



AGENDA
BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE
SPECIAL MEETING

TUESDAY, MAY 20, 2025
2:30 P.M.

2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Mayor Adena Ishii, Councilmembers Terry Taplin and Mark Humbert

Alternate: Ben Bartlett

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

Use this URL <https://cityofberkeley-info.zoomgov.com/j/1605852519> to access the meeting remotely. To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 160 585 2519**. To provide public comment, press *9 and wait to be recognized by the Chair. To submit a written communication for the public record, email 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.

AGENDA

Roll Call

Public Comment

Review of Agendas

- 1. Approval of Minutes: May 5, 2025**
- 2. Review and Approve Draft Agenda:**
 - a. 6/3/25 – Regular City Council Meeting
- 3. Adjournments In Memory**

Scheduling

- 4. Council Worksessions Schedule**
- 5. Council Referrals to Agenda Committee for Scheduling**
- 6. Land Use Calendar**

Referred Items for Review

- None

Unscheduled Items

- None

Items for Future Agendas

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

Adjournment – Next Meeting Monday, June 2, 2025

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## BERKELEY CITY COUNCIL AGENDA & RULES COMMITTEE SPECIAL MEETING MINUTES

**MONDAY, MAY 5, 2025**

**2:30 P.M.**

2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Mayor Adena Ishii, Councilmembers Terry Taplin and Mark Humbert

Alternate: Ben Bartlett

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**Roll Call:** 2:31 p.m. All present.

**Public Comment:** 11 speakers

## Review of Agendas

**1. Approval of Minutes: April 21, 2025**

**Action:** M/S/C (Humbert/Taplin) to approve the minutes of 4/21/2025.

**Vote:** All Ayes.

**2. Review and Approve Draft Agenda:**

a. 5/20/25 – Regular City Council Meeting

**Action:** M/S/C (Humbert/Taplin) to approve the agenda of 5/20/2025 with the changes listed below.

- *Item Added: The Committee approved the request of the City Manager to add an item to the May 20 agenda regarding the appointment of the Director of Human Resources*
- *Item 24 Transfer Tax Rebate for Wildfire Hardening (Commission) – referred to Budget & Finance Committee*
- *Item 28 Asian Cultural Festival (Tregub) – revised item submitted*
- *Item 29 Alternative Housing Options (O’Keefe) – revision to recommendation to change “direct the City Manager” to “refer to the City Manager”*
- *Item 33 Nightlife Council (Taplin) – Mayor Ishii and Councilmembers O’Keefe and Tregub added as co-sponsors; Referred to Land Use, Housing & Economic Development Committee*
- *Item 34 On-Site Manager Exemption (Tregub) – Referred to Land Use, Housing & Economic Development Committee*

Order of Action Calendar

Item 30 Budget Update

Item 31 LPC Appeal

Item 32 Appointments to SSCOC

**Vote:** All Ayes.

**3. Adjournments In Memory**

1. Christina Murphy, City of Berkeley Employee and former Rent Board Commissioner

## Scheduling

4. **Council Worksessions Schedule** – minor updates provided
5. **Council Referrals to Agenda Committee for Scheduling** – received and filed
6. **Land Use Calendar** – received and filed

## Referred Items for Review

- None

## Unscheduled Items

- None

## Items for Future Agendas

- None

## Adjournment

**Action:** M/S/C (Taplin/Humbert) to adjourn the meeting.

**Vote:** All Ayes.

Adjourned at 3:12 p.m.

I hereby certify that the foregoing is a true and correct record of the Agenda & Rules Committee meeting held on May 5, 2025.

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Mark Numainville, City Clerk

## Communications

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





**DRAFT AGENDA**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, June 3, 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](http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244). All Council meetings are recorded.*

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*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.*

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## 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.*

**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. **Police Accountability Board – Appointment of New Member**

**From: City Manager**

**Recommendation:** Adopt a Resolution appointing a new member to the Police Accountability Board (PAB) nominated by Councilmember Kesarwani.

**Financial Implications:** See report

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

## Consent Calendar

- 2. Grant Application: California Arts Council Grant (\$30,000), for the Civic Arts Grant Program General Operating Support Category**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or their designee to submit a grant application to the California Arts Council (CAC) to receive up to \$30,000 for the Civic Arts grants program (“General Operating Support” category), to accept the grant if awarded; and to execute any resulting grant agreements. If received, the funds would be regranted to Berkeley-based nonprofit and fiscally sponsored arts organizations for general operational support starting in Fiscal Year 2027 (FY27).  
**Financial Implications:** See report  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 3. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on June 3, 2025**  
**From: City Manager**  
**Recommendation:** Approve the request for proposals or invitation for bids 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:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 4. Notice of Appropriations Limit for Fiscal Year 2026**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution providing notice that: 1) Council will adopt an appropriations limit for Fiscal Year 2026 at its meeting of June 24, 2025; and 2) the amount of the limit and the background material used in its calculation will be available for public review in the City Clerk’s Office on or before June 9, 2025.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300
- 5. Appointment of Public Health Officer – Dr. Noemi C. Doohan**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution to appoint Noemi C. Doohan, M.D., PhD, MPH, as the Public Health Officer for the City of Berkeley.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400

## Consent Calendar

- 6. Contract: SEP Technology Consulting, LLC for Environmental Health Database Migration to Accela Cloud**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or designee to execute a contract and any amendments or extensions with SEP Technology Consulting, LLC. for the Environmental Health Division’s database migration from Envision Connect to Accela Cloud, in an amount not to exceed \$325,000 for the period June 1, 2025, through June 30, 2026.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 7. Revenue Grant Agreement: Funding Support from Essential Access Health to Conduct Public Health Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or designee to submit a grant application to Essential Access Health, to accept the grant, execute any resultant revenue agreement and amendment, and implement the projects and appropriation of funding for related expenses to conduct public health promotion, protection, and prevention services for the Essential Access Health revenue agreement in the projected amount of \$120,000 for April 1, 2025, to March 30, 2026.  
**Financial Implications:** See report  
Contact: Scott Gilman, Health, Housing, and Community Services, (510) 981-5400
- 8. AHEAD, Inc (“AHEAD”): Using the California Department of General Services Software Licensing Program (“CDGS SLP”) for Software License Purchases**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to increase spending authority with AHEAD, a qualified reseller for the purchase of Varonis subscription software licenses, utilizing pricing and contracts, amendments, and extensions from the CDGS SLP, increasing the amount by \$971,784.00 for a total amount not-to-exceed \$1,945,589.00 during the period beginning January 31, 2023 through June 30, 2028.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 9. Contract No. 112798-1 Amendment: Geographic Technologies Group for Geographic Information System Professional Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 112798-1 with Geographic Technologies Group (“GTG”) for Geographic Information System (“GIS”) professional services, increasing the amount by \$600,000 for a total contract value of \$1,149,411 from September 14, 2016 to June 30, 2027.  
**Financial Implications:** \$600,000 - IT Cost Allocation Plan Fund.  
Contact: Kevin Fong, Information Technology, (510) 981-6500

## Consent Calendar

- 10. Contract No. 32000281 Amendment: ConvergeOne for Avaya Administration, Maintenance and Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32000281 to increase the spending authority with ConvergeOne (previously named Integration Partners) for Avaya telephone system administration, maintenance and support services increasing the amount by \$920,000 for a total not-to-exceed amount of \$2,638,633 from July 1, 2025 to June 30, 2027.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 11. Contract No. 32400095 Amendment: Superior, LLC for AS400 Software Maintenance and Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to contract No. 32400095 with Superior, LLC (“Superion”) for software maintenance and support of the City of Berkeley (“City”) Public Sector System (“FUND\$”) hosted on an AS400 platform, increasing the amount by \$309,000 for a total not-to-exceed amount \$592,500.00 from July 1, 2023 through June 30, 2027.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 12. Contract: CompuCom Systems, Inc. (“CompuCom”) for Professional Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or his designee to execute a contract with CompuCom for professional services for an amount not to exceed \$1,051,000 through June 30, 2027.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 13. Contract 31900042 Amendment: CivicPlus for an Online Recreation Registration and Reservation System (CivicRec)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 31900042 with CivicPlus, Inc. to provide an online recreation registration and reservation system (CivicRec) by increasing the contract amount by \$28,000, for a total not to exceed amount of \$181,756, and extending the expiration date from November 30, 2025 to November 30, 2026.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

## Consent Calendar

- 14. Contract: BayGreen, Inc. for Mobile Pumpout and Related Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or his designee to execute a contract and any amendments with BayGreen, Inc. for mobile vessel pumpout and related services at the Berkeley Marina in an amount not to exceed \$195,898 for a period of three years, with an option to renew for an additional two years not to exceed \$150,725, for a total contract amount not to exceed \$346,623.  
**Financial Implications:** Marina Fund - \$346,623  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 15. Contract: Cazadero Performing Arts Camp (CPAC) for Erosion Control Improvements**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or his designee to execute a contract and any amendments with Cazadero Performing Arts Camp (CPAC) for creek erosion repair in an amount not to exceed \$200,000.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 16. Contract: E.F. Brett & Company, Inc. for MLK Jr. Youth Services Center/Y.A.P Seismic Retrofit and Renovation Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Approving the plans and specifications for the MLK Jr. Youth Services Center/Y.A.P. Seismic Retrofit and Renovation project, Specification No. 25-11695-C; 2. Rejecting the bid protest of W.E. Lyons Construction Co., the second lowest bidder; 3. Accepting the bid of the lowest responsive and responsible bidder, E.F. Brett & Company, Inc.; and 4. Authorizing the City Manager or their designee to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with E.F. Brett & Company, Inc. for the MLK Jr. Youth Services Center/Y.A.P. Seismic Retrofit and Renovation Project at 1730 Oregon Street, in an amount not to exceed \$11,859,100 which includes a contract amount consisting of the base bid and bid alternates 1, 4 and 5 of \$10,781,000 and a 10% contingency in the amount of \$1,078,100.  
**Financial Implications:** See report  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 17. Contract No. 32500009 Amendment: Dixon Resources Unlimited**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32500009 and any necessary future amendments with Dixon Resources Unlimited for the Police Department, to include contract implementation support while increasing the contract amount by \$50,000 for a total not to exceed amount of \$100,000, and a contract extension date to January 31, 2027.  
**Financial Implications:** See report  
Contact: Jennifer Louis, Police, (510) 981-5900

## Council Consent Items

18. **Berkeley Humane 11th Annual Pints for Paws Fundraiser: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds From: Councilmember Taplin (Author)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Taplin, to support the Berkeley Humane 11th Annual Pints for Paws Fundraiser.  
**Financial Implications:** \$500 - Councilmember Discretionary Fund.  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120
19. **Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to Taste of Downtown Berkeley 2025 Event From: Councilmember Tregub (Author), Councilmember O'Keefe (Co-Sponsor), Councilmember Taplin (Co-Sponsor), Mayor Ishii (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember from the D13 Discretionary Accounts of members of the Berkeley City Council, including contributions of \$500 from Mayor Ishii and Councilmembers Tregub and Taplin and \$200 from Councilmember O'Keefe, and inviting other members of the City Council to contribute to the Berkeley Rotary Endowment to support the Third Annual Taste of Downtown Berkeley 2025 with funds relinquished to the City's general fund. The relinquished funds will help the Berkeley Rotary Endowment to host an event featuring and increasing visibility for local business and raise funds for their RotaCare Health Clinic, 4-year Collegiate Scholarship program, and Supportive Housing hygiene kit programs. This year's event will be held on Sunday, June 8, 2025, starting at the Downtown Berkeley Plaza.  
**Financial Implications:** See report  
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140
20. **Resolution in Opposition to California Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs From: Councilmember Tregub (Author), Councilmember Blackaby (Co-Sponsor), Councilmember Lunaparra (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution in opposition to California State Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs, and distribute copies to California Governor Gavin Newsom, Senator Jesse Arreguin, Assemblymember Buffy Wicks, California Senate President pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas to oppose its passage.  
**Financial Implications:** Limited staff time  
Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

## Council Consent Items

**21. Resolution in Support of the Polluters Pay Climate Superfund Act Legislative Package – AB 1243 and SB 684**

**From: Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)**

**Recommendation:** Adopt a Resolution in strong support of the Polluters Pay Climate Superfund Act Legislative Package (Assembly Bill (AB) 1243 (Addis, et al) and Senate Bill (SB) 684 (Menjivar, et al), which would hold fossil fuel corporations accountable for their fair share of the damages caused by climate change in California, and transmit the Council’s support to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).

**Financial Implications:** None

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

**22. Referral: Oxford for All** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*

**From: Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)**

**Recommendation:**

1. Refer to the City Manager to design and construct a quick-build class IV bicycle facility on the east side of Oxford Street and Fulton Street between Bancroft Way and Hearst Avenue and implement pedestrian safety improvements on the corridor, potentially through quick-build planning and construction methods.

2. Refer \$400,000 to the June budget process (FY26 Mid-Biennial Update) to provide the City of Berkeley Public Works Department with necessary funds to support design, engineering, and construction costs for the project.

3. Refer to the City Manager and to The City/UC/Student Relations “4x6” Committee to explore opportunities to leverage existing and establish new financial partnerships with UC Berkeley on safety projects along Oxford Street and adjacent areas, including the Oxford and Bancroft volleyball courts project and similar initiatives.

*Policy Committee Recommendation: To send the item to City Council with a positive recommendation.*

**Financial Implications:** See report

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

## Council Consent Items

**23. The Berkeley Baby Book Project: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**

**From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**

**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember, including \$250 from Councilmember Blackaby, the Mayor and Councilmembers Humbert and Taplin, to support the Berkeley Baby Book Project, a non-profit, with funds relinquished to the City's general fund. The relinquishment of funds from Councilmember Blackaby and all other Councilmembers who would like to contribute, will provide books to Berkeley children aged 0-5 years. The books are delivered by USPS and addressed to the child who owns them at no cost to their family.

**Financial Implications:** None

Contact: Brent Blackaby, Councilmember, District 6, (510) 981-7160

## 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.*

**24. Re-Establishment - Berkeley Tourism Business Improvement District (Public Meeting)**

**From: City Manager**

**Recommendation:** Conduct a public meeting to review and discuss the intention to renew the Berkeley Tourism Business Improvement District (BTBID) for ten (10) years starting July 1, 2025 (hereafter, "BTBID", "Tourism BID", "BID" or "the District").

**Financial Implications:** See report

Contact: Eleanor Hollander, Economic Development, (510) 981-7530

## Action Calendar – Public Hearings

*Staff shall introduce the public hearing item and present their comments. For certain hearings, this is followed by five-minute presentations each by first the appellant and then the applicant. The Presiding Officer will request that persons wishing to speak line up at the podium, or use the "raise hand" function in Zoom, to be recognized and to determine the number of persons interested in speaking at that time.*

*If ten or fewer persons are interested in speaking during a public hearing, 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.*

*When applicable, each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.*

- 25. Conduct a Public Hearing in Compliance with Assembly Bill 2561 / Government Code § 3502.3 Regarding Vacancies, Recruitment, and Retention Efforts**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing in compliance with Assembly Bill 2561 (AB 2561) / Government Code § 3502.3 (GC § 3502.3) regarding vacancies, recruitment, and retention efforts.  
**Financial Implications:** See report  
Contact: Monica Walker, Human Resources, (510) 981-6800
- 26. Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark Application #LMIN2024-0006**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing, and upon conclusion adopt a Resolution denying the appeal and affirming the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 27. Zoning Adjustments Board Appeal: 1950-1998 Shattuck Avenue, Use Permit #ZP2023-0040**  
**From: City Manager**  
**Recommendation:** Conduct a public hearing, and upon conclusion adopt a Resolution denying the appeal and affirming the Zoning Adjustments Board (ZAB) decision approving Use Permit ZP#2023-0040.  
**Financial Implications:** None  
Contact: Jordan Klein, Planning and Development, (510) 981-7400

## Action Calendar – New Business

### 28. City Compliance with Web Content Accessibility Guidelines (WCAG)

**From: Commission on Disability**

**Recommendation:** The Berkeley City Council shall refer to the City Attorney the requirement to include a clause in all relevant City of Berkeley contracts that obligates City vendors to supply digital content, intended for or likely to be posted to the City website, that is compliant with the Web Content Accessibility Guidelines (WCAG) standard mandated by the U.S. Department of Justice. WCAG defines web content technical standards that, when implemented, meet legal requirements of the Americans with Disabilities Act (ADA). In addition, relevant City staff should be informed of WCAG requirements, and systems put in place to ensure that documents available on the City of Berkeley website, whether submitted by vendors or created by City staff, meet current WCAG standards. When the City is informed that documents posted to its website do not meet current WCAG standards, remediation is recommended to be made within 30 days.

**Financial Implications:** See report

Contact: Thomas Gregory, Commission Secretary, (510) 981-6300

### 29a. Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

**From: Commission on Disability**

**Recommendation:** The Berkeley City Council shall refer to the City Attorney the requirement to include, in all City of Berkeley contracts that impact the public right-of-way, a clause that obligates City contractors to comply with the Public Right-of-Way Accessibility Guidelines (PROWAG).

**Financial Implications:** See report

Contact: Thomas Gregory, Commission Secretary, (510) 981-6300

### 29b. Companion Report: Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

**From: City Manager**

**Recommendation:** The City Manager recommends that the Public Right-of Way Accessibilities Guidelines item be referred to the Facilities, Infrastructure, Transportation, Environment and Sustainability Committee for discussion of potential impacts.

**Financial Implications:** See report

Contact: Terrance Davis, Public Works, (510) 981-6300

## Action Calendar – New Business

### 30a. Exploitation of Vulnerable Homeowners

**From: Commission on the Status of Women**

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

**Financial Implications:** See report

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

### 30b. Companion Report: Exploitation of Vulnerable Homeowners

**From: City Manager**

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

**Financial Implications:** See report

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

## Action Calendar – Policy Committee Track Items

### 31. Resolution Opposing the Removal of USPS Mailboxes at the Berkeley Main Post Office

**From: Councilmember Tregub (Author), Councilmember Lunaparra (Co-Sponsor)**

**Recommendation:** Adopt a Resolution opposing the removal of public mailboxes from the Berkeley Main Post Office on Allston Way and urging immediate engagement with United States Postal Service (USPS) leadership to restore these essential public services and send the Resolution to the attention of US Congresswoman Lateefah Simon and US Postmaster.

**Financial Implications:** Staff time

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

## Information Reports

32. **Section 115 Trust Investment Report from Inception to Period Ended June 30, 2024**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300

## 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](mailto: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](mailto: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](mailto:clerk@berkeleyca.gov).

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02a.18

CONSENT CALENDAR
June. 3rd, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Taplin

Subject: Berkeley Humane 11th Annual Pints for Paws Fundraiser: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$500 from Councilmember Taplin, to support the Berkeley Humane 11th Annual Pints for Paws Fundraiser.

FINANCIAL IMPLICATIONS

No General Fund impacts. \$500 is available from contributing Councilmember’s Council Office Budget discretionary accounts.

BACKGROUND

Berkeley Humane is hosting its 11th annual Pints for Paws Fundraiser on Saturday, June 7th. Each year, in collaboration with local brewers and beverage vendors, Berkeley Humane raises money to save the lives of shelter pets and support Berkeley Humane.

Berkeley Humane is a private, nonprofit 501(c)(3) organization governed by a dedicated volunteer Board of Directors that work on behalf of Berkeley Humane and the animals in our community. They have provided over 135 years of trusted service and dedication to Berkeley and the East Bay.

Berkeley Humane serves the people and animals of our community by providing life-saving programs for cats and dogs, cultivating compassion, and strengthening the human-animal bond. Because the well-being of animals reflects the well-being of our community, Berkeley Human engage minds, hearts and hands to provide care for dogs and cats in the East Bay. Between the years 2017 and 2022 Berkeley Humane facilitated to adoption of over 5,500 animals, performed over 43,000 medical procedures, fostered over 4,000 animals, and distributed over 224,000 lbs. of pet food.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

CONTACT PERSON

Councilmember Taplin	Council District 2	510-981-7120
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Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE ACCOUNTS OF THE MAYOR AND COUNCILMEMBERS FOR A GRANT TO PROVIDE PUBLIC SERVICES FOR A MUNICIPAL PUBLIC PURPOSE

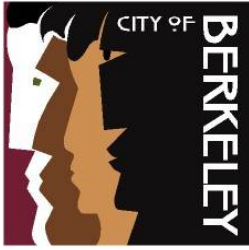
WHEREAS, Councilmember Taplin has surplus funds in his office expenditure account (budget code 011-11-102-100-0000-000-411); and

WHEREAS, a private 501(c)(3) non-profit tax-exempt corporation Berkeley Humane seeks funds in the amount of \$500 to support their continued fundraising; and

WHEREAS, the provision of such services would fulfill the following municipal public purpose: ensuring humane treatment of Animals and bringing needed pets into the homes of wanting families;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council Office Budget up to \$500 amount per office shall be granted to Berkeley Humane to support the 11th Annual Pints for Paws Fundraiser.

02a.19



Adena Ishii, Mayor

Igor Tregub, Councilmember District 4

Terry Taplin, Councilmember District 2

Shoshana O’Keefe, Councilmember District 5

CONSENT CALENDAR

JUNE 3, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Shoshana O’Keefe (Co-Sponsor), Terry Taplin (Co-Sponsor), and Mayor Adena Ishii (Co-Sponsor)

Subject: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds to Taste of Downtown Berkeley 2025 Event

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember from the D13 Discretionary Accounts of members of the Berkeley City Council, including contributions of \$500 from Mayor Ishii and Councilmembers Tregub and Taplin and \$200 from Councilmember O’Keefe, and inviting other members of the City Council to contribute to the Berkeley Rotary Endowment to support the Third Annual Taste of Downtown Berkeley 2025 with funds relinquished to the City’s general fund.

The relinquished funds will help the Berkeley Rotary Endowment to host an event featuring and increasing visibility for local business and raise funds for their RotaCare Health Clinic, 4-year Collegiate Scholarship program, and Supportive Housing hygiene kit programs. This year’s event will be held on Sunday, June 8, 2025, starting at the Downtown Berkeley Plaza.

BACKGROUND

Berkeley Rotary, in partnership with the Downtown Berkeley Association, is hosting the third annual Taste of Downtown Berkeley on Sunday, June 8th, 2025.

Featuring over 13 participating restaurants, this event invites people to enjoy and celebrate our downtown’s diverse, vibrant, and ever-evolving food and drink scene.

Proceeds from the \$60 ticket directly support services that Berkeley Rotary provides to benefit underserved members of the community, including RotaCare Health Clinic, 4-year Collegiate Scholarship program, and Supportive Housing hygiene kit programs.

The 2023 pilot event attracted over 200 tasters and raised more than \$18,000 for the Rotary Club's community programs, including health clinic, supportive housing services, and scholarship initiatives. Over 250 tasters attended, raising over \$20,000, during the 2024 event.

These contributions have a positive and tangible impact on our community. Every \$1,000 supports one month of hygiene kits and warm clothing for those in need; and \$4,000 supports a scholarship for one student for a year of a 4-year college. In addition, this event provides visibility and vibrancy for our Downtown Berkeley businesses.

FISCAL IMPACTS

No General Fund impact. Up to \$500 is available from contributing Councilmembers' Council Office Budget discretionary accounts.

CONTACT

Councilmember Tregub, 510-981-7140, itregub@berkeleyca.gov

Amy Johnson, Legislative Aide, Council District 4, amjohnson@berkeleyca.gov

ATTACHMENTS

1. Resolution

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE ACCOUNTS OF COUNCILMEMBERS FOR A GRANT TO SUPPORT BERKELEY ROTARY'S THIRD ANNUAL TASTE OF DOWNTOWN BERKELEY EVENT AND FUNDRAISER AND ITS ONGOING COMMUNITY PROGRAMMING

WHEREAS, the mission of Rotary International is to provide service to others, promote integrity, and advance world understanding, goodwill, and peace through its fellowship of business, professional, and community leaders; and

WHEREAS, Berkeley Rotary and the Downtown Berkeley Association will be hosting the third annual Taste of Downtown Berkeley, inviting community members and friends to enjoy the diverse Downtown Berkeley food scene on Sunday, June 8, while raising funds for vital community services, including health care, scholarships, and supportive housing programs; and

WHEREAS, the Taste of Downtown Berkeley actively promotes local businesses and restaurants by fostering community engagement and enhancing visibility; and

WHEREAS, over 200 participants attended this event in 2023 and 250 in 2024, raising \$18,000 and \$20,000, respectively, for Berkeley Rotary's mutual aid projects; and

WHEREAS, Berkeley Rotary's fundraising contributions provide our community with tangible impacts, such as hygiene kits and warm clothing for those in need and scholarships for college students.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their discretionary office budgets, up to \$500 per office, shall be granted to the Berkeley Rotary Endowment towards the third annual Taste of Downtown Berkeley event and fundraiser with proceeds serving a public good.

02a.20



Igor Tregub
Councilmember, District 4

CONSENT CALENDAR
June 3, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Brent Blackaby (Co-Sponsor), and Cecilia Lunaparra (Co-Sponsor)

Subject: Resolution in Opposition to California Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs

RECOMMENDATION

Adopt a resolution in opposition to California State Assembly Bill 942 (Calderon), Net energy metering: eligible customer-generators: tariffs, and distribute copies to California Governor Gavin Newsom, Senator Jesse Arreguín, Assemblymember Buffy Wicks, California Senate President pro Tempore Mike McGuire, and California Assembly Speaker Robert Rivas to oppose its passage.

CURRENT SITUATION AND ITS EFFECTS

Customers who install small solar, wind, biogas, and fuel cell generation facilities to serve all or a portion of onsite electricity needs are eligible for the state's Net Energy Metering (NEM) program. NEM allows customers who generate their own energy to serve their energy needs directly onsite and to receive a financial credit on their electric bills for any surplus energy fed back to their utility.¹

The program provides customer generators rate credits for energy exported to the grid and requires them to pay charges that align NEM customer costs more closely with non-

¹ <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/demand-side-management/customer-generation/net-energy-metering-and-net-billing>

NEM customer costs. NEM is designed to support the installation of customer-sited renewable energy generation. In December 2022, the California Public Utilities Commission (CPUC) issued a final decision updating the NEM structure.² The new rulemaking is referred to as NEM 3.0 because this is the third iteration of the NEM program, and the resultant tariff is referred to as the Net Billing Tariff (NBT).³

The following elements, which were opposed by the Berkeley City Council at its December 2022 meeting⁴, were approved by the CPUC:

- Most residential NEM solar consumers who applied for a NEM interconnection after April 14, 2023, experience an average 75% reduction in the credit they receive for sharing their extra energy with the grid – from an average of \$0.30/kilowatt-hours (kWh) to about \$0.08/kWh.⁵
- Churches, nonprofits, or businesses who went solar after April 14, 2023, realize an even greater reduction in the solar credit.⁶

These changes led to a dramatic reduction in the adoption of rooftop solar in Berkeley, that even extended statewide.⁷

AB 942 (Calderon), as amended on May 5, 2025, proposes the following two changes to the NEM tariff for residential and commercial customers: (1) requires new property owners inheriting solar systems to take service under the current, not the inherited, NEM tariff,⁸ and (2) ends Climate Credit allocations to NEM customers starting on January 1, 2026.⁹

These changes threaten to further stymie Berkeley's as well as California's climate goals while driving up the costs of existing ownership and rental housing. By moving new homeowners to the NBT regardless of how recently the solar system was installed, the value of the home being purchased is reduced. As a result of this loss of home sales value, some prospective sellers will be less likely to sell their home until such time that the value of the solar system they purchased or leased is recouped. Similarly, prospective homebuyers may be disincentivized to purchase a home with solar if they

² <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M500/K043/500043682.PDF>

³ <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/demand-side-management/customer-generation/net-energy-metering-and-net-billing>

⁴ https://berkeleyca.gov/sites/default/files/documents/Urgent%20Item%20-%20Net%20Energy%20Metering_Resolution%20in%20Support%20and%20Reaffirm%20Support.pdf

⁵ <https://solarrights.org/blog/2024/10/01/faqnem3/>

⁶ <https://solarrights.org/blog/2022/12/16/update-state-officials-release-new-rooftop-solar-proposal/>

⁷ <https://calmatters.org/environment/climate-change/2024/01/california-solar-demand-plummets/>

⁸ Existing rules allow customers of legacy NEM-1/NEM-2 systems, regardless of any change in ownership, to remain on the tariff for 20 years from the date of interconnection before transitioning to the NBT.

<https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/demand-side-management/customer-generation/net-energy-metering-and-net-billing>

⁹ https://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=202520260AB942

know that the cost-savings incentives associated with the solar system they are obtaining with the home would be between 75% and 80% less than those for the sellers.

The proposed changes are even more dire for the residential and commercial renters in multi-family and/or mixed-use buildings. According to CoStar nationally aggregated data,¹⁰ ownership of the average multi-family building turns over seven (7) years following certificate of occupancy. Since 2020, low-rise (defined by the California Energy Commission as no taller than three stories), and since 2023, high-rise multi-family housing in California has required photovoltaic solar panels under Title 24, California's Energy Code.^{11 12} As the payback period for a typical multifamily solar system is greater than 7 years,¹³ the new property owner will have to increase the rents to make up for the resultant economic loss associated with reduced solar incentives should this bill pass.

For all these reasons, it is recommended that the City of Berkeley join a broad and diverse coalition of municipalities, organizations, and elected officials in opposing AB 942.¹⁴

FISCAL IMPACTS OF RECOMMENDATION

Limited staff time is required to communicate the city's position to the State representatives.

ENVIRONMENTAL SUSTAINABILITY

The passage of AB 942 is likely to further stymie rooftop-scale solar and storage adoption in the City of Berkeley in contravention with a key strategy to realize Berkeley's Climate Action goals.

CONTACT PERSON

Councilmember Igor Tregub, Council District 4

510-981-7140

ltregub@berkeleyca.gov

¹⁰ <https://www.costar.com/>

¹¹ <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-3>

¹² <https://www.greenlancer.com/post/california-solar-mandate>

¹³ <https://www.solar.com/learn/what-is-the-average-payback-period-for-solar-panels/>

¹⁴ <https://docs.google.com/document/d/1sTde2ac8RLyhtSBYPKS9iB72HRGWZrQaPpDo2ydZHJA/edit?tab=t.0>

Attachments:

1. Resolution
2. Coalition Opposition Letter

RESOLUTION NO. ##,###N.S.

RESOLUTION IN OPPOSITION TO ASSEMBLY BILL 942 (CALDERON): NET ENERGY METERING: ELIGIBLE CUSTOMER-GENERATORS: TARIFFS

WHEREAS, Assembly Bill (AB) 942, which proposes to add Section 2827.2 to the California Public Utilities Code, was introduced to the State Legislature for consideration on February 19, 2025 and most recently amended on May 5, 2025; and

WHEREAS, AB 942, if passed, will make sweeping changes to California's net energy metering (NEM) program, stripping away previously guaranteed benefits for certain residential and commercial solar customers with systems installed under NEM 1.0 and NEM 2.0 regardless of whether the previously guaranteed 20-year benefitting period has elapsed; and

WHEREAS, the changes proposed to the NEM program include, but are not limited to, disqualifying homebuyers purchasing a solar-equipped home from continuing legacy NEM benefits, eliminating the ability for rooftop solar customers to receive credits funded by California's Cap-and-Trade program, and allowing the California Public Utilities Commission to mandate new tariffs for solar customers if they reduce costs for non-solar ratepayers; and

WHEREAS, the changes proposed to the NEM program under AB eliminates key financial supports jeopardizing the return on investment for tens of thousands of working and middle-income families, reduces the resale value of solar homes by eliminating NEM benefits for new homeowners, and further exacerbates the cost of housing, particularly for residential and commercial tenants in multifamily housing, all of which contravenes Berkeley's and California's climate and housing affordability goals; and

WHEREAS, California previously encouraged millions of residents to invest in rooftop solar through the promise of stable, long-term savings and potential for combating climate change; and

WHEREAS, AB 942 would break that promise, retroactively changing the deal should customers have already paid tens of thousands of dollars for systems sized under old rules need to sell their homes and investment as well as the residential and commercial renters whose rents would like be driven up as a direct result of AB 942 if adopted

NOW, THEREFORE, BE IT RESOLVED that the Berkeley City Council hereby registers its strong opposition to Assembly Bill 942; and

BE IT BE FURTHER RESOLVED that a copy of this resolution will be sent to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).

Don't Break Contracts of Two Million Solar Consumers

Stop Blaming Consumers. Start Fixing What's Really Driving High Rates: Utility Spending & Profits

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SUNRISE MOVEMENT
ORANGE COUNTY



The Climate Reality Project®
ORANGE COUNTY, CA CHAPTER



Coalition for Environmental Equity and Economics



EJCW



SAN JOAQUIN URBAN NATIVE COUNCIL



LOCAL CLEAN ENERGY ALLIANCE





THIRD ACT SOCIAL



THIRD ACT SF BAY AREA



RECLAIM OUR POWER! Utility Justice Campaign



CLIMATE HAWKS VOTE



HAMMOND CLIMATE SOLUTIONS FOUNDATION Dynamic Action for a Sustainable Planet



café coop

SOUTH BAY 350

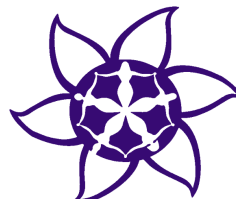
LOS ANGELES

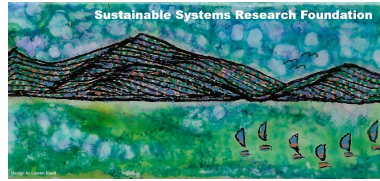
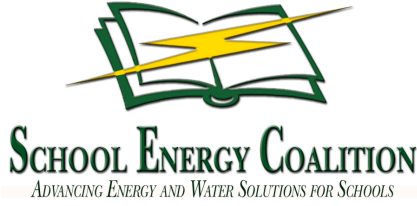


INDIVISIBLE MARIN



Federacion de Clubes de Colima

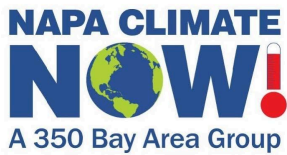
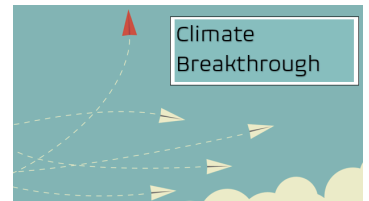
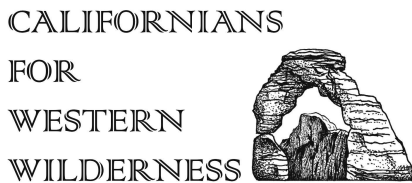




LONG BEACH ALLIANCE FOR CLEAN ENERGY

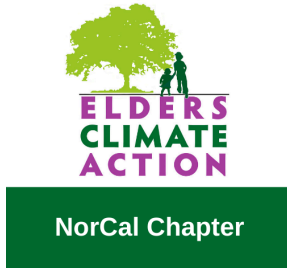
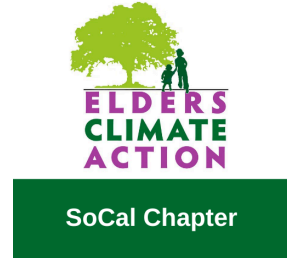


Unitarian Universalist Fellowship of Redwood City





ZeroW.org



bowman.change





The Honorable Cottie Petrie Norris
1021 O Street, Suite 8120
Sacramento, CA 95814

Dear Chair Petrie-Norris;

We are writing to strongly oppose [AB 942](#), which would break long-standing contracts on two million solar consumers who signed up for solar before April 2023.

Californians have been active players in building a clean energy powered future, with two million customer-sited solar systems now [producing around twenty percent of our state's electricity needs](#) on California's hottest days. These consumers signed a contract, the terms of which were set by the state of California. Reneging on those contractual agreements would harm millions of people who answered California's call to invest in clean energy as a way to reduce peak demand, stabilize rates, and clean up the air. We need you to stand up for consumers and reject this irresponsible bill.

California has repeatedly upheld the state's decision to honor rooftop solar contracts for the twenty-year life of the solar panels. [The CPUC's own consumer guide](#) requires solar contracts under the state's net metering policy be guaranteed for twenty years. When customers took the risk to invest in solar, they signed a [state mandated legal agreement with their utility](#) that specified [in the terms and conditions](#) that the rooftop solar system can stay on the net metering plan for twenty years from the time of interconnecting the solar panels to the electric grid. This is based on a long standing policy that solar customers have the same terms for twenty years, or the expected life of the solar system, affirmed by Governor Jerry Brown in his [signing letter for SB 327 in 2013](#), and the CPUC in [2014](#) and again in [2022](#).

The CPUC's new proposal, to break energy contracts mid-stream, would be patently unfair. It would punish the very people who California encouraged to invest in solar energy. And it would gut consumer confidence and trust in government, right when we need more Californians to make the choice to invest in clean energy technologies.

California should address the cause of high electricity rates, which is out of control utility spending to maximize profit.

[The data is clear](#) that more than 90% of the rate hikes over the last decade are driven by increased utility spending. PG&E, SoCal Edison, and SDG&E spending on poles and wires increased by 300% over the last twenty years, even though peak electricity demand was flat. Only 12% of that spending was for wildfire mitigation, according to the utilities' own rate filings.

To address rising rates, California must focus on what's really wrong with our energy system: uncontrolled utility spending and record utility profits. We'll never control rates or meet our goals for clean, reliable energy if we don't get at these roots of the problem.

The utilities already get a state authorized 10% or higher profit from every dollar they spend on poles and wires. The [CPUC is considering a new proposal to increase these already excessive profit rates](#), despite [record utility profits](#) and evidence that this structure is creating a perverse incentive for them to spend more than necessary.

In contrast, California's two million rooftop solar consumers are saving all other ratepayers \$1.5 billion in 2024 alone according to [a study endorsed by more than a dozen of the top energy economists](#).

California leaders should stop blaming consumers for the errors and missteps of the state's private utility companies and the inability for the CPUC to rein in their out of control spending. Reneging on two million contracts would not only be unfair but it would reduce energy choices for consumers, and [threaten a promising solution](#) to rein in future costs.

Against a backdrop of out-of-control rate increases and a range of confusing utility bill fees and charges, California ratepayers are now threatened by a proposal to break California's promise on solar energy.

Unfortunately, instead of protecting consumers, California's chief cop on the beat—the Public Utilities Commission— is considering punishing them. Instead of focusing on what's really wrong with electric utilities—out of control spending and profit making on the backs of ratepayers—the CPUC is now pushing to break the contracts with two million solar homes, schools, and businesses. This would be a terrible move for California.

Please reject AB 942 and the CPUC's proposal to break 2 million rooftop solar customer contracts and urge them to focus on the real source of high rates: increased utility spending. AB 942 would increase rates, limit choice, derail the state's clean energy progress, erode public trust in government, and avoid the hard work of actually reforming our state's utility industry.

This is a crossroads moment for California: if the state is truly serious about tackling both air pollution, energy reliability and electricity rates, it will focus on utility spending and stand with consumers who need more choice, clean air, and more affordable energy.

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State Director
Environment California

Jenn Engstrom
State Director
CALPIRG

Bernadette Del Chiaro
Senior Vice President, California
Environmental Working Group

Jamie Court
President
Consumer Watchdog

Jakob Evans
Policy Strategist
Sierra Club California

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Sunrise Movement Orange County

Kev Abazajian

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Democratic Club of West Orange County

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Esperanza Vielma
Executive Director
Environmental Justice Coalition for Water (EJCW)

Rev. Pastor Ambrose Carroll
Executive Director
Green the Church

Francisco Moreno

Executive Director
COFEM (the Mexican Federations in the United States)

Destiny Rivas
Executive Director
San Joaquin Urban Native Council

Centro Binacional para el Desarrollo Indígena Oaxaqueño

Todos Unidos

Federación de Guanajuatenses

Cafe Coop

FECAMIN (Federation of Clubs and Associations of Michoacanos in North America)

Anahuak Youth Soccer Association

Federación de Clubes y Asociaciones

Federación Duranguenese USA

Organización Regional de Oaxaca Por El Respeto y La Defensa De Nuestra Cultura

Federación de Nayaritas en Estados Unidos

Federación de Clubes Colima

Sonora USA

Mujeres Unidas Sirviendo Activamente MUSA

The Federation of Hidalguenses in California

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Indivisible CA Green Team

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Co-leader
Rooted in Resistance

Adriene Couter
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Napa Climate NOW!/350 Bay Area Group

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Coordinator
Climate Action Mendocino

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Courageous Resistance and Indivisible of the Desert

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Change Begins With ME

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Senior Policy Director
Center for Sustainable Energy

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Executive Director
Ecology Center

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Program Director
350 Sacramento

Leah Redwood
California Climate Justice Organizer
Oil and Gas Action Network

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1000 Grandmothers for Future Generations

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UCSD Green New Deal

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Long Beach Gray Panthers

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Climate Reality Project San Diego

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Citizens' Climate Lobby, Santa Cruz Chapter

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Advocate

ZeroW.org

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Administrator

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Peninsula Interfaith Climate Action

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Ten Strands

TJ Brown
San Francisco Action Lead
Climate Changemakers

02a.21



Igor Tregub
Councilmember, District 4

CONSENT CALENDAR
JUNE 3, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author) and Cecilia Lunaparra (Co-Sponsor)

Subject: Resolution in Support of the Polluters Pay Climate Superfund Act Legislative Package – AB 1243 and SB 684

RECOMMENDATION

Adopt a resolution in strong support of the Polluters Pay Climate Superfund Act Legislative Package (Assembly Bill (AB) 1243 (Addis, *et al*) and Senate Bill (SB) 684 (Menjivar, *et al*), which would hold fossil fuel corporations accountable for their fair share of the damages caused by climate change in California, and transmit the Council’s support to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).

CURRENT SITUATION AND ITS EFFECTS

California communities are experiencing accelerating impacts from the climate crisis—wildfires, floods, droughts, sea level rise, and extreme heat are harming public health, displacing families, threatening local infrastructure, and burdening city budgets.

In just the past five years, the state has experienced unprecedented and deadly weather events:

- January 2025 Firestorms: Over 12,000 homes, businesses, and institutions burned in Los Angeles and Ventura Counties. Thirty lives were lost, tens of

thousands evacuated, and the destruction is estimated to cost Californians \$250 billion.

- Record Flooding (2022–2023): Over \$4.6 billion in damages.
- Wildfire Destruction (2020): More than \$19 billion in economic losses.
- Camp Fire (2018): One of the most destructive fires in state history, with some cost estimates reaching \$148.5 billion.

Meanwhile, residents are paying more for insurance, cooling bills, emergency response, and disaster recovery—costs disproportionately borne by disadvantaged communities. Studies project California will face at least \$113 billion per year in climate costs by 2050.

Despite overwhelming evidence, fossil fuel companies—who knew about the damage their products would cause as early as the 1950s—have evaded responsibility. The Polluters Pay Climate Superfund Act would change that.

BACKGROUND

Just 90 of the largest fossil fuel producers are responsible for two-thirds of global industrial carbon and methane emissions. The Polluters Pay Climate Superfund Act:

- Requires CalEPA to conduct a comprehensive cost study of climate damages in California;
- Establishes a Climate Superfund and directs compensatory fees from the largest fossil fuel polluters based on their historic emissions (1990–2024);
- Ensures that funds are used for mitigation, adaptation, and recovery efforts—with at least 40% going to disadvantaged communities;
- Supports projects such as wildfire prevention, stormwater upgrades, solar and storage installations, coastal resilience, and support for first responders; and
- Follows precedent from New York and Vermont, which have passed similar laws.

Polling shows that 70% of California voters support requiring fossil fuel companies to help pay for climate disaster costs.

RATIONALE FOR RECOMMENDATION

Fossil fuel companies knowingly caused this crisis and continue to profit while cities like Berkeley are left to manage the fallout. The Polluters Pay Climate Superfund Act ensures these corporations contribute to the enormous cost of climate recovery and resilience.

Berkeley has long stood at the forefront of climate leadership. Supporting this bill aligns with our values and helps shift the burden from local taxpayers to the industries responsible.

FINANCIAL IMPLICATIONS

Negligible (staff time associated with transmittal of resolution).

ENVIRONMENTAL SUSTAINABILITY

This action directly supports Berkeley's climate action and environmental justice goals by securing funding to adapt to the climate crisis and reduce long-term carbon emissions. It ensures Berkeley continues to lead on solutions while advocating for fairer cost-sharing in addressing climate-related disasters.

CONTACT PERSON

Igor Tregub, Councilmember District 4
Olga Bolotina, Chief of Staff, Council District 4
Phone: 510-981-7140
Email: ITregub@berkeleyca.gov
OBolotina@berkeleyca.gov

ATTACHMENTS

- Resolution: Supporting the Polluters Pay Climate Superfund Act
- Fact Sheet: Polluters Pay Climate Superfund Act of 2025

ATTACHMENT #1

RESOLUTION # XX-XX

**A RESOLUTION OF THE CITY OF BERKELEY SUPPORTING THE POLLUTERS
PAY CLIMATE SUPERFUND ACT**

WHEREAS, climate change, resulting primarily from the combustion of fossil fuels, is an immediate, grave threat to the people, communities, biodiversity, environment, and economy of the state; and

WHEREAS, California communities are under siege by escalating fires, floods, droughts, and other disasters. From 1980–2024, 46 extreme weather and climate disaster events¹ impacted California, with losses exceeding \$1 billion each; and

WHEREAS, in January 2025, the nation watched in horror as fatal firestorms raged across Los Angeles and Ventura Counties, killing 30 beloved community members, destroying entire communities and forcing tens of thousands of residents to evacuate. Over 12,000 homes, businesses and institutions burned in apocalyptic fires. The devastation is estimated to cost Californians a staggering \$250 billion; and

WHEREAS, across the state, local governments and taxpayers are bearing the immense, mounting costs of rebuilding from climate damages, increased insurance premiums, property taxes, and utility bills. State and local budgets are stretched to the brink as climate risks rise, jeopardizing public services, and forcing communities to carry the burden to address climate-related emergencies; and

WHEREAS, the Polluters Pay Climate Superfund Act will make the multinational fossil fuel companies that are responsible for and profit from the climate emergency pay for their damages; and

WHEREAS, Superfund Act will direct CalEPA to complete a first-of-its-kind comprehensive study of the true cost of climate damage to ensure polluters pay their fair share. The Act will hold the largest polluters accountable for the costs to California from climate damage caused by their products with compensatory fee amounts proportional to companies' self-reported past emissions from 1990-2024; and

WHEREAS, the policy advances California's commitment to equity and environmental justice. At least 40% of the funds from the Polluters Pay Climate Fund will go to disadvantaged communities to remedy past climate damages and build a more

¹ [https://www.ncei.noaa.gov/access/billions/state-summary/CA#:~:text=From%201980%E2%80%932024%2C%20there%20were,events%20\(CPI%2Dadjusted\).](https://www.ncei.noaa.gov/access/billions/state-summary/CA#:~:text=From%201980%E2%80%932024%2C%20there%20were,events%20(CPI%2Dadjusted).)

resilient and equitable California. The funds will support urgently needed projects such as implementing wildfire prevention measures like home hardening, upgrading stormwater management systems to prevent flooding, and installing solar panels and energy storage systems to reduce energy costs and increase resilience during power outages. Additionally, these funds could help develop urban green spaces to mitigate heat islands and improve air quality. Importantly, it could fund programs to support first responders and additional workers who provide essential services during climate disasters; and

WHEREAS, the states of New York and Vermont have enacted their versions of a climate superfund like this one.

NOW THEREFORE BE IT RESOLVED, that the City of Berkeley strongly supports the Polluters Pay Climate Superfund Act legislative package (Legislative Package – AB 1243 (*Addis, et al*) and SB 684 (*Menjivar, et al*), and encourages State representatives to pass it and the Governor to sign it into law; and

BE IT FURTHER RESOLVED, that a copy of this resolution will be sent to Governor Gavin Newsom, Attorney General Rob Bonta, Senate President Pro Tempore Mike McGuire, Senator Jesse Arreguín (SD7), Speaker Robert Rivas, and Assemblymember Buffy Wicks (AD14).

ATTACHMENT #2

POLLUTERS PAY CLIMATE SUPERFUND ACT OF 2025

The Facts

- Burning coal, oil and gas accounts for **90%** of all carbon dioxide emissions and **75%** of all greenhouse gas emissions.
- Just **90 of the world's largest fossil fuel emitters** are responsible for two-thirds of human-caused carbon dioxide and methane emissions.
- Californians are **already experiencing the climate emergency**. Extreme heat, sea level rise, wildfires, drought, floods, and storms are costing lives and livelihoods across the state.
- The big oil companies knew their products would create this mess as early as the 1950s and yet **they covered it up and spread doubt about climate change** instead of taking responsibility for transitioning our energy systems.
- These costs are escalating. The California Natural Resources Agency's Fourth Climate Assessment conservatively estimates that California will face at least **\$113 billion in annual climate change costs** by 2050.
- This year's climate-driven wildfires in LA are estimated to have cost **\$250 billion**, destroyed **15,000 structures**, saw **tens of thousands of people evacuate**, and resulted in the **deaths of 29 people**.
- In 2022 and 2023 we saw record snowfall, intense rain, and severe flooding, resulting in more than **\$4.6 billion in damages** for California.
- In 2020, wildfires in California amounted to **economic losses of over \$19 billion**. And in 2018, a record-setting year for fire-related economic losses (including the Camp Fire which destroyed the entire town of Paradise, CA), some cost estimates run as high as **\$148.5 billion**.
- Californians will spend an extra **\$200 million per year for more frequent air conditioning**, **\$1 billion per year in road damage** caused by temperature extremes, and **\$18 billion (by 2050) to replace coastal buildings** threatened by rising sea levels.
- **Health costs associated with climate change are also rising**. Risks of heart disease, asthma, allergens, vector-borne disease, heat stroke, and

smoke exposure are all intensified by the climate emergency. These impacts are magnified in communities of color, children, pregnant persons, older adults, and those with chronic medical conditions.

- These examples represent **just a fraction** of the true costs that the fossil fuel driven climate crisis inflicts upon California.
- Polling from last year shows **70% of California voters support** requiring fossil fuel companies to help pay for climate disaster costs through a climate superfund bill.

The Solution

Big Oil caused this problem and they're profiting off it. They should pay for it.

- We are not prepared for the climate that the fossil fuel industry has created. The Climate Superfund is an **opportunity to invest in preparing for the future.**
- The Climate Superfund will help **generate the resources our state needs** to respond to climate catastrophes, build climate resilient neighborhoods, prepare for future climate harms, and usher in a thriving and fair transition away from fossil fuels.
- We know that climate damages hit everyone but they harm disadvantaged communities first and hardest. That's why at least **40% of the funds will be directed to disadvantaged communities**, offering opportunities to effectively respond to and prepare for climate disasters while transitioning away from polluting energy.
- Just a **few examples** of projects that revenue generated through the climate fund could help pay for include:
 - Making **schools more climate resilient** by upgrading air conditioning systems so kids can learn despite extreme heat.
 - **Distributing air filters** to homes in wildfire prone areas and providing relief from toxic air created by wildfires.
 - Helping local governments **manage the impacts of sea level rise** along the coast.
 - Directing **additional resources to California's firefighters and first responders** to prepare for future climate threats.

- Providing funding to help **small businesses recover** and **homeowners rebuild** after climate disasters.
- **Investing in clean jobs and green infrastructure projects** to accelerate the transition away from climate-harming fossil fuels.
- **New York and Vermont have already passed bold legislation** to make fossil fuel polluters pay their share of the costs of climate damages in those states. California can too.
- The Climate Superfund offers the **greatest opportunity our state has seen in a generation to invest in our communities and our future** while ensuring the burden falls on the big polluters, not working families and taxpayers.

How It Works

- The bill tells the **California Environmental Protection Agency** to carry out a cost study to identify how much damage from climate change is costing California.
- Using **climate attribution science**, the agency then assesses how much of that damage the big polluters are responsible for through their fossil fuel emissions between 1990 and 2024.
- The **bill creates a fund into which the fossil fuel polluters must pay** a fee proportional to the fossil fuel emissions they were responsible for between 1990 and 2024.
- Polluters will be made to pay their share of the costs of climate damages in California arising from those emissions, assessed through 2045.
- The **California EPA will establish funding criteria and guidelines** for how the funds may be used. Eligible programs and projects will include mitigating and adapting to climate change and its impacts, addressing climate-fueled disaster response, and investing in climate-resilient recovery efforts.
- **40%** of the revenue raised must be directed towards disadvantaged communities.



02a.22

CONSENT CALENDAR

June 3, 2025

Igor Tregub, Councilmember District 4

Cecilia Lunaparra, Councilmember District 7

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author) and Cecilia Lunaparra (Co-Sponsor)

Subject: Referral: Oxford for All

RECOMMENDATION

1. Refer to the City Manager to design and construct a quick-build class IV bicycle facility on the east side of Oxford Street and Fulton Street between Bancroft Way and Hearst Avenue and implement pedestrian safety improvements on the corridor, potentially through quick-build planning and construction methods.
2. Refer \$400,000 to the June budget process (FY26 Mid-Biennial Update) to provide the City of Berkeley Public Works Department with necessary funds to support design, engineering, and construction costs for the project.
3. Refer to the City Manager and to The City/UC/Student Relations “4x6” Committee to explore opportunities to leverage existing and establish new financial partnerships with UC Berkeley on safety projects along Oxford Street and adjacent areas, including the Oxford and Bancroft volleyball courts project and similar initiatives.

POLICY COMMITTEE RECOMMENDATION:

On May 7, 2025, the Facilities, Infrastructure, Transportation, Environment & Sustainability Policy Committee adopted the following action:
M/S/C (Humbert/Lunaparra) to send the item to City Council with a positive recommendation¹.

FINANCIAL IMPLICATIONS

\$400,000 in the June budget process (FY26 Mid-Biennial Update)

¹ <https://berkeleyca.gov/sites/default/files/legislative-body-meeting-minutes/2025-05-07%20Annotated%20Agenda%20-%20%20Facilities.pdf>

CURRENT SITUATION AND ITS EFFECTS

Oxford and Fulton Streets mark the western boundary of the UC Berkeley campus. The corridor's current configuration reflects antiquated traffic engineering conventions that prioritize vehicular throughput over pedestrian and bicycle safety. Oxford Street serves as the primary pedestrian gateway to the campus from Downtown Berkeley, yet it lacks a distinct ground-level identity.

Just as if not more importantly, the Oxford/Fulton Street corridor is unsafe for many bicyclists, pedestrians, and micro-mobility users, as traffic throughput has been prioritized over safety and comfort.

The outdated current design for Oxford Street/Fulton Street — focused on maximizing car speeds and throughput — is dangerous for all road users, including drivers. On Oxford Street and Fulton Street from Hearst Ave. to Bancroft Way since 2017, there have been 19 total car driver and passenger injuries, including 2 severe injuries; 8 total pedestrian injuries; and 5 total cyclist injuries, including 1 severe injury. Prior to 2017, Shlomo Bentin, a guest lecturer at UC Berkeley, was killed by a truck driver while cycling at Fulton St. and Bancroft Way in 2012.² In 2016, Berkeley resident Megan Schwarzman came minutes from death after being struck by a driver at Fulton St. and Bancroft Way and suffered severe injuries.³

From Bancroft Way to Hearst Avenue., Oxford Street and Fulton Street resemble a suburban arterial with four travel lanes, two parking lanes, and a median with turn lanes at intersections. Cyclists must use Class II bike lanes that put them at risk of getting "doored" if they feel confident enough to ride on Oxford Street, and pedestrians must use narrow sidewalks that do not reflect the significant demand generated by the campus and downtown or the increased demand that will be spurred by future developments. Not only is the current Class II bike lane on Oxford dangerous for getting "doored," but also cars frequently use the southbound bike lane as a temporary parking spot and loading zone for Anchor House, placing users at risk. While the solutions to some of these challenges—including sidewalk widening—may require longer-term projects, there are short-term, quick-build solutions that would significantly improve safety along the Oxford-Fulton corridor.

Improving safety on Oxford Street and Fulton Street is especially important at this moment. In the next decade, many significant developments are planned along the Oxford corridor that could dramatically affect transportation, development, urban design,

² <https://www.berkeleyside.org/2012/07/16/neuroscientist-shlomo-bentin-killed-in-bike-accident>

³ <https://www.berkeleyside.org/2016/02/05/hope-gratitude-after-near-deadly-collision-in-berkeley>

housing, potentially land values/affordability and more! The University of California is planning to redevelop and expand University Hall at Oxford and University and is planning a student housing project at Fulton and Bancroft that will contain an estimated 1625 beds.⁴ Anchor House, between University and Hearst on Oxford has already come online with 772 new beds for transfer students.⁵ Additionally, a 17-story, 283-unit private mixed use development called The Hub will be built at the intersection of Oxford Street and Center Street⁶. Nearby on Hearst Avenue, the entirely new College of Data and Society Gateway building is currently under construction.⁷ Beyond these projects, many substantial projects are planned on adjacent streets. These new developments will spur new transportation demand for safe bicycle and pedestrian infrastructure.

There is a long history of interest in redesigning Oxford Street to better serve all street users. The 2017 Berkeley Bicycle Plan identifies the Oxford-Fulton corridor as an ideal candidate for a Class IV cycle track facility. Oxford serves as a crucial connection between the north and south sides of campus and downtown for people riding bikes. Additionally, Oxford is on the City of Berkeley's High-Injury Network identified in the City's 2019 Vision Zero Action Plan,⁸ meaning that it is one of the small number of streets in the city that account for the most traffic injuries and deaths.

In 2021, UC Berkeley completed an Oxford St./Fulton St. Multimodal Mobility and Urban Design Study, authored by Sasaki and Fehr & Peers⁹. This comprehensive study included data analysis of vehicle, bicycle, and pedestrian counts and the evaluation of many different alternatives. The study identified the need for improved bicycle and pedestrian safety infrastructure on Oxford Street and recommended the construction of a two-way Class IV cycle track on the east side of Oxford Street. Fehr & Peers found that a cycle track on the east side of Oxford Street, as proposed in this referral, would have "minimal impact on vehicular operations" and would not require removing the median.

⁴ <https://capitalstrategies.berkeley.edu/Bancroft-Fulton>

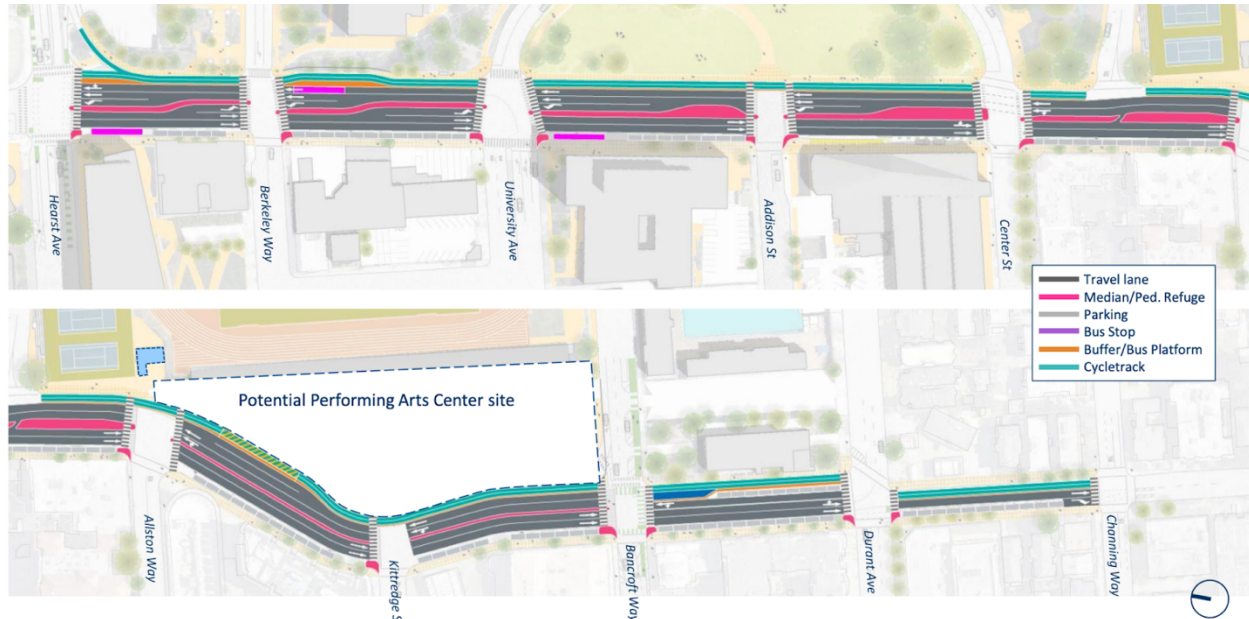
⁵ <https://studenthousingbusiness.com/uc-berkeley-completes-772-bed-residence-hall-for-transfer-students/>

⁶ <https://berkeleyca.gov/sites/default/files/2022-04/4-The-HUB-Applicant-Statement-01-20-22-2128-Oxford.pdf>

⁷ <https://capitalstrategies.berkeley.edu/gateway>

⁸ <https://berkeleyca.gov/sites/default/files/2022-02/Berkeley-Vision-Zero-Action-Plan.pdf>

⁹ http://www.preservenet.com/20211130_OxfordCorridorStudy.pdf



Preferred Alternative from UC Berkeley Oxford St./Fulton St. Multimodal Mobility and Urban Design Study between Hearst Ave. and Channing Way. Construction has been completed for the blocks between Bancroft Way and Channing Way as part of the Southside Complete Streets Project (Fehr & Peers).

In 2023, students in UC Berkeley's Master of City Planning program at the College of Environmental Design studied the existing conditions and needs for safety improvements on Oxford Street as part of an intensive transportation studio. This team reviewed previous plans and documents, collected average pedestrian and bicycle intersection counts, conducted on-site community engagement, and authored a comprehensive 71-page report.¹⁰ Among other recommendations, this report recommended implementing protected bicycle lanes connected to existing facilities and installing traffic calming measures including bollard curb extensions and painted crossings.

¹⁰ <https://ideas.repec.org/p/cdl/itsrrp/qt53g9g83t.html>



*Illustration of what a Class IV bicycle facility on Oxford Street could look like.
Katie Heuser*

On September 12, 2023, City Council approved a referral titled 51B BRT + University/Shattuck Corridor Mobility Improvements,¹¹ that, among other recommendations, included a \$150,000 budget referral to conduct corridor studies — including on Oxford Street and Fulton Street — to identify appropriate road safety improvements that advance city-adopted safety, transportation, and climate goals. While \$150,000 was allocated in the FY 2025 budget,¹² to the best of our knowledge, these funds have not been expended, and no study has commenced.

RATIONALE FOR RECOMMENDATION

This referral builds on prior work and recognizes the urgent need to address traffic safety on Oxford Street with proven infrastructural solutions. In particular, quick-build solutions have become widely utilized to improve traffic safety rapidly at a low cost and could be effective, inexpensive, and quick to implement on the Oxford-Fulton corridor. In fact, quick-build safety improvements were previously successfully implemented on Fulton Street just one block south of this item's project area.

In 2016, Berkeley resident Megan Schwarzman was struck by a driver while riding her bike on Fulton Street just south of Bancroft Way and dragged under a car for 60 feet.

¹¹ [https://berkeleyca.gov/sites/default/files/documents/2023-09-12 Item 29 51B BRT %2B University-Shattuck.pdf](https://berkeleyca.gov/sites/default/files/documents/2023-09-12%20Item%2029%2051B%20BRT%20University-Shattuck.pdf)

¹² [https://berkeleyca.gov/sites/default/files/documents/2024-06-25 Item 53 Fiscal Years 2025 2026 Biennial Budget Adoption - Supp %28Budget%29.pdf](https://berkeleyca.gov/sites/default/files/documents/2024-06-25%20Item%2053%20Fiscal%20Years%202025%202026%20Biennial%20Budget%20Adoption%20-%20Supp%20Budget.pdf)

She suffered severe injuries, including “a lacerated liver, collapsed lung, broken ribs, multiple pelvic fractures, a broken collarbone and broken facial bones, along with extreme blood loss” and was minutes from losing her life.¹³

After a significant push by advocates to prevent more traumatic crashes like the one that almost took Megan’s life, the City of Berkeley rapidly approved and built a cycle track from Bancroft Way to Channing Way with only paint and plastic delineators, or flex posts. This quick-build facility was recently removed, as the permanent cycle track constructed with the Southside Complete Streets Project replaced it. While this quick-build improvement was implemented in response to a serious crash that almost took a Berkeleyan’s life, it is in our best interest to identify streets in need of quick-build improvements and prevent future tragedies *before* they occur. We must be proactive, not just reactive.



Before-and-after comparison showing the quick-build bicycle facility constructed on Fulton St. in 2016 (Google Street View).

Quick-build improvements can be implemented without precluding future changes to revise or improve a street’s design and can be built at a low cost and on a quick timeline. While the quick-build bicycle facility constructed on Fulton St. in 2016 is one example, quick-build projects have been implemented across the United States and across the world to great success, especially in the last 10-15 years.¹⁴

While quick-build improvements would be an excellent option for this corridor, this referral in no way intends to preclude staff from planning and constructing more permanent facilities. When planning and designing this project, staff may wish to consult the Transportation and Infrastructure Commission to receive input. Staff should

¹³ <https://www.berkeleyscanner.com/2024/08/06/traffic-safety/berkeley-street-trauma-prevention-program-mike-wilson-meg-schwarzman/>

¹⁴ https://nacto.org/wp-content/uploads/2016PeoplefoBikes_Quick-Builds-for-Better-Streets.pdf

additionally consult with AC Transit regarding AC Transit's current Line 6 terminus on Oxford Street at Addison Street to discuss options to accommodate it in the proposed quick-build design, move it back to its previous location on the 2100 block of Addison St, or otherwise address impacts to this terminus.

ENVIRONMENTAL SUSTAINABILITY

Berkeley's 2019 Greenhouse Gas Inventory found that 60 percent of emissions in the City come from transportation sources, predominantly private vehicles. Building connected, safe active transportation facilities is one of the most effective ways Berkeley can reduce its largest source of greenhouse gas emissions. Oxford St. and Fulton St. next to campus are highly interconnected to other nearby streets that have already received bicycle and pedestrian safety improvements, such as Bancroft Way, Oxford Street, and Fulton Street south of Bancroft Way. Because this project would close a key gap in Berkeley's bicycle network, its impacts in reducing greenhouse gas emissions would be particularly high.

CONTACT PERSON

Igor Tregub, Councilmember District 4, ITregub@Berkeleyca.gov

Olga Bolotina, Chief of Staff, Council District 4, OBolotina@Berkeleyca.gov

Phone: 510-981-7140



Brent Blackaby
Councilmember District 6

02a.23

CONSENT CALENDAR

June 3, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmember Blackaby (Author), Mayor Ishii (Co-Sponsor), Councilmember Humbert (Co-Sponsor), Councilmember Taplin (Co-Sponsor)

Subject: The Berkeley Baby Book Project: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds

RECOMMENDATION

Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember, including \$250 from Councilmember Blackaby, the Mayor and Councilmembers Humbert and Taplin, to support the Berkeley Baby Book Project, a non-profit, with funds relinquished to the City's general fund. The relinquishment of funds from Councilmember Blackaby and all other Councilmembers who would like to contribute, will provide books to Berkeley children aged 0-5 years. The books are delivered by USPS and addressed to the child who owns them at no cost to their family.

FINANCIAL IMPLICATIONS

No General Fund impacts

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Baby Book Project (BBBP) is a childhood literacy project that provides children age 0-5 with free monthly, quality age appropriate books mailed directly to their home. Children love receiving books addressed to them and are excited to interact with them and learn to read.

Brain development rates in the early months of a baby's life are never again matched. Research shows that the presence of a generous number of books in the home of a young child is, by itself, a surprisingly strong indicator of later education level attainment, outweighing correlations to income and parent education. Frequent book sharing with babies is the best way to nurture roots of literacy. Ownership makes that easy.

Literacy is a cornerstone of social justice and equality. Without it, full access to and participation in the programs, movements and institutions that shape our culture and society is hindered.

The Berkeley Baby Book Project: Relinquishment of Council Office Budget Funds CONSENT CALENDAR
 June 3, 2025

All children 0-5 in Berkeley qualify for the Berkeley Baby Book Project, and BBBP conducts targeted outreach to low-income families directly and through Head Start preschools and the Federal WIC nutrition program.

Since its inception in 2015, the Berkeley Baby Book Project has mailed 85,733 books to almost 5,000 children.

BACKGROUND

The Berkeley Baby Book Project started with enrolling children in Berkeley/Emeryville in 2015. It expanded to San Pablo/Richmond in 2022. In 2023, bilingual books became available with almost 40% of newly enrolled children opting for them.

Books Mailed & Children Served Numbers thru 2024			
Berk-Emvl 2024 only		Berk-Emvl 2015 - 2024	
Children Served	1,186	Children Served	3,435
Books Mailed	14,082	Books Mailed	71,894
Rich-SnPb 2024 only		Rich - SnPb 2022 - 2024	
Children Served	885	Children Served	1,382
Books Mailed	8,105	Books Mailed	13,839
			#Books Mailed All Time: 85,733

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

No direct environmental sustainability or climate impacts

CONTACT PERSON

Councilmember Brent Blackaby Council District 6 510-981-7160

Attachments:

- 1: Resolution
- 2: Article about the BBBP written for the FAB (a retired women's organization)

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE ACCOUNTS OF THE MAYOR AND COUNCILMEMBERS FOR A GRANT TO PROVIDE FUNDING TO THE BERKELEY BABY BOOK PROJECT

WHEREAS, Councilmember Brent Blackaby, Mayor Ishii and Councilmembers Humbert and Taplin have surplus funds in their office expenditure account and will contribute \$250.00 to the Berkeley Baby Book Project to provide free, quality books to children age 0-5 and they invite other Councilmembers to join them in contributing; and

WHEREAS, a California non-profit tax-exempt corporation, The Berkeley Baby Book Project, will receive funds in an amount up to \$250.00 per contributing Councilmember's discretionary account; and

WHEREAS, the provision of such services would fulfill the municipal public purpose of supporting literacy by providing a generous number of books to children aged 0-5 to read and have as their own; and

WHEREAS, brain development rates in the early months of a baby's life are never again matched.

WHEREAS, research shows that books in a young child's home is a surprisingly strong indicator of later education level attainment, outweighing correlations to income and parent education.

WHEREAS, literacy is a cornerstone of social justice and equality. Without it, full access to and participation in the programs, movements and institutions that shape our culture and society is hindered; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their Council Office Budget, up to \$250.00 per office, shall be granted to The Berkeley Baby Book Project.

The [Berkeley Baby Book Project](#) has grown quite a bit since Helen Marcus wrote about us for FAB in 2020.

The Book Project provided books to over 2,000 children in 2024, all under age 5. Children enrolled in our programs receive new, age-based books by mail monthly – with their name on the label, a detail of great delight to toddlers. They may be enrolled as early as the day they are born.



We don't mail all those books ourselves. The BBBP is a Partner of [Dolly Parton's Imagination Library](#), a very large nonprofit. However, all Imagination Library (IL) Programs are operated by local IL Partner. In the East Bay, that's us.

Like all IL Partners, we do all the groundwork. We pay IL for books mailed to children we enroll, along with all other costs of our nonprofit organization: overhead, management and insurance. Library programs. IL wraps, labels and mails books. Book lists are updated annually by IL.

In 2023, a Bilingual Spanish-English book list was introduced. Parents choose it or the English book list when enrolling a child, a great thing for many families.

Toddlers love getting their own mail, a special book of their own.

Our outreach targets low-income families directly and through programs serving them like Head Start Preschools and the Federal WIC nutrition program.

We know literacy is key to school success from Kindergarten on. Kinder-Readiness assessments are the first tests of 5-year old's early literacy knowledge.

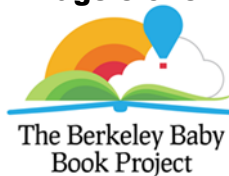


A child starting school with low literacy skills falls into the "Kinder-Readiness Gap" and tends to continue lagging behind more skilled students far beyond Kindergarten.



Our book gifting Programs cover Berkeley- Emeryville and Richmond-San Pablo. Enrollment criteria are a child's home address and birthdate, nothing else. If they are under age 5 and live in one of our IL Program regions they can be enrolled.

Research spanning decades and many nations shows that children with books in their home from the start know more words and have more early literacy and numeracy skills than children from homes with few or no books. In fact, simply counting the number of books



in an infant's home predicts Kinder-Readiness more accurately than any other metric, including parent income or education levels.

The lead researcher of a 20-year, 27 nation study sums up its findings succinctly:

“You get a lot of bang for your book.”

Brain development rates in the early months are never again matched. It's simple to spark powerful connections between areas of the brain key to later literacy then with frequent, playful time spent with picture books, describing images and print, babbling and talking back and forth with little ones. Daily time spent with books plants the seeds of later fluent literacy.

We agree with Dolly, who says, “You can never put enough books into enough children's hands.” Imagination Library delivers books to over 2.5 million US children every month. We want more of them coming to East Bay.



Berkeley-Emeryville families can enroll children online. Richmond-San Pablo families must mail in a paper form we provide to program partners, community centers, and libraries. Our website shows where they are available.

Our annual surveys never fail to strengthen and feed our passion for our work, and warm our hearts. Here are a few of thousands of parent comments received since 2015:

“Thank you for making my family stronger with spending family time learning together and expanding our minds.” (original in Spanish, google translated)

“Thank you for encouraging reading with little ones, my kids love the books & we learn a lot together since our books are bilingual! Bless this program and the people who make it possible!”



“My kids are very excited every time they receive a new book in the mail. Just the fact they get their own mail makes them feel special & motivated to read it.”

“We love that our son gets to experience many of the same books from our childhood AND grandma gets to read them in Spanish (she doesn't speak English).”



Commission on Disability

02a.28ACTION CALENDAR

06/03/2025

To: Honorable Mayor and Members of the City Council

From: Commission on Disability

Submitted by: Kathi Pugh, Chairperson

Subject: City Compliance with Web Content Accessibility Guidelines (WCAG)

RECOMMENDATION

The Berkeley City Council shall refer to the City Attorney the requirement to include a clause in all relevant City of Berkeley contracts that obligates City vendors to supply digital content, intended for or likely to be posted to the City website, that is compliant with the Web Content Accessibility Guidelines (WCAG) standard mandated by the U.S. Department of Justice. WCAG defines web content technical standards that, when implemented, meet legal requirements of the Americans with Disabilities Act (ADA).

In addition, relevant City staff should be informed of WCAG requirements, and systems put in place to ensure that documents available on the City of Berkeley website, whether submitted by vendors or created by City staff, meet current WCAG standards. When the City is informed that documents posted to its website do not meet current WCAG standards, remediation is recommended to be made within 30 days.

FISCAL IMPACTS OF RECOMMENDATION

The City of Berkeley is legally obligated to meet federally-mandated accessibility standards. This should be made explicit in boilerplate contract language that is readily available on legal websites to which the Office of the City Attorney has access. City staff time is needed to select or craft a contract clause. Additionally, a system for reviewing compliance reports, and/or testing documents for compliance must be implemented to ensure that both vendor and staff-created documents are WCAG compliant. The City of Berkeley incurs the significant financial risk of legal action if it continues to fail to comply with existing, legally-mandated WCAG standards.

CURRENT SITUATION AND ITS EFFECTS

Within the City of Berkeley, compliance with ADA regulations in the built environment (ramps, tactile curb cuts, minimum door widths, etc.) is expected and enforced in new construction. However, for disabled users of screen readers—people who are blind or low vision, or who have limited dexterity, reading or cognitive differences—obstacles in the newly constructed digital world are frequently encountered and access is routinely denied. Just as the City of Berkeley enforces vendor compliance with requirements of the ADA in the built environment, the same must be true for both City vendors and City

staff who provide digital content for the City website, in City programs, and in City presentations. Yet it is not.

While the pages of the City of Berkeley website are largely WCAG compliant, attachments, i.e., documents that can be directly viewed and downloaded from the website, are often not compliant, *even though they are equally legally required to meet WCAG standards*. These are documents that, for example, provide essential safety information, explain City projects, request feedback from the public or otherwise invite public participation. All users must have equal access to the information they contain.

The message that inaccessible documents sends to Berkeley residents who use screen readers is that their participation in the life of the City of Berkeley is neither valued nor desired. Documents containing vital information must be made accessible to all users, not only when brought to the attention of City staff, but from their initial availability to the public. When users do encounter non-compliant, inaccessible documents, remediation must be taken seriously and made quickly.

The problem of digital inaccessibility is most acute when City vendors or City staff create image-rich documents. The majority of these files lack alternative text tags (alt text) that can be read by a screen reader. Without these descriptions—long descriptions when necessary—essential information for disabled Berkeley residents and visitors is simply unavailable. Meaningful alt text must be included on complex documents, photos, and images, including PDFs, maps, diagrams, and infographics.

Increasingly, Artificial Intelligence (AI) is being used to create descriptions of image-rich documents, lowering costs, increasing the quality of alt text, and significantly improving the experience for people using screen readers. The City of Berkeley should be at the forefront of WCAG implementation—yet we lag behind.

Other WCAG requirements address underlying document structure, tab order, and color contrast. The City's webpages are significantly in compliance with these standards, but forms and other documents attached to it are not. WCAG-compliant attachments will result in a City website with content that is fully accessible and legally mandated

BACKGROUND

The City of Berkeley must comply with Title II of the ADA. This title requires that local governments ensure that all services, programs and activities are accessible to people with disabilities. The U.S. Department of Justice has confirmed that Title II applies to services, programs and activities provided via the web and mobile applications.

A year ago, specific technical standards were newly updated and clearly defined. On April 24, 2024, the final rule of the U.S. Department of Justice regarding specific standards to ensure web and mobile app accessibility—including access to all online sites, programs and digital documents retrieved through local governments—were

published in the Federal Register. This rule updates requirements of Title II of the ADA, specifying compliance with WCAG 2.1 Level AA. The City of Berkeley has until April 24, 2026 to fully comply with the higher technical specifications, but the legal requirement that City websites, apps, digital programs and documents be accessible to the previous WCAG standard currently exists—and even this standard is frequently ignored.

The expectation of a fully accessible website also exists within the Berkeley Municipal Code on Technology Standards (2.06.170), which states that the City will “meet or exceed the guidelines for accessibility specified by the Federal General Services Administration pursuant to section 508 of the Rehabilitation Act.” Under Section 508, disabled employees and disabled users must be afforded access to information that is comparable to the access available to others. This recommendation seeks to realize the mandate of the City’s own Municipal Code.

The Commission on Disability took the following action at its April 9, 2025 meeting:

Action: Motion (Fischer/Lewkowicz) To approve the recommendation to City Council regarding WCAG.

Votes: Ayes: Walsh, Fischer, Pugh, Sun, Lewkowicz, Mann, and Holloway; Nays: None; Abstain: None; Unexcused Absence: None; Leave of Absence: Paz

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

RATIONALE FOR RECOMMENDATION

This recommendation is a Strategic Plan Priority Project, advancing the City’s goals in multiple areas:

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities—in this case the infrastructure, amenities, and facilities are digital;
- create a resilient, safe, connected, and prepared city—with information available for disabled residents and visitors;
- champion and demonstrate social and racial equity—including the City’s disabled residents and visitors;
- be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community—including disabled residents and visitors.

Berkeley, a birthplace of the movement for independent living and disability rights, must take a multi-pronged approach to WCAG compliance. The City would not construct or renovate a City building without complying with accessible guidelines for the built environment; we must be equally vigilant regarding accessible, digital construction and use of the City’s online environment.

Moving forward, inclusion of a contract clause requiring compliance with the current WCAG standard is one of several critical approaches that will result in an accessible and legally-compliant City website. City staff must follow the same principle when creating documents available on the City website. The goal of this recommendation is an accessible website that equitably serves all of its users.

ALTERNATIVE ACTIONS CONSIDERED

None, if the City fails to address on-going issues of non-compliance it is open to litigation that can force a more costly and time-consuming solution.

CITY MANAGER

Please see the companion report.

CONTACT PERSON

Thomas Gregory, ADA Program Coordinator, Public Works, 510-981-6418



Commission on Disability

02a.29a

ACTION CALENDAR
06/03/2025

To: Honorable Mayor and Members of the City Council
From: Commission on Disability
Submitted by: Kathi Pugh, Chairperson
Subject: Enforcement of Public Right-of-Way Accessibility Guidelines (PROWAG)

RECOMMENDATION

The Berkeley City Council shall refer to the City Attorney the requirement to include, in all City of Berkeley contracts that impact the public right-of-way, a clause that obligates City contractors to comply with the Public Right-of-Way Accessibility Guidelines (PROWAG).

FISCAL IMPACTS OF RECOMMENDATION

Examples of PROWAG contract clauses are readily available to the Office of the City Attorney. Adoption of this recommendation should not require significant time or expense.

The City currently has a staff position assigned to investigate, monitor and enforce PROWAG. The job description of the City’s ADA Program Coordinator states that “under general supervision” the position is tasked with “implementation of the City’s ADA program which includes...receiving and investigating grievance, reviewing projects plans for accessibility, [and] training city staff.”

CURRENT SITUATION AND ITS EFFECTS

Both the ADA Program Coordinator and 311 receive complaints when disabled pedestrians and wheelchair users confront hazardous conditions in the public right-of-way. City staff time, significantly by the ADA Program Coordinator, is already used to, in many cases, successfully secure compliance with PROWAG. In some cases, City contractors refuse to comply with accessibility guidelines—because the requirement to comply is not stipulated in their contract. This is often on large, months-long City projects that significantly alter and disrupt the public right-of-way.

Failure to comply with PROWAG creates serious safety hazards for people with disabilities. At times, wheelchair users are forced into busy streets when PROWAG is not followed. In 2024-2025, this occurred repeatedly at projects on Bancroft/Fulton, University and Shattuck Avenues.

In addition, Audible Information Devices that warn blind and low vision individuals about blocked and alternate routes are rarely used by City contractors or private construction companies. When employed, these warning devices are frequently useless. They are, with regularity, incorrectly placed, not operating and inaudible. The routine failure to address accessibility for blind and low vision pedestrians creates manifestly unsafe conditions.

The City of Berkeley Public Works Department must develop proactive and effective educational, monitoring and enforcement systems to ensure that disruptions in the public right-of-way, whether performed by the City, its contractors, or during private construction projects, conform to PROWAG standards. When the City is informed of potential violations, timely investigation and remediation must bring violations into PROWAG compliance.

With the passage of Measure FF and the significant street redesign projects that will result, complying with PROWAG technical standards—in both design and construction—is imperative. Over many years, significant resources will be devoted to improving the condition and safety of Berkeley streets and sidewalks. Attention to PROWAG must be the rule—and included in City contracts. When envisioning Berkeley's future, Safe Streets must include the safety of people with disabilities.

BACKGROUND

PROWAG defines aspects of the ADA not specified at the time of the groundbreaking law's passage in 1990. The ADA never specifically addressed accessibility in areas deemed the "public right-of-way." To support implementation of the ADA, the U.S. Access Board, a federal agency charged with promoting "equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards" created PROWAG. These accessibility guidelines were developed over the past two decades.

PROWAG was entered into the Federal Register in 2023 and adopted by the U.S. Department of Transportation in 2024. The City of Berkeley's 2020 Pedestrian Plan, Appendix B: Engineering and Design Guidance references PROWAG numerous times. CalTrans uses its technical standards. It is considered best practice. Yet, it does not hold the force of federally-mandated law. Because of this, the City's ADA Program Coordinator has indicated that some City contractors are unwilling to follow PROWAG. This obstacle to securing the rights and safety of people with disabilities can be overcome by including a PROWAG clause in City contracts.

PROWAG will define the access standards expected by the City of Berkeley in the public right-of-way. It will make clear the City's commitment to accessibility guidelines, empower the ADA Program Coordinator to enforce those guidelines and give the City legal recourse should contractors fail to comply with the contract.

Yet a contract clause, without monitoring and enforcement of its obligations, is meaningless. For implementation, this recommendation requires a Public Works Department committed to the principles and technical standards outlined in PROWAG. We expect—and the City should secure—this level of accessibility and safety for the disability community.

The Commission on Disability took the following action at its April 9, 2025 meeting:

Action: Motion(Fischer/Pugh):To approve the recommendation to City Council regarding the enforcement of PROWAG, with the ability to make small edits regarding Caltrans and the City's use of PROWAG.

Votes: Ayes: Walsh, Fischer, Pugh, Sun, Lewkowicz, Mann, and Holloway;.Nays: None
Abstain: None; Unexcused Absence: None; Leave of Absence: Paz

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

RATIONALE FOR RECOMMENDATION

The PROWAG Contract Clause recommendation is a Strategic Plan Priority Project, advancing the City's goals in multiple areas:

- provide state-of-the-art, well-maintained infrastructure, amenities, and facilities;
- create a resilient, safe, connected, and prepared city;
- champion and demonstrate social and racial equity.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions have been considered.

CITY MANAGER

The City Manager recommends referring this item to the FITES Committee to better understand the potential costs and time impacts of undertaking the recommendation to streetscape projects.

CONTACT PERSON

Thomas Gregory, ADA Program Coordinator, Public Works, 510-981-6418



Commission on the Status of Women

02a.30a

ACTION CALENDAR
June 3, 2025

To: Honorable Mayor and Members of the City Council
From: Commission on the Status of Women
Submitted by: Carole Marasovic, Chair, Commission on the Status of Women
Subject: Exploitation of Vulnerable Homeowners

RECOMMENDATION

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

FISCAL IMPACTS OF RECOMMENDATION

Fiscal impacts are best identified by City staff. There should be a cost to the printing and distribution of materials.

BACKGROUND

On June 19, 2024, the Commission on the Status of Women passed a motion as follows:

That Council refer to the City Manager to direct the Department of Health and Human Services and other relevant departments and divisions to draft materials, written and visual (DVDs/VHS) to provide to homeowners vulnerable to exploitation, those being older and minority homeowners subject to exploitation from realtors, appraisers, lenders, speculators and others. For the appropriate department or division to identify a means of distribution of these materials to locations frequented by older and minority homeowners including senior centers, community organizations, medical providers and faith-based organizations. To promote the availability of these materials through public

notices and local media. To return to Council with the draft materials and proposed locations of distribution within 6 months of the passage of this recommendation at Council. That in addition to English, materials be written, spoken, and otherwise communicated in other languages in which residents in Berkeley communicate.

At the June 19, 2024 Commission on the Status of Women meeting, the above recommendation was passed to send a report to Council.

The Commissioners voted as follows:

M/S: Ortiz-Cedeno/Posey

Yes: Goodwin, Marasovic, Ortiz-Cedeno, Posey

Noes: None

Abstentions: None

Leaves of Absence: Boyd, Plese

Absences: Seshagiri, Oliver

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable direct environmental impacts or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Given the current price of Bay Area homes, long-term Berkeley homeowners are frequently approached by realtors, appraisers, lenders and speculators. The most vulnerable to exploitation are older persons, particularly older women who live alone, and minority homeowners. As the attachments below show, it has been shown that exploitations of vulnerable homeowners in the Bay Area have been transpiring.

To protect our Berkeley homeowners, the City needs to draft written materials and create video materials to educate the most vulnerable homeowners to protect their rights and to provide them with resources where they can receive assistance. These materials also should be made available in Spanish as well as English and other languages where there are monolingual homeowners in Berkeley.

The National Housing Law Project presented at a COSOW meeting that these exploitations were common and provided COSOW with information on cases where they provided representation.

The City should identify locations to distribute materials. All seniors do not frequent senior centers. Thus, locations such as medical providers, communication organizations and faith-based organizations should also have these materials available.

Research has shown that there are no materials currently being distributed in the Berkeley community to protect senior and minority homeowners from exploitation from realtors, appraisers, lenders and speculators. The last recall of City staff was that there were brochures a few years ago that have since been disposed of and which did not focus on homeowners.

Housing Economic and Rights Advocates (HERA) has drafted materials which are informative but somewhat complex for many vulnerable persons. HERA also is a resource for homeowners to be referred.

ALTERNATIVE ACTIONS CONSIDERED

To continue to not educate vulnerable homeowners on their rights.

CITY MANAGER

See companion report.

CONTACT PERSON

Carole Marasovic, Chair, Commission on the Status of Women
Okeya Vance-Dozier, Commission, City Manager's Office (510) 529-5376

Attachments:

1. Supporting Links



Commission on the Status of Women

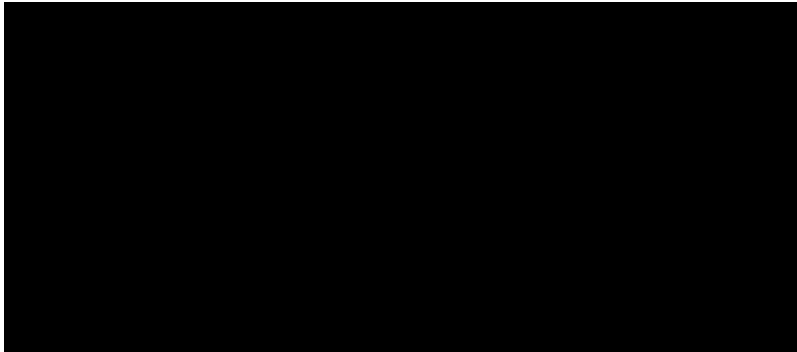
Exploitation of Vulnerable Homeowners: Supporting Links

Oakland homeowner settles with appraiser, lender after \$300,000 lowball appraisal

<https://abc7news.com/post/oakland-homeowner-settles-with-appraiser-mortgage-lender-after-300-000-lowball-appraisal-in-2021/14790837/>

Our America Lowballed

[Our America: Lowballed | Watch the full episode](#)



[Our America: Lowballed | Watch the full episode](#)

["Our America: Lowballed" follows Black and Latino families as they fight for fair home values after lower than e...](#)

See below articles in attachment:

"81 yr. old SF resident sues to fight to stay in her long-term Upper Haight home".

<https://www.sfchronicle.com/bayarea/article/upper-haight-condo-eviction-17914906.php>

"She sold her 1.7 million dollar Bay Area home for one-third of the value over margaritas. What happened?"

<https://www.sfchronicle.com/bayarea/article/reverse-mortgage-18107326.php>



Igor Tregub
Councilmember, District 4

02a.31

CONSENT CALENDAR
JUNE 3rd, 2025

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author) and Cecilia Lunaparra (Co-Sponsor)

Subject: Resolution Opposing the Removal of USPS Mailboxes at the Berkeley Main Post Office

RECOMMENDATION

Adopt a Resolution opposing the removal of public mailboxes from the Berkeley Main Post Office on Allston Way and urging immediate engagement with United States Postal Service (USPS) leadership to restore these essential public services and send the Resolution to the attention of US Congresswoman Lateefah Simon and US Postmaster.

CURRENT SITUATION AND ITS EFFECTS

The USPS has recently removed public mailboxes from the Berkeley Main Post Office, located on Allston Way, a landmark civic institution that serves thousands of residents, small businesses, and community organizations.

Several District 4 constituents have reached out to District 4 office with concerns over the sudden and unexplained removal of mailboxes from in front of Berkeley's Main Post Office. Residents who have long relied on these services for their daily needs have expressed not only confusion and frustration, but also a growing sense of alarm, as no public notice or explanation was provided. One constituent described the unsettling experience of arriving to mail letters, only to find the familiar exterior boxes gone with a postal worker confirming the change. Across these messages, a consistent and troubling theme has emerged: a deep sense of dismay, a loss of trust, and a call for greater transparency and accountability in decisions that directly impact the community's everyday access to essential public infrastructure.

Public mailboxes are vital to the timely exchange of bills, legal documents, small business shipments, and critical correspondence. Their removal forces residents to travel farther, endure longer waits at remaining facilities, and face delays in deliveries, an unacceptable burden in a city where mail is a lifeline for medication, newspapers, and government communications.

The mailboxes at the Berkeley Main Post Office served as a key hub in a vibrant, high-traffic commercial corridor, where visitors often combined postal errands with trips to nearby shops, restaurants, and civic spaces. The removal risks disrupting this ecosystem, reducing downtown foot traffic, and weakening the local economy.

Moreover, this action threatens to widen existing inequities, disproportionately affecting lower-income residents, seniors, and individuals without reliable internet access, all of whom rely on traditional mail for essential services. According to a 2021 Pew Research Center survey, approximately 27% of seniors aged 65 and older do not use the internet, relying heavily on USPS for managing finances, receiving Social Security notices, and other essential communications¹.

BACKGROUND

Berkeley has long spoken up against USPS closing places and cutting back services, since it makes mail slower and hurts our neighborhoods. Now, removing these mailboxes from the Berkeley Main Post Office is another concern. This latest removal from the Berkeley Main Post Office is equally troubling, as USPS has provided no transparent data showing that this mailbox was underused or cost inefficient.

The removal of these mailboxes from the Berkeley Main Post Office is not an isolated action, it represents a continued erosion of public infrastructure that Berkeley residents have long fought to protect. The Main Post Office itself, located in a historic landmark building, in 2013, Berkeley residents, labor unions, and civic leaders successfully organized to block the sale of the building to private developers, affirming that the USPS is not only a service but a vital part of the city's public commons². In 2013 Berkeley City Council passed a resolution opposing the sale of the Berkeley Main Post Office³.

Berkeley has repeatedly demonstrated that its community values accessible, public-serving infrastructure and has stood at the forefront of protecting the USPS from privatization and cutbacks. This resolution continues that legacy, reinforcing the city's commitment to equitable access, economic vitality, and public stewardship.

¹ <https://www.pewresearch.org/short-reads/2021/04/02/7-of-americans-dont-use-the-internet-who-are-they/>

² Berkeleyside. *Locals, city fight on to prevent sale of Berkeley Post Office*, July 19, 2013. <https://www.berkeleyside.org/2013/07/19/locals-city-fight-on-to-prevent-sale-of-berkeley-post-office>

³ City of Berkeley. *Resolution Opposing the Sale of the Berkeley Main Post Office*, March 5, 2013. <https://newspack-berkeleyside-cityside.s3.amazonaws.com/wp-content/uploads/2013/03/2013-03-05-Item-15-Opposing-the-Sale.pdf>

FINANCIAL IMPLICATIONS

Limited staff time is required to communicate the City's position to State representatives. No direct impact on the General Fund. However, reduced access to postal services risks indirect economic harm to Berkeley residents and small businesses by disrupting essential operations and reducing downtown foot traffic.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The removal of these mailboxes will likely force more residents to drive farther for postal services, increasing vehicle trips, greenhouse gas emissions, and downtown congestion. Retaining convenient, walkable mail infrastructure in the heart of the city directly supports Berkeley's climate and sustainability goals by reducing car dependency and supporting transit-oriented neighborhoods.

CONTACT PERSON

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510-981-7140
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Shamaila Ahmed, Legislative Aide, Council District 4
sahmed@berkeleyca.gov

ATTACHMENTS:

- Resolution

RESOLUTION NO. XX,XXXN.S.

**RESOLUTION OPPOSING THE REMOVAL OF USPS MAILBOXES FROM THE
BERKELEY MAIN POST OFFICE ON ALLSTON WAY**

WHEREAS, the United States Postal Service (USPS) has removed public mailboxes from the Berkeley Main Post Office on Allston Way, a vital civic institution serving Downtown Berkeley residents, businesses, and organizations; and

WHEREAS, such removal imposes undue burdens on seniors, persons with disabilities, small businesses, newspapers, and community groups who rely on efficient, accessible local mail services; and

WHEREAS, USPS has provided no clear public rationale for removal, claiming only that the removed mailboxes were underutilized or unprofitable; and

WHEREAS, these mailboxes contributed to the vitality of Berkeley's downtown economy by supporting foot traffic to nearby shops, restaurants, and services; and

WHEREAS, their removal has a potential to increase vehicle trips, lengthen lines at remaining facilities, and impose financial and logistical hardships on employees, residents, and small businesses; and

WHEREAS, timely, accessible mail service is essential for equitable access to healthcare, legal services, government programs, and small business operations, especially for vulnerable populations; and

WHEREAS, this action aligns with a troubling national pattern of USPS disinvestment and infrastructure removal that threatens public access to essential services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City formally opposes the removal of USPS mailboxes from the Berkeley Main Post Office on Allston Way; and

BE IT FURTHER RESOLVED that the City of Berkeley transmit this resolution to Congresswoman Lateefah Simon (CD-12), the Postmaster representing the City of Berkeley, and the Postmaster General.

Upcoming Worksessions and Special Meetings	
Scheduled Dates	
May 20 (4:30pm)	<ol style="list-style-type: none"> 1. City Council - Lease Revenue Notes for Fire Dept. Facilities 2. Joint Powers Financing Authority Meeting
June 3 (4:30pm)	Presentation on City's Unfunded Liabilities (tentative)
June 26 (Thu-6pm)	Zoning Ordinance and General Plan Amendments Relating to Middle Housing
July 8 (4pm)	Comprehensive Summary of Homeless Response

Unscheduled Presentations and Special Meetings
<ol style="list-style-type: none"> 1. Council Referral: Social Housing (June or July) 2. Evacuation Study and Response Times

Future Information Reports
<ol style="list-style-type: none"> 1. Reimagining Public Safety Update 2. Affordable Housing Fee Feasibility Study 3. Berkeley Fire Department Annual Report

	City Council Referrals to the Agenda & Rules Committee and Unfinished Business for Scheduling
	None

CITY CLERK DEPARTMENT			
WORKING CALENDAR FOR SCHEDULING LAND USE MATTERS BEFORE THE CITY COUNCIL			
Address	Board/ Commission	Appeal Period Ends	Public Hearing
NOD – Notices of Decision			
Public Hearings Scheduled			
2500-12 San Pablo Avenue/1094-98 Dwight Way (Landmark designation for Union Investment Company Building No. 1)	LPC		5/20/2025
1950-1998 Shattuck Avenue (University Corners)	ZAB		6/3/2024
2138 Kittredge Street (Landmark designation for The Fitzpatrick House and Pepper Tree Tea Room)	LPC		6/3/2024
2655 Shattuck Street (mixed-use residential building)	ZAB		7/22/2025
2425 Durant Avenue - Laura Tull Property (landmark designation)	LPC		7/29/2025
Remanded to ZAB or LPC			
Notes			

5/15/2025

