report

From: City Manager

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

Action: Received and filed.

Information Reports

19. **Restaurant Inspection Audit Status Report**
From: City Manager
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: 3 speakers. Moved to Action Calendar. Discussion held.
20. **Landmark Preservation Ordinance Notice of Decision: 2009 Tenth Street/#LMSAP2025-0003**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.
21. **Landmark Preservation Ordinance Notice of Decision: 2035 Francisco Street/#LMIN2024-0003**
From: City Manager
Contact: Jordan Klein, Planning and Development, (510) 981-7400
Action: Received and filed.
22. **City Auditor Fiscal Year 2026 Audit Plan**
From: Auditor
Contact: Jenny Wong, Auditor, (510) 981-6750
Action: Received and filed.

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

Adjournment

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

Vote: All Ayes.

Adjourned at 12:10 a.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on July 22, 2025.

Mark Numainville, City Clerk

Communications

Harrassment Concern

1. Cielo Sambas (2)

Brown Act

2. Inger Acking
3. David Meyer
4. Mary Anne Morgan

5. Jackie Schmidt-Posner
6. Barbara Anscher

Geneva's Path

7. Deb Spaulding Graham
8. Andrew Graham

Dogs at Caesar Chavez Park

9. Maureen Daggett

Ohlone Concerns and Encampments

10. Yasemin Sussman
11. Tom Attar (2)
12. Nicholas Alexander (3)
13. Xavier Linn
14. Roger Hallsten
15. Rochelle T.
16. Jessica Fain
17. Daniel Jurnove
18. Kathy Dittmer
19. Karl Torke
20. David Mateer
21. Martin Seldin
22. Lj Cranmer
23. Dan Cutter (2)
24. Yael Galinson
25. Jia Liang
26. David Tepper

Berkeley Waterfront and Park Fees

27. Margie Winter (2)
28. Elisha Greenwell
29. Iliana Montauk (2)
30. Rachel Bradley
31. Juliane Kowski
32. Robert Crosman
33. Deborah Green

Takara Sake Plant

34. Cecelia Mautner

Road Damage

35. Jia Liang

Homelessness Concerns

36. Andrea Ricci
37. Maris Arnold

38. Kathleen Krier

Half Price Books

39. Simi Dhillon

Sidewalk Repair

40. Todd Andrew

City Services Concerns

41. Rebecca Young

Berkeley's City Budget

42. David Lerman

Granicus Concern

43. Alex Taylor

Filming Concern

44. Liying Tao

EMBER

45. Mary-Louise Hansen

46. Geoff Lomax

Blight in Berkeley

47. Cecelia Mautner

8th and Harrison

48. Elana Auerbach

Home Security Concern

49. Seth Crabtree

The Bay Baby Book Project Donation

50. Seena Hawley

Parking Concerns and Pedestrian Safety

51. Shirley Kirsten (3)

52. Parking & Transportation

53. Bill Pottinger

Online Bill Payments

54. Jeffrey Frey

E-Scooters

55. Robert Borghese (6)

56. Robert Byler (3)

57. John Roveron Ravano

ODPA Statement

58. Office of the Director of Police Accountability

Middle East Conflict

59. Mohammed Hassan

Forwards

60. Elana Auerbach (2)

URL's

61. Inetjalopy

62. Russbumper

63. Jai

Supplemental Communications and Reports 1

Item #4: Appointment of Emergency Standby Officers

64. Revised agenda material submitted by the City Clerk's Department

Item #14: Resolution in Support of California Senate Bill 81 (Arreguín) Health and Care Facilities: Information Sharing to Amend Sections 56.05 and 56.10 of the Civil Code, and to Add Chapter 1.5 to Division 2 of the Health and Safety Code, Relating to Health and Care Facilities

65. Revised agenda material submitted by Councilmember Igor Tregub, Mayor Adena Ishii, Councilmember Humbert, and Councilmember Lunaparra

Supplemental Communications and Reports 2

Item #17: Surveillance Technology Ordinance Submission for External Fixed Surveillance Cameras (Flock Safety Condor Video Cameras)

66. Office of the Director of Police Accountability on behalf of the Police Accountability Board (2)

67. Judy Bertelsen

68. Pamela Telles

69. Tobey Wiebe

70. Margot Smith

71. Sally Nelson

72. Cindy Shamban

Supplemental Communications and Reports 3

Item #15: Ordinance Vacating a Portion of Carleton Street from Westerly Terminus Extending 381.23 Feet Easterly

