



## AGENDA

### BERKELEY CITY COUNCIL MEETING

**Tuesday, October 28, 2025**

**6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702  
TELECONFERENCE LOCATION - 522 SEWARD SQUARE SOUTHEAST, B,  
WASHINGTON, DC 20003

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 and virtual attendance. Attend this meeting remotely using [Zoom](#). 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: 160 045 1102**. To provide public comment, Press \*9 and wait to be recognized by the Chair. To submit a written communication for the public record, email [council@berkeleyca.gov](mailto:council@berkeleyca.gov).*

*Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via [internet video stream](#). All Council meetings are recorded.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person. The City Council may take action related to any subject listed on the Agenda.*

*Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.*

**Government Code Section 84308 (Levine Act)** - Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

## Preliminary Matters

### Roll Call:

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

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

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

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

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

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

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

## Consent Calendar

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

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

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

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

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

## Consent Calendar

### 1. Minutes for Approval

**From: City Manager**

**Recommendation:** Approve the minutes for the Council meetings of September 8, 2025 (closed), September 9, 2025 (regular), September 15, 2025 (closed), September 16, 2025 (special and regular), and September 29, 2025 (closed) and September 30, 2025 (special and regular).

**Financial Implications:** None

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

### 2. Affirm Staff Preference for the Virginia Street Bikeway (Between Sacramento Street and Acton Street Next to the North Berkeley BART Station)

**From: City Manager**

**Recommendation:** Adopt a Resolution implementing Option A for the approximately 200-foot segment of Virginia Street east of Acton Street next to the North Berkeley BART Station and directing the City Manager to work with BART to proceed with the Virginia Street Bikeway.

**Financial Implications:** See report

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

## Consent Calendar

- 3. Amending Berkeley Municipal Code Chapter 7.54 The Empty Homes Tax**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending Berkeley Municipal Code Chapter 7.54 The Empty Homes Tax to address issues that arose in the first annual billing and to simplify administration of the tax.  
**Financial Implications:** See report  
Contact: David White, City Manager's Office, (510) 981-7000
- 4. Letter to Alameda County Board of Supervisors re: Opportunities to Collaborate with Alameda County on Homelessness Programs Outside of Berkeley**  
**From: City Manager**  
**Recommendation:** Direct the City Manager to send a letter from the City Council to the Alameda County Board of Supervisors regarding opportunities to partner on regional solutions to unsheltered homelessness.  
**Financial Implications:** None  
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 5. Contract: Dyson & Womack for a Public Art Program Strategic Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Dyson & Womack Art Consulting for an amount not to exceed \$110,000 for the development of a comprehensive Public Art Program Strategic Plan for the City of Berkeley. The contract term will be 18 months.  
**Financial Implications:** \$110,000 - Cultural Trust Fund  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 6. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on October 28, 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:** \$20,234,783 - Various Funds  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 7. Contract: Patagonia Health Electronic Health Records System Implementation for Berkeley High School Health Center**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or designee to execute a contract and any amendments with Patagonia Health for implementation of an Electronic Health Record (EHR) system for the Berkeley High School Health Center in an amount not to exceed \$260,000 for the period of November 1, 2025 through June 30, 2030.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

## Consent Calendar

- 8. Contract: Alameda-Contra Costa County Transit District (AC Transit) for EasyPass Program 2026-2028**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an agreement and any amendments with the Alameda-Contra Costa County Transit District (AC Transit) for the continuation of an annual bus transit pass (EasyPass) program for City of Berkeley employees in an amount not to exceed \$572,717.00 for a three-year period covering 2026, 2027 and 2028.  
**Financial Implications:** See report  
Contact: Janelle Rodrigues, Human Resources, (510) 981-6800
- 9. Waiver of Sanctuary City Contracting Ordinance to Contract with Superior LLC for FUND\$ Software Maintenance and Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution waiving the contract prohibition of Chapter 13.105, Sanctuary City Contracting, in order to continue contracting with Superior LLC (“Superion”) for software maintenance and support of the FUND\$ system, which is critical to the City’s operations.  
**Financial Implications:** None  
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 10. Amendment to Ground Lease with East Bay Regional Park District at 400 Gilman Street (Tom Bates Regional Sports Complex)**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance authorizing the City Manager to execute an amendment to the Ground Lease with East Bay Regional Park District for the Tom Bates Regional Sports Complex at 400 Gilman Street extending the term to December 31, 2053 and includes improvements to be constructed by the City.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 11. Contract No. 32200098 Amendment: ERA Construction, Inc. for O & K Docks Electrical Upgrades Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32200098 with ERA Construction, Inc. for the O & K Docks Electrical Upgrades Project, increasing the amount by \$666,600 for an amended total amount not to exceed \$2,133,600.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Consent Calendar

- 12. Contracts: On-Call Waterfront Engineering, Design, Environmental Permitting, and Construction Administration Services for Capital Improvement Projects at the Berkeley Waterfront**  
**From: City Manager**  
**Recommendation:** Adopt five Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call waterfront engineering, design, environmental permitting and construction administration services for capital improvement projects at the Berkeley Waterfront, for contract periods of December 1, 2025 through November 30, 2028:
1. COWI North America, Inc., for an amount not to exceed \$1,000,000.
  2. Foth & Van Dyke and Associates, Inc., for an amount not to exceed \$1,000,000.
  3. GFT Infrastructure, Inc., for an amount not to exceed \$1,000,000.
  4. GHD Inc., for an amount not to exceed \$1,000,000.
  5. Moffatt & Nichol, for an amount not to exceed \$1,000,000.
- Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 13. Donation: Memorial Bench at Berkeley Marina in Memory of Dove Charlotte Lenz**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at the Berkeley Waterfront in memory of Dove Charlotte Lenz  
**Financial Implications:** \$3,400 - Donation  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 14. Donation: Memorial Bench at Berkeley Rose in Memory of Lee and Dorothy Marsh**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at the Berkeley Rose Garden in memory of Lee and Dorothy Marsh.  
**Financial Implications:** \$3,400 - Donation  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 15. Donation: Memorial Bench at King Park in Memory of Leon and Harriett Reiter**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at King Park in memory of Leon and Harriett Reiter.  
**Financial Implications:** \$3,400 - Donation  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Consent Calendar

**16. Grant Application: Caltrans Clean CA Program – Community Cleanup and Employment Pathway (CCEP)**

**From: City Manager**

**Recommendation:** Adopt a Resolution authorizing the City Manager or his designee to submit a grant application to the Clean CA Community Cleanup and Employment Pathway (CCEP) Grant Program; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the project and appropriation of funding for related expenses, subject to securing the grant; and authorize the Mayor to sign the Clean California Pledge.

**Financial Implications:** \$200,000 in revenue.

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

**17. Adoption of Berkeley Building Codes, Including Local Amendments to California Building Standards Code**

**From: City Manager**

**Recommendation:**

1. Adopt first reading of an Ordinance repealing and reenacting the Berkeley Building, Residential, Electrical, Mechanical, Plumbing, Energy, and Green Building Standards Codes in BMC Chapters 19.28, 19.29, 19.30, 19.32, 19.34, 19.36 and 19.37, and adopting related procedural and stricter provisions; schedule a Public Hearing, pursuant to state law, for the second reading on November 18, 2025; and  
2. Adopt a Resolution setting forth findings of local conditions that justify more stringent regulations than those provided by the 2025 California Building Standards Code, and rescinding Resolution No. 71,320–N.S.

**Financial Implications:** See report

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

**18. Authorization to Encrypt Berkeley Police Department Primary Radio Channels**

**From: City Manager**

**Recommendation:** Adopt a Resolution rescinding the City Council's existing policy (established in September of 2021) that limits the Police Department's use of encrypted public safety radio transmissions to Special Response Team operations, special patrol and investigative operations, prolonged critical incidents, execution of search warrants, or transmissions of Criminal Justice Information (CJI) and Personally Identifiable Information (PII) pursuant to California Department of Justice (DOJ) Bulletin 20-09-CJIS and authorize the encryption of all primary Berkeley Police Department (BPD) radio channels.

**Financial Implications:** See report

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

## Consent Calendar

- 19. Revenue Grant: California Office of Traffic Safety (OTS) for the 2025-2026 Selective Traffic Enforcement Program (STEP) Grant**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the Chief of Police to accept the "Selective Traffic Enforcement Program (STEP)" grant and enter into the resultant grant agreement and any amendments, with the California Office of Traffic Safety. This OTS grant is for \$240,000 for the period of October 1, 2025 through September 30, 2026, which is Federal Fiscal Year 2026.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900
- 20. Revenue Grant: Cannabis Tax Fund Grant Program (CTFGP) Acceptance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the Chief of Police to accept the CTFGP grant and enter into the resultant grant agreement and any amendments, with the California Highway Patrol. This grant is for \$101,783.28 for the period of July 1, 2025 through June 30, 2026.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900
- 21. Revenue Grant: Fiscal Years 2025/2026 Alcoholic Beverage Control (ABC) Alcohol Policing Partnership (APP) Grant**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a grant contract and any subsequent amendments, with the Alcoholic Beverage Control (ABC) in the amount of \$75,012 for Fiscal Year 2025/2026.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900
- 22. Contract No. 32300085 Amendment: Abbe & Associates, Integrated Zero Waste Management Strategic Plan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32300085 with Abbe & Associates, to support completion of the Integrated Zero Waste Management Strategic Plan by increasing the contract by \$221,400 resulting in a total contract amount not to exceed \$721,400 and extending the term through October 31, 2027.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300

## Consent Calendar

- 23. Contract No: 32300115 Amendment: On-Call Arborist Services, HortScience Bartlett Consulting**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300115 with HortScience Bartlett Consulting for on-call arborist services, increasing the contract amount by \$270,000 for a total not to exceed amount of \$395,000 and extending the term of the contract from December 31, 2025, to February 9, 2028.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300
- 24. Contract for Construction (Bauman Landscape and Construction, Inc.) and Contract No. 32300026: Amendment for Engineering Services (Diablo Engineering Group) for the Ohlone Greenway Modernization and Safety Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution:  
1. Approving plans and specifications for the Ohlone Greenway Modernization and Safety Project, Specification No. 26-11748-C;  
2. Accepting the bid of Bauman Landscape and Construction, Inc., the lowest responsive and responsible bidder;  
3. Authorizing the City Manager to execute a contract with Bauman Landscape and Construction, Inc. and any amendments, extensions, and/or change orders until completion of the Project in accordance with the approved plans and specifications, in an amount not to exceed \$3,782,000, which includes a 10% contingency for unforeseen circumstances; and  
4. Authorizing the City Manager to execute a contract amendment with Diablo Engineering Group to provide engineering services during the construction phase of the Project, increasing the contract amount by \$100,000 for a total not-to-exceed amount of \$650,000.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300
- 25. Contracts: Interface Engineering, Inc. and Salas O'Brien Engineers, Inc. for On-Call Electrical Engineering Services**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute contracts and any amendments with the following firms for on-call electrical engineering services for capital improvement projects, each for a period of November 1, 2025, through June 30, 2028:  
1. Interface Engineering, Inc., for an amount not to exceed \$150,000.  
2. Salas O'Brien Engineers, Inc., for an amount not to exceed \$150,000.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300

