



AGENDA

BERKELEY CITY COUNCIL MEETING

Tuesday, February 11, 2025

6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI

DISTRICT 2 – TERRY TAPLIN

DISTRICT 3 – BEN BARTLETT

DISTRICT 4 – IGOR TREGUB

DISTRICT 5 – SHOSHANA O'KEEFE

DISTRICT 6 – BRENT BLACKABY

DISTRICT 7 – CECILIA LUNAPARRA

DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Live captioned broadcasts of Council meetings are available on B-TV (Channel 33) and via internet video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244. All Council meetings are recorded.

*To access the meeting remotely use this URL: <https://cityofberkeley-info.zoomgov.com/j/1618982548>. To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 898 2548**. To provide public comment, Press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email council@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. The City Council may take action related to any subject listed on the Agenda.

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.

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.

Preliminary Matters

Roll Call:

Land Acknowledgement Statement: *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 unceded 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.*

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

1. Adjourn in Memory of the Stabbing Victim at San Pablo Park
2. Adjourn in Memory of Elise Lusk, Traffic Violence Victim at Ada Street and California Street

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Up to ten persons will be selected to address matters not on the Council agenda. If five or fewer persons are identified to provide non-agenda comment, each person selected will be allotted two minutes each. If more than five persons are selected to address matters not on the Council agenda, each person selected will be allotted one minute each.*

In-person attendees wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a speaker card to the City Clerk in person at the meeting location and prior to the moment that the Presiding Officer calls for public comment on non-agenda items. Remote attendees must raise their hand in the videoconference application when the Presiding Officer calls for non-agenda speakers. The first five raised hands on the videoconference application will be selected to speak and the first five cards drawn at the meeting will be selected to speak. The number of in-person and remote speakers selected may be adjusted by the Presiding Officer if fewer than five speakers from either format are identified.

The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda.

Public Comment by Employee Unions (first regular meeting of the month): *This period of public comment is reserved for officially designated representatives of City of Berkeley employee unions, with five minutes allocated per union if representatives of three or fewer unions wish to speak and up to three minutes per union if representatives of four or more unions wish to speak.*

Consent Calendar

The Council will first determine whether to move items on the agenda for “Action” or “Information” to the “Consent Calendar”, or move “Consent Calendar” items to “Action.” Three members of the City Council must agree to pull an item from the Consent Calendar or Information Calendar for it to move to Action. Items that remain on the “Consent Calendar” are voted on in one motion as a group. “Information” items are not discussed or acted upon at the Council meeting unless they are moved to “Action” or “Consent”.

No additional items can be moved onto the Consent Calendar once public comment has commenced. At any time during, or immediately after, public comment on Information and Consent items, any Councilmember may move any Information or Consent item to “Action.” Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again at the time the matter is taken up during the Action Calendar.

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer 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. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue. A speaker may only speak once during the period for public comment on Consent Calendar and Information items.*

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

1. Minutes for Approval

From: City Manager

Recommendation: Approve the minutes for the Council meetings of December 3, 2024 (closed, special, and regular), December 10, 2024 (special and regular).

Financial Implications: None

Contact: Mark Numainville, City Clerk, (510) 981-6900

2. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on February 11, 2025

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: Various Funds - \$848,000

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

Consent Calendar

3. **Contract No. 32300108 Third Amendment: Street Level Advisors, LLC for Housing Consulting Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or designee to execute a third amendment to Contract No. 32300108 with Street Level Advisors, LLC increasing the contract by \$180,000 for consulting services in a total amount not to exceed \$379,500, with a contract end date of June 30, 2026.
Financial Implications: See report
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
4. **Program Manager II Classification: 5% Differential for Assignment in City Manager's Office**
From: City Manager
Recommendation: Adopt a Resolution amending the Unrepresented Employee Manual to add a 5% salary differential to Program Manager II positions assigned to the City Manager's Office.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
5. **Contract No. 32000223 Amendment: Gray Quarter, Inc. for Accela Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000223 with Gray Quarter, Inc. (Gray Quarter) for professional services, increasing the amount by \$120,000, for a total not-to-exceed amount of \$419,500 through January 31, 2026
Financial Implications: U1 Admin Fund - \$120,000
Contact: Kevin Fong, Information Technology, (510) 981-6500

Council Consent Items

6. **Resolution in Support of the Commissioning of a California Feasibility Study to Implement "Golden State Energy," a Not-for-Profit Public Utility Model**
From: Councilmember Tregub (Author), Councilmember Lunaparra (Author)
Recommendation: Adopt a resolution in support of the allocation of state fiscal and staff resources to commission a feasibility study that compares various not-for-profit utility models prioritizing public benefits in energy generation, distribution, and transmission; the development an equitable implementation plan that establishes a statewide successor entity known as "Golden State Energy" as a successor to investor-owned utilities such as Pacific Gas and Electric; and transmittal of the Council's support of such a resolution to Governor Gavin Newsom, Senator Jesse Arreguin (SD7) and Assemblymember Buffy Wicks (AD14).
Financial Implications: See report.
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

Council Consent Items

7. **Refer to City Manager study of intersections with traffic diverters**
From: Councilmember Humbert (Author), Councilmember O'Keefe (Co-Sponsor), Councilmember Blackaby (Co-Sponsor)
Recommendation: Refer to the City Manager a request to have staff prioritize study of intersections that include traffic diverters but do not feature stop signs; additionally, staff are requested to review past Council referrals for adoption of National Association of City Transportation Officials (NACTO) street design standards and provide an update on the status and timeline for meeting past policy directives. Examples of intersections to be studied include but are not limited to: - Ada and California Street; - Grant Street and Berkeley Way; - Yolo and Milvia Street; - McGee and Virginia Street; - Derby and Mabel Streets; - Piedmont and Russell Street; - Hillegass and Woolsey Street; - Park and Russell Street; - Mabel and Russell Street.
Financial Implications: See report
Contact: Mark Humbert, Councilmember, District 8, (510) 981-7180

Action Calendar

The public may comment on each item listed on the agenda for action. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again during the Action Calendar public comment period on the item

The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to determine the number of persons interested in speaking at that time. If ten or fewer persons are interested in speaking on an individual agenda item, each speaker may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer 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. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action items may be reordered at the discretion of the Chair with the consent of Council.

The Presiding Officer may open and close an additional comment period for Action items on this agenda (excluding any public hearings, appeals, and/or quasi-judicial matters), at the start of the Action Calendar. Those who speak on an item during this comment period may not speak a second time when the item is taken up by Council.

Action Calendar – New Business

8. 2009 Leases Audit Follow-Up: Berkeley Faces the Same Risks 16 Years Later
From: Auditor

Recommendation: Our recommendations include clarifying roles and responsibilities for lease oversight, updating the lease policy, and developing a complete central list of leases and licenses. We recommend City Council request that the City Manager report back during the next follow-up period in fall 2025, and every year thereafter, regarding the status of the 8 re-opened recommendations until reported fully implemented by the Public Works Department and City Manager's Office. They have agreed to our findings, re-opened recommendations, and guidance for implementing the recommendations. Please see our report for their complete response.

Financial Implications: See report

Contact: Jenny Wong, Auditor, (510) 981-6750

9. Proposed Amendments to the Building Emissions Saving Ordinance (BESO)
From: City Manager

Recommendation: Adopt the first reading of amendments to the Building Emissions Saving Ordinance (BESO), Chapter 19.81 of the Berkeley Municipal Code, to establish a flexible resilience standard for small residential buildings containing up to four units.

Financial Implications: See report

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Information Reports

10. FY 2024 Fourth Quarter Investment Report: Ended June 30, 2024

From: City Manager

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

11. LPO NOD: 1310 University Avenue/#LMSA2024-0001

From: City Manager

Contact: Jordan Klein, Planning and Development, (510) 981-7400

12. LPO NOD: 2500-12 San Pablo Avenue/#LMIN2024-0004

From: City Manager

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Comment – Items Not Listed on the Agenda

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Archived indexed video streams are available at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>.

Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the City Council 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 the City Council, 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 to the City Clerk Department at 2180 Milvia Street. 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 City Clerk Department for further information.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of City Hall located at 2180 Milvia Street, and through the City's online records portal:

<https://records.cityofberkeley.info/>.

Agendas, agenda reports, and revised/supplemental material may be accessed via the online agenda for this meeting at:

<https://berkeleyca.gov/your-government/city-council/city-council-agendas>

and may be accessed at reference desks at the following locations:

City Clerk Department - 2180 Milvia Street, First Floor

Tel: 510-981-6900, TDD: 510-981-6903, Fax: 510-981-6901

Email: clerk@berkeleyca.gov

Libraries: Main – 2090 Kittredge Street,

Claremont Branch – 2940 Benvenue, West Branch – 1125 University,

North Branch – 1170 The Alameda, Tarea Hall Pittman South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at ada@berkeleyca.gov, (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date.

Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900 or by email at clerk@berkeleyca.gov.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on January 30, 2025.*



Mark Numainville, City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through [Records Online](#).*

**Item #7: Refer to City Manager study of intersections with traffic diverters**  
**From: Councilmember Humbert (Author), Councilmember O'Keefe (Co-Sponsor), Councilmember Blackaby (Co-Sponsor)**

1. David Lerman (2)
2. Shirley Kirsten
3. Sandra Sanchez
4. Mike Dunham
5. Aviv Nitsan
6. Charles Siegel
7. Helga Recke

**Missing Middle**

8. Caephraan McKenna (2)

**Civic Center**

9. Leah Amzel
10. Nicole Herron
11. Kathi Pugh and Josh Maddox
12. Marnie Ganotis

**UA Theater**

13. Carol Denney
14. Melanie Lawrence and family
15. Laura Linden
16. Arlene Oweichik



**Public Restroom Plans**

- 17. Dr. Nicola Spence and Hans Reinhardt on behalf of Alpha Design Custom Furniture
- 18. Aimee Baldwin and Meryl Siegal
- 19. Carol Denney
- 20. Carol Crooks
- 21. Dirk

**Planning Commission Meetings**

- 22. Bernard Marszalek
- 23. Carol Denney

**Protecting Berkeley**

- 24. Elliot Peters

**Fire Concerns**

- 25. Jeffrey Heller
- 26. Leah and Rosenthal, Ellen Feingenbaum and Peter Schwab (2)
- 27. Yen Trac (2)
- 28. Anna Rabkin
- 29. Yelda Bartlett (2)
- 30. Jennifer Lombardi (2)
- 31. Samantha Johnston
- 32. Isabelle Gaston
- 33. Kris Hill

**UC Berkeley Class**

- 34. Igal Fridman
- 35. Mark Eckstein

**Safety Concerns**

- 36. David Lerman
- 37. Gina Rieger

**Emergency Calls**

- 38. Ory Sandel

**Tedx Berkeley**

- 39. Shreeya Julakanti

**Community Conversations**

- 40. Nigel

**Chess Club**

- 41. Jesse Sheehan (2)

**Traffic Data**

42. Margot Smith

**Liability for Falling Trees**

43. Jim Haydel

**OLA at Berkeley Marina**

44. Barbara Shayesteh

**Speed Tables Treatments**

45. Sandra Sanchez

46. Naveen Gattu

**Strawberry Creek Park – Bike Parking**

47. Mariah Lauritzen

**Shattuck Ave Repairs**

48. Liz Horowitz

**Amtrak Parking**

49. Kevin Mei (2)

**2<sup>nd</sup> Street Encampment**

50. Yesica Prado and Gordon Gilmore

**7<sup>th</sup> Annual Galo Day Festival**

51. Nes Marco Morales

**Fireworks**

52. Anne Herrick

**Letter**

53. Eid

**Puppies on Center Street**

54. Cash Levi Caris

**Restaurant Park-lets**

55. Martha Stackawicz

**BACs STAIRS**

56. Ann Marie Davis

**Sidewalk Repair**

57. Emerald Canary

**Encampment Sweeps**

58. Russell Bates  
59. Nancy Halloran  
60. Ellie Matejka  
61. Rebecca Salsburg-Frank

**Encampment Concern**

62. Manasi Panditrao

**Housing Choice Voucher**

63. Hector91 Phuentes

**Response to Request**

64. Jack Kurzweil  
65. Cindy Shamban

**Fund Request**

66. Henry DeNero

**URL's**

67. Russbumper (10)  
68. Josh Atwood

**Forwards**

69. Russbumper

**Supplemental Communications and Reports**

*Items received by the deadlines for submission will be compiled and distributed as follows. If no items are received by the deadline, no supplemental packet will be compiled for said deadline.*

- **Supplemental Communications and Reports 1**  
Available by 5:00 p.m. five days prior to the meeting.
- **Supplemental Communications and Reports 2**  
Available by 5:00 p.m. the day before the meeting.
- **Supplemental Communications and Reports 3**  
Available by 5:00 p.m. two days following the meeting.

