

Peace and
Justice
Commission

PEACE & JUSTICE COMMISSION MEETING
Tuesday, October 21, 2025 – 7:00 p.m.
South Berkeley Senior Center
2939 Ellis St. Berkeley, CA 94703

AGENDA

Mayor Adena Ishii:
Andrea Cassidy

Rashi Kersarwani:
Selim Yasavul

Terry Taplin:
Adam Weisberg

Ben Bartlett:
Carole Marasovic

Igor Tregub:
Deborah Fink

Shoshana O’Keefe:
Nimrod Pitsker Elias

Brent Blackaby:
Robin Mencher

Cecilia Lunaparra:
Luke Taylor

Mark Humbert:
Ilene Lee

BUSD:

Appel- Grace Morizawa

Shanoski- Jeannette McNeil

Chang- Sandy Park- **Vice Chair**

Vasudeo- Majdi Gaith

Babitt- Rev. Dwayne L. Phillips- **Chair**

Clark- Sonali Mascarenhas-Swan

SECTION A. PRELIMINARY MATTERS

1. Call to Order and Roll Call
2. Land Acknowledgement
3. Announcements
 - Update on the Immigration Taskforce
4. Review and approval of Agenda. Discussion and possible action.
5. Comments from the Public on non-agenda items. Public Comment is subject to time limits applicable to all speakers as necessary.
6. Review and approval of meeting minutes from previous meeting. Discussion and possible action.
7. Commission Updates & Chairperson’s Report
The Chair reports on PJC activities and informal ad hoc subcommittees.

8. Secretary's Report

SECTION B. DISCUSSION/ACTION ITEMS

1. Possible recommendation to Council on the City of Berkeley as a LGBTQ+ sanctuary city including prioritizing gender-neutral bathrooms, amending needed Berkeley Municipal Code (BMC) language amendments and possible other accommodations. Discussion only. Public Comment.
 - a. Challenges to trans persons in employment and housing. Discussion and possible action.
2. Possible recommendation regarding continued provided medical care, through local providers, to immigrants without inquiring as to Medicaid (Medi-Cal) status. Discussion and possible action.
3. Possible change of date of Peace and Justice Commission meeting from: November 10, 2025 to another Monday date chosen by Commission with options for Monday, November 3, 2025; Monday, November 17, 2025; Monday, November 24, 2025; Monday, December 1, 2025; or Monday, December 8, 2025. Discussion and possible action.

SECTION D. COMMUNICATIONS

From: [REDACTED]
Sent: Friday, October 10, 2025 2:39 PM
To: Brown, Rex <ReBrown@berkeleyca.gov>
Cc: [REDACTED]
Subject: Fwd: Votes needed to take action in case of a LOA

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Rex,

I'm following up on your ruling in the last Peace and Justice Commission meeting that there is a firm requirement of a majority of appointed commission members to pass a motion regardless of leaves of absence—that would currently be eight votes.

I recall that a previous secretary had a practice of telling us at the beginning of each meeting how many members were on approved leaves of absence, what was the effective quorum, and the "number of affirmative votes needed to pass an item." The last two numbers were always equal.

I followed up with City Clerk Mark Numainville to confirm the rule. I referred him to the passage on pages 54-55 of the commissioners' manual, which gives the following example of a commission with nine members:

Scenario 2

A commission with nine seats. Three commissioners do not attend and do not have leaves of absence. One seat is vacant. The number of Actual Appointees is eight. The quorum is five. The number of votes needed for action is five.

In Scenario 2, there are five commissioners in attendance, and the votes needed for action is five. All votes must be unanimous in order City of Berkeley to complete commission business. This highlights the importance of requesting a LOA in advance of a meeting. Had the three absent commissioners obtained a LOA, the number of Actual Appointees would have dropped, thus lowering the quorum and the votes needed to take action.
(Emphasis added)

Please see Mark's response below where he states that the votes needed to take action decreases along with the quorum when there are leaves of absence granted.

I hope you can clarify with the commission officers the official rule about requirements to pass an item when commissioners have approved LOAs.

Thanks,
[REDACTED]

Begin forwarded message:

From: "Numainville, Mark L." <MNumainville@berkeleyca.gov>
Subject: RE: Votes needed to take action in case of a LOA
Date: October 9, 2025 at 4:45:03 PM PDT
To: [REDACTED]

As the chart in the Manual indicates, quorum = votes need to take action.

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

From: [REDACTED]
Sent: Thursday, October 9, 2025 4:39 PM
To: Numainville, Mark L. <MNumainville@berkeleyca.gov>
Subject: Re: Votes needed to take action in case of a LOA

Thanks Mark. That much is not in dispute.

The issue is whether the number of votes needed to pass is also seven.

We were told that the LOAs, while they reduced the quorum, did not reduce the number to pass. So, no matter how many members had an approved LOA, the number to pass an item remained eight.

Please clarify this point, thanks.
[REDACTED]

On Oct 9, 2025, at 3:43 PM, Numainville, Mark L. <MNumainville@berkeleyca.gov> wrote:

On a 15-member commission, with all 15 seats filled, and two members absent with an approved LOA, the quorum is seven.

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

SECTION E. BACKGROUND INFORMATION

SECTION F. ADJOURNMENT



Meeting Access: To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist, at 981-6418 (V) or 981-6347 (TDD), at least three (3) business days before the meeting date.

Communications Disclaimer

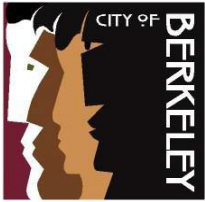
*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in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

SB 343 Disclaimer

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Old City Hall located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704.

Commission Contact Information

*Rex Brown, Secretary
Peace and Justice Commission
City of Berkeley
2180 Milvia Street, 5th Floor
Berkeley, CA 94704*



Peace and Justice
Commission

PEACE & JUSTICE COMMISSION MEETING
Monday, September 15, 2025 – 7:00 p.m.
North Berkeley Senior Center
1901 Hearst Ave. Berkeley CA, 94703

Commissioners

Mayor Adena Ishii:
Andrea Cassidy

Rashi Kersarwani:
Selim Yasavul

Terry Taplin:
Adam Weisberg

Ben Bartlett:
Carole Marasovic

Igor Tregub:
Deborah Fink

Shoshana O’Keefe:
Nimrod Pitsker Elias

Brent Blackaby:
Robin Mencher

Cecilia Lunaparra:
Luke Taylor

Mark Humbert:
Ilene Lee

BUSD:

Appel- George Lippman

Shanoski- Jeannette McNeil

Chang- Sandy Park- **Vice Chair**

Vasudeo- Majdi Gaith

Babitt- Rev. Dwayne L. Phillips- **Chair**

Clark- Sonali Mascarenhas-Swan

Minutes

SECTION A. PRELIMINARY MATTERS

1. Call to Order and Roll Call at 7:00 p.m.

Present:

- Commissioner Ptr. Dwayne Phillips (Chair)
- Commissioner Adam Weisberg
- Commissioner Carole Marasovic
- Commissioner Nimrod Pitskar Elias
- Commissioner Selim Yasavul
- Commissioner Jeannette McNeil
- Commissioner Majdi Gaith
- Commissioner Sonali Mascarenhas-Swan
- Commissioner Sandy Park (Vice Chair)
- Commissioner Robin Mencher
- Commissioner Luke Taylor
- Temporay Appointment: George Lippman

Absent/Excused: Commissioner Andrea Cassidy

Commissioner Deborah Fink
Commissioner Ilene Lee
Commissioner Grace Morizawa

CMO Staff: Rex Brown

2. Land Acknowledgement

3. Announcements.

4. Review and approval of Agenda. Discussion and possible action.

M/S/C Marasovic/Gaith to withdraw items 1) "Presentation from Brian Hofer, Director of Secure Justice, on data privacy and AI, including relationship to immigration, in our current political climate. Discussion and possible action. Public Comment." and 5) "Possible recommendation regarding continued provided medical care, through local providers, to immigrants without inquiring as to Medicaid (Medi-Cal) status. Discussion and possible action." and approve the agenda. The agenda was approved by unanimous consent.

Ayes:

Noes:

Abstain:

Absent:

Excused: Cassidy, Fink, Lee, Morizawa

5. Comments from the Public (*subject to time limits applicable to all speakers as necessary*)

Chair explains Non-agenda public comment prior to Review and approval of the minutes, a period of public comment following each agenda item for discussion and action in Section B of the Agenda, one minute per speaker allowed.

6. Review and approval of meeting minutes from previous meeting.

M/S/C Park/Marasovic to approve the minutes with the amendment to agenda item #1 of Section B regarding ad hoc committees to add Commissioner Park and as to agenda item #5 to strike no action taken and accurately indicate "Letter to Council recommending that Council incorporate attention to the needs of the LGBTQ+ community in requesting monies from the County under County Measure W. Discussion and possible action. Public Comment. M/S/C Marasovic/Lee motion to approve letter as written. The motion was approved by unanimous consent."

Ayes: Yasavul, Weisberg, Marasovic, Pitskar Elias, Mencher, Lippman, McNeil, Gaith, Phillips, Mascarenhas-Swan

Noes:

Abstain: Taylor

Absent:

Excused: Cassidy, Fink, Lee, Morizawa

7. Commission Updates & Chairperson's Report

The Chair reports on PJC activities and informal ad hoc subcommittees.

8. Secretary's Report (including status of passed items from previous meetings)

Secretary updates on matters referred to City Clerk, continued orientation on Robert's Rules of Order, new equipment, and other items.

SECTION B. DISCUSSION/ACTION ITEMS

1. Medicaid data sharing with the federal government: presentation by Anna Rich, Deputy Attorney General in the California Department of Justice's Healthcare Rights and Access Section, where she represents the State of California in litigation to preserve Californians' access to equitable and affordable healthcare, including in response to threats from the federal administration. Discussion only. Public Comment.

No action taken.

2. Establishing a Sister City Partnership - Berkeley & Gaza City. Discussion and possible action. Public Comment.

M/S/C Gaith/Marasovic procedural motion to call the question and end debate and vote on "Establishing a Sister City Partnership - Berkeley & Gaza City" approved by unanimous consent. The motion was approved by unanimous consent.

M/S/F Gaith/Marasovic motion to approve recommendation "Establishing a Sister City Partnership - Berkeley & Gaza City" not approved.

Ayes: Taylor, Lippman, McNeil, Park, Gaith, Mascarenhas-Swan

Noes: Yasavul, Weisberg, Marasovic, Pitskar Elias, Mencher

Abstain: Ptr. Phillips

Absent:

Excused: Cassidy, Fink, Lee, Morizawa

M/S/C Fink/Cassidy motion to extend meeting time to 10:15 PM. *[ruled as failed, but moot]

Ayes: Marasovic, Pitskar Elias, Mencher, Taylor, Lippman, McNeil, Gaith,

Noes: Yasavul, Weisberg, Park, Ptr. Phillips, Mascarenhas-Swan

Abstain:

Absent:

Excused: Cassidy, Fink, Lee, Morizawa.

3. Possible recommendation to Council on the City of Berkeley as a LGBTQ+ sanctuary city including prioritizing gender-neutral bathrooms, amending needed Berkeley Municipal Code (BMC) language amendments and possible other accommodations. Discussion only. Public Comment.

M/S/C Taylor/Marasovic motion to move the agenda item to the next meeting was approved by unanimous consent.

Ayes:

Noes:

Abstain:

Absent:

Excused: Cassidy, Fink, Lee, Morizawa

SECTION D. COMMUNICATIONS

No communications received.

SECTION E. BACKGROUND INFORMATION

SECTION F. ADJOURNMENT

Motion to adjourn at 10:00 PM.

M/S/C Nimrod/Weisberg. The meeting was adjourned by unanimous consent.

Respectfully Submitted,

Rex Brown, Secretary
Peace and Justice Commission

LAND ACKNOWLEDGMENT

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 (Chochen-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.

ORDINANCE NO. 7,670–N.S.

AMENDING THE BERKELEY MUNICIPAL CODE TO MODIFY ANY AND ALL
MASCULINE AND/OR FEMININE LANGUAGE TO GENDER NEUTRAL PRONOUNS

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 1.04.020 is amended to read as follows:

Section 1.04.020 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the City of Berkeley:

- A. Gender. The gender neutral pronoun includes the feminine and masculine genders.
- B. Pronoun Singularity. “They/them” shall indicate a singular individual, unless the context indicates the contrary. In most cases, the singular number includes the plural and the plural includes the singular.
- C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.
- D. Use of words and phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language.

Section 2. That Berkeley Municipal Code Section 4.36.110 is amended to read as follows:

Section 4.36.110 Gender.

"Gender." Whenever a personal pronoun is used in the neutral gender, it shall be deemed to include the feminine and masculine also. “They/them” shall indicate a singular individual, unless the context indicates the contrary.

Section 3. That Berkeley Municipal Code is amended to read as follows:

Section 4.38.110 Gender.

"Gender." Whenever a personal pronoun is used in the neutral gender, it shall be deemed to include the feminine and masculine also. “They/them” shall indicate a singular individual, unless the context indicates the contrary.

Section 4. That Berkeley Municipal Code is amended to read as follows:

Section 4.39.110 Gender.

"Gender." Whenever a personal pronoun is used in the neutral gender, it shall be deemed to include the feminine and masculine also. "They/them", shall indicate a singular individual, unless the context indicates the contrary.

Section 5. That Berkeley Municipal Code is amended to read as follows:

Section 11.08.050 Construction of genders.

The neutral gender includes the feminine and masculine. "They/them" shall indicate a singular individual, unless the context indicates the contrary.

Section 6. The pronouns throughout the municipal code are amended to promote gender-neutral pronouns.

Section 7. Subject to final approval by the City, the city's codifier, Code Publishing Company, has authority to degenderize the Berkeley Municipal Code and update pronouns when appropriate and also includes the updating of future ordinances by making changes such as the following:

- A. Gendered subject (he, she, etc.), object (him, her, etc.) and possessive (his, hers, etc.) pronouns shall be replaced by a gender-neutral description of the pronoun referent's title of office, employment or descriptor. For example, where a code section refers to a "Director" all subsequent gendered pronouns shall be replaced by "the Director" in the subjective case, "that Director" in the objective case and "the Director's" in the possessive case.
- B. Table 1 lists commonly encountered titles of office, employment and descriptors. All gendered pronouns within the BMC that refer back to a title of office, employment or descriptor found in Table 1 shall be replaced by the subjective, objective or possessive form of the that title of office, employment or descriptor, as the case may be. Table 1 is non-exhaustive and may be amended from time to time.

Table 1	
Gendered Terms in Existing Code	Common Non-Gendered Titles of Office, Employment and Descriptors
He, She, Him, Her, Himself, Herself	The Agent
He, She, Him, Her, Himself, Herself	The Alternate member
He, She, Him, Her, Himself, Herself	The Applicant
He, She, Him, Her, Himself, Herself	The Architect
He, She, Him, Her, Himself, Herself	The Assessor
He, She, Him, Her, Himself, Herself	The Attorney
He, She, Him, Her, Himself, Herself	The Candidate

He, She, Him, Her, Himself, Herself	The Chief officer
He, She, Him, Her, Himself, Herself	The Clerk
He, She, Him, Her, Himself, Herself	The Complainant
He, She, Him, Her, Himself, Herself	The Consignee
He, She, Him, Her, Himself, Herself	The Councilmember
He, She, Him, Her, Himself, Herself	The Dancer
He, She, Him, Her, Himself, Herself	The Dealer
He, She, Him, Her, Himself, Herself	The Declarant
He, She, Him, Her, Himself, Herself	The Department director
He, She, Him, Her, Himself, Herself	The Deputy
He, She, Him, Her, Himself, Herself	The Designee
He, She, Him, Her, Himself, Herself	The Detainee
He, She, Him, Her, Himself, Herself	The Director
He, She, Him, Her, Himself, Herself	The Driver
He, She, Him, Her, Himself, Herself	The Employee
He, She, Him, Her, Himself, Herself	The Engineer
He, She, Him, Her, Himself, Herself	The Entertainer
He, She, Him, Her, Himself, Herself	The Examiner
He, She, Him, Her, Himself, Herself	The Executive
He, She, Him, Her, Himself, Herself	The Executor
He, She, Him, Her, Himself, Herself	The Felon
He, She, Him, Her, Himself, Herself	The Fire Marshall
He, She, Him, Her, Himself, Herself	The Franchisee
He, She, Him, Her, Himself, Herself	The Franchisor
He, She, Him, Her, Himself, Herself	The Guarantee
He, She, Him, Her, Himself, Herself	The Guarantor
He, She, Him, Her, Himself, Herself	The Individual
He, She, Him, Her, Himself, Herself	The Inspector
He, She, Him, Her, Himself, Herself	The Investigator
He, She, Him, Her, Himself, Herself	The Leaver
He, She, Him, Her, Himself, Herself	The Lessee
He, She, Him, Her, Himself, Herself	The Lessor
He, She, Him, Her, Himself, Herself	The Licensee
He, She, Him, Her, Himself, Herself	The Lobbyist
He, She, Him, Her, Himself, Herself	The Manager
He, She, Him, Her, Himself, Herself	The Member
He, She, Him, Her, Himself, Herself	The Merchant
He, She, Him, Her, Himself, Herself	The Mortgagee
He, She, Him, Her, Himself, Herself	The Mortgagor
He, She, Him, Her, Himself, Herself	The Offender
He, She, Him, Her, Himself, Herself	The Officer

He, She, Him, Her, Himself, Herself	The Official
He, She, Him, Her, Himself, Herself	The Operator
He, She, Him, Her, Himself, Herself	The Owner
He, She, Him, Her, Himself, Herself	The Pawn broker
He, She, Him, Her, Himself, Herself	The Permit holder
He, She, Him, Her, Himself, Herself	The Permittee
He, She, Him, Her, Himself, Herself	The Person
He, She, Him, Her, Himself, Herself	The Physician
He, She, Him, Her, Himself, Herself	The Principal
He, She, Him, Her, Himself, Herself	The Prisoner
He, She, Him, Her, Himself, Herself	The Probationer
He, She, Him, Her, Himself, Herself	The Promoter
He, She, Him, Her, Himself, Herself	The Public records officer
He, She, Him, Her, Himself, Herself	The Purchaser
He, She, Him, Her, Himself, Herself	The Respondent
He, She, Him, Her, Himself, Herself	The Secondhand dealer
He, She, Him, Her, Himself, Herself	The Seller
He, She, Him, Her, Himself, Herself	The Servant
He, She, Him, Her, Himself, Herself	The Sheriff
He, She, Him, Her, Himself, Herself	The Solicitor
He, She, Him, Her, Himself, Herself	The Sponsor
He, She, Him, Her, Himself, Herself	The Station manager's
He, She, Him, Her, Himself, Herself	The Suspended person
He, She, Him, Her, Himself, Herself	The Tenant
He, She, Him, Her, Himself, Herself	The Trespasser
He, She, Him, Her, Himself, Herself	The Trustee
He, She, Him, Her, Himself, Herself	The Vendor

- C. Each specifically gendered term identified in column A of Table 2, and which is also found within the Berkeley Municipal Code, shall be replaced by the corresponding non-gendered term identified in column B. Table 2 is non-exhaustive and may be amended from time to time.

Table 2	
Gendered Terms Commonly Found in Existing Code	Non-Gendered Term Replacement
"Bondsman"	"Bonds-person"
"Brother"	"Sibling"
"Chairman"	"Chair," "chairperson"

"Craftsmen"	"Craftspeople," "artisans"
"Fireman," "Firewoman," "Firemen," "Firewomen"	"Firefighter," "firefighters"
"Fraternal"	"Social"
"Heirs"	"Beneficiaries"
"Journeyman"	"Journey"
"Maiden"	"Family"
"Male" and "female"	"People of different genders"
"Manhole"	"Maintenance hole"
"Manmade"	"Human-made" "Artificial" "manufactured" "machine made" "synthetic"
"Manpower"	"Human effort"
"Manpower"	"Workforce"
"Master"	"Captain," "Skipper," "Pilot," "Safety Officer," "Central"
"Men and women"	"People"
"Men or women"	"A single gender"
"Ombudsman"	"Ombuds," "Investigating Official"
"Patrolmen"	"Patrol," "Guards"
"Policeman," "Policewoman," "Policemen," "Policewomen"	"Police Officer," "Police Officers"
"Pregnant" (woman, women)	"Pregnant employees"
"Repairman"	"Repairs," "Repairer"
"Salesman"	"Salesperson," "Salespeople"
"Sister"	"Sibling"
"Sorority," "Fraternity"	"Collegiate Greek system residence"
"Sportsman"	"Hunters"
"The masculine pronoun includes the feminine"	"Words referring to a specific gender may be extended to any other gender"
"Watchmen"	"Guards"

Section 8. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on July 16, 2019, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Davila, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf,
and Arreguin.

Noes: None.

Absent: None.



Peace and Justice
Commission

[CONSENT OR ACTION]
CALENDAR

July 14th, 2025

To: Honorable Mayor and Members of the City Council

From: Peace and Justice

Submitted by: Rev. Dwayne Philips, Chair, Peace and Justice Commission

Subject: On Declaring Berkeley a Sanctuary City for the LGBTQI+ Community

RECOMMENDATION

Recommends to council to refer to the city manager to draft language declaring Berkeley a Sanctuary City for the LGBTQI+ Community; to draft amendments to the Berkeley Municipal Code that remove language that discriminates on the basis of gender identity and substitute new language as needed (proposed language attached); to prioritize the creation of gender-neutral bathrooms, in existing structures, under safety considerations, when identifying infrastructure needs; to mandate all new construction and renovation to city-owned and operated buildings, non-profit organizations, and businesses (including restaurants/food establishments, hotels, and emergency shelters) in Berkeley to include marked gender neutral restrooms; to direct monies from County Measure W to address the housing and homelessness needs of the LGBTQI+ community.

SUMMARY

FISCAL IMPACTS OF RECOMMENDATION

The fiscal impacts are best identified by city staff.

CURRENT SITUATION AND ITS EFFECTS

Since taking office, the Trump administration has targeted the queer community, and trans people in particular, with several Executive Orders that eliminate the ability of queer people to live full and safe lives as equal members of society. Gender markers that align with an individual's identity have been removed from passports; the military has been

directed to fire trans enlistees; funding from schools who include gender diversity anywhere in their curriculum has been threatened, and so on. Further, the Trump administration has indicated its intent to challenge Obergefell vs. Hodges – the landmark case that established marriage equality as the law of the land – reversed. Not in three decades has the queer community faced such open scorn and antagonism at the federal level, and it is incumbent on municipalities to publicly and strongly declare themselves safe havens for all members of the queer community, particularly those made most vulnerable by an increase in anti-trans sentiment at the federal level. The goal, simply, is the complete erasure of queer people from public and private life.

California currently has the greatest number of Transgender Sanctuary Cities – including Sacramento, San Francisco, and West Hollywood – more than any other state in the Union. California has some of the strongest shield laws in the country that protect trans people, parents of trans youth, and healthcare providers from facing legal repercussions for seeking or providing gender-affirming care, even though cis-gender people make up the vast majority of patients who seek such care. However, the Trump administrator has indicated its intent to challenge the constitutional validity of these legal protections.

Berkeley has declared itself a sanctuary city for immigrants, among our currently most vulnerable populations. Thus, it would be aligned with Berkeley's values to also become a sanctuary city for the LGTBQI+ community currently facing persecution.

BACKGROUND

On July 14th, 2025, the Peace and Justice Commission passed a motion as follows:

To adopt the above recommendation as stated above.

M/S:

Yes:

No:

Abstentions:

Leaves of Absence:

Absences:

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

To be determined by staff.

RATIONALE FOR RECOMMENDATION

Studies find that rates of trans youth suicide increase by as much as 72% in the years following anti-trans legislation at the state level, a dramatic increase for a population in which 1 in 3 already experience depression and anxiety, which is 4x the national average.

Declaring Berkeley a Sanctuary City for LGBTQI+ individuals is a critical step in protecting the rights of people who have become even more vulnerable under the current federal administration. Further, by making adjustments to Berkeley Municipal Code that mandate gender-neutral restrooms during building construction and renovation, and by amending gender-discrimination language in other sections of the code, we ensure that the City of Berkeley is truly a safe and inclusive place for all queer people.

ALTERNATIVE ACTIONS CONSIDERED

Acquiescence to fascism was briefly considered but was determined to not be in the best interest of the community.

CITY MANAGER

[The City Manager [TYPE ONE] concurs with / takes no position on the content and recommendations of the Commission's Report. [OR] Refer to the budget process.]

CONTACT PERSON

[Name], [Title], [Department], [Phone Number]

Attachments: [Delete if there are NO Attachments]

1: [Title or Description of Attachment]

2: [Title or Description of Attachment]

Guidance for Referenced Materials and Attachments

Attachment - BMC Adjustments

BMC 13.32.010 – Current

“It shall be either a misdemeanor or an infraction, in the discretion of the prosecutor, for any person to appear nude in any place open to the public or any place visible from a place open to the public. "Nude" within the meaning of this section means the absence of an opaque covering which covers the genitals, pubic hair, buttocks, perineum, anus or anal region of any person or any portion of the breast at or below the areola thereof of any female person.”

Eliminate “...or any portion of the breast at or below the areola thereof of any female person”.