



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

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

2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra

Alternate: Councilmember Shoshana O'Keefe

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

To access the meeting remotely use this URL - <https://cityofberkeley-info.zoomgov.com/j/1605255295>. To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and Enter **Meeting ID: 160 525 5295**. To provide public comment, press \*9 and wait to be recognized by the Chair. To submit a written communication for the Committee's consideration and inclusion in the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

**California Government Code Section 84308 (Levine Act)** Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

# MINUTES

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

**Present:** Tregub, Lunaparra, Bartlett

## **Election of Chair:**

**Action:** M/S/C (Tregub/Lunaparra) to elect Vice Mayor Bartlett as committee chair.

**Vote:** All Ayes.

**Public Comment on Non-Agenda Matters:** 3 speakers

## **Minutes for Approval**

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

1. **Minutes - December 2, 2024**

**Action:** M/S/C (Bartlett/Lunaparra) to approve the December 2, 2024 minutes.

**Vote:** All Ayes.

## **Committee Action Items**

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

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

2. **First Year Free - Fill Empty Storefronts Act**

**From:** Councilmember Hahn (Author)

**Date Referred:** October 15, 2024

**Date Due:** February 12, 2025

**Recommendation:** Refer to the City Manager to (1) create and implement a First Year Free Program for Berkeley, modeled after San Francisco's successful program, for an initial period of 5 years and (2) study and report back to Council on other strategies to attract new businesses and fill empty storefronts.

**Financial Implications:** See report.

Contact: Sophie Hahn, Councilmember, District 5, (510) 981-7150

**Action:** 3 speakers. M/S/C (Bartlett/Tregub) to forward item to Council with a negative recommendation to take no action. The committee will revisit this issue at a later date with the intention of further developing the goals of the item.

**Vote:** All Ayes.

- 3. Adopt an Ordinance to Prohibit the Sale or Use of Algorithmic Devices to Set Rents or Manage Occupancy Levels for Residential Dwelling Units**  
**From: Housing Advisory Commission**  
**Referred: January 27, 2025**  
**Date Due: May 27, 2025**  
**Recommendation:** Adopt an ordinance amending the Municipal Code adding section 13.63 to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units.  
**Financial Implications:** See report  
Contact: Mike Uberti, Commission Secretary, (510) 981-7400  
**Action:** 3 speakers. M/S/C (Lunaparra/Tregub) to forward item to Council with a Qualified Positive Recommendation to Council with a request to forward to the 4x4 Committee to review the effectiveness of the implementation.  
**Vote:** All Ayes.
- 4. Referral to the City Manager and Council Budget and Finance Committee: Transfer Tax Exemption for 100% Affordable Housing Projects**  
**From: Councilmember Tregub (Author), Councilmember Bartlett (Co-Sponsor), Councilmember O'Keefe (Co-Sponsor)**  
**Referred: January 27, 2025**  
**Date Due: May 27, 2025**  
**Recommendation:** Adopt a referral to the City Manager and Council Budget and Finance Committee to study the fiscal impacts of a transfer tax exemption for 100% affordable housing projects for further Council action by March 25, 2025.  
**Financial Implications:** See report  
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140  
**Action:** 5 speakers. M/S/C (Tregub/Lunaparra) to forward item to Council with a Qualified Positive Recommendation that the Council:  
1. Clarify that the rehabilitation of the restricted properties, would be included as part of the 100% affordable [housing projects].  
2. Bolster the rationale section of the report with greater detail and analysis.  
**Vote:** All Ayes.

## Unscheduled Items

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

## Items for Future Agendas

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

## Adjournment

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

**Vote:** All Ayes

Adjourned at 12:08 p.m.

I hereby certify that the foregoing is a true and correct record of the Land Use, Housing & Economic Development Committee meeting held on February 3, 2025.

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Keith Nesbit, Assistant City Clerk

## Communications

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