

Fair Campaign Practices Commission
Open Government Commission

CONCURRENT REGULAR MEETING OF THE FAIR CAMPAIGN PRACTICES COMMISSION AND THE OPEN GOVERNMENT COMMISSION

MEETING AGENDA

October 15, 2026

6:30 p.m.

2180 Milvia St., Berkeley, CA 94704

1st Floor, Cypress Room

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.

A live broadcast of this meeting will be available at:

<https://cityofberkeley-info.zoomgov.com/j/1614055306>

Public comment will be taken in-person and virtually through the posted link.

Secretary: Sam Harvey

The Commission may act on any item on this agenda

1. Call to Order 6:30 p.m.
2. Roll Call.
3. Land Acknowledgement: The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this uncended stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

4. Approval of agenda.
5. Public Comment. *Comments on subjects not on the agenda that are within the Commissions' purview are heard at the beginning of meeting. Speakers may comment on agenda items when the Commission hears those items.*
6. Approval of minutes for September 17, 2026 FCPC-OGC Regular Meeting.

Fair Campaign Practices Commission (FCPC) Agenda

7. Reports
 - a. Report from Chair
 - b. Report from Staff
8. Review of City of Berkeley elections website, including accessibility of Netfile public portal; discussion and possible action.
9. Notification of campaign report non-filers for (1) Committee for Initiative to Amend the Nuclear Free Berkeley Act; and (2) Andrew for Berkeley Council 2024; discussion and possible action.

Open Government Commission (OGC) Agenda

10. Reports.
 - a. Report from Chair
 - b. Report from Staff
11. Complaint re Public Records Act requests (nos. 26-2240 and 26-1196); discussion and possible action.
12. Complaint regarding Public Records Act request 26-2144; discussion and possible action.
13. Public access to hybrid meetings, including progress update on North Berkeley Senior Center, policy discussion of topics raised by the public regarding access for persons with temporary or permanent disabilities, handling of written public comment, and the availability of live transcription and recordings; discussion and possible action.
14. Review and revision of Open Government Ordinance related to broadcasting and archiving commission meetings; discussion and possible action.
15. Review and revision of Open Government Ordinance related to Public Records Act request public posting procedures; discussion and possible action.

16. Review and revision of Open Government Ordinance related to ephemeral messaging applications; discussion and possible action.
17. City Council policies for items on consent calendar, including practice of placing consent items on agenda that are not going to pass unanimously; discussion and possible action.
18. Practices for describing public meeting agenda items; discussion and possible action.
19. Announcements
20. Adjournment

Information Items

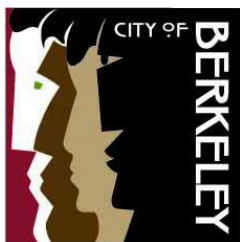
21. Public Financing Candidate Certifications:
 - a. Majdi 'Gaith' Abuhamdieh For Berkeley City Council 2026
 - b. Kromer for City Council 2026
 - c. Humbert for Council 2026
 - d. Wallman City Council 2026
 - e. Carole Marasovic for Rent Board 2026

Communications

- Email from Soli Alpert (Oct. 5, 2026)

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. **SB 343 Disclaimer:** 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 the City Attorney's Office at 2180 Milvia St., 4th Fl., Berkeley, CA.



Fair Campaign Practices Commission
Open Government Commission

DRAFT MINUTES
September 17, 2026

**CONCURRENT REGULAR MEETING OF THE FAIR CAMPAIGN PRACTICES
COMMISSION AND THE OPEN GOVERNMENT COMMISSION**

2180 Milvia St., Berkeley, CA 94704
1st Floor, Cypress Room

Members Present: Pajouablai Monica Lee, Janis Ching, Kitt Saginor, Thomas Boer,
Rithwik Sudharsan, Andrew Lazarus, Kyle Haugh

Also Present: Stephen Hylas, Staff Secretary

1. **Call to Order**

The Chair called the meeting to order at 6:34 pm.

2. **Roll Call.**

Roll call taken.

3. **Land Acknowledgement**

4. **Approval of agenda**

- a. Public comment: None.
- b. Commission discussion and action.

Motion to approve agenda. (M/S/C: Sudharsen/Ching: Ayes: Ching, Saginor, Boer
Sudharsan, Lazarus, Haugh; Noes: None; Absent: Shere, Lee.)

5. **Public Comment**

Three speakers.

6. **Approval of minutes for July 18, 2026 FCPC-OGC Regular Meeting**

- a. Public comment: None.
- b. Commission discussion and action.

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Motion to approve minutes. (M/S/C: Saginor/Ching: Ayes: Lee, Ching, Saginor, Sudharsan, Haugh; Noes: None; Absent: Shere; Abstain: Boer, Lazarus.)

Fair Campaign Practices Commission (FCPC) Agenda

7. **Reports**
 - a. Report from Chair
 - b. Report from Staff
8. **Review of City of Berkeley elections website, including accessibility of Netfile public portal**
 - a. Public comment: None.
 - b. Commission discussion and action.

Motion to authorize Chair to send follow-up letter to City Clerk re website and authorizing Commissioner Sudharsan to write letter and send to Chair and Commission Secretary for review and transmission. (M/S/C: Lee/Saginor: Ayes: Lee, Ching, Saginor, Boer Sudharsan, Lazarus, Haugh; Noes: None; Absent: Shere.)

9. **Notification of campaign report non-filers from City Clerk Department**
 - a. Public comment: None.

Open Government Commission (OGC) Agenda

10. **Reports.**
 - a. Report from Chair
 - b. Report from Staff
11. **Complaint regarding Public Records Act request 26-2144**
 - a. Public Comment: one speaker.
 - b. Commission discussion and action.

Motion to direct staff to investigate. (M/S/C: Saginor/Ching: Ayes: Lee, Ching, Saginor, Boer Sudharsan, Lazarus, Haugh; Noes: None; Absent: Shere.)

12. **Public access to hybrid meetings, including progress update on North Berkeley Senior Center, policy discussion of topics raised by the public regarding access for persons with temporary or permanent disabilities, handling of written public comment, and the availability of live transcription and recordings**
 - a. Public comment: None.

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- b. Commission discussion.

- 13. **Review and revision of Open Government Ordinance related to broadcasting and archiving commission meetings**
 - a. Public comment: None.
 - b. Commission discussion.

- 14. **Review and revision of Open Government Ordinance related to Public Records Act request public positing procedures**
 - a. Public comment: None.
 - b. Commission discussion.

- 15. **Review and revision of Open Government Ordinance related to ephemeral messaging applications.**
 - a. Public comment: None.
 - b. Commission discussion.

- 16. **City Council policies for items on consent calendar, including practice of placing consent items on agenda that are not going to pass unanimously**
 - a. Public comment: None.
 - b. Commission discussion.

- 17. **Practices for describing public meeting agenda items.**
 - a. Public comment: None.
 - b. Commission discussion.

- 18. **Commission City Council item re public access to supplemental materials and amendments at City Council meetings, including the timing of presentation of such materials by the Mayor or City Councilmembers, such that the public may comment on them.**
 - a. Public comment: None.
 - b. Commission discussion and action.

Motion to designate Commissioner Ching and Commissioner Saginor to Commission representatives for this item before the City Council and any City Council committees.

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(M/S/C: Haugh/Lee: Ayes: Lee, Ching, Saginor, Boer Sudharsan, Lazarus, Haugh;
Noes: None; Absent: Shere.)

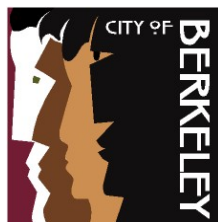
19. **Announcements**

- a. Public comment: None.
- b. Commission discussion.

20. **Adjournment**

Motion to adjourn. (M/S/C: Ching/Lee: Ayes: Lee, Ching, Saginor, Boer Sudharsan, Lazarus, Haugh; Noes: None; Absent: Shere.)

Meeting adjourned: 8:52 pm



Date: October 15, 2026

To: Open Government Commission

From: Samuel Harvey, Secretary

Subject: Complaint from Steven Schuyler Alleging Violations of the Public Records Act

On September 15, 2026, Commission staff received the attached complaint from Complainant Steven Schuyler alleging that City staff failed to comply with the California Public Records Act (Gov't Code § 7920.000 et seq.) in the handling of Complainant's Public Records Act ("CPRA) requests. As outlined in the attached complaint and attachments submitted by the Complainant, the complaint pertains to the City's handling of two CPRA requests (26-1196 & 26-2240), both of which sought records pertaining to sidewalk accessibility at 2128 Oxford Street, among other records.

The Commission has authority to "hear complaints by any person concerning alleged non-compliance with [the Open Government] Ordinance, the Brown Act, the Public Records Act, or the Lobbyist Registration Act, by the City or any of its legislative bodies, elected or appointed officials, officers or employees." (BMC § 2.06.190.A.1.a.)

Staff recommend that the Commission direct the Secretary to review and evaluate the complaint and return at a future meeting with a report and recommendation for any further action by the Commission consistent with the authority granted to the Commission in Berkeley Municipal Code section 2.06.190.

Attachments:

1. Complaint
2. Attachments to complaint



Open Government Commission

Complaint of Noncompliance

Open Government Ordinance ("OGO") - Brown Act - Public Records Act - Lobbyist Registration Act

Name: Steven Schuyler

Date: September 15, 2026

Mailing Address/
Contact Info: tell.stevenj@gmail.com

Identify the area of noncompliance (check all that apply):

☐ OGO ☐ Brown Act ☒ Public Records Act ☐ Lobbyist Registration Act

Describe the act(s) of noncompliance. (Attach additional page if more space is needed.)

On Public Records Act request 26-2240, the City did not make the determination required by Government Code section 7922.535 within the time allowed, then closed the request with two records the request expressly excluded, without stating whether the requested record exists.

On request 26-1196, after eight releases no pedestrian-demand study or sidewalk capacity analysis has been produced, and my written notices of August 25 and September 8, 2026 have received no response. Details are on the attached pages.

List the date(s) on which the noncompliance occurred.

PRR 26-2240: Aug. 13, Aug. 26, Sept. 10, 2026. PRR 26-1196: Sept. 9, 2026. Continuing. See attached.

Describe any steps taken to address the noncompliance directly with City of Berkeley staff and/or elected official, including the name of any staff person involved, if known.

Written follow-ups from July 29 to September 11, 2026 to Public Records Coordinator Nakisha Clayton, Planning Director Jordan Klein, City Clerk Mark Numainville, City Manager Paul Buddenhagen and City Attorney Farimah Brown. No written response to the Aug. 13, 21, 25, 26 or Sept. 8, 11 correspondence. Full list on the attached continuation page.

Documents:

Attach any written requests or complaints submitted to the City and any responses received. You should also attach any additional information that you believe will assist the Commission and staff in reviewing your complaint.

Complaints must be submitted to the Secretary of the Commission no less than 14 days prior to the Commission meeting at which it will be considered. Complaints may be submitted via email to FCPC@berkeleyca.gov

Complaint Form - Continuation

Steven Schuyler - PRR 26-2240 and PRR 26-1196 (2128 Oxford Street)

Describe the act(s) of noncompliance.

On Public Records Act request 26-2240, the City did not make the determination required by Government Code section 7922.535 within the time allowed, then closed the request with two records the request expressly excluded, without stating whether the requested record exists. On request 26-1196, after eight releases no pedestrian-demand study or sidewalk capacity analysis has been produced, and my written notices of August 25 and September 8, 2026 have received no response. Details are on the attached pages.

List the date(s) on which the noncompliance occurred.

PRR 26-2240: August 13, 2026 (determination period ended); August 26, 2026 (closure); September 10, 2026 (no response to my deficiency notice). PRR 26-1196: September 9, 2026 (no response to my deficiency notice). Both continuing.

Describe any steps taken to address the noncompliance directly with City of Berkeley staff and/or elected official, including the name of any staff person involved, if known.

PRR 26-2240: August 13 portal message to Nakisha Clayton, Public Records Coordinator; August 21 letter to Jordan Klein, Director of Planning and Development, copied to the City Clerk and City Manager; August 26 letter to Planning (Attn: Ms. Clayton), copied to Mr. Klein, City Manager Paul Buddenhagen, City Attorney Farimah Brown and the City Clerk. PRR 26-1196: July 29 letter to City Clerk Mark Numainville and City Manager Buddenhagen; August 25 letter to Mr. Klein, City Manager Buddenhagen and City Attorney Brown, copied to the City Clerk; September 8 letter to Mr. Klein and City Attorney Brown, copied to the City Manager and City Clerk; September 11 letter to City Clerk Numainville and City Manager Buddenhagen. I have received no written response to the August 13, August 21, August 25, August 26, September 8 or September 11 correspondence.

COMPLAINT OF NONCOMPLIANCE - PUBLIC RECORDS ACT

Steven Schuyler - PRR 26-2240 and PRR 26-1196 (2128 Oxford Street)

Both requests concern the Oxford Street sidewalk at 2128 Oxford Street (Use Permit Modification ZP2025-0113). Both seek the same kind of record: an analysis of whether that sidewalk will remain usable by disabled pedestrians under the pedestrian demand of the approved project, such as a pedestrian-demand study, a sidewalk capacity or level-of-service analysis, or an accessibility evaluation of how the sidewalk will function under that demand. Construction on the project is scheduled to begin in November 2026.

1. PRR 26-2240

What the request asked.

Submitted through the City's portal on August 2, 2026 and assigned to Planning - Land Use and Public Works, with Nakisha Clayton as point of contact. It asked one question: whether the City holds any record, created on or after January 1, 2021, of such an analysis. It expressly excluded records about physical or dimensional construction compliance. It asked that, if no such record exists, the City say so in writing, and it named Planning and Development, Public Works, Transportation, and the ADA Coordinator / Disability Services as the departments likely to hold responsive records.

What the law requires.

Government Code section 7922.535(a) requires an agency, within 10 days from receipt of a request, to determine whether the request seeks disclosable public records in its possession, and to promptly notify the requester of the determination and the reasons for it. Section 7922.535(b) allows an extension of no more than 14 days, by written notice stating the reasons and the date a determination is expected.

What happened.

- The 10-day period ended no later than August 13, 2026. I received no determination and no written extension notice.
- August 13: I sent a follow-up through the portal to Ms. Clayton. It was not answered.
- August 21: I wrote to Director Klein, copying the City Clerk and City Manager, asking for the determination. I received no reply.
- August 26: the City released two documents with the message: "Your request is granted. The City has completed its search for responsive documents and as a courtesy has attached them to this letter." It closed the request the same morning with the reason: "All records have been released, and your request has been fulfilled."
- Both documents are Disability Access Consultants surveys of existing physical barriers, the category the request expressly excluded. Neither refers to the 2128 Oxford Street project. The file names of both documents, as released, carry the date August 13, 2026, and the Center Street report shows "Report generated on: 8/13/2026" - the last day of the 10-day period. They were released 13 days later.
- Neither message stated whether the analysis the request describes exists, or gave reasons.
- August 26: I wrote to Planning (Attn: Ms. Clayton), copying Mr. Klein, City Manager Buddenhagen, City Attorney Brown and the City Clerk. I asked that within 10 business days the City either produce or identify the analysis, or state in writing that none exists, naming who made that determination and which offices were searched.
- September 10: the 10 business days ended. I have received no response.

Noncompliance.

(a) The determination required by section 7922.535(a) was not made within the time the statute allows, and no extension notice was given.

(b) The City's response states that its search is complete and the request granted, but the only records attached are ones the request expressly excluded, and the response does not say whether the record the request describes exists. I ask the Commission to consider whether that response is the determination section 7922.535(a) requires.

2. PRR 26-1196

What the request asked.

Filed April 25, 2026 and assigned to Public Works, with Andrea Brosnan as point of contact. It asks for records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from the project, in six listed categories.

What the law requires.

Government Code section 7922.530(a) requires an agency to make requested records "promptly available."

What happened.

- May 6: the City extended its response time by 14 days "based on the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records, and the need for consultation with two or more City departments or offices with substantial subject matter interest in the request."
- May 20: the City stated it had identified responsive records and estimated that all would be provided by June 2, 2027.
- May 21: I asked whether the 2027 date was intended, noting that the request appeared to involve a large volume of records, and asked that final or substantive records - reports, studies, staff analyses, determinations - be produced first.
- May 22: the City replied that the date was intentional because the request "involves other departments, a team of engineers, as well as email searches," and that it had asked staff to produce substantive records first. I replied that I was fine with the timeline "if that is what you and your team need to get the information I requested." I accepted it because the City had told me the records were voluminous.
- July 29: I wrote to City Clerk Numainville and City Manager Buddenhagen about the production schedule. I asked whether a June 3, 2027 completion was consistent with the City's obligation to make records promptly available, approximately how many responsive records remained, and whether staff would be assigned so that the records were produced before construction begins. On July 31 the City Clerk replied that Public Works would provide another update and would "review the expected completion date and make any adjustments that are warranted, given the volume of your request." The same day I wrote back that the reply did not answer my three questions. On August 3 the City Clerk replied: "The June date may be updated with the update you receive from PW. It could be consistent with the PRA depending on the volume of your request." He added that Public Works could tell me the number of documents remaining to be produced.
- August 3: the City posted this message on the request: "Public Works staff have released all documents from the Engineering staff and the ADA Coordinator for this PRA. The rest of the documents are emails that will be produced on a rolling basis." It estimated that all responsive records will be provided by January 26, 2027.
- By August 11, 2026, the City had produced 43 documents in six releases.

- August 25, 2:26 p.m.: I wrote to Director Klein, City Manager Buddenhagen and City Attorney Brown, copying the City Clerk, describing the problems with the production and asking, within 10 business days, for either the analysis records or a written statement that none exist, identifying who made that determination.
- August 25, 3:47 p.m.: the City released six documents, all concerning a shoring and tieback encroachment permit for the project (P2025-01271), and set the next release for September 8. None is an analysis of the kind requested.
- September 8, the release date the City had set on August 25: the City released five documents. Three concern a parcel merger survey for 2142 Center Street and 2128 Oxford Street. Two are construction traffic control plans, a category my August 25 letter had already identified as not what the request seeks. The release notice set the next release for September 22, 2026, and restated the January 26, 2027 estimate.
- September 8: I wrote again to Mr. Klein and City Attorney Brown, copying the City Manager and City Clerk. I received no response.
- September 9: the 10 business days set by my August 25 letter ended. I have received no written response to that letter.
- September 11: I wrote to City Clerk Numainville and City Manager Buddenhagen, copying Director Klein, the City Attorney's office and Ms. Brosnan. I noted that on an earlier request of mine, PRR 24-1374, filed September 12, 2024 and concerning the City's widening of the Center Street sidewalk between Shattuck Avenue and Oxford Street, the City released approximately 242 documents and closed the request as fulfilled on September 25, 2024, thirteen days after filing. I acknowledged that 24-1374 sought a single project's file held by one division, while this request reaches more than one department and requires email searches. I asked whether the January 26, 2027 completion estimate remains the City's position, and whether the three staff members to whom the City forwarded this request on April 27, 2026 have been searched, and on what date. (Attachment 17.)

What the City has produced.

Of the 54 documents produced so far:

- The first three releases (24 documents) consist largely of the developer's original entitlement application file - application forms, applicant statements, a hazardous waste statement, a geotechnical report, a historic resources evaluation, property deeds, a water efficiency review and a natural gas prohibition form. At least four carry 2021 or 2022 dates in their file names, although the request covers January 1, 2024 to the present.
- Two are automated notification emails from the City's records portal, one of them concerning a different request, PRR 26-1201.
- Three concern a parcel merger survey for 2142 Center Street and 2128 Oxford Street.
- Several are repeat copies of documents already produced: the Public Art Allocation Declaration twice in the same release, the March 11, 2026 building permit process agenda twice, and the same construction traffic control plan set twice.
- One document is an accessibility evaluation of this sidewalk: the City's April 20, 2026 evaluation of my ADA grievance, which concludes that the sidewalk meets the PROWAG minimum width and that the width requirement does not change with pedestrian traffic. None of the 54 is a pedestrian-demand study, a sidewalk capacity or level-of-service analysis, or any other record showing whether the functional usability of the Oxford Street sidewalk under the project's pedestrian demand was evaluated.

Noncompliance.

I accepted the City's timeline in May because the City told me the records were voluminous, and because the City said it had asked staff to produce substantive records first. Since then the City has produced 54 documents in eight releases, made up largely of the developer's application file, portal notices, parcel merger records and repeat copies, and none is a record of the analysis the request describes. On August 3 the City stated that all Engineering and ADA Coordinator records had already been released and that what remains is email. I ask the Commission to consider whether, on these facts, the production meets the requirement that records be made "promptly available," and whether the City can now state whether any record of the requested analysis types exists.

3. What I ask the Commission to do

- Hear this complaint under Berkeley Municipal Code section 2.06.190(A)(1).
- Recommend that the City issue, on PRR 26-2240, the written determination section 7922.535 requires, stating whether the requested analysis exists, with the reasons, the name of the person who made the determination, and the offices searched.
- Recommend that the City state, on PRR 26-1196, whether any record of the requested analysis types has been located, and when it will be produced.
- Advise the City Council of its opinion and recommendations.

4. Documents attached

1. Completed Complaint of Noncompliance form
2. PRR 26-2240 request text, from the City portal
3. August 13, 2026 portal follow-up to Nakisha Clayton
4. August 21, 2026 letter to Jordan Klein
5. August 26, 2026 release notice and closure notice, with the two documents produced
6. August 26, 2026 letter, "Deficient Closure - Public Records Request 26-2240"
7. PRR 26-1196 request text, from the City portal
8. May 6, 2026 City extension notice on PRR 26-1196
9. May 20, 2026 City notice on PRR 26-1196
10. May 21-22, 2026 emails with Andrea Brosnan on PRR 26-1196
11. July 29, 2026 letter to City Clerk Numainville and City Manager Buddenhagen, the City Clerk's July 31 and August 3 replies, and my July 31 follow-up
12. August 3, 2026 City portal message on PRR 26-1196
13. August 25, 2026 letter, "Deficient Production - Public Records Request 26-1196"
14. August 25, 2026 release notice, listing the six documents
15. September 8, 2026 release notice, listing the five documents
16. September 8, 2026 letter, "Deficient Production, Continued - Public Records Request 26-1196"
17. September 11, 2026 letter to City Clerk Numainville and City Manager Buddenhagen

Steven Schuyler

tell.stevenj@gmail.com

Attachment 2: PRR 26-2240 request text, from the City portal

The City's release notice of August 26, 2026 quotes the request text in full. The same notice is also part of attachment 5.

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Wednesday, August 26, 2026, 9:33 AM (Pacific)
Subject: [Document Released] City of Berkeley public records request #26-2240

City of Berkeley

Documents have been released for record request #26-2240 along with the following message:

This is in response to your 08/02/26 Public Records Act request for:

2128 Oxford Street (ZP2025-0113) — Functional Accessibility /
 Feasibility Analysis: Existence Determination

This is a request under the California Public Records Act. It is a discrete, narrow request. I ask that it be treated as a new, standalone request and NOT consolidated with, or deferred into, the rolling productions under PRR 26-1196 or PRR 26-1201.

I request any record, from January 1, 2021 to the present, constituting or documenting a functional accessibility analysis of the Oxford Street sidewalk adjacent to or serving the 2128 Oxford Street project (The HUB), Use Permit Modification ZP2025-0113 — specifically, any pedestrian level-of-service, pedestrian-capacity, ADA Title II program-access, PROWAG, or equivalent functional-usability or feasibility analysis evaluating whether the sidewalk will remain usable by disabled pedestrians under the pedestrian demand projected from the approved 433-unit residential and ground-floor commercial project.

This request is specifically limited to functional-usability or feasibility analysis under projected pedestrian demand. It EXPRESSLY EXCLUDES, and I am not requesting: sidewalk replacement plans; curb ramp, curb, or gutter details; tree-grate or tree-well specifications; slope or surface construction details; the standard Condition of Approval requiring sidewalk replacement to construction standards; or any other record addressing physical or dimensional construction compliance rather than functional usability under projected demand.

If one or more responsive records exist, please produce or specifically identify them now.

If no responsive record exists, please state that plainly and in writing, consistent with the City's obligation to make a determination under California Government Code section 7922.535.

Because this is a narrow existence question and not a request for a voluminous document set, I respectfully ask the City to make and communicate its determination as to whether any such analysis exists within the standard statutory period, separately from the June 3, 2027 completion estimate applicable to my broader pending requests.

ITEM NO. 11 - ATTACHMENT 2

Departments likely to hold responsive records include Planning & Development, Public Works, Transportation, and the ADA Coordinator / Disability Services.

Your request is granted. The City has completed its search for responsive documents and as a courtesy has attached them to this letter. With this response, staff have completed their work to process and respond to your Public Records Act request.

If you have any questions concerning your request, please feel free to contact me at Planning@berkeleyca.gov

* [Oxford_Street_8_13_2026_10_30_16_AM_33c802a8-09a4-4249-840b-af75367dc1d0_Dual_Page_48-50pdf.pdf](#)

* [Center_Street_-_Oxford_Street_to_Martin_Luther_King_Junior_Way_-_South_Side_8_13_2026_10_06_23_AM_6b3460ab-88b5-43c0-a1b4-6ca3827fb821_Dual.pdf](#)

Document links are valid for one month.

After September 26, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Screenshot of the City's NextRequest portal page for PRR 26-2240 (timeline), taken by Steven Schuyler on September 14, 2026.

Staff assigned

Departments

Planning - Land Use

Public Works

Point of contact

Nakisha Clayton

TimelineDocuments

Request published

Anyone with access to this request

August 26, 2026, 9:03am by Staff

Request closed ^

Anyone with access to this request

All records have been released, and your request has been fulfilled

August 26, 2026, 9:03am by Staff

Message to requester ^

Requester = Staff

This is in response to your 08/02/26 Public Records Act request for:

2128 Oxford Street (ZP2025-0113) — Functional Accessibility / Feasibility Analysis: Existence Determination

This is a request under the California Public Records Act. It is a discrete, narrow request. I ask that it be treated as a new, standalone request and NOT consolidated with, or deferred into, the rolling productions under PRR 26-1196 or PRR 26-1201.

I request any record, from January 1, 2021 to the present, constituting or documenting a functional accessibility analysis of the Oxford Street sidewalk adjacent to or serving the 2128 Oxford Street project (The HUB), Use Permit Modification ZP2025-0113 — specifically, any pedestrian level-of-service, pedestrian-capacity, ADA Title II program-access, PROWAG, or equivalent functional-usability or feasibility analysis evaluating whether the sidewalk will remain usable by disabled pedestrians under the pedestrian demand projected from the approved 433-unit residential and ground-floor commercial project.

This request is specifically limited to functional-usability or feasibility analysis under projected pedestrian demand. It EXPRESSLY EXCLUDES, and I am not requesting: sidewalk replacement plans; curb ramp, curb, or gutter details; tree-grate or tree-well specifications; slope or surface construction details; the standard Condition of Approval requiring sidewalk replacement to construction standards; or any other record addressing physical or dimensional construction compliance rather than functional usability under projected demand.

