

# DISASTER AND FIRE SAFETY COMMISSION

## REGULAR MEETING

March 25, 2026

7:00 PM

Fire Department Division of Training Classroom – 997 Cedar Street

Mayor's Appointee- Andy Katz

District 1 – Michael Wilson  
District 2 – Weldon Bradstreet  
District 3 – Todd Darling  
District 4 – Robert Kinosian

District 5 – Jacob Dadmun  
District 6 – Greg Murphy\*  
District 7 – Taj Herzer-Baptiste  
District 8 – Theo Gordon\*\*

## AGENDA

### Preliminary Matters

Call to Order

Public Present

Approval of the Agenda

*Discussion –  
Agenda approved as amended by Acclamation or Vote?*

Public Comment on Non-Agenda Matters

*Public speakers:*

1. Chairperson's Report
2. Fire Department Staff Report

**REGULAR AGENDA MATTERS** *All Regular Agenda Matters are for discussion and possible action.*

3. **Action:** Minutes of February 25, 2026
- Recommendation:** Approve the draft minutes of the February 25, 2026, regular meeting.
- Written Material:** DFSC February 25, 2026 Draft Minutes
4. **Discussion/Action:** BEAR DFSC Recommendation (Hertzler-Baptiste)
- Recommendation:** Disaster and Fire Safety Commission (DFSC) recommends that an ad-hoc committee be initiated to evaluate the feasibility, fiscal impact, and operational structure of reviving the Berkeley Emergency Alternative Response (BEAR) program, and to report back with findings and recommendations
- Written Material:** Recommendation DFSC
5. **Discussion/Action:** Support Position on SB (Pérez) – Insurance Coverage for Fire-Safe Homes Act. (Katz)
- Recommendation:** Adopt an official Support position on Senate Bill 1076 (Perez), the Insurance Coverage for Fire-safe Homes Act, and authorize and direct the Mayor or City Manager or designee to send letters of support to Senator Sasha Rene Pérez, Senator Jesse Arréquin, representing Berkeley in the California State Senate, and Assemblymember Buffy Wicks
- Written Material:** Draft Report to City Council
6. **Discussion/Action:** Support Position on SB 894 (Allen), the California Wildfire Resilience Loan Program. (Katz),
- Recommendation:** Adopt an official Support position on Senate Bill 894 (Allen), the California Wildfire Resilience Loan Program, and authorize and direct the Mayor or City Manager or designee to send letters of support to Senator Sasha Rene Pérez, Senator Jesse Arréquin, representing Berkeley in the California State Senate, and Assemblymember Buffy Wicks
- Written Material:** Draft Report To City Council

**7. Work Group Reports**

Receive reporting on recent activities by the following work groups:

- Plan & Budget Oversight
- Neighborhood Fire Resiliency
- Safe Passages
- Community Outreach
- Street Trauma Prevention Program

Future Agenda Items and Next Steps

- 

**Adjournment**

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Keith May, [kmay@berkeleyca.gov](mailto:kmay@berkeleyca.gov) 510-981-5508.*

*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: E-mail addresses, names, addresses, and other contact information are not required but, if included in any communication to a City board, commission, or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission, or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission, or committee for further information.*

*Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at Berkeley Fire Department located at 2100 Martin Luther King Jr. Way Berkeley, CA.*

**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 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

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I hereby certify that the agenda for this regular/special meeting of the Berkeley City's Disaster and Fire Safety Commission was posted at the front of the Division of Training, 997 Cedar Street, as well as on the City's website, three days prior to the scheduled Commission meeting.

SECRETARY SIGNATURE

## DFSC Staff Report

March 25, 2026

1. Measure FF Monthly Report
  - a. Budget Overview –
  - b. Quarter 1 (July, August, September) report due in November  
Quarter 2 (October, November, December) report due in February  
Quarter 3 (January, February, March) report due in **May**  
Quarter 4 (April, May, June) End of Year Report due in October
    - i. Program Review
      - **WUI Interns** – The Interns provide Berkeley Fire Department with a trained, mobile and mission-specific workforce that is principally assigned to monitor vegetative hazardous fuel on or near structures, collect data, and identify reduction activities
        - **Updates:** No updates
      - **Wildfire Prevention / Mitigation – Vegetation Management Inspections** –
        - **Updates:** No new Updates.
2. Measure GG Monthly Report
  - a. Budget Overview – No new update
  - b. Quarter 1 (July, August, September) report due in November  
Quarter 2 (October, November, December) report due in February  
Quarter 3 (January, February, March) report due in **May**  
Quarter 4 (April, May, June) End of Year Report due in October
3. Fire Facilities Master Plan (FMP): Berkeley Fire Department stations are undersized, in poor condition and in need of remodels or replacement. The Department initiated a long-term replacement planning process to better understand infrastructure needs. This process will provide the city leaders of today and tomorrow with actionable information ahead of future infrastructure bond measures. *(Measure FF has funded the study only)*
  - a. **Update:** No new updates.
4. Department Activities
  - a. **Fire Administration Head Quarters:** The project has remained on track financially after the team went through a value engineering exercise. The project will use a portion of the Measure FF reserve, actual amount TBD in June/July or 2026 when the project is scheduled to be completed. We are expecting a Temporary Certificate of

