



**AGENDA**  
**BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE**  
**SPECIAL MEETING**

**MONDAY, SEPTEMBER 15, 2025**  
**2:30 P.M.**

Redwood Room – 2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Mayor Adena Ishii, Councilmembers Terry Taplin and Mark Humbert

Alternate: Ben Bartlett

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: 161 754 7086**. To provide public comment, Press \*9 and wait to be recognized by the Chair. To submit a written communication for the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov). All Committee 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.

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.

**California 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.

# **AGENDA**

**Roll Call**

**Public Comment**

## **Review of Agendas**

- 1. Approval of Minutes: September 2, 2025**
- 2. Review and Approve Draft Agenda:**
  - a. 9/30/25 – Regular City Council Meeting
- 3. Adjournments In Memory**

## **Scheduling**

- 4. Council Worksessions Schedule**
- 5. Council Referrals to Agenda Committee for Scheduling**
- 6. Land Use Calendar**

## **Action Calendar**

- None

## **Unscheduled Items**

- None

## **Items for Future Agendas**

- Requests by Committee Members to add items to the next agenda

**Adjournment – Next Meeting Monday, September 29, 2025**

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**Additional items may be added to the draft agenda per Council Rules of Procedure.**

*Rules of Procedure as adopted by Council resolution, Article III, C3c - Agenda - Submission of Time Critical Items*

*Time Critical Items. A Time Critical item is defined as a matter that is considered urgent by the sponsor and that has a deadline for action that is prior to the next meeting of the Council and for which a report prepared by the City Manager, Auditor, Mayor or council member is received by the City Clerk after established deadlines and is not included on the Agenda Committee’s published agenda.*

*If the Agenda Committee finds the matter to meet the definition of Time Critical, the Agenda Committee may place the matter on the Agenda on either the Consent or Action Calendar.*

*The City Clerk shall not accept any item past the adjournment of the Agenda Committee meeting for which the agenda that the item is requested to appear on has been approved.*

*Written communications addressed to the Agenda Committee and submitted to the City Clerk Department by 5:00 p.m. the Friday before the Committee meeting, will be distributed to the Committee in advance of the meeting and retained as part of the official record.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Members of the City Council who are not members of the standing committee may attend a standing committee meeting even if it results in a quorum being present, provided that the non-members only act as observers and do not participate in the meeting. If only one member of the Council who is not a member of the committee is present for the meeting, the member may participate in the meeting because less than a quorum of the full Council is present. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900.*



**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.

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I hereby certify that the agenda for this special 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 Thursday, September 11, 2025.

Mark Numainville, City Clerk

**Communications**

*Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).*



## BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

**TUESDAY, SEPTEMBER 2, 2025**

**2:30 P.M.**

Redwood Room – 2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Mayor Adena Ishii, Councilmembers Terry Taplin and Mark Humbert

Alternate: Ben Bartlett

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. All Committee meetings are recorded.

Use this URL <https://cityofberkeley-info.zoomgov.com/j/1602472730> to access the meeting remotely. 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: 160 247 2730**. To provide public comment, press \*9 and wait to be recognized by the Chair. To submit a written communication for the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).

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**Roll Call:** 2:32 p.m. All present.

**Public Comment** – 4 speakers

## **Review of Agendas**

**1. Approval of Minutes: August 25, 2025**

**Action:** M/S/C (Humbert/Taplin) to approve the minutes of 8/25/25.

**Vote:** All Ayes.

**2. Review and Approve Draft Agenda:**

a. 9/16/25 – Regular City Council Meeting

**Action:** M/S/C (Humbert/Taplin) to approve the agenda of 9/16/2025 with the changes noted below.

- *Item Added: Fire Code Amendments (City Manager) – added to Consent Calendar*
- *Item Added: CDW for Adobe Licenses (City Manager) - added to Consent Calendar*
- *Item 10 Title 21 Amendments (City Manager) – rescheduled to October 14 meeting*
- *Item 11 Berkeley Green Code (Tregub) – revised item submitted; referred to FITES committee*
- *Item 12 Zoning Ordinance Referral (Lunaparra) – moved to Consent Calendar*

**Vote:** All Ayes.

**3. Adjournments In Memory**

1. Ann Fagan Ginger, Attorney and Activist

## **Scheduling**

**4. Council Worksessions Schedule** – received and filed

**5. Council Referrals to Agenda Committee for Scheduling** – received and filed

**6. Land Use Calendar** – received and filed

## **Action Calendar**

**7. Discussion of Rules of Procedure requirements for Time Critical Items and format of council reports**

**Action:** 0 speakers. Discussion of current rules and clarification of procedures for late submissions. No further action requested.

## **Unscheduled Items**

- **None**

## Items for Future Agendas

- None

## Adjournment

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

**Vote:** All Ayes.

Adjourned at 2:57 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on September 2, 2025.

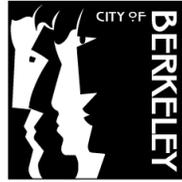
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Mark Numainville, City Clerk

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**DRAFT AGENDA**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, September 30, 2025**  
**6:00 PM**

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

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – IGOR TREGUB

DISTRICT 5 – SHOSHANA O'KEEFE

DISTRICT 6 – BRENT BLACKABY

DISTRICT 7 – CECILIA LUNAPARRA

DISTRICT 8 – MARK HUMBERT

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*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.*

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## 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. Proposed Sanctuary City Ordinance – Council Referral; Adding Berkeley Municipal Code Chapter 13.114**  
**From: City Attorney**  
**Recommendation:** Adopt the second reading of Ordinance No. 7,984–N.S. adopting a Sanctuary City Ordinance (BMC 13.114) to codify the City’s sanctuary policy into the Berkeley Municipal Code.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** Staff time  
Contact: Farimah Brown, City Attorney, (510) 981-6950
- 2. Minutes for Approval**  
**From: City Manager**  
**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).  
**Financial Implications:** None  
Contact: Mark Numainville, City Clerk, (510) 981-6900

## Consent Calendar

- 3. 2026 Tax Rate: Transportation Network Company User Tax**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance setting the 2026 tax rate (effective January 1, 2026) for the transportation network company at the following rates: 62 cents on the user for each prearranged trip that originates in the City that is not part of a pooled prearranged trip and 30 cents for each pooled prearranged trip on each user who arranges each prearranged trip that originates in the City and which comprises part of the pooled prearranged trip.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 4. Application to the Behavioral Health Continuum Infrastructure Program (BHCIP) Round 2: Unmet Needs**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to: 1) Authorize the City of Berkeley (City) to apply to the California Department of Health Care Services for Bond BHCIP Round 2 grant funds in an amount not to exceed \$4,670,000; and 2) Authorize the City Manager, or designee, to execute the Program Funding Agreement and any related documents necessary to secure and administer the grant; and 3) Acknowledge that the City will comply with every term and condition of the Program Funding Agreement; and 4) Designate the City Manager, or designee, as the City's Authorized Signatory for all Program documents.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 5. Contract No. 32300180 Amendment: GoGo Technologies, Inc. for Provision of Transportation Services for Seniors and the Disabled**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or designee to execute an amendment to Contract No. 32300180 for an additional \$150,000 with GoGo Technologies, Inc. for the purpose of providing a 24/7 concierge call center that arranges rides with Uber and Lyft for the City's seniors and disabled community. The contract amendment's not-to-exceed amount will be increased to \$500,000 for the period July 1, 2025, through June 30, 2026.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 6. Contract No. 32300207 Amendment: Easy Does It for Provision of Wheelchair Van Service for Seniors and Disabled Riders**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or designee to execute an amendment to Contract No. 32300207 for an additional \$75,000 with Easy Does It for the purpose of providing lift-equipment accessible wheelchair van services to the City of Berkeley's wheelchair riders. The contract's not-to-exceed amount will be increased to a total of \$250,000 for the period of July 1, 2025, to June 30, 2026.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

## Consent Calendar

- 7. Revenue Grant Agreement: Funding Support from the California Department of Public Health to Enhance Disease Intervention Workforce Development**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or designee to accept funds from the California Department of Public Health (CDPH) in the projected amount of \$523,953. These funds will be used to execute a revenue agreement, contract, and any necessary amendments and extensions. The funding is designated to develop, expand, train, and sustain the City of Berkeley's Disease Intervention Specialist (DIS) workforce from July 1, 2025, through June 30, 2030. This initiative ensures the continuation of state-mandated services for the prevention, response, and control of Human Immunodeficiency Virus (HIV), Sexually Transmitted Infections (STI), Hepatitis C Virus (HCV), and mpox in the City of Berkeley.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 8. Donation: Memorial Bench at Berkeley Marina in Memory of Michael W. Orton**  
**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 Marina in memory of Michael W. Orton.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 9. Purchase Order with Coast Counties Peterbilt for Seven 2026 Model Peterbilt 520 Rear-Loader Refuse Trucks with McNeilus Bodies**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a purchase order with Coast Counties Peterbilt for seven 2026 Peterbilt Model 520 rear-loader refuse trucks with McNeilus bodies, in an amount not to exceed \$3,800,000.  
**Financial Implications:** See report  
Contact: Terrance Davis, Public Works, (510) 981-6300

