

AGENDA
BERKELEY CITY COUNCIL MEETING
Tuesday, January 16, 2024
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702
TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR
Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

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*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1619411775>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 941 1775**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

To submit a written communication for the City Council’s consideration and inclusion in the public record, email council@berkeleyca.gov.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.

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

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: *Persons will be selected to address matters not on the Council agenda. If five or fewer persons wish to speak, each person selected will be allotted two minutes each. If more than five persons wish to speak, up to ten persons will be selected to address matters not on the Council agenda and each person selected will be allotted one minute each. Persons attending the meeting in-person and 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 commencement of that meeting. 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.

Consent 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. Speakers will be entitled to two minutes each to speak in opposition to or support of Consent Calendar and Information Items. 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. Amendment: FY 2024 Annual Appropriations Ordinance**
From: City Manager
Recommendation: Adopt second reading of Ordinance No. 7,892–N.S. amending the FY 2024 Annual Appropriations Ordinance No. 7,879–N.S. for fiscal year 2024 based upon recommended re-appropriation of committed FY 2023 funding and other adjustments authorized since July 1, 2023, in the amount of \$270,355,759 (gross) and \$258,134,257 (net).
First Reading Vote: All Ayes.
Financial Implications: See report
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000
- 2. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of November 20, 2023 (special closed), December 5, 2023 (regular) and December 12 (special and regular).
Financial Implications: None
Contact: Mark Numainville, City Clerk, (510) 981-6900
- 3. California For All Animals Grant Award**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to receive a \$60,000 California For All Animals grant award from the Koret Shelter Medicine Program at UC Davis and to enter into contract and all necessary amendments with the Regents of the University of California resulting from this funding.
Financial Implications: Grant - \$60,000
Contact: Peter Radu, City Manager's Office, (510) 981-7000

Consent Calendar

- 4. Contract No. R9710 Amendment: City of Piedmont for Animal Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend an existing contract number R9710 and any amendments with the City of Piedmont for Berkeley Animal Care Services (BACS) to provide animal sheltering and certain animal care services to the City of Piedmont. For these services the City of Piedmont will pay the City of Berkeley an amount not to exceed \$196,572 for services performed from FY2024 through FY2026. This adjustment will result in a revised maximum total contract amount of \$708,388.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 5. Extension of Declaration of Homeless Shelter Crisis**
From: City Manager
Recommendation: Adopt a Resolution extending Resolution No. 70,179 – N.S., extending the declaration of a Homeless Shelter Crisis until January 17, 2029.
Financial Implications: See report
Contact: Peter Radu, City Manager's Office, (510) 981-7000
- 6. Acceptance - \$30,000 Grant from the National Endowment for the Arts**
From: City Manager
Recommendation: Adopt a Resolution accepting a \$30,000 grant from the National Endowment for the Arts (NEA). The grant will be used to support a new Civic Arts grant program totaling \$60,000 to begin in Fiscal Year 2025 (FY25). The NEA grant will be used to underwrite a new program designed to support the following types of arts and cultural programming in the City of Berkeley: -Nonprofit (not-art specific) organizations located in the City of Berkeley wishing to produce arts/cultural programming in the City of Berkeley led by a partnering arts organization or teaching artist; or -Arts nonprofit organizations located in the Greater Bay Area (outside of Berkeley) wishing to produce arts/cultural programming taking place in the City of Berkeley.
Financial Implications: See report
Contact: Eleanor Hollander, Economic Development, (510) 981-7530
- 7. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 16, 2024**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: Various Funds - \$3,434,341
Contact: Henry Oyekanmi, Finance, (510) 981-7300

Consent Calendar

- 8. Contract: Healthy Black Families for Housing Preference Policy Outreach and Education**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Healthy Black Families (HBF) to provide outreach and education activities related to the Housing Preference Policy (HPP) from January 17, 2024 to January 17, 2025, in an amount not to exceed \$70,400.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 9. Contract No. 32300203 Amendment: Hansine Fisher & Associates for Targeted Case Management, Medi-Cal Administrative Activities, CalAIM Enhanced Care Management Consulting Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32300203 for \$73,060 and any additional amendments or extensions, with Hansine Fisher & Associates for Targeted Case Management (TCM) consulting services. The contract amendment's not-to-exceed amount will be increased to a total of \$172,600 for the period July 1, 2023 through June 30, 2024.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 10. Contract No. 32300134 Amendment: Bonita House for Specialized Care Unit Provider**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300134 with Bonita House to add \$11,500 of state Crisis Care Mobile Units (CCMU) grant funding for a not-to-exceed amount of \$4,579,500.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400
- 11. Revenue Contract: Funding from Berkeley Unified School District for First Aid Services at the Berkeley High School Health Center**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any resultant revenue agreements and amendments with the Berkeley Unified School District to conduct first aid services at the Berkeley High School Health Center with the projected total amount of \$920,557 for July 1, 2023 to June 30, 2028.
Financial Implications: See report
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

Consent Calendar

- 12. Correcting Effective Date for Salary Range Adjustments of Select Local One Supervisors**
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 70,993-N.S. and correcting the effective date of the increase in the salary range of select Local One supervisors – namely, Senior Building Maintenance Supervisor, Senior Equipment Supervisor, Senior Public Works Supervisor, and Senior Solid Waste Supervisor – from January 1, 2023 to December 1, 2022.
Financial Implications: See report
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800
- 13. Contract No. 32200162-1 Amendment: ThirdWave Corporation for Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32200162 with ThirdWave Corporation for professional services for an amount not to exceed of \$230,000 for a total contract value not to exceed \$275,000 through June 30, 2025.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 14. Contract No. 32100080-1 Amendment: Assetworks LLC Software Modules and Professional Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to amend Contract No. 32100080 with AssetWorks, LLC to provide additional software modules and professional services extending the term of the contract through December 31, 2028, increasing the amount by \$270,000, for a total not-to-exceed amount of \$757,249.
Financial Implications: See report
Contact: Kevin Fong, Information Technology, (510) 981-6500
- 15. Grant Application: Caltrans Sustainable Transportation Grant Program for the Interstate 80 at Aquatic Park Tide Tube Renovation Project**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or a designee to submit a grant application to the Caltrans Sustainable Transportation Planning Grant Program for the Interstate 80 at Aquatic Park Tide Tube Renovation Project; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the projects and appropriation of funding for related expenses, subject to securing the grants.
Financial Implications: Revenue - \$535,000
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

Consent Calendar

- 16. Grant Application: Cal Fire Wildfire Prevention Grants Program to mitigate hazardous tree conditions at Berkeley overnight camps**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to submit a CAL FIRE hazardous tree mitigation grant application in the amount up to \$3 million; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 17. Contracts: As-needed Derelict Vessel and Debris Removal and Disposal Services**
From: City Manager
Recommendation: Adopt three (3) Resolutions authorizing the City Manager to execute the following contracts, and any amendments, extensions, or other change orders for derelict vessel and debris removal and disposal services as-needed, each for a period of January 17, 2024 to January 16, 2026:
1. Lind Marine, for an amount not to exceed \$162,000.
2. Power Engineering Construction, for an amount not to exceed \$162,000.
3. Silverado Contractors, for an amount not to exceed \$162,000.
Financial Implications: See report
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700
- 18. Prevailing Wage Requirements in the Southside Plan Area; Adding Berkeley Municipal Code Chapter 13.108**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Title 13 to add Chapter 13.108 --Prevailing Wage Requirements in the Southside Plan Area to establish prevailing wage requirements for projects exceeding 50 units or 50,000 square feet in the Southside Plan Area.
Financial Implications: See report
Contact: Jordan Klein, Planning and Development, (510) 981-7400
- 19. Contract: Ethico for Whistleblower Hotline and Case Management Services**
From: Auditor
Recommendation: Adopt a Resolution authorizing the City Manager to execute a contract with Ethico for whistleblower hotline and case management software services for a total amount not to exceed \$100,000 for the contract period of February 1, 2024 through January 31, 2027.
Financial Implications: General Fund - \$100,000
Contact: Jenny Wong, Auditor, (510) 981-6750

Council Consent Items

20. RFP for Development of West Berkeley Service Center

From: Mayor Arreguin (Author), Councilmember Kesarwani (Author), Councilmember Sophie Hahn (Co-Sponsor), Councilmember Susan Wengraf (Co-Sponsor)

Recommendation: Refer to the City Manager to issue a Request for Proposal (RFP) for the development of the city-owned West Berkeley Service Center, (1900 Sixth Street), to permit site acquisition and construction of a 100-percent affordable housing project with the following key features: -Space on the ground floor of the building for administrative offices, community space and supportive services as currently provided by the City; -Maximizing the number of units under the existing zoning Mixed Use-Residential (MU-R) in conjunction with state law AB 1763 (2019); - A mix of unit sizes, including studios, one-bedroom, and two-bedroom units; -Require RFP applicants to include a plan for services provision and integration for the population(s) they propose to serve; -A preference for serving seniors and adults with mental health conditions while maintaining flexibility to serve other populations based on availability of funding.

The City Manager should also consider the feasibility of the following elements in the program design: -Universally designed housing for older adults with a portion of the units for assisted living and memory care; -A board and care facility with a minimum of 20 beds including space for staff and services; -Explore available federal, state, regional, local and private funding sources to finance the construction of a housing project, including with the potential target populations.

The issuance of an RFP should be timed to happen soon after funding for the development has been identified.

Financial Implications: See report

Contact: Jesse Arreguin, Mayor, (510) 981-7100

21. Black History Month Event Berkeley Juneteenth Association, Inc. 501(c)3: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

From: Councilmember Bartlett (Author), Councilmember Hahn (Co-Sponsor)

Recommendation: Adopt a Resolution approving the expenditure of funds, including \$1,500 from the discretionary Council office budget of Vice Mayor Ben Bartlett, to the Berkeley Juneteenth Association, Inc. 501(c)3 for the Black History Month Event.

The funds will be relinquished to the City's General Fund from the discretionary council office budget of Councilmember Ben Bartlett and the discretionary council office budgets of any other Councilmembers who wish to contribute.

Financial Implications: See report

Contact: Ben Bartlett, Councilmember, District 3, (510) 981-7130

Council Consent Items

- 22. Supporting the Installation of Permanent Chess/Games Tables on Telegraph Avenue and Proposing Resolution of Concerns at 2454 Telegraph Avenue**
(Reviewed by the Health, Life Enrichment, Equity, & Community Committee)
From: Councilmember Hahn (Author), Councilmember Robinson (Co-Sponsor)
Recommendation:

1. Refer to the FY2025 Budget Process \$50,000 to support the installation of fixed or purchase of portable public chess/game tables on Telegraph Avenue, including at or near the intersection of Telegraph and Haste Streets, and potentially elsewhere in Berkeley to support development of a citywide chess & games facility.
2. Refer to the City Manager to explore the potential development of a parklet at or near the Telegraph/Haste intersection, potentially near the South/West corner (beyond the yellow loading area on Haste Street) and other potential locations for a parklet that could accommodate chess/game tables and the volume of community participation this activity generates. Staff should consider who is the appropriate entity to finance such an improvement.
3. Refer to the City Manager the development of a city-wide chess and game facilities program to integrate permanent chess/game nodes into park, curtilage, and/or sidewalk areas throughout Berkeley in a manner that encourages broad participation in and enjoyment of games and supports the building of community around these activities. Consider appropriate locations for nodes, installation of City-owned facilities, rules and regulations for use, and maintenance.
4. Direct the City Manager to explore entering into negotiations with the property owner at 2454 Telegraph Avenue to achieve an agreement that would result in upgrades and improvements to the building exterior/facade, create a landscaped perimeter around the exposed entry area, improve maintenance, and/or similar terms, in exchange for a reduction/waiver of accumulated fees.