Occupancy (TCO) for 1250 9<sup>th</sup> (main HQ) any day. Move-in is delayed until ATT finishes pulling the fiber lines from HQ to 2180 Milvia and 2100 MLK which are required

- b. **Infrastructure Bond Measure:** The City has concluded its public process in which Staff from Fire, PW and PRW met with six commissions, meetings for all council districts, and four focus groups. Staff also completed the first public poll the results of which were communicated in detail to Council on March 17th (link here). Please watch the video or read that agenda for details. Staff were directed to move forward with a second poll to test actual ballot language and how voters would respond with other potential non-city revenue measures also on the ballot.

5. Call Volume Report

| <b>Fire Department Report by California Incident Type</b>                                                                                                                                                   |     |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--|
| <b>February</b>                                                                                                                                                                                             |     |  |
| <b>Fires – including Encampment Fires</b><br>(structures, mobile properties, vegetation, rubbish, equipment, cooking, chimney,                                                                              | 22  |  |
| <b>Explosion - no fire</b><br>(overpressure ruptures, explosions)                                                                                                                                           | 0   |  |
| <b>Rescue &amp; EMS</b> (medical assist, vehicle accident                                                                                                                                                   | 814 |  |
| <b>Hazardous Condition - no fire</b><br>(combustible spills/leaks, chemical release, radioactive condition, electrical wiring problem, biological hazard, potential accident w/ building/aircraft/vehicles) | 51  |  |

|                                                                                                                                   |              |  |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------|--|
| <b>Service Calls</b> (person in distress, water issue, smoke/odor problem, animal issue, public assist, cover assignment/standby) | 98           |  |
| <b>Good Intent</b> (canceled en-route, wrong location, nothing found, steam mistaken for smoke)                                   | 84           |  |
| <b>False Alarm Calls</b> (malicious, malfunction, unintentional, biohazard scare)                                                 | 235          |  |
| <b>Severe WX</b> (lightening, wind storms)                                                                                        | 0            |  |
| <b>Special Incidents</b> (citizen complaints)                                                                                     | 3            |  |
| <b>TOTAL</b>                                                                                                                      | <b>1,307</b> |  |
| <b>Apparatus Count</b>                                                                                                            |              |  |
|                                                                                                                                   | <b>3,170</b> |  |

**DFSC Action Tracker**

| Date of DFSC Action     | Description                                                                                                                                                       | Status                                                                          |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| <b>October 29, 2025</b> | Direct staff to modify and revise the Draft Update to the Bike Plan dated July 29, 2025, to take into consideration recommendations from the DFSC noted in Report | Pulled from 1/27/2026 Agenda. Preliminary scheduled for a future Council Agenda |

# DISASTER AND FIRE SAFETY COMMISSION

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### AGENDA

#### Preliminary Matters

##### Call to Order

Meeting called to order at 7:01pm  
Present: Wilson, Bradstreet, Kinosian, Dadmun, Murphy, Herzer-Baptiste, Gordon  
Late: Katz, 7:09pm  
Absent: Darling

##### Public Present

3

##### Approval of the Agenda

Agenda approved as amended by Acclamation

##### Public Comment on Non-Agenda Matters

Public speakers: 0

1. Chairperson's Report
2. Fire Department Staff Report

**REGULAR AGENDA MATTERS** *All Regular agenda Matters are for discussion and possible action.*

3. **Action:** Minutes of January 28, 2026  
**Recommendation:** Approve the draft minutes of the January 28, 2026, regular meeting.  
**Written Material:** DFSC January 28, 2026 Draft Minutes  
Motion to Approve: Herzer-Baptiste  
Second: Gordon  
Vote: Ayes: Katz, Wilson, Bradstreet, Kinosian, Murphy, Herzer-Baptiste, Gordon  
Nays: 0  
Abstain: Dadmun
4. **Discussion/Action:** The Chair and Vice-Chair are elected by the majority no more than two consecutive years. There is no limit for vice-chair.  
**Recommendation:** Election of Chair and Vice-Chair  
Nomination of Chair Murphy for Chair  
Motion to Approve: Gordon  
Second: Bradstreet  
Vote: Ayes: Katz, Wilson, Bradstreet, Kinosian, Dadmun, Murphy, Herzer-Baptiste, Gordon  
Nays: 0  
Abstain: 0  
Nomination of Commissioner Gordon for Vice Chair  
Motion to Approve: Wilson  
Second: Herzer-Baptiste  
Vote: Ayes: Katz, Wilson, Bradstreet, Kinosian, Dadmun, Murphy, Herzer-Baptiste, Gordon  
Nays: 0  
Abstain: 0
5. **Discussion/Action:** Consider Support to Establish Transportation via Public Ferry Service as an allowable use at the Berkeley Pier  
**Recommendation:** Adopt Letter to the Zoning Adjustments Board Highlighting the Importance of Ferry Service for Disaster Evacuation and Response  
**Written Material:** Letter to the Zoning Adjustments Board (Draft)  
Public speakers: 2



Discussion with friendly amendments identified.

Motion to Approve as amended: Wilson

Second: Dadmun

Vote: Ayes: *Katz, Wilson, Bradstreet, Kinosian, Dadmun, Murphy, Herzer-Baptiste, Gordon*

Nays: 0

Abstain: 0

## 6. Work Group Reports

Receive reporting on recent activities by the following work groups:

- Plan & Budget Oversight
- Neighborhood Fire Resiliency
- Safe Passages
- Community Outreach
- Street Trauma Prevention Program

Future Agenda Items and Next Steps

- Street Trauma Prevention Program Update
- Staff update on infrastructure bond progress
- Staff update on use of reserve FF funds (at next financial reporting)
- Street width policies and procedures
- Fire resilience legislation

## Adjournment

**Motion to adjourn: Gordon  
Bradstreet 2<sup>nd</sup>**

**Adjourned by acclamation: 8:12pm**

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SECRETARY SIGNATURE

## Recommendation

Disaster and Fire Safety Commission (DFSC) recommends that an ad-hoc committee be initiated to evaluate the feasibility, fiscal impact, and operational structure of reviving the Berkeley Emergency Alternative Response (BEAR) program, and to report back with findings and recommendations.

## Background

The BEAR program was initially piloted as an alternative response model designed to address low-acuity 911 calls, particularly those involving behavioral health, homelessness, and other non-violent service needs. The program aimed to reduce reliance on traditional police and fire responses for calls that may be more appropriately handled through a public health-oriented approach.

Berkeley Fire Department piloted a 6-month long program to address the high volume of low acuity EMS calls from September 2024-March 2025. Due to limited funding, this program was not extended past the pilot phase. From preliminary data shared by Fire Department leadership, this program created some benefit and presumably reduced overall call volume through proactive outreach by the Physician Associate and Senior Paramedic led unit.

Despite its discontinuation, the underlying service demand that BEAR was designed to address persists. The City of Berkeley continues to experience high volumes of low-acuity medical and social service-related calls, which contribute to system strain, increased response times, and elevated overtime costs within the Fire Department and other emergency services.

## Rationale / Analysis

Establishing an ad-hoc committee would allow the DFSC to thoroughly assess whether a revived BEAR program could deliver measurable cost savings and operational efficiencies while improving service delivery outcomes. If the DFSC finds, through the work of the ad-hoc committee, that this could be the case, the DFSC can recommend that the City Council re-institutes the BEAR program.

Key areas of analysis should include:

- **Call Volume and Utilization Trends:**  
Examination of current 911 call data to identify the proportion of calls that could be diverted to an alternative response model.
- **Cost-Benefit Analysis:**  
Evaluation of potential cost avoidance associated with reduced fire and police deployment, including impacts on overtime, worker fatigue, and long-term personnel retention.

- **Program Design and Scope:**  
Identification of appropriate staffing models (e.g., EMTs, paramedics, behavioral health specialists, case managers) and dispatch protocols.
- **Interagency Coordination:**  
Assessment of necessary collaboration between Berkeley Fire Department, Berkeley Police Department, Health, Housing and Community Services (HHCS), and external partners such as Alameda County EMS and community-based organizations.
- **Lessons Learned from Prior Pilot and Peer Jurisdictions:**  
Review of prior BEAR program outcomes, including any operational deficiencies, and comparison with similar programs (e.g., CAHOOTS in Eugene, OR; CARE in Seattle, WA; SCRT/EMS-6 in San Francisco).
- **Funding Opportunities:**  
Exploration of grant funding, including philanthropic and state/federal sources, as well as potential budget-neutral or cost-saving implementation pathways.

## Proposed Committee Composition

This ad-hoc committee will seek input from a variety of sources including other relevant City Departments and other significant stakeholders such as:

- Berkeley Fire Department leadership
- Berkeley Police Department representatives
- Health, Housing and Community Services staff
- Alameda County EMS Agency representatives
- Labor representatives, as appropriate
- Community-based service providers
- Subject matter experts in mobile integrated healthcare and alternative response

## Fiscal Impacts

While the formation of an ad-hoc committee would require minimal initial resources, its purpose is to identify whether a revived BEAR program could result in **net cost savings or cost avoidance** through:

- Reduced reliance on sworn and suppression personnel for low-acuity calls
- Decreased overtime expenditures
- Improved allocation of emergency resources to higher-acuity incidents
- Reduction in repeat utilization of emergency services by high utilizers

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## Equity and Public Health Considerations

A revived BEAR program would align with the City's Community Health Improvement Plan by providing more appropriate, trauma-informed responses to vulnerable populations, including

unhoused individuals and those experiencing behavioral health crises. This approach has the potential to improve health outcomes while reducing system cycling.



