



**BERKELEY CITY COUNCIL PUBLIC SAFETY COMMITTEE  
SPECIAL MEETING**

**Thursday, September 18, 2025  
2:00 PM**

Redwood Room – 2180 Milvia Street, 6th Floor, Berkeley, CA 94704

Committee Members:

Councilmembers Rashi Kesarwani, Shoshana O’Keefe, and Brent Blackaby  
Alternate: Mayor Adena Ishii

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and Enter **Meeting ID: 160 456 4732**. To provide public comment, press \*9 and wait to be recognized by the Chair. To submit a written communication for the Committee’s consideration and inclusion in 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

## Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

### 1. Minutes - July 21, 2025

## Committee Action Items

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair 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.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

### 2. Residents Oppose Broadcasting Obnoxious Cacophony Out in Public (ROBOCOP)

**From: Councilmember O'Keefe (Author)**

**Referred Date: June 9, 2025**

**Due Date: November 17, 2025**

**Recommendation:** Refer to the City Manager a request that the City Attorney draft amendments to Berkeley Municipal Code Chapter 13.40, Community Noise, to prohibit in certain circumstances the installation and use of motion-activated surveillance devices that emit artificial or pre-recorded sound—including alarms, sirens, or voice recordings—in response to the presence or motion of persons in the public right-of-way or on private property that is open to the public. This prohibition shall apply to such devices when installed in the public right-of-way or on private property when triggered by motion in the public right-of-way, and when the sound emitted is audible in public areas. The prohibition shall not apply to conventional burglar alarms that activate only in response to unauthorized entry or tampering.

**Financial Implications:** See report

Contact: Shoshana O'Keefe, Councilmember, District 5, (510) 981-7150

### 3. Proposed Public Safety Meeting Schedule Change to 3rd Thursday of the month, 2:00 p.m.

**From: Councilmember Blackaby**

Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160

## Unscheduled Items

*These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.*

## Items for Future Agendas

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

## Adjournment

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*Written communications addressed to the Public Safety Committee and submitted to the City Clerk Department 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 meeting of the Standing Committee 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 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 PUBLIC SAFETY COMMITTEE  
REGULAR MEETING MINUTES**

**Monday, July 21, 2025  
10:30 AM**

Redwood Room – 2180 Milvia Street, 6th Floor, Berkeley, CA 94704  
Teleconference Location – 5617 NW Jetty Ave, Lincoln City, OR 97367

Committee Members:

Councilmembers Rashi Kesarwani, Shoshana O’Keefe, and Brent Blackaby  
Alternate: Mayor Adena Ishii

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/1612503824> 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: 161 250 3824**. To provide public comment, press \*9 and wait to be recognized by the Chair. To submit a written communication for the Committee’s consideration and inclusion in the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).

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## MINUTES

**Roll Call** 10:35 a.m.

**Present:** O’Keefe, Blackaby

**Absent:** Kesarwani

Councilmember Kesarwani present at 10:36 a.m.

**Public Comment on Non-Agenda Matters** – 0 speakers.

### Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

**1. Minutes - May 8, 2025**

**Action:** M/S/C (Kesarwani/O’Keefe) to approve the May 8, 2025 minutes.

**Vote:** All Ayes

### Committee Action Items

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair 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.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

**2. Rescission of the Police Equipment and Community Safety Ordinance**

**From:** Councilmember Humbert (Author), Councilmember O’Keefe (Co-Sponsor)

**Referred:** June 2, 2025

**Due:** November 10, 2025

**Recommendation:** Adopt Ordinance No. xxxx-N.S. which rescinds Ordinance 7760-N.S. and adopt a resolution to rescind the Police Equipment and Community Safety Ordinance (enacted May 11, 2021) because the State-level reporting requirements mandated by California AB 481 already provide a comprehensive and sufficient framework for police equipment oversight.

**Financial Implications:** None

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

**Action:** 3 speakers. M/S/C (Kesarwani/Blackaby) to send the item with a qualified positive recommendation to Council, recognizing the intention for one report, with the following matters noted for further consideration:

- Clarifying the role of public reporting of data through the Transparency Hub.
- Continued consideration of less-lethal deployment policies, including a possible review of Policy 300.
- Consideration of reporting on the acquisition and use of controlled equipment, aligning with AB 481 and allowing for review by the Police Accountability Board.

**Vote:** All Ayes.

## Committee Action Items

3. **Discussion Item: Potential funding mechanisms for financing EMBER program implementation**  
**From: Councilmember Blackaby**  
Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160  
**Action:** 3 speakers. Presentation made and discussion held. The Committee concluded its consideration of this item.
  
4. **Residents Oppose Broadcasting Obnoxious Cacophony Out in Public (ROBOCOP)**  
**From: Councilmember O'Keefe (Author)**  
**Referred Date: June 9, 2025**  
**Due Date: November 17, 2025**  
**Recommendation:** Refer to the City Manager a request that the City Attorney draft amendments to Berkeley Municipal Code Chapter 13.40, Community Noise, to prohibit in certain circumstances the installation and use of motion-activated surveillance devices that emit artificial or pre-recorded sound—including alarms, sirens, or voice recordings—in response to the presence or motion of persons in the public right-of-way or on private property that is open to the public. This prohibition shall apply to such devices when installed in the public right-of-way or on private property when triggered by motion in the public right-of-way, and when the sound emitted is audible in public areas. The prohibition shall not apply to conventional burglar alarms that activate only in response to unauthorized entry or tampering.  
**Financial Implications:** See report  
Contact: Shoshana O'Keefe, Councilmember, District 5, (510) 981-7150  
**Action:** Item continued to a future meeting.

## Unscheduled Items

*These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.*

5. **Discussion Item: Update on the Five-Year Infrastructure Plan and how it factors in with reduction of traffic violence**  
**From: Councilmember Tregub**  
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

## Items for Future Agendas

- None

## Adjournment

Action: M/S/C (O'Keefe/Kesarwani) to adjourn the meeting.  
Vote: All Ayes.

Adjourned at 12:25 p.m.

I hereby certify that the foregoing is a true and correct record of the Public Safety Committee meeting held on July 21, 2025.

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Wendy Sorensen, Assistant City Clerk

### **Communications**

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To: Honorable Mayor and Members of the City Council  
 From: Councilmember Shoshana O'Keefe (Author)  
 Subject: Residents Oppose Broadcasting Obnoxious Cacophony Out in Public (ROBOCOP)

RECOMMENDATION

Refer to the City Manager a request that the City Attorney draft amendments to Berkeley Municipal Code Chapter 13.40, Community Noise, to prohibit in certain circumstances the installation and use of motion-activated surveillance devices that emit artificial or pre-recorded sound—including alarms, sirens, or voice recordings—in response to the presence or motion of persons in the public right-of-way or on private property that is open to the public.

This prohibition shall apply to such devices when installed in the public right-of-way or on private property when triggered by motion in the public right-of-way, and when the sound emitted is audible in public areas.

The prohibition shall not apply to conventional burglar alarms that activate only in response to unauthorized entry or tampering.

SUMMARY STATEMENT

This item refers to the City Manager a request to amend Berkeley Municipal Code Chapter 13.40, Community Noise, to prohibit the installation and use of fixed security cameras or surveillance devices in the public right-of-way or on private property that emit arterial or pre-recorded sound into the public realm and neighboring residential properties.

In recent months, community members submitted multiple complaints regarding a new class of noise-generating surveillance devices installed on private property and aimed toward the public right-of-way. Specifically, residents living near the CVS at 1451 Shattuck Avenue reported being repeatedly disturbed by automated announcements triggered by motion.

While these systems may be marketed as deterrents to nuisance behavior, they have created a new kind of public nuisance – disturbing the peace, disrupting sleep, and transforming neighborhood sidewalks into sites of relentless audio warnings. Under today’s decibel-and-duration thresholds (e.g. 65 dBA for up to 30 minutes per hour) and the exemptions for interior or bona fide emergency alarms, these short, motion-triggered voice announcements – often under 10 seconds at a time do not meet the threshold of ‘noise disturbance.’ However, these repeated and unpredictable loud noises create a significant disturbance in the surrounding

environment and are similarly detrimental to public health, welfare, safety, and quality of life to people in the area.

This item aims to close a gap in the City's noise regulations by prohibiting the installation of audio-enabled surveillance devices that are either in the public right-of-way or affixed to private property but triggered by movement in the public right-of-way, that emit persistent, automated, and blaring noise into the public realm, and undermine the peaceful nature of Berkeley's neighborhoods.

### BACKGROUND

Berkeley has long recognized the importance of protecting residents from excessive and intrusive noise. The City's Community Noise Ordinance, BMC Chapter 13.40, establishes that noise can be detrimental to public health, safety, welfare, and overall quality of life, and that every person is entitled to an environment free from disturbing and unnecessary sound.

Prompted by multiple complaints from neighbors about such a device recently installed at the CVS at 1451 Shattuck Avenue, this referral aims to address an emerging class of noise disturbances. Residents reported being subjected to loud, repetitive announcements from the automated surveillance system – including warnings that the area is under video monitoring and aggressive pre-recorded messages directed at pedestrians walking by. Of the two types of announcements reported, one, stating “for your safety, this parking lot is being recorded” occurred at regular intervals of around every 30 minutes. The other occurred during all times of the day and night, and was triggered by motion in public areas, specifically on the sidewalk along Shattuck Ave. It reportedly instructed residents to “leave the area immediately or the police will be called.”

These pre-recorded messages could be heard from hundreds of feet away, including inside homes with closed windows. With announcements occurring at all hours, including late at night and early in the morning, many nearby residents reported interrupted sleep or disruption to work and other activities. While the stated intent of such systems is to deter unwanted behavior on private property, their impact on surrounding homes and public spaces has created new concerns about noise, privacy and equity. Residents have likened the experience to living under constant surveillance, with automated messages and flashing lights eroding neighborhood livability and creating a hostile, dystopian atmosphere.

At present, these devices are not clearly regulated under existing provisions of the City's noise ordinance. Neither the City, nor the Berkeley Police Department approved the installation of this device. However, Berkeley's residents are not the first to be impacted by these types of devices

– residents in cities like Seattle and Washington DC have also reported feeling threatened by these “intrusive” and advanced security systems.<sup>12</sup>

This referral seeks to initiate a review and amendment of BMC Chapter 13.40 to ensure that Berkeley’s policies address these emerging trends in surveillance technology and uphold the City’s values of peace, dignity and fairness.

#### REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

Berkeley’s Community Noise Ordinance (BMC Chapter 13.40) outlines the City’s framework for regulating sound levels and identifies noise pollutants as a public health and welfare issue. Specifically, Section 13.40.010, Purpose and Intent, establishes the City’s position:

*“Certain sound levels and vibrations are detrimental to the public health, welfare, safety, and quality of life, and are contrary to the public interest; Every person is entitled to an environment in which the noise is not detrimental to their life, quality of life, health, or enjoyment of property.”*

The ordinance goes on to state that:

*“The public health, comfort, convenience, safety, welfare, prosperity, peace, and quiet of the City and its inhabitants will be promoted by maintaining quiet in those areas which exhibit low sound levels and by reducing noise in those areas within the City where sound levels are above acceptable values.” (BMC Section 13.40.010, Ord. 7122-NS § 1, 2009; Ord. 5500-NS)*

Although the ordinance provides broad authority to regulate offensive and excessive sound, it does not currently address the growing use of motion-activated security devices that emit loud, repetitive, artificial sound from private property into public space. Under current law, the sporadic nature of these types of announcements may not cumulatively meet the required noise threshold. Neighbors reported that the device emitted several notifications within an hour, but likely did not exceed the 30-minute exterior noise requirement, as described in the ordinance.

This referral proposes amending the ordinance to explicitly prohibit the types of devices that project sound into the public right-of-way and/or adjacent properties, and are triggered by routine, lawful activity.

#### CONSULTATION/OUTREACH OVERVIEW AND RESULTS

Councilmember Shoshana O’Keefe discussed the ordinance with City Attorney, Farimah Brown, and the City Manager, Paul Buddenhagen. The City Attorney expressed interest in amending

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<sup>1</sup> Dowling, J. (2022, May 27). *Neighbor calls new talking security camera outside Queen Anne CVS “intrusive.”* FOX 13 Seattle. <https://www.fox13seattle.com/news/uptown-resident-calls-new-talking-security-camera-outside-cvs-intrusive>

<sup>2</sup> Crabtree, E. (2024, July 13). *CVS shopper shocked at new “police robot” anti-theft measure.* The US Sun. <https://www.the-sun.com/news/11911844/cvs-shopper-shocked-new-anti-theft-measure/>

the Berkeley Municipal Code Chapter 13.40 to expressly forbid the installation and use of automated amplified sound equipment when it is triggered by movement in the public right-of-way and emits repeated, blaring noise that can be disruptive to those in the public realm.

#### RATIONALE FOR RECOMMENDATION

This ordinance would protect the health and welfare of residents by preventing disturbing and excessive noise from artificial surveillance devices in the public realm and private dwellings. The existing Berkeley Municipal Code (13.40.010) already establishes that:

- Certain sound levels are detrimental to the quality of life;
- Individual are entitled to an environment free of disruptive noise;
- Offensive and excessive noise negatively affect the peace and comfort of the community.

This item aligns with Berkeley's goals of maintaining vibrant, safe, and peaceful neighborhoods, and ensures technology used for private surveillance does not come at the expense of the broader public welfare.

#### IMPLEMENTATION, ADMINISTRATION, AND ENFORCEMENT

This referral requests the City Manager to instruct the City Attorney to draft amendments to Berkeley Municipal Code Chapter 13.40, Community Noise, to address the use of automated, amplified and motion-activated security systems installed in the public right-of-way or on private property that can be triggered by people on public property, and impact public space.

Specifically, this item asks the City Manager and City Attorney to:

- Add a new prohibition on motion-activated and audio-enabled surveillance devices that are triggered by movement in public areas, while being mindful of any potential First Amendment issues.
- Create a tailored exemption for private intrusion/burglar alarms monitored exterior sensors that activate only in response to unauthorized entry or tampering.

Once draft language is adopted by the Council, implementation and enforcement would be carried out through existing procedures outlined in the City's noise ordinance. Administration would likely be managed by the Health, Housing, and Community Services (HHCS) Department, with possible support from the Berkeley Police Department, particularly for after-hours or repeated violations.

#### ENVIRONMENTAL SUSTAINABILITY

This item has no direct environmental impact.

#### FISCAL IMPACTS

No significant fiscal impact expected. Staff time may be required for enforcement given the potential updates to noise enforcement protocols.

CONTACT

Councilmember Shoshana O'Keefe, 510-981-7150





There is no material for this item.

**City Clerk Department**  
2180 Milvia Street  
Berkeley, CA 94704  
(510) 981-6900

**The City of Berkeley Public Safety Policy Committee Webpage:**

<https://berkeleyca.gov/your-government/city-council/council-committees/policy-committee-public-safety>