Policy Committee Recommendation: To send Item 2 and Item 3 on the Policy Committee's agenda to the City Council as revised with a positive recommendation. Proposed revisions include consideration of: financing of improvements; negotiations with property owner(s); rules relating to the public right-of-way; and support of city-wide program(s).

Financial Implications: See report

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

- 23. Installation of a 3-way Stop at the Intersection of Hopkins and McGee**
From: Councilmember Hahn (Author), Councilmember Humbert (Co-Sponsor), Mayor Arreguin (Co-Sponsor), Councilmember Bartlett (Co-Sponsor)

Recommendation: Direct the City Manager to install two additional stop signs at the intersection of Hopkins and McGee Streets, transforming the 'T' intersection into a 3-way stop, to be installed as soon as possible, and no later than July 31, 2024.

Financial Implications: See report

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

Council Consent Items

- 24. City of Berkeley Support for Proposition 1 on March 5, 2024 Ballot**
From: Councilmember Wengraf (Author), Councilmember Hahn (Co-Sponsor), Councilmember Kesarwani (Co-Sponsor)
Recommendation: Adopt a Resolution in Support of California State Proposition 1 and request that the City Manager issue a press release indicating the City's support.
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160
- 25. Referral: Policies to Accommodate Chess** *(Reviewed by the Health, Life Enrichment, Equity, & Community Committee)*
From: Councilmember Robinson (Author), Councilmember Harrison (Author), Councilmember Hahn (Co-Sponsor)
Recommendation:
Refer to the City Manager to explore legislative and policy alternatives for accommodating chess and games in the public right-of-way. Consideration should be given to ensure that use of tables and chairs does not unduly obstruct public sidewalks or complicate existing enforcement of rules relating to the public right-of-way.
Policy Committee Recommendation: To send Item 2 and Item 3 on the Policy Committee's agenda to the City Council as revised with a positive recommendation. Proposed revisions include consideration of: financing of improvements; negotiations with property owner(s); rules relating to the public right-of-way; and support of city-wide program(s).
Financial Implications: See report
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170

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 one of the Action Calendar public comment periods on the item. Public comment will occur for each Action item (excluding public hearings, appeals, and/or quasi-judicial matters) in one of two comment periods, either 1) before the Action Calendar is discussed; or 2) when the item is taken up by the Council.

A member of the public may only speak at one of the two public comment periods for any single Action 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. Up to ten (10) speakers 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.

Action Calendar – Scheduled Public Comment Period

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

Action Calendar – 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 the appellant and 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.

Up to ten (10) speakers 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.

26. Expansion of the Elmwood Business Improvement District, Levy Assessments in the District for 2025, and Authorize a Contract with the Elmwood Business Association (EBA) to receive assessment revenue

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance expanding the Elmwood Business Improvement District, amending Chapter 7.84 of the Berkeley Municipal Code (BMC) originally adopted by Ordinance No. 6,164-N.S.; and
2. Adopt a Resolution levying assessments in the Elmwood Business Improvement District for calendar year 2025 and giving the City Manager authority to contract with the Elmwood Business Association (EBA) to receive assessment revenue and spend it on improvements and activities authorized in the Ordinance and the Resolution of Intention: Resolution No. 71,099 -N.S.

Financial Implications: See report

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

Action Calendar – New Business

27. Amending the Miscellaneous CalPERS Contract to (a) Eliminate PEPRA Cost Sharing for Unrepresented Employees (b) Add Paramedic and Limited Term EMT to Safety Category

From: City Manager

Recommendation: Adopt the Resolution of Intention and first reading of an Ordinance to amend the contract between the Board of Administration, California Public Employees' Retirement System, and the City Council for the City of Berkeley (a) pursuant to California Government Code Section 20516 to eliminate the cost share contributions made on behalf of the City by PEPRA members of the Unrepresented Employees group, and (b) pursuant to California Government Code Section 20434 to add the Paramedic and Limited Term Emergency Medical Technician (EMT) classifications under the Safety category.

Financial Implications: See report

Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800

28. Consideration of Options for Berkeley High School Staff Parking

From: City Manager

Recommendation: Receive information on several options for providing additional parking for Berkeley High School staff. Provide feedback to staff, which will then be shared with 2x2 Committee with the goal of identifying a mutually agreeable solution for both the school district and the City.

Financial Implications: See report

Contact: Anne Cardwell, City Manager's Office, (510) 981-7000

Council Action Items

- 29. Referral: Neighborhood-Scale Commercial** (*Reviewed by the Land Use, Housing, & Economic Development Committee*)
From: Councilmember Robinson (Author), Councilmember Bartlett (Author), Councilmember Taplin (Author)
Recommendation: Refer to the City Manager and Planning Commission to consider and develop policies to permit neighborhood-scale retail uses in residential zones to increase economic opportunity, vitality, and walkability in Berkeley neighborhoods. Changes may include zoning alterations or modifications to use permit requirements. In order to inform any potential policy changes, staff should conduct analysis and outreach to understand the market demand for neighborhood-scale commercial uses and consider best practices from other municipalities. Staff and the Planning Commission should consider conditions and development of performance standards to avoid detrimental impacts on surrounding residential uses and neighborhoods, including but not limited to limitations on noise, odors, smoke, waste generation, operating hours, signage, loading/unloading activity, setbacks, tenant protections, limitations on selling alcohol for on-site consumption, considerations for ADA compliance, restricting applicants to businesses with fewer than three locations, and establishing different permitting requirements depending on square footage, proposed use, or other factors.
Policy Committee Recommendation: To send the item as revised to the City Council with a positive recommendation.
Financial Implications: See report
Contact: Rigel Robinson, Councilmember, District 7, (510) 981-7170
- 30. Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit** (*Reviewed by the Health, Life Enrichment, Equity, & Community Committee*)
From: Councilmember Harrison (Author)
Recommendation: Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit.
Policy Committee Recommendation: Send the item to Council with a qualified positive recommendation to approve the Ordinance with substantial edits and as may be necessary for legal and administrative purposes.
Financial Implications: See report
Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

Information Reports

- 31. FY 2023 Preliminary Year-End Status**
From: City Manager
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000

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.*

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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 as well as posted on the City's website at <https://berkeleyca.gov/>.

Agendas and agenda reports may be accessed via the Internet at:

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

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

City Clerk Department - 2180 Milvia Street, First Floor

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

Email: clerk@berkeleyca.gov

Libraries: Main – 2090 Kittredge Street,

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

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

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (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.

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***I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on January 4, 2024.***



Mark Numainville, City Clerk

## **Communications**

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

### **Item #5: Extension of Declaration of Homeless Shelter Crisis**

1. Irene Rice
2. Vianney Gonzalez, on behalf of Extra Space Storage
3. Elsa and Matt Esch
4. Stephanie Lowe

### **Item #30: Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit**

5. Tweed Conrad
6. C. Scott Chaney, Executive Director, California Horse Racing Board

### **BART Development**

7. Melanie Lawrence and John Smail
8. Friends of Adeline
9. Chris Gilbert

### **Crime**

10. Richard Robbins, on behalf of Wareham Development
11. Seamus Kelly
12. Ray Sharma, on behalf of Gora, Inc. (2)
13. Ilana Pearlman
14. David Lerman
15. John Parman

### **Safe Streets**

16. Danielle Hacker
17. Ben Gould
18. John Parman

## **Communications**

- 19. Alfred Twu
- 20. Sean

### **Street Paving**

- 21. Susan Orbuch
- 22. Pamela Rudd
- 23. Alicia Telford
- 24. Clare and Dianna Mullins
- 25. Barbara Gilbert
- 26. Bryce Nesbitt
- 27. Ray Freeman
- 28. Kenny Yip
- 29. Laura Louis
- 30. Elizabeth Kloian
- 31. Lisa Chow
- 32. Diane Garcia
- 33. Kay Englund
- 34. Karen Nady
- 35. John Malork
- 36. Mario Aranha
- 37. Peggy Radel

### **Bus Service**

- 38. Minar Aware
- 39. Luoping Zhang
- 40. Erin Baudo Felter
- 41. Grank Fletcher

### **Winter Shelter**

- 42. Christoverre Kohler
- 43. Elana Auerbach
- 44. Moni Law
- 45. Diana Bohn

### **Mental Health**

- 46. Moni Law
- 47. Eddie Bui

### **Minimum Wage**

- 48. Henry Beadles

### **Farmers Market Porta Potties**

- 49. Donna Mickleson

### **\$14M Budget Update**

- 50. Eric Friedman



## **Communications**

### **Uber/Lyft**

- 51. Wendy Alfsen
- 52. David Lermam

### **Brown Act**

- 53. Berkeley People's Alliance
- 54. Anna Armstrong

### **Ohlone Greenway**

- 55. Cindi Goldbert

### **Save Theaters**

- 56. Salli Lundgren

### **Cup of Water Price**

- 57. Jennifer Fisher

### **Tenants Opportunity to Purchase Act**

- 58. Sierra Club, Northern Alameda County Group

### **Restaurant Inspections**

- 59. Eric Friedman

### **Emissions Footprint**

- 60. Corinne Scown

### **930 Harrison Street**

- 61. Yessica Prado

### **#Giving Tuesday**

- 62. Eric Friedman

### **People's Park**

- 63. Carol Hirth
- 64. Diana Bohn

### **Library**

- 65. Eric Friedman

### **Duplex Owners**

- 66. Rick Maisel

### **URL's Only**

- 67. John Parman
- 68. Vivian Warkentin (4)

## Communications

### Israel/Gaza

69. Sadaf Qazi
70. Ilana Pearlman
71. Hillary Kilimnik
72. Jennifer Carmona
73. Richard Tamm
74. Vladlena Gulchin
75. Rachel Factor
76. Sofia Pavlova
77. Linda Wulf
78. David Kilimnik
79. Blair Fingerhut
80. Lori Pottinger
81. Dorothea Dorenz
82. Joshua Schnoll
83. Laura Schmidt
84. Matt Lasner
85. Jaleh Niazi
86. Nancy Bickel
87. Sandy Schwarcz
88. czwolf@
89. John Blaustein
90. Craig Peterson
91. Michelle Chen
92. Anne Pescatello and Bonnie Wade
93. Jim Hynes
94. Tony Warwick
95. Mati Teiblum
96. Bohun Kinloch
97. Barbara Vaughan
98. Michael Salveson
99. Andrea and Stan Washburn
100. David Biale
101. Fran Segal
102. Susan Brand
103. Dave Kent
104. Judith and Stanley Lubman
105. Christina Crowley
106. Brett Mendel
107. Lori Berenson
108. Moni Law
109. Maya B.
110. Fateme Montazeri
111. Beatriz Manz
112. Luqman Saib

## Communications

113. Caroline Lucas
114. Rohan Sabnis
115. Daniel Frydman
116. Mitch Cohen
117. Keith Watts
118. Robin Blum
119. Pamela Drake
120. Abigail Tolby
121. Jack Kurzweil
122. Veena Nambiar
123. James Nelson
124. Enikia Ford Morthel
125. David Kilimnik
126. Christine Lee
127. Christina Harb
128. Ellen Feigenbaum
129. Peter Schwab
130. Lori Berenson
131. Karin Vosgueritchian
132. Isa Hoffman
133. Amy Cummings
134. Emma Koeze
135. Lisa Jervis
136. Terry Mandel
137. Richard Fish
138. Sylvia Santillanez
139. Bob Flasher
140. Elana Auerbach
141. Chrissy Hoffman
142. Tasneem Nomnabhai
143. Debra Barach
144. Karen Carroll
145. Kiernan Rok
146. Barbara Erickson
147. Carl Nelson
148. Dorothea Dorenz
149. Lea Zalinskis
150. Daniel Goldstein
151. Clyde Leland
152. Jim Gilbert
153. Lillie Brum
154. Deb Fink
155. Luqman Saib
156. Jean Weininger
157. Ronnie Cohen
158. Martin and Jill Dodd