## Council Consent Items

- 10. Recreation and Community Facility Improvement Measures** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee)*  
**From: Councilmember Taplin (Author)**  
**Recommendation:** Refer to the City Manager the assessment of potential revenue measures to finance capital improvements for certain recreational and community-serving city facilities that have completed the conceptual or design phase and return to the city council with recommendations for placing such measures on the November 2026 midterm election ballot.  
*Policy Committee Recommendation: To send the item to Council with a positive recommendation.*  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
- 11. Berkeley Art Center’s Fall 2025 Community Dinner: Relinquishment of Budget Office Funds**  
**From: Councilmember O’Keefe (Author), Mayor Ishii (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember – including \$500 from Councilmember O’Keefe and \$250 from Mayor Ishii – to the Berkeley Art Center (BAC), a 501(c)(3) non-profit organization, for their Fall 2025 Community Dinner, a fundraiser to support BAC’s artistic and cultural programming, and to welcome BAC’s new Executive Director, Gisela Insuaste, with funds relinquished to the City’s general fund for this purpose from the discretionary Council office budgets of Councilmember O’Keefe and Mayor Ishii, and from any other Councilmembers who would like to contribute. The event will take place on Thursday, October 16, 2025 at 6:00pm at the Berkeley Art Center.  
**Financial Implications:** See report  
Contact: Shoshana O’Keefe, Councilmember, District 5, (510) 981-7150
- 12. Sacred Rest Drop-in Center Landline: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**  
**From: Councilmember Lunaparra (Author)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Lunaparra’s discretionary fund and funds from any other Councilmembers who would like to contribute, to Village of Love for a landline at the Sacred Rest Drop-In Center with funds relinquished to the City’s general fund for this purpose.  
**Financial Implications:** See report  
Contact: Cecilia Lunaparra, Councilmember, District 7, (510) 981-7170

## Council Consent Items

13. **Refer to the City Manager in Collaboration with the City Attorney’s Office to Develop Proposed Increases to the Shared Micromobility Program Fees**  
*(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee)*  
**From: Councilmember Lunaparra (Author), Councilmember Blackaby (Co-Sponsor), Councilmember Humbert (Co-Sponsor), Councilmember Tregub (Co-Sponsor)**  
**Recommendation:** Refer to the City Manager in collaboration with the City Attorney’s Office to develop proposed increases to the shared micromobility program fees and return to Council within 120 days. The proposed amendments should evaluate adjustments to the following fee categories: Application fee; Operating fee; Fee per vehicle; Fee per ride.  
*Policy Committee Recommendation: To send the item to Council with a positive recommendation.*  
**Financial Implications:** See report  
Contact: Cecilia Lunaparra, Councilmember, District 7, (510) 981-7170

## Action Calendar

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

*The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.*

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

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

## Action Calendar – Public Hearings

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

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

## Action Calendar – Public Hearings

*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.*

### 14. Changes to the Planning and Development Fee Schedule

**From: City Manager**

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution amending Resolution No. 71,834-N.S. to make revisions to the Land Use Planning section of the Planning and Development Department fee schedule, effective November 1, 2025, to add new fees for Zoning reviews of Middle Housing projects and for arborist consultations when required.

**Financial Implications:** See report

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

## Action Calendar – New Business

### 15. Resolution Calling on the California State Legislature to Amend Government Code Section 12519 to Allow Heads of Civilian Oversight Agencies to Directly Request Investigative Assistance from the Attorney General’s Office

**From: Director of Police Accountability**

**Recommendation:** Adopt a Resolution calling on the California State Legislature to Amend Government Code Section 12519 to allow heads of civilian oversight agencies to directly request investigative assistance from the Attorney General’s office.

**Financial Implications:** See report

Contact: Hansel Aguilar, Office of Director of Police Accountability, (510) 981-4950

### 16. Resolution Directing the City Manager to Work with the City Attorney’s Office to Establish a Communications Policy, Corresponding Training, and Compliance Mechanisms to Ensure Impartiality and Neutrality During the Pendency of an Active Personnel Investigation

**From: Director of Police Accountability**

**Recommendation:** Adopt a Resolution directing the City Manager to work with the City Attorney’s Office to establish a communications policy, corresponding training, and compliance mechanisms to ensure impartiality and neutrality during the pendency of an active personnel investigation.

**Financial Implications:** See report

Contact: Hansel Aguilar, Office of Director of Police Accountability, (510) 981-4950

## Action Calendar – Policy Committee Track Items

### 17. Unmanned Aerial Systems and Drones as First Responders

**From: Councilmember Taplin (Author)**

**Recommendation:** Refer to the City Manager the initiation of the process outlined by BMC 2.99: Surveillance Technology Ordinance (STO) for the Berkeley Police Department (BPD) to acquire and use Unmanned Aerial Systems (UAS), including Drones as First Responders (DFR), consistent with all auditing, transparency, data and privacy protections required for all use policies and acquisition reports under the STO. Submitting a UAS acquisition report and use policy will support informed, collaborative, and accountable exploration of this technology across departments, and ensure that any deployment aligns with Berkeley’s commitment to public trust, environmental stewardship, and racial and social equity. As outlined in the STO, the use policy, and acquisition report shall include: An interdepartmental assessment of potential operational uses by public safety and non-public safety departments; Consideration of technical requirements, legal and regulatory frameworks, civil liberties and privacy protections, and equity implications; Community engagement and best practices for transparency and accountability; A requirement for annual public reports detailing: Instances of drone deployment; Departmental uses and impacts on operations; Community outcomes; Compliance audits; and updates on training, and data handling procedures.

**Financial Implications:** See report

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

### 18. Resolution Supporting California Proposition 50, the Election Rigging Response Act; Which Would Authorize California to Adopt Temporary Congressional Maps in Response to These Partisan Actions While Reaffirming the State’s Commitment to Independent, Non-partisan Redistricting By Preserving the Citizens Redistricting Commission for the Decennial Process After the 2030 Census

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

**Recommendation:** Adopt a Resolution supporting Proposition 50, the Election Rigging Response Act, which would authorize California to adopt temporary congressional maps in response to partisan mid-decade redistricting efforts in other states while preserving the independent Citizens Redistricting Commission for the 2030 census process.

**Financial Implications:** Staff time

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

## Information Reports

### 19. Landmark Preservation Ordinance Notice of Decision: 2201-2205 Blake Street/#LMSAP2024-0004

**From: City Manager**

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

## Information Reports

20. **Landmark Preservation Ordinance Notice of Decision: 2939 Dwight Way/#LMIN2020-0007**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
21. **Audit Recommendation Status - Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities**  
**From: City Manager**  
Contact: Jennifer Louis, Police, (510) 981-5900

## 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.*

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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

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BERKELEY CITY COUNCILMEMBER  
**TERRY TAPLÍN**  
DISTRICT 2

**02a.10**

CONSENT CALENDAR  
September 30, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin

Subject: Recreation and Community Facility Improvement Measures

RECOMMENDATION

Refer to the city manager the assessment of potential revenue measures to finance capital improvements for certain recreational and community-serving city facilities that have completed the conceptual or design phase and return to the city council with recommendations for placing such measures on the November 2026 midterm election ballot.

POLICY COMMITTEE RECOMMENDATION

On September 3, 2025, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee adopted the following action: M/S/C (Lunaparra/Humbert) to send item to Council with a positive recommendation. Vote: All Ayes.

FISCAL IMPACTS OF RECOMMENDATION

Should the revenue measures under consideration be approved by Berkeley voters in November 2026, the city would establish new dedicated funding streams for the construction of high-priority, design-complete recreational and community-serving projects. These revenues would directly address the city's most pressing unfunded capital needs, allowing shovel-ready projects to proceed without diverting limited General Fund resources or delaying other essential maintenance and operations.

The city currently faces over \$1,000,000,000 in unfunded infrastructure needs along with significant deferred maintenance liabilities across all infrastructure categories. Establishing a voter-approved revenue source would not only close funding gaps for these shovel-ready projects but also free up existing maintenance and operating funds for other critical priorities and reduce long-term fiscal strain.

Proactively funding these projects will:

- Prevent cost escalation from inflation and further facility deterioration
- Reduce emergency repair costs and operational disruptions
- Increase equitable access to modern, safe, and sustainable public facilities



- Demonstrate fiscal stewardship by aligning new revenues with clear, voter-endorsed capital priorities

By securing a dedicated, reliable revenue stream, the city can shift from a reactive approach to infrastructure investment to a proactive, strategic model that delivers tangible community benefits while measurably reducing the backlog of unfunded capital projects.

### CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley is confronting a stark disconnect between critical capital infrastructure needs and the funding available to address them. The city has over \$1,000,000,000 in unfunded infrastructure needs, which include streets, stormwater systems, municipal facilities and buildings, parks, and the waterfront.

To address some of these infrastructure needs, voters approved Measure FF in 2024, a \$267,000,000 special tax to fund street, sidewalk, and pedestrian path repair, repaving, and reconstruction, safety improvements, and environmental infrastructure.

Previously, voters approved Measure T1 in 2016, a \$100,000,000 bond measure to repair, renovate, replace, or reconstruct the city's aging infrastructure and facilities. This very successful bond program has funded 72 improvement projects to city facilities and parks. These projects include the North Berkeley Senior Center, the South Berkeley Senior Center, the Corporation Yard, the Adult Mental Health Building, the Live Oak Community Center, the Willard Clubhouse, the MLK Jr. Youth Services Center, the African American Holistic Resource Center, University Avenue in the Waterfront, the Berkeley Rose Garden, San Pablo Park, Grove Park, and numerous street improvement projects. The city has diligently reported on T1-funded facility improvements, which can be seen in more detail on the city's website:

<https://berkeleyca.gov/your-government/our-work/bond-revenue-measures/measure-t1>.