If one or more responsive records exist, please produce or specifically identify them now.

If no responsive record exists, please state that plainly and in writing, consistent with the City's obligation to make a determination under California Government Code section 7922.535.

Because this is a narrow existence question and not a request for a voluminous document set, I respectfully ask the City to make and communicate its determination as to whether any such analysis exists within the standard statutory period, separately from the June 3, 2027 completion estimate applicable to my broader pending requests.

Departments likely to hold responsive records include Planning & Development, Public Works, Transportation, and the ADA Coordinator / Disability Services.

Your request is granted. The City has completed its search for responsive documents and as a courtesy has attached them to this letter. With this response, staff have completed their work to process and respond to your Public Records Act request.

If you have any questions concerning your request, please feel free to contact me at Planning@berkeleyca.gov

August 26, 2026, 9:03am by Staff

Document(s) released ^

Anyone with access to this request

Oxford_Street_8_13_2026_10_30_16_AM_33c802a8-09a4-4249-840b-af75367dc1d0_Dual_Page 48-50.pdf
Center_Street_-_Oxford_Street_to_Martin_Luther_King_Junior_Way_-_South_Side_8_13_2026_10_06_23_AM_6b3460ab-88b5-43cd-a1b4-6ca3827fb821_Dual.pdf

August 26, 2026, 9:03am by Staff

Message from requester ^

Requester = Staff

To Nakisha Clayton, Point of Contact:
I am following up on Public Records Act request 26-2240, submitted through the City's NextRequest portal on August 2, 2026. The portal's timeline reflects that the request was assigned to Planning - Land Use and Public Works on August 2 and 3, but no determination has since been communicated to me.
More than ten days have now elapsed. Under California Government Code section 7922.535, the City is required to determine whether it holds responsive records and to notify me of that determination. My request expressly asked that this narrow existence question be answered within the standard statutory period, separately from the June 3, 2027 completion estimate applicable to my broader pending requests.
I therefore request an immediate written determination stating whether any responsive record exists, and if so, when it will be produced. Please confirm receipt of this follow-up.
Respectfully,
Steven Schuyler

August 13, 2026, 12:04pm by the requester

17

Attachment 3 (continued): PRR 26-2240 portal timeline, oldest entries

Second screenshot of the same portal page, taken by Steven Schuyler on September 14, 2026. It follows the bottom of page 1.

 Department assignment	Anyone with access to this request
Added: Public Works.	
August 3, 2026, 2:58pm by Staff	
 Department assignment	Anyone with access to this request
Added: Planning - Land Use. Removed: Planning and Development .	
August 3, 2026, 8:31 am by Staff	
 Department assignment	Anyone with access to this request
Planning and Development	
August 2, 2026, 2:21 pm by the requester	
 Request opened	Anyone with access to this request
Request received via web	
August 2, 2026, 2:21 pm by the requester	

Attachment 4: August 21, 2026 letter to Jordan Klein

From: Steven Schuyler <tell.stevenj@gmail.com>
To: jklein@berkeleyca.gov, clerk@berkeleyca.gov, CManager@berkeleyca.gov
Date: Friday, August 21, 2026, 7:54 AM (Pacific)
Subject: Escalation — overdue determination on Public Records Act Request No. 26-2240 (Gov. Code § 7922.535)

8-21-2026

Jordan Klein
 Director, Planning and Development Department
 City of Berkeley

Dear Mr. Klein,

I am writing to escalate Public Records Act Request No. 26-2240, submitted through the City's NextRequest portal on August 2, 2026. The request was assigned to Planning – Land Use — a division of your department — and to Public Works on August 2 and 3, 2026, with Nakisha Clayton designated as the point of contact.

Under California Government Code section 7922.535, the City was required, within 10 days of receiving the request, to determine whether it holds responsive records and to notify me of that determination. That period expired on or about August 12, 2026. I have received no determination, and no written notice invoking the unusual-circumstances extension permitted under section 7922.535(b). On August 13, 2026, I sent a written follow-up through the portal to Ms. Clayton; it has not been answered.

I am directing this to you as the director of the department to which the request was assigned. The request poses a narrow existence question: whether the City holds any functional-usability or feasibility analysis evaluating whether the Oxford Street sidewalk at the 2128 Oxford Street project (The HUB; Use Permit Modification ZP2025-0113) will remain usable by disabled pedestrians under the pedestrian demand projected from the approved 435-unit residential and ground-floor commercial program. As stated in the request, it expressly excludes sidewalk replacement plans and other physical or dimensional construction-compliance records.

I ask that your department:

1. Issue an immediate written determination stating whether any responsive record exists; and
2. If such records exist, produce or specifically identify them now.

Consistent with my original request, this narrow determination should be made and communicated separately from, and not folded into, the June 3, 2027 completion estimate applicable to my broader pending requests.

Please confirm receipt and provide the department's determination.

Respectfully,
 Steven Schuyler

[contact details removed]

Words I live by:

Everything else in the world can be decided for you, but not how you treat other people!
 Every moment of your life, always do what is in your best interest
 You can't wait until life isn't hard anymore to be happy - Nightbird
 The things I avoid right now are only waiting for me down the line!
 Relationships with customers last a lifetime; transactions are only temporary!

Attachment 5a: August 26, 2026 release notice, PRR 26-2240

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Wednesday, August 26, 2026, 9:33 AM (Pacific)
Subject: [Document Released] City of Berkeley public records request #26-2240

City of Berkeley

Documents have been released for record request #26-2240 along with the following message:

This is in response to your 08/02/26 Public Records Act request for:

2128 Oxford Street (ZP2025-0113) — Functional Accessibility /
 Feasibility Analysis: Existence Determination

This is a request under the California Public Records Act. It is a discrete, narrow request. I ask that it be treated as a new, standalone request and NOT consolidated with, or deferred into, the rolling productions under PRR 26-1196 or PRR 26-1201.

I request any record, from January 1, 2021 to the present, constituting or documenting a functional accessibility analysis of the Oxford Street sidewalk adjacent to or serving the 2128 Oxford Street project (The HUB), Use Permit Modification ZP2025-0113 — specifically, any pedestrian level-of-service, pedestrian-capacity, ADA Title II program-access, PROWAG, or equivalent functional-usability or feasibility analysis evaluating whether the sidewalk will remain usable by disabled pedestrians under the pedestrian demand projected from the approved 433-unit residential and ground-floor commercial project.

This request is specifically limited to functional-usability or feasibility analysis under projected pedestrian demand. It EXPRESSLY EXCLUDES, and I am not requesting: sidewalk replacement plans; curb ramp, curb, or gutter details; tree-grate or tree-well specifications; slope or surface construction details; the standard Condition of Approval requiring sidewalk replacement to construction standards; or any other record addressing physical or dimensional construction compliance rather than functional usability under projected demand.

If one or more responsive records exist, please produce or specifically identify them now.

If no responsive record exists, please state that plainly and in writing, consistent with the City's obligation to make a determination under California Government Code section 7922.535.

Because this is a narrow existence question and not a request for a voluminous document set, I respectfully ask the City to make and communicate its determination as to whether any such analysis exists within the standard statutory period, separately from the June 3, 2027 completion estimate applicable to my broader pending requests.

Departments likely to hold responsive records include Planning & Development, Public Works, Transportation, and the ADA Coordinator / Disability Services.

Your request is granted. The City has completed its search for responsive documents and as a courtesy has attached them to this letter. With this response, staff have completed their work to process and respond to your Public Records Act request.

If you have any questions concerning your request, please feel free to contact me at Planning@berkeleyca.gov

* [Oxford_Street_8_13_2026_10_30_16_AM_33c802a8-09a4-4249-840b-af75367dc1d0_Dual_Page_48-50pdf.pdf](#)

* [Center_Street_-_Oxford_Street_to_Martin_Luther_King_Junior_Way_-_South_Side_8_13_2026_10_06_23_AM_6b3460ab-88b5-43c0-a1b4-6ca3827fb821_Dual.pdf](#)

Document links are valid for one month.

After September 26, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 5b: August 26, 2026 closure notice, PRR 26-2240

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Wednesday, August 26, 2026, 9:33 AM (Pacific)
Subject: Your City of Berkeley public records request #26-2240 has been closed.

City of Berkeley

Record request #26-2240 has been closed. The closure reason supplied was:

All records have been released, and your request has been fulfilled

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Accessibility Report



City of Berkeley Center Street - Oxford Street to Martin Luther King Junior Way - South Side

Oxford Street to Martin Luther King Junior Way - South Side
Berkeley, CA 94704

Date of Inspection
2/27/2021

Prepared By

Disability Access Consultants, LLC

(800) 743-7067



Selected Report Filters

The following report only includes records using the filter criteria options selected in DACTrak to generate this report. Not all non compliant records for this facility may have been included in this report. The complete report with most recent records is available in DACTrak.

The following filters have been applied to this report:

Location : All Locations
Categories : Sidewalks
Priorities : All
Assignments : All
Progress : All
Cost Responsibilities : All
Resolutions : All
Sort By : Priority

Report generated on: 8/13/2026 10:06:20 AM

Center Street - Oxford Street to Martin Luther King Junior Way - South Side

Sidewalks : Change in Level - Non Beveled

South Side

Change in Level West of Milvia Street @ 37.869633223938, -122.272615134716

Finding

There is a change in elevation greater than recommended value.

On-Site Finding 0.62 inches

Recommendation

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302

Record Number 97032



Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Change in Level - Non Beveled****South Side****Change in Level West of Oxford Street @ 37.870320304509, -122.267587333918****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 0.62 inches

Recommendation

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302

Record Number 96730

**Sidewalks : Change in Level - Non Beveled****South Side****Change in Level West of Oxford Street @ 37.870347829945, -122.267288267612****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 0.62 inches

Recommendation

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302

Record Number 96728



Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Change in Level - Non Beveled**

South Side**Change in Level West of Oxford Street @ 37.870387741, -122.267002612352****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 1.00 inches**Recommendation**

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302**Record Number** 96733**Sidewalks : Change in Level - Non Beveled**

South Side**Change in Level West of Shattuck Avenue @ 37.869947651435, -122.270311117172****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 0.37 inches**Recommendation**

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302**Record Number** 96732

Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Change in Level - Non Beveled**

South Side**Change in Level West of Shattuck Avenue @ 37.870033404156, -122.269633859396****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 0.37 inches**Recommendation**

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302**Record Number** 96726**Sidewalks : Change in Level - Non Beveled**

South Side**Change in Level West of Shattuck Avenue @ 37.870041873555, -122.269565463066****Finding**

There is a change in elevation greater than recommended value.

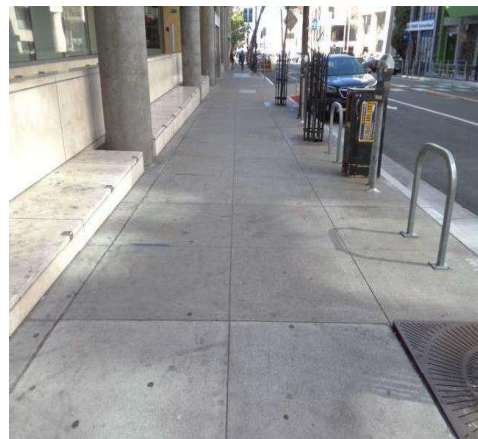
On-Site Finding 1.25 inches**Recommendation**

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302**Record Number** 96734

Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Change in Level - Non Beveled****South Side****Change in Level West of Shattuck Avenue @ 37.870091631255, -122.269134968519****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 0.62 inches**Recommendation**

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302**Record Number** 96729**Sidewalks : Change in Level - Non Beveled****South Side****Change in Level West of Shattuck Avenue @ 37.870118098103, -122.268923074007****Finding**

There is a change in elevation greater than recommended value.

On-Site Finding 0.62 inches**Recommendation**

Ensure that the change in elevation is within the recommended value.

Recommendation Up to 0.25 inches

Estimated Cost

Remove hazard \$198

Code Reference ADA 206, 302**Record Number** 96727

Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Crosswalks and Detectable Warnings**

South Side**Driveway West of Shattuck Avenue @ 37.870056695001, -122.269478291273****Finding**

There are no detectable warnings where the pedestrian route crosses vehicular traffic.

On-Site Finding Not Found

Recommendation

Provide detectable warnings.

**Estimated Cost**

Install compliant detectable warnings \$190

Code Reference ADA 705, CA 11B-705.1, 247.1

Record Number 96735

Sidewalks : Vehicular Traffic Cross Slope

South Side**Driveway West of Shattuck Avenue @ 37.870056695001, -122.269478291273****Finding**

Cross slope at vehicular traffic is not compliant.

On-Site Finding 3.90 percent

Recommendation

Repave the surface to provide a compliant cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Repave surface \$1,092

Code Reference ADA 206, 302, CA 11B-403.3

Record Number 96736



Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Crosswalks and Detectable Warnings**

South Side**Driveway West of Shattuck Avenue @ 37.870082103188, -122.269257009029****Finding**

There are no detectable warnings where the pedestrian route crosses vehicular traffic.

On-Site Finding Not Found

Recommendation

Provide detectable warnings.

Estimated Cost

Install compliant detectable warnings \$190

Code Reference ADA 705, CA 11B-705.1,247.1

Record Number 96737

**Sidewalks : Vehicular Traffic Cross Slope**

South Side**Driveway West of Shattuck Avenue @ 37.870082103188, -122.269257009029****Finding**

Cross slope at vehicular traffic is not compliant.

On-Site Finding 3.50 percent

Recommendation

Repave the surface to provide a compliant cross slope.

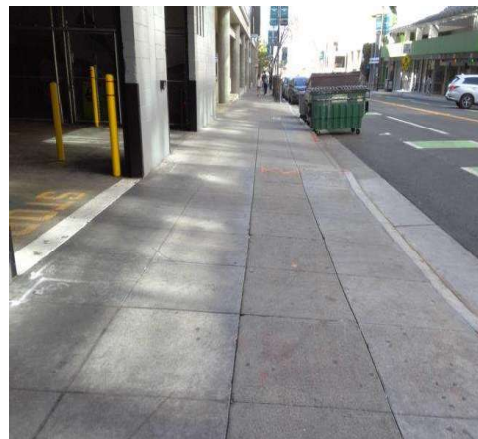
Recommendation Up to 2.08 percent

Estimated Cost

Repave surface \$1,092

Code Reference ADA 206, 302, CA 11B-403.3

Record Number 96738



Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Grate Opening****South Side****Grate West of Shattuck Avenue @ 37.869998467874, -122.269935607910****Finding**

Sidewalk grate opening is not perpendicular to the path.

On-Site Finding Not Perpendicular**Recommendation**

Grate opening shall be perpendicular to the path of travel.

Estimated Cost

Unassigned

Code Reference ADA 206, 302**Record Number** 96731**Sidewalks : Sidewalk Width at Obstruction****South Side****Parking Meter West of Milvia Street @ 37.869830138285, -122.271098345518****Finding**

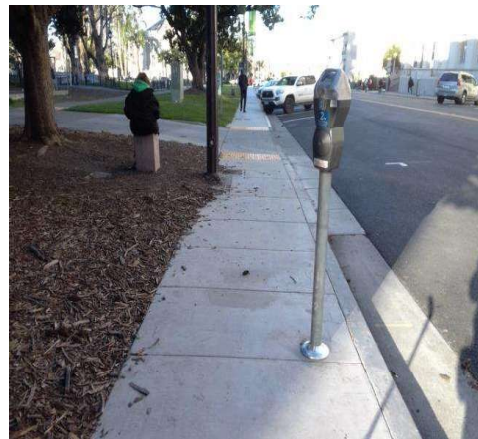
Sidewalk width at the obstruction is not compliant.

On-Site Finding 45.00 inches**Recommendation**

Remove obstruction or modify sidewalk.

Recommendation At least 48.00 inches**Estimated Cost**

\$1,260

Code Reference ADA 206, 302, 403.5, CA 11B-403.5**Record Number** 97035

Center Street - Oxford Street to Martin Luther King Junior Way - South Side

Sidewalks : Sidewalk Width at Obstruction

South Side

Parking Meter West of Milvia Street @ 37.869844959774, -122.271013855934

Finding

Sidewalk width at the obstruction is not compliant.

On-Site Finding 44.50 inches

Recommendation

Remove obstruction or modify sidewalk.

Recommendation At least 48.00 inches

Estimated Cost

\$1,260

Code Reference ADA 206, 302, 403.5, CA 11B-403.5

Record Number 97034



Sidewalks : Sidewalk Width at Obstruction

South Side

Parking Meter West of Milvia Street @ 37.869851311840, -122.270940095186

Finding

Sidewalk width at the obstruction is not compliant.

On-Site Finding 45.00 inches

Recommendation

Remove obstruction or modify sidewalk.

Recommendation At least 48.00 inches

Estimated Cost

\$1,260

Code Reference ADA 206, 302, 403.5, CA 11B-403.5

Record Number 97033



Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Sidewalk Width at Obstruction****South Side****Parking Meter West of Milvia Street @ 37.869859781260, -122.270869016647****Finding**

Sidewalk width at the obstruction is not compliant.

On-Site Finding 45.00 inches**Recommendation**

Remove obstruction or modify sidewalk.

Recommendation At least 48.00 inches

Estimated Cost

\$1,260

Code Reference ADA 206, 302, 403.5, CA 11B-403.5**Record Number** 97031**Sidewalks : Cross Slope****South Side****Sidewalk West of Milvia Street @ 37.869642752064, -122.272546738386****Finding**

Sidewalk cross slope is not compliant.

On-Site Finding 2.70 percent for 30.00 feet**Recommendation**

Repave the sidewalk surface with the recommended cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Fix Sidewalk \$1,080

Code Reference ADA 206, 302, CA 11B-403.3**Record Number** 97030

Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Cross Slope**

South Side**Sidewalk West of Oxford Street @ 37.870370062021, -122.266975790262****Finding**

Sidewalk cross slope is not compliant.

On-Site Finding 4.20 percent for 210.00 feet**Recommendation**

Repave the sidewalk surface with the recommended cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Fix Sidewalk \$7,560

Code Reference ADA 206, 302, CA 11B-403.3**Record Number** 96724**Sidewalks : Cross Slope**

South Side**Sidewalk West of Shattuck Avenue @ 37.869996350524, -122.269999980927****Finding**

Sidewalk cross slope is not compliant.

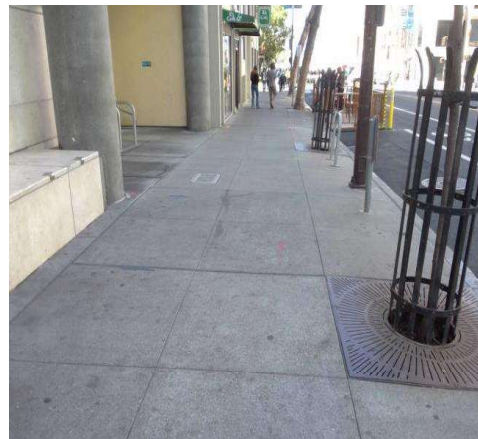
On-Site Finding 4.80 percent for 135.00 feet**Recommendation**

Repave the sidewalk surface with the recommended cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Fix Sidewalk \$4,860

Code Reference ADA 206, 302, CA 11B-403.3**Record Number** 96723

Center Street - Oxford Street to Martin Luther King Junior Way - South Side**Sidewalks : Cross Slope**

South Side**Sidewalk West of Shattuck Avenue @ 37.870041873555, -122.269565463066****Finding**

Sidewalk cross slope is not compliant.

On-Site Finding 2.90 percent for 95.00 feet**Recommendation**

Repave the sidewalk surface with the recommended cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Fix Sidewalk \$3,420

Code Reference ADA 206, 302, CA 11B-403.3**Record Number** 96725**Sidewalks : Cross Slope**

South Side**Sidewalk West of Shattuck Avenue @ 37.870091631255, -122.269134968519****Finding**

Sidewalk cross slope is not compliant.

On-Site Finding 3.00 percent for 120.00 feet**Recommendation**

Repave the sidewalk surface with the recommended cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Fix Sidewalk \$4,320

Code Reference ADA 206, 302, CA 11B-403.3**Record Number** 96721

Center Street - Oxford Street to Martin Luther King Junior Way - South Side

Sidewalks : Cross Slope

South Side

Sidewalk West of Shattuck Avenue @ 37.870145623615, -122.268738001585

Finding

Sidewalk cross slope is not compliant.

On-Site Finding 3.80 percent for 125.00 feet

Recommendation

Repave the sidewalk surface with the recommended cross slope.

Recommendation Up to 2.08 percent

Estimated Cost

Fix Sidewalk \$4,500

Code Reference ADA 206, 302, CA 11B-403.3

Record Number 96722



Center Street - Oxford Street to Martin Luther King Junior Way - South Side



**Center Street - Oxford Street to Martin Luther King Junior Way -
South Side**

Oxford Street to Martin Luther King Junior Way - South Side
Berkeley, CA 94704

Date of Inspection

2/27/2021

***Estimated Facility Total: \$35,126**

*Estimated facility total is for estimating purposes only and does not represent total construction, repair totals or design fees.

Prepared By

Disability Access Consultants, LLC

(800) 743-7067

Prepared Using



Attachment 6: August 26, 2026 letter, "Deficient Closure - Public Records Request 26-2240"

From: Steven Schuyler <tell.stevenj@gmail.com>
To: Planning@berkeleyca.gov
Cc: jklein@berkeleyca.gov, CManager@berkeleyca.gov, fbrown@cityofberkeley.info, clerk@berkeleyca.gov
Date: Wednesday, August 26, 2026, 12:26 PM (Pacific)
Subject: Deficient Closure — Public Records Request 26-2240

To: planning@berkeleyca.gov
 (Attn: Nakisha Clayton, Public Records Coordinator)
 cc: Jordan Klein, Director of Planning & Development
 Paul Buddenhagen, City Manager
 Farimah Faiz Brown, City Attorney

Re: Deficient Closure — Public Records Request 26-2240
 (2128 Oxford Street / ZP2025-0113 — Functional Accessibility
 / Feasibility Analysis: Existence Determination)

Date: 8-26-2026

I am writing regarding Public Records Request 26-2240, received by the City on August 2, 2026 and marked closed on August 26, 2026 with the message: "All records have been released, and your request has been fulfilled."

The request asked a single, narrow question: whether the City holds any record, created January 1, 2021 to the present, constituting or documenting a FUNCTIONAL accessibility analysis of the Oxford Street sidewalk serving the project at 2128 Oxford Street — that is, a pedestrian level-of-service, pedestrian-capacity, ADA Title II program-access, PROWAG, or equivalent analysis of whether the sidewalk remains usable by disabled pedestrians under the pedestrian demand projected from the approved 433-unit project.

The request expressly EXCLUDED records addressing physical or dimensional construction compliance, and listed the exclusions specifically: sidewalk replacement plans; curb ramp, curb, or gutter details; tree-grate or tree-well specifications; slope or surface construction details; the standard sidewalk-replacement Condition of Approval; and any record addressing physical or dimensional compliance rather than functional usability under demand.

The City closed the request by producing exactly two documents:

1. A Disability Access Consultants (DAC) accessibility report, "Center Street — Oxford Street to Martin Luther King Jr. Way — South Side," inspection dated February 27, 2021.
2. Pages 48–50 of a 369-page DAC "Oxford Street" accessibility survey.

Both are physical-barrier inventories of existing conditions, itemizing dimensional defects with per-defect remediation costs. Both fall squarely within the category the request expressly excluded. Neither contains any pedestrian level-of-service, capacity, demand, or functional-usability analysis; neither references the 2128 Oxford Street project or the pedestrian demand it will generate; and neither was prepared in connection with the entitlement.

The closure is therefore deficient in two independent respects:

First, the City asserts the request is "fulfilled" by two documents the request text stated, in terms, it was not requesting. The exclusion list and the assertion of fulfillment cannot both stand.

Second, the request asked the City, if no responsive functional analysis exists, to state so plainly and in writing. The canned closure message is not that statement. It does not say whether a functional pedestrian-demand, level-of-service, or PROWAG-usability analysis exists; it gives no reasons; and it identifies no person who so determined.

I also note, from the City's own request timeline, that the request was routed only to Planning—Land Use and Public Works. The request identified Transportation and the ADA Coordinator / Disability Services as likely custodians. Those two units — where any pedestrian-circulation analysis or any ADA Title II program-access analysis would most plausibly reside — do not appear to have been assigned. A search that did not reach them cannot support a determination that no such record exists.

Accordingly, I request that within 10 business days the City either:

- (a) produce or identify the functional accessibility analysis described above, if any such record exists; or
- (b) provide a plain written statement that no such record exists, identifying the individual who made that determination and the offices whose records were searched — including whether Transportation and the ADA Coordinator / Disability Services were searched.

I am not requesting the physical-compliance surveys already produced; those are outside the scope of this request as written.

Thank you for your attention to this matter.

Steven Schuyler

[contact details removed]

tell.stevenj@gmail.com

Words I live by:

Everything else in the world can be decided for you, but not how you treat other people!

Every moment of your life, always do what is in your best interest

You can't wait until life isn't hard anymore to be happy - Nightbird

The things I avoid right now are only waiting for me down the line!

Relationships with customers last a lifetime; transactions are only temporary!

Attachment 7: PRR 26-1196 request text, from the City portal

The City's release notice of August 25, 2026 quotes the request text in full. The same notice is also attachment 14.

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Tuesday, August 25, 2026, 3:47 PM (Pacific)
Subject: [Document Released] City of Berkeley public records request #26-1196

City of Berkeley

Documents have been released for record request #26-1196 along with the following message:

This is in response to your April 25, 2026 Public Records Act request for:

[2128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

- * Projected pedestrian volume or pedestrian demand generated by the proposed project.
- * Sidewalk capacity, pedestrian level of service, pedestrian circulation, or pedestrian congestion on Oxford Street adjacent to or near 2128 Oxford Street.
- * Accessible path of travel, ADA Title II access, PROWAG considerations, or functional usability of the public right-of-way.
- * Tree-well choke points, tree grates, sidewalk width constraints, sidewalk obstructions, or fixed sidewalk narrowing along the relevant Oxford Street block.
- * Zero-foot setback impacts on future sidewalk widening, pedestrian movement, accessibility, or mitigation options.
- * Potential mitigation measures, including sidewalk widening, curb extensions, bulb-outs, removal of parking spaces, relocation of tree wells, installation or replacement of tree grates, or other changes to the pedestrian area.

Please include emails, memoranda, staff notes, reports, analyses, plans, diagrams, meeting notes, internal communications, and attachments.]

Portions of these documents have been redacted to protect personal information. (Cal. Gov. Code §§ 6255.)

The City has identified records responsive to your request. A partial production of those records is attached. The next release date will be September 8, 2026 at 5 p.m.

Staff estimate that all responsive records will be provided by January 26, 2027 at 5 p.m. Should some records become available prior to that date, the City will provide records on a rolling basis as City staff complete their review of responsive records.