## Communications

159. Jerry Berkman
160. Emily Brod
161. Jenny Wenk
162. Katya Gerwein
163. Karen Olson
164. Susan Matisoff
165. Candace Hyde-Wang
166. Judi Doyle
167. Raphael Goldman
168. Susan Orbuch
169. Jenna Lewis
170. Todd Andrew
171. Robert Zucker
172. Bronya Feldmann
173. Barbara Schick
174. Dorothea Dorenz
175. Karen Weinstein
176. Deborah Leeds
177. Susan Oliver
178. Daren Fields
179. Carmen de Monteflores
180. Janis Pearson
181. Mary Stapleton
182. rdurling@
183. Lean and John Rosenthal
184. Michael Lonergan
185. Verna Winters
186. Huzaifa Ahmad
187. Hope Alper
188. Ellen Feigenbaum
189. Monika Mann
190. Sarah Goldstein
191. Anirvan Chatterjee
192. John Hitchen
193. Ilene Lee
194. Shelley Horwitz
195. Malka Weitman
196. Eric Strauss
197. Robin Blum
198. Debbi
199. Jerry Skrainar
200. Mary Louise Zernicke
201. Martha Staskawi
202. Michael Cassidy
203. Lubat Asadova
204. Auzeef Ramzan Ali

## Communications

205. Rachel Stevensen
206. Lionel Chocron
207. Esther Brass-Chorin
208. Barbara Mathew Smith
209. Vincent Casalaina
210. Judy Logan
211. Revi Sagee
212. Rabbi Adam Naftalin-Kelman
213. Rebecca Landes
214. Joan Bradus
215. Matthew Lasner
216. Stuart Cohen
217. Sofia Pavlova
218. Tom and Jane Kelly
219. Noah Alper
220. Andrea Medrano
221. Nancy Sader
222. Ruth Ehrenkrantz
223. Joan Hart
224. Carol Hirth
225. Harry Delmer
226. Linda Streaan
227. Councilmember Harrison
228. Barbara Gilbert
229. Peggy Harris
230. Christina Harb
231. Laura Atkins
232. Robert Bonem
233. M. Audrey Gardner
234. Stefano DellaVigna
235. Mary Wrenn
236. Catalina Ruiz-Healy
237. Itamar Landau
238. Lowell Finley
239. Michael Gardner
240. Rochelle Blumenfeld
241. Stephen Morris
242. Fran Haselsteiner
243. Vicki Sommer
244. Richard Swartz
245. Dianna Dar
246. Helen Marcus
247. Robin Kojima
248. Richard Keene
249. Steve Scholl
250. Jessica Behrman

## Communications

251. Mia Reid
252. Andrea Prichett
253. Barbara Vaughan
254. Gloria Schild
255. Nancy Rader
256. Scott West
257. Robsun Coaching
258. Jane Schoenfeld
259. Alan Pearson
260. Dan and Lynne Fingerman
261. Holly Smith
262. Barbara Lewis
263. Tali Ziv
264. Jim Blume
265. Alan Schoenfeld
266. Colleen Busch
267. Patricia Kipnis
268. Bill Powning
269. Rabbi Yonatan Cohen
270. Eric Friedman
271. Rebecca Brams
272. Ruth Muscehl
273. Andrea Cassidy
274. Elizabeth Horowitz
275. Jessica Abbe
276. Stuart Kelman
277. Ivan Diamond
278. Teresa Wong
279. Janice Pardoe
280. Alison Lingo
281. Issy Kipnis
282. Geri Degen
283. Steve Meyers
284. Paul Jacobs
285. John Light
286. Marsha Gale
287. Sarah Baughn
288. Elisabeth Goldstein
289. Richard Marcus
290. Liz Hoadley
291. Katherine Mapes-Resnik
292. Joan Sarnat
293. William Guynn
294. Isabelle Gaston
295. Rick Maisel
296. Gail Nanao

## Communications

297. Wendy Bloom
298. Gytta Papier
299. Michael Scandling
300. Shelley Golomb
301. Jennifer Mary Pearson
302. Esta Brand
303. Michael Juster
304. Simone Hoelck
305. Susan Schickman
306. Susan Frankel and Moshe Maler
307. Barbara Gross Davis
308. Catherine de la Pena
309. Susan Goldstein
310. Elaine Jackson
311. Neil Lupa
312. Ellen Weinreb
313. Ruth Berins Collier
314. Bill Miner
315. Lili Naveh
316. Abigail Tolby
317. Namita Chandra
318. Roni Con
319. Francesca Mejia
320. Rachel Eryn Kalish
321. Luqman Saib
322. Eric Friedman
323. Medodee
324. Miranda Lucia
325. Vish Soroushian
326. Allen Mayer
327. Laurie Dubin
328. Moni Law
329. Myriam Misrach
330. Hillary Kilimnik
331. Pascal Bensoussan
332. Lea Zalinskis
333. Luqman Saib
334. Andrea Waid
335. John Anderson
336. Andrew Fox
337. Susan Whitman
338. Kenneth Solnit
339. Dora Weinstein
340. Hillary Kilimnik
341. Doug Herst
342. Anna Henry

## Communications

343. David Davis
344. Diana Bohn
345. Judd
346. Abigail Tolby
347. Mikelle Emanuel-Shoham
348. Roxana Dhada
349. Karin Vosgueritchian
350. Dortehea Dorenz (2)
351. Amodini Choudhary
352. Desmid Lyon
353. Olivia Lapinsky
354. Eyyad Haddad
355. Janice Schroeder
356. Muniba Ahmed
357. Felisa Simon
358. Amber Yada
359. Yossi Fendel
360. Arushi Kalam
361. Eyman Elzarka
362. Leslie Valas
363. Samira
364. Zachary Weed
365. Phoebe Thomas Sorgen
366. Yoel Kahn
367. Anthony Stone
368. Dhoha Bareche
369. Bruce Feingold
370. Michelle Brenner
371. Thomas Luce
372. Sophia Elkin
373. Denah Bookstein
374. Somaya Abdelgany
375. Georgia Maslowski
376. Madeeha Khan
377. Anne Ellis
378. Rachel Gita Schiff
379. Jan Leuin
380. Rabbi Chai Levy
381. Milo Anjelo
382. Yael Chaver
383. Amy Gordon Risz
384. Baruch Kadish
385. Alison Griffith
386. Arbel Shemesh
387. Igor Tregub
388. Jane Diamond



## Communications

389. Michelle Brenner
390. Barbara Schick
391. Ann Garrison
392. Hind Eliyan
393. Iris Greenberg-Smith
394. Aharon Hochbaum
395. Kay Englund
396. Karen Weil
397. Elsa Tranter
398. Dorit Hochbaum
399. Joan Wagger
400. Bobbie Steinhart
401. Josh Greenbaum
402. Ory Sandel
403. Judith Breakstone
404. Oleg Ivanov
405. Susanne DeWitt
406. Ayana Davis
407. Madeline Feingold
408. Skye Lovett
409. Jo Ilfeld
410. Lois Wolf
411. Sally Nelson
412. Dor Abrahamson
413. Nimrod Pitsker Ellas
414. Terry Friedkin
415. Kaeilyn Moss
416. Judy Chess
417. Mark Morris
418. Nancy Klein
419. John Citron
420. Benjamin Fleischman
421. David Kafton
422. Steven Segal
423. Jerry Berkman
424. Ditsa Pines
425. Charles and Deborah Koppelman
426. Saturn McCoy
427. Felisa Simon
428. Gabriela Kipnis
429. Howard Miller
430. Eli Dsko
431. Susanne DeWitt
432. Robert Bonem
433. William Rosen
434. Alan Kittner

## Communications

435. Chloe Novak
436. Gabriela Kipnis
437. Stanley Wulf
438. Gabriella Kellerman
439. Jeff Stein
440. Birger Stamperdahl
441. Noga Alon
442. David Kafton
443. Judy Massarano
444. William Guynn
445. Susan Heitler
446. Soshana Gross
447. Rhoda Agin
448. Ilona Sturm
449. Leslie Valas
450. Elana Auerbach
451. Liron Ouziel
452. Deborah Sosebee
453. Miriam Ferris
454. Marin McCoy
455. Susanne DeWitt
456. Ly Tran
457. Melodee Au
458. Antoinette Siguenza
459. David Socholitzky
460. Coco Kennedy
461. Alex Gumbs
462. Amy Cummings
463. Jules
464. Cierra Cardenas
465. Sylvia
466. Jennifer Fechner
467. Anna Henry
468. Jude Berman
469. Robert Stamper
470. Sofia Pavlova
471. Hagar Scher
472. Riley Abeles
473. Amy Cummings
474. Miriam Barrere
475. Elissa Kittner
476. Dan Fendel
477. Desmid Lyon
478. Kinneret Katz
479. Eids TV
480. Dorothea Dorenz

## Communications

481. Deborah Shaw
482. Aliza Elias
483. Joanne Donsky
484. Yafit Shriki-Magidash
485. Paul Lee
486. Marc Sapir
487. Liron Ouizel
488. Jay Park
489. Stephanie Green
490. Helane Zeiger
491. Nicole Chabot
492. Judith Tabb
493. Stefano Schiavon
494. John Rosenberg and Diane Gerstler
495. Jil Geller
496. Laurene Wu McClain
497. Tami Rowen
498. Andrea Cohen
499. Michael TenBrink
500. Andy Hanauer
501. Lean and John Rosenthal
502. Patrice Ignelzi
503. Donna DeDiemar
504. Jim Jones
505. Ben Ringler
506. Alan Shindel
507. Karen Weinstein
508. David Ritvo
509. Rachel Bradley
510. Darya Kavitskaya
511. Denise Resnikoff
512. Jennifer Lewis
513. Rebekah Stern
514. Cassidy Kelly
515. Robert Bonem
516. Hagar Scher
517. Itamar Landau
518. Brian Rosenberg
519. Rachel Gita Schiff
520. Dmitriy Ryaboy
521. Ariel Lev
522. Noga Ravid
523. Isaac Turiel
524. Margery Eriksson and James Nelson
525. Judd Goodman
526. Gary Grimm

## Communications

527. Sandy Curtis
528. Colleen Busch
529. Jean Weininger
530. Sherry Smith
531. Lauren Kubiak
532. Gretchen Brandt
533. Mona Bernstein
534. Emily Fox
535. Lisa Miller
536. Phyllis Steiber
537. Norman Postone
538. Iola Vollen
539. Jay Park
540. Fran Haselsteiner
541. Barbara Gilbert
542. Todd Andrew
543. Stephen Woodrow
544. Raphael Goldman
545. Nick and Emily Brod
546. Andrew Bestwick
547. Megan Hall
548. Eric Friedman
549. Ayelet Waldman
550. Peggy Orenstein
551. Michael Bauce
552. Melissa Chapman
553. Marvin Engel
554. Gabrielle Hazan
555. Jaclyn Phi
556. Arthur and Sheila Braufman
557. Luqman Saib
558. Rebecca Perlman
559. Peter Bruce DuMont
560. Chris Koenig
561. Summer Brenner
562. Ly Tran
563. Liberty Schubert
564. Noga Ravid
565. Barryett Enge
566. Leah Amzel
567. Talia Dixon
568. Ilana Pearlman
569. Kim Friedman
570. Mikelle Emanuel Shoham
571. Madeline Pignetti
572. Yoni Brenner