Outside of bond measures and grants, the funding for city buildings, parks, infrastructure in the waterfront, and the Transfer Station is limited to the following annual Capital Improvement Projects (CIP) allocations:

- **Parks Tax Fund** - \$2,750,000
- **General Fund** - \$1,500,000
  - \$1,100,000 for Public Works
  - \$400,000 for Parks, Recreation, and Waterfront
- **Zero Waste Fund** - \$1,160,000



- **Marina Fund - \$350,000**

These funding sources are typically used for smaller CIP or major maintenance projects associated with each fund. However, with the imminent completion of the Measure T1 bond program, there is no funding for a list of large critical city projects, including city buildings, parks, infrastructure in the waterfront, and the Transfer Station as shown below.

These projects should be prioritized for a 2026 revenue measure(s):

### ***Key City Facilities in Need of Improvements***

- Frances Albrier Community Center
  - Conceptual design completed.
  - Built in the 1970s, it suffers from failing Heating, Ventilation, and Air Conditioning (HVAC) and electrical systems, inadequate seismic resilience, outdated programming layouts, and serious accessibility deficiencies that limit its current and future use.
- Maudelle Shirek Building (Old City Hall)
  - Completed in 1909, the building has significant seismic issues that prevent it from being used except for short term uses. This historic structure urgently needs full seismic, systems, and accessibility upgrades and restoration of architectural features.
- Veterans Building
  - This historic structure urgently needs full seismic, systems, and accessibility upgrades and restoration of architectural features.
- King and West Campus Pools
  - Conceptual design completed.
  - These aging aquatic facilities suffer from chronic mechanical failures, leaks, crumbling decks, noncompliant locker rooms, and outdated filtration systems. They do not meet modern accessibility or safety standards and constant temporary repairs fail to address core infrastructure failures.
- Transfer Station
  - Long functionally outdated, the facility struggles with inefficient waste flow, deteriorated structural elements, poor stormwater handling, and operational constraints. Without action, risk of regulatory noncompliance and operational failure continues to grow.



- 1947 Center Street Improvements
  - While Measure T1 will fund the window replacement project, numerous other building elements related to safety issues such as HVAC and elevator replacements are still needed in this crucial city facility.

### *Parks and Recreation Capital Projects*

- Dreamland Play Structure Replacement at Aquatic Park
  - Conceptual design completed.
- Sea Level Rise / Bike Park at University Avenue at the Berkeley Waterfront
  - Conceptual design completed.
- John Hinkel Park Scout Hut Reconstruction
  - Conceptual design completed.
- Glendale–La Loma Park 2-5 and 5-12 Play Area and ADA Pathway Upgrade
  - Design in progress.
- Cedar Rose Park 2-5 Play Structure Replacement
  - Design completed.
- San Pablo Park Drainage and Irrigation Improvement
- Shorebird Park Play Structure Replacement

### *Waterfront Capital Projects*

- J-Dock Replacement
- South Cove Seawall Replacement
  - Design in progress.

### *Adeline Corridor Improvements*

- Open Space and Street Improvements from Ashby Avenue to the Berkeley Border with Oakland
  - Conceptual design in progress.



### *Sidewalk 50/50 Program Upgrades*

- There is an existing 2-3 year list of 50/50 sidewalk replacements from home owners.

### *Americans with Disabilities Act (ADA) Upgrades*

- The citywide ADA Assessment is complete and needs funding to complete a portion of the work identified.

### *Stormwater System Capital Improvements*

- Potter Watershed Smaller Pressure Pipe and Storage in Aquatic Park Main Lagoon
  - [Watershed Master Plan Recommended Tidal Resolution Option.](#)

Many of the projects listed above have been conceptually designed using Measure T1, the General Fund, or the Parks Tax. Without a dedicated revenue source, these projects will remain stalled and physical and programmatic degradation will continue. This delays service delivery, increases long-term costs due to inflation and further deterioration, and erodes equity goals by depriving communities of safe and modern public infrastructure. The longer construction is deferred, the more expensive it becomes, increasing both the fiscal and social burden.

### BACKGROUND

Over the past decade, the City of Berkeley has undertaken significant planning and design work for several high-priority recreational and community-serving facilities. These projects have advanced into the design phase through a combination of local ballot measures, state and regional grants, and General Fund allocations - yet remain unfunded for construction.

### *Key City Facilities in Need of Improvements*

- **Frances Albrier Community Center**
  - The Frances Albrier Community Center in San Pablo Park is a key cultural and recreational anchor serving South Berkeley. Originally constructed in the early 1970s, the building suffers from aging mechanical systems, accessibility deficiencies, and layout limitations that no longer meet community program needs. Design funding was provided through a combination of Measure T1 Phase 1 and Phase 2 allocations and smaller contributions from the General Fund and Parks Tax (Measure F). The project has completed schematic design for two options: a renovation-only plan at approximately \$29,000,000 and a more extensive renovation with a new aquatics facility at approximately \$42,000,000. Proposed capital improvements include full HVAC replacement, ADA upgrades, reconfigured community spaces, seismic strengthening, and integration with an adjacent pool facility.



- **Maudelle Shirek Building (Old City Hall)**
  - Constructed in 1909, this designated historic landmark requires full seismic retrofitting, complete building systems replacement, ADA accessibility upgrades, and restoration of historic interior and exterior features. Preliminary assessments indicate the likely presence of lead-based paint, asbestos-containing materials, and potential Polychlorinated Biphenyls (PCBs), necessitating comprehensive abatement in compliance with the Occupational Safety and Health Act (OSHA), the Environmental Protection Agency (EPA), and California Department of Public Health (CDPH) regulations. This will require specialized contractors and environmental controls, extended construction timelines, and increased direct costs. Each year of delay will add significant escalation costs and risk further deterioration, increasing the scale of required intervention. The total investment is expected to exceed \$100,000,000 depending on the final scope, preservation requirements, and remediation needs.
  
- **Veterans Building**
  - Constructed in 1928, this designated historic landmark requires full seismic retrofitting, complete building systems replacement, ADA accessibility upgrades, and restoration of historic interior and exterior features. This will require specialized contractors and environmental controls, extended construction timelines, and increased direct costs. Each year of delay will add significant escalation costs and risk further deterioration, increasing the scale of required intervention. The total investment is expected to exceed \$100,000,000, depending on the final scope, preservation requirements, and remediation needs.
  
- **King Pool and West Campus Pools**
  - Both King Pool and West Campus Pool are over 60 years old and have reached the end of their useful life. They face chronic mechanical failures, water loss, outdated locker room facilities, and noncompliance with current ADA and aquatic safety standards. King Pool's replacement project (\$16,000,000) has completed the design phase funded largely by Measure T1 Phase 1 and 2 and supplemented by Parks Tax revenues for preliminary studies. West Campus Pool was the subject of earlier feasibility and conceptual planning efforts, but construction funding in the amount of \$16,500,000 has never been secured. Necessary capital improvements for both sites include full pool tank and deck replacement, new filtration and heating systems, modern locker rooms, seismic upgrades, and improved spectator and team facilities.



- **Transfer Station**
  - Berkeley's Solid Waste Transfer Station, located in West Berkeley, is decades old and in need of full modernization to meet operational, environmental, and regulatory standards. Preliminary studies have examined replacement or major rehabilitation scenarios, including integration of modern waste diversion facilities. Needed capital improvements include new tipping floor infrastructure, improved traffic circulation, stormwater management upgrades, and modern materials recovery equipment. Similar facilities in the region suggest costs could be between \$115,000,000 and \$120,000,000.
- **City Offices at 1947 Center Street**
  - The building is in need of numerous upgrades to structural and seismic elements, HVAC, electrical, and plumbing systems, carpet and flooring, elevators, lighting, and hazardous materials mitigations.

#### *Parks and Recreation Capital Projects*

- **Dreamland Play Structure Replacement at Aquatic Park (\$7,500,000)**
  - This would replace the play structure, restroom, open space area, and amenities.
- **Sea Level Rise / Bike Park at University Avenue at the Berkeley Waterfront (\$6,250,000)**
  - This would create a dedicated, professionally designed dirt, jump and skills course facility serving youth and adults; capital needs include grading, surfacing, drainage, and new amenities, as well as nature-based solutions for Sea Level Rise.
- **John Hinkel Park Scout Hut Project (\$3,150,000)**
  - This would renovate the historic structure, incorporating seismic strengthening, roof replacement, and masonry restoration.
- **Glendale-La Loma Park 2-5 and 5-12 Play Area and ADA Pathway Upgrade (\$2,960,000)**
  - This would modernize both age-group playgrounds, replace surfacing, and improve ADA connections throughout the site.
- **Cedar Rose Park 2-5 Play Structure Replacement (\$2,400,000)**
  - This would replace aging, noncompliant play equipment and surfacing with new accessible structures and shade elements.
- **San Pablo Park Drainage and Irrigation Improvement (\$1,560,000)**



- This would replace outdated irrigation systems, improve turf health, and address stormwater ponding issues that limit year-round field use.
- **Shorebird Park Play Structure Replacement (\$830,000)**
  - This was last replaced over thirty years ago and needs a full replacement.