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov

- * Application First_redacted.pdf

- * Corrections First (29).pdf
- * Fwd HUB Berkeley - Tieback Encroachment Permits_Redacted.pdf
- * Re HUB Berkeley - Tieback Encroachment Permits_Redacted.pdf
- * Re 2128 Oxford St_Redacted.pdf
- * 251119 - HUB Berkeley - Shoring Enroachment Locations.pdf

Document links are valid for one month.

After September 25, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 8: May 6, 2026 City extension notice on PRR 26-1196

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Wednesday, May 6, 2026, 7:42 AM (Pacific)
Subject: [External Message Added] City of Berkeley public records request #26-1196

City of Berkeley

A message was sent to you regarding record request #26-1196:

This is in response to your April 25, 2026 Public Records Act request for:

[128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

- * Projected pedestrian volume or pedestrian demand generated by the proposed project.
- * Sidewalk capacity, pedestrian level of service, pedestrian circulation, or pedestrian congestion on Oxford Street adjacent to or near 2128 Oxford Street.
- * Accessible path of travel, ADA Title II access, PROWAG considerations, or functional usability of the public right-of-way.
- * Tree-well choke points, tree grates, sidewalk width constraints, sidewalk obstructions, or fixed sidewalk narrowing along the relevant Oxford Street block.
- * Zero-foot setback impacts on future sidewalk widening, pedestrian movement, accessibility, or mitigation options.
- * Potential mitigation measures, including sidewalk widening, curb extensions, bulb-outs, removal of parking spaces, relocation of tree wells, installation or replacement of tree grates, or other changes to the pedestrian area.

Please include emails, memoranda, staff notes, reports, analyses, plans, diagrams, meeting notes, internal communications, and attachments.]

The City is extending the response period by fourteen additional calendar days to May 20, 2026, based on the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records, and the need for consultation with two or more City departments or offices with substantial subject matter interest in the request. (Cal. Gov. Code § 7922.535(b)-(c) (formerly Gov. Code § 6253(c)).

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 9: May 20, 2026 City notice on PRR 26-1196

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Wednesday, May 20, 2026, 12:40 PM (Pacific)
Subject: [External Message Added] City of Berkeley public records request #26-1196

City of Berkeley

A message was sent to you regarding record request #26-1196:

This is in response to your April 25, 2026 Public Records Act request for:

[128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

- * Projected pedestrian volume or pedestrian demand generated by the proposed project.
- * Sidewalk capacity, pedestrian level of service, pedestrian circulation, or pedestrian congestion on Oxford Street adjacent to or near 2128 Oxford Street.
- * Accessible path of travel, ADA Title II access, PROWAG considerations, or functional usability of the public right-of-way.
- * Tree-well choke points, tree grates, sidewalk width constraints, sidewalk obstructions, or fixed sidewalk narrowing along the relevant Oxford Street block.
- * Zero-foot setback impacts on future sidewalk widening, pedestrian movement, accessibility, or mitigation options.
- * Potential mitigation measures, including sidewalk widening, curb extensions, bulb-outs, removal of parking spaces, relocation of tree wells, installation or replacement of tree grates, or other changes to the pedestrian area.

Please include emails, memoranda, staff notes, reports, analyses, plans, diagrams, meeting notes, internal communications, and attachments.]

The City has identified records responsive to your request. Staff estimate that all responsive records will be provided by June 2, 2027 at 5 p.m. Should some records become available prior to that date, the City will provide records on a rolling basis as City staff complete their review of responsive records.

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 10: May 21-22, 2026 emails with Andrea Brosnan on PRR 26-1196

From: Steven Schuyler <tell.stevenj@gmail.com>
To: abrosnan@berkeleyca.gov
Date: Thursday, May 21, 2026, 4:26 AM (Pacific)
Subject: RE: 26-1196

5-21-2026

Dear Ms. Brosnan:

Thank you for the update regarding my Public Records Act request.

First, I am writing to confirm whether the June 2, 2027 estimated completion date was intentional, or whether the intended date was June 2, 2026. Because this request appears to involve a large volume of records, I wanted to clarify the date and also ask whether rolling production would work for your office.

I would like to work cooperatively with you to manage the records production in a way that is practical and efficient for both the City and me.

I respectfully request that the City prioritize production of any final or substantive records first, if feasible, including reports, studies, staff analyses, memoranda, conditions of approval, plan-check comments, department referrals, determinations, or records identifying whether functional sidewalk usability, projected pedestrian demand, ADA Title II access, PROWAG considerations, or mitigation options were evaluated.

After producing those substantive records, I respectfully request that the City continue producing any remaining responsive records, including email chains and related communications, on a rolling basis as review is completed.

Respectfully,

Steven Schuyler

[contact details removed]

WORDS I LIVE BY:

EVERY MOMENT OF YOUR LIFE, ALWAYS DO WHAT IS IN YOUR BEST INTEREST

The things I avoid right now are only waiting for me down the line!

Relationships with customers last a lifetime; transactions are only temporary!

From: Brosnan, Andrea <ABrosnan@berkeleyca.gov>
To: tell.stevenj@gmail.com
Date: Friday, May 22, 2026, 11:03 AM (Pacific)
Subject: RE: 26-1196

Dear Mr. Schuyler,

Thank you for submitting you Public Records Act to our department. The June 2, 2027 estimate was intentional. This PRA involves other departments, a team of engineers, as well as email searches. As I have a better idea of how many records we are managing, I hope that date will change to an earlier date. At this point I am confident all records will be produced by that date. I will begin releasing documents on a rolling basis as soon as they become available.

I have asked my team and the other departments to produce substantive records first, but I am unable to guarantee that those records will be available first. I will release documents as they become available.

Please reach out if you have any questions or concerns.

Sincerely,

Andrea

[The earlier message(s) quoted below this point in the original are reproduced in full earlier in this file.]

From: Steven Schuyler <tell.stevenj@gmail.com>
To: ABrosnan@berkeleyca.gov
Date: Friday, May 22, 2026, 11:13 AM (Pacific)
Subject: Re: 26-1196

5-22-2026

Hi, Andrea:

Thanks for getting back to me. I was mostly checking to ensure the year you typed wasn't a typo. Just so you know, I am fine with this timeline if that is what you and your team need to get the information I requested.

I appreciate everyone's efforts in putting everything together for me.

Getting it right is more important to me than how long it takes. Of course, nothing is ever perfect, but it is the effort that counts to me more than anything else.

Anyway, let's please just keep in whatever contact we need to as we work our way through this process.

Thanks so much for your support,

-Steven Schuyler

[The earlier message(s) quoted below this point in the original are reproduced in full earlier in this file.]

From: Brosnan, Andrea <ABrosnan@berkeleyca.gov>
To: tell.stevenj@gmail.com
Date: Friday, May 22, 2026, 11:29 AM (Pacific)
Subject: RE: 26-1196

Hi Steven,

Understood! I am hoping it won't take that long, just wanted to set a date that far to ensure we can search carefully and thoroughly. I am so glad to hear that it is important that you are receiving the right information and don't need it immediately. That always adds stress! Thank you for understanding it does take time and we are happy to put in the effort for you.

Yes, feel free to contact me during this process.

Take care,

Andrea

[The earlier message(s) quoted below this point in the original are reproduced in full earlier in this file.]

Attachment 11: July 29, 2026 letter to City Clerk Numainville and City Manager Buddenhagen, the City Clerk's July 31 and August 3 replies, and my July 31 follow-up

From: Steven Schuyler <tell.stevenj@gmail.com>
To: CManager@berkeleyca.gov, clerk@berkeleyca.gov
Date: Wednesday, July 29, 2026, 11:12 AM (Pacific)
Subject: Public Records Act production schedules - PRR 26-1196 and PRR 26-1201, 2128 Oxford Street

7-29-2026

Mr. Numainville and Mr. Buddenhagen,

I am writing to you directly rather than through the NextRequest portal because the question I am raising concerns the City's records program and departmental resourcing, not the handling of any individual request. I am not asking either of you to intervene in the substance of a request, and I am not asking anyone to comment on an asserted exemption.

The relevant facts are brief.

PRR 26-1196 was filed April 25, 2026 and PRR 26-1201 was filed April 27, 2026. Both concern the Oxford Street sidewalk and public right-of-way adjacent to 2128 Oxford Street, Use Permit Modification ZP2025-0113.

On July 16, 2026 the City stated an estimated completion date of June 3, 2027 for PRR 26-1201.

Construction is scheduled to begin November 12, 2026 under the Major Construction Schedule submitted pursuant to Condition of Approval 23, beginning with abatement and demolition. The approved traffic control plan for the project provides for closure of the Oxford Street sidewalk during the construction period.

Production on PRR 26-1196 has proceeded on a regular schedule: June 2, 2026 - eleven documents; June 16 - six; June 30 - seven; July 14 - one; July 28 - eight. That is thirty-three documents over roughly eight weeks. I want to acknowledge that the City has been producing records steadily and on a predictable cadence, and I appreciate that.

For comparison, PRR 25-61 was filed January 13, 2025. It concerned the same stretch of sidewalk, was assigned to the same division, and had the same point of contact. It was searched and determined on January 22, 2025 - nine days.

I have three requests.

To the City Clerk, as administrator of the City's public records program: please review the production schedules on PRR 26-1196 and PRR 26-1201 and state in writing whether a June 3, 2027 completion is consistent with the City's obligation under the Public Records Act to make records promptly available.

To the City Clerk or the responsible department, as appropriate: given that thirty-three documents have been produced on PRR 26-1196 since June 2, 2026, please state approximately how many responsive records remain to be reviewed and produced on PRR 26-1196 and PRR 26-1201. I ask because the stated completion date of June 3, 2027 is roughly ten months from now, and I would like to understand what volume of remaining material accounts for that estimate.

To the City Manager: please state in writing whether departmental staff will be assigned so that records concerning the Oxford Street sidewalk and public right-of-way are produced before construction begins in November 2026, rather than approximately seven months afterward.

I recognize that these requests differ in scope, and that a broad multi-departmental request reasonably takes longer than a narrow one. My concern is not the pace of any individual release. It is that the current completion estimate delivers the records roughly seven months after the sidewalk closure they concern has already begun, at which point they cannot serve the purpose for which they were requested.

I would appreciate a written response.

Thank you,

Steven Schuyler

[contact details removed]

tell.stevenj@gmail.com

From: Numainville, Mark L. <MNumainville@berkeleyca.gov>
To: tell.stevenj@gmail.com
Date: Friday, July 31, 2026, 1:49 PM (Pacific)
Subject: RE: Public Records Act production schedules - PRR 26-1196 and PRR 26-1201, 2128 Oxford Street

Mr. Schuyler,

I have spoken with Public Works staff about your records requests. They will provide another update regarding the production of documents as they have in the past. They will also review the expected completion date and make any adjustments that are warranted, given the volume of your request.

Thank you.

Mark Numainville
City Clerk, City of Berkeley
(510) 981-6909
mnumainville@berkeleyca.gov

[The earlier message(s) quoted below this point in the original are reproduced in full earlier in this file.]

From: Steven Schuyler <tell.stevenj@gmail.com>
To: MNumainville@berkeleyca.gov
Cc: CManager@berkeleyca.gov
Date: Friday, July 31, 2026, 5:45 PM (Pacific)
Subject: Re: Public Records Act production schedules - PRR 26-1196 and PRR 26-1201, 2128 Oxford Street

7-31-2026

Mr. Numainville,

Thank you for the update, and for coordinating with Public Works.

Respectfully, my July 29 message posed three specific questions for written response, and the update you provided does not address them:

1. Whether a June 3, 2027 completion is consistent with the City's obligation under the Public Records Act to make records promptly available;

ITEM NO. 11 - ATTACHMENT 2

2. Approximately how many responsive records remain to be reviewed and produced on PRR 26-1196 and PRR 26-1201; and

3. (Directed to the City Manager) whether departmental staff will be assigned so that the Oxford Street sidewalk and public right-of-way records are produced before construction begins on November 12, 2026.

I would still appreciate a written response to each. I recognize a Public Works production update may be forthcoming, but questions 1 and 3 are directed to your office and to the City Manager, respectively, and a production-status update will not reach them.

Thank you,
Steven Schuyler

[The earlier message(s) quoted below this point in the original are reproduced in full earlier in this file.]

From:	Numainville, Mark L. <MNumainville@berkeleyca.gov>
To:	tell.stevenj@gmail.com
Cc:	CManager@berkeleyca.gov
Date:	Monday, August 3, 2026, 10:35 AM (Pacific)
Subject:	RE: Public Records Act production schedules - PRR 26-1196 and PRR 26-1201, 2128 Oxford Street

The June date may be updated with the update you receive from PW. It could be consistent with the PRA depending on the volume of your request.

Each department manages their own records in accordance with City guidelines. Public Works can inform you of the number of documents remaining to be produced.

Mark Numainville
City Clerk, City of Berkeley
(510) 981-6909
mnumainville@berkeleyca.gov

[The earlier message(s) quoted below this point in the original are reproduced in full earlier in this file.]

Attachment 12: August 3, 2026 City portal message on PRR 26-1196

The City's portal message repeats the text of the July 29 letter before giving Public Works' statement.

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Monday, August 3, 2026, 3:17 PM (Pacific)
Subject: [External Message Added] City of Berkeley public records request #26-1196

City of Berkeley

A message was sent to you regarding record request #26-1196:

Mr. Numainville and Mr. Buddenhagen,

I am writing to you directly rather than through the NextRequest portal because the question I am raising concerns the City's records program and departmental resourcing, not the handling of any individual request. I am not asking either of you to intervene in the substance of a request, and I am not asking anyone to comment on an asserted exemption.

The relevant facts are brief.

PRR 26-1196 was filed April 25, 2026 and PRR 26-1201 was filed April 27, 2026. Both concern the Oxford Street sidewalk and public right-of-way adjacent to 2128 Oxford Street, Use Permit Modification ZP2025-0113.

On July 16, 2026 the City stated an estimated completion date of June 3, 2027 for PRR 26-1201.

Construction is scheduled to begin November 12, 2026 under the Major Construction Schedule submitted pursuant to Condition of Approval 23, beginning with abatement and demolition. The approved traffic control plan for the project provides for closure of the Oxford Street sidewalk during the construction period.

Production on PRR 26-1196 has proceeded on a regular schedule: June 2, 2026 - eleven documents; June 16 - six; June 30 - seven; July 14 - one; July 28 - eight. That is thirty-three documents over roughly eight weeks. I want to acknowledge that the City has been producing records steadily and on a predictable cadence, and I appreciate that.

For comparison, PRR 25-61 was filed January 13, 2025. It concerned the same stretch of sidewalk, was assigned to the same division, and had the same point of contact. It was searched and determined on January 22, 2025 - nine days.

I have three requests.

To the City Clerk, as administrator of the City's public records program: please review the production schedules on PRR 26-1196 and PRR 26-1201 and state in writing whether a June 3, 2027 completion is consistent with the City's obligation under the Public Records Act to make records promptly available.

To the City Clerk or the responsible department, as appropriate: given that thirty-three documents have been produced on PRR 26-1196 since June 2, 2026, please state approximately how many responsive records remain to be reviewed and produced on PRR 26-1196 and PRR 26-1201. I ask because the stated completion date of June 3, 2027 is roughly ten months from now, and I would like to understand what volume of remaining material accounts for that estimate.

To the City Manager: please state in writing whether departmental staff will be assigned so that records concerning the Oxford Street sidewalk and public right-of-way are produced before construction begins in November 2026, rather than approximately seven months afterward.

I recognize that these requests differ in scope, and that a broad multi-departmental request reasonably takes longer than a narrow one. My concern is not the pace of any individual release. It is that the current completion estimate delivers the records roughly seven months after the sidewalk closure they concern has already begun, at which point they cannot serve the purpose for which they were requested.

I would appreciate a written response.

Thank you,

Steven Schuyler

[contact details removed]

tell.stevenj@gmail.com

Public Works staff have released all documents from the Engineering staff and the ADA Coordinator for this PRA. The rest of the documents are emails that will be produced on a rolling basis.

Staff has looked at the remaining documents and has determined that all responsive records will be provided by January 26, 2027 at 5 p.m. Should some records become available prior to that date, the City will provide records on a rolling basis as City staff complete their review of responsive records.

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov.

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 13: August 25, 2026 letter, "Deficient Production - Public Records Request 26-1196"

From: Steven Schuyler <tell.stevenj@gmail.com>
To: jklein@berkeleyca.gov, CManager@berkeleyca.gov, attorney@berkeleyca.gov, clerk@berkeleyca.gov
Date: Tuesday, August 25, 2026, 2:26 PM (Pacific)
Subject: Deficient Production — Public Records Request 26-1196 (2128 Oxford Street / The HUB)

8-25-2026

Dear Director Klein, City Manager Buddenhagen, and City Attorney Brown,

I am writing regarding California Public Records Act request 26-1196, "2128 Oxford Street – Functional Sidewalk Usability Records," which concerns the pedestrian and accessibility conditions of the Oxford Street frontage of The HUB development (Use Permit Modification ZP2025-0113).

The City has now produced 43 documents across six installments (June 2, June 16, June 30, July 14, July 28, and August 11, 2026). Having reviewed the production index in full, I must raise a serious deficiency.

A substantial portion of what has been produced is not responsive in substance to the request:

- Automated notifications generated by the City's own records portal — for example, multiple "You have been added to City of Berkeley records request #26..." emails — have been produced as records.
- Numerous entries are forwarded email chains, several appearing more than once across installments. The "Kiosk and pay station removal" email, for instance, appears three separate times.
- At least one document appears to have been produced twice — "2128-Oxford-Public-Art-Allocation-Declaration-signed.pdf," with the second copy auto-named "...signed (1).pdf."

Most importantly, after 43 records and six installments, not one document on its face is what the request actually seeks: a pedestrian-demand study, a sidewalk capacity or level-of-service analysis, or an ADA Title II / PROWAG accessibility evaluation of the Oxford Street sidewalk. The only accessibility-related materials produced are construction-phase traffic control plans and a reactive, post-approval response to my ADA grievance — nothing analyzing whether the sidewalk will remain usable given the project's zero-foot setback, which forecloses future widening, and the increased pedestrian demand the modification will generate.

Padding a production with duplicates, forwarded chains, and the City's own automated notifications, while the substantive analyses remain unproduced, is not an adequate response to a Public Records Act request.

I therefore request, promptly, one of the following:

1. Production of the substantive responsive records — any pedestrian-demand, sidewalk-capacity or level-of-service, or ADA/PROWAG accessibility analysis prepared for, or relied upon in, the review and approval of this project; or
2. If no such records exist, a written statement to that effect, identifying who determined that no responsive records of these types exist.

Please respond in writing within ten (10) business days. If this deficiency is not addressed, I am prepared to pursue the matter through more formal channels, including the enforcement provisions of the Public Records Act.

Sincerely,
 Steven Schuyler

[contact details removed]

[contact details removed]

E: tell.stevenj@gmail.com

Words I live by:

Everything else in the world can be decided for you, but not how you treat other people!

Every moment of your life, always do what is in your best interest

You can't wait until life isn't hard anymore to be happy - Nightbird

The things I avoid right now are only waiting for me down the line!

Relationships with customers last a lifetime; transactions are only temporary!

Attachment 14: August 25, 2026 release notice, listing the six documents

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Tuesday, August 25, 2026, 3:47 PM (Pacific)
Subject: [Document Released] City of Berkeley public records request #26-1196

City of Berkeley

Documents have been released for record request #26-1196 along with the following message:

This is in response to your April 25, 2026 Public Records Act request for:

[2128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

- * Projected pedestrian volume or pedestrian demand generated by the proposed project.
- * Sidewalk capacity, pedestrian level of service, pedestrian circulation, or pedestrian congestion on Oxford Street adjacent to or near 2128 Oxford Street.
- * Accessible path of travel, ADA Title II access, PROWAG considerations, or functional usability of the public right-of-way.
- * Tree-well choke points, tree grates, sidewalk width constraints, sidewalk obstructions, or fixed sidewalk narrowing along the relevant Oxford Street block.
- * Zero-foot setback impacts on future sidewalk widening, pedestrian movement, accessibility, or mitigation options.
- * Potential mitigation measures, including sidewalk widening, curb extensions, bulb-outs, removal of parking spaces, relocation of tree wells, installation or replacement of tree grates, or other changes to the pedestrian area.

Please include emails, memoranda, staff notes, reports, analyses, plans, diagrams, meeting notes, internal communications, and attachments.]

Portions of these documents have been redacted to protect personal information. (Cal. Gov. Code §§ 6255.)

The City has identified records responsive to your request. A partial production of those records is attached. The next release date will be September 8, 2026 at 5 p.m.

Staff estimate that all responsive records will be provided by January 26, 2027 at 5 p.m. Should some records become available prior to that date, the City will provide records on a rolling basis as City staff complete their review of responsive records.

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov

- * Application First_redacted.pdf
- * Corrections First (29).pdf

- * Fwd HUB Berkeley - Tieback Encroachment Permits_Redacted.pdf
- * Re HUB Berkeley - Tieback Encroachment Permits_Redacted.pdf
- * Re 2128 Oxford St_Redacted.pdf
- * 251119 - HUB Berkeley - Shoring Enroachment Locations.pdf

Document links are valid for one month.

After September 25, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 15: September 8, 2026 release notice, listing the five documents

From: messages@nextrequest.com
To: tell.stevenj@gmail.com
Date: Tuesday, September 8, 2026, 2:11 PM (Pacific)
Subject: [Document Released] City of Berkeley public records request #26-1196

City of Berkeley

Documents have been released for record request #26-1196 along with the following message:

This is in response to your April 25, 2026 Public Records Act request for:

[2128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

- * Projected pedestrian volume or pedestrian demand generated by the proposed project.
- * Sidewalk capacity, pedestrian level of service, pedestrian circulation, or pedestrian congestion on Oxford Street adjacent to or near 2128 Oxford Street.
- * Accessible path of travel, ADA Title II access, PROWAG considerations, or functional usability of the public right-of-way.
- * Tree-well choke points, tree grates, sidewalk width constraints, sidewalk obstructions, or fixed sidewalk narrowing along the relevant Oxford Street block.
- * Zero-foot setback impacts on future sidewalk widening, pedestrian movement, accessibility, or mitigation options.
- * Potential mitigation measures, including sidewalk widening, curb extensions, bulb-outs, removal of parking spaces, relocation of tree wells, installation or replacement of tree grates, or other changes to the pedestrian area.

Please include emails, memoranda, staff notes, reports, analyses, plans, diagrams, meeting notes, internal communications, and attachments.]

The City has identified records responsive to your request. A partial production of those records is attached. Next release date is September 22 at 5:00 p.m.

Staff estimate that all responsive records will be provided by January 26, 2027 at 5 p.m. Should some records become available prior to that date, the City will provide records on a rolling basis as City staff complete their review of responsive records.

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov

- * Merger Exhibit A 2025-08-27_City.Comment.pdf
- * RE HUB Berkeley - Traffic Control Plans_Redacted.pdf
- * RE LOLA 397 - Merger 2142 Center & 2128 Oxford_Redacted.pdf

* 2128 Oxford St_Berkeley_TCP_V03.pdf

* CoB_Map_Checklist_23-Oct-2023.pdf

Document links are valid for one month.

After October 8, you will need to sign in to view the document(s).

Questions about your request? Reply to this email or sign in to contact staff at City of Berkeley.

Technical support: See our help page

Attachment 16: September 8, 2026 letter, "Deficient Production, Continued - Public Records Request 26-1196"

From: Steven Schuyler <tell.stevenj@gmail.com>
To: jklein@berkeleyca.gov, attorney@berkeleyca.gov
Cc: CManager@berkeleyca.gov, clerk@berkeleyca.gov
Date: Tuesday, September 8, 2026, 3:30 PM (Pacific)
Subject: Deficient Production, Continued — Public Records Request 26-1196

9-8-2026

Dear Director Klein and City Attorney Brown,

I am writing regarding today's production on Public Records Act request 26-1196. Five documents were released this afternoon, one day ahead of the ten-business-day deadline set in my August 25 letter on this matter.

Within a few minutes of review, it was apparent that none of these five documents responds to the request. Three are unrelated to pedestrian or sidewalk usability altogether—they concern a separate matter: the parcel merger survey for 2142 Center Street and 2128 Oxford Street (LOLA 397). The remaining two repeat the same category my August 25 letter already identified and explicitly excluded as non-responsive: construction-phase traffic control plans.

Unless the City can explain how these particular records were determined to be responsive to a request for a pedestrian-demand study, a sidewalk capacity or level-of-service analysis, or an ADA/PROWAG accessibility evaluation of the Oxford Street frontage, they do not fulfill the request.

I would ask that you go back and consult with the relevant staff to ensure this request is being properly searched and answered—either with the substantive records requested or with the written non-existence determination my August 25 letter already asked for in the alternative.

Sincerely,
Steven Schuyler

Request Visibility: Unpublished

Request 26-1196

Open

1 of 6 with filters active

Dates

Received

April 25, 2026 via web

Requester

Steven Schuyler

tell.steverij@gmail.com

2175 Kittredge St. #318, Berkeley, CA, 94704

5103457866

Staff assigned

Departments

Public Works

Point of contact

Brosnan, Andrea

Request

2128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

1. Projected pedestrian volume or pedestrian demand generated by the proposed project.

2. Sidewalk capacity, pedestrian level of service,...

Show more

Timeline Documents

Message to requester ^

Requester + Staff

This is in response to your April 25, 2026 Public Records Act request for:

2128 Oxford Street - Functional Sidewalk Usability Records

Please produce all records from January 1, 2024 to the present identifying where the City evaluated whether the Oxford Street sidewalk adjacent to or near 2128 Oxford Street would remain functionally usable by pedestrians, including disabled pedestrians, under projected pedestrian demand from Use Permit Modification ZP2025-0113 and the proposed 433-unit residential project.

This request includes, but is not limited to, any records concerning:

1. Projected pedestrian volume or pedestrian demand generated by the proposed project.

2. Sidewalk capacity, pedestrian level of service, pedestrian circulation, or pedestrian congestion on Oxford Street adjacent to or near 2128 Oxford Street.

3. Accessible path of travel, ADA Title II access, PROWAG considerations, or functional usability of the public right-of-way.

4. Tree-well choke points, tree grates, sidewalk width constraints, sidewalk obstructions, or fixed sidewalk narrowing along the relevant Oxford Street block.

5. Zero-foot setback impacts on future sidewalk widening, pedestrian movement, accessibility, or mitigation options.

6. Potential mitigation measures, including sidewalk widening, curb extensions, bulb-outs, removal of parking spaces, relocation of tree wells, installation or replacement of tree grates, or other changes to the pedestrian area.

Please include emails, memoranda, staff notes, reports, analyses, plans, diagrams, meeting notes, internal communications, and attachments.]

The City has identified records responsive to your request. A partial production of those records is attached. Next release date is September 22 at 5:00 p.m.

Staff estimate that all responsive records will be provided by January 26, 2027 at 5 p.m. Should some records become available prior to that date, the City will provide records on a rolling basis as City staff complete their review of responsive records.

If you have any questions concerning your request, please feel free to contact me at abrosnan@berkeleyca.gov

September 8, 2026, 2:11pm by Staff

Document(s) released ^

Anyone with access to this request

Merger Exhibit A 2025-08-27 City.Comment.pdf

RE HUB Berkeley - Traffic Control Plans Redacted.pdf

RE LOLA 397 - Merger 2142 Center & 2128 Oxford Redacted.pdf

2128 Oxford St Berkeley TCP V03.pdf

CoB Map Checklist 23-Oct-2023.pdf

September 8, 2026, 2:11pm by Staff

59

Request Visibility: Unpublished

<

>

Request 26-1196

Open

1 of 6 with filters active

Dates

Received

April 25, 2026 via web

Requester

Steven Schuyler

tell.ssevenj@gmail.com

2175 Kittredge St #318, Berkeley, CA, 94704

5103457866

Staff assigned

Departments

Public Works

Point of contact

Brosnan, Andrea

Request

2128 Oxford Street - Functional Sidewalk Usability Records

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2. Sidewalk capacity, pedestrian level of service,...

Show more

Timeline

Documents

All documents

1-25 / 54

<

>

Folders

Filter by folder name

Filter by folder name

All Documents

Documents not in folders

54 / 54 results in 'All Documents'

Filter by document name

Filter by document name

Select all

Uploaded: 09/08/2025

pdf

Public

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CoB Map Checklist_23-Oct-2023.pdf

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2128 Oxford St Berkeley TCP_V03.pdf

Uploaded: 09/08/2025

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RE LOLA 397 - Merger 2142 Center & 2128 Oxford Redacted.pdf

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RE HUB Berkeley - Traffic Control Plans Redacted.pdf

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Merger Exhibit A 2025-08-27_City.Comment.pdf

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251119 - HUB Berkeley - Shoring Encroachment Locations.pdf

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Re 2128 Oxford St Redacted.pdf

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Re HUB Berkeley - Tieback Encroachment Permits Redacted.pdf

Uploaded: 08/25/2025

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Fwd HUB Berkeley - Tieback Encroachment Permits Redacted.pdf

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Corrections First (29).pdf

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Application First_redacted.pdf

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OPEN GOVERNMENT COMMISSION**CALENDAR**

July 16, 2026

To: Open Government Commission

Submitted by: Kyle Haugh, Chair

Date: July 16, 2026

Subject: Recommendation to Evaluate Low- and No-Cost Options for Broadcasting, Transcribing, and On-Demand Viewing of Hybrid Commission Meetings

RECOMMENDATION

The Open Government Commission recommends to the City Clerk that:

- The city evaluate low- or no-cost options for broadcasting, transcribing, and viewing on-demand all hybrid commission meetings, including video and transcripts.
- The city consider longer-term solutions for broadcasting and archiving hybrid meetings and transcripts that align with Berkeley's values regarding privacy and open government.

FISCAL IMPACTS OF RECOMMENDATION

Evaluating low- and no-cost options will take staff time likely from the Clerk's office and the IT department. If streaming meetings to a platform like YouTube is feasible, staff time will also need to be expended developing training materials and managing training, troubleshooting, and otherwise helping commission staff operate the streaming platform.

A longer-term, privacy protecting solution may require contracting with an entity like Berkeley Community Media or otherwise expending resources to develop a system for hosting, long-term archiving, and any other features the city may want from a longer-term system.

CURRENT SITUATION AND ITS EFFECTS**Council and Staff Action**

BMC 2.06, The Open Government Ordinance, requires that:

A. All regular and special meetings of the City Council, Redevelopment Agency, Rent Stabilization Board, and Zoning Adjustments Board, when held in the venue regularly used, shall be recorded, televised and video-streamed live as well as archived for replay. The live broadcasts shall be captioned.

B. It is the intent of the City to broadcast the meetings of the Planning Commission, Landmarks Preservation Commission, and Housing Advisory Commission, in the same manner as specified in paragraph A, as City resources become available.

C. The broadcast requirements shall not apply if necessary equipment malfunctions or if a public meeting is changed to a location that does not have the technological capacity to accommodate the broadcasting needs. (Ord. 7166-NS § 1 (part), 2011) [BMC 2.06.100](#)

At the May 7, 2024 regular meeting of the City Council, the council initiated a budget referral for "equipment for hybrid commission meetings."¹ That referral highlighted the benefits of hybrid meetings, specifying that they allow "the public to remain, or become, civically engaged."

In a June 27, 2025 memorandum² to commission secretaries, the City Clerk described an initial rollout of hybrid meetings to the subset of bodies which serve a quasi-judicial function, after which "the hybrid meeting program will be expanded to all city commissions."

The Open Government Commission is directly interested in the city's efforts to expand hybrid meetings access across all commissions, and has been closely tracking the city's progress.

Vendors that support Berkeley's hybrid meeting policy

Today the City of Berkeley relies on two platforms and at least three vendors for supporting hybrid access to public meetings.

Meetings for a small handful of legislative bodies are streamed by Granicus, which offers a wide range of services that support government administration. Granicus streams rely on a technology called HLS, or HTTP Live Streaming. HLS is an open industry standard. The streams can be viewed via a video player provided by Granicus, or streamed directly into other systems using widely and freely available tools.

Further, Granicus offers long-term archiving, and the city maintains these archives which today include over 20 years of video. (Note that this archive page is not easy to find, and reviewing archives of meetings from different bodies is deeply unintuitive.)

Another hybrid meeting platform the city uses is Zoom. Zoom is a widely used enterprise teleconferencing platform that allows the city to support hybrid meetings using webinar features that allow viewers to not only watch a meeting but participate and give comment remotely as well. (The city also supports remote participation via phone.) The platform offers a number of features that are specific to governments.

Hybrid meetings conducted over Zoom are generally not archived long-term, and under the city's record retention policies most recordings can be deleted and are deleted within 90 days. The only way for the public to review a hybrid meeting conducted over zoom after it is complete is to reach out directly to the commission secretary within the 90-day records retention window. Sometimes a commission secretary will provide a link to a video recording of the meeting on the body's agenda page. This is entirely at the discretion of the secretary.

The final vendor that the city relies on for hybrid access to meetings is Berkeley Community Media, a local nonprofit which operates a public television station and broadcasts meetings of the City Council and the Rent Stabilization Board. It does not appear to perform an archiving function.

RATIONALE FOR RECOMMENDATION

Note that while this report refers throughout to *commission meetings*, it should be understood that the recommendation applies equally to all city legislative bodies, such as the council policy committees and joint bodies such as the 2x2 and 3x3 committees.

Streaming, archiving, and providing transcripts is vital for equal access to government

Under current city policy, access to a large majority of hybrid meetings is limited to those who can attend at the time the meeting takes place. Someone with caregiving or professional obligations, someone who is ill or in a different time zone, or who is otherwise unable to watch live simply has no way to see the meeting. This cuts off access to many consequential meetings. Council policy committees are a prime example: legislation is shaped there in detail, and public participants can have the most direct impact, but these meetings typically happen during the work and school day, when many residents are unavailable.

Furthermore, staff regularly develop detailed presentations on the programs under their purview and present them at commission meetings. They answer questions from commissioners and often from the public as well. The city invests meaningful staff time to develop and give these presentations which provide incredibly valuable insight into the workings of government. Under current practices, most of this vital and valuable information is lost to anyone who didn't attend the meeting. This is not only a waste of precious staff time, it's a missed opportunity to keep residents informed.

Lastly, all hybrid meetings are captioned, either by a human captioner or by an automated system. A resident who wanted to review a transcript has to either reach out to the Clerk's office or the commission secretary and hope that they have a copy, or if they are watching a Zoom meeting live, they can download the automated transcript after the meeting. These mechanisms are only available to people who know that they exist.

Making these transcripts more easily accessible would have a substantial impact on transparency and the ability of residents to understand the decisions that leaders are making and hold those leaders accountable.

There may be a "free" way to begin streaming and viewing on-demand both video and transcripts from all hybrid meetings

Zoom integrates directly with YouTube. If the Clerk's office and IT investigate the process for streaming meetings from Zoom to YouTube, they may find that it can be enabled through configuration of tools the city is already using. If so, training or light automation could allow the city to offer on-demand viewing with transcripts for all hybrid meetings, without spending additional funds on a new technology vendor. This would be a significant advancement for open government, smartly leveraging the work the city has already done to support hybrid meetings.

Zoom publishes step-by-step instructions for this integration and workflow in its support article, [Livestreaming meetings or webinars on YouTube](#).

There is also local precedent for this approach. The Police Accountability Board already streams its meetings from Zoom to YouTube in exactly this way, and staff of the Office of the Director of Police Accountability have written a detailed internal guide covering login and account management, starting the livestream, enabling live transcription, and handling closed sessions. The Clerk's office would not be starting from scratch; it could draw directly on a workflow another city body has already implemented and documented.

Finding long-term solutions that align with Berkeley's values

While YouTube may allow the city to begin making videos and transcripts available on-demand quickly and at a low cost, it is not an ideal solution for the City of Berkeley. YouTube's business model relies on surveillance and tracking of users in order to serve them ads. Its parent company Alphabet profits from lines of business that many Berkeleyans might object to. The short-run benefits may outweigh those costs, but in the longer-run the city should support an archiving solution that does not require participation in surveillance capitalism in order to participate in local government.

Relying on Zoom exclusively for livestreaming of public meetings shares these and other drawbacks. Residents are either required or strongly encouraged to download an app that the city does not control in order to participate.

A browser-based option exists, but Zoom's own interface steers users toward installing the app first, and potential vulnerabilities in that software place residents' devices at risk. Such flaws continue to be disclosed.³ In March 2025, for example, a flaw in Zoom's Windows, macOS, Linux, Android, and iOS apps could have let an already-authenticated attacker escalate their access and take over a user's device.⁴ Requiring residents to accept that exposure as a condition of participating in local government is a real cost, whether the threat comes from malicious actors or from Zoom itself.

Granicus appears to limit its tracking to Google Analytics, which loads on every stream page and can report play, pause, and seek events. This kind of tracking is standard practice. But the City of Berkeley may be able to achieve a higher standard by partnering with local nonprofits or other vendors or contractors that minimize the amount of personal and behavioral information they track themselves or share with third parties. This partner can host broadcasts, archives, and transcripts using a system that does not collect any information on Berkeley residents other than what is necessary to operate the system.

1. City of Berkeley, Budget Referral — Equipment for Hybrid Commission Meetings (May 7, 2024).

<https://berkeleyca.gov/sites/default/files/documents/2024-05-07%20Item%2054%20Budget%20Referral%20%20Equipment%20for%20Hybrid.pdf> ↗

2. City Clerk memorandum, FCPC-OGC packet (Dec. 18, 2025). https://berkeleyca.gov/sites/default/files/legislative-body-meeting-attachments/PACKET%20-%20FCPC-OGC%20-%20Dec%2018%202025_0.pdf ↗

3. National Institute of Standards and Technology, National Vulnerability Database, Zoom vulnerability records. https://nvd.nist.gov/vuln/search/results?form_type=Basic&results_type=overview&query=zoom&search_type=all ↗

4. National Institute of Standards and Technology, National Vulnerability Database, CVE-2025-27439 (published March 11, 2025).
<https://nvd.nist.gov/vuln/detail/CVE-2025-27439> ↗



**OFFICE OF THE DIRECTOR
OF POLICE ACCOUNTABILITY**

ZOOM INSTRUCTIONS FOR MANAGING PAB MEETING RECORDINGS

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5 Saving the Recording and Ending the Meeting.....	Page 18

Section 1. Passwords

There are two platforms involved in order to record and livestream PAB regular meetings: YouTube and Zoom. The login information for those account is the following:

YouTube	Zoom
Login: [insert email]	Login: [insert email]
Password: [Insert password]	Password: [insert password]

IMPORTANT NOTES:

When login into a new device, Zoom will require you to verify that you are the owner of the account. To verify, you will have to insert the security code sent to [insert email associated with zoom account]

When login into a new device, YouTube may require you to verify that you are the owner of the account. To verify, you will have to insert the security code sent one of the phone numbers on file. If you cannot access the YouTube, you won't be able to live stream. However, you can upload the zoom recording to YouTube at a later time.

Section 2. Accessing and Starting the Webinars

How to start a webinar? There are a few ways that you can start your webinar.

Start a webinar from the web portal

1. Sign in to the Zoom web portal
2. In the navigation menu, click [Webinars](#).
3. Hover your mouse over the webinar you want to start and click Start.
4. If a dialog box appears, click Open to open the webinar in the Zoom desktop client.
5. Your webinar will open and start in the Zoom desktop client.

Start a webinar from the desktop client

1. Sign in to the Zoom desktop client.
2. Click the Meetings tab.
3. Find and click the webinar that you want to start.
4. Click Start.

Start a webinar from the mobile app

1. Sign in to the Zoom mobile app.
2. Tap the Meetings tab.
3. Find and tap the webinar that you want to start.
4. Tap Start.

Section 3. Running the Meeting

The host of the meeting is responsible for running the meeting behind the scenes. The relevant task includes:

- Starting the meeting recording and live transcript & Saving it
- Starting the live stream on YouTube
- Managing speaking permission and the timing public comment
- Setting up the meeting for a closed session
- Ending the Recording and Livestream

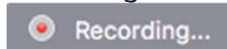
The following are step-by-step instructions as how to execute items 1-5.

1. *Starting the meeting recording and live transcript*

a. Starting the meeting recording

The host must record the meeting or grant the ability to record to a participant.

1. Start a Zoom meeting as the host.
2. Click **Record** .
3. If there is a menu, select **Record on this Computer**.
Hosts will see the following recording indicator in the top-left corner while recording is active.



Participants will see the following indicator in the top-left corner while the recording is active.



4. Click **Participants** to see which participants are currently recording.



Note: [Dial-in participants](#) will hear a message informing them that the meeting is now being recorded unless disabled by the host.

5. After the meeting has ended, Zoom will convert the recording so you can access the files.
6. Once the conversion process is complete, the folder containing the recording files will open.

Note: By default, the [recording files are formatted](#) a certain way. The audio/video file (MP4) will be named **video[random number].mp4**. The audio only file (M4A) is named **audio[random number].m4a**.

Note:

- If the meeting unexpectedly shuts down or if the conversion process is interrupted, the recording files could become corrupted and non-recoverable. Restarting or shutting down your computer, putting the hard disk to sleep, or closing your laptop will interrupt the conversion process.
- If the conversion process is not successful after the meeting has ended, you can try to [manually convert the recording](#).
- You can record the meeting in different [layouts including Active Speaker, Gallery View, and shared screen](#).

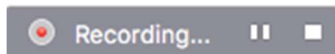
How to stop or pause a local recording

During a Zoom recording, a participant can **Stop** or **Pause** the recording. If a participant stops the recording and starts it again, a **new** video file will be created for the next recording segment. If a participant pauses the recording and starts it again, Zoom will record to the same video file for the recording segment.

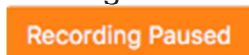
1. After a recording has been started, click Pause or Stop Recording at the bottom.



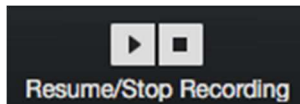
The recording can also be stopped or paused by clicking the indicator in the top left corner.



2. When a recording is paused, the following indicator will be displayed in the meeting.



3. To resume the recording, click **Resume Recording** at the bottom



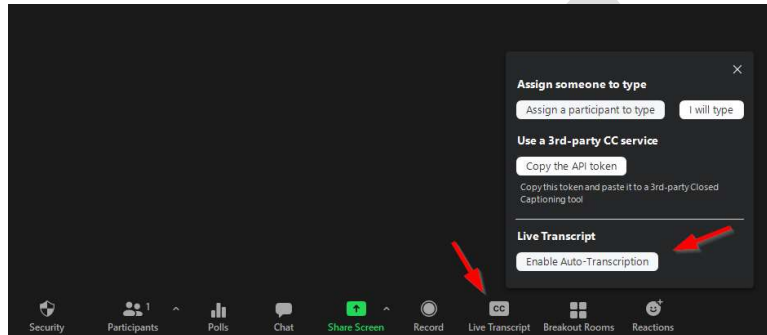
The recording can also be resumed by clicking the indicator in the top left corner.



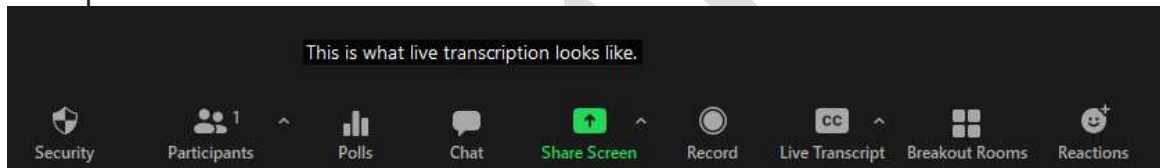
4. After you stop the recording, you can [access the local recording files on your computer](#).

b. Starting the Live Transcript

1. Begin your meeting
2. At the bottom of the screen, select **Live Transcript**. If you don't see it, you might need to resize your window to be wider.
3. Click **Enable Auto-Transcription**. This button will turn blue, indicating that live transcription has begun



4. You will now see live transcription appear along the bottom of the screen. An example of what this looks like is below

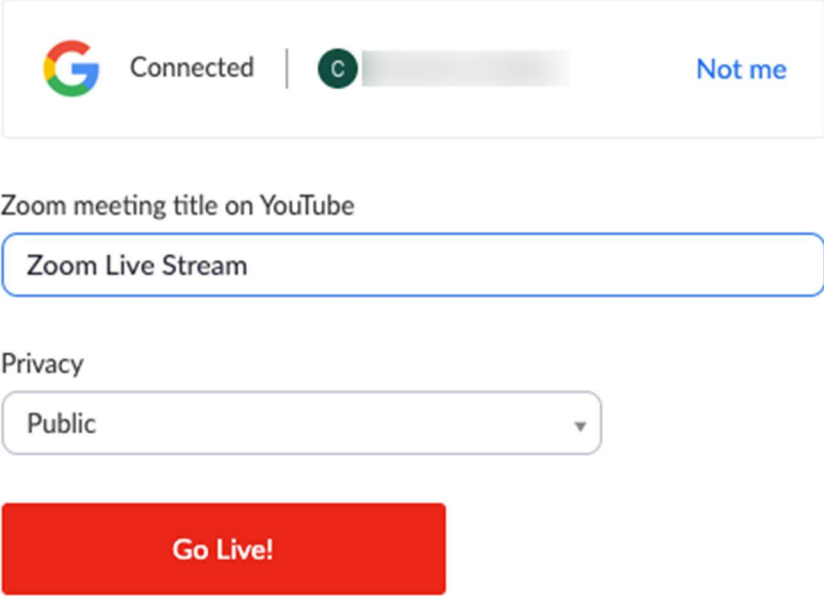


2. Starting a live stream on YouTube

Live stream in a meeting or webinar from your desktop

1. [Start the webinar or meeting](#) as the host.
2. In the meeting or webinar controls at the bottom of your screen, click **More**.
3. Click **Live on YouTube**.
4. Sign in to YouTube and select the YouTube channel you want to stream to (if you have multiple channels).
After you authenticate successfully, the following page appears:

Broadcast Zoom Meeting to YouTube Live



Zoom meeting title on YouTube

Zoom Live Stream

Privacy

Public

Go Live!

5. Specify the following settings on the Broadcasting to YouTube Live page:
 - **Zoom meeting/webinar title on YouTube**
Automatically populated with the Zoom meeting or webinar topic. Navigate to the text box to change it.
 - **Privacy**
You can choose **Public**, **Unlisted**, or **Private**.
 - (Optional) Under **Resolution**, select **Full HD (1080P)** when streaming a meeting/webinar if the setting's value is 1080p.
6. Click the **Go Live!** button.
You will see a progress bar letting you know that your session is being prepared for streaming.

- Wait for the notification from the Zoom client that your meeting or webinar is live on YouTube, then begin your meeting or webinar.

Streaming stops when you end the webinar or meeting, or click **More** then **Stop Live Stream** in the meeting/webinar controls.

3. Managing Speaking Permissions and Timing Public Comment

While managing PAB meetings, the host will be responsible for allowing attendees to speak during public comment and time their comments.

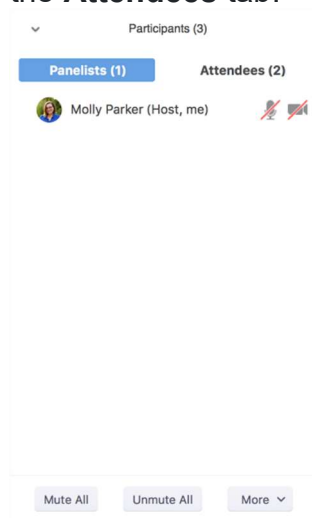
How to time speakers

The easiest way to time the speakers is by opening a timer on google, making that tab the full-screen, and then sharing your screen. However, the public has complained that this does not allow them to see the PAB's reaction so there is also the option to use the timer app under apps.

How to access the Participants panel

- Sign in to the Zoom desktop client.
- Start a webinar as the host.
- Click on **Participants**  in the webinar controls.

The Participants panel will be on right side of your screen. The host, co-hosts, and panelists will be listed in the **Panelist** tab and the attendees will be listed in the **Attendees** tab.



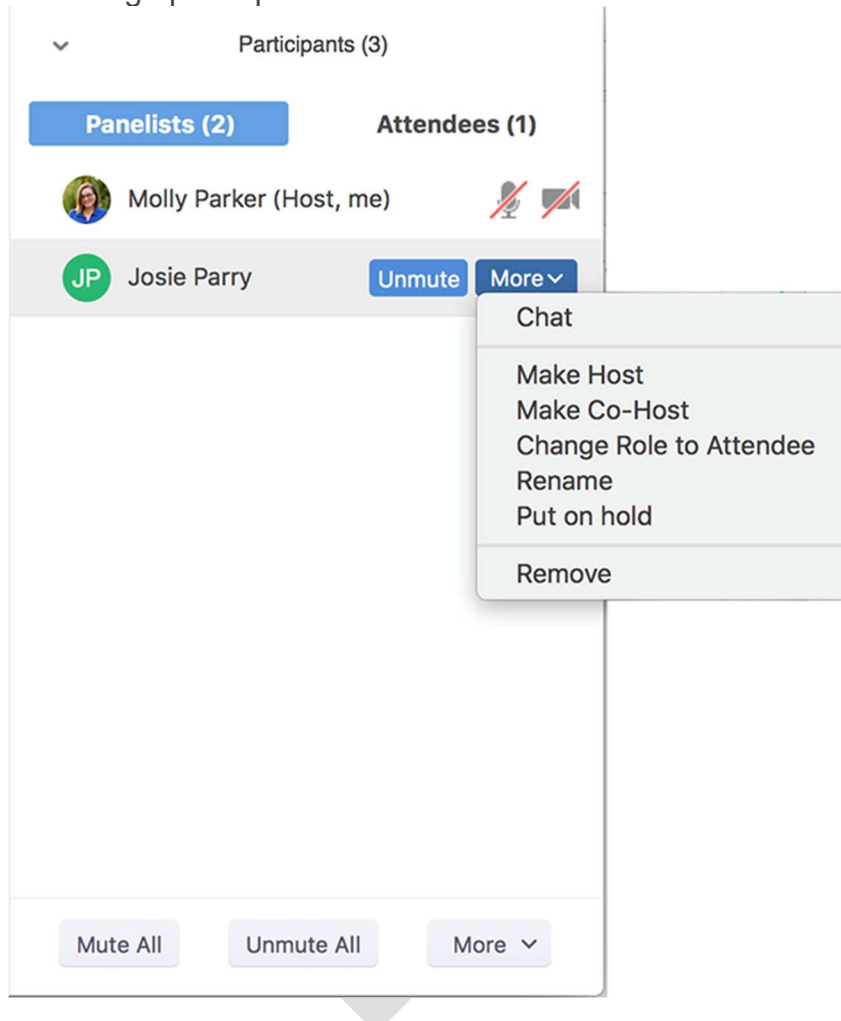
Note: Participants are displayed in the following order.

- Participants allowed to talk.

2. Participants with their hand raised. Participants that raised their hand first are displayed at the top.
3. Participants without their hand raised.

How to manage panelists

Hover over over the panelist's name and click **More**. You will see the following options to manage participants:



- **Mute / Ask to Unmute:** Mute or unmute the panelist. They need to accept the unmute prompt before they are unmuted.
 - **Chat:** Open the [chat](#) window to send messages directly to the panelist.
 - **Make Host:** Assign the panelist to be the host. There can only be one host.
 - **Make Co-Host / Withdraw Co-host permission:** Assign the panelist to be a [co-host](#). You can have an unlimited number of co-hosts.
 - **Change Role to Attendee:** Click this to change the panelist's role to an attendee.
- Note:** If you demote a panelist, it will remove their panelist join link from the web.

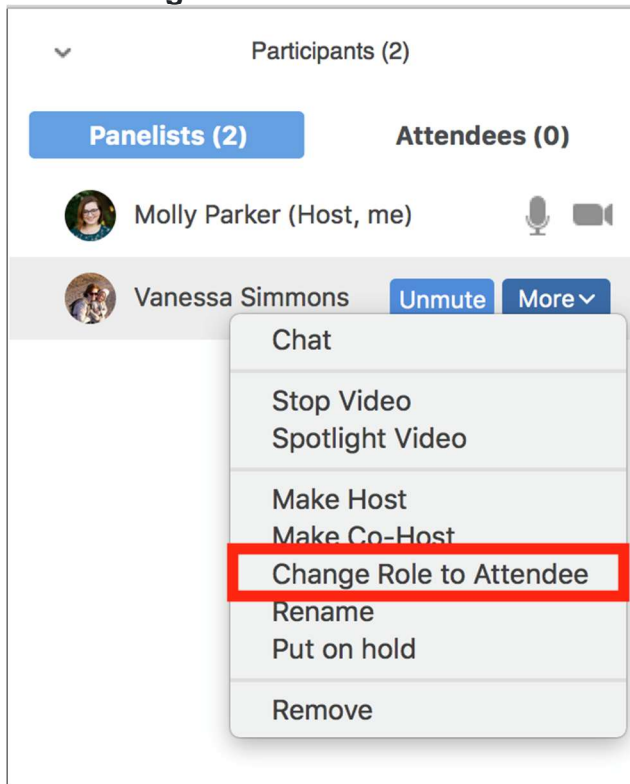
If it is a recurring webinar, this also means that it will remove the panelist from all occurrences. If you promote them back to a panelist within the same webinar that they were demoted, then they are added back on the web.

- **Rename:** Change the panelist's name that is displayed to other participants.
Note: To change your own name that is displayed, hover over your name in the participants list and click **Rename**. This change only applies to the current webinar. To permanently change your name, see [My Profile](#).
- **Assign to Type Closed Captions:** Assign the panelist to type [Closed Caption](#) during the webinar.
- **Allow to Record Local Files / Remove Permission to Record Local Files:** Allow the panelist to start or stop a [local recording](#) of the webinar, or remove that given permission. Panelists do not have access to start a [cloud recording](#).
- **Allow to Multi-pin:** Allows this panelists to [pin up to 9 videos](#) within their view of the webinar
- **Put on hold:** Place the panelist [on hold](#). This will temporarily remove them from the webinar so that they cannot hear you, see your screen share, or your video, as well cannot be heard, seen, or share content. Their webinar screen will change to the message: "Please wait, the meeting host will let you in soon", followed by the name and date of the webinar.
- **Remove:** Remove the panelist from the webinar. They will not be able to rejoin unless you [allow participants and panelists to rejoin](#).

Changing a panelist to attendee

If you demote a panelist, it will remove their panelist join link from the web. If it is a recurring webinar, this also means that it will remove the panelist from all occurrences. If you [promote them back to a panelist](#) within the same webinar that they were demoted, then they are added back on the web.

1. Sign in to the Zoom desktop client.
2. Start a webinar as the host.
3. Click **Participants** .
4. Click the **Panelists** tab.
5. Hover over the name of the panelist you want to make an attendee and click on **More**.

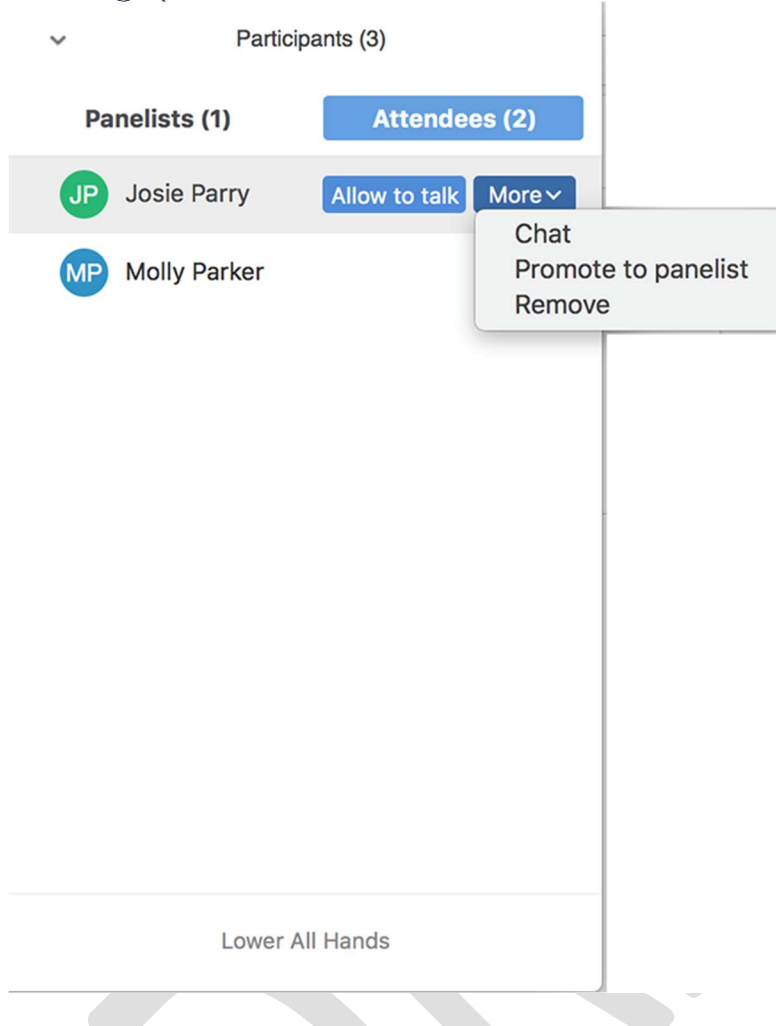
6. Click **Change Role to Attendee**.

How to manage attendees

On the Attendees tab, you will see the list of present attendees with any [non-verbal feedback](#) they have selected next to their name. When there are 7 or more attendees, the search bar will be available at the top of the list, allowing you to quickly search for a specific attendee.

Internal

To manage attendees, hover over the attendee's name and click **More**. You will see the following options:



- **Allow to Talk:** Allow the attendee to unmute and speak in the webinar. The participant will receive a prompt to confirm if they want to unmute or stay muted. If you already allowed a participant to talk but they decided to stay muted, click **Ask to Unmute** to prompt them to unmute their mic. All participants will be able to hear them.
Note: While unmuted, the attendee's profile picture and name is displayed to the host and panelists. Only their name is displayed to other attendees.

If you allowed the attendee to talk, you will see these options:

- **Mute / Ask to Unmute:** Mute or unmute the attendee. They need to accept the unmute prompt before they are unmuted.
- **Disable talking:** Revoke the attendee's ability to talk. This will mute the participant and prevent them from unmuting themselves.
- **Lower Hand:** Lower the participant's hand. Their position in the participants will move down after the participants with their hand raised.
- **Chat:** Open the [chat](#) window to send messages directly to the attendee.
- **Promote to panelist:** Make the attendee a [panelist](#).

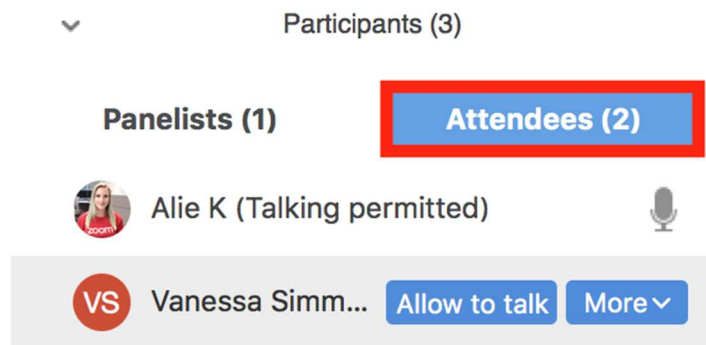
- **Rename:** Change the attendee's name that is displayed to other attendees.
- **Remove:** Remove the attendee from the webinar. Remove the panelist from the webinar. They will not be able to rejoin unless you [allow the attendee to rejoin](#).

At the bottom of the list of attendees, you will see the **Lower All Hands** option, which will lower all raised hands. This does not mute attendees that raised their hand and were unmuted.

IMPORTANT NOTE: Once the speaker is done, remove their permission

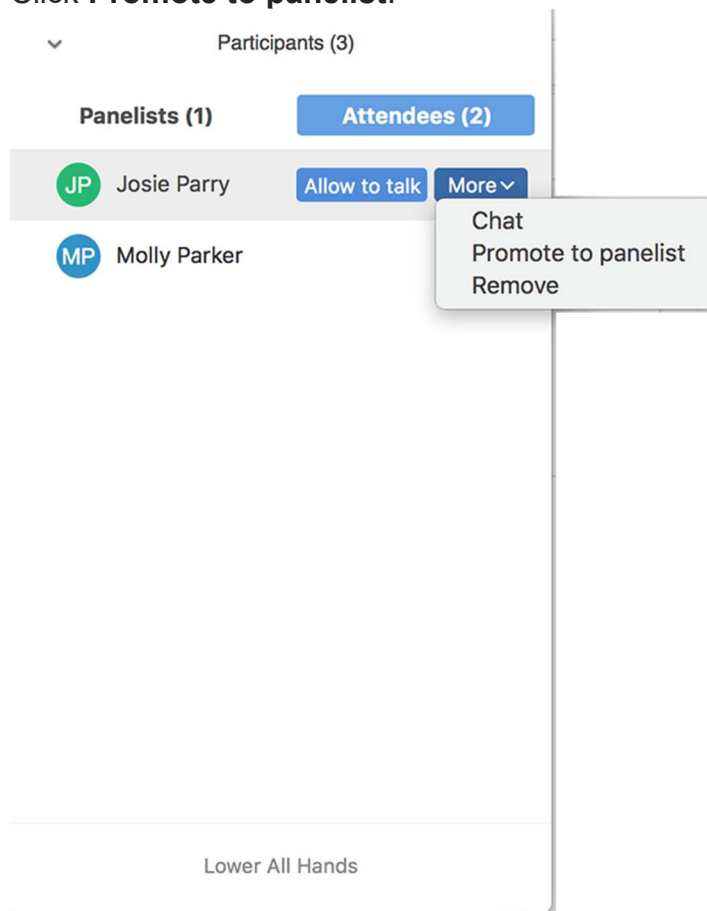
Promoting an attendee to panelist

1. Sign in to the Zoom desktop client.
2. Start a webinar as the host.
3. Click **Participants** .
4. Click the **Attendees** tab.



5. Hover over the name of the attendee you want to promote and click **More**.

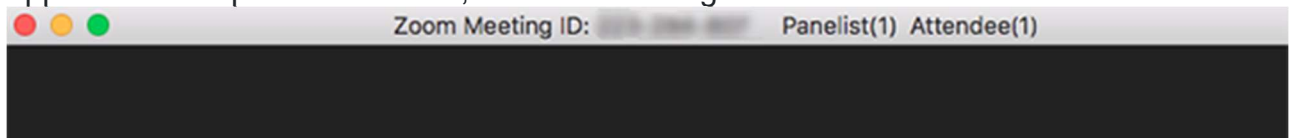
Internal

6. Click **Promote to panelist**.**Additional controls**

There are some additional controls at the bottom of the **Participants** panel in the **Panelists** tab:

- **Invite:** [Invite others](#) to join your meeting.
- **Mute All:** Mute all of the panelists and any attendees who you have given permission to talk.
- **More:**
 - **Ask All to Unmute:** Unmute all panelists and any attendees who you have given permission to talk. The attendees without permission to talk will remain muted.
 - **Lower All Hands:** Lowers all raised hands of panelists. This has no effect on attendees' raised hands.
 - **Mute Panelists On Entry:** Mute all new panelists upon entry, but they will be able to unmute themselves. Attendees are automatically muted (and will not be able to unmute unless you promote them to panelists or allow them to talk).
 - **Play Join and Leave Sound** Play a chime whenever a new panelist or attendee joins or leaves the webinar.

- **Lock Webinar:** Prevent any new panelists or attendees from joining the webinar, until you unlock it.
- **Allow Panelist to**
- **Unmute Themselves:** Allow panelists to unmute themselves as they see fit.
- **Rename:** Allow panelists to rename themselves in the webinar
- **Start Video:** Allow panelists to start their video if they would like to. If you uncheck this option, it will not stop the video feed of any panelist who already has their video on.
- **Allow attendees to:**
- **Raise Hand:** Allow attendees to [raise their hand in the webinar](#). This feature is typically used if you want to know who would like to ask questions out loud.
- **View Participant Count:** Allow attendees to see how many panelists and attendees are in the webinar. The number of panelists includes the host. It will appear at the top of their screen, after the meeting ID.



Attendee view controls

The host and co-host also have the ability to control the video layout that attendees presented during the webinar. All panelists can set their own view layout separate from the layout seen by attendees.

Attendee view controls can be set in two locations: always available in the Participants panel under **More**, or in the top-right corner of the video section by clicking  **View**. The following options are available:

- **My View:** Set the video layout that you will personally see in the webinar.
- **Speaker:** Speaker view switches between the active speakers in the webinar, with other video panelists above the active speaker when not speaking.
- **Gallery:** Gallery view presents either 25 or 49 participants (if enabled in [client Settings](#)) on the screen in equal size. If there are more panelists than allowed to fit, multiple pages of gallery view will be created.
- **Release video order:** If a [custom gallery view](#) order has been set, the order is locked into place and will not change unless manually changed. This option will release the order and let Zoom adjust the order of gallery view based on who is speaking.
- **Fullscreen**
- **Attendee View:** Set the video layout that the attendees see during the webinar. By default, they see the same view as the host (the host's default view is gallery view).
- **Follow Host's View:** Participants will see the same view that the host is using, whether active speaker view or gallery view. If the host is sharing their screen,

the attendees will have [side by side mode](#) with the host's share and the active speaker's video. The attendees can adjust the share and video size.

- **Speaker:** Speaker view switches between the active speakers in the webinar, with other video panelists above the active speaker when not speaking.
- **Gallery:** Gallery view presents either 25 or 49 participants (if enabled in [client Settings](#)) on the screen in equal size. If there are more panelists than allowed to fit, multiple pages of gallery view will be created.

When the host or a panelist is [sharing their screen](#), the options will change and appear as such:

- 
- **My View:** Set the video layout that you will personally see in the webinar.
 - **Standard:** Shared content is the main focus, while video thumbnails are displayed either above the content when in windowed mode (similar to speaker view) or over the content in the top-right corner of the screen when in full screen. These thumbnails during full screen can be moved by clicking and dragging.
 - **Side-by-side: Speaker:** Allows you to view shared screen alongside the Speaker view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.
 - **Side-by-side: Gallery:** Allows you to view shared screen alongside the Gallery view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.
 - **Release video order:** If a [custom gallery view](#) order has been set, the order is locked into place and will not change unless manually changed. This option will release the order and let Zoom adjust the order of gallery view based on who is speaking.
 - **Swap Video and Shared Screen:** Available when using standard view, this swaps the the video and shared content, bringing the focus back on the panelist video and minimizes the shared content without stopping the share.
 - **Fullscreen**
 - **Attendee View:** Set the video layout that the attendees see during the webinar. By default, they see the same view as the host (the host's default view is gallery view).
 - **Follow Host's View:** Participants will see the same view that the host is using, such as speaker view, gallery view, side-by-side mode, etc. If the host is sharing their screen, the attendees will view the content in [side-by-side mode](#) and speaker view. The attendees can adjust the share and video size.
 - **Standard:** Shared content is the main focus, with video thumbnails displayed over the content in the top-right corner of the screen. These thumbnails can be moved by clicking and dragging.
 - **Side-by-side: Speaker:** Attendees will view shared screen alongside the Speaker view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.
 - **Side-by-side: Gallery:** Attendees will view shared screen alongside the Gallery view, with the ability to adjust the location of the separator between the shared screen and video to change the relative size of each side.

4. Closed Sessions

A closed session will be agendized ahead of time and the meeting host will know when we have to schedule a closed session. Previously, we would everyone who was not PAB members or staff to leave the room before locking the webinar so folks could not join again. Once the closed session was over, staff would unlock the webinar and, in theory, the public could join again. However, a common complain was that members of the public did not know when they could reconvene again. In an effort to address that complaint, the following process was developed:

To be done before the meeting:

1. Login to zoom and go to “Meetings”
2. Under the meetings tab, click on “schedule a meeting”
3. Insert a title using the following format “[Date] PAB Closed Session]
4. Insert your date and time for the meeting (I recommend setting duration to 2 hours)
5. Under security, select “passcode” and uncheck any other box
6. Under Options, click “show” and check “allow participants to join anytime”
 - a. **Important note:** The reason we check this feature is so that the PAB can discuss without the DPA account having to be there. An account cannot be in two separate meetings at once and doing so would end the webinar. This way, everyone can join in and members of the public can wait in the webinar while the APB discusses in the meeting room.

Once this has been done, you will have a meeting room that could be used for a closed session.

The process:

- I. Once a closed session is announced, pause the recording on the top left corner. (This way, the meeting recording wont include the long gap during the closed session. Once folks come back from closed session, you can resume the recording.)
- II. Using the zoom meeting information, log in to the other meeting. DO NOT sign in with the DPA account, this will end the webinar for all. Instead, use a personal email and join as a guest. The setting to allow participants to join anytime will allow folks to have the meeting without the host (DPA account) present.
- III. Once the closed session is done, simply return to the webinar and restart the recording once everyone is back.

5. Saving the Recording & Ending the meeting

Once the meeting is adjourned, click “end recording.” This will also stop the livestream. Once that has been done, it will begin to download on the compute and go into a “zoom meeting” folder on your local drive. It will take a few minutes to render but once that is done, the meeting and transcript will be saved.

For the youtube livestream, once the meeting ends, the video will be automatically uploaded there.

DRAFT

BERKELEY COMMISSIONS AND BOARDS ACCESSIBILITY INFORMATION ONLINE as of August 12, 2026							
Commission/Board	Date	Hybrid?	Recordings posted?	Location	Notes		
Behavioral Health Commission (was Mental Health Commission)	6/25	zoom	-	NB Senior Center			
Board of Library Trustees	7/8	-	MP3	location rotates			
Civic Arts Comm	7/22	zoom	-	THP South Branch Libr	subcomms are virtual on zoom		
Comm on Aging	7/15	zoom	-	NB Senior Center			
Comm on Disability	7/8	zoom	-	NB Senior Center			
Comm on Labor	7/15	zoom	-	SB Senior Center			
Comm on Status of Women	6/17	-	-	NB Senior Center			
Community Health Comm	4/23	-	-	SB Senior Center			
Design Review Committee	7/16	zoom	-	NB Senior Center			
Disaster & Fire Safety Comm	8/5	zoom	-	Fire Dept Headquarters 1250 Ninth St	past meetings at Fire Dept Training Classroom, 997 Cedar Street		
Elmwood BIDA Board	6/5	-	-	2947 College			
Environment & Climate Comm	7/22	zoom	-	NB Senior Center			
Fair Campaign Practices Comm	7/16	zoom	videorecording	Cypress Room			
Homeless Services Panel	7/1	zoom	-	NB Senior Center			
Housing Advisory Comm	7/2	zoom	-	SB Senior Center	quasi-judicial 2/5 was first meeting with zoom		
Human Welfare and Community Action Comm	7/17	zoom	-	Cypress Room			
Independent Redistricting Comm	3/16	zoom	videorecording	virtual meeting			
Landmarks Preservation Commission	6/4	zoom	-	NB Senior Center	July 2nd meeting cancelled		
Loan Administration Board					No posts since 2024		
Mental Health Commission (see Behavioral Health Commission)							
Open Government Commission	7/16	zoom	videorecording	Cypress Room			
Parks, Recreation, and Waterfront Commission	7/8	-	-	Frances Albrier Comm Center			
Peace and Justice Commission	7/6	zoom	-	SB Senior Center			

BERKELEY COMMISSIONS AND BOARDS ACCESSIBILITY INFORMATION ONLINE as of August 12, 2026							
Commission/Board	Date	Hybrid?	Recordings posted?	Location	Notes		
Personnel Board	7/13	zoom	-	2180 Milvia			
Planning Commission	7/1	zoom	-	NB Senior Center			
Policy Accountability Board	7/22	zoom	videorecording	1900 Addison Street			
Reimagining Public Safety Task Force				Only in person, says to contact secretary.	No posts since 2022		
Safe Streets Citizen Oversight Committee (SSOC)	6/10	-	-	SB Senior Center	usually meets at NBSC, May meeting canceled		
Solano Avenue BID Advisory Board	7/21	-	-	Solano Oriental Rug Gallery			
Sugar-Sweetened Beverage Product Panel of Experts	6/18	-	-	West Berkeley Family Wellness Center			
Transportation and Infrastructure Commission	5/21	-	-	NB Senior Center	July meeting cancelled		
Wildland Urban Interface Vegetation Code Workgroup	-	-	-	Varies	12/24/25 last meeting listed		
Youth Commission	5/11	-	-	Frances Albrier Comm Center			
Zero Waste Commission	7/15	zoom	-	Ratcliff Bldg			
Zoning Adjustments Board	8/13	zoom	granicus video	BUSD Board Room			

Review and possible recommendations for revisions to the Open Government Ordinance
(black text: existing language, red text: new language, blue text: notes)

Deadline for the broadcast and archival of all commission meetings

2.06.100 Broadcast of meetings.

~~A. All regular and special meetings of the City Council, Redevelopment Agency, Rent Stabilization Board, and Zoning Adjustments Board, when held in the venue regularly used, shall be recorded, televised and video-streamed live as well as archived for replay. The live broadcasts shall be captioned.~~

~~B. It is the intent of the City to broadcast the meetings of the Planning Commission, Landmarks Preservation Commission, and Housing Advisory Commission, in the same manner as specified in paragraph A, as City resources become available.~~

A. All regular and special meetings of the City Council, Rent Stabilization Board, and Zoning Adjustments Board, when held in the venue regularly used, **shall be streamed live on a two-way audio visual platform that is accessible by phone call, recorded, as well as archived for replay. The live broadcasts and archived recordings shall be captioned. No later than June 30, 2027, the above requirements shall apply to all meetings of all boards and commissions.**

B. Archived recordings for the City Council and all quasi-judicial boards and commissions shall be retained permanently. Archived recordings for all other boards and commissions shall be retained for a minimum of one year. After this period, the city no longer has a strict legal obligation of retention, however, best efforts shall be made to maintain online access of all recordings for as long as possible.

C. The City shall procure and maintain the necessary equipment and venues to support the regular broadcast and archival requirements of paragraphs A and B.

D. The broadcast requirements shall not apply if necessary equipment malfunctions or if a public meeting is changed to a location that does not have the technological capacity to accommodate the broadcasting needs. This paragraph shall not be construed to excuse the City's obligations under paragraph C.

*Requirement for California Public Records Act requests to be made accessible by all***2.06.180 Posting of documents.**

All documents submitted to the City Council, including but not limited to, the Agenda and Agenda Packet, communications, and any documents submitted at a meeting of that body, shall be available through the City's website no later than the close of business the following business day after the meeting for which the documents were submitted.

New CPRA Section

Nothing in this section authorizes the City to withhold or redact any record from the requester, limits any right under the California Public Records Act, or governs anything other than what the City posts to the public portal. This section shall be interpreted to maximize public access consistent with Article I, Section 3(b) of the California Constitution.

B. For every request made under the California Public Records Act, the City shall post to a public online portal (1) the description of the records sought, within seven days of receipt of the request, and (2) the status of the request, updated within seven days of any change in that status. These two items shall not be withheld or redacted for any reason, except that the City may redact a requester's own identifying or contact information wherever it appears, including within the request text.

C. The City shall also post to the portal, within seven business days after a record is produced or a communication is sent or received, (1) each record it produces in response to a request and (2) the communications exchanged between the City and the requester concerning the request.

D. The City may decline to post, or post in redacted form, an item described in subsection C only as necessary to: (1) protect a third party individual's personal privacy or safety, or guard against a specific and substantial risk to public safety or to the security of property or critical infrastructure, where that interest clearly outweighs the public interest in posting; (2) comply with any legal requirement imposed by a court order, state law, or federal law. The exceptions in this subsection shall be construed narrowly and applied as sparingly as possible, and any portion of an item that cannot be exempted due to reasons (1) or (2) shall be posted. Wherever the City declines to post or posts in redacted form under subsection D, it shall post a brief explanation of its reasoning within seven days of making such a decision.

E. All communications posted online as described in this section shall be accompanied by a timestamp.

~~The entire body of any public records act requests, associated metadata, status updates, and documents produced, shall be made freely available to the public via an online portal within ten days after each such communications were originally produced.~~

~~During circumstances in which the online portal used does not allow for the publishing of status updates or metadata with the speed and comprehensiveness specified above, the city shall be~~

~~required to publish such communications with the maximum speed and comprehensiveness possible. This exemption shall not apply to the request body or documents ultimately produced.~~

(Notes: I believe the City of Berkeley already does this **sometimes** via the NextRequest portal, but this inscribes the requirement into law. We could also consider a different timeframe: seven days, fourteen days, or "reasonable timeframe.")

- can we make it a technology-based default to have the public checkbox always on, for NextRequest? And if they are not shared, it could be made public with a note *why* it was not shared, but others can request the documents? (And the request itself would still be public in that case). There should be a good reason to do so, and we should lean towards releasing all. What are those good reasons, are there any? We should explicitly enumerate reasons in the ordinance, if any.

<https://cityofberkeleyca.nextrequest.com/requests/26-529>

I am working on an article about The Station located at 2984 Russell Street in Berkeley. I understand it is a historic site -- a former Shell gas station -- and need to confirm what year the gas station opened, who designed it, what type of architecture it is, when it was converted to a restaurant and any other information you can provide, including old photos.

- This doesn't seem sensitive but the documents were only released to the requester, not the public.

- How often do PRA requests NOT go through NextRequest? Could they just redirect people to go through NextRequest? Does NextRequest let you forward an email chain to join it into the system?

Prohibition on Ephemeral Messaging Features for Public Business

Section 1. Section 2.06.020 is amended to add the following definitions:

I. “Public Business” means any matter relating to the conduct of the City's affairs.

J. “Ephemeral Messaging Features” means any setting, function, or feature of an electronic communications application or service that causes a message, or any portion of a message, to be automatically deleted, hidden, or rendered inaccessible after a defined period or upon a defined event.

K. “Personal Account or Device” means any electronic account, device, application, or service that is not issued, owned, or controlled by the City.

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

A. No member of any Legislative Body, and no elected or appointed official, officer, employee, or contractor of the City shall use for Public Business any ephemeral messaging feature, whether on a City-issued account or device or on a Personal Account or Device.

B. Each person subject to subsection A shall make reasonable efforts to ensure that all electronic communications concerning Public Business sent or received on a Personal Account or Device are retained and stored in a manner that keeps them accessible for the duration of the applicable retention period, regardless of whether such communications would be subject to an exemption from disclosure under the Public Records Act. Upon receipt of a valid request under the Public Records Act seeking such communications, each such person shall search their Personal Accounts and Devices for responsive communications and shall produce all responsive communications, except those subject to a valid exemption under the Public Records Act.

(Notes: Should volunteers or commissioners be covered? Contractors?

Should Signal be allowed if ephemeral messaging feature is turned off?

We may consider a stronger version, which would require the use of city devices for all communications when such a device is available, and require forwarding communications from personal devices to a city IT system otherwise, similar to 44 U.S.C. §2911 -- see below).

Explicit requirement for personal devices to be included under public records laws, in line with City of San Jose v. Superior Court, 2017

Option 1 (weaker)

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

Any electronic communication concerning Public Business sent or received on a Personal Account or Device is subject to the City's applicable records retention schedule and to disclosure under the Public Records Act on the same terms as a communication conducted on a City-issued account or device.

Option 2 (stronger)

Section 2. A new Section 2.06.185 is added to Article IV, to read:

2.06.185 Electronic communications concerning Public Business.

No member of any Legislative Body, and no elected or appointed official, officer, employee, or contractor of the City shall use for Public Business a nonofficial electronic messaging system unless the official or employee sends a copy of all sent and received communications concerning public business to an official electronic messaging system within 20 days of the original sending or receiving of the communication.

Background

The Information in "[How Telegram Offers Way Around Public Records Laws](#)" revealed that members of the San Francisco Board of Supervisors were using Telegram to conduct city business. Telegram's "Secret Chat" feature, which includes a self-destruct timer for messages, was cited as a primary reason for the app's popularity among officials: one official said they were encouraged to use Telegram by colleagues in City Hall who described it as a way to skirt the city's public records laws. Supervisors were observed appearing "active" on the app throughout the day, often hourly, on their private phones.

California law treats public business communications on personal accounts as public records (*City of San Jose v. Superior Court*, 2017), but does not prohibit officials from using applications whose default behavior is to destroy those records before any member of the public can request them. Once a message is auto-deleted, no enforcement mechanism can recover it. Berkeley residents have shown interest in this category of communication. As of May 7, 2026, a search of the City of Berkeley's NextRequest portal returns more than 50 California Public Records Act requests referencing WhatsApp, Signal, or other platforms that support self-deleting messages.

After (*City of San Jose v. Superior Court*, 2017), State Senator Dave Cortese authored CA SB 908: "An elected or appointed official or employee of a public agency shall not create or send a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system within 20 days of the original creation or sending of the public record." SB 908 died in 2024. **Note that this requirement is stronger than the one I proposed, which simply requires preservation of records, even if they are stored outside of city IT systems.**

This bill was likely inspired from the existing federal requirement under the "Presidential and Federal Records Act Amendments of 2014:"

44 U.S.C. §2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

(a) An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee

(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.

The Associated Press in "[Encrypted messaging apps promise privacy. Government transparency is often the price](#)" writes the following:

- Signal is one of many end-to-end encrypted messaging apps that include message auto-delete functions. While such apps promise increased security and privacy, they often skirt open records laws meant to increase transparency around and public awareness of government decision-making. Without special archiving software, the messages frequently aren't returned under public information requests.
- An Associated Press review in all 50 states found accounts on encrypted platforms registered to cellphone numbers for over 1,100 government workers and elected officials. The AP found accounts for state, local and federal officials in nearly every state, including many legislators and their staff, but also staff for governors, state attorneys general, education departments and school board members. The AP's list is likely incomplete because users can make accounts unsearchable.
- Improper use of the apps has been reported over the past decade in places like Missouri, Oregon, Oklahoma, Maryland and elsewhere, almost always because of leaked messages.
- The best remedy is stronger public record laws, said David Cuillier, director of the Brechner Freedom of Information Project at the University of Florida. Most state laws already make clear that the content of communication — not the method — is what makes something a public record, but many of those laws lack teeth, he said.

American Oversight is a "nonpartisan, nonprofit watchdog that advances truth, accountability, and democracy by enforcing the public's right to government records."

American Oversight highlighted in 2023 these as some of the three major threats to transparency:

- "The use of ephemeral messaging apps and personal accounts and devices to conduct official government business is one dangerous way that public officials have been evading retention rules."
- "Lawmakers are taking steps to exempt themselves from public records laws and shield themselves from public scrutiny."

In 2026, they highlighted these as some of the three major **wins** for transparency:

- "We filed a lawsuit against Hegseth and the other officials involved in the now-infamous Signalgate scandal. Our litigation prompted a court order for key officials to preserve records and exposed a broader pattern of recordkeeping violations across multiple Trump administration agencies."
- "Shortly after we asked a court to order DOGE to preserve certain documents, DOGE unveiled a newly created records retention policy. It requires DOGE employees to "capture and transmit" work-related messages received on personal devices — including through Signal — onto their work devices."
- "Because of our lawsuit, DHS demanded its top officials 'preserve documents and electronic records that relate to the subject matter of the complaint in this case.'"

Existing Legal Precedent**MICHIGAN**

Michigan House Bill [4778](#) directs state departments to "not use any app, software, or other technology that prevents it from maintaining or preserving a public record"

COLORADO

"Both Democratic and Republican party leaders in the Colorado House of Representatives agreed to a Consent Decree on Sept. 1, 2023, in which they committed to distribute a formal directive to all House members barring them from setting any device or app to auto-delete any electronic message exchanged with another representative. The directive is the first in the nation to expressly prohibit legislators from using so-called "ephemeral messaging" apps when discussing public business."

NEVADA

According to NV Rev Stat § 289.827 (2025), "A law enforcement agency may not approve for official use on a mobile device any mobile application that uses end-to-end encryption or any other means with the intent to avoid the creation, retention or lawful discovery of records or data relating to the communications of a peace officer."

MISSOURI

In Sansone v. Governor of Missouri, the Missouri Court of Appeals for the Western District held that the governor's use of disappearing messaging apps was not a violation of the sunshine laws because no messages were retained so there was no public record to be produced.

TEXAS

Texas Senate Bill 944, enacted in 2019, requires government officials to preserve text messages sent from or received on their personal devices that concern public or official business. However, the law does not directly address the use of disappearing or encrypted messaging apps.

KANSAS

Kansas Executive Order 18–06 requires governor's office employees to conduct official business on their official state email accounts; accordingly, any use of a disappearing or encrypted messaging app for official business would be in violation of the executive order.

USA

44 U.S.C. §2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

(a) An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee

(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.

Sources:

[Colorado Freedom of Information Coalition](#)

["Colorado lawmakers commit to stop auto-deleting instant messages with other lawmakers"](#)

<https://coloradofoic.org/wp-content/uploads/2023/10/ConsentDecree.pdf>

The following government entities have been reported to have experienced incidents of personal devices and/or ephemeral messaging preventing the preservation of public records:

Title	Description	Result
Trump administration in SignalGate	Senior national security officials coordinated airstrikes on Signal and accidentally added The Atlantic's editor to the chat.	American Oversight sued ; Judge Boasberg issued a temporary restraining order to preserve messages (most already auto-deleted); Pentagon issued a memo barring Signal for non-public unclassified info.
Department of Government Efficiency (DOGE)	Department of Government Efficiency members used Signal for agency matters, allegedly to evade FOIA.	A 2025 memo was issued, asking DOGE employees to preserve Signal messages and disable auto-delete.

San Francisco Board of Supervisors	Supervisors and aides used Telegram (including Secret Chats with self-destruct timers, on purpose) for city business.	Supervisor decided not to use Telegram for public business until resolved by City Attorney.
San Jose Mayor	Mayor directed a constituent to contact him on a personal email account to skirt public records laws. "I'm going to delete this email from my government account..."	Judge ruled in August 2023 that they violated state transparency law; this directly prompted SB 908 (2024).
San Diego Councilmembers Offices	Official asked colleagues to use Signal for work purposes. When asked for records via CPRA, records were gone.	Found no action in response.
Missouri Governor	"nearly every member of the former governor's taxpayer-funded staff had a Confide [self-destructive texting app] account and that the app was being used to communicate both within the governor's office and with outside allies and lobbyists."	AG found no legal violation, but Governor's office banned self-destructive texting apps for public business.
Police in Portland, Maine	Police use Signal for sensitive communications, sometimes with self-deleting chat feature.	Found no action in response.
Oklahoma Treasurer's Office	Signal chats used to coordinate policy with outside lobbyists. Official disabled ephemeral messages, but lobbyist may have enabled it, and thus some records auto-deleted.	AG "strongly discourages public officials from using third-party messaging applications when communicating about public business."
Maryland Governor	Governor and senior advisors used Wickr chat rooms with 24-hour auto-delete for state business.	"Transparency in Public Records Act of 2022 (SB 307)" introduced to prevent this. Bill failed.
Michigan State Police	Top police officials used Signal. One quote lightly suggested that some Signal chat were missing.	Passed House Bill 4778 "all state departments and all state agencies must not use any app, software, or other technology that prevents it

		from maintaining or preserving a public record..."
Seattle Mayor	"Former Mayor Jenny Durkan's phone was changed to "delete messages after 30 days" for roughly three weeks, which effectively destroyed past texts. Former Chief Carmen Best deleted her text messages, saying she thought the city backed them up, as they do with email. Fire Chief Harold Scoggins conducted a hard reset on his phone, destroying his text messages, because he couldn't remember the passcode on his phone."	"King County Prosecutor declined criminal charges, citing inability to prove intent."
New York Governor	"In 2012, New York Gov. Andrew Cuomo grabbed headlines by refusing to use email, requiring anyone contacting him to use BlackBerry's PIN-to-PIN function, which establishes a direct connection between phones and, just as with ephemeral messaging apps, does not leave a record that the public can later request. Whether the governor was being prudent, making a point about privacy or the rights of the government, or hiding something he didn't want the public to know about was never proven."	N/A
Florida Governor	Public business seems to have been conducted on personal devices; some records production refused.	"Appeals court overturned a ruling that governor's administration took too long in providing public records about a controversial 2022 decision to fly migrants from Texas to Massachusetts."

Appendix

California Code, Government Code - GOV § 7920.500

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

For purposes of Article 3 (commencing with [Section 7928.200](#)) of Chapter 14 of Part 5, “elected or appointed official” includes, but is not limited to, all of the following:

- (a) A state constitutional officer.
- (b) A Member of the Legislature.
- (c) A judge or court commissioner.
- (d) A district attorney.
- (e) A public defender.
- (f) A member of a city council.
- (g) A member of a board of supervisors.
- (h) An appointee of the Governor.
- (i) An appointee of the Legislature.
- (j) A mayor.
- (k) A city attorney.
- (l) A police chief or sheriff.
- (m) A public safety official.

(n) A state administrative law judge.

(o) A federal judge or federal defender.

(p) A member of the United States Congress or appointee of the President of the United States.

(q) A judge of a federally recognized Indian tribe.

California Code, Government Code - GOV § 7920.530

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

(a) As used in this division, “public records” includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

California Code, Government Code - GOV § 7920.545

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

As used in this division, “writing” means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

California Code, Government Code - GOV § 7921.000

Current as of January 01, 2025 | Updated by [Findlaw Staff](#)

In enacting this division, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.

Evaluating OGO concerns about federal surveillance into Berkeley officials discussing matters of immigration

Question:

Possible changes were introduced to the Open Government Ordinance (OGO) via the OGC (Open Government Commission) that would ban the use of ephemeral, encrypted messaging apps such as Signal by city officials. Concerns were presented regarding a possible situation where city officials want to communicate privately in order to protect undocumented individuals from federal immigration enforcement officials, and they may prefer to use Signal-like technology in these scenarios. This document examines and evaluates such concerns.

Would banning city officials from using ephemeral messaging meaningfully hinder efforts to protect undocumented individuals from federal immigration officials?

My Argument:

We know that ephemeral messaging is used by officials to hide a variety of information regarding public business that the public would like to know about—this law would create a large positive impact by revealing this. When it comes to ICE looking at city data for immigration enforcement, this is chiefly DMV data and other bulk databases, so to protect undocumented individuals those areas should be the focus. It would likely be illegal for ICE to spy on politicians' phones for immigration enforcement, without a (seemingly improbable) public, judicial warrant. And yet, if they did spy secretly, the usage of end-to-end encryption would make it extremely difficult to read texts without getting direct access to one of the devices in the conversation.

End-to-end encryption largely protects city officials already from almost any method that ICE could use to read sensitive texts, with the sole exception of a judge signing a warrant allowing ICE to seize a city official's phone. Using ephemeral messaging on top of that allows officials to skirt public records laws on a wide variety of relevant topics that the public would like to know about, while offering very little additional protection from federal agencies gaining access.

1. There is extensive evidence that city and state officials have used ephemeral messaging to conceal communications around city business.

By the very nature of ephemeral messaging technology, it is hard to know exactly what information has been hidden in the past. However, the press has reported that police matters, communications with private interests and lobbyists, as well as issues with faulty COVID tests have been hidden.

2. There is limited evidence that ICE can look at personal communications for immigration enforcement, especially not in the covert manner we might be concerned about.

The evidence seems to suggest that the vast majority of intelligence retrieved by ICE is from bulk sources such as DMV records and commercial data brokers, rather than communications between city officials.

To me, covert or automatic collection of city officials' text messages is the main potential concern, not as much subpoenas issued by a judge after due process: What if ICE could use covert means like wiretapping or a secret FISA court order to access city communications intended to protect undocumented individuals? I believe (even illegal) wiretapping would be near impossible if end-to-end encrypted messaging is used, which would be allowed. Any requests for data would have to go through the public, due process of an open court and thus require probable cause. To be frank, many sensitive communications designed to protect undocumented individuals would likely no longer be sensitive after the length of time taken by most legal proceedings.

ICE and congressional committees can issue subpoenas that do not carry the force of law, which can be refused by city officials. If these entities go to a court to request a judge to compel the city official, in cases of overbroad requests, several potential legal defenses exist. By the time these judicial processes resolve, the "time window of sensitivity" during which we'd want these conversations to be private would very likely have lapsed anyway. Of course, ICE could simply ask to view messages between officials via CA Public Records Act, but this would also take time, and such records could be redacted to preserve the privacy of individuals involved.

3. Banning ephemeral messaging is very narrow in scope

In general, the intent behind banning ephemeral messaging is in scope a small restriction that may have outsized positive impact by discouraging the attempted avoidance of public records laws by city officials across the entire gamut of city business.

This does not prevent the use of other avenues for privacy preservation such as:

- end-to-end encryption
 - When end-to-end encryption is properly used, one can assume that the only way a third party like a federal agency could access such communications is by gaining direct access to one of the original devices involved in the communication (remote access by installing a virus/spyware, or physical access). NSA etc. could **not** simply ask Signal, a phone provider, internet provider, Apple, etc. for the messages, because those providers don't have the ability themselves to see any messages.
- simply having naturally "ephemeral" conversations in-person or via phone call.
- records retention schedules which would fully allow the deletion of intermediate text messages after some timeframe.
- deleting documents which are already exempt from CA Public Records Act, i.e. for privacy reasons, as long as official is not in violation of 18 U.S. Code § 1519 which deems it illegal to destroy any document even in anticipation that it may be requested by a federal agency for an investigation.

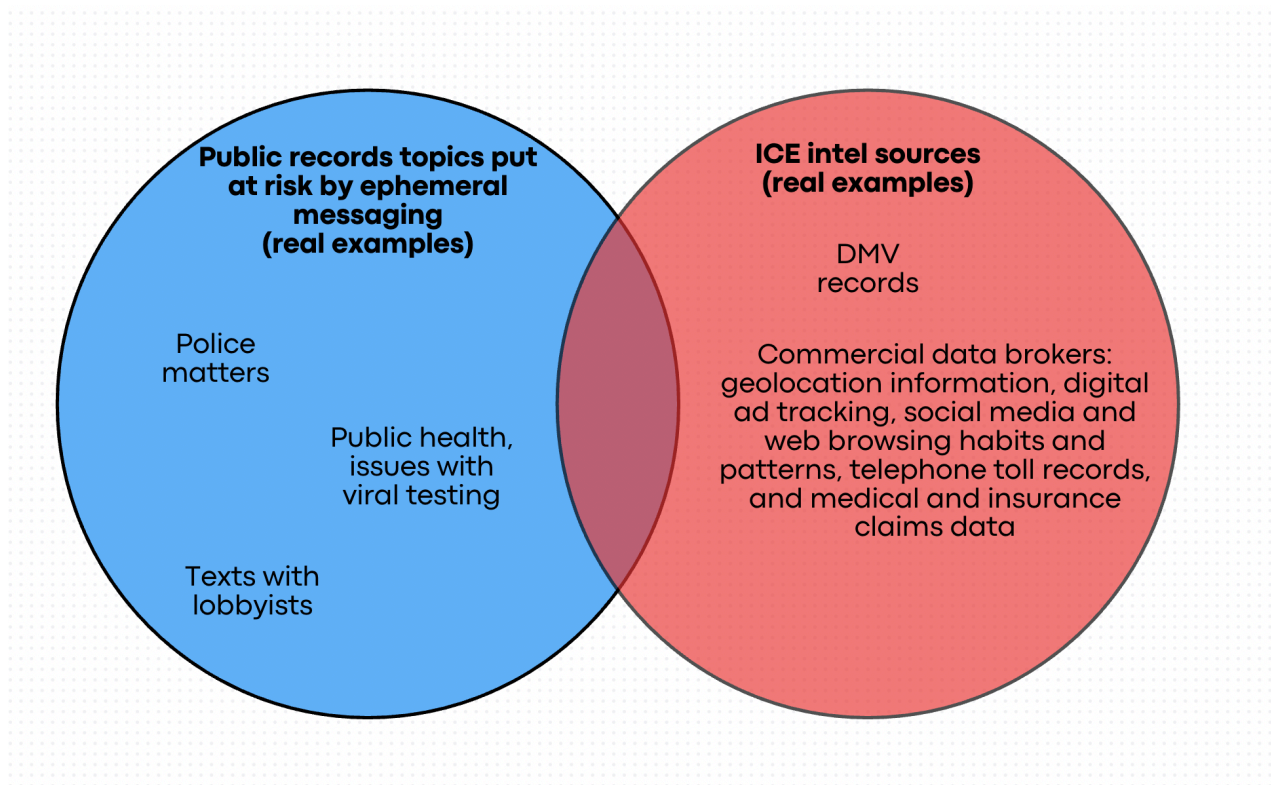


Figure 1: venn diagram. The blue area contains information reported to be hidden from the public via ephemeral messaging, which is of course only a subset of the ideally transparent information which we could help surface. The red area contains ICE intel sources, most of which are unrelated to city official texts. Even if ICE were to gain access to city official texts, I believe an public business ephemeral messaging ban is (a) very narrowly tailored, it still preserves most privacy rights of city officials, and (2) serves a compelling interest of the public. If the aim is to protect data on undocumented individuals from federal access, items in the red circle should be the arena of action. I argue that the intersection itself between these is almost nonexistent, or so much smaller than the benefits in the "blue" that we should pass this law.

Background Information:

What is end-to-end encryption, ephemeral messaging, and Signal?

End-to-end encryption is a technology that, when implemented and used correctly, lets two people exchange messages so that third-parties like the companies and networks carrying those messages cannot read their contents — a protection widely trusted by security experts, though it depends on the users' own devices being secure.

Ephemeral messaging is a technology that automatically deletes messages after they are read or after a set period of time, with the aim of limiting how long communications persist on devices and servers — a useful safeguard against later access, though one that reduces rather than eliminates traces, since recipients can screenshot a message before it disappears.

The Signal Technology Foundation is a nonprofit that built the following:

1. "Signal," an end-to-end encrypted messaging app with ephemeral messaging options. Signal is generally considered to be the most privacy-preserving messaging app, because their software is open-source and they significantly minimize the metadata they store.
2. The "Signal Protocol," an end-to-end encryption algorithm that is used by encrypted messaging providers such as Facebook Messenger, WhatsApp, and the Signal app itself.

Could FISA courts be used to (covertly) access politicians' texts?

I believe the answer is generally **no**, given the right precautions are taken.

The Foreign Intelligence Surveillance Act (FISA, 50 U.S.C. §§ 1801-11, 1821-29, 1841-46, 1861-62, 1871) is intended to conduct surveillance to prevent foreign espionage or terrorism. The courts that authorize spying under this act are famously "closed docket," and fully hidden from the public.

FISA allows warrants against a U.S. person in the following cases:

- If there is probable cause to believe the citizen is knowingly acting as an "agent of a foreign power."
- Section 702 allows the government to vacuum up the communications of foreigners overseas without a warrant. Because those foreigners inevitably communicate with Americans, millions of American emails and texts are "incidentally" swept into the NSA and FBI databases. According to the [Brennan Center](#) and my other research, I believe

that only the FBI, CIA, NSA, and National Counterterrorism Center use FISA and section 702. Section 702 of the Foreign Intelligence Surveillance Act (FISA) is currently expired. It lapsed on June 12, 2026—however, it may still be operationally in effect.

- "Section 702 only permits the targeting of non-United States persons who are reasonably believed to be located outside the United States. United States persons and anyone in the United States may not be targeted under Section 702. Section 702 also prohibits "reverse targeting"—the IC may not target a non-U.S. person located outside the U.S. if the purpose of the collection is to collect information about a United States person or anyone located in the United States." ([intel.gov](https://www.intel.gov))

In other words, (1) ICE does not directly use FISA, though theoretically they could gain access to section 702 intelligence gathered by other intelligence agencies, but (2) the only communications that could be retrieved in our case is if a city official is communicating with a foreign person, not another city official.

Could ICE administrative subpoenas be used to access politicians' texts?

Under the tenth amendment's [anti-commandeering doctrine](#), the federal government cannot compel state or local officers to administer a federal regulatory program. City officials can generally refuse requests from ICE until a judge signs a subpoena.

What about Members of Congress requesting information from cities?

"San Francisco and San Diego, two of California's largest sanctuary cities, are under federal investigation for the alleged actions of local officials who stonewalled ICE and let criminal migrants walk free, The California Post has learned... The committee demanded documents and communications about each agency's interactions with ICE, policies involving non-US citizens, the number of ICE detainers received and declined, and communications with local officials about immigration enforcement." ([Media, House Judiciary Committee](#)).

Again, it seems a city could refuse, and argue in court protection under the tenth amendment.

Then, how do federal immigration officials usually access local data?

The evidence seems to suggest that the vast majority of intelligence retrieved by ICE is from bulk sources such as DMV records and commercial data brokers that provide, for example, location data of cell phones.

According to the Immigration Legal Resource Center ([ILRC](#)), ICE uses administrative warrants to request information from local schools, social services departments, and more. However, the [ACLU](#) outlines: "First, any gag order in these subpoenas has no legal effect; you are free to publicize them and inform the target of the subpoena. Second, you do not have to comply with the subpoena at all, unless ICE goes to court—where you can raise a number of possible objections—and the court orders compliance.

[The CATO Institute](#) outlines a primary source of intelligence for ICE: "the most dangerous and far-reaching tools the government uses to violate Americans' rights over the past several decades come from the private sector, usually in the form of personal data about us, or generated by us, which is then leveraged by commercial data brokers and sold to whoever can pay for it. Such data include geolocation information, digital ad tracking, social media and web browsing habits and patterns, telephone toll records, and medical and insurance claims data. This and so much more is available for purchase by law enforcement at the federal, state, and local levels."

According to [The National Immigration Law Center](#) (NILC), ICE routinely accesses state DMV data indirectly through Nlets (the National Law Enforcement Telecommunications System) or state-specific criminal justice platforms. Because ICE is recognized as a law enforcement agency, they can query these centralized hubs to pull state data that the state itself would not hand over directly. They also cite: "In fact, ICE ERO field offices appear to communicate regularly with state DMVs by email or other informal means that are unregulated and unaccountable. Despite any claim to the contrary, email exchanges appear to occur whether or not an automated system has been used. The communications have included: obtaining driver's license photos, obtaining a range of information about the license-holder or vehicle registration, and offering to help in the apprehension of a person sought by ICE. The information provided by DMV employees includes materials that would not be available through Nlets."

Relevant federal laws that Berkeley officials would have to abide by

8 U.S.C. § 1373 says that a government entity or official "may not prohibit, or in any way restrict" any official from sending to or receiving from federal immigration authorities information regarding the citizenship or immigration status of any individual. This means that a city official cannot prevent another city official from sending such immigration information. However, I'm not sure if this would be directly relevant to messages between city officials.

18 U.S.C. § 1519 deems it illegal to destroy any document even in anticipation that it may be requested by a federal agency for an investigation.



Open Government Commission

PUBLIC HEARING
XXXX XX, XXXX

To: Honorable Mayor and Members of the City Council

From: Kyle Edwards Haugh, Chair, Open Government Commission

Submitted by: Samuel Harvey, Stephen Hylas & Lauren Packard, Secretary, Open Government Commission

Subject: Use of the Consent Calendar

RECOMMENDATION

1. Use the Consent Calendar only for noncontroversial items for which unanimous approval without discussion is anticipated
2. Amend the *Rules of Procedure and Order* to support this practice.

III.G.4. Agenda. Regulations Governing City Council Policy Committees. Functions of the Policy Committees. (p. 23)

Once the item is voted out of a Policy Committee, the final item will be resubmitted to the agenda process by the Primary Author, and it will return to the Agenda & Rules Committee on the next available Agenda. The Agenda & Rules Committee may leave the item on the Agenda under consideration or place it on the following Council Agenda. ~~The Agenda & Rules Committee may agendize the item on the Consent Calendar or Action Calendar.~~ **Only items that receive a Positive Recommendation may be placed on the Consent Calendar.** [restoration of language removed in October, 2024]

II.D. Meetings. Council Meeting Conduct of Meetings. (p.6)

Three or more members of the City Council must agree to pull an item from the Consent or Information Calendar for it to move to Action. ~~Absent at least three members concurring, the item will stay on the Consent or Information Calendar.~~

With respect to Consent items, the Mayor or Councilmembers will be allowed to record their aye, nay, or abstain votes on individual items prior to the vote on the

Consent Calendar. **If a majority of those voting specify a nay or abstain vote, with the consequence that an item will fail, that item will be moved to the Action Calendar prior to the vote on the Consent Calendar.**

BACKGROUND

Until [Date] the Berkeley's *Rules of Procedure and Order* included a provision that allowed members of the public to move items from the Consent Calendar to the Action Calendar.

Until October 29, 2024 the Mayor or a single member of the Council could move an item from Consent or Information to Action.

Until recently, it was the practice of the Agenda and Rules Committee to place items with a negative or mixed recommendation from a Council Committee on the Action Calendar. [Confirmation needed]

CURRENT SITUATION AND ITS EFFECTS

City Council now the Consent Calendar for items that are not going to be approved by the Council. This is confusing to the public who expect that items placed on Consent will be approved by City Council – or if they will not be approved, will be moved to the Action Calendar for debate before a vote is taken.

There are currently two ways in which this confusing practice happens.

A majority of the councilmembers may register an abstention or no vote for an Consent Item without removing it from the Consent Calendar. This practice caused particular public consternation when the [Resolution Opposing Tokyo Electric Power Company and the Government of Japan's Planned Discharge of Wastewater from Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean](#) failed in this manner. In this instance, and in others, the lack of any reasons being given for the item's failure led to speculation, suspicions and lack of trust. Two years ago, City Council voted unanimously in favor of a change to the *Rules of Procedure and Order* that would have automatically moved items to the Action Calendar if three or more members registered their lack of consent, but that change was not incorporated into the Rules.

The second way in which the public can be misled by the Consent Calendar is the practice of placing items on the Consent calendar with an intent to reject the item based on a negative recommendation from a policy committee. This practice commenced with a revision to the *Rules of Procedure and Order* adopted in October, 2024. This is so confusing that public comment on Consent Items at Council meetings has included members of the public thanking the Council for the approval of items that, in fact, were not being approved at all. We question whether the agenda is consistent with the intent of the Brown Act when an action taken under the Consent Calendar is contrary to the title of an item listed.

The Open Government Commission recommends that the Council immediately return to the practice of placing items with a negative Committee recommendation on the Action

Calendar and institute a practice of moving an item from Consent to Action if a majority of the councilmembers record lack of support.

FISCAL IMPACTS OF RECOMMENDATION

None.

ALTERNATIVE ACTIONS CONSIDERED

xxxx

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

RATIONALE FOR RECOMMENDATION

Limiting the use of the Consent Calendar to items that are being approved by Council will provide clear information to the public and engender public trust.

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CONTACT PERSON

Kyle Edwards Haugh, Chair, Open Government Commission, (415) 860-4173

Samuel Harvey, Commission Secretary, Open Government Commission (510) 981-6998

ATTACHMENTS

Pre 2024 Rules of Procedure and Order

Excerpts from Rules used in other jurisdictions:



Open Government Commission

Date: June 19, 2025

To: Honorable Mayor and Members of the City Council

From: Kitt Saginor, Chair

Subject: Use of Consent Calendar

The Open Government Commission is concerned that City Council has been using the Consent Calendar for items that are not going to be approved by the Council. This is confusing to the public who expect that items placed on Consent will be approved by City Council – or if they will not be approved, will be moved to the Action Calendar for possible debate before a vote is taken.

There are currently two ways in which this confusing practice happens.

A majority of the councilmembers may register an abstention or no vote for an Consent Item without removing it from the Consent Calendar. This practice caused particular public consternation when the [Resolution Opposing Tokyo Electric Power Company and the Government of Japan's Planned Discharge of Wastewater from Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean](#) failed in this manner. In this instance, and in others, the lack of any reasons being given for the item's failure led to speculation, suspicions and lack of trust. A year ago, City Council voted unanimously in favor of a change to the *Rules of Procedure and Order* that would have automatically moved items to the Action Calendar if three or more members registered their lack of consent, but that change was not incorporated into the Rules.

The second way in which the public can be misled by the Consent Calendar is the practice of placing items on the Consent calendar with an intent to reject the item based on a negative recommendation from a policy committee. This is a new practice created by the revisions to the *Rules of Procedure and Order* adopted last October. This is so confusing that public comment on Consent Items at Council meetings has included members of the public thanking the Council for the approval of items that, in fact, were not being approved at all. We question whether the agenda is consistent with the intent of the Brown Act when an action taken under the Consent Calendar is contrary to the title of an item listed.

The Open Government Commission recommends that the Council immediately return to the practice of placing items with a negative Committee recommendation on the Action Calendar, and institute a practice of moving an item from Consent to Action if a majority of the councilmembers record lack of support.

We also recommend that the *Rules of Procedure and Order*, when next revised, formalize these changes:

III.G.4. Agenda. Regulations Governing City Council Policy Committees. Functions of the Policy Committees. (p. 23)

Once the item is voted out of a Policy Committee, the final item will be resubmitted to the agenda process by the Primary Author, and it will return to the Agenda & Rules Committee on the next available Agenda. The Agenda & Rules Committee may leave the item on the Agenda under consideration or place it on the following Council Agenda. ~~The Agenda & Rules Committee may agendaize the item on the Consent Calendar or Action Calendar.~~ **Only items that receive a Positive Recommendation can be placed on the Consent Calendar.**
[restoration of language removed in October, 2024]

II.D. Meetings. Council Meeting Conduct of Meetings. (p.6)

Three or more members of the City Council must agree to pull an item from the Consent or Information Calendar for it to move to Action. ~~Absent at least three members concurring, the item will stay on the Consent or Information Calendar.~~

With respect to Consent items, the Mayor or Councilmembers will be allowed to record their aye, nay, or abstain votes on individual items prior to the vote on the Consent Calendar. **If a majority of those voting specify a nay or abstain vote, with the consequence that an item will fail, that item will be moved to the Action Calendar prior to the vote on the Consent Calendar.**

Nondescriptive Agenda Title

- Kitt Saginor, July 6th, 2026

The June 30th City Council Regular Meeting Agenda listed the following item on Consent;

19.-Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 30, 2026

From: City Manager

Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.

Financial Implications: - General Fund - \$2,408,500

Contact: Henry Oyekanmi, Finance, (510) 981-7300

This language does not state whether the potential cost might be for just one proposal or for multiple proposals, and which department(s) or division(s) might issue them. It certainly does not state what the purpose of these proposals might be. Likewise, when this agenda was published online, the attachment contained no information about the purpose or originating department or division.

Members of the public, myself included, read the agenda without guessing that this item concerned the potential acquisition of surveillance cameras and systems - a topic of considerable interest and concern to hundreds of Berkeley residents. This should have been clear in the Agenda.

From *The Berkeley City Council Rules of Procedure and Order*, p. 9

III. Agenda B. Definitions

2. Agenda items shall contain all relevant documentation, including the information listed below:

- a) A descriptive title that adequately informs the public of the subject matter and general nature of the item or report;

When the Council began its consideration of the Consent calendar, Councilmember Blackaby said:

"I want to comment on Item 19 **which is the RFP for public safety tech tools.**"
[emphasis added]

A descriptive title of this item would have said that.



DATE: September 14, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: **Certification of Public Financing Program Participant**

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of September 10, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Majdi 'Gaith' Abuhamdieh For Berkeley City Council 2026
Qualified Contributions:	\$3,419.93
Eligible Matching Funds:	\$20,519.58
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$20,519.58.

Basic glossary of terms:

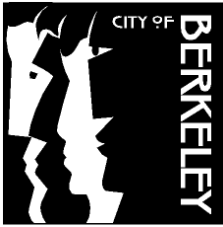
Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

- 2 -

Qualified Contribution	A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley.
------------------------	---

Attachments

1. Majdi “Gaith” Abuhamdieh: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

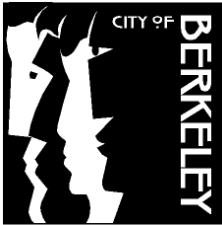
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 09/05/2026
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 Filing ID:
 217392063

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 4
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Abuhamdieh	FIRST Majdi 'Gaith'	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Majdi 'Gaith' Abuhamdieh For Berkeley City Council 2026		FPPC I.D. No. Pending
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Majdi 'Gaith' Abuhamdieh CANDIDATE SIGNATURE		09/03/2026 DATE SIGNED



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

www.cityofberkeley.info | elections@cityofberkeley.info

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09/05/2026
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Filing ID:
217392842

**FAIR ELECTIONS ACT FORM
INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 4	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Majdi 'Gaith' Abuhamdieh For Berkeley City Council 2026		FPPC I.D. No. Pending	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94709	
TELEPHONE (707) 853-2778	EMAIL ADDRESS majdiforberkeley@gmail.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Majdi 'Gaith' Abuhamdieh		09/05/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Knudsen	Craig		94703 Berkeley	musician talent agent	self	Electronic	09/02/2026	08/30/2026	3	60.00
2.	Amad	Zahwa		94709 Berkeley	Scientist	SELF	Check	09/02/2026	09/02/2026	3	60.00
3.	Valverde	Andrea		94702 Berkeley	social worker	Catholic Charities of Santa Clara County	Electronic	09/02/2026	08/28/2026	3	60.00
4.	Anscher	Barbara		94708 Berkeley	alternative dispute resolution professional	self	Electronic	09/02/2026	08/27/2026	3	60.00
5.	Bradley	Rachel		94708 Berkeley	retired	retired	Electronic	09/02/2026	08/30/2026	3	60.00
6.	Norr	Henry		94703 Berkeley	retired	---	Electronic	09/02/2026	08/31/2026	3	60.00
7.	Nowik	Alisa		94705 Berkeley	psychologist	Alisa Castleon Nowik, Psy.D.	Electronic	09/02/2026	08/27/2026	3	60.00
8.	Rader	Nancy		94708 Berkeley	Executive Director	California Wind Energy Association	Electronic	09/02/2026	08/28/2026	3	60.00
9.	Marsha	Feinland		94703 Berkeley	retired	retired	Check	09/01/2026	09/01/2026	2	60.00
10.	Nanopoulos	Elania		94702 Berkeley	retired	---	Check	09/01/2026	09/01/2026	2	60.00
11.	Fouda	Hassan		94707 Berkeley	retired	retired	Check	09/01/2026	09/01/2026	2	60.00
12.	Fouda	Margaret		94707 Berkeley	retired	retired	Check	09/01/2026	09/01/2026	2	60.00
13.	Hendel	Lawrence		94705 Berkeley	retired	retired	Check	09/01/2026	09/01/2026	2	50.00
14.	Castleton	Dillon		94705 Berkeley	educator/therapist	self	Electronic	09/01/2026	08/27/2026	2	60.00
15.	Jackson	Elizabeth		94703 Berkeley	Lawyer	Media Alliance	Electronic	09/01/2026	08/27/2026	2	60.00
										Subtotals	890.00
										116	

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Denney	Carol		94702 Berkeley	retire	retired	Electronic	09/01/2026	08/27/2026	2	60.00
17.	Darling	Todd		94705 Berkeley	Filmmaker	Freelance	Electronic	09/01/2026	08/30/2026	2	60.00
18.	Teague	Lisa		94704 Berkeley	retired	retired	Electronic	09/01/2026	08/30/2026	2	25.00
19.	Nicolaus	Martin		94703 Berkeley	retired	---	Electronic	09/01/2026	08/30/2026	2	60.00
20.	Smith	Margot		94709 Berkeley	retired	retired	Electronic	09/01/2026	08/28/2026	2	60.00
21.	Giedinghagen	Jamie		94703 Berkeley	animal caretaker	self	Electronic	09/01/2026	08/30/2026	2	25.00
22.	Greenspan	Judy		94703 Berkeley	teacher	OUSD	Electronic	09/01/2026	08/30/2026	2	60.00
23.	Vilar-Segura	Jose		94708 Berkeley	retired	---	Check	08/24/2026	08/24/2026	1	60.00
24.	Vilar-Segura	Jose		94708 Berkeley	retired	---	Check	08/24/2026	08/24/2026	1	DUP 60.00
25.	Williams	Lewis		94707 Berkeley	retired	retired	Check	08/24/2026	08/24/2026	1	60.00
26.	Shears	Esther		94703 Berkeley	Economist	California Energy Commission	Check	08/23/2026	08/24/2026	1	60.00
27.	Ishii	Marcia		94703 Berkeley	scientist	PANNA	Check	08/23/2026	08/24/2026	1	60.00
28.	Shamban	Cindy		94703 Berkeley	retired	---	Check	08/23/2026	08/24/2026	1	60.00
29.	Fink	Rebecca		94703 Berkeley	professional organizer, coach	self	Check	08/23/2026	08/24/2026	1	60.00
30.	McFadden	James		94703 Berkeley	Physicist	UC Berkeley	Check	08/23/2026	08/24/2026	1	60.00
31.	Lucero	Brenda		94703 Berkeley	therapist	self	Cash	08/23/2026	08/24/2026	1	49.00
32.	Ishii-Lusk	Gabriel		94703 Berkeley	UNEMPLOYED	---	Cash	08/23/2026	08/24/2026	1	49.00
33.	De Sena	FRANCISCO		94703 Berkeley	artist	self	Cash	08/23/2026	08/24/2026	1	49.00
34.	Zients	Sasha		94709 Berkeley	Social Worker	Lincoln Families	Check	08/23/2026	08/24/2026	1	60.00
35.	Salehi	Kumars		94707 Berkele	Unemployed	NONE	Check	08/22/2026	08/24/2026	1	60.00
36.	Shambayati	Nilloofar		94707 Berkeley	retired	---	Check	08/22/2026	08/24/2026	1	60.00
										Subtotals	1,097 1,157.00

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37.	Wahab	Akhtar		94702 Berkeley	General Manager	Zara Supermarket	Check	08/22/2026	08/24/2026	1	10.00
38.	Sadiq	Nazeer		94710 Berkeley	retired	---	Check	08/22/2026	08/24/2026	1	10.00
39.	O'Brien	Simin		94703 Berkeley	Attorney	CC of San Francisco	Check	08/22/2026	08/24/2026	1	60.00
40.	Gulau	Stephen		94703 Berkeley	self-employed	self	Check	08/22/2026	08/24/2026	1	10.00
41.	Marx	Celeste		94707 Berkeley	retired	N/A	Check	08/22/2026	08/24/2026	1	60.00
42.	Alpert	Stephen		94707 Berkeley	retired	---	Check	08/22/2026	08/24/2026	1	60.00
43.	Baalbaki	Mai		94703 Berkeley	Clinical Researcher	UCSF	Check	08/22/2026	08/24/2026	1	ECL 60.00
44.	Mosaed	Negeene		94707 Berkeley	Physical Therapy	Berkeley Community PT	Cash	08/22/2026	08/24/2026	1	49.00
45.	Cohen	Jeanine		94703 Berkeley	Therapist	Bayside Marin	Cash	08/22/2026	08/24/2026	1	45.00
46.	Baalbaki	Riad		94703 Berkeley	Scientist	State	Cash	08/22/2026	08/24/2026	1	49.99
47.	Baalbaki	Marla		94703 Berkeley	homemaker/student	N/A	Cash	08/22/2026	08/24/2026	1	49.99
48.	Berenson	Lori		94703 Berkeley	Partnerships Coordinator	Hesperian Health Guide	Cash	08/22/2026	08/24/2026	1	49.99
49.	Marszalek	Bernard		94703 Berkeley	RETIRED	---	Cash	08/22/2026	08/24/2026	1	49.99
50.	Elhaj	Andalib		94703 Berkeley	retired	---	Cash	08/22/2026	08/24/2026	1	10.00
51.	Salari-Namin	Sahand		94707 Berkeley	Doctoral Candidate, UCSD	----	Cash	08/21/2026	08/24/2026	1	49.00
52.	O'Brien	Matthew		94704 Berkeley	Design	Haste Manor Design	Check	08/20/2026	08/24/2026	1	60.00
53.	Brenner	Rebecca Summer		94703 Berkeley	writer	retired	Check	08/20/2026	08/24/2026	1	60.00
54.	Laverde-Levine	Paola		94709 Berkeley	admin services asst.	Alameda County	Check	08/20/2026	08/24/2026	1	60.00
55.	Weber	Michael		94702 Berkeley	RETIRED	---	Check	08/19/2026	08/24/2026	1	60.00
56.	Crawford	Jonah		94707 Berkeley	Programmer	Carepoint	Cash	08/17/2026	08/24/2026	1	49.99
57.	Salari-Namin	Soroush		94707 Berkeley	Engineer	EBMUD	Cash	08/17/2026	08/24/2026	1	49.99
										Subtotals	962.94 902.94

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
58.	O'Brien	Timothy		94703 Berkeley	Private Investigator	O'Brien & Associates	Check	08/16/2026	08/24/2026	1	60.00
59.	Browning	Virginia		94702 Berkeley	retired	---	Check	08/16/2026	08/24/2026	1	60.00
60.	Nelson	Sally aka Sarah		94703 Berkeley	retired artist	---	Check	08/16/2026	08/24/2026	1	60.00
61.	Borgstrom	Dan		94702 Berkeley	retired	---	Cash	08/16/2026	08/24/2026	1	49.99
62.	Turner	Glenn		94709 Berkeley	retired	---	Check	08/15/2026	08/24/2026	1	60.00
63.	Kurzweil	Jack		94703 Berkeley	RETIRED	---	Check	08/15/2026	08/24/2026	1	60.00
64.	Prichett	Andrea		94710 Berkeley	Teacher	BUSD	Check	08/14/2026	08/24/2026	1	60.00
65.	Auerbach	Elana		94709 Berkeley	priestess/author	self	Check	08/10/2026	08/24/2026	1	60.00
66.	Press	William		94709 Berkeley	Executive	Taut AI	Check	08/10/2026	08/24/2026	1	60.00
										Subtotals	529.99
										Grand Totals	3,539.93
											3,419.93

Ineligibility Codes (if any)

DUP - Duplicate Contribution

ECL - Exceeds Cash Limit

EMD - Exceeds Max Donation

INSUF - Insufficient Documentation

MAX - Reached Maximum Amount Permitted

NRES - Non-Berkeley Resident

SIG - Electronic/No Signature

3419.93**X6****20,519.58**



DATE: September 9, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: **Certification of Public Financing Program Participant**

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of September 9, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Kromer for City Council 2026
Qualified Contributions:	\$1,275
Eligible Matching Funds:	\$7,650
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$7,650.

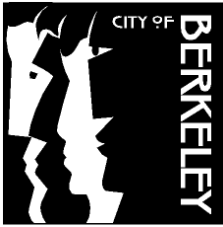
Basic glossary of terms:

Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

Qualified Contribution	A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley.
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Attachments

1. John Kromer: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

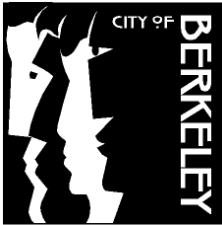
E-Filed
 09/03/2026
 10:56:08
 Filing ID:
 217352477

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 1
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Kromer	FIRST John	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Kromer for City Council 2026		FPPC I.D. No. 1492682
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
John Kromer CANDIDATE SIGNATURE		09/03/2026 DATE SIGNED



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

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09/06/2026
16:09:05

Filing ID:
217393198

**FAIR ELECTIONS ACT FORM
INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 1	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Kromer for City Council 2026		FPPC I.D. No. 1492682	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94709	
TELEPHONE (510) 847-8535	EMAIL ADDRESS info@kromerforberkeley.org		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
John Kromer		09/06/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Sloan	Sara		94709 Berkeley	RN	UC Berkeley	Electronic	08/28/2026	09/04/2026	5	60.00
2.	Garnick	David		94706 Berkeley	Business	Self	Electronic	09/02/2026	09/04/2026	5	10.00
3.	Varnhagen	Liz		94702 Berkeley	Retired	U.S. Government	Electronic	08/28/2026	09/04/2026	5	60.00
4.	Larkin	Tim		94703 Berkeley	Architecture	Larkin Design (self-employed, Berkeley)	Electronic	08/27/2026	08/31/2026	4	25.00
5.	McGrath	James		94705 Berkeley	Retired	none	Electronic	08/27/2026	08/31/2026	4	60.00
6.	Lomax	Geoffrey		94709 Berkeley	Research Administration	State of CA	Electronic	08/26/2026	08/31/2026	4	60.00
7.	Shepherd	John		94710 Berkeley	Retired	-	Electronic	08/26/2026	08/31/2026	4	25.00
8.	Russell	Emma		94710 Berkeley	ESG Lead	Canva	Electronic	08/26/2026	08/31/2026	4	10.00
9.	Schwartz	Susan		94709 Berkeley	-	-	Electronic	08/25/2026	08/31/2026	4	25.00
10.	Ortiz	Zara		94710 Berkeley	-	-	Electronic	08/24/2026	08/31/2026	4	40.00
11.	Diehm	Erin		94703 Berkeley	Not employed	Not employed	Electronic	08/23/2026	08/31/2026	4	60.00
12.	Siegal	Meryl		94702 Berkeley	retired	-	Electronic	08/23/2026	08/31/2026	4	40.00
13.	Hyde-Wang	Candace		94708 Berkeley	Retired	Red Oak Realty	Electronic	08/22/2026	08/31/2026	4	50.00
14.	Kelley	Michael		94710 Berkeley	Commercial Photographer	Michael J Kelley Photography (self-employed, Bay Area)	Electronic	08/21/2026	08/31/2026	4	10.00
15.	DeDiemar	Donna		94706 Berkeley	retired	none	Electronic	08/20/2026	08/24/2026	3	60.00
Subtotals										124	595.00

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Goodman	Margaret		94702 Berkeley	retired	retired	Electronic	08/20/2026	08/31/2026	4	60.00
17.	Hahn	Flint		94710 Berkeley	-	-	Electronic	08/18/2026	08/24/2026	3	10.00
18.	Correia	Cynthia		94710 Berkeley	-	-	Electronic	08/18/2026	08/24/2026	3	10.00
19.	Glatt	Joshua		94709 Berkeley	Software Engineer	Microsoft	Electronic	08/17/2026	08/24/2026	3	25.00
20.	Friedman	Eric		94703 Berkeley	Retired	Self	Electronic	08/17/2026	08/24/2026	3	60.00
21.	Larkin	Sandra		94703 Berkeley	Lab Manager	UCSF	Electronic	08/16/2026	08/24/2026	3	25.00
22.	Gaston	Isabelle		94708 Berkeley	retired	retired	Electronic	08/14/2026	08/24/2026	3	60.00
23.	Parsons	Lauren		94710 Berkeley	Retired	None	Electronic	08/14/2026	08/24/2026	3	60.00
24.	McDunn	Dan		94708 Berkeley	General Contractor	McDunn Construction, Inc. (self-employed, Berkeley, CA)	Electronic	08/14/2026	08/24/2026	3	60.00
25.	Gora	Kasia		94710 Berkeley	Tech Scum	Veritus	Electronic	08/14/2026	08/24/2026	3	60.00
26.	Best	Carmen		94710 Berkeley	Policy Advisor	Recurve	Electronic	08/14/2026	08/24/2026	3	10.00
27.	Norgaard	Richard		94708 Berkeley	Retired	UC Regents (UCB)	Electronic	08/12/2026	08/17/2026	2	60.00
28.	Yep	Ray		94707 Berkeley	Engineer	Retired	Electronic	08/10/2026	08/17/2026	2	60.00
29.	Chuck	Liane and Paul		94703 Berkeley	Retired	None	Electronic	08/04/2026	08/10/2026	1	INSUF 60.00
30.	Rader	Nancy		94708 Berkeley	CA Wind Energy Association	CA Wind Energy Association	Electronic	08/02/2026	08/10/2026	1	60.00
31.	Mathew	Paul		94709-2007 Berkeley	Consultant	Self-employed	Electronic	07/30/2026	08/10/2026	1	60.00
										Subtotals	680 740.00
										Grand Totals	1,275 1,335.00

Ineligibility Codes (if any)

DUP - Duplicate Contribution
ECL - Exceeds Cash Limit
EMD - Exceeds Max Donation
INSUF - Insufficient Documentation
MAX - Reached Maximum Amount Permitted
NRES - Non-Berkeley Resident
SIG - Electronic/No Signature

1,275
x6
7,650



DATE: September 16, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: **Certification of Public Financing Program Participant**

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$610.

As of September 16, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Humbert for Council 2026
Qualified Contributions:	\$2,605
Eligible Matching Funds:	\$15,630
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$15,630.

Basic glossary of terms:

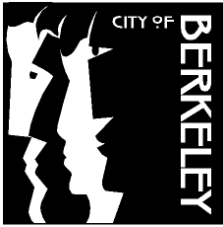
Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$610.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

- 2 -

Qualified Contribution	A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley.
------------------------	---

Attachments

1. Mark Humbert: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
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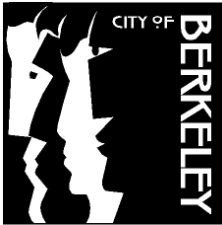
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 09/06/2026
 17:10:13
 Filing ID:
 217393224

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 8
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Humbert	FIRST Mark	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Humbert for Council 2026		FPPC I.D. No. 1488239
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Mark Humbert CANDIDATE SIGNATURE		09/06/2026 DATE SIGNED



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

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09/08/2026
18:27:53

Filing ID:
217401576

**FAIR ELECTIONS ACT FORM
INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 8	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Humbert for Council 2026		FPPC I.D. No. 1488239	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94705	
TELEPHONE (415) 260-3398	EMAIL ADDRESS markh@humbertlaw.us		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Mark Humbert		09/08/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Freeman	Jane		94705 Berkeley	part time consulting	Self Employed	Electronic	09/06/2026	09/06/2026	1	60.00
2.	Lutzker	Bobby		94704 Berkeley	Lawyer	Covington & Burling LLC	Electronic	08/30/2026	08/30/2026	1	60.00
3.	Passmore	Casey		94702 Berkeley	Not Employed	Not Employed	Electronic	08/29/2026	08/29/2026	1	60.00
4.	Chang	James		94703 Berkeley	Legislative Aide	City of Berkeley	Electronic	08/23/2026	08/23/2026	1	60.00
5.	Schooley	Claire		94705-2721 Berkeley	Not Employed	Not Employed	Electronic	08/23/2026	08/23/2026	1	60.00
6.	Teiblum	Matityahu		94707 Berkeley	Builder	Self	Electronic	08/23/2026	08/23/2026	1	60.00
7.	Kinrich	Alana		94704 Berkeley	Physician	TPMG	Electronic	08/23/2026	08/23/2026	1	60.00
8.	Lee-Egan	Chris		94702 Berkeley	Software Engineer	Google	Electronic	08/19/2026	08/19/2026	1	60.00
9.	Ishii	Adena		94703 Berkeley	Mayor	City of Berkeley	Electronic	08/17/2026	08/17/2026	1	60.00
10.	orrick	Phyllis		94702 Berkeley	Not Employed	Not Employed	Electronic	08/17/2026	08/17/2026	1	60.00
11.	Mendelsohn	David		94703 Berkeley	Caregiver	Gerald Mendelsohn	Electronic	08/17/2026	08/17/2026	1	60.00
12.	Cheyette	Catherine		94707-1821 Berkeley	Psychotherapist	self-employed	Electronic	08/16/2026	08/16/2026	1	60.00
13.	Wilson	Mike		94705 Berkeley	Senior Safety Engineer	Cal/OSHA	Electronic	08/15/2026	08/15/2026	1	60.00
14.	Lutzker	Liza		94704 Berkeley	Researcher	UC Berkeley	Electronic	08/12/2026	08/12/2026	1	60.00
15.	Yung	Brandon		94702 Berkeley	Analyst	CA HCD	Electronic	08/11/2026	08/11/2026	1	60.00
										Subtotals	900.00
										130	

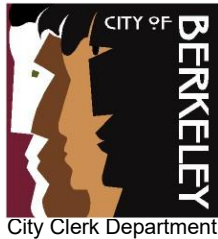
ITEM NO. 21

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Walser	Bianca		94707 Berkeley	Not employed	Not employed	Electronic	08/09/2026	08/09/2026	1	60.00
17.	Parolek	Karen		94702 Berkeley	CFO	Opticos Design Inc.	Electronic	08/09/2026	08/09/2026	1	60.00
18.	Franklin	Zachary		94703 Berkeley	Nonprofit executive	GRID Alternatives	Electronic	08/08/2026	08/08/2026	1	60.00
19.	Zander	Sofia		94703 Berkeley	Landscape Architect	Zander Westbrook Design	Electronic	08/08/2026	08/08/2026	1	60.00
20.	Baker	Jeffrey		94703 Berkeley	Software developer	Braintrust	Electronic	08/07/2026	08/07/2026	1	60.00
21.	walden	Jonathan		94703 Berkeley	Not Employed	Not Employed	Electronic	08/07/2026	08/07/2026	1	25.00
22.	Chatterjee	Anirvan		94709 Berkeley	Data Scientist	UCSF	Electronic	08/06/2026	08/06/2026	1	60.00
23.	Casebolt	Tarmigan		94705 Berkeley	Not Employed	Not Employed	Electronic	08/05/2026	08/05/2026	1	60.00
24.	Cohen	Michael		94705 Berkeley	Director	UC Berkeley	Electronic	08/04/2026	08/04/2026	1	60.00
25.	Kesarwani	Rashi		94703 Berkeley	Councilmember	City of Berkeley	Electronic	08/02/2026	08/02/2026	1	60.00
26.	Chapman	Paul		94705 Berkeley	Inverness Associates-Consultant	Self	Electronic	08/01/2026	08/01/2026	1	60.00
27.	Bruzzzone	Anthony		94709 Berkeley	Not Employed	Not Employed	Electronic	08/01/2026	08/01/2026	1	60.00
28.	Humbert	Frances		94705 Berkeley	Supervisor	Berkeley Bowl	Electronic	07/19/2026	07/19/2026	1	60.00
29.	Panzer	Eric		94709 Berkeley	Legislative Aide	City of Berkeley	Electronic	07/16/2026	07/16/2026	1	60.00
30.	Y Hyun	Christopher		94709 Berkeley	Environmental Scientist	State of California	Electronic	07/16/2026	07/16/2026	1	60.00
31.	Su	Chang		94705 Berkeley	Tutor	Slef	Electronic	07/14/2026	07/14/2026	1	60.00
32.	Valenstein	Paul		94705 Berkeley	Not Employed	Not Employed	Electronic	07/10/2026	07/10/2026	1	60.00
33.	Saldich	Alan		94705 Berkeley	Unemployed	Unemployed	Electronic	06/30/2026	06/30/2026	1	60.00
34.	Cheyette	Oren		94707 Berkeley	Finance	Loomis Sayles & Co	Electronic	06/30/2026	06/30/2026	1	60.00
35.	Tregub	Igor		94703 Berkeley	City of Berkeley	Councilmember	Electronic	06/29/2026	06/29/2026	1	60.00
36.	Hedlund	Marc	94705 Berkeley	Technology Executive	Tenuki Moves, LLC	Electronic	06/28/2026	06/28/2026	1	60.00	
										Subtotals	1,225.00

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37.	Wozniak	Gordon		94705 Berkeley	Unemployed	Unemployed	Electronic	06/28/2026	06/28/2026	1	60.00
38.	Bernet	Ross		94702 Berkeley	Project Manager	Microsoft	Electronic	06/28/2026	06/28/2026	1	60.00
39.	Lee-Egan	Elizabeth		94702 Berkeley	Graphic Designer	Libbyco	Electronic	06/28/2026	06/28/2026	1	60.00
40.	Johns	Jeffrey		94704 Berkeley	Physician	City of Berkeley	Electronic	06/28/2026	06/28/2026	1	60.00
41.	Yamaguchi	Thomas		94710 Berkeley	In Home Supportive Services Worker	Alameda County	Electronic	06/28/2026	06/28/2026	1	60.00
42.	Bell	Sarah		94703 Berkeley	Unemployed	Unemployed	Electronic	06/28/2026	06/28/2026	1	60.00
43.	Russ	Zachary		94703 Berkeley	Cofounder	Labscape Inc	Electronic	06/27/2026	06/27/2026	1	60.00
44.	Posselt	Theo		94709 Berkeley	Consultant	Deloitte	Electronic	06/22/2026	06/22/2026	1	60.00
										Subtotals	480.00
										Grand Totals	2,605.00

DUP - Duplicate Contribution
ECL - Exceeds Cash Limit
EMD - Exceeds Max Donation
INSUF - Insufficient Documentation
MAX - Reached Maximum Amount Permitted
NRES - Non-Berkeley Resident
SIG - Electronic/No Signature

\$2,605
x 6
\$15,630



DATE: September 28, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: **Certification of Public Financing Program Participant**

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of September 28, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Wallman City Council 2026
Qualified Contributions:	\$3,650
Eligible Matching Funds:	\$21,900
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$21,900.

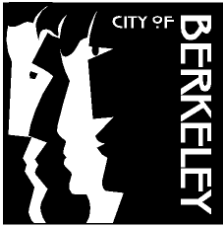
Basic glossary of terms:

Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.
Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.

Qualified Contribution	A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley.
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Attachments

1. Michael Wallman: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

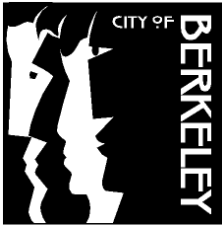
E-Filed
 09/09/2026
 16:08:23
 Filing ID:
 217407430

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) 8
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Wallman	FIRST Michael	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Wallman City Council 2026		FPPC I.D. No. Pending
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Michael Wallman CANDIDATE SIGNATURE		09/09/2026 DATE SIGNED



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

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
09/25/2026
13:45:48

Filing ID:
217527788

**FAIR ELECTIONS ACT FORM
INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

OFFICE SOUGHT			
OFFICE City Council Member		COUNCIL DISTRICT (IF APPLICABLE) District 8	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Wallman City Council 2026		FPPC I.D. No. 1495861	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94705	
TELEPHONE (510) 989-3000	EMAIL ADDRESS filings@seowenscompany.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Michael Wallman		09/25/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Almaguer	Miguel		94708 Berkeley	Journalist	Miguel Almaguer, Berkeley, CA	Electronic	09/05/2026	09/05/2026	.	60.00
2.	Arechiga	Laura C		94704 Berkeley	Real Estate Agent	The Grubb Co	Electronic	09/20/2026	09/20/2026	.	60.00
3.	Beyeler	Marc		94705 Berkeley	Executive	Beyeler And Associates	Electronic	09/02/2026	09/02/2026	.	60.00
4.	Boekelheide	Jay		94708 Berkeley	Not Employed	N/A	Electronic	09/20/2026	09/20/2026	.	60.00
5.	Bokovoy	Phillip		94704 Berkeley	Not Employed	N/A	Electronic	09/18/2026	09/18/2026	.	60.00
6.	Bradley	Rachel		94708 Berkeley	Not Employed	N/A	Electronic	09/06/2026	09/06/2026	.	60.00
7.	Breuer	Robert		94704-1819 Berkeley	Not Employed	N/A	Electronic	09/03/2026	09/03/2026	.	50.00
8.	Bruce	Lisa		94705 Berkeley	Owner	Lisa Bruce Studios of Permanent Cosmetics	Electronic	09/08/2026	09/08/2026	.	60.00
9.	Brunner	Wendel		94704 Berkeley	Not Employed	N/A	Electronic	09/04/2026	09/04/2026	.	60.00
10.	Byrne	Lorna		94704 Berkeley	Not Employed	N/A	Electronic	09/07/2026	09/07/2026	.	60.00
11.	Calavita	Kitty		94707 Berkeley	Not Employed	N/A	Electronic	09/22/2026	09/22/2026	.	60.00
12.	Casalaina	Vince		94704-3422 Berkeley	Not Employed	N/A	Electronic	09/24/2026	09/24/2026	.	60.00
13.	Chainey	Susan		94704 Berkeley	Not Employed	N/A	Electronic	09/04/2026	09/04/2026	.	50.00
14.	Christina	Levert		94703 Berkeley	Teacher	Berkeley Unified School District	Electronic	09/10/2026	09/10/2026	.	60.00
15.	Clay	Christopher		94704 Berkeley	Attorney	California Public Utilities Commission	Electronic	09/08/2026	09/08/2026	.	60.00
										Subtotals	880.00
										137	820

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	Clay	Frederique		94704 Berkeley	Designer	Frederique Clay - Berkeley, CA	Electronic	09/08/2026	09/08/2026	.	60.00
17.	Colvin	Matthew		94709 Berkeley	Certified Public Accountant	Rtdwyer Co	Electronic	09/04/2026	09/04/2026	.	60.00
18.	Darling	Todd		94705 Berkeley	Filmmaker	Todd Darling	Electronic	09/24/2026	09/24/2026	.	60.00
19.	Di Costanzo	Amy		94707 Berkeley	Not Employed	N/A	Electronic	09/12/2026	09/12/2026	.	60.00
20.	Diamond	Joan		94704 Berkeley	Ed Millennium Alliance	Stanford University	Electronic	09/03/2026	09/03/2026	.	60.00
21.	Diamond-Smith	Nadia		94704 Berkeley	Professor	University of California San Francisco	Electronic	09/14/2026	09/14/2026	.	60.00
22.	Dykstra	Susan		94705 Berkeley	Occupational Therapist	National Home Health	Electronic	09/04/2026	09/04/2026	.	60.00
23.	Feingold	Bruce		94705 Berkeley	Not Employed	N/A	Electronic	09/13/2026	09/13/2026	.	60.00
24.	Feller	Fred		94705 Berkeley	Not Employed	N/A	Electronic	09/03/2026	09/03/2026	.	60.00
25.	Frantz	Theresa		94704 Berkeley	Not Employed	N/A	Electronic	09/15/2026	09/15/2026	.	60.00
26.	Grewal	David		94704 Berkeley	Professor	University of California, Berkeley	Electronic	09/07/2026	09/07/2026	.	60.00
27.	Haar	Rohini		94705 Berkeley	Doctor	Kaiser Permanente	Electronic	09/04/2026	09/04/2026	.	60.00
28.	Harrison	Kathryn		94709 Berkeley	Not Employed	N/A	Electronic	09/04/2026	09/04/2026	.	60.00
29.	Katz	Michael		94709 Berkeley	Writer	Horizon3	Electronic	09/02/2026	09/02/2026	.	60.00
30.	Lafontaine	Justin		94704 Berkeley	Executive	Spyre Therapeutics	Electronic	09/03/2026	09/03/2026	.	60.00
31.	Laird	Tad		94705 Berkeley	Not Employed	N/A	Electronic	09/17/2026	09/17/2026	.	60.00
32.	Lee	Christine		94705 Berkeley	Writer	Christine Lee - Berkeley, CA	Electronic	09/06/2026	09/06/2026	.	60.00
33.	Levine	Deborah		94704 Berkeley	Not Employed	N/A	Electronic	09/04/2026	09/04/2026	.	60.00
34.	Lewis	Gregory		94705 Berkeley	President	Aerosol Dynamics	Electronic	09/20/2026	09/20/2026	.	60.00
35.	Mansour	Tamir		94707 Berkeley	Realtor	Vanguard Properties	Electronic	09/03/2026	09/03/2026	.	60.00
36.	McGrath	James		94705 Berkeley	Not Employed	N/A	Electronic	09/11/2026	09/11/2026	.	60.00
										Subtotals	1,200 1,260.00

1,200

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
37.	Meissner	Falk		94704 Berkeley	Partner	Roland Berger	Electronic	09/03/2026	09/03/2026	.	60.00
38.	Mino	Jennifer		94703 Berkeley	Finance	East Bay Regional Park District	Electronic	09/22/2026	09/22/2026	.	60.00
39.	Mino	Mark		94703-1401 Berkeley	Sales Representative	Folkmanis Inc	Electronic	09/03/2026	09/03/2026	.	60.00 INSUF
40.	Papa	Nikolai		94705 Berkeley	Wealth Manager	Bay Area Wealth Management Group	Electronic	09/04/2026	09/04/2026	.	60.00
41.	Porter	George		94707 Berkeley	Teacher	Berkeley Unified School District	Electronic	09/03/2026	09/03/2026	.	60.00
42.	Prasad	Leena		94704 Berkeley	Biotech	Bridgebio	Electronic	09/03/2026	09/03/2026	.	60.00
43.	Rader	Nancy		94708 Berkeley	Executive Director	California Wind Energy Association	Electronic	09/11/2026	09/11/2026	.	60.00
44.	Ramo	Alan		94705 Berkeley	Not Employed	N/A	Electronic	09/14/2026	09/14/2026	.	60.00
45.	Reardon	Mike		94079 Berkeley	Not Employed	N/A	Electronic	09/10/2026	09/10/2026	.	50.00
46.	Rose	Leslie		94705 Berkeley	Not Employed	N/A	Electronic	09/20/2026	09/20/2026	.	60.00
47.	Rose	Thomas		94703 Berkeley	Not Employed	N/A	Electronic	09/12/2026	09/12/2026	.	20.00
48.	Schacht	Linda		94705 Berkeley	Faculty, Graduate School of Journalism	University of California, Berkeley	Electronic	09/09/2026	09/09/2026	.	60.00
49.	Schmidt	Janice		94708 Berkeley	Not Employed	N/A	Electronic	09/04/2026	09/04/2026	.	60.00
50.	Scott	Gay		94705 Berkeley	Not Employed	N/A	Electronic	09/20/2026	09/20/2026	.	60.00
51.	Shiver	David		94705 Berkeley	Principal	BAE Urban Economics Inc.	Electronic	09/24/2026	09/24/2026	.	60.00
52.	Simon	Cynthia		94705 Berkeley	Wellness Trainer	Cynthia Simon - Berkeley, CA	Electronic	09/09/2026	09/09/2026	.	60.00
53.	Simon	Donald		94705 Berkeley	Attorney	Stratagem LLP	Electronic	09/11/2026	09/11/2026	.	60.00
54.	Smith	Mike		94705 Berkeley	Not Employed	N/A	Electronic	09/18/2026	09/18/2026	.	60.00
55.	Tadelis	Steve		94704 Berkeley	Professor	University of California Berkeley	Electronic	09/15/2026	09/15/2026	.	60.00
56.	Tarn	Jeff		94705 Berkeley	Engineering Manager	Netflix	Electronic	09/04/2026	09/04/2026	.	60.00
57.	Tarn	Jennifer		94705 Berkeley	Attorney	Jennifer Tarn	Electronic	09/04/2026	09/04/2026	.	60.00
										Subtotals	1,150 1,210.00

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
58.	Thielscher	Douglas		94705 Berkeley	Sculptor	Douglas Thielscher, Berkeley, Ca	Electronic	09/04/2026	09/04/2026	.	60.00
59.	Thomas	Janice		94704 Berkeley	Clinical Psychologist	City and County of San Francisco	Electronic	09/16/2026	09/16/2026	.	60.00
60.	Valdez	Vanessa		94704 Berkeley	Attorney	Sorensen Communications	Electronic	09/03/2026	09/03/2026	.	60.00
61.	White	Alexander		94705 Berkeley	Personal Assistant	Tamara White	Electronic	09/10/2026	09/10/2026	.	60.00 INSUF
62.	Woodcock	Charlene		94709 Berkeley	Not Employed	N/A	Electronic	09/13/2026	09/13/2026	.	60.00
63.	Woodworth	Carla		94704 Berkeley	Not Employed	N/A	Electronic	09/02/2026	09/02/2026	.	60.00
64.	Yap	Suzanna		94705 Berkeley	Not Employed	N/A	Electronic	09/16/2026	09/16/2026	.	60.00
65.	Yep	Ray		94707 Berkeley	Not Employed	N/A	Electronic	09/18/2026	09/18/2026	.	60.00
66.	Zernicke	Mary		94705 Berkeley	Not Employed	N/A	Electronic	09/20/2026	09/20/2026	.	60.00
										Subtotals	540.00 480
										Grand Totals	3,890.00 3,650

Ineligibility Codes (if any)**DUP - Duplicate Contribution****ECL - Exceeds Cash Limit****EMD - Exceeds Max Donation****INSUF - Insufficient Documentation****MAX - Reached Maximum Amount Permitted****NRES - Non-Berkeley Resident****SIG - Electronic/No Signature****3,650****X6****21,900**



DATE: October 8, 2026

TO: FAIR CAMPAIGN PRACTICES COMMISSION

FROM: Mark Numainville, City Clerk

SUBJECT: **Certification of Public Financing Program Participant**

Pursuant to the Fair Elections Act of 2016, the City is required to certify candidates as participants in the City's public financing program.

In order to participate, a candidate must submit an application for participation and complete all required administrative paperwork to process payments.

The candidate must also qualify by submitting 30 contributions of at least \$10 from 30 unique contributors totaling at least \$650.

As of October 8, 2026, the following candidate has submitted the required filings as well as a compliant Initial Qualifying Request and their participation in the program has been approved by City staff:

Application for Participation and Initial Qualifying Request for Funds	
Submitted By:	Carole Marasovic for Rent Board 2026
Qualified Contributions:	\$1,785
Eligible Matching Funds:	\$10,000 (disbursement limit)
Action	Certified candidate to participate in the program. Approved 6:1 matching public funds in an amount not to exceed \$10,000. Please Note – the candidate has reached the maximum amount permitted for Rent Board candidates.

Basic glossary of terms:

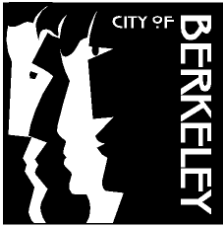
Application for Participation	Required form for participating candidates that certifies they will follow the regulations and requirements of the program.
Qualifying Request	In order to qualify to receive public matching funds, a candidate must collect at least 30 contributions (from 30 unique contributors) of at least \$10 totaling \$650.

- 2 -

Matching Request	Campaign committees participating in the Public Financing Program submit a Matching Request with all required documentation in order to receive Public Matching Funds.
Qualified Contribution	A contribution that is eligible for the 6-to-1 match from the Fair Elections Fund. A Qualified Contribution is a contribution of \$60 or less from a natural person resident of Berkeley.

Attachments

1. Carole Marasovic: Application for Participation and Initial Qualifying Request for Funds.



City Clerk Department
 2180 Milvia Street
 Berkeley, CA 94704
 (510) 981-6900
www.cityofberkeley.info | elections@cityofberkeley.info

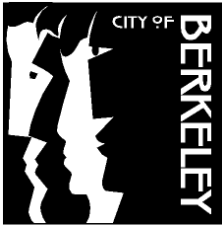
E-Filed
 09/14/2026
 16:45:50
 Filing ID:
 217428931

FAIR ELECTIONS ACT FORM

APPLICATION FOR PARTICIPATION IN PUBLIC FINANCING PROGRAM

(Berkeley Municipal Code Chapter 2.12 – Election Reform Act)

OFFICE SOUGHT		
OFFICE Rent Stabilization Board		COUNCIL DISTRICT (IF APPLICABLE)
ELECTION CYCLE 11/03/2026		
CANDIDATE INFORMATION		
LAST Marasovic	FIRST Carole	M.I.
COMMITTEE INFORMATION		
NAME OF CAMPAIGN COMMITTEE Carole Marasovic for Rent Board 2026		FPPC I.D. No. Pending
CANDIDATE CERTIFICATION		
Under penalty of perjury, I hereby certify: I have complied with the restrictions of Berkeley Municipal Code Chapter 2.12 (Election Reform Act) during the election cycle to date; and My campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and I will comply with the requirements of Chapter 2.12 during the remainder of the election cycle and, specifically, if certified as an eligible participating candidate, will comply with the requirements applicable to participating candidates.		
Carole Marasovic CANDIDATE SIGNATURE		09/14/2026 DATE SIGNED



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

www.cityofberkeley.info | elections@cityofberkeley.info

E-Filed
09/24/2026
13:20:16

Filing ID:
217505089

**FAIR ELECTIONS ACT FORM
INITIAL QUALIFYING DECLARATION FOR PUBLIC FUNDS
BY CANDIDATES FOR MAYOR, CITY COUNCIL, CITY AUDITOR,
SCHOOL BOARD DIRECTOR, OR RENT STABILIZATION BOARD COMMISSIONER**

OFFICE SOUGHT			
OFFICE Rent Stabilization Board		COUNCIL DISTRICT (IF APPLICABLE)	
ELECTION CYCLE 11/03/2026			
COMMITTEE INFORMATION			
NAME OF CAMPAIGN COMMITTEE Carole Marasovic for Rent Board 2026		FPPC I.D. No. 1496904	
STREET ADDRESS		APARTMENT/SUITE/FLOOR	
CITY Berkeley	STATE CA	ZIP CODE 94702	
TELEPHONE (510) 225-5060	EMAIL ADDRESS daphnesflight@yahoo.com		
CANDIDATE DECLARATION			
I hereby declare that the following information is true and correct: • All information on the attached Qualified Contribution Receipts is complete and accurate to the best of my knowledge. • I understand that the City shall verify that the qualified contributions meet all of the requirements and restrictions prior to the disbursement of funds. • I understand that if I submit any contributions that are not from the person(s) identified on the receipt I shall be liable to pay the Fair Elections Fund the entire amount in addition to any penalties. • All Qualified Contributions, of any dollar amount, eligible for matching Fair Elections funds must be publically disclosed with the contributor information required under Sections 2.12.280 and 2.12.283. • I understand that all campaign filings must be current in order for a disbursement of Fair Election funds to be released.			
Carole Marasovic		09/23/2026	
CANDIDATE SIGNATURE		DATE SIGNED	

INITIAL QUALIFYING REQUEST FOR FAIR ELECTIONS FUNDS PAYMENT

In order to participate in the Public Financing Program, a candidate must collect at least 30 Qualified Contributions from at least 30 unique contributors of at least \$10.00 and no more than \$60.00 each, for a total dollar amount of at least \$580.00.

All approved Qualified Contributions are matched at a 6:1 ratio. For all public matching funds requests, a candidate must submit the following documentation:

- Qualified Contributions List (below).
- Receipt for Qualified Contribution for Fair Elections Funds.
- Evidence of each contribution received, such as electronic copies of contributor checks, credit card authorizations, or online payment receipts.
- Electronic copies of itemized deposit slips.
- Complete contributor information (full name, address, occupation, and employer) as required by BERA and the Political Reform Act.

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
1.	Kromer	John		94710 Berkeley	Engineer	No Separate Business Name	Check	09/04/2026	09/04/2026	15	60.00
2.	Browning	Virginia		94702 Berkeley	Retired	Retired	Check	09/04/2026	09/04/2026	0922326	60.00
3.	Teiblum	Matityahu		94707 Berkeley	Self	Architect	Check	09/01/2026	09/01/2026	09012026	60.00
4.	Keene	Richard		94705 Berkeley	Retired	Retired	Check	08/30/2026	08/30/2026	6	60.00
5.	Keene	Judy		94705 Berkeley	No Separate Business Name	Homemaker	Check	08/30/2026	08/30/2026	7	60.00
6.	Gurin	Tamara		94709 Berkeley	Retired	Retired	Check	08/28/2026	08/28/2026	9	60.00
7.	Blake	Paul		94705 Berkeley	Retired	Retired	Check	08/28/2026	08/28/2026	08282026	60.00
8.	Parsons	Lauren		94710 Berkeley	Retired	Retired	Check	08/27/2026	08/27/2026	8	60.00
9.	Fink	Deborah		94703 Berkeley	Director of Client Services	Shalom Bayit	Check	08/27/2026	08/27/2026	9	60.00
10.	Katler	Aaron		94703 Berkeley	Upstart	Chief Executive Officer	Check	08/27/2026	08/27/2026	13	10.00
11.	Allen	Monique		94703 Berkeley	Caregiver	No Separate Business Name	Check	08/27/2026	08/27/2026	08272026	10.00
12.	Lee	Irene		94705 Berkeley	Retired	Retired	Check	08/27/2026	08/27/2026	08272026	60.00
13.	Siegal	Meryl		94702 Berkeley	Retired	Retired	Check	08/27/2026	08/27/2026	08272026	45.00
14.	Yep	Raymond		94707 Berkeley	Retired	Retired	Check	08/26/2026	08/26/2026	12	60.00
15.	Chang	James		94703 Berkeley	Legislative Aide	City of Berkeley	Check	08/24/2026	08/24/2026	16	60.00
										Subtotals	785.00
										145	

	Last Name	First Name	Address	Zip Code, City	Occupation	Employer	Payment Method	Date Received	Date Deposited	Deposit Batch #	Amount of Contribution
16.	De La Paz	Richard		94703 Berkeley	No Separate Business Name	Student	Check	08/24/2026	08/24/2026	08242026	60.00
17.	Solberg	Jerome		94703 Berkeley	Engineer/Code Developer	Lawrence Livermore National Laboratory	Check	08/23/2026	08/23/2026	14	60.00
18.	Levy	Alan		94705 Berkeley	Retired	Retired	Check	08/18/2026	08/18/2026	15	60.00
19.	Backman	Joanne		94707 Berkeley	Retired	Retired	Check	08/10/2026	08/10/2026	08102026	60.00
20.	Pollack	Harry		94707 Berkeley	Retired	Retired	Check	08/09/2026	08/09/2026	10	60.00
21.	Whalen	Robert		94702 Berkeley	Non Profit Manager	Dorthy Day House Berkeley	Check	08/05/2026	08/05/2026	7	30.00
22.	Wengraf	Susan		94708 Berkeley	Retired	Retired	Check	08/03/2026	08/03/2026	5	60.00
23.	Dedimar	Donna		94706 Berkeley	Retired	Retired	Check	08/01/2026	08/01/2026	1	60.00
24.	Babitt	Laura		94710 Berkeley	REL Acoustics	Controller	Check	08/01/2026	08/01/2026	3	60.00
25.	Bohan	Marcia		94702 Berkeley	Retired	Retired	Check	08/01/2026	08/01/2026	08012026	10.00
26.	Stern	Richard		94707 Berkeley	Retired	Retired	Check	07/29/2026	07/29/2026	10	60.00
27.	Kagan	Risa		94707 Berkeley	No Separate Business Name	Physician	Check	07/29/2026	07/29/2026	11	60.00
28.	Hamilton	Christopher		94706 Berkeley	Retired	Retired	Check	07/28/2026	07/28/2026	2	60.00
29.	Curtis	Sandra		94707 Berkeley	Public Health Institute	Principal Investigator/Program Director	Check	07/28/2026	07/28/2026	4	60.00
30.	Cassidy	Andrea		94708 Berkeley	Retired	Retired	Check	07/28/2026	07/28/2026	17	60.00
31.	Cassidy	Michael		94708 Berkeley	Retired	Retired	Check	07/28/2026	07/28/2026	07282026	60.00
32.	Blake	David		94703 Berkeley	Retired/Uber	Retired/Driver	Check	07/25/2026	07/25/2026	07252026	60.00
33.	Morgan	Jennie		94702 Berkeley	Retired	Retired	Check	07/23/2026	07/23/2026	8	60.00
										Subtotals	1,000.00
										Grand Totals	1,785.00

Please note: The candidate's Public Finance matching funds disbursement was calculated to \$10,710 however, per Public Finance matching funds disbursement limits the candidate only qualifies for the \$10,000 maximum for Rent Board candidates.

1785
X6
10,710

Please make a payment of only \$10,000.

COMMUNICATIONS

Harvey, Samuel

From: Soli Alpert <solli.r.alpert@gmail.com>
Sent: Monday, October 5, 2026 6:42 PM
To: FCPC (Fair Campaign Practices Commission)
Subject: Requesting Discussion of Amendments to Mass Mailing Regulations at the FCPC

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello FCPC and staff,

I would like to request that the FCPC consider amendments to R2.12.325.2 Filing of Mass Mailings - Method of Filing. The current requirements are onerous, impractical and outdated without meaningfully increasing transparency in elections.

Currently, candidates are required to submit three separate physical copies of each mailing within 24 hours of a mailing occurring along with a wet signature by the candidate. This requirement applies to each candidate on a mailing with more than one candidate. For example, when a slate of 5 Rent Board candidates mails, the regulations require 15 separate identical copies of the same mailer, along with 5 signed forms.

The 24 hour requirement is likewise problematic. Campaigns do not generally pick up printed materials and drop them off at a post office. They usually pay one company to both print and mail the materials, and that company may be located outside the bay area.

I would propose allowing candidates and their campaigns to submit these notices digitally with the file as sent to a printer attached rather than a hard copy of the mail. I would also urge the deadline to be changed to 3 days after mailing, rather than 1. I would also urge one filing be allowed for each mailer regardless of the number of candidates featured, with the form updated with a place to indicate which and how many candidates and campaigns are featured.

I would be happy to speak before the commission about this matter.

Thank you for your consideration,
Soli Alpert
Berkeley Rent Board Chair