## Communications

573. Chris Koenig (2)
574. Sommer Iqbal
575. Karina Sando
576. Bay Area Educators for Palenstine
577. Sally Nelson
578. Isaac Kaplan
579. Tammy Hardin
580. James Tabor
581. Shanna Baron
582. Tal Garner
583. Jason Spangenthal
584. Marcelo Vaz
585. Michael Solorio
586. Michelle Lessans
587. Maryum Styles
588. Michael Steinberg
589. Moni Law
590. Nora Shourd
591. Esther Brass
592. Hillary Kilmnik
593. Roy Elis
594. Shoshana Beary
595. Mark Brody
596. Jennifer Splansky Jester
597. Rachel Factor
598. Jamie Epstein
599. Sara Shendelman
600. Arbel Shemesh
601. Wynd Kaufmyn
602. Rebecca Soffer and Alberto Malvestio
603. Leah Amzel
604. Lindsay Vurek
605. Brett Mendel
606. Stacey Hara
607. Laila Stone
608. Deb Fink
609. Shani Stolerio
610. David Davis
611. Mimi Schultz
612. Helmi Abdellatif
613. Kiara Bragg
614. Jaiden Feldman
615. Daniel Milutin
616. Paul Lee
617. Khalid Kishawi
618. Cheryl Davila (2)

## Communications

- 619. Nritkaar Dhesi
- 620. Berkeley Federation of Teachers
- 621. Chloe Novak
- 622. Diana Bohn (2)
- 623. Amy Cummings
- 624. Russbumper (2)
- 625. 41 similarly-worded form letters - "Ceasfire Now". (Letters are on file at the City Clerk's Office)
- 626. 194 similarly-worded form letters - "Demand for the People". (Letters are on file at the City Clerk's Office)
- 627. 323 similarly-worded form letters – "Urgent Appeal". (Letters are on file at the City Clerk's Office)
- 628. 545 similarly-worded form letters – "Urgency Item". (Letters are on file at the City Clerk's Office)
- 629. 2091 similarly-worded form letters – "Vote No". (Letters are on file at the City Clerk's Office)

### Supplemental Communications and Reports

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

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

## ORDINANCE NO. 7,892-N.S.

AMENDING THE ANNUAL APPROPRIATIONS ORDINANCE NO. 7,879–N.S. FOR  
FISCAL YEAR 2024

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

Section 1. That the Annual Appropriations Ordinance based on the budget for FY 2024 submitted by the City Manager and passed by the City Council be amended as follows and as summarized in Exhibit A:

|                                                |                    |
|------------------------------------------------|--------------------|
| A. General Fund (Funds 001-099)                | 336,104,637        |
| B. Special Funds (Funds 100-199)               | 174,417,654        |
| C. Grant Funds (Funds 300-399)                 | 102,695,009        |
| D. Capital Projects Funds (Funds 500-550)      | 106,415,056        |
| E. Debt Service Fund (Funds 551-599)           | 13,363,356         |
| F. Enterprise Funds (Funds 600-669)            | 190,692,317        |
| G. Internal Service Funds (Funds 146, 670-699) | 61,386,668         |
| H. Successor Agency (Funds 760-769)            | 57,120             |
| I. Agency Funds (Funds 771-799)                | 5,832,143          |
| J. Other Funds (Funds 800-899)                 | 8,023,092          |
| <u>K. Total</u>                                |                    |
| Total General Fund                             | 336,104,637        |
| Add: Total Other Than General Fund             | 662,882,414        |
| <b>Gross Revenue Appropriated</b>              | <b>998,987,051</b> |
| Less: Dual Appropriations                      | -59,543,749        |
| Less: Revolving/Internal Service Funds         | -61,386,668        |
| <b>Net Revenue Appropriated</b>                | <b>878,056,634</b> |

Section 2. The City Manager is hereby permitted, without further authority from the City Council, to make the following transfers by giving written notice to the Director of Finance:

- a. From the General Fund to the General Fund – Stability Reserve Fund; Catastrophic Reserve Fund; Paramedic Tax Fund; Health State Aid Realignment; Fair Election Fund; Capital Improvement Fund; Phone System Replacement; Equipment Replacement Fund; Public Liability Fund; Catastrophic Loss Fund; Police Employee Retiree Health Assistance Plan; Safety Members Pension Fund; and Sick Leave Entitlement Fund.
- b. To the General Fund from the General Fund – Stability Reserves Fund; Catastrophic Reserves Fund; Community Development Block Grant Fund; Street Lighting Assessment District Fund; Zero Waste Fund; Marina Operations and Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Parking Meter Fund; Unified Program (CUPA); IT Cost Allocation Fund; and Health State Aid Realignment Fund.
- c. To the First Source Fund from the Parks Tax Fund; Capital Improvement Fund; and the Marina Fund.
- d. From Gilman Sports Field Fund to Gilman Field Reserve Fund
- e. From Measure FF Fund to Paramedic Tax Fund.
- f. From the American Rescue Plan Fund to the General Fund; Sports Field Fund; Playground Camp Fund; Marina Fund; Off-Street Parking Fund; and Parking Meter Fund.
- g. From Capital Improvement Fund to PERS Savings Fund; Berkeley Repertory Theater Fund; and 2010 COP (Animal Shelter) Fund.
- h. To the Public Art Fund from the Parks Tax Fund; Capital Improvement Fund; and the Marina Fund.
- i. To CFD#1 District Fire Protection Bond (Measure Q) from Special Tax Bonds CFD#1 ML-ROOS.
- j. To Private Sewer Lateral Fund from Sanitary Sewer Operation Fund.
- k. To Catastrophic Loss Fund from Permit Service Center Fund.
- l. To Catastrophic Loss Fund from Unified Program (CUPA) Fund.
- m. To the Building Purchases and Management Fund from General Fund; Health (General) Fund; Rental Housing Safety Program Fund; Measure B Local Streets & Road Fund; Employee Training Fund; Zero Waste Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Off Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building



Purchases & Management Fund; Building Maintenance Fund; Central Services Fund; and Health State Aide Realignment Trust Fund.

- n. To Equipment Replacement Fund from General Fund; Mental Health Services Act Fund; Health (Short/Doyle) Fund; Vector Control Fund; Paramedic Tax Fund; Playground Camp Fund; State Transportation Tax Fund; Rental Housing Safety Program Fund; Parks Tax Fund; Street Light Assessment District Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Parking Meter Fund; Equipment Maintenance Fund; Building Maintenance Fund; and Central Services Fund.
- o. To the Equipment Maintenance Fund from General Fund; Health (General) Fund; Mental Health Services Act Fund; Health (Short/Doyle) Fund; Vector Control Fund; Paramedic Tax Fund; Library - Discretionary Fund; Playground Camp Fund; State Transportation Tax Fund; Rental Housing Safety Program Fund; Rent Stabilization Board Fund; Parks Tax Fund; Street Light Assessment District Fund; FEMA Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Permit Service Center Fund; Off Street Parking Fund; Parking Meter Fund; Equipment Maintenance Fund; Building Maintenance Fund; and Central Services Fund.
- p. To the Building Maintenance Fund from the General Fund; Health (General) Fund; Health (Short/Doyle) Fund; Measure B Local Street & Road Fund; Parks Tax Fund; Street Light Assessment District Fund; Zero Waste Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Off Street Parking Fund; Parking Meter Fund; Equipment Maintenance Fund; Building Maintenance Fund; and Mental Health State Aid Realignment Fund.
- q. To the Central Services Fund from the General Fund; First Source Fund; Health (Short/Doyle) Fund; Library-Discretionary Fund; Playground Camp Fund; Rent Stabilization Board Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation; Building Purchases & Management Fund; Building Maintenance Fund; Central Services Fund; and Mental Health State Aid Realignment Fund.
- r. To Information Technology Cost Allocation Plan Fund from General Fund; Target Case Management/Linkages Fund; Health (Short/Doyle); Library Fund; Playground Camp Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Rent Stabilization Board Fund; Parks Tax Fund; Street Light Assessment District Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation; Clean Storm Water Fund; Permit Service Center Fund; Off Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Equipment Maintenance Fund; Building Maintenance Fund; Information Technology Cost Allocation Plan Fund; Health

State Aid Realignment Trust Fund; and Mental Health State Aid Realignment Fund.

- s. To the Workers' Compensation Self-Insurance Fund from General Fund; Special Tax for Severely Disabled Measure E Fund; First Source Fund; HUD Fund; ESGP Fund; Health (General) Fund; Target Case Management/Linkages Fund; Mental Health Service Act Fund; Health (Short/Doyle) Fund; EPSDT Expansion Proposal Fund; Senior Nutrition (Title III) Fund; C.F.P. Title X Fund; Fund Raising Activities Fund; Berkeley Unified School District Grant; Vector Control Fund; Paramedic Tax Fund; Alameda County Grants Fund; Senior Supportive Social Services Fund; Family Care Support Program Fund; Domestic Violence Prevention – Vital Statistics Fund; Affordable Housing Mitigation; Inclusionary Housing Program; Library – Discretionary Fund; Playground Camp Fund; Community Action Program Fund; State Proposition 172 Public Safety Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Measure B Local State & Road Fund; Measure B Bike & Pedestrian Fund; Measure B – Paratransit Fund; Measure F Alameda County Vehicle Registration Fee Streets & Roads Fund; Measure BB – Paratransit Fund; Fair Election Fund; Measure U1 Fund; One-Time Grant: No Cap Expense Fund; Rent Stabilization Board Fund; Parks Tax Fund; Measure GG – Fire Prep Tax Fund; Street Lighting Assessment District Fund; Employee Training Fund; Private Percent – Art Fund; Measure T1 – Infrastructure & Facilities Fund; FUND\$ Replacement Fund; Capital Improvement Fund; FEMA Fund; CFD #1 District Fire Protect Bond Fund; Special Tax Bonds CFD#1 ML-ROOS Fund; Shelter+Care HUD Fund; Shelter+Care County Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Private Sewer Lateral Fund; Permit Service Center Fund; Off-Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Equipment Replacement Fund; Equipment Maintenance Fund; Building Maintenance Fund; Central Services Fund; Workers' Compensation Fund; Public Liability Fund; Information Technology Cost Allocation Plan Fund; Health State Aid Realignment Trust Fund; Tobacco Control Trust Fund; Mental Health State Aid Realignment Fund; Alameda Abandoned Vehicle Abatement Authority; and Bio-Terrorism Grant Fund.
- t. To the Sick Leave and Vacation Leave Accrual Fund from General Fund; Special Tax for Severely Disabled Measure E Fund; First Source Fund; HUD Fund; ESGP Fund; Health (General) Fund; Target Case Management/Linkages Fund; Mental Health Service Act Fund; Health (Short/Doyle) Fund; EPSDT Expansion Proposal Fund; Senior Nutrition (Title III) Fund; C.F.P. Title X Fund; Fund Raising Activities Fund; Berkeley Unified School District Grant; Vector Control Fund; Paramedic Tax Fund; Alameda County Grants Fund; Senior Supportive Social Services Fund; Family Care Support Program Fund; Domestic Violence Prevention – Vital Statistics Fund; Affordable Housing Mitigation; Inclusionary Housing Program; Library – Discretionary Fund; Playground Camp Fund; Community Action Program Fund; State Proposition 172 Public Safety Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Measure B Local State & Road

Fund; Measure B Bike & Pedestrian Fund; Measure B – Paratransit Fund; Measure F Alameda County Vehicle Registration Fee Streets & Roads Fund; Measure BB – Paratransit Fund; Fair Election Fund; Measure U1 Fund; One-Time Grant: No Cap Expense Fund; Rent Stabilization Board Fund; Parks Tax Fund; Measure GG – Fire Prep Tax Fund; Street Lighting Assessment District Fund; Employee Training Fund; Private Percent – Art Fund; Measure T1 – Infrastructure & Facilities Fund; FUND\$ Replacement Fund; Capital Improvement Fund; FEMA Fund; CFD #1 District Fire Protect Bond Fund; Special Tax Bonds CFD#1 ML-ROOS Fund; Shelter+Care HUD Fund; Shelter+Care County Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Private Sewer Lateral Fund; Permit Service Center Fund; Off-Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Equipment Replacement Fund; Equipment Maintenance Fund; Building Maintenance Fund; Central Services Fund; Workers' Compensation Fund; Public Liability Fund; Information Technology Cost Allocation Plan Fund; Health State Aid Realignment Trust Fund; Tobacco Control Trust Fund; Mental Health State Aid Realignment Fund; Alameda Abandoned Vehicle Abatement Authority; and Bio-Terrorism Grant Fund.

