



**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
REGULAR MEETING**

**Monday, November 3, 2025
10:00 AM**

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

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra
Alternate: Councilmember Shoshana O’Keefe

This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 360 7753**. 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. 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 on Non-Agenda Matters

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

1. Minutes - June 10, 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.

- None

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.

2. Discussion Item: Strategies to Attract New Businesses to Berkeley

From: Councilmember Tregub (Author)

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

Unscheduled Items

- 3. Referral to 4 x 4 Committee: Removing On-Site Manager Exemption Loophole for Certain Multi-Family Properties that are Adjacent and/or Share the Same From: Councilmember Tregub (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**

Referred: May 5, 2025

Due Date: February 28, 2026

Recommendation: Refer to the 4 x 4 Committee of the Berkeley City Council and Rent Stabilization Board a proposal related to the removal of an on-site manager exemption loophole, which is currently used by certain Berkeley properties to circumvent California Code Regulation, Title 25, Paragraph 42, for certain multi-family properties that are adjacent and/or share the same common area. If the recommended regulation is enacted, it is the intent of the referral to apply it to subject properties in a prospective manner that ensures that the rights of sitting tenants continue to be fully protected (i.e., a fully occupied property will not be required to rent to an on-site manager until at least one unit becomes vacant in accordance to all applicable state and local laws governing good cause eviction protections). The referral further requests that the 4 x 4 Committee discuss and provide recommendations as to: any parameters that may limit the scope of this referral, including but not limited to situations in which one or more of the subject properties are owned by limited liability corporations (LLCs) and/or owners that own multiple other properties in Berkeley, California and/or beyond, with a total number of units or properties under ownership to be determined; any exemptions to the on-site manager requirement for certain circumstances, such as for hardship of the property owner and/or LLC and/or other circumstances in which the interest of justice may supersede the public interest of this requirement; the enforcement mechanism and enforcing jurisdiction (i.e., City of Berkeley or Berkeley Rent Stabilization Board, with compensation by the City of Berkeley) that the City of Berkeley should employ in furtherance of the recommended regulation; and any other provisions pertinent to the efficient, just, and fair administration of the recommended regulation.

Financial Implications: See report

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

Items for Future Agendas

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

Adjournment

Written communications addressed to the Land Use, Housing & Economic Development 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, (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.

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 October 30, 2025.

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

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.

**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC
DEVELOPMENT COMMITTEE
SPECIAL MEETING MINUTES**

**Tuesday, June 10, 2025
10:00 AM**

2180 Milvia Street, 1st Floor – Cypress Room

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra
Alternate: Councilmember Shoshana O’Keefe

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/1614043553> 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: 161 404 3553**. 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.

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MINUTES

Roll Call: 10:05 a.m.

Present: Tregub, Lunaparra, Bartlett

Minutes for Approval

Draft minutes for the Committee's consideration and approval.

- Minutes - February 3, 2025**
Action: M/S/C (Bartlett/Tregub) to approve the February 3, 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.

- Berkeley Green New Deal: Workforce Development**
From: Councilmember Taplin (Author)
Referred Date: April 14, 2025
Due Date: September 21, 2025
Recommendation: Refer to the City Manager a feasibility analysis and request for recommendations for establishing a City of Berkeley workforce development board to create pathways to green jobs and accelerate the transition to a fossil-free local economy.
Financial Implications: See report
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
Action: 1 speaker. M/S/C (Tregub/Lunaparra) to send the item to the City Council with a qualified positive recommendation that Council adopt the item and that the item be revised to include a referral to the budget process, clarify and make explicit that the full-time employee ("FTE") is either an in-house City of Berkeley employee or is a privately funded employee not on the City's payroll, and include a privately funded alternative to a full-time City employee when creating the budget referral.
Vote: All Ayes.

Committee Action Items

3a. Exploitation of Vulnerable Homeowners

From: Commission on the Status of Women

Referred: May 20, 2025

Due: October 27, 2025

Recommendation: That Council refer to the City Manager to direct the Department of Health and Human Services and other relevant departments and divisions to draft materials, written and visual (DVDs/VHS) to provide to homeowners vulnerable to exploitation, those being older and minority homeowners subject to exploitation from realtors, appraisers, lenders, speculators and others. For the appropriate department or division to identify a means of distribution of these materials to locations frequented by older and minority homeowners including senior centers, community organizations, medical providers and faith-based organizations. To promote the availability of these materials through public notices and local media. To return to Council with the draft materials and proposed locations of distribution within 6 months of the passage of this recommendation at Council. That in addition to English, materials be written, spoken, and otherwise communicated in other languages in which residents in Berkeley communicate.

Financial Implications: See report

Contact: Okeya Vance-Dozier, Commission Secretary, (510) 981-7100

3b. Companion Report: Exploitation of Vulnerable Homeowners

From: City Manager

Referred: May 20, 2025

Due: October 27, 2025

Recommendation: Refer the item to the Land Use, Housing & Economic Development Policy Committee to study the requirements for producing and distributing educational resources for resources and assign a budget and referral ranking. **Financial Implications:** See report

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

Action: 1 speaker. M/S/C (Tregub/Lunaparra) to send the commission item and the companion report to the City Council with a qualified positive recommendation that the Council refer the items to the Commission on Aging for further development. Further recommend that the Commission on Aging research existing models and templates, and consider a regional approach to design and distribution materials.

Vote: All Ayes.

Committee Action Items

4. **Berkeley Nightlife Council**

From: Councilmember Taplin (Author), Mayor Ishii (Co-Sponsor),
Councilmember O'Keefe (Co-Sponsor), Councilmember Tregub (Co-Sponsor)

Referred Date: May 5, 2025

Due Date: October 13, 2025

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

Financial Implications: See report

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

Action: 1 speaker. M/S/C (Bartlett/Lunaparra) to send the item to the City Council with a qualified positive recommendation that Council adopt the item with the caveat that the City Attorney's Office review the ad-hoc committee for Brown Act implications.

Vote: All Ayes.

Councilmember Bartlett exited the meeting for the consideration of Item 5 at 11:28 a.m. due to Brown Act participation rules.

Committee Action Items

5. **Referral to 4 x 4 Committee: Removing On-Site Manager Exemption Loophole for Certain Multi-Family Properties that are Adjacent and/or Share the Same From: Councilmember Tregub (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**

Referred: May 5, 2025

Due Date: October 13, 2025

Recommendation: Refer to the 4 x 4 Committee of the Berkeley City Council and Rent Stabilization Board a proposal related to the removal of an on-site manager exemption loophole, which is currently used by certain Berkeley properties to circumvent California Code Regulation, Title 25, Paragraph 42, for certain multi-family properties that are adjacent and/or share the same common area. If the recommended regulation is enacted, it is the intent of the referral to apply it to subject properties in a prospective manner that ensures that the rights of sitting tenants continue to be fully protected (i.e., a fully occupied property will not be required to rent to an on-site manager until at least one unit becomes vacant in accordance to all applicable state and local laws governing good cause eviction protections). The referral further requests that the 4 x 4 Committee discuss and provide recommendations as to: any parameters that may limit the scope of this referral, including but not limited to situations in which one or more of the subject properties are owned by limited liability corporations (LLCs) and/or owners that own multiple other properties in Berkeley, California and/or beyond, with a total number of units or properties under ownership to be determined; any exemptions to the on-site manager requirement for certain circumstances, such as for hardship of the property owner and/or LLC and/or other circumstances in which the interest of justice may supersede the public interest of this requirement; the enforcement mechanism and enforcing jurisdiction (i.e., City of Berkeley or Berkeley Rent Stabilization Board, with compensation by the City of Berkeley) that the City of Berkeley should employ in furtherance of the recommended regulation; and any other provisions pertinent to the efficient, just, and fair administration of the recommended regulation.

Financial Implications: See report

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

Action: 1 speaker. Discussion held. 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.

Items for Future Agendas

- Study and report back on the strategies to attract new businesses to Berkeley.

Adjournment

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

Vote: Ayes – Tregub, Lunaparra; Noes – None; Abstain – None; Absent – Bartlett.

Adjourned at 11:50 a.m.

I hereby certify that the foregoing is a true and correct record of the Land Use, Housing & Economic Development Committee meeting held on June 10, 2025.

Keith Nesbit, Assistant City Clerk

Communications

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No Material
Available for
this Item

There is no material for this item.

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

**The City of Berkeley Land Use, Housing, & Economic Development Policy Committee
Webpage:**

[https://www.cityofberkeley.info/Clerk/Home/
Policy Committee Land Use, Housing Economic Development.aspx](https://www.cityofberkeley.info/Clerk/Home/Policy%20Committee%20Land%20Use,%20Housing%20Economic%20Development.aspx)



Igor Tregub
Councilmember, District 4

CONSENT CALENDAR

MAY 20, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Ben Bartlett (Co-Sponsor), Terry Taplin (Co-Sponsor)

Subject: Referral to 4 x 4 Committee: Removing On-Site Manager Exemption Loophole for Certain Multi-Family Properties that are Adjacent and/or Share the Same Common Area

RECOMMENDATION

Refer to the 4 x 4 Committee of the Berkeley City Council and Rent Stabilization Board a proposal related to the removal of an on-site manager exemption loophole, which is currently used by certain Berkeley properties to circumvent California Code Regulation, Title 25, Paragraph 42, for certain multi-family properties that are adjacent and/or share the same common area. If the recommended regulation is enacted, it is the intent of the referral to apply it to subject properties in a prospective manner that ensures that the rights of sitting tenants continue to be fully protected (i.e., a fully occupied property will not be required to rent to an on-site manager until at least one unit becomes vacant in accordance to all applicable state and local laws governing good cause eviction protections). The referral further requests that the 4 x 4 Committee discuss and provide recommendations as to:

- Any parameters that may limit the scope of this referral, including but not limited to situations in which one or more of the subject properties are owned by limited liability corporations (LLCs) and/or owners that own multiple other properties in Berkeley, California and/or beyond, with a total number of units or properties under ownership to be determined;
- Any exemptions to the on-site manager requirement for certain circumstances, such as for hardship of the property owner and/or LLC and/or other circumstances in which the interest of justice may supersede the public interest of this requirement;
- The enforcement mechanism and enforcing jurisdiction (i.e., City of Berkeley or Berkeley Rent Stabilization Board, with compensation by the City of Berkeley)

Internal

that the City of Berkeley should employ in furtherance of the recommended regulation; and

- Any other provisions pertinent to the efficient, just, and fair administration of the recommended regulation.

CURRENT SITUATION AND ITS EFFECTS

California Code Regulation, Title 25, Paragraph 42 (CCR 25 ¶42) includes the following requirements (germane language is emphasized in **bold**):

“A manager, janitor, housekeeper, or other responsible person shall reside upon the premises and shall have charge of every apartment house in which there are 16 or more apartments, and of every hotel in which there are 12 or more guest rooms, **in the event that the owner of an apartment house or hotel does not reside upon said premises.** Only one caretaker would be required for all structures under one ownership and on one contiguous parcel of land. **If the owner does not reside upon the premises of any apartment house in which there are more than four but less than 16 apartments, a notice stating the owner's name and address, or the name and address of the owner's agent in charge of the apartment house, shall be posted in a conspicuous place on the premises.”**¹

Over the past several months, it has come to our attention that at several contiguous properties in Berkeley have, in total, over 16 apartments but fulfill neither the on-site “manager, janitor, housekeeper, or other responsible person” nor the “notice stating the owner’s name and address” requirement. The properties in question share an entrance, common area space, and required amenities such as garbage and recycling collection and appear to have been part of a single parcel that was, somewhere over the course of their operation as apartment buildings, subdivided into separate parcels such that, individually, the number of apartment units on each parcel numbered less than sixteen (“16”).

It is the intent of this referral to explore local pathways to close this loophole and ensure that the integrity of CCR 25 ¶42 is restored in the face of efforts to subdivide a parcel with contiguous multifamily rental properties or hotels that otherwise, based on the number of apartments or hotel rooms would be subject to the “on-site manager, housekeeper, or other responsible person” provision. While not specifically the subject of this item, in the intent of this item is to ¶reveal how, if at all, the “notice” section of CCR 25 ¶42 is being enforced for existing properties on a parcel that, in total, includes between four (“4”) and sixteen (“16”) units.

1

[https://govt.westlaw.com/calregs/Document/I3F1C71434C8611ECB533000D3A7C4BC3?viewType=FullText&originContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/calregs/Document/I3F1C71434C8611ECB533000D3A7C4BC3?viewType=FullText&originContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1)

Internal

RATIONALE FOR RECOMMENDATION

The lack of an on-site manager within contiguous properties have, in total, over 16 apartments but fulfill neither the on-site “manager, janitor, housekeeper, or other responsible person,” sometimes coupled with the nonexistence of a “notice stating the owner’s name and address,” in contravention to the spirit, if not the letter, of CCR 25 ¶42 has led to significant adverse impacts to the neighbors as well as the sitting occupants of the properties in question. These have included but not been limited to: poor or nonexistent garbage and/or recycling collection; slow or non-existent efforts on the part of the property owner and/or off-site manager to comply with “warranty of habitability” and/or health and safety requirements; and inability to effectively mitigate for noise violations. It is the intent of this recommendation to address a clear loophole in the state code that has been exploited by some property owners and LLCs to the detriment of the residents and neighbors of the subject properties.

FINANCIAL IMPLICATIONS

Financial implications may include staff time associated with writing, reviewing, and, as necessary, enforcing the recommended language. It is the intent of this referral that discussion at the 4 x 4 Committee among members and staff from the City of Berkeley and Berkeley Rent Stabilization Board may be able to finetune these cost projections.

ENVIRONMENTAL SUSTAINABILITY

Indirect environmental sustainability benefits may result from these items, particularly around improved enforcement of disaggregation between recyclable, non-recyclable, and compostable items within subject multifamily housing buildings that currently do not have an on-site manager but would be required to under language contemplated by this referral.

CONTACT PERSON

Igor Tregub, Councilmember District 4

Olga Bolotina, Chief of Staff, Council District 4

Phone: 510-981-7140

Email: ITregub@Berkeleyca.gov

OBolotina@Berkeleyca.gov