## Consent Calendar

- 26. Final Map of Tract 8651: 2403-2407 San Pablo Avenue**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving the final map of Tract Map 8651 for a 37-unit condominium project consisting of 36 residential units and 1 commercial unit at 2403-2407 San Pablo Avenue.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300
- 27. Referral Request to Rescind Incorrect Information Related to Turtle Island Monument**  
**From: Civic Arts Commission**  
**Recommendation:** Refer to City Manager to draft a Resolution to send to Council for adoption that would correct the historical record found in three Council Resolutions. In the first of these resolutions issued in 2003 the City conducted a procurement process utilizing an artwork title "Turtle Island Monument" (an artwork concept originally created by Lee Sprague and Marlene Watson in the 1990s and recast as a new project by the City) resulting in another artist being contracted in 2006 to unwittingly create artwork for the City using this same title. The 2023 Resolution, related to an aspect of an attempted collaborative redesign of Turtle Island Monument involving the original artists, does not have an executed contract and should be rescinded. Those three resolutions are: 2005 Contract Authorization for Scott Parsons, 2006 Contract Amendment Authorization for Scott Parsons, 2023 Contract Authorization for Scott Parsons.  
**Financial Implications:** None  
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
- 28. Remove Pre-Transfer Eligibility Restriction of the Transfer Tax Rebate for Wildfire Hardening** *(Reviewed by the Budget & Finance Policy Committee) (Item Contains Supplemental Material)*  
**From: Disaster and Fire Safety Commission**  
**Recommendation:** Adopt first reading of an ordinance removing the 1-year pre-transfer eligibility restriction of the transfer tax rebate for wildfire hardening from BMC 7.52.060, to encourage early mitigation efforts.  
*Policy Committee Recommendation: To send the item to Council with a Qualified Positive Recommendation to request that staff submit an amended ordinance with the item that includes the following: 5-year/1-year eligibility timeline; limit eligibility to High and Very High Fire Hazard Severity Zones; clarify eligible vegetation as proposed by staff; include other minor language clean up proposed by staff. Also, include analysis and options for an eligibility cap based on home value.*  
**Financial Implications:** See report  
Contact: Keith May, Commission Secretary, (510) 981-3473

## Consent Calendar

### 29. **Renewal of the Elmwood BID for Calendar Year 2026**

#### **From: Elmwood Advisory Board**

**Recommendation:** Adopt a Resolution approving the Elmwood Business Improvement District Advisory Board's (hereafter "Elmwood BID Advisory Board" or "the Advisory Board") recommendation that Council 1) Approve the 2025 Annual Report and preliminary budget for proposed improvements in the District for calendar year 2026; 2) Declare its intent to levy an assessment to finance improvements in the District for calendar year 2026 and 3) Direct the City Clerk to schedule a public hearing on the renewal of the Elmwood BID for December 2, 2025.

**Financial Implications:** See report

Contact: Vincent McCoy, Commission Secretary, (510) 981-7530

### 30. **Renewal of the Solano Avenue BID for Calendar Year 2026**

#### **From: Solano Avenue BID Advisory Board**

**Recommendation:** Adopt a Resolution approving the Solano Avenue Business Improvement District Advisory Board's (hereafter "Solano BID Advisory Board" or "the Advisory Board") recommendation that Council: 1) Approve the 2025 Annual Report and preliminary budget on proposed improvements in the District for calendar year 2026; 2) Declare its intent to levy an assessment to finance improvements in the District for calendar year 2026; and 3) Direct the City Clerk to schedule a public hearing on the renewal of the assessment for December 2, 2025.

**Financial Implications:** See report

Contact: Vincent McCoy, Commission Secretary, (510) 981-7530

## Council Consent Items

### 31. **Russell Street Halloween Festivities: 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 \$1,000 per Councilmember including \$1,000 from Councilmember Humbert to the Claremont Elmwood Neighborhood Association for Russell Street Halloween festivities 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 Calendar

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

*The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the*

## Action Calendar

*public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

*The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.*

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

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

## Action Calendar – Public Hearings

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

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

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

### 32. Amendments to Title 21 (Subdivisions) to Allow Separate Sale of ADUs

**From: City Manager**

**Recommendation:** Conduct a public hearing, and upon conclusion, adopt the first reading of an Ordinance to amend Berkeley Municipal Code Title 21 (Subdivisions Ordinance) and Chapter 23.306 Accessory Dwelling Units to implement Assembly Bill (AB) 1033 by establishing local regulations for the separate sale of ADUs as condominiums.

**Financial Implications:** None

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

## Action Calendar – New Business

### 33. Telegraph Multimodal Corridor Project Conceptual Design

**From: City Manager**

**Recommendation:** Adopt a Resolution approving the recommended conceptual design (Concept 3B) of the Telegraph Ave Multimodal Corridor Project (Project) and authorizing the City Manager to proceed with the detailed engineering design of the project.

**Financial Implications:** See report

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

## Information Reports

34. **Inclusionary Housing Program Annual Report Fiscal Year 2025**  
**From: City Manager**  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
35. **Audit Status Reports: Fleet Replacement Fund Short Millions and Rocky Road: Berkeley Streets at Risk and Significantly Underfunded**  
**From: City Manager**  
Contact: Terrance Davis, Public Works, (510) 981-6300
36. **Audit Status Report: 2009 Leases Audit Follow-Up**  
**From: City Manager**  
Contact: Terrance Davis, Public Works, (510) 981-6300
37. **Civic Arts Commission FY26 Work Plan**  
**From: Civic Arts Commission**  
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530
38. **Fiscal Year 2026 Public Art Budget**  
**From: Civic Arts Commission**  
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530

## Public Comment – Items Not Listed on the Agenda

## Adjournment

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

Archived indexed video streams are available at: [berkeleyca.gov/council-agendas](http://berkeleyca.gov/council-agendas).  
Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

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

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

Agendas, agenda reports, and revised/supplemental material may be accessed via the online agenda for this meeting at: [berkeleyca.gov/council-agendas](https://berkeleyca.gov/council-agendas) and may be accessed at reference desks at the following locations:

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

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

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location.

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

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



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

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

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on October 16, 2025.***

A handwritten signature in black ink that reads "Mark Numainville".

Mark Numainville, City Clerk

## **Communications**

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

### **Traffic Safety**

1. Matthew Lewis
2. Naveen Gattu
3. Rachel Bradley

### **Support for Councilmember Taplin's Measures**

4. John Waters

### **Our Owls**

5. Martin Nicolaus

### **Café Concerns**

6. Ed Iskander

### **Harrison and 6<sup>th</sup> Street**

7. Craig Nagasawa

### **FLOCK Concerns**

8. Anitra Grisales
9. Marisa Lin
10. Athalia Sachowitz
11. Evangel King
12. Margot Smith

### **Headlands on Campus**

13. Mimi Hoang

### **Fire Sprinkler Permit**

14. Kiran Kaja

### **Lithium Ion Battery Safety**

15. Christopher La Combe

### **Motorized Vehicles on Sidewalks**

16. Yolanda Huang

### **Social Housing**

17. David Shere

**Construction Noise and Dust Concern**

18. Rajendra Sahai

**Noise Concerns**

19. Jen Loy

20. Whytes

**Tent and RV Encampments**

21. Daniel Jurnove

**Representation for Animals**

22. Cybersailor

**East Dock Repair**

23. Robert Ofsevit

**People's Park**

24. Alan Jencks

**Records Inquiry**

25. Carol Denney

**Getting to Concerts**

26. Margot Smith

**Oxford Elementary**

27. Eric Friedman

**Berkeley Filmmakers Awarded**

28. Susan Ives and Alexis Harte

**Letter**

29. Kelly Elena MacDonald on behalf of Andrea Cluver

**Kala Bagai Way**

30. Monisha Bajaj & Sanjog Singh

**LPC Meeting**

31. Mark Hulbert

**Cordonices Creek**

32. Susan Schwartz (2)

33. Jodie Morgan

34. Cris Benton (2)

35. Peter Radu

36. Dorothea Dorenz

### **Elder Abuse Concerns**

37. Carol Denney

### **IKE Kiosk Revenue**

38. Nico Savidge

### **Elementary Reading Program**

39. 10 Similarly worded form letters

### **Forwards**

40. Margot Smith

### **E-Scooters**

41. Robert Borghese (6)

42. Devin Dollinger (7)

43. Igor Tregub

44. Bonnie Ciedel

### **Fairmont Hotel Wedding**

45. Eid's TV and Electronic

### **Newsletters**

46. Berkeley Art Center

47. Downtown Berkeley Association

48. Crustyrusty

### **URL's**

49. Russbumper (2)

50. Mark Chekal

### **Supplemental Communications and Reports**

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

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