- u. To the Payroll Deduction Trust Fund from General Fund; Special Tax for Severely Disabled Measure E Fund; First Source Fund; HUD Fund; ESGP Fund; Health (General) Fund; Target Case Management/Linkages Fund; Mental Health Service Act Fund; Health (Short/Doyle) Fund; EPSDT Expansion Proposal Fund; Senior Nutrition (Title III) Fund; C.F.P. Title X Fund; Fund Raising Activities Fund; Berkeley Unified School District Grant; Vector Control Fund; Paramedic Tax Fund; Alameda County Grants Fund; Senior Supportive Social Services Fund; Family Care Support Program Fund; Domestic Violence Prevention – Vital Statistics Fund; Affordable Housing Mitigation; Inclusionary Housing Program; Library – Discretionary Fund; Playground Camp Fund; Community Action Program Fund; State Proposition 172 Public Safety Fund; State Transportation Tax Fund; CDBG Fund; Rental Housing Safety Program; Measure B Local State & Road Fund; Measure B Bike & Pedestrian Fund; Measure B – Paratransit Fund; Measure F Alameda County Vehicle Registration Fee Streets & Roads Fund; Measure BB – Paratransit Fund; Fair Election Fund; Measure U1 Fund; One-Time Grant: No Cap Expense Fund; Rent Stabilization Board Fund; Parks Tax Fund; Measure GG – Fire Prep Tax Fund; Street Lighting Assessment District Fund; Employee Training Fund; Private Percent – Art Fund; Measure T1 – Infrastructure & Facilities Fund; FUND\$ Replacement Fund; Capital Improvement Fund; FEMA Fund; CFD #1 District Fire Protect Bond Fund; Special Tax Bonds CFD#1 ML-ROOS Fund; Shelter+Care HUD Fund; Shelter+Care County Fund; Zero Waste Fund; Marina Operations/Maintenance Fund; Sanitary Sewer Operation Fund; Clean Storm Water Fund; Private Sewer Lateral Fund; Permit Service Center Fund; Off-Street Parking Fund; Parking Meter Fund; Unified Program (CUPA) Fund; Building Purchases & Management Fund; Equipment Replacement Fund; Equipment Maintenance Fund; Building Maintenance Fund; Central Services Fund; Workers' Compensation Fund; Public Liability Fund; Information Technology Cost Allocation

Plan Fund; Health State Aid Realignment Trust Fund; Tobacco Control Trust Fund; Mental Health State Aid Realignment Fund; Alameda Abandoned Vehicle Abatement Authority; and Bio-Terrorism Grant Fund.

Section 3. 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 December 12, 2023, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Harrison, Humbert, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.

**Attachment for Annual Appropriations Ordinance - Fiscal Year 2024**

**REVOLVING FUNDS/INTERNAL SERVICE FUNDS**

Appropriations are identified with revolving and internal service funds. Such funds derive revenue by virtue of payment from other fund sources as benefits are received by such funds, and the total is reflected in the "Less Revolving Funds and Internal Service Funds" in item I. The funds are:

**Revolving/Internal Service Funds**

|                                           |               |
|-------------------------------------------|---------------|
| Employee Training Fund                    | 965,714       |
| Equipment Replacement Fund                | 10,941,342    |
| Equipment Maintenance Fund                | 10,002,972    |
| Building Maintenance Fund                 | 5,147,045     |
| Central Services Fund                     | 418,963       |
| Workers' Compensation Fund                | 6,809,961     |
| Public Liability Fund                     | 4,852,080     |
| Information Technology Fund               | 22,248,591    |
| Subtotal Revolving/Internal Service Funds | \$ 61,386,668 |

**Dual Appropriations**

Transfers to the General Fund

Indirect Cost Reimbursement

|                                       |              |
|---------------------------------------|--------------|
| CDBG Fund                             | 176,194      |
| Street Light Assessment District Fund | 169,639      |
| One-Time Grant: No Cap Exp            | 95,000       |
| Zero Waste Fund                       | 2,827,863    |
| Marina Enterprise Fund                | 423,813      |
| Sanitary Sewer Fund                   | 1,391,256    |
| Clean Storm Water Fund                | 245,033      |
| Permit Service Center Fund            | 2,204,064    |
| Unified Program (CUPA) Fund           | 86,575       |
| Subtotal Transfers to General Fund:   | \$ 7,619,437 |

|                                                                              |                       |
|------------------------------------------------------------------------------|-----------------------|
| Transfer to Safety Members Pension Fund from General Fund                    | 551,804               |
| Transfer to Measure U1 Fund from General Fund                                | 5,900,000             |
| Transfer to PERS Savings Fund from General Fund                              | 2,000,000             |
| Transfer to Health State Aid Realignment from General Fund                   | 1,953,018             |
| Transfer to Fair Election Fund from General Fund                             | 612,210               |
| Transfer to Capital Improvement Fund (CIP) from General Fund                 | 18,370,905            |
| Transfer to Phone System Replacement - VOIP from General Fund                | 449,408               |
| Transfer to Equipment Replacement Fund from General Fund                     | 1,081,699             |
| Transfer to Public Liability Fund from General Fund                          | 3,895,888             |
| Transfer to Catastrophic Loss Fund from General Fund                         | 6,278,457             |
| Transfer to IT Cost Allocation Fund from General Fund                        | 71,335                |
| Transfer to Police Employee Retiree Health Assistance Plan from General Fund | 400,136               |
| Transfer to Sick Leave Entitlement Fund from General Fund                    | 201,501               |
| Transfer to General Fund from Health State Aid Realignment Fund              | 2,643,280             |
| Transfer to Paramedic Tax Fund from Measure FF - Public Safety Fund          | 757,925               |
| Transfer to General Fund from Amercian Rescue Plan Fund                      | 3,255,743             |
| Transfer from CIP Fund to PERS Savings Fund                                  | 151,632               |
| Transfer to Berkeley Repertory Theater Debt Service Fund from CIP Fund       | 499,802               |
| Transfer from CIP Fund to 2010 COP (Animal Shelter) Fund                     | 402,613               |
| Transfer to Private Sewer Lateral Fund from Sewer Fund                       | 90,501                |
| Transfer to Catastrophic Loss Fund from Permit Service Center Fund           | 50,555                |
| Transfer to Catastrophic Loss Fund from Unified Program (CUPA) Fund          | 5,082                 |
| Transfer to General Fund from Parking Meter Fund                             | 1,742,288             |
| Transfer to General Fund from IT Cost Allocation Fund                        | 450,613               |
| Transfer to First Source Fund from Parks Tax Fund                            | 6,675                 |
| Transfer to First Source Fund from Capital Improvement Fund                  | 29,943                |
| Transfer to First Source Fund from Marina Fund                               | 2,625                 |
| Transfer to Public Art Fund from Parks Tax Fund                              | 11,681                |
| Transfer to Public Art Fund from Capital Improvement Fund                    | 52,400                |
| Transfer to Public Art Fund from Marina Fund                                 | 4,594                 |
| Subtotal Transfers to Other Funds:                                           | <u>51,924,313</u>     |
| Sub-Total Dual Appropriations                                                | \$ 59,543,749         |
| <b>Grand Total Dual Appropriations</b>                                       | <b>\$ 120,930,417</b> |