[ ] CALENDAR

Date

To: Honorable Mayor and Members of the City Council

From: Disaster and Fire Safety Commission

Submitted by: Greg Murphy, Chairperson

Subject: Support Position on SB 1076 (Pérez) - Insurance Coverage for Fire-Safe Homes Act

RECOMMENDATION

Adopt an official Support position on Senate Bill 1076 (Pérez), the Insurance Coverage for Fire-Safe Homes Act, and authorize and direct the Mayor or City Manager or designee to send letters of support to Senator Sasha Renée Pérez, Senator Jesse Arreguín, representing Berkeley in the California State Senate, and Assemblymember Buffy Wicks.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal costs to the City of Berkeley. The recommended action is limited to communicating a policy position and transmitting letters of support to state legislators; no City appropriation or expenditure is required.

Substantial potential fiscal benefits to the City. SB 1076 would require admitted insurers to offer and renew residential property insurance for homeowners whose properties meet state-defined wildfire mitigation standards, effective January 1, 2028. Stabilizing the residential insurance market in Berkeley's wildfire-vulnerable neighborhoods would be expected to:

- Protect property values in the Berkeley Hills and other areas affected by insurance non-renewals and market withdrawals, reducing the risk of a destabilized local housing market with downstream consequences for the City's property tax base.
- Reduce pressure on the California FAIR Plan as an insurer of last resort, which currently underwrites significant risk in Berkeley's hillside neighborhoods at inadequately capitalized rates – a dynamic that poses systemic financial risk to all California ratepayers, including Berkeley residents.
- Create a stronger financial incentive for Berkeley homeowners to invest in home hardening and defensible space improvements, since those investments would now carry a guaranteed path to insurance coverage – thereby reducing the City's wildfire risk exposure and potential emergency response costs.
- Complement City investments in wildfire preparedness and mitigation, including the Transfer Tax Rebate program and the Resident Assistance Program, by

ensuring that residents who complete hardening improvements can secure and maintain insurance coverage.

Because SB 1076 operates through the state insurance regulatory framework – imposing obligations on admitted insurers rather than requiring direct City expenditure – the City of Berkeley would receive these community protection benefits at no direct cost to the City's General Fund.

### CURRENT SITUATION AND ITS EFFECTS

Berkeley faces a serious and ongoing home insurance crisis driven by wildfire risk. The Berkeley Hills are designated a Very High Fire Hazard Severity Zone (VHFHSZ) by the California Department of Forestry and Fire Protection, and the area's steep terrain, dense vegetation, older housing stock, and fire-weather conditions make it among the highest-risk urban communities in California.

In recent years, multiple major admitted insurers have paused or ceased offering homeowners insurance in California, including in Berkeley's hillside neighborhoods. Statewide, enrollment in the California FAIR Plan – the insurer of last resort – has doubled in just two years as hundreds of thousands of homeowners have lost their original coverage. Berkeley residents have not been immune to this trend, and the insurance availability crisis now threatens property values, home sales, and the financial stability of existing homeowners throughout the hills.

A central and deeply troubling feature of the current insurance market failure is that homeowners who invest in proven fire mitigation measures – home hardening, ember-resistant construction, defensible space – are receiving no meaningful assurance that those investments will secure or restore their access to coverage. Studies from the National Association of Insurance Commissioners, CAL FIRE, and the University of California, Berkeley document broad scientific consensus that home hardening and defensible space significantly reduce the risk of structural damage in a wildfire. Yet insurers have continued to decline coverage and non-renew policies regardless of a property's mitigation status, removing the market incentive for residents to make these investments.

SB 1076 directly addresses this market failure by establishing that, beginning January 1, 2028, an admitted insurer that offers or sells residential property insurance in California may not refuse to offer, sell, or renew a policy for a property that meets minimum home hardening and wildfire mitigation standards as established by the Insurance Commissioner by regulation. The bill provides a limited exception for geographic overconcentration of risk, subject to a public hearing process and six-month renewal requirements, and maintains insurers' ability to apply non-wildfire underwriting criteria. Insurers that habitually violate the bill's requirements, or that elect to exit the residential property market rather than comply, would face a five-year suspension or

revocation of their authority to sell both homeowner's and automobile insurance in California.

The bill's enforcement mechanism mirrors a model already operating in California's auto insurance market under Proposition 103, which requires insurers to offer a Good Driver Discount policy to any motorist who meets the state's safe-driving standard. SB 1076 would extend that same principle to homeowners: residents who invest in making their properties fire-safe deserve to know they will be able to insure them.

### BACKGROUND

The DFSC has maintained an active focus on wildfire resiliency in Berkeley for a number of years. The Commission's Wildfire Resiliency Workgroup has examined a range of policy options aimed at increasing the rate of home hardening and defensible space compliance among Berkeley residents, with particular attention to the challenges of affordability and equitable access to improvement resources.

As part of this ongoing work, the DFSC previously reviewed and discussed potential enhancements to the City's Resident Assistance Program, including proposals to expand financial assistance available to lower-income residents for wildfire mitigation improvements. These discussions underscored a recurring concern: that even when residents are willing and able to complete hardening improvements, the absence of a guaranteed path to insurance coverage undermines the motivation to invest.

Most recently, the DFSC recommended – and the Berkeley City Council approved with modifications – a Transfer Tax Rebate program to incentivize wildfire hardening improvements at the point of residential property sale or in the preceding five years. That program reflects the Council's recognition that financial incentives are a necessary component of a comprehensive resiliency strategy. However, its reach is limited to properties at or near the time of sale, and it does not address the insurance availability barrier that discourages broader, proactive investment in home hardening.

Senator Pérez introduced SB 1076 in response to concerns raised by survivors of the January 2025 Eaton Fire in Altadena, who reported that even newly rebuilt homes constructed to the highest fire-resistance standards faced the prospect of insurance denial. The bill is co-sponsored by the Eaton Fire Survivors Network and Consumer Watchdog. Polling conducted by Hart Research and FM3 Research found that 85 percent of voters believe home insurers should be required to cover homeowners who meet state fire safety guidelines.

### ALTERNATIVE ACTIONS CONSIDERED

- The City of Berkeley could take no position on SB 1076, on the grounds that insurance regulation is primarily a state function outside the City's direct jurisdiction. However, the DFSC finds that the insurance availability crisis in Berkeley's hillside neighborhoods is a direct threat to community safety, housing



stability, and the City's wildfire mitigation objectives. SB 1076 directly advances those objectives at no cost to the City, and Berkeley's voice in support of the bill could meaningfully contribute to its prospects for passage.

CITY MANAGER

CONTACT PERSON

Keith May, Commission Secretary, Deputy Fire Chief, (510) 510-981-5508

Attachments:

1: Sample Letter of Support

**ATTACHMENT A**

*Draft Letter of Support from the Mayor of Berkeley*

[DATE]

The Honorable Sasha Renée Pérez  
California State Senate, District 25  
State Capitol, Room [Room Number]  
Sacramento, CA 95814

Re: Letter of Support – SB 1076 (Pérez): Insurance Coverage for Fire-Safe Homes Act

Dear Senator Pérez:

On behalf of the City of Berkeley, I am pleased to write in strong support of Senate Bill 1076, the Insurance Coverage for Fire-Safe Homes Act. This legislation addresses one of the most critical and frustrating failures of the current residential insurance market: the denial of coverage to homeowners who have done everything right – who have hardened their homes, created defensible space, and invested in making their properties safer – and who are still being turned away by insurers.

Berkeley is intimately familiar with wildfire risk. The Berkeley Hills are designated a Very High Fire Hazard Severity Zone, and our community has lived with the memory of the 1991 Tunnel Fire – which destroyed more than 3,300 homes and claimed 25 lives – as a constant reminder of what is at stake. In recent years, we have watched the insurance market retreat from our hillside neighborhoods, leaving residents with limited or no options for affordable coverage. FAIR Plan enrollment has doubled statewide in just two years, and Berkeley residents are among those most affected.

The core problem SB 1076 addresses is not merely an inconvenience – it is a fundamental breakdown of the incentive structure that should be driving wildfire risk reduction. When homeowners invest in fire-resistant roofing, ember-resistant vents, and defensible space, they reduce risk not just for themselves but for their neighbors and their entire community. If those investments do not guarantee access to insurance, the incentive to make them is severely undermined. SB 1076 restores that incentive by ensuring that meeting state-defined wildfire safety standards translates into a right to coverage.

The City of Berkeley has worked hard to encourage home hardening through local programs including a Transfer Tax Rebate for wildfire hardening improvements and ongoing resident assistance initiatives. SB 1076 would powerfully reinforce those local efforts. We strongly support the bill's balanced approach: requiring coverage for compliant properties while preserving insurers' ability to apply non-wildfire underwriting criteria and to seek temporary waivers for genuine overconcentration of risk through a transparent, public process.

The City of Berkeley urges the Legislature to pass SB 1076 and respectfully requests the Governor's signature.

Sincerely,

Mayor, City of Berkeley

**cc:**

Senator Jesse Arreguín, California State Senate, District 9  
Assemblymember Buffy Wicks, California State Assembly, District 14  
Berkeley City Council



[ ] CALENDAR

Date

To: Honorable Mayor and Members of the City Council

From: Disaster and Fire Safety Commission

Submitted by: Greg Murphy, Chairperson

Subject: Support Position on SB 894 (Allen) - California Wildfire Resilience Loan Program

RECOMMENDATION

Adopt an official Support position on Senate Bill 894 (Allen), the California Wildfire Resilience Loan Program, and authorize and direct the Mayor or City Manager or designee to send letters of support to Senator Ben Allen, Senator Jesse Arreguín, representing Berkeley in the California State Senate, and Assemblymember Buffy Wicks.

FISCAL IMPACTS OF RECOMMENDATION

No direct fiscal costs to the City of Berkeley. The recommended action is limited to communicating a policy position and transmitting letters of support to state legislators; no City appropriation or expenditure is required.

Substantial potential fiscal benefits to the City. SB 894 would establish a state-administered loan program providing financial assistance to Berkeley residents, homeowners, and small businesses for wildfire hardening and defensible space improvements. Increased adoption of such measures citywide would be expected to:

- Reduce the risk and severity of catastrophic wildfire losses within Berkeley, particularly in the Very High Fire Hazard Severity Zone (VHFHSZ) in the hills, where a major fire event could result in billions of dollars in property damage and significant municipal emergency response costs.
- Reduce pressure on the City's emergency response resources and the costs of post-disaster recovery, debris removal, and infrastructure repair.
- Help stabilize the homeowner's insurance market in Berkeley, where increasing non-renewals and premium escalations driven by wildfire risk pose growing fiscal and economic stability concerns for residents and the City alike.
- Complement City investments in emergency preparedness and wildfire mitigation without requiring additional local expenditure.

Because SB 894 operates through state and private financing mechanisms – including loan loss reserves and interest rate buy-downs administered by the California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) – the

City of Berkeley would receive these community protection benefits at no direct cost to the City's General Fund.

### CURRENT SITUATION AND ITS EFFECTS

Berkeley faces a significant and well-documented wildfire risk, particularly in the hillside neighborhoods that border the Wildland-Urban Interface (WUI). The California Department of Forestry and Fire Protection (CAL FIRE) has designated a substantial portion of the Berkeley Hills as a Very High Fire Hazard Severity Zone (VHFHSZ). This designation reflects the elevated risk posed by the combination of steep terrain, dense vegetation, older housing stock, and the region's characteristic dry and windy seasonal conditions.

The 1991 Tunnel Fire – also known as the Oakland-Berkeley Hills Fire – remains the defining example of the catastrophic potential of wildfire in this urban setting. That event destroyed approximately 3,354 housing units, killed 25 people, and caused over \$1.5 billion in damages. Risk modeling and climate trends suggest that fire weather conditions in the East Bay hills have intensified since 1991, and the probability of a comparable or larger fire event remains a serious public safety concern.

Despite this well-established risk, access to affordable capital for home hardening and defensible space improvements remains a significant barrier for many Berkeley residents. Home hardening projects – which may include ember-resistant vents, fire-resistant roofing and siding, deck replacement, and vegetation management – can cost tens of thousands of dollars, creating inequitable outcomes in which wealthier homeowners are better positioned to protect themselves and their neighbors. SB 894 directly addresses this affordability barrier by leveraging state resources to reduce the cost of private financing for these improvements.

At the same time, the insurance market crisis in wildfire-prone California communities has reached an acute stage. Multiple major insurers have paused or discontinued homeowner's insurance offerings in California, with Berkeley's hillside neighborhoods among the most affected. Reduced insurability further depresses property values, complicates home sales, and threatens the financial stability of existing homeowners. Broad adoption of home hardening improvements, facilitated by accessible financing such as proposed under SB 894, would create a mechanism to improve insurability at the community level, simultaneously with making our community safer from wildfire.

### BACKGROUND

The DFSC has maintained an active focus on wildfire resiliency in Berkeley for a number of years. The Commission's Wildfire Resiliency Workgroup has examined a range of policy options aimed at increasing the rate of home hardening and defensible space compliance among Berkeley residents, with particular attention to the challenges of affordability and equitable access to improvement resources.

As part of this ongoing work, the DFSC previously reviewed and discussed potential enhancements to the City's Resident Assistance Program, including proposals to expand financial assistance available to lower-income residents for wildfire mitigation improvements. These discussions informed the Commission's understanding of the financing barriers facing Berkeley homeowners and highlighted the limitations of locally funded approaches in achieving the scale of adoption necessary for meaningful community-wide risk reduction.

Most recently, the DFSC recommended – and the Berkeley City Council approved with modifications – a Transfer Tax Rebate program to incentivize wildfire hardening improvements at the point of residential property sale. This program represents an important step toward encouraging home hardening, and reflects the Council's recognition that financial incentives are a necessary component of a comprehensive resiliency strategy. However, the Transfer Tax Rebate is limited in reach, applying only to properties at the time of sale or in the preceding five years, and falling short of mobilizing the broad, proactive investment in fire hardening that the community's risk profile demands.

SB 894 would establish the California Wildfire Resilience Loan Program, administered by CAEATFA – an authority with demonstrated experience managing statewide financing programs that leverage public participation to unlock private capital. The program would establish a loan loss reserve and interest rate buy-down mechanism to make private financing for wildfire hardening and defensible space improvements more accessible and affordable to eligible property owners across the state, including in Berkeley. Eligible improvements would include home hardening measures consistent with California Code of Regulations requirements, defensible space activities, and smoke mitigation retrofits.

Importantly, financial assistance under the program would be available to eligible properties throughout California and would not be restricted by land classification, jurisdiction, or hazard severity zone designation – ensuring that Berkeley homeowners in all risk zones, not only those in the formally designated VHFHSZ, could potentially benefit from the program.

#### ALTERNATIVE ACTIONS CONSIDERED

- The City of Berkeley could independently establish a municipal loan loss reserve or interest rate buy-down program for wildfire hardening improvements. While this approach would allow the City to tailor program design to Berkeley's specific needs and move forward on its own timeline, it would require a significant commitment of City capital and administrative resources, and would operate at a much smaller scale than a statewide program. A locally funded program would also face challenges in leveraging private lending partnerships and achieving the

critical mass necessary to materially shift the insurance market. The DFSC finds that this alternative should be deferred pending the outcome of SB 894.

- Berkeley could explore partnering with neighboring jurisdictions – such as Oakland, and other East Bay communities participating in the East Bay Wildfire Coalition facing similar wildfire risk, and perhaps in conjunction with agencies with an interest in property improvements for water and energy efficiency such as EBMUD or AVA – to establish a regional financing program modeled on the structure proposed in SB 894. A multi-jurisdictional approach could achieve somewhat greater scale than a purely local program. However, designing, negotiating, and launching a joint program across multiple jurisdictions would be time- and resource-intensive, and would likely take years to operationalize. This alternative should likewise be deferred pending the outcome of SB 894. If the bill does not advance, the City of Berkeley may wish to revisit this option in a subsequent recommendation.

#### CITY MANAGER

#### CONTACT PERSON

Keith May, Commission Secretary, Deputy Fire Chief, (510) 510-981-5508

#### Attachments:

- 1: Sample Letter of Support

**ATTACHMENT A**

*Draft Letter of Support from the Mayor of Berkeley*

[DATE]

The Honorable Ben Allen  
California State Senate, District 24  
State Capitol, Room 2054  
Sacramento, CA 95814

Re: Letter of Support – SB 894 (Allen): California Wildfire Resilience Loan Program

Dear Senator Allen:

On behalf of the City of Berkeley, I am pleased to write in strong support of Senate Bill 894, which would establish the California Wildfire Resilience Loan Program. This legislation represents exactly the kind of bold, statewide financial innovation needed to accelerate home hardening and defensible space improvements in wildfire-vulnerable communities across California.

Berkeley is acutely aware of the wildfire risk facing our community. The Berkeley Hills are designated a Very High Fire Hazard Severity Zone, and the memory of the 1991 Tunnel Fire – which destroyed more than 3,300 homes and claimed 25 lives – shapes our ongoing commitment to wildfire preparedness and mitigation. Despite that commitment, we continue to face a fundamental challenge: the upfront cost of home hardening and defensible space improvements is a significant barrier for many residents, particularly those of moderate means who may not qualify for or have access to affordable private financing.

SB 894's approach – leveraging CAEATFA's proven financing expertise to create a loan loss reserve and interest rate buy-down program – is precisely the right model to address this barrier at scale. By reducing the cost and risk of private lending for wildfire resilience improvements, the bill would mobilize investment that neither government grants nor property-tax-based financing alone can achieve. The program's statewide scope and its availability to properties regardless of hazard zone designation would ensure that communities like Berkeley, with significant WUI risk throughout our hillside neighborhoods, can fully participate.

The City of Berkeley has long worked to advance wildfire resiliency. SB 894 would complement and extend these local efforts by providing the affordable financing infrastructure our residents need to take action. We also recognize that improved home hardening at scale is essential to stabilizing the homeowner's insurance market in California's most vulnerable communities, and we strongly support that goal.



The City of Berkeley urges the Legislature to pass SB 894 and respectfully requests the Governor's signature. We look forward to working with your office and with CAEATFA to ensure that Berkeley residents are well-positioned to benefit from this program upon its enactment.

Sincerely,

Mayor, City of Berkeley

**cc:**

Senator Jesse Arreguín, California State Senate, District 9  
Assemblymember Buffy Wicks, California State Assembly, District 14  
Berkeley City Council



## Statement on WETA-Berkeley Ferry Proposal

Berkeley Waterfront Community Coalition (BWCC) is a grassroots organization dedicated to preserving the Berkeley Waterfront as it has established itself for 85 years: as low-cost public bluespace access for bikers, birders, walkers, picnickers, fishers, boaters, sailors and windsurfers, and other recreational users. BWCC has grave concerns about the current ferry plan for the Berkeley Pier for the following reasons:

1. *WETA (Water Emergency Transportation Authority), which operates the ferry, and the City of Berkeley (COB) have failed to offer other means to restore the Berkeley Pier. Bureaucrats and planners are shortchanging the public by ignoring options that do not depend on a large-scale ferry.*
2. *The City of Berkeley (COB) will be hobbled by annual operating shortfalls of at least \$5.6 million.*
3. *The ferry, even at full capacity, gets few cars off the road and caters to a small number of higher income commuters, seeking subsidies all the while.*
4. *If built, it would be the ONLY Bay Area ferry terminal sited in a pre-existing park and recreational zone, crowding out low-cost recreational access and posing environmental issues.*
5. *With operating expenses at about \$36 per rider, 70-90% subsidized, the ferry is not financially efficient – there are better, more equitable ways to fund mass transit right now. Also, 60% of city-surveyed Berkeley residents said they would rarely or never use the ferry to commute, making this one of WETA’s most inefficient routes.*

Here is a Q&A based on pier/ferry proposals from WETA and the City of Berkeley. BWCC maintains that city presentations have been **misleading**, the plan’s cost is **unjustifiable**, and the effect on low-cost recreational access to the Waterfront, **devastating**.

Q: **PROPOSAL.** What is being proposed? A: Replacing Berkeley’s now-closed 3000’ fishing pier with a 1080’ pier and breakwater with a ferry plaza and terminal for a large commuter ferry that would go to the San Francisco Ferry Building, with a transfer ferry to Mission Bay, and possibly to Larkspur in the future on weekends only.

Q: **INCOME.** Will Berkeley earn money from WETA ferry fees? A: No.

Q: **COSTS.** Does Berkeley have to pay anything for WETA operations? A: Yes. The annual operating expense **gap** is estimated to be at least **\$5.6 million** even after 10 years. WETA has suggested Berkeley **subsidize** the ferry via **sales tax revenue**, like Richmond; **property tax assessments** (like Alameda/Bay Farm); **city funds**; an increased waterfront **hotel tax**; and/or **private funding**. ([WETA 3-17-2022 Berkeley Ferry Service Business Plan, pp. 47-48](#)) to recoup capital and operating costs.

Q: **EFFICIENCY.** WETA operating expenses are about \$36/rider compared to Bart’s \$21 per rider. Both are being subsidized right now, with Bart from 70-80% and WETA typically higher, from 70-90%.

Q: **EQUITY.** Will the WETA ferry plan crowd out low-cost recreational access to the coast? A: This is inevitable. The waterfront now is a regional recreational resource, with lower income visitors tending to the southern area of the waterfront where the ferry would be located. The WETA and COB concept turns the Marina into a **transportation hub with high-priced services**, rather than enhancing its purpose as a **public park** and boat **harbor**. Damage will also come from diminished and more expensive parking where recreationists often bring equipment, small children and pets, such as for the city’s popular **Adventure Playground, Shorebird Park**, and two sailing clubs nearby

to the pier entrance. Ironically, those fees will be part of Berkeley's tithing to cover its ferry expenses. Most slots along Seawall Drive used by "sunset viewers" daily will disappear.

Q: **PARKING?** A: Proponents of the plan like to lowball the number needing parking near the Berkeley Pier. City council is already considering a "[Waterfront Parking Benefits Zone](#)" to manage an influx of ferry commuters, before the plan is approved, and support the city's ferry investments. However, even with [policies to encourage non-car travel](#), most will drive, and the city will need **420 or more** ferry patron parking spaces, way more than the 250 allocated in HsL restaurant's lot. With previous smaller (<50 person) ferries (Tidelines and Genentech), many patrons ignored the designated Marina Boulevard slots and parked in spaces meant for recreational visitors. How many will wait for the bus?

Q: **CARS v. FERRY.** Won't this get cars off the road? A: A few. The current projection is **1,053 riders** departing from Berkeley per weekday ([WETA-Berkeley 3-17-2022, Table 1](#)). BART moves about **170,000** riders per weekday. The Bay Bridge sees about **260,000 vehicle crossings** per day.

Q: **ENVIRONMENT.** Is the plan subject to environmental review? A: **Yes. But** WETA is lobbying politicians to categorically **exempt** ferries from the CEQA process and **minimize review** through the primary Bay overseer, BCDC (WETA 2021, p. 13; p. 145 of pdf).

Q: **ZERO-EMISSION.** Q: Will ferries be electric? A: Unclear. While the city has claimed they will be electric from Day 1, WETA leadership reports state that "an all-electric ferry fleet may be cited as a milestone for **incentivizing a community to come out and support** the development of a new ferry terminal." No plans exist to buy an electric ferry that can handle the planned 250-passenger load.

Q: **PIER FUTURE.** Is this the only way to get our pier back? A: **No.** The ferry plan calls for a demo and rebuild for a 1080' pier with a current cost of: \$14 million. A 2100' pier would cost \$26 million. Both sums are less than Berkeley's *current* commitment to land- and waterside WETA ferry-specific investments. To rebuild the pier, Berkeley would have to raise funds--with or without the WETA ferry.

Q: **VALUE.** How will people use it? A: Unclear. In the city's survey, 60% said they would rarely or never use it to commute. For *nonwork* purposes, only 44% chose the highest number of trips annually: 10+. In that case, this is even a greater waste of money, resources, and low-cost bluespace access.

Q: **OPTIONS.** What are alternatives? A: You tell us! An in-marina ferry option to reduce capital and operating costs? No ferry, just a refurbished or rebuilt pier? Privately-owned ferry companies like Tidelines again and available on weekend? None of these have been analyzed as alternatives.

Q: **EMERGENCY.** WETA sees a ferry as an asset in case an earthquake shuts down BART and the Bay Bridge. Is this realistic? A: After the Loma Prieta earthquake in 1989, the Red and White fleet ferry service only moved 500 passengers a day. If the ferry is electric, as touted, utilities could be knocked out in such a catastrophic event. The terminal is **not being constructed to carry emergency vehicles.** So, its emergency role—and reliability—is uncertain.

[Email comments to camilleantinori@duck.com](mailto:camilleantinori@duck.com)