### *Waterfront Capital Projects*

- **J-Dock Replacement (\$12,000,000)**
  - The J-Dock system at the Berkeley Marina was installed in 1975 and is long past its useful life, requiring numerous temporary repairs. This project will replace the entire J Dock system with a new concrete dock system with a projected lifespan of 60 years.
- **South Cove Seawall Replacement (\$5,780,000)**
  - The retaining seawall is a badly deteriorated sheet pile wall that retains the shoreline at the boat hoist area at the South Cove sailing docks (340 linear feet).

### *Adeline Corridor Specific Plan Improvements*

- Finalized in 2020, the Adeline Corridor Specific Plan calls for improvements to open space and streets from Berkeley's downtown to the Oakland border. The city has recently secured conceptual design funding for the area from Ashby Avenue to the Oakland border, and construction is estimated to be up to \$50,000,000. The city is seeking additional grant funding to finalize the design for this portion of the plan.

### *Sidewalk 50/50 Program Upgrades*

- There is an existing 2-3 year list of 50/50 sidewalk replacements requested from home owners. A \$2,000,000 allocation from T1 Phase 1 eliminated the waiting list, but this list has grown over the last five years and needs an infusion of funding to complete the work in a timely manner, estimated at \$5,000,000.

### *ADA Upgrades*

- The city has completed a Self-Evaluation and Transition Plan to comply with section 504 of the American with Disabilities Act. The plan has identified hundreds of millions in need of work to city infrastructure. This measure would request up to \$5,000,000 to begin to address these needs.



### *Stormwater System Capital Improvements*

- Potter Watershed Smaller Pressure Pipe and Storage in Aquatic Park Main Lagoon
  - The smaller pressure pipe would increase stormwater flow capacity to the Bay by 44%, allowing most runoff from a 10-year storm to bypass Aquatic Park and be discharged directly, while using the lagoon for temporary storage only during the largest events. This would reduce flooding, improve water quality by preventing trash and pollutants from entering the lagoon or Bay, and lessen the frequency of storm overflows into Aquatic Park. Est: \$50,000,000.

While Measures T1 and Parks Measures F and Y have been instrumental in advancing the design work, they were never intended to cover full construction costs for major facilities. Many of our funds support ongoing maintenance and small-scale capital renewal but cannot absorb multi-million-dollar replacements or modernizations. As a result, these design-complete projects remain unfunded for construction.

Without a dedicated revenue source, these facilities will continue to deteriorate, risking higher eventual replacement costs, service interruptions, and loss of critical community programming space.

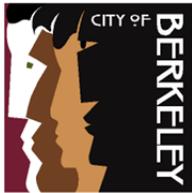
### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

N/A

### RATIONALE FOR RECOMMENDATION

The City of Berkeley's recreational, cultural, and community-serving facilities are vital public assets that sustain health, wellness, social cohesion, and equitable access to services. Many of these facilities — including King Pool, the Frances Albrier Community Center, the Maudelle Shirek Building, and others — have completed design work yet remain unfunded for construction. Advancing these projects is essential to prevent further deterioration, escalating repair costs, and lost service capacity.

The city faces a substantial and growing infrastructure funding gap. The Fiscal Year 2025–2029 Capital Improvement Program identifies more than \$241,600,000 in unfunded Parks, Recreation, and Waterfront Department projects alone, not including other citywide deferred maintenance liabilities. The Parks Tax (Measure F) is a critical maintenance funding tool, but it cannot absorb the multi-million-dollar capital costs associated with full facility replacements or modernizations. At the same time, the city's structural General Fund deficit limits the availability of discretionary dollars for major capital construction. Without a dedicated revenue measure, these shovel-ready projects will remain stalled and service levels will continue to decline.



BERKELEY CITY COUNCILMEMBER  
**TERRY TAPLÍN**  
 DISTRICT 2

Placing a revenue measure before the voters in the November 2026 midterm election would align with the city's project timelines, public engagement needs, and ballot-cycle advantages, allowing for transparent community discussion and a realistic funding path.

This recommendation advances several City of Berkeley Strategic Plan goals:

- **Provide state-of-the-art, well-maintained infrastructure, amenities, and facilities**
  - By securing funding for design-complete projects, the city can deliver modern, accessible, and sustainable facilities that meet current and future community needs.
- **Champion and demonstrate social and racial equity**
  - Many of these projects, including the Frances Albrier Community Center and San Pablo Park improvements, directly serve historically underrepresented and underserved neighborhoods, ensuring equitable access to high-quality public spaces and programming.
- **Be a global leader in addressing climate change, advancing environmental justice, and protecting the environment**
  - Modernized facilities will be designed to meet or exceed current environmental standards, incorporating energy-efficient systems, water conservation, green infrastructure, and resilient materials while improving public access to parks and waterfront areas that connect residents to the natural environment.

By moving forward with a dedicated funding assessment for these priority projects, the city will not only preserve critical public assets but also demonstrate a proactive, equity-focused, and environmentally responsible approach to infrastructure investment.

#### ALTERNATIVE ACTIONS CONSIDERED

Several alternatives to pursuing a dedicated revenue measure have been identified and evaluated:

- **Rely on Existing Funding Sources**
  - The city could continue to fund capital projects through existing revenue streams such as the Parks Tax (Measure F), the General Fund, and one-time grant opportunities. However, these sources are already committed to ongoing maintenance, operations, and smaller-scale improvements. They cannot absorb the multi-million-dollar construction costs of the identified design-complete projects without displacing other critical priorities. This approach would likely delay these projects indefinitely, leading to further deterioration, higher eventual replacement costs, and continued service gaps.



- **Reallocate General Fund Resources**
  - Redirecting significant General Fund dollars to these capital projects would require substantial cuts to core services, including public safety, homelessness programs, and maintenance of existing infrastructure. Given the city's structural General Fund deficit, this alternative is fiscally unsustainable and would not provide a stable or dedicated source of capital funding.
  
- **Pursue External Grants and Partnerships Only**
  - While the city actively seeks state, federal, and philanthropic grants for capital improvements, these sources are highly competitive, time-limited, and rarely cover full project costs. They are best used as supplemental funding rather than as the sole source for major facility construction. Relying solely on grants would introduce significant uncertainty and delay with no guarantee that projects could move forward.
  
- **Defer or Reduce Project Scope**
  - Postponing or scaling back projects could reduce short-term costs but would also diminish long-term community benefits, fail to address underlying infrastructure deficiencies, and increase life-cycle costs due to deferred maintenance. In some cases, reduced scopes would compromise program functionality, accessibility, and environmental performance.

While each alternative offers some degree of fiscal relief or reduced complexity, none provide the long-term, dedicated funding necessary to advance multiple high-priority, design-complete projects in a coordinated, timely manner. A voter-approved revenue measure remains the most viable and equitable approach to delivering these critical community assets while protecting the city's broader fiscal health.

#### CONTACT PERSON

Councilmember Taplin, District 2, 510-981-7120, [TTaplin@berkeleyca.gov](mailto:TTaplin@berkeleyca.gov)

#### Attachments:

- 1: Civic Center Vision and Implementation Plan Staff Report (2020)
- 2: Maudelle Shirek Building Historic Structure Report (2020)
- 3: Fiscal Years 2025-2029 Capital Improvement Plan
- 4: Parks, Recreation, and Waterfront Department Capital Improvement Project and Minor Maintenance Program Update (2025)
- 5: Status of the Southern Peninsula and the building at 199 Seawall Drive in the Berkeley Waterfront (2024)





CONSENT CALENDAR  
September 30, 2025

To: Honorable Mayor and Members of the City Council  
From: Councilmember Shoshana O'Keefe (Author), Mayor Adena Ishii (Co-Sponsor)  
Subject: Berkeley Art Center's Fall 2025 Community Dinner: Relinquishment of Budget Office Funds

RECOMMENDATION

Adopt a resolution approving the expenditure of an amount not to exceed \$500 per Councilmember – including \$500 from Councilmember O'Keefe and \$250 from Mayor Ishii – to the Berkeley Art Center (BAC), a 501(c)(3) non-profit organization, for their Fall 2025 Community Dinner, a fundraiser to support BAC's artistic and cultural programming, and to welcome BAC's new Executive Director, Gisela Insuaste, with funds relinquished to the City's general fund for this purpose from the discretionary Council office budgets of Councilmember O'Keefe and Mayor Ishii, and from any other Councilmembers who would like to contribute.

The event will take place on Thursday, October 16, 2025 at 6:00pm at the Berkeley Art Center.

BACKGROUND

Since 1967, the Berkeley Art Center has been a cornerstone of the Bay Area's vibrant arts community. Designed by Bay Area modernist architect Robert Ratcliff and built by the Rotary Club as a gift to the City, BAC was run by the Parks and Recreation Department for many years until it became a private nonprofit in the late 1970s. Under the leadership of visionary directors and curators, BAC established itself over the years as a destination for experimental contemporary art by Bay Area artists, featuring a diverse range of voices, materials, artistic styles, and social commentary. BAC has exhibited work by important local figures such as Robert Bechtle, Enrique Chagoya, Bill Fontana, Taraneh Hemami, Mildred Howard, Hung Liu, Jim Melchert, Chiura Obata, Sonya Rapoport, Katherine Sherwood, Peter Voulkos, and Carrie Mae Weems, among many others.

Nestled in Live Oak Park, BAC offers an intimate platform for the public to engage with work by emerging and established contemporary artists, and champions artists and curators who are Black, Indigenous, POC, queer and trans, formerly incarcerated, and living with disabilities. Many Bay Area artists credit early BAC exhibitions as pivotal in their career development. BAC supports sustainability in the arts by compensating artists at competitive rates. Its programs include exhibitions, workshops, artist-conceived events, artist talks, curatorial walkthroughs, community dinners, and partnerships with community organizations.

With an annual budget of approximately \$300,000, BAC relies on a combination of City funding, private donations, grants, memberships, and special events to fund its operations and programs. Like many non-profit arts organizations in the Bay Area impacted by increasing expenses and reduced funding, BAC experienced challenges that led to changes in leadership, staff, and revenues. With the City's support, the Board of Directors addressed these issues by securing funding for current financial stability, streamlining administrative procedures and expenses, maintaining scheduled exhibitions, and hiring a gallery manager and new executive director.

Gisele Insuaste, an Oakland-based Latine artist with 20 years of experience in arts programming, most recently served as the education and public programs director at Kala Art Institute in Berkeley. Insuaste has taken the helm of this organization deeply rooted in Berkeley's cultural fabric, and has already begun to cultivate donor relationships, establish dynamic partnerships, and strengthen BAC's position as a hub for creativity, equity, and community engagement.

BAC's Fall 2025 Community Dinner features an inclusive gathering on the Live Oak Park bridge, under a canopy of redwoods, where two rich culinary traditions meet at one table. This multi-course, family-style dinner will offer a blend of Filipino cooking and Ethiopian cuisine. Shared platters, passed from hand to hand, offer a celebration of connection, where flavors, cultures, and community intertwine in collective support and recognition of the critical role of art and artists in Berkeley and beyond. Funds raised from this event will directly go towards paying local artists, curators, and arts educators equitably for their labor and participation in BAC exhibitions and public programs in 2025-2026, including the Day of the Dead/Día de Muertos community workshop in late October.

The event will take place on Thursday, October 16, 2025 at 6:00pm at the Berkeley Art Center. For more information visit: <https://www.berkeleyartcenter.org/events>

#### ENVIRONMENTAL SUSTAINABILITY

No environmental impacts.

#### FISCAL IMPACTS

Up to \$4,500 from Councilmembers' discretionary budgets.

#### CONTACT

Councilmember Shoshana O'Keefe, 510-981-7150

RESOLUTION #####-N.S.

AUTHORIZING THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE  
ACCOUNTS OF THE MAYOR AND COUNCILMEMBERS FOR A GRANT TO PROVIDE  
SUPPORT FOR A MUNICIPAL PUBLIC PURPOSE

WHEREAS, the Berkeley Art Center (BAC) is a nonprofit organization and a hub for artistic exploration and community building that champions Bay Area artists and curators; and

WHEREAS, since 1967, the BAC has established itself as a destination for experimental contemporary art by Bay Area artists, featuring a diverse range of voices, materials, artistic styles, and social commentary; and

WHEREAS, many artists credit early BAC exhibitions as pivotal in their career development, and BAC supports sustainability in the arts by working to address pay disparities among artists and curators of underrepresented communities, particularly in the Bay Area; and

WHEREAS, the Berkeley Arts Center serves Berkeley and the larger Bay Area through its programming which includes exhibitions, workshops, artist-conceived events, artist talks, curatorial walkthroughs, community dinners, and partnerships with community organizations.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council office budget, up to \$500 per office – including \$500 from Councilmember O’Keefe and \$250 from Mayor Ishii – shall be granted to the Berkeley Arts Center to support their Fall 2025 Community Dinner.





CONSENT CALENDAR  
September 30, 2025

To: Honorable Members of the City Council

From: Councilmember Lunaparra (Author)

Subject: Sacred Rest Drop-in Center Landline: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Lunaparra's discretionary fund and funds from any other Councilmembers who would like to contribute, to Village of Love for a landline at the Sacred Rest Drop-In Center with funds relinquished to the City's general fund for this purpose.

BACKGROUND

The Sacred Rest Drop-In Center, operated by the Village of Love Foundation, a registered 501c(3) nonprofit organization, on the property of the First Presbyterian Church of Berkeley in District 7, is a daytime center that provides unsheltered members of the community a safe place to relax, watch television, drink coffee/tea, enjoy hot meals together, use restroom facilities, store belongings, connect to WiFi, charge and use technology, send mail, and receive social services to become housing-ready.

The Village of Love has a short but rich history of providing for the community. In 2022, the Berkeley community opened its doors to the drop-in center, which was funded jointly by the City of Berkeley and UC Berkeley. Members of the community have expressed that the drop-in center has become a place where unhoused people can find a community of people who truly care.

Since 2019, the number of unhoused people in the Bay Area has reached over 8% and Alameda County's unhoused population rose by 21.5%. Sacred Rest provides local and individualized services, enabling more people to begin their path to permanent housing. The name "Sacred Rest" was given to the space after many discussions community partners had about a similar San Francisco model, Sacred Sleep, that provides a comfortable and relaxing place for unhoused folks to rest and break bread together. One of the biggest challenges people face living on the streets is feeling isolated and alone. Sacred Rest combats this by providing a place for people to be welcomed inside, sit in the shade, break bread together, and enjoy laying down on the lawn without fear of being harassed, attacked, or bothered.

CURRENT SITUATION AND ITS EFFECTS

The Village of Love aims to enrich the community by developing creative solutions to build bridges across the disparities between residents, businesses, mental health and unsheltered communities. Their Sacred Rest Drop-in Center is currently working on the implementation of a landline service that would allow their community members to communicate with family members and friends who reside in various cities and states outside of the greater Bay Area. Allowing unhoused people to maintain contact with their loved ones is crucial in the overall care and support that the Center hopes to provide. People currently use the staff's phones in order to contact others; however, in the long run, this is not a viable or sustainable option. The Drop-In Center is hoping to include landline services, which would allow the unhoused community to communicate via phone without the need to borrow someone else's. They are seeking financial support to offset the expenses associated with the creation of this landline service.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with adopting this recommendation.

FISCAL IMPACTS

No General Fund impact. \$500 is available from the Councilmember's office budget discretionary account.

Attachments:

1. Resolution

CONTACT PERSON

Councilmember Cecilia Lunaparra (510) 981-7170  
Jonah Gottlieb, Chief of Staff

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

SUPPORT FOR THE SACRED REST DROP-IN CENTER

WHEREAS, the Sacred Rest Drop-In Center, operated by the Village of Love Foundation, a registered 501c(3) nonprofit organization, on the property of the First Presbyterian Church of Berkeley in Southside, is a daytime center which provides unsheltered members of the community a safe place; and

WHEREAS, the Sacred Rest Drop-in Center aims to provide free landline services to its' community members; and

WHEREAS, Councilmember Lunaparra has surplus funds in her office expenditure account; and

WHEREAS, the Sacred Rest Drop-in Center seeks funds in the amount of \$500 from Councilmember Lunaparra's office and up to \$500 from each Councilmember to help cover the cost of landline services that would allow members contact with loved ones; and

WHEREAS, the provision of such services would help ensure years of free services, care, and support for the unhoused community.

NOW THEREFORE, BE IT RESOLVED by the Berkeley City Council that up to \$500 relinquished by Councilmembers – including \$500 from Councilmember Lunaparra – shall be granted to the Village of Love Foundation to help cover landline service costs.





CONSENT CALENDAR

September 30, 2025

To: Honorable Members of the City Council

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

Subject: Refer to the City Manager in Collaboration with the City Attorney’s Office to Develop Proposed Increases to the Shared Micromobility Program Fees

RECOMMENDATION

Refer to the City Manager in collaboration with the City Attorney’s Office to develop proposed increases to the shared micromobility program fees and return to Council within 120 days. The proposed amendments should evaluate adjustments to the following fee categories:

- Application fee
- Operating fee
- Fee per vehicle
- Fee per ride

POLICY COMMITTEE RECOMMENDATION

On September 3, 2025, the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee adopted the following action: M/S/C (Taplin/Lunaparra) to send item to Council with a positive recommendation. Vote: Ayes – Taplin, Lunaparra; Noes – None; Abstain – None; Absent – Humbert

CURRENT SITUATION AND ITS EFFECTS

Berkeley started its shared micromobility program in April 2022, with the goal of addressing gas-vehicle’s exacerbation of climate change, offering convenient transportation options throughout the city, and creating safer streets for all. While the program has been extremely effective, there has been a persistent issue related to improperly parked scooters, largely due to insufficient scooter and bike parking infrastructure. The City Council frequently receives complaints regarding this problem.

To sustain this essential program that aligns with Berkeley values and policy commitments, it is important to adjust the shared micromobility program fees to meet the needs of all residents who use our sidewalks and streets. These fees have remained static since the program's launch, while cost of living, construction costs, and the City’s budget deficit have increased. In 2024, Portland State University’s Transportation Research and Education Center published a study explaining that, “now might be a logical time to re-evaluate fee structures, particularly those cities that have

made minimal changes to the program terms since the beginning of the shared micromobility industry.”<sup>1</sup> With the quickly shifting landscape of the industry and an uncertain budget, Berkeley should amend fees to become more consistent with similarly effective programs.

With additional revenue, the City could meet evolving needs and support the development and installation of necessary scooter and bike parking, racks, and infrastructure to ensure the program’s continued success.

The request that staff return to Council with an amended contract within 120 days is to ensure the process is finalized before the Spring Request For Proposal timeline.

## BACKGROUND

Since the start of Berkeley’s shared micromobility program in 2022, the most common complaint amongst community members has been improper parking of shared vehicles. Many complaints cite scooters blocking the public right-of-way, making it difficult to safely use streets and sidewalks. As the program provides significant benefits to residents citywide—demonstrated by one of the highest ridership rates in the Bay Area—and plays a vital role in advancing our climate and transit goals, it’s critical to creatively address these issues while remaining committed to the long-term viability of the program.

District 7 has one of the lowest rates of car ownership in Berkeley and the shared micromobility program has fundamentally and critically changed the way residents get around. This is evident in the fact that District 7 accounts for 37% of all shared micromobility rides across the entire City. With a high rate of ridership and UC Berkeley’s restriction of shared micromobility devices on campus, the district experiences a large share of improper parking incidents, creating hazardous conditions for people with disabilities, seniors, pedestrians, and cyclists. A study by the University of Oregon’s Urbanism Next Center found that 13% of improper parking is due to insufficient parking, 9% is because people parked how others did, and 7% of incidents were because people were in a hurry.<sup>2</sup> To address these three pertinent issues and reduce right-of-way obstructions, the City, along with our shared micromobility vendors, must invest in more dedicated scooter and bike parking facilities.

## RATIONALE FOR RECOMMENDATION

Berkeley’s shared micromobility program charges vendors less than those in other jurisdictions with comparable ridership levels. When Berkeley’s program started, public-private shared micromobility initiatives were still relatively new and still in the process of refining oversight mechanisms, best practices, and sustainable fee structures. Berkeley’s fees do not reflect the evolving challenges of the program or the high demand it sustains. The current fee structure fails to generate sufficient revenue to offset the cost of administering and sustaining the program while also supporting the development and construction of scooter and bike parking. This is a necessary part of effectively maintaining Berkeley’s high level of ridership while keeping sidewalks and streets safe and accessible.

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<sup>1</sup> John MacArthur, Kevin Fang, and Calvin Thigpen, *Taxing Shared Micromobility: Assessing the Global Landscape of Fees and Taxes and Their Implications for Cities, Riders, and Operators*, research report (Portland, OR: Transportation Research and Education Center, Portland State University, June 2024), [https://ppms.trec.pdx.edu/media/project\\_files/PSU\\_SSU\\_micromobility\\_fees\\_and\\_taxes\\_report.pdf](https://ppms.trec.pdx.edu/media/project_files/PSU_SSU_micromobility_fees_and_taxes_report.pdf).

<sup>2</sup> Calvin Thigpen, Nicholas Klein, and Anne Brown, *Dedicated Parking for Micromobility: A Practical Guide for Implementation* (Portland, OR: Urbanism Next Center, 2025), accessed July 17, 2025, <https://www.urbanismnext.org/resources/dedicated-parking-for-micromobility>

The following data provides a direct comparative analysis of shared micromobility fee structures across a sample of California cities, including regional neighbors and other cities with a large university presence.

|                                                | Application fee                   | Annual operating fee | Number of operators | Per vehicle    | Permitted vehicles         | Other fees                             | Total revenue/yr |
|------------------------------------------------|-----------------------------------|----------------------|---------------------|----------------|----------------------------|----------------------------------------|------------------|
| <b>Berkeley</b> <sup>3</sup><br>(2025)         | \$1,500                           | \$15,000             | 2                   | \$64           | 825                        | -                                      | \$85,800         |
| <b>Oakland</b> <sup>4</sup><br>(2025)          | \$2,500                           | \$30,000             | 2                   | \$64           | 2,000                      | -                                      | \$193,000        |
| <b>San Francisco</b> <sup>5</sup><br>(2025)    | \$6,173                           | \$44,041             | 2                   | see other fees | total: 5,500, added: 2,872 | One time \$100/ device, for bike racks | \$381,455        |
| <b>San Jose</b> <sup>6</sup><br>(2025)         | \$4,000                           | -                    | 1                   | \$139          | 1,000                      | \$10,000 deposit                       | \$143,000        |
| <b>Emeryville</b> <sup>7</sup><br>(2025)       | \$1,000                           | \$2,500              | 1                   | -              | -                          | -                                      | \$3,500          |
| <b>Santa Monica</b> <sup>8</sup><br>(2025)     | -                                 | \$20,000             | 4                   | \$104          | 2,200                      | \$.2/trip for PROW                     | \$451,225        |
| <b>Sacramento</b> <sup>9</sup><br>(2025)       | \$4,400.00                        | -                    | 2                   | \$104          | 1,500                      | \$.1 per trip, for infrastructure      | \$221,375        |
| <b>West Sacramento</b> <sup>10</sup><br>(2025) | 1st yr: \$2,500<br>Renew: \$1,500 | -                    | 2                   | -              | 500                        | \$.1 per trip, for monitoring          | \$9,387          |

<sup>3</sup> [https://berkeleyca.gov/sites/default/files/documents/SEMPP%20Application\\_2024.pdf](https://berkeleyca.gov/sites/default/files/documents/SEMPP%20Application_2024.pdf) Iris Kwok, "Berkeley Approves Fleet of Lime Rental E-Scooters," *Berkeleyside*, July 5, 2024, accessed July 10, 2025, <https://www.berkeleyside.org/2024/07/05/berkeley-fleet-of-lime-rental-e-scooters>.

<sup>4</sup> City of Oakland. 2025. *2025–2026 Scooter-Sharing Terms and Conditions (Redlined)*. *Dockless Vehicle Share Program*. Last updated April 16, 2025. Oakland, CA: Oakland Department of Transportation. <https://www.oaklandca.gov/files/assets/city/v/1/transportation/documents/car-share-bike-share-amp-scooter-share/bike-share/redlined-2025-2026-scooter-sharing-terms-and-conditions.pdf>

<sup>5</sup> City of San Francisco, San Francisco Municipal Transportation Agency, *FY25-FY26 Powered Scooter Share Permit Program* (memorandum from Jeffrey Tumlin, Director of Transportation, and Kate Toran, Taxis, Access & Mobility Services Director, May 30, 2024), San Francisco, CA: San Francisco Municipal Transportation Agency, <https://www.sfmta.com/media/39651/download?inline>.

<sup>6</sup> City of San José, *Resolution No. RES2024-230: Amending Resolution No. 72737 to Amend and Establish Various Fees and Charges, Effective July 1, 2024*, adopted June 11, 2024, City Council agenda item 3.5(b), accessed July 10, 2025, <https://records.sanjoseca.gov/Resolutions/RES2024-230.pdf>.

<sup>7</sup> City of Emeryville, *Master Fee Schedule* (approved April 15, 2025; effective July 1, 2025; Emeryville, CA: City of Emeryville), <https://www.emeryville.org/files/assets/city/v/1/public-works/documents/environmental-programs/waste/coe-master-fee-schedule.pdf>.

<sup>8</sup> City of Santa Monica, *Second Shared Mobility Device Program Administrative Regulations*, December 2024 (Santa Monica, CA: Santa Monica Mobility Division, City of Santa Monica), [https://www.santamonica.gov/media/Mobility/Shared\\_Mobility/Second%20Shared%20Mobility%20Device%20Program%20Admin%20Regs\\_Dec2024.pdf](https://www.santamonica.gov/media/Mobility/Shared_Mobility/Second%20Shared%20Mobility%20Device%20Program%20Admin%20Regs_Dec2024.pdf).

<sup>9</sup> City of Sacramento, *Resolution No. 2021-0260, Approving Shared-Rideable Permit Fees*, adopted by the City Council on August 17, 2021, accessed July 10, 2025, <https://www.cityofsacramento.gov/content/dam/portal/pw/Transportation/Transportation-Planning/Shared-Rideables/R2021-0260-Approving-Shared-Rideable-Permit-Fees.pdf>.

<sup>10</sup> <https://www.cityofwestsacramento.org/home/showpublisheddocument/19751/638711634834530000>

|                                            |   |          |   |       |       |                                       |                  |
|--------------------------------------------|---|----------|---|-------|-------|---------------------------------------|------------------|
| <b>Davis</b> <sup>11</sup><br>(2025)       | - | \$10,000 | 1 | -     | 600+  | → \$46,400 UCD<br>→ \$.2 per ride     | <b>\$16,400</b>  |
| <b>Long Beach</b> <sup>12</sup><br>(2025)  | - | \$25,000 | 2 | \$75  | 3,000 | → \$75 inspection<br>→ \$.25 per trip | <b>\$430,425</b> |
| <b>Culver City</b> <sup>13</sup><br>(2025) | - | \$20,000 | 1 | \$100 | 200+  | \$.2 per ride                         | <b>\$66,000</b>  |

\*Data from July 1, 2024 - June 30, 2025

\*\*2024/2025 Long Beach ride data was not publicly available, data is based on 2023 statistics

\*\*\*These numbers do not include fines or penalties

This data shows some fee areas where Berkeley charges a similar amount to other jurisdictions and others where Berkeley is undercharging. Certainly, this data only presents half of the larger market picture. There are other critical factors when calculating if Berkeley is charging market rate for permits. Many of the referenced municipalities that charge higher fees are larger or deploy more scooters than Berkeley, so to better understand how Berkeley’s ridership data proportionally compares to other jurisdictions with higher fees, we used two key indicators: per capita use, which shows the proportional rate of shared mobility users relative to population size and utilization rate, measuring how often each device is used in a day. Utilization rate is commonly used to evaluate the effectiveness of the program. Together, these metrics highlight the demand of the devices and their function within the transportation system.

| City <sup>14</sup> | Population     | Avg # of deployed vehicles | Total rides per yr | Avg rides/day | Rides per capita | Rides per device per day |
|--------------------|----------------|----------------------------|--------------------|---------------|------------------|--------------------------|
| <b>Berkeley</b>    | <b>124,000</b> | <b>710</b>                 | <b>313,000</b>     | <b>879</b>    | <b>2.52</b>      | <b>1.24</b>              |
| San Francisco      | 815,000        | 3,900                      | 1,840,000          | 5,169         | 2.26             | 1.33                     |
| Davis              | 66,850         | 269                        | 65,800             | 180.00        | 0.98             | 0.67                     |
| Sacramento         | 528,000        | 1,525                      | 545,000            | 1,531         | 1.03             | 1.00                     |
| West Sacramento    | 54,000         | 465                        | 67,800             | 190           | 1.26             | 0.41                     |
| Santa Monica       | 93,000         | 1,660                      | 711,000            | 1,997         | 7.65             | 1.20                     |

\*Data from July 1, 2024 - June 30, 2025

\*\*Data includes dock and dockless shared micromobility

<sup>11</sup> City of Davis, *Shared Micromobility Agreement* (City Council staff report, July 18, 2023), accessed July 17, 2025, <https://documents.cityofdavis.org/Media/Default/Documents/PDF/CityCouncil/CouncilMeetings/Agendas/2023/2023-07-18/04-Shared-Micromobility-Agreement.pdf>.

<sup>12</sup> City of Long Beach, *Micro-Mobility Program (E-Scooters/E-Bikes)* (Long Beach, CA: City of Long Beach, updated May 24, 2025), accessed July 9, 2025, <https://www.longbeach.gov/goactive/b/programs/micro-mobility-program/>, City of Long Beach, *Beach Bike Path E-Scooter Pilot and Data Analysis*, memorandum from Eric Lopez, Director of Public Works, to Mayor and City Council, June 4, 2024, City of Long Beach, accessed July 9, 2025, <https://www.longbeach.gov/globalassets/city-manager/media-library/documents/memos-to-the-mayor-tabbed-file-list-folders/2024/june-4--2024---beach-bike-path-e-scooter-pilot-and-data-analysis>

<sup>13</sup> City of Culver City, *Standard Operating Agreement for Culver City Dockless Shared Micromobility* (Culver City, CA: City of Culver City, revised September 2021), accessed July 17, 2025, <https://www.culvercity.gov/files/assets/public/v/1/documents/transportation/standard-operating-agreement-for-culver-city-dockless-shared-micromobility.pdf>.

<sup>14</sup> Santa Cruz, Santa Barbara, and San Luis Obispo were contemplated as cities to analyze, but do not have comparable dockless scooter programs

The table indicates that Berkeley's shared micromobility program has strong shared mobility use relative to its population, high demand for vehicles, and fleet efficiency comparable to Santa Monica and San Francisco. Berkeley demonstrates proportionally concentrated and consistent scooter use, ultimately indicating high demand and suggesting potential financial feasibility for increasing fees.

With the City's considerable investment in daylighting intersections, there is a significant opportunity to leverage the available space and city funding to install new scooter racks or corrals. With additional revenue from scooter companies, the City could have more capacity to build creative infrastructure at these zones. In fact, the aforementioned study out of the University of Oregon explains that the near side of intersections are ideal locations for shared micromobility corrals.<sup>15</sup> Corrals placed at the near side of intersections create physical barriers to prevent illegal car parking, avoid conflicts with metered or loading zones, reduce accidents, and activate previously unused space.

The goal of this referral is to provide the information, guidance, and flexibility to the City Manager, in partnership with our dedicated shared micromobility vendors, to identify the most feasible and effective avenue for maintaining a successful program that meets the needs of all Berkeley residents. Parking infrastructure that accommodates high use of these vehicles is a critical component of ensuring that success.

#### FISCAL IMPACTS OF RECOMMENDATION

The Public Works Department has been working with shared micromobility vendors to address the issue of improper parking. This referral is intended to provide clarified direction in those conversations. The Public Works Department will already be engaging in the process of raising other municipal fees as part of an annual process and is able to include this without much additional staff time.

#### ENVIRONMENTAL SUSTAINABILITY

No anticipated impacts.

#### CONTACT PERSON

Councilmember Cecilia Lunaparra, 510-981-7170  
Sara Cerami, Chief of Staff

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<sup>15</sup> Urbanism Next, *Dedicated Parking for Micromobility*, by Calvin Thigpen, Nicholas Klein, and Anne Brown (Portland, OR: Urbanism Next, 2025), [https://cdn.prod.website-files.com/5d9f83b8b237fa6c07d5d69d/680ff7d0cc63c8bcd753ec7\\_Dedicated%20Parking%20for%20Micromobility-compressed.pdf](https://cdn.prod.website-files.com/5d9f83b8b237fa6c07d5d69d/680ff7d0cc63c8bcd753ec7_Dedicated%20Parking%20for%20Micromobility-compressed.pdf) (accessed July 10, 2025).





**02a.17**

## DRAFT

ACTION CALENDAR  
September 30, 2025

*Public Safety Policy Committee*

To: Honorable Mayor and Members of the City Council  
From: Councilmember Taplin  
Subject: Unmanned Aerial Systems and Drones as First Responders

### RECOMMENDATION

Refer to the City Manager the initiation of the process outlined by BMC 2.99: Surveillance Technology Ordinance (STO) for the Berkeley Police Department (BPD) to acquire and use Unmanned Aerial Systems (UAS), including Drones as First Responders (DFR), consistent with all auditing, transparency, data and privacy protections required for all use policies and acquisition reports under the STO.

Submitting a UAS acquisition report and use policy will support informed, collaborative, and accountable exploration of this technology across departments, and ensure that any deployment aligns with Berkeley's commitment to public trust, environmental stewardship, and racial and social equity.

As outlined in the STO, the use policy, and acquisition report shall include:

- An interdepartmental assessment of potential operational uses by public safety and non-public safety departments;
- Consideration of technical requirements, legal and regulatory frameworks, civil liberties and privacy protections, and equity implications;
- Community engagement and best practices for transparency and accountability;
- A requirement for annual public reports detailing:
  - Instances of drone deployment;
  - Departmental uses and impacts on operations;

- Instances of drone deployment;
- Departmental uses and impacts on operations;
- Instances of drone deployment;
- Departmental uses and impacts on operations;
- Community outcomes;
  - compliance audits;
- And updates on training, and data handling procedures.

### CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley, like many municipalities, is navigating the dual challenge of increasing public safety demands and constrained departmental resources. At the same time, the public expects rapid, transparent, and equitable responses to emergencies, complex incidents, and quality-of-life issues.

In this context, Unmanned Aerial Systems (UAS) and Drones as First Responders (DFR) are emerging as tools with the potential to significantly enhance public safety operations, emergency response capabilities, and resource efficiency. Many jurisdictions—including San Francisco, Richmond, Santa Monica, and Alameda County—have implemented such programs to reduce response times, improve situational awareness, and increase officer and community safety.

In 2023, BPD completed an STO process, allowing requests for drone mutual aid from other agencies. Those deployments have successfully protected the lives of community members, suspects, and officers. However, reliance on outside agencies restricts availability, creates unpredictable costs, and prevents the development of a DPR program. To realize the full benefits of drone technology, Berkeley should move toward acquiring its own systems.

As interest in UAS and DFR capabilities grows—particularly for applications such as search and rescue, disaster response, and crime scene documentation—it is critical that Berkeley move proactively, ensuring any exploration or potential implementation is rooted in community values, transparency, and civil liberties.

### BACKGROUND

Across California and the United States, local governments and public safety agencies are adopting Unmanned Aerial Systems (UAS) and Drones as First Responders (DFR) to address evolving operational challenges. These technologies are increasingly viewed as critical tools for supporting effective, timely, and equitable emergency response, especially in cities facing staff shortages, high service demands, and climate-related emergencies.

UAS are remotely piloted aircraft systems typically operated by trained personnel during active incidents to support operations such as search and rescue, missing persons cases, traffic collision investigations, and crime scene documentation. More advanced models of deployment—such as

DFR—enable drones to be autonomously dispatched from pre-positioned locations in response to 911 calls, often arriving before human responders and streaming live video to dispatch and field units. This real-time aerial intelligence can help prevent unnecessary use of force, support de-escalation, and reduce officer risk.

Peer jurisdictions—including San Francisco, Richmond, Santa Monica, and Alameda County—have implemented drone programs to enhance operational capacity while maintaining strong public accountability. This referral authorizes the City Manager to evaluate the feasibility of a drone program to assess its technical, legal, and financial dimensions, as well as its potential benefits and risks in Berkeley. Early conversations have identified applications for multiple City departments, including disaster response, infrastructure inspection, and environmental monitoring.

Establishing a citywide UAS program is a proactive step that allows Berkeley to thoughtfully assess whether, how, and under what conditions such technology may be used.

### RATIONALE

The development of a citywide Unmanned Aerial Systems (UAS) Use Policy is both a timely and necessary step for ensuring that emerging public safety technologies are evaluated through the lens of transparency, equity, and community oversight.

As the capabilities of drones continue to evolve and their adoption by peer cities increases, Berkeley has the opportunity to proactively shape policy rather than react to technological change. Establishing a thoughtful, community-informed framework ensures that any future deployment of drones—whether by the Police Department, Fire Department, or other City divisions—aligns with Berkeley’s values of racial justice, civil liberties, and environmental responsibility.

Drone technologies can provide clear benefits: faster and safer emergency response, improved situational awareness, enhanced de-escalation, and more efficient allocation of limited personnel. They can also support climate resiliency and disaster preparedness by enabling real-time damage assessments and safe inspections of inaccessible infrastructure.

However, these tools are not without risk. Improper or unregulated use could lead to violations of privacy, disproportionate surveillance of marginalized communities, disruption to wildlife, or erosion of public trust. A UAS Use Policy must therefore include robust safeguards consistent with the STO: clear delineation of use, accountability mechanisms, transparency in flight activity, and annual reporting on impacts and outcomes.

In authorizing the City Manager to lead this policy development process, the City Council ensures that the exploration of drone programs proceeds deliberatively, inclusively, and under public oversight. Guided by the STO, this referral lays the groundwork for a policy that is not only operationally effective but also democratically legitimate and reflective of the needs and rights of Berkeley residents.

FISCAL IMPACTS

Staff time will be required for the coordination and completion of the policy development and reporting framework. Any future proposals for equipment procurement, pilot programs, or department-level deployment would be subject to separate City Council review and approval, including full fiscal analysis at that stage.

The current referral does not refer funding for the procurement or implementation of any UAS or DFR system. It initiates a policy development process, which may be supported by existing department resources and informed by peer city frameworks.

Staff may also explore the availability of state, to support policy infrastructure development related to drone oversight, civil liberties protections, or emergency preparedness

ALTERNATIVES CONSIDERED

The City could defer engagement with drone policy or allow departments to act independently without a unifying framework. However, this risks uncoordinated use, inconsistent standards, and diminished public trust. Proactively developing a citywide policy ensures consistent standards, transparency, and safeguards before any implementation occurs.

CONTACT PERSON

Councilmember Taplin      Council District 2      510-981-7120

Attachments:

City of Richmond Code of Ordinances....



CONSENT CALENDAR

September 30, 2025

**Igor Tregub**, Councilmember District 4

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Cecilia Lunaparra (Co-Sponsor), and Terry Taplin (Co-Sponsor)

Subject: Resolution supporting California Proposition 50, the Election Rigging Response Act; which would authorize California to adopt temporary congressional maps in response to these partisan actions while reaffirming the state's commitment to independent, non-partisan redistricting by preserving the Citizens Redistricting Commission for the decennial process after the 2030 census

**RECOMMENDATION**

Adopt a Resolution supporting Proposition 50, the Election Rigging Response Act, which would authorize California to adopt temporary congressional maps in response to partisan mid-decade redistricting efforts in other states while preserving the independent Citizens Redistricting Commission for the 2030 census process.

**BACKGROUND**

The City of Berkeley has a long tradition of supporting democratic reforms and voter protections, including early adoption of ranked choice voting and local civil rights safeguards. In August 2025, President Donald Trump and Republican leaders in Texas enacted an unprecedented mid-decade congressional redistricting plan to secure additional partisan advantage. Similar mid-decade redraws are now being considered in Florida, Missouri, and other states.

These actions undermine the principle of representative democracy, threaten fair elections, and risk distorting the balance of power in Congress for years to come. The outcome of the 2026 U.S. House midterm elections will directly impact control of

Congress and critical national policies affecting California and Berkeley residents, including immigration, disaster relief, access to healthcare, and civil rights protections.

In response, the California Legislature and Governor Gavin Newsom have placed Proposition 50, the Election Rigging Response Act, on the November 4, 2025, ballot. Proposition 50 consists of a legislative package: Assembly Constitutional Amendment 8 (Rivas, McGuire), Senate Bill 280 (Cervantes, Pellerin), and Assembly Bill 604 (Aguiar-Curry, Gonzalez). Together, these measures establish a special election framework, authorize temporary congressional boundaries, and reaffirm California's long-term commitment to nonpartisan redistricting.

### **CURRENT SITUATION AND ITS EFFECTS**

If passed, Proposition 50 would:

- Provide California with a lawful and transparent mechanism to respond to partisan mid-decade gerrymanders in other states;
- Protect California's representation in Congress and ensure Berkeley residents' voices are not diluted by unfair districting practices nationwide;
- Reaffirm the state's independent Citizens Redistricting Commission as the sole body responsible for post-2030 census district maps; and
- Reaffirm both statewide and local commitment to free, fair, and representative elections

This resolution aligns with Berkeley's longstanding values of electoral fairness, transparency, and civic engagement. Supporting Proposition 50 reflects the City Council's commitment to protecting democracy both locally and nationally.

### **FISCAL IMPACTS OF RECOMMENDATION**

Limited staff time is required to communicate the City's position to State representatives.

### **ENVIRONMENTAL SUSTAINABILITY**

There are no identifiable environmental effects or opportunities associated with the subject of this report.

### **CONTACT PERSON**

Councilmember Igor Tregub, Council District 4  
510-981-7140  
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**ATTACHMENTS**

Resolution

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

**Resolution supporting California Proposition 50, the Election Rigging Response Act; which would authorize California to adopt temporary congressional maps in response to these partisan actions while reaffirming the state's commitment to independent, non-partisan redistricting by preserving the Citizens Redistricting Commission for the decennial process after the 2030 census.**

**WHEREAS**, Berkeley has a long history of advancing reforms that strengthen democracy, including ranked choice voting and protections for civil rights; and

**WHEREAS**, These democratic ideals are now under direct threat from partisan efforts across the country to manipulate congressional districts for political gain; and

**WHEREAS**, President Donald Trump and Republican leaders in Texas have enacted an unprecedented mid-decade redistricting plan, signed into law in August 2025, to gain additional congressional seats; and

**WHEREAS**, Leaders in other states, including Florida and Missouri, are considering similar mid-decade redraws, threatening to undermine representative democracy and distort the balance of power in Congress; and

**WHEREAS**, The outcome of the 2026 U.S. House midterm elections will determine control of congress and shape critical policies affecting California and the nation, including immigration, disaster relief, access to healthcare, and civil rights protections; and

**WHEREAS**, In response, the California Legislature and Governor Gavin Newsom have called for a special election and placed Proposition 50, the Election Rigging Response Act, on the November 4, 2025, ballot; and

**WHEREAS**, This legislative package consists of Assembly Constitutional Amendment 8 (Rivas, McGuire), Senate Bill 280 (Cervantes, Pellerin) establishing the special election framework, and Assembly Bill 604 (Aguiar-Curry, Gonzalez) detailing the temporary district boundaries; and

**WHEREAS**, Proposition 50 would authorize California to adopt temporary congressional maps in response to these partisan actions while reaffirming the state's commitment to independent, non-partisan redistricting by preserving the Citizens Redistricting Commission for the decennial process after the 2030 census; and

**WHEREAS**, Proposition 50 has earned the support of Governor Gavin Newsom, House Democratic Leader Hakeem Jeffries, Speaker Emerita Nancy Pelosi, and the California Congressional Delegation; now, therefore, be it

**RESOLVED**, That the City Council of Berkeley supports Proposition 50, the Election Rigging Response Act; and

**FURTHER RESOLVED**, that the City Council of Berkeley condemns efforts to manipulate congressional district boundaries for partisan gain and reaffirms Berkeley's longstanding commitment to electoral fairness, transparency, and representative democracy.



| Upcoming Worksessions and Special Meetings |                                                                                                                  |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Scheduled Dates                            |                                                                                                                  |
| Sept 16 (4pm)                              | Homelessness Response Team Audit (City Auditor)<br>Comprehensive Summary of Homelessness Response (City Manager) |
| Sept 30 (4pm)                              | Council Referral: Social Housing                                                                                 |
| Oct 28 (4pm)                               | Ashby BART East Lot RFP                                                                                          |

| Unscheduled Presentations and Special Meetings                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Evacuation Study and Response Times (July 15 Off-Agenda Memo)</li> <li>2. Presentation on City's Unfunded Liabilities</li> <li>3. Presentation on City's Deferred Infrastructure Needs (September - TBD)</li> <li>4. PAB/ODPA Annual Report (Fall 2025)</li> <li>5. San Pablo Avenue Specific Plan, and Corridors Zoning Update</li> </ol> |

| Future Information Reports                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Affordable Housing Fee Feasibility Study</li> <li>2. Berkeley Fire Department Annual Report</li> </ol> |

|  |                                                                                                          |
|--|----------------------------------------------------------------------------------------------------------|
|  | <b>City Council Referrals to the Agenda &amp; Rules Committee and Unfinished Business for Scheduling</b> |
|  | <b>None</b>                                                                                              |

| CITY CLERK DEPARTMENT                                                       |                      |                       |                   |
|-----------------------------------------------------------------------------|----------------------|-----------------------|-------------------|
| WORKING CALENDAR FOR SCHEDULING LAND USE MATTERS<br>BEFORE THE CITY COUNCIL |                      |                       |                   |
| Address                                                                     | Board/<br>Commission | Appeal Period<br>Ends | Public<br>Hearing |
| <b>NOD – Notices of Decision</b>                                            |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
| <b>Public Hearings Scheduled</b>                                            |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
| <b>Remanded to ZAB or LPC</b>                                               |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |
| <b>Notes</b>                                                                |                      |                       |                   |
|                                                                             |                      |                       |                   |
|                                                                             |                      |                       |                   |

9/11/2025