SUMMARY OF APPROPRIATIONS BY FUND

| ERMA<br>Fund # | Fund                                       | 1st AAO            |                         |                        |                      | FY 2024<br>Revised #1 |                 |
|----------------|--------------------------------------------|--------------------|-------------------------|------------------------|----------------------|-----------------------|-----------------|
|                |                                            | FY 2024<br>Adopted | Encumbered<br>Rollovers | Unencum.<br>Carryovers | Other<br>Adjustments |                       | Total<br>Amend. |
| 11             | General Fund Discretionary                 | 276,548,969        | 16,752,951              | 12,523,938             | 20,763,498           | 50,040,387            | 326,589,356     |
| 16             | Measure U1 - Housing                       | 7,027,248          | 1,079,379               | -                      | 1,000,000            | 2,079,379             | 9,106,627       |
| 17             | Climate Equity                             | -                  | 171,988                 | 236,666                | -                    | 408,654               | 408,653.90      |
| 101            | Library - Tax                              | 24,642,865         | 1,307,149               | -                      | -                    | 1,307,149             | 25,950,014      |
| 103            | Library - Grants                           | 67,526             | 4,362                   | -                      | 34,665               | 39,027                | 106,554         |
| 104            | Library - Friends & Gift                   | 150,000            | 3,588                   | -                      | 25,000               | 28,588                | 178,588         |
| 105            | Library - Foundation                       | 200,000            | 9,157                   | -                      | -                    | 9,157                 | 209,157         |
| 106            | Asset Forfeiture                           | 201,000            | -                       | -                      | -                    | -                     | 201,000         |
| 107            | Special Tax Measure E                      | 1,673,845          | -                       | -                      | -                    | -                     | 1,673,845       |
| 108            | First Source Fund                          | 57,676             | -                       | -                      | -                    | -                     | 57,676          |
| 110            | Sec 108 Loan Gty Asst.                     | 587,612            | -                       | -                      | -                    | -                     | 587,612         |
| 111            | Fund Raising Activities                    | 64,048             | 800                     | -                      | 38,500               | 39,300                | 103,348         |
| 113            | Gilman Sports Field                        | 297,279            | 34,722                  | -                      | 12,000               | 46,722                | 344,001         |
| 115            | Animal Shelter                             | 52,480             | 11,459                  | -                      | -                    | 11,459                | 63,939          |
| 116            | Paramedic Tax                              | 4,981,166          | 1,203                   | -                      | -                    | 1,203                 | 4,982,370       |
| 117            | CA Energy Commission                       | -                  | 44,249                  | -                      | -                    | 44,249                | 44,249.13       |
| 119            | Domestic Violence Prev - Vit Stat          | 26,635             | -                       | -                      | -                    | -                     | 26,635          |
| 120            | Affordable Housing Mitigation              | 2,998,899          | 3,185,333               | -                      | 10,341,497           | 13,526,830            | 16,525,729      |
| 121            | Affordable Child Care                      | 13,275             | 16,593                  | -                      | -                    | 16,593                | 29,868          |
| 122            | Inclusionary Housing Program               | 610,282            | 34                      | -                      | -                    | 34                    | 610,316         |
| 123            | Condo Conversion                           | 122,348            | -                       | -                      | -                    | -                     | 122,348         |
| 125            | Playground Camp                            | 3,614,269          | 849,218                 | 918,429                | 258,000              | 2,025,647             | 5,639,916       |
| 126            | State-Prop 172 Pub.Safety                  | 442,387            | 53,494                  | -                      | 1,500,000            | 1,553,494             | 1,995,881       |
| 127            | State Transportation Tax                   | 5,868,962          | 1,612,190               | 2,590,126              | 100,000              | 4,302,316             | 10,171,278      |
| 128            | CDBG                                       | 4,792,214          | 2,232,550               | 1,138,799              | 142,248              | 3,513,598             | 8,305,812       |
| 129            | Rental Housing Safety Program              | 2,356,542          | 8,015                   | 33,000                 | -                    | 41,015                | 2,397,557       |
| 130            | Measure B - Local St & Road                | 21,958             | 227,724                 | 1,038,909              | 1,380,537            | 2,647,170             | 2,669,128       |
| 131            | Measure B - Bike & Pedestrian              | -                  | 6,438                   | 14,473                 | -                    | 20,911                | 20,911          |
| 132            | Measure B - Paratransit                    | 36,797             | 14,371                  | -                      | -                    | 14,371                | 51,168          |
| 133            | Measure F Alameda County VRF St & Rd       | 968,796            | 527,168                 | 893,673                | -                    | 1,420,841             | 2,389,637       |
| 134            | Measure BB - Local St & Road               | 10,085,614         | 4,255,172               | 5,861,638              | -                    | 10,116,810            | 20,202,424      |
| 135            | Meaure BB - Bike & Pedestrian              | 1,484,882          | 431,126                 | 833,289                | -                    | 1,264,415             | 2,749,297       |
| 136            | Measure BB - Paratransit                   | 969,418            | 91,991                  | 57,052                 | -                    | 149,043               | 1,118,461       |
| 137            | One Time Funding                           | -                  | 19,080                  | -                      | 50,000               | 69,080                | 69,080          |
| 138            | Parks Tax                                  | 15,963,245         | 1,689,977               | 905,546                | 1,708,969            | 4,304,492             | 20,267,736      |
| 139            | Streets and Open Space Improvement (SOSIP) | 200,000            | -                       | -                      | -                    | -                     | 200,000         |
| 140            | Measure GG - Fire Prep Tax                 | 5,898,307          | 195,170                 | -                      | 800,000              | 995,170               | 6,893,477       |
| 142            | Streetlight Assessment District            | 3,217,318          | 709,419                 | 552,194                | 200,000              | 1,461,613             | 4,678,931       |
| 143            | Berkeley Bus Ec Dev                        | 156,387            | 22,926                  | -                      | -                    | 22,926                | 179,313         |
| 145            | Bayer                                      | -                  | 943                     | -                      | 163,000              | 163,943               | 163,943         |
| 146            | Employee Training                          | 851,401            | 94,313                  | 20,000                 | -                    | 114,313               | 965,714         |
| 147            | UC Settlement                              | 4,931,696          | 780,888                 | 2,026,277              | -                    | 2,807,165             | 7,738,861       |
| 148            | Cultural Trust                             | 110,372            | 109,555                 | -                      | 1,585,000            | 1,694,555             | 1,804,927       |
| 149            | Private Party Sidewalks                    | 100,000            | 525,000                 | 175,000                | 700,000              | 1,400,000             | 1,500,000       |
| 150            | Public Art Fund                            | 118,718            | 5,500                   | -                      | -                    | 5,500                 | 124,218         |
| 152            | Vital & Health Statistics Trust Fund       | 30,292             | 25,628                  | -                      | -                    | 25,628                | 55,921          |
| 156            | Hlth State Aid Realign Trust               | 3,947,649          | -                       | -                      | 169,028              | 169,028               | 4,116,677       |
| 157            | Tobacco Cont.Trust                         | 300,243            | 5                       | 31,200                 | 60,659               | 91,864                | 392,108         |
| 158            | Mental Health State Aid Realign            | 4,031,749          | 626,373                 | -                      | 253,424              | 879,797               | 4,911,547       |
| 159            | Citizens Option Public Safety Trust        | 272,292            | -                       | -                      | 150,000              | 150,000               | 422,292         |
| 161            | Alameda Cty Abandoned Vehicle Abatement    | 128,168            | 3,399                   | -                      | -                    | 3,399                 | 131,567         |
| 164            | Measure FF                                 | 8,848,412          | 952,718                 | -                      | 825,000              | 1,777,718             | 10,626,130      |
| 165            | Fair Elections                             | 612,210            | -                       | -                      | -                    | -                     | 612,210         |
| 301            | Operating Grants - Federal                 | 130,186            | -                       | -                      | -                    | -                     | 130,186         |
| 302            | Operating Grants - State                   | 976,688            | 1,180,652               | 109,276                | 1,125,036            | 2,414,964             | 3,391,652       |
| 305            | Capital Grants - Federal                   | -                  | 84,915                  | 7,614,496              | -                    | 7,699,411             | 7,699,411       |
| 306            | Capital Grants - State                     | 750,000            | 61,219                  | 2,013,074              | -                    | 2,074,293             | 2,824,293       |
| 307            | Capital Grants - Local                     | 100,000            | 1,609,588               | 711,842                | 5,143,685            | 7,465,115             | 7,565,115       |
| 309            | OTS DUI Enforcement Education Prg.         | 137,060            | -                       | -                      | 269,000              | 269,000               | 406,060         |
| 310            | HUD/Home                                   | 819,770            | 183,783                 | -                      | 71,575               | 255,358               | 1,075,128       |
| 311            | ESGP                                       | 273,659            | 305,125                 | -                      | 205,537              | 510,662               | 784,321         |
| 312            | Health (General)                           | 2,216,057          | 11,022                  | 861                    | 1,356,824            | 1,368,706             | 3,584,763       |
| 313            | Target Case Management Linkages            | 1,046,552          | 49,501                  | -                      | 298,389              | 347,890               | 1,394,442       |
| 314            | Alameda County Tay Tip                     | 35,812             | -                       | -                      | -                    | -                     | 35,812          |
| 315            | Mental Health Service Act                  | 10,792,336         | 1,847,961               | -                      | 2,883,866            | 4,731,827             | 15,524,162      |
| 316            | Health (Short/Doyle)                       | 6,504,323          | 420,177                 | -                      | 1,520,000            | 1,940,177             | 8,444,500       |
| 317            | EPSDT Expansion Proposal                   | 459,456            | -                       | -                      | -                    | -                     | 459,456         |
| 318            | Alcoholic Bev Ctr OTS/UC                   | 55,639             | -                       | -                      | -                    | -                     | 55,639          |
| 319            | Youth Lunch                                | 69,820             | 158,894                 | -                      | -                    | 158,894               | 228,714         |
| 320            | Sr. Nutrition Title III                    | 178,189            | 98                      | 25,149                 | 35,384               | 60,631                | 238,820         |
| 321            | CFP Title X                                | 160,967            | 790                     | -                      | -                    | 790                   | 161,757         |
| 324            | BUSD Grant                                 | 363,548            | -                       | -                      | -                    | -                     | 363,548         |
| 325            | Vector Control                             | 246,781            | 9,792                   | -                      | 131,468              | 141,260               | 388,041         |