73. Presentation submitted by the Public Works Department

74. Susan Schwartz on behalf of the Friends Five Creeks

Item #17: Surveillance Technology Ordinance Submission for External Fixed Surveillance Cameras (Flock Safety Condor Video Cameras)

75. Presentation submitted by the Police Department

76.A.S. Ikeda

77.Kelly Hammargren

Item #19: Restaurant Inspection Audit Status Report

78.Lara Hornbeck

79.John Elrich

80.Rudabeh Pakravan

Item #22: City Auditor Fiscal Year 2026 Audit Plan

81.Presentation submitted by the City Auditor's Office

MINUTES SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

**Wednesday, July 23, 2025
6:00 PM**

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

TELECONFERENCE LOCATION - MARINA DEL SOL C-202, IXTAPA, ZIHUATANEJO
DE AZUETA, 40884, GUERRERO, MÉXICO

TELECONFERENCE LOCATION - 5617 NW JETTY AVE, LINCOLN CITY 97367

TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI,
AYDIN, TÜRKİYE

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/1609419872>. 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: 160 941 9872**. 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: 6:07 p.m.

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

Absent: Bartlett, O'Keefe

Councilmember Bartlett present at 6:10 p.m.

Public Comment: 1 speaker.

Action Calendar – Public Hearings

- 1. Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008**
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 5 speakers.
M/S/C (Humbert/Taplin) to close the public hearing.

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

Action: M/S/C (Kesarwani/Taplin) to adopt Resolution No. 71,904–N.S., including the supplemental material received from the City Manager in the Supplemental Communications Packet 2, upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.

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

Councilmember Blackaby absent 7:35 p.m. – 7:37 p.m.

Action Calendar – Public Hearings

2. Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark application #LMIN2024-0006

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 3 speakers.

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

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

Action: M/S/C (Tregub/Humbert) to adopt Resolution No. 71,905–N.S. upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.

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

Recess 8:09 p.m. – 8:20 p.m.

3. Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution denying the appeal and affirming the Zoning Adjustment Board (ZAB) decision to approve Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units), 2,117 square feet of ground-floor commercial space and 41 vehicle parking space, on a 23,527 square foot lot.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 19 speakers.

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

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

Action: M/S/C (Kesarwani/Humbert) to adopt Resolution No. 71,906–N.S. denying the appeal and affirming the Zoning Adjustment Board (ZAB) decision to approve Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units), 2,117 square feet of ground-floor commercial space and 41 vehicle parking space, on a 23,527 square foot lot.

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

Adjournment

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

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

Adjourned at 10:03 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on July 23, 2025.

Mark Numainville, City Clerk

Communications

Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

1. Marianne Sluis

Supplemental Communications and Reports 1

Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

2. Jonathan Streeter
3. Elizabeth Ditmars

Supplemental Communications and Reports 2

Item #1: Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008

4. Supplemental agenda material submitted by the Planning & Development Department

Item #1: Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008

Item #2: Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark application #LMIN2024-0006

5. Thalia Lubin (2)
6. Ellen Goldblatt
7. Sharon Entwistle
8. Harry Delmer
9. Emily Fox
10. Joan Hart
11. Virginia Jansen
12. Bill Grove
13. Doris Fulder Nassiry
14. Maxine Risley
15. Leah Shelleda
16. Deborah Finch
17. Jerri Holan

18. Tobey M. Wiebe
19. Leila Moncharsh on behalf of the Berkeley Architectural Heritage Association
20. Isaac Warshauer on behalf of the Berkeley Architectural Heritage Association (4)
21. John Brennan
22. Gillian Bagwell
23. Dahlia Armon
24. Stephanie Manning
25. Dan Slobin
26. Phil Allen
27. John Hitchen
28. Harvey Smith
29. Krishna Shekhawat
30. Michael Barglow

Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

31. Elizabeth Riddle
32. Mark Goudy
33. Charlotte Shimura
34. Sally Bean

Supplemental Communications and Reports 3

Item #1: Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008

35. Presentation submitted by the Planning & Development Department

Item #2: Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark application #LMIN2024-0006

36. Presentation submitted by the Planning & Development Department

Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

37. Presentation submitted by the Planning & Development Department
38. Charles Kassier
39. Nicholas Eckenwiler on behalf of the California Housing Defense Fund

Item #1: Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008

Item #2: Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark application #LMIN2024-0006

Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

40. Robert Kehlmann
41. Gale Garcia
42. Gerhard Blendstrup
43. Dan Slobin
44. Ann Pagliaro
45. Judith Thomas
46. Paul T. Roberts
47. Robert Johnson
48. Deborah Green (2)

- 49. Holly M. Smith
- 50. Jane McKinne-Mayer
- 51. Steven Schuyler
- 52. Lorraine Lerman
- 53. Amy Di Costanzo
- 54. Brandon Ice
- 55. Lynn Zamarra
- 56. Jane Goodwin
- 57. Hal and Turi Reynolds

Miscellaneous

- 58. Ryan Lau on behalf of AC Transit

MINUTES SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

**Tuesday, July 29, 2025
4:00 PM**

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

TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI,
AYDIN, TÜRKİYE

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/1601268556> 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: 160 126 8556**. 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: 4:14 p.m.

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

Absent: Bartlett

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 2 speakers.

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

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

Consent Calendar

1. **Grant Award: Byrne State Crisis Intervention Program (SCIP) Cohort 2 Funding – Acceptance of Grant and Execution of Related Documents**

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to accept the Byrne State Crisis Intervention Program (SCIP) grant award of \$1,000,000 from the Board of State and Community Corrections (BSCC); execute any resultant agreements and amendments; appropriate the funding for eligible project activities consistent with the City's Gun Violence Intervention and Prevention Program (GVIPP); approve the establishment and funding allocation for a temporary Crime Analyst position (not to exceed two years); and to amend Contract No. 32500002 with Live Free USA to expand violence intervention services.

Financial Implications: See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

Action: Adopted Resolution No. 71,907–N.S.

Action Calendar – New Business

2a. **Presentation: Comprehensive Summary of Berkeley's Homeless Response**

From: City Manager

Contact: Peter Radu, City Manager's Office, (510) 981-7000, Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

Action: Presentation continued to a future meeting.

Action Calendar – New Business

2b. Homeless Response Team: Opportunities Exist to Strengthen Procedures and Better Track Outcomes

From: Auditor

Recommendation: We recommend City Council request that the City Manager report back during the audit follow-up period in Fall 2026, and annually thereafter, regarding the status of our audit recommendations until reported fully implemented by the Homelessness Response Team and the City Manager's Office. The audit includes six recommendations to improve coordination with service providers, strengthen data procedures, expand and standardize outcome reporting, enhance public transparency, and assess staffing resources needed to support these efforts. The City Manager's Office agreed to our findings and recommendations. Please see our report for their complete response.

Financial Implications: See report

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

Action: Item continued to a future meeting.

Adjournment

Action: M/S/C (O'Keefe/Tregub) to adjourn the meeting.

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

Adjourned at 5:21 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on July 29, 2025.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Action Calendar – New Business

Item #2a: Presentation: Comprehensive Summary of Berkeley's Homeless Response

1. Presentation submitted by the City Manager's Office

Item #2b: Homeless Response Team: Opportunities Exist to Strengthen Procedures and Better Track Outcomes

2. Presentation submitted by the City Auditor's Office
3. Fran Haselsteiner (3)

MINUTES BERKELEY CITY COUNCIL MEETING

**Tuesday, July 29, 2025
6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI,
AYDIN, TÜRKİYE

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/1601268556> 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: 160 126 8556**. 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: 6:06 p.m.

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

Absent: Bartlett

Councilmember Bartlett present at 6:11 p.m.

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

Ceremonial Matters: None

City Manager Comments:

The City Manager removed Item 14 regarding Urban Ore from the agenda. The City Manager recommended that Council only take up Title 23 amendments in Item 28 and defer the Title 21 amendments to a later date.

City Auditor Comments:

The City Auditor provided a presentation following up on the recommendations in the Financial Conditions Audit.

Public Comment on Items not Listed on the Agenda: 10 speakers

Consent Calendar

Public Comment on Consent Calendar and Information Items Only: 8 speakers.

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

Vote: All Ayes.

Consent Calendar

1. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of June 3, 2025 (closed and regular), June 9, 2025 (closed), June 17, 2025 (regular), June 24, 2025 (special and regular), June 26, 2025 (special), and June 30, 2025 (closed).

Financial Implications: None

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

Action: Approved the minutes as submitted.

2. Amending the City Council's Policy for the General Fund Reserves

From: City Manager

Recommendation: Adopt a Resolution amending the City Council's Policy for the General Fund Reserves and rescind Resolution No. 69,440-N.S.

Financial Implications: see report

Contact: David White, City Manager's Office, (510) 981-7000, Henry Oyekanmi, Finance, (510) 981-7300

Action: Adopted Resolution No. 71,908–N.S.

3. Contract No 32400009 Amendment: Stella Courier, LLC. for Mail Services and Mail Room Coverage

From: City Manager

Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No: 32400009 with Stella Courier, LLC., to provide mail services to the City's satellite locations, and as-needed mail room coverage, increasing the amount by \$180,000 for an amended total amount not to exceed \$360,000 over an additional two-year period starting August 1, 2025 through July 31, 2027.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,909–N.S.

4. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on July 29, 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.

Consent Calendar

- 5. Contract: InfoSend for Bill Printing and Mailing Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract and any amendments which align with the City of Brawley's existing contract and any amendments, with InfoSend to provide Bill Printing and Mailing Services from July 30, 2025 until June 30, 2026 in an amount not to exceed \$150,000 with an option to renew in increments of two (2) years, in alignment with the City of Brawley contract for an additional \$100,000. The total contract value through September 2028 is not to exceed \$250,000.
Financial Implications: See report
Contact: Henry Oyekanmi, Finance, (510) 981-7300
Action: Adopted Resolution No. 71,910–N.S.
- 6. Designate the Line of Succession for the Director of Emergency Services**
From: City Manager
Recommendation: Adopt a Resolution approving the designated line of succession to the position of Director of Emergency Services in the event of an emergency, and rescinding Resolution No. 70,729-N.S.
Financial Implications: None
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,911–N.S.
- 7. Contract with Wildfire Defense to Serve as the Alameda County Coordinator**
From: City Manager
Recommendation: Adopt a Resolution:
1. Authorizing the City Manager or designee to execute a contract with Wildfire Defense to serve as the Alameda County Coordinator for coordination with local agencies, fire safe councils, and wildfire mitigation community groups for the initial period August 1, 2025, through June 30, 2026, in an amount not to exceed \$155,500, and to apply for and receive future grant funding in collaboration with Berkeley Fire Department staff to maintain the position through 2028; and
2. Authorizing the City Manager or designee to execute any amendments for not more than \$225,000 per year in Fiscal Year (FY) 25, FY26, and FY27, upon receiving additional California Fire Safe Council (CFSC) grants to continue contracting Wildfire Defense 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: None
Contact: David Sprague, Fire, (510) 981-3473
Action: Adopted Resolution No. 71,912–N.S.

Consent Calendar

- 8. Submitting Application for Permanent Local Housing Allocation Program**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to apply for and accept funds from the State of California's Permanent Local Housing Allocation Program, in an amount not to exceed \$849,945.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,913–N.S.
- 9. Mental Health Services Act Fiscal Year 2026 Annual Update**
From: City Manager
Recommendation: Adopt a Resolution approving the Mental Health Services Act (MHSA) Fiscal Year 2026 Annual Update, which identifies uses of funds for mental health programming, and forwarding the Annual Update to appropriate State officials.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
Action: Adopted Resolution No. 71,914–N.S. as revised in Supplemental Communications Packet #1 by the City Manager.
- 10. Adopt Resolution Approving Publicly Available Pay Schedule**
From: City Manager
Recommendation: Adopt a Resolution approving a publicly available pay schedule effective July 29, 2025, pursuant to the Public Employee's Retirement Law (PERL), Public Employees' Pension Reform Act of 2013 (PEPRA), and Title 2 of the California Code of Regulations (CCR).
Financial Implications: See report
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
Action: Adopted Resolution No. 71,915–N.S.
- 11. Contract: Infobond Inc. Leveraging the Omnia Partners Cooperative Contract for Information Technology Security Products, Licenses, and Support**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Infobond, Inc. ("Infobond") for the purchase of information technology security products, licenses, support and services utilizing the Omnia Partners contract #01-154 for a total not to exceed value of \$1,000,000 commencing on July 1, 2025 through June 30, 2027.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
Action: Adopted Resolution No. 71,916–N.S.

Consent Calendar

12. **Contract No. 32300096 Amendment: SCS Engineers for Landfill Post-Closure Maintenance and Monitoring Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300096 with SCS Engineers for maintenance, monitoring, and compliance services related to the closed landfill at Cesar Chavez Park, increasing the contract amount by \$1,834,000 for a total not to exceed amount of \$4,078,022.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,917–N.S.
13. **Trillium Compressed Natural Gas (CNG) 5-year Sole Source License and Operating Agreement**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a 5-year sole source license and operating agreement for compressed natural gas with Trillium CNG for the five-year period between FY2026 and FY2031, for a not-to-exceed amount of \$250,000.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,918–N.S.
14. **Contract Amendment No. 32100070: Urban Ore, Inc. for Salvage Operations at the City of Berkeley Transfer Station**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract amendment No. 32100070 with Urban Ore, Inc. for salvage operations of reusable materials at the City's Transfer Station, increasing the contract by \$75,000 from \$189,848 to \$264,848, for a new not to exceed amount of \$264,848 and extending the term through June 30, 2027.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Item removed from the agenda by the City Manager.
15. **Authorization to Apply for CalRecycle Waste Reduction, Reuse, Recycling, and Composting Grants and Payment Programs**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit grant applications, accept grant funds, and execute any resulting grant agreements, amendments and expenditure reports with the Department of Resource Recycling and Recovery (CalRecycle) for grant and payment programs related to waste reduction, reuse, recycling, and composting.
Financial Implications: See report
Contact: Terrance Davis, Public Works, (510) 981-6300
Action: Adopted Resolution No. 71,919–N.S.

Consent Calendar

16. Contract: Environmental Logistics, Inc. and Advanced Chemical Transport, LLC for On-Call Hazardous Waste Management

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager to:

1. Execute a three-year contract and any amendments with Environmental Logistics, Inc. to provide on-call hazardous waste disposal at various City facilities and locations for a total not to exceed of \$200,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions, for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the terms of the agreement.

2. Execute a three-year contract and any amendment with Advanced Chemical Transport, LLC to provide on-call hazardous waste disposal at various City facilities and locations for a total not to exceed of \$150,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions, for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the terms of the agreement.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,920–N.S. (Environmental Logistics), and Resolution No. 71,921–N.S. (Advanced Chemical Transport).

17. Approval and Levy of 2018 Clean Stormwater Fee in FY 2026

From: City Manager

Recommendation: Adopt a Resolution approving the proposed adjusted fees for the 2018 Clean Stormwater Fee and ordering the levy of the fees in Fiscal Year 2026.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,922–N.S.

18. Contracts: Matrix HG Inc. and Prime Mechanical Service for Heating, Ventilation, and Air Conditioning (HVAC) Maintenance and Repair

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager to:

1. Execute a contract with any amendments with Matrix HG Inc. to provide HVAC repairs and maintenance services for a three-year period from September 1, 2025 to August 31, 2028, in an amount not to exceed \$150,000, with an option to extend for two additional one-year terms.

2. Execute a contract with any amendments with Prime Mechanical Service to provide HVAC repairs and maintenance services for a three-year period from September 1, 2025 to August 31, 2028, in an amount not to exceed \$150,000, with an option to extend for two additional one-year terms.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,923–N.S. (Matrix HG), and Resolution No. 71,924–N.S. (Prime Mechanical).

Consent Calendar

19. Updated Sewer System Management Plan

From: City Manager

Recommendation: Adopt a Resolution approving the update of the Sewer System Management Plan, as mandated by the State Water Resources Control Board.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,925–N.S.

20. Project Implementation Staffing for Measure FF, the SAFE STREETS Initiative

From: City Manager

Recommendation: Adopt a Resolution to amend the FY 2026 budget to authorizing the City Manager to add three permanent full-time employees, expending \$932,630.73, to support the implementation of prioritized projects associated with Measure FF, the SAFE STREETS Initiative.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,926–N.S.

Consent Calendar

21. **Contract: Aurora Environmental Services Inc., GSI Environmental Inc., Northgate Environmental Management Inc., and WSP Global Inc. for On-Call Environmental Consulting**

From: City Manager

Recommendation: Adopt four Resolutions authorizing the City Manager to:

1. Execute a three-year contract and any amendments with Aurora Environmental Services Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of \$50,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
2. Execute a three-year contract and any amendments with GSI Environmental Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of \$50,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
3. Execute a three-year contract and any amendments with Northgate Environmental Management Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed amount of \$75,000 for an initial three-year term from August 1, 2025, to August 1, 2028, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.
4. Execute a three-year contract and any amendments with WSP Global Inc. to provide on-call environmental consulting at various City facilities and locations for a total not to exceed of \$325,000 for an initial three-year term from August 1, 2026, to August 1, 2029, with an option of two one-year extensions for a maximum term of five years. The service rates will be adjusted annually in accordance with the Consumer Price Index and the provisions of the agreement.

Financial Implications: See report.

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

Action: Adopted Resolution No. 71,927–N.S. (Aurora), Resolution No. 71,928–N.S. (GSI), Resolution No. 71,929–N.S. (Northgate), and Resolution No. 71,930–N.S. (WSP).

Consent Calendar

22. **Contracts: Dream Ride Elevator and Metro Elevator for Maintenance, Repairs and Emergency Response Services for Citywide Elevators**

From: City Manager

Recommendation: Adopt two Resolutions authorizing the City Manager to:

1. Execute a contract with any amendments with Dream Ride Elevator to provide maintenance, repairs, and emergency response services for citywide elevators for a three-year period from September 1, 2025, to August 31, 2028, in an amount not to exceed \$175,000, with an option to extend for two additional one-year terms. Rates will be adjusted annually in accordance with the Consumer Price Index (CPI) per the terms of the RFO and the contractor's responses.

2. Execute a contract with any amendments with Metro Elevator to provide maintenance, repairs and emergency response services for citywide elevators for a three-year period from September 1, 2025, to August 31, 2028, in an amount not to exceed \$175,000, with an option to extend for two additional one-year terms. Rates will be adjusted annually in accordance with the Consumer Price Index (CPI) per the terms of the RFO and the contractor's responses.

Financial Implications: See report

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

Action: Adopted Resolution No. 71,931–N.S. (Dream Ride), and Resolution No. 71,932–N.S. (Metro).

23a. **City Compliance with Web Content Accessibility Guidelines (WCAG)**

From: Commission on Disability

Recommendation: The Berkeley City Council shall refer to the City Attorney the requirement to include a clause in all relevant City of Berkeley contracts that obligates City vendors to supply digital content, intended for or likely to be posted to the City website, that is compliant with the Web Content Accessibility Guidelines (WCAG) standard mandated by the U.S. Department of Justice. WCAG defines web content technical standards that, when implemented, meet legal requirements of the Americans with Disabilities Act (ADA).

In addition, relevant City staff should be informed of WCAG requirements, and systems put in place to ensure that documents available on the City of Berkeley website, whether submitted by vendors or created by City staff, meet current WCAG standards. When the City is informed that documents posted to its website do not meet current WCAG standards, remediation is recommended to be made within 30 days.

Financial Implications: See report

Contact: Thomas Gregory, Commission Secretary, (510) 981-6300

Action: See action for Item 23b.

Consent Calendar

23b. Companion Report: City Compliance with Web Content Accessibility Guidelines (WCAG)

From: City Manager

Recommendation: The City Manager recommends that Council refrain from referring the Commission on Disability's report recommendation from the report titled, "City Compliance with Web Content Accessibility Guidelines (WCAG)," to the City Attorney's Office at this time to give staff and the Commission on Disability additional time to develop a mutually agreeable path forward.

Financial Implications: See report

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

Action: Approved recommendation in Item 23b.

Council Consent Items

24. Berkeley Nightlife Council *(Reviewed by the Land Use, Housing & Economic Development Committee)*

From: Councilmember Taplin (Author)

Recommendation: Adopt a Resolution to form the Berkeley City Council Nightlife Sub-Committee, convened by the District 2 council office to return recommendations for the formation, structure, and scope of operation of a Berkeley Nightlife Council (Night Council) to support nighttime economic activity, cultural programming, and community safety in city commercial districts.

Policy Committee recommendation: Send the item to the City Council with a qualified positive recommendation that Council adopt the item with the caveat that the City Attorney's Office review the ad-hoc committee for Brown Act implications.

Financial Implications: None

Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120

Action: Councilmember O'Keefe added as a co-sponsor. Adopted Resolution No. 71,933–N.S. as recommended by the Land Use, Housing & Economic Development Committee and as revised in Supplemental Communications Packet #2 by Councilmember Taplin.

Council Consent Items

- 25. Berkeley Green New Deal: Workforce Development** *(Reviewed by the Land Use, Housing, & Economic Development Committee)*
From: Councilmember Taplin (Author), Councilmember Lunaparra (Co-Sponsor), Councilmember Bartlett (Co-Sponsor), Councilmember Tregub (Co-Sponsor)
Recommendation: Refer to the City Manager a feasibility analysis and request for recommendations for possible models to either establish a green workforce development board within the City of Berkeley or strengthen the alignment between City of Berkeley and community partner programs and the Alameda County Workforce development board to create pathways to gainful employment in green industries and accelerate the transition to a fossil-free local economy.
Policy Committee Recommendation: Send the item to the City Council with a qualified positive recommendation that Council adopt the item and that the item be revised to include a referral to the budget process, clarify and make explicit that the full-time employee ("FTE") is either an in-house City of Berkeley employee or is a privately funded employee not on the City's payroll, and include a privately funded alternative to a full-time City employee when creating the budget referral.
Financial Implications: See report
 Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: Approved recommendation as recommended by the Land Use, Housing & Economic Development Committee and as revised in Supplemental Communications Packet #1 by Councilmember Taplin.
- 26. Resolution in Support of California Senate Bill 627 (Wiener, Arreguín, Pérez), the No Secret Police Act, to Prohibit Non-Essential Face Covering for Law Enforcement and Require Officer Identification During Operations**
From: Councilmember Tregub(Author), Councilmember Humbert (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor)
Recommendation: Adopt a Resolution in support of California State Senate Bill (SB) 627 (Wiener, Arreguín, Pérez), the No Secret Police Act, which would prohibit law enforcement officers from covering their faces during operations (with exceptions for medical and fire-related protection), and require visible identification on uniforms in the state of California; and distribute copies to the California Governor Gavin Newsom, Senators Scott Wiener, Jesse Arreguín, and Sasha Renée Pérez, Assemblymember Buffy Wicks, California Senate President pro tempore Mike McGuire, and California Assembly Speaker Robert Rivas to advocate for its passage.
Financial Implications: See report
 Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
Action: Councilmember Kesarwani added as a co-sponsor. Adopted Resolution No. 71,934–N.S.

Council Consent Items

27. **Berkeley's First Sun Day Event: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**

From: Councilmember Humbert (Author)

Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember including \$500 from Councilmember Humbert to the Berkeley Rotary Club for the purpose of covering costs associated with hosting Berkeley's inaugural "Sun Day" renewable energy festival on Sunday, September 21, 2025 with funds relinquished to the City's General Fund for this purpose from the discretionary Council Office Budgets of Councilmember Humbert and any other Councilmembers who would like to contribute.

Financial Implications: See report

Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180

Action: Councilmembers Tregub, O'Keefe, and Lunaparra added as co-sponsors.

Adopted Resolution No. 71,935–N.S. revised to include contributions from the following Councilmembers up to the amounts listed: Mayor Ishii - \$250;

Councilmember Lunaparra - \$200; Councilmember O'Keefe - \$500; Councilmember Bartlett - \$250; Councilmember Blackaby - \$250; Councilmember Taplin - \$250; Councilmember Tregub - \$250.

Action Calendar – Public Hearings

28. **Accessory Dwelling Units (ADUs): Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs, and Amendments to Title 23 (Zoning) to Comply with State Law and Encourage ADU Development**

From: City Manager

Recommendation: Conduct a public hearing, and upon conclusion, adopt the first reading of an Ordinance to 1) amend Title 21 (Subdivisions Ordinance) to implement Assembly Bill (AB) 1033 by establishing local regulations for the separate sale of ADUs as condominiums; and 2) amend Title 23 (Zoning) to bring the City's ADU regulations into compliance with recent changes to State law, to incorporate feedback from the California Department of Housing and Community Development (HCD), and encourage ADU development.

Financial Implications: None

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

Public Testimony: The Mayor opened the public hearing. 4 speakers.

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

Vote: All Ayes.

Action: M/S/C (Kesarwani/Lunaparra) to adopt the first reading of Ordinance No. 7,983–N.S. amending Title 23 of the Berkeley Municipal Code as recommended by the City Manager with the amendments listed below:

Action Calendar – Public Hearings

- Remove reference to Title 21 in Section 23.306.040(C)(2).
- Incorporate amendments from Councilmember Blackaby as published in Supplemental Communications Packet #2, except to change the height standard for detached ADUs to 20 feet.
- Incorporate Councilmember Kesarwani's proposed amendment adding a footnote to Table 23.306-1 defining New Construction.

Second reading scheduled for September 9, 2025.

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

29. Ordinance Vacating a Portion of Carleton Street from Westerly Terminus Extending 381.23 Feet Easterly

From: City Manager

Recommendation: 1. Conduct a public hearing and upon conclusion, adopt the second reading of the Ordinance voted upon at the July 22, 2025 City Council meeting vacating 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. 2. Upon adoption of the second reading of the Ordinance, authorize the City Manager to execute a deed quit claiming that portion of the right-of-way of Carleton Street and conveying to the adjacent property owner, Bayer Healthcare LLC ("Bayer").

Financial Implications: See report

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

Public Testimony: The Mayor opened the public hearing. 25 speakers.

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

Vote: All Ayes.

Action: M/S/C (Taplin/Humbert) to adopt the second reading of Ordinance No. 7,982–N.S.

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

Information Reports

30. Status Report - Berkeley's Financial Condition (FY 2012 – FY 2021): Pension Liabilities and Infrastructure Need Attention

From: City Manager

Contact: David White, City Manager's Office, (510) 981-7000, Henry Oyekanmi, Finance, (510) 981-7300

Action: Received and filed.

Action Calendar – Public Hearings

- 31. Commission on Labor Fiscal Year 2026 Work Plan**
From: Commission on Labor
Contact: Emily Rose, Commission Secretary, (510) 981-5400
Action: Received and filed.
- 32. Annual Report on Landmarks Preservation Commission Actions**
From: Landmarks Preservation Commission
Contact: Anne Hersch, Commission Secretary, (510) 981-7400
Action: Received and filed.
- 33. Zero Waste Commission Fiscal Year 2025-26 Work Plan**
From: Zero Waste Commission
Contact: Julia Heath, Commission Secretary, (510) 981-6300
Action: Received and filed.

Public Comment – Items Not Listed on the Agenda - 6 speakers.

Adjournment

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

Vote: All Ayes.

Adjourned at 9:25 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on July 29, 2025.

Mark Numainville, City Clerk

Communications

Ingram Letter

1. Richard Pettler

EMBER

2. Susanne Kalter DeWitt

E-Scooters

3. Robert Borghese (2)

Plaque Project

4. Sharon Entwistle

Lineage Repair Work

- 5. Eric Friedman

Ohlone Greenway Park

- 6. Transition Berkeley Members of the Board: Sylvia Soriano, Linda Currie, Bonnie Borucki, Pierre Thiry, Lori Hines, Ben Rosenthal, Jenifer Azulay, Ginny Hanger
- 7. Lucia Hammond (4)
- 8. Peter Radu
- 9. Lj Cranmer
- 10. Erik Dreher
- 11. Seth Kimball
- 12. Allison Bond
- 13. Melanie Lawrence

Public Resource for Honey Bee Swarm

- 14. Mateo Kaiser

Brown Act

- 15. Jennifer Knight
- 16. Chris Goldin
- 17. Micky Duxbury
- 18. Michael Tompkins

Cyclist Concerns

- 19. Stephanie Allan

Public Comeback

- 20. Steve Tracy

Pest Treatment

- 21. Alex Merenkov
- 22. Alesia Williams
- 23. Building & Safety Division, Rental Housing Safety Program

Missing Middle

- 24. Dylan Miley (2)
- 25. Olivia Burger (2)

MLK and Virginia Street

- 26. Sunny

Parking Spot Near School Concern

- 27. Jordan Pierson

Claremont Ave Pedestrian

- 28. Ben Gerhardstein on behalf of Walk Bike Berkeley

29. Elise Proulx

Soft Story Ordinance

30. Todd Andrew (2)

“Help the Decent People”

31. Tajai Calip

Middle East Conflict

32. Nikki Kofsky

Supplemental Communications and Reports 1

Item #9: Mental Health Services Act Fiscal Year 2026 Annual Update

33. Revised agenda material submitted by the Health, Housing, & Community Services Department

Item #14: Contract Amendment No. 32100070: Urban Ore, Inc. for Salvage Operations at the City of Berkeley Transfer Station

34. Kat Larowe on behalf of the Commission on Labor

Item #25: Berkeley Green New Deal: Workforce Development (*Reviewed by the Land Use, Housing, & Economic Development Committee*)

35. Supplemental agenda material submitted by Councilmember Terry Taplin

Supplemental Communications and Reports 2

Item #24: Berkeley Nightlife Council (*Reviewed by the Land Use, Housing & Economic Development Committee*)

36. Supplemental agenda material, submitted by Councilmember Terry Taplin

Item 28: Accessory Dwelling Units (ADUs): Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs, and Amendments to Title 23 (Zoning) to Comply with State Law and Encourage ADU Development

37. Supplemental agenda material, submitted by Councilmember Rashi Kesarwani

38. Supplemental agenda material, submitted by Councilmember Brent Blackaby

39. Supplemental agenda material, submitted by Councilmember Cecilia Lunaparra

40. Tess Fruge (2)

41. Jeanne Clinton

42. Ben Domingue

43. Eric Johnson

Supplemental Communications and Reports 3

Item #24: Berkeley Nightlife Council (*Reviewed by the Land Use, Housing & Economic Development Committee*)

44. Jeffrey Church

Action Calendar – Public Hearing

Item #28: Accessory Dwelling Units (ADUs): Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs, and Amendments to Title 23 (Zoning) to Comply with State Law and Encourage ADU Development

- 45. Presentation submitted by the Planning & Development Department
- 46. Rent Stabilization Board
- 47. Janice Schroeder
- 48. Valerie Knepper
- 49. Lee Bishop
- 50. Veronica Tamsitt

Item #29: Ordinance Vacating a Portion of Carleton Street from Westerly Terminus Extending 381.23 Feet Easterly

- 51. Beth Roessner
- 52. David Bowman

Miscellaneous

- 53. Gary and Anita Ingram