SUMMARY OF APPROPRIATIONS BY FUND

| ERMA<br>Fund # | Fund                                      | 1st AAO            |                         |                        |                      | FY 2024<br>Revised #1 |                 |
|----------------|-------------------------------------------|--------------------|-------------------------|------------------------|----------------------|-----------------------|-----------------|
|                |                                           | FY 2024<br>Adopted | Encumbered<br>Rollovers | Unencum.<br>Carryovers | Other<br>Adjustments |                       | Total<br>Amend. |
| 326            | Alameda County Grants                     | 777,675            | 850                     | -                      | 153,949              | 154,800               | 932,475         |
| 327            | Senior Supportive Social Services         | 124,403            | -                       | 21,992                 | 56,803               | 78,795                | 203,198         |
| 328            | Family Care Support Program               | 88,321             | -                       | 26,048                 | 73,815               | 99,863                | 188,184         |
| 329            | CA Integrated Waste Management            | 5,244              | 779                     | -                      | -                    | 779                   | 6,023           |
| 331            | Housing Mitigation                        | 1,126,763          | 319,879                 | -                      | -                    | 319,879               | 1,446,642       |
| 333            | CALHOME                                   | 363,100            | -                       | -                      | -                    | -                     | 363,100         |
| 334            | Community Action                          | 281,777            | 42,117                  | -                      | -                    | 42,117                | 323,894         |
| 336            | One-Time Grant: No Cap Exp                | 6,999,778          | 6,681,987               | 2,083,092              | 7,435,351            | 16,200,429            | 23,200,207      |
| 339            | MTC                                       | 752,827            | 194,122                 | -                      | -                    | 194,122               | 946,949         |
| 340            | FEMA                                      | 959,325            | 234,975                 | 72,417                 | -                    | 307,392               | 1,266,717       |
| 341            | Alameda Cty Waste Mgt.                    | 345,000            | 32,773                  | -                      | -                    | 32,773                | 377,773         |
| 343            | State Dept Conserv/Recylg                 | 32,000             | -                       | -                      | -                    | -                     | 32,000          |
| 344            | Caltrans Grant                            | -                  | 18,604                  | 38,897                 | -                    | 57,501                | 57,501          |
| 347            | Shelter+Care HUD                          | 6,461,774          | 1,591                   | -                      | 78,518               | 80,109                | 6,541,883       |
| 348            | Shelter+Care County                       | 906,212            | -                       | -                      | -                    | -                     | 906,212         |
| 349            | JAG Grant                                 | 55,650             | -                       | -                      | -                    | -                     | 55,650          |
| 350            | Bioterrorism Grant                        | 315,162            | 42,215                  | 336,386                | 22,273               | 400,874               | 716,036         |
| 354            | ARPA - Local Fiscal Recovery Fund         | 3,647,011          | 4,408,865               | 1,318,868              | 1,000,000            | 6,727,733             | 10,374,744      |
| 501            | Capital Improvement Fund                  | 22,993,379         | 7,933,891               | 17,569,472             | -                    | 25,503,363            | 48,496,742      |
| 502            | Phone System Replacement                  | 449,408            | 24,864                  | 203,450                | -                    | 228,314               | 677,722         |
| 503            | FUND\$ Replacement                        | 3,372,446          | 954,101                 | -                      | -                    | 954,101               | 4,326,547       |
| 504            | PEG-Public, Education & Government        | 100,000            | -                       | -                      | -                    | -                     | 100,000         |
| 506            | Measure M - St and Watershed Improvement  | -                  | -                       | 922,759                | -                    | 922,759               | 922,759         |
| 511            | Measure T1 - Infra & Facil.               | 18,091,805         | 5,776,112               | 14,528,528             | 1,608,280            | 21,912,920            | 40,004,725      |
| 512            | Measure O                                 | 6,445,567          | 5,159,577               | 281,417                | -                    | 5,440,994             | 11,886,561      |
| 552            | 09 Measure FF Debt Service                | 1,337,638          | -                       | -                      | -                    | -                     | 1,337,638       |
| 553            | 2015 GORBS                                | 2,047,259          | -                       | -                      | -                    | -                     | 2,047,259       |
| 554            | 2012 Lease Revenue Bonds BJPFA            | 499,820            | -                       | -                      | -                    | -                     | 499,820         |
| 555            | 2015 GORBS - 2002 G.O. Refunding Bonds    | 378,696            | -                       | -                      | -                    | -                     | 378,696         |
| 556            | 2015 GORBS (2007, Series A)               | 142,540            | -                       | -                      | -                    | -                     | 142,540         |
| 557            | 2015 GORBS (2008 Measure I)               | 480,184            | -                       | -                      | -                    | -                     | 480,184         |
| 558            | 2010 COP (Animal Shelter)                 | 140,085            | -                       | -                      | -                    | -                     | 140,085         |
| 559            | Measure M GO Street & Water Imps          | 1,630,863          | -                       | -                      | -                    | -                     | 1,630,863       |
| 560            | Infrastructure & Facilities Measure T1    | 4,699,006          | -                       | -                      | -                    | -                     | 4,699,006       |
| 561            | Measure O - Housing Bonds                 | 2,007,265          | -                       | -                      | -                    | -                     | 2,007,265       |
| 601            | Zero Waste                                | 59,489,630         | 3,571,436               | 23,500                 | -                    | 3,594,936             | 63,084,566      |
| 606            | Marina - Coastal Conservancy              | -                  | -                       | -                      | 6,009,900            | 6,009,900             | 6,009,900       |
| 607            | Marina - Dept of Boating & Waterway       | -                  | 18,250                  | 250                    | 60,000               | 78,500                | 78,500          |
| 608            | Marina Operation                          | 8,027,559          | 1,824,576               | 882,412                | 145,735              | 2,852,723             | 10,880,282      |
| 611            | Sewer                                     | 32,561,256         | 15,875,929              | 1,658,403              | -                    | 17,534,332            | 50,095,588      |
| 612            | Private Sewer Lateral FD                  | 80,417             | -                       | -                      | -                    | -                     | 80,417          |
| 616            | Clean Storm Water                         | 6,111,869          | 313,276                 | 2,660,620              | -                    | 2,973,896             | 9,085,765       |
| 621            | Permit Service Center                     | 25,508,236         | 1,965,689               | -                      | 132,935              | 2,098,623             | 27,606,859      |
| 622            | Unified Program (CUPA)                    | 849,669            | 1,687                   | 31,073                 | -                    | 32,760                | 882,429         |
| 627            | Off Street Parking                        | 6,940,920          | 974,799                 | -                      | -                    | 974,799               | 7,915,719       |
| 631            | Parking Meter                             | 10,250,256         | 844,703                 | 69,835                 | -                    | 914,538               | 11,164,794      |
| 636            | Building Purchases and Management         | 3,697,419          | 110,080                 | -                      | -                    | 110,080               | 3,807,499       |
| 671            | Equipment Replacement                     | 6,300,512          | 4,640,830               | -                      | -                    | 4,640,830             | 10,941,342      |
| 672            | Equipment Maintenance                     | 9,296,717          | 706,255                 | -                      | -                    | 706,255               | 10,002,972      |
| 673            | Building Maintenance Fund                 | 4,627,672          | 219,373                 | -                      | 300,000              | 519,373               | 5,147,045       |
| 674            | Central Services                          | 392,741            | 26,222                  | -                      | -                    | 26,222                | 418,963         |
| 676            | Workers Compensation                      | 6,467,536          | -                       | 342,425                | -                    | 342,425               | 6,809,961       |
| 678            | Public Liability                          | 3,802,945          | 1,049,135               | -                      | -                    | 1,049,135             | 4,852,080       |
| 680            | Information Technology                    | 17,311,329         | 2,056,462               | 2,880,799              | -                    | 4,937,261             | 22,248,591      |
| 762            | Successor Agency - Savo DSF               | 57,120             | -                       | -                      | -                    | -                     | 57,120          |
| 776            | Thousand Oaks Underground                 | 98,448             | -                       | -                      | -                    | -                     | 98,448          |
| 777            | Measure H - School Tax                    | 500,000            | 2                       | -                      | -                    | 2                     | 500,002         |
| 778            | Measure Q - CFD#1 Dis. Fire Protect Bond  | 988,982            | 11,421                  | -                      | -                    | 11,421                | 1,000,403       |
| 779            | Spl Tax Bds. CFD#1 ML-ROOS                | 775,623            | -                       | -                      | -                    | -                     | 775,623         |
| 781            | Berkeley Tourism BID                      | 697,882            | -                       | -                      | 196,097              | 196,097               | 893,979         |
| 782            | Elmwood Business Improvement District     | 30,000             | 1,483                   | -                      | 28,668               | 30,151                | 60,151          |
| 783            | Solano Ave BID                            | 25,000             | -                       | -                      | 13,852               | 13,852                | 38,852          |
| 784            | Telegraph Avenue Bus. Imp. District       | 583,315            | -                       | -                      | 170,557              | 170,557               | 753,872         |
| 785            | North Shattuck BID                        | 210,363            | -                       | -                      | 97,460               | 97,460                | 307,823         |
| 786            | Downtown Berkeley Prop & Improv. District | 1,383,139          | -                       | -                      | 19,852               | 19,852                | 1,402,991       |
| 801            | Rent Board                                | 7,506,460          | 516,632                 | -                      | -                    | 516,632               | 8,023,092       |
|                | GROSS EXPENDITURE:                        | 728,631,293        | 111,172,378             | 86,277,549             | 72,905,832           | 270,355,759           | 998,987,051     |
|                | Dual Appropriations                       | (58,350,511)       | -                       | -                      | -                    | -                     | (59,543,749)    |
|                | Revolving & Internal Service Funds        | (49,050,853)       | (8,698,277)             | (3,223,224)            | (300,000)            | (12,221,502)          | (61,386,668)    |
|                | NET EXPENDITURE:                          | 621,229,929        | 102,474,100             | 83,054,324             | 72,605,832           | 258,134,257           | 878,056,634     |





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Mark Numainville, City Clerk  
Subject: Minutes for Approval

RECOMMENDATION

Approve the minutes for the Council meetings of November 20, 2023 (special closed), December 5, 2023 (regular) and December 12 (special and regular).

CONTACT PERSON

Mark Numainville, City Clerk, 981-6900

Attachments:

1. November 20, 2023 – Special Closed Council Meeting
2. December 5, 2023 – Regular Council Meeting
3. December 12, 2023 – Special Council Meeting
4. December 12, 2023 – Regular Council Meeting

# BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

**MONDAY, NOVEMBER 20, 2023**

**4:30 P.M.**

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY, CA 94708

TELECONFERENCE LOCATION - 1619 EDITH STREET, BERKELEY, CA 94703

TELECONFERENCE LOCATION - 37238 HUCKABY LANE, MURRIETA, CA 92562

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
DISTRICT 2 – TERRY TAPLIN  
DISTRICT 3 – BEN BARTLETT  
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – RIGEL ROBINSON  
DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.*

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1606038125>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **160 603 8125**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

*To submit a written communication for the City Council’s consideration and inclusion in the public record, email [council@berkeleyca.gov](mailto:council@berkeleyca.gov).*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.*

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

## **Preliminary Matters**

**Roll Call:** 4:38 p.m.

**Present:** Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

**Absent:** Kesarwani, Taplin

**Public Comment - Limited to items on this agenda only** – 1 speaker

## **CLOSED SESSION:**

The City Council will convene in closed session to meet concerning the following:

**1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b):**

- a. Title of position to be evaluated: City Attorney

**Action:** No reportable action taken.

## **OPEN SESSION:**

No reportable action taken.

## **Adjournment**

Adjourned at 5:07 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on November 20, 2023.

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Mark Numainville, City Clerk

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, December 5, 2023**  
**6:00 PM**

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
 DISTRICT 2 – TERRY TAPLIN  
 DISTRICT 3 – BEN BARTLETT  
 DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
 DISTRICT 6 – SUSAN WENGRAF  
 DISTRICT 7 – RIGEL ROBINSON  
 DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.*

*Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at [http://berkeley.granicus.com/MediaPlayer.php?publish\\_id=1244](http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244).*

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1612629119> To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 262 9119**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

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## Preliminary Matters

**Roll Call:** 6:14 p.m.

**Present:** Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

**Absent:** Bartlett

Councilmember Bartlett present at 6:16 p.m.

**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 Chochochenyo (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:

1. Recognition of the 35<sup>th</sup> Anniversary of the Women's Daytime Drop-In Center

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 20 speakers.

**Public Comment by Employee Unions:** 2 speakers.

## Consent Calendar

The Mayor issued a warning that this is a business meeting of the City Council. While the Council accepts public comment at the appropriate time in accordance with its rules of procedure, disruption of the meeting not only violates the City Council Rules of Procedure, the Berkeley Municipal Code, and state codes, but it prevents the Council from conducting the business of this meeting. That may be the intention of those disrupting our meeting, but doing so interferes both with the rights of other residents to participate in government and with the governance of this community. The Mayor finds that chanting and yelling by persons present is disrupting and making it unfeasible for this meeting to proceed.

Accordingly, the Mayor asked attendees who engaged in this disruptive behavior to immediately cease the disruption of this meeting and leave the meeting room. The Mayor advised that if disruptions continue, Council will take action to restore order,

## Consent Calendar

which may include removal of disruptive persons or reconvening this meeting in another location.

Recess 7:09 p.m. – 7:17 p.m.

The Mayor issued a second attempt to restore order. The Mayor warned that the audience – of which roughly numbered 270 people, who are chanting, yelling, standing on tables, stealing flags from other attendees, and encroaching on the dais area are in violation of the Rules of Procedure, the Berkeley Municipal Code, and state codes. The Mayor determined that the Council was not able to conduct the business of this meeting due to these continued disruptions by members of the audience.

Accordingly, the Mayor asked that attendees who are engaged in this disruptive behavior to immediately cease the disruption of this meeting; otherwise they need to leave the meeting room. The Mayor advised that if disruptions continue, Council will take action to restore order, which may include removal of disruptive persons or reconvening this meeting in another location.

Recess 7:20 p.m. – 7:31 p.m.

**Public Comment on Consent Calendar and Information Items Only:** 34 speakers.

**Action:** M/S/C (Arreguin/Humbert) to suspend the rules and adopt temporary rules for the remainder of public comment on the Consent Calendar as follows: 1) there will be a 30-minute period allotted for all remaining comments; 2) speakers may not yield time to other speakers; 3) one-minute limit per speaker.

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Robinson) to adopt the Consent Calendar in one motion except as indicated.

**Vote:** All Ayes.

1. **Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on December 5, 2023**

**From:** City Manager

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

**Financial Implications:** Sewer Fund - \$600,000

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

**Action:** Approved recommendation.

## Consent Calendar

- 2. Contract No. 32000060 Amendment: Toshiba Contract for Multi-function Devices**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend the City's contract with Toshiba (City Contract #32000060) through September 15, 2025, and to approve additional appropriations related for performance of this contract.  
**Financial Implications:** See report  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Adopted Resolution No. 71,121–N.S.
- 3. Contract: Intterra for Operations, Pre-Planning, Reporting, and Analytics**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee(s) to enter into a contract and any amendments with Intterra by piggybacking on City of San Diego Contract Number No. 10089896-22-W. The contract will be effective December 18, 2023, through September 30, 2028, the end date of the contract with San Diego, in an amount not to exceed \$272,029. Following an extension approved by the City of San Diego, the contract may be extended for up to an additional five (5) years at a cost not to exceed an additional \$300,000.  
**Financial Implications:** See report  
Contact: David Sprague, Fire, (510) 981-3473  
**Action:** Adopted Resolution No. 71,122–N.S.
- 4. Memorandum of Understanding: Berkeley Fire Fighters Association**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution  
1) approving a successor Memorandum of Understanding (hereafter referred to as "MOU") with the Berkeley Fire Fighters Association (hereafter referred to as the "Union") for a three-year term from July 1, 2023 through June 30, 2026 and authorizing the City Manager to execute and implement the terms and conditions of employment set forth in the new MOU and to make non-substantive edits to the format and language of the MOU in alignment with the tentative agreement, and conforming to legal requirements; and  
2) approving a new Classification and Salary table for BFFA classifications (Representation Unit B) that implement the salary adjustments reflected in the new MOU and supersede prior salary resolutions.  
The terms of the proposed 2023-2026 MOU are within the parameters of authority approved by Council in closed session.  
**Financial Implications:** See report  
Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 71,123–N.S. including supplemental material contained in Supplemental Communications Packet #2 from the City Manager.

## Consent Calendar

- 5. 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 \$825,811 for a total not-to-exceed amount of \$1,718,633 from July 1, 2020 to June 30, 2025.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,124–N.S.
- 6. Contract No. 32000008 (11012) Amendment: Granicus, Inc. for Video Streaming Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to amend Contract No. 32000008 with Granicus, Inc., to continue providing live video streaming, on-demand archival video, podcasting, and web page subscription services, increasing the contract amount by \$115,300 for a total not-to-exceed amount of \$322,946 from July 1, 2017 to June 30, 2025.  
**Financial Implications:** See report  
Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,125–N.S.
- 7. Grant Contract: Housing and Urban Development (HUD) for the MLK Youth Services Center Seismic Upgrade Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to accept the HUD grant for the MLK Youth Services Center Seismic Upgrade Project in the amount of \$750,000, execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the projects and appropriation of funding for related expenses, subject to securing the grants.  
**Financial Implications:** Revenue - \$750,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,126 –N.S.
- 8. Donation from the Friends of the Berkeley Rose Garden**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution accepting a cash donation from the Friends of the Berkeley Rose Garden in the amount of \$5,000 to purchase roses and maintenance yard fence screening for the Berkeley Rose Garden.  
**Financial Implications:** Revenue - \$5,000  
Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,127–N.S.



## Council Consent Items

9. **Thirteenth Annual Martin Luther King Jr. Celebration: City Sponsorship and Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Fund**  
**From: Mayor Arreguin (Author), Councilmembers Hahn and Wengraf (Co-Sponsors)**  
**Recommendation:**  
 1. Adopt a Resolution co-sponsoring the 13th Annual Martin Luther King Jr. Celebration on January 15, 2024.  
 2. Adopt a Resolution approving the expenditure of an amount not to exceed \$250 per Councilmember including \$250 from Mayor Arreguin, to the Berkeley Rotary Endowment, the fiscal sponsor of the 13th Annual Martin Luther King Jr. celebration, with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Arreguin and any other Councilmembers who would like to contribute.  
**Financial Implications:** See report  
 Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopted Resolution No. 71,128–N.S. (Co-Sponsorship); and Resolution No. 71,129–N.S. (Relinquishment of Funds) revised to include contributions from the following Councilmembers up to the amount listed: Councilmember Harrison - \$250; Councilmember Hahn - \$250; Councilmember Kesarwani - \$100; Councilmember Bartlett - \$250; Councilmember Robinson - \$150; Councilmember Humbert - \$250; Councilmember Taplin - \$250; Councilmember Wengraf - \$250; Mayor Arreguin - \$250.
10. **Nancy Skinner Municipal Pier Resolution**  
**From: Councilmember Taplin (Author) and Kesarwani (Co-Sponsor)**  
**Recommendation:** Refer to the Parks, Recreation, and Waterfront (PRW) Commission a Resolution renaming the Berkeley Municipal Pier in honor of State Senator Nancy Skinner (D-Berkeley) upon its reopening to the public and authorizing the City Manager to update signage and electronic media accordingly; and to return Resolution to Council for final consideration.  
**Financial Implications:** See report  
 Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation.
11. **Budget Referral: Refer \$273,341 to the November 2023 AAO #1 to Pre-fund the Green Building Program Manager on Permanent Basis**  
**From: Councilmember Harrison (Author)**  
**Recommendation:** Refer \$273,341 to the November 2023 AAO #1 to pre-fund the Green Building Program Manager position before it expires and thereafter fund it on a permanent basis.  
**Financial Implications:** See report  
 Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140  
**Action:** Approved recommendation.

## Action Calendar – Continued Business

- A. Refer to the City Manager to Enhance the City’s Deconstruction and Construction Materials Management Enforcement and Regulations and Refer to the AAO #1 Budget Process \$250,000 for Social Cost of Carbon Nexus Fee Study for Berkeley Origin Construction and Demolition Debris** *(Reviewed by the Facilities, Infrastructure, Transportation, Environment & Sustainability Committee)*  
*(Continued from November 28, 2023)*

**From: Councilmember Harrison (Author)**

**Recommendation:**

1. Refer to the City Manager to review and develop enhanced and enforceable City deconstruction and materials management regulations, including the following elements: a. Review of national and international best practices for regulating deconstruction, diversion, recycling, and reuse of construction and demolition materials; b. Integrate deconstruction and construction and enhanced demolition debris management, tracking, and regulation into the Department of Public Works’ Zero Waste Strategic Plan and Transfer Station upgrade as appropriate; c. Policy options for (1) enforcing minimum State diversion and recycling requirements, (2) new deconstruction requirements applicable to all permitted Berkeley projects including defining specific building components that are potentially reusable and requiring an enforceable salvage survey provided by the City, a reuse organization, or other third party approved by the City, (3) potentially implementing a social cost of carbon fee on construction and demolition debris, (4) possible enhancements to minimum statewide diversion goals, (5) comprehensive tracking of the disposition of construction and demolition materials, (6) enhancing diversion from un-permitted projects, and (7) integrating salvageable material into developer project planning and budgeting process and permit application plan set (as opposed to at time of final permitting). d. Background survey on contents of existing building stock to get more data on intended impact and opportunities regarding new deconstruction requirements; vetting of existing service providers (certified salvage contractors and salvage material vendors), markets for salvage materials, a list of approved reuse/salvage facilities; a plan for educating contractors on requirements; and an analysis of the costs of compliance with and implementation of any proposed regulations and analysis of any corresponding impacts on feasibility of new construction.

2. Refer to December 2023 Budget AAO #1 Process \$250,000 to conduct a nexus fee study (using the latest academic research, updated damage functions, and low discount rates) for a potential social cost of carbon fee to be applied e.g., to the impact of displacing existing embodied carbon (landfilled construction and demolition debris) and replacement with new embodied carbon. The purpose of the fee is to incentivize reuse and deconstruction, minimize demolition, maximize useful embodied carbon, and fund the City’s ongoing green building work and services.  
*Policy Committee Recommendation: To refer the revised agenda material with a positive recommendation to Council with the following revisions to the recommendation:*

*1. Section C.3 to read as follows: “potentially implementing a social cost of carbon fee on construction and demolition debris”.*

## Action Calendar – Continued Business

2. *Section D to read as follows: “Background survey on contents of existing building stock to get more data on intended impact and opportunities regarding new deconstruction requirements; vetting of existing service providers (certified salvage contractors and salvage material vendors), markets for salvage materials, a list of approved reuse/salvage facilities; and a plan for educating contractors on requirements; and an analysis of the costs of compliance with and implementation of any proposed regulations and analysis of any corresponding impacts on feasibility of new construction.”*

**Financial Implications:** See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

**Action:** Item withdrawn from the agenda by Councilmember Harrison.

## Action Calendar

### 12. **Budget Referral: Allocate the Existing \$900,000 Transportation Network Company (TNC) Tax to Calm Traffic in Vicinity of Derby St., Increase Citywide Traffic Calming Budget, and Establish Ongoing General Fund Allocation Policy for the TNC**

**From: Councilmembers Harrison (Author) and Taplin (Co-Sponsor)**

**Recommendation:** Designate existing \$900,000 FY 2024 Transportation Network Company (TNC) Tax allocation as follows:

1. \$100,000 in short, medium, and long-term traffic calming measures in the vicinity of 2023 Halloween Derby St. hit-and-run incident involving a minor to include speed tables, highlighting designation of crosswalks, and consideration of a stop sign on Mabel at Carleton and Derby.
2. \$25,000 to purchase five additional portable speed radar trailers bringing the City’s total to seven for targeted traffic calming; and
3. \$325,000 to increase the citywide Traffic Calming Budget on a one-time basis to \$400,000 (up from the current \$75,000); and
4. \$450,000 to citywide to fund: a. tier 1 protected bicycle lanes and crossings identified in the 2017 Bicycle Plan, including but not limited to quick-build projects; and b. priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and c. priority quick-build public transit projects under the Street Repair Program; and
5. Refer to City Manager and Budget staff to establish an ongoing General Fund policy of allocating 50% of annual TNC Tax revenues to a citywide traffic calming budget and the remaining 50% to tier 1 bike/pedestrian/transit priority projects as specified under 3. a-c.

**Financial Implications:** See report

Contact: Kate Harrison, Councilmember, District 4, (510) 981-7140

**Action:** Moved to Consent Calendar. Approved recommendation as revised by Councilmember Harrison in Supplemental Communications Packet #1, and further amended to refer Recommendation #5 to the Budget & Finance Committee.

## Action Calendar

### 13. Reimagining Public Safety Status Report

**From: City Manager**

**Recommendation:**

1. Review and discuss the provided status report from the City Manager with the goal of demonstrating transparency and facilitating informed council discussion towards the advancement of the Reimagining Public Safety initiative in Berkeley.
2. Provide comments on the Gun Violence Prevention program model report for Berkeley with the goal of facilitating informed council discussion.

**Financial Implications:** See report

Contact: Carianna Arredondo, City Manager's Office, (510) 981-7000

**Action:** Item withdrawn from the agenda by the City Manager. Item includes supplemental materials from Councilmember Taplin submitted in Supplemental Communications Packet #2.

**Public Comment – Items Not Listed on the Agenda - 0 speakers.**

## Adjournment

**Action:** M/S/C (Arreguin/Wengraf) to adjourn the meeting.

**Vote:** Ayes – Kesarwani, Bartlett, Hahn, Wengraf, Robinson, Humbert, Arreguin; Noes – Taplin; Abstain – Harrison.

Adjourned at 9:02 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on December 5, 2023.

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Mark Numainville, City Clerk

## Communications

### Safer Streets and Sidewalks

1. Jason Warriner
2. Carol Hirth
3. Barbara Gilbert
4. Shirley Kirsten
5. Virginia Browning
6. Jose Oliveira
7. Ben and Laurel Kuchinsky
8. Eliot Walker

### Ashby BART

9. Vincent Casalaina (2)

**Burned RV**

10. Chris Saulnier

**Waterfront**

11. Ginger Ogle

**Golden Gate Field Horses**

12. Nan McGuire

**Chess Club**

13. Jesse Sheehan (2)

**Press Release**

14. Office of the Director of Police Accountability

**Unhoused Crime**

15. John Caner, on behalf of the Downtown Berkeley Association

**Street Lighting**

16. Brian Barsky

**EBMUD Paving**

17. Greg Couch

18. Y'Ariad Burrell, on behalf of EBMUD

**Household Occupancy**

19. Leilah Dozier

**Full Marathon**

20. Annie Barrows

**Hard Hats Ordinance**

21. Cody Strock

**Officer Marble**

22. Diana Bohn

**Rent Board**

23. Barbara Gilbert

**Council Meeting Disruption**

24. savebtown@

**Gilman and Marin Street**

25. Steve Mellinger

### **Israel and Palestine**

26. Azam Javed
27. Almira Tanner
28. Sarah Naameh
29. Sarah Khan
30. Mona Masri
31. Sandra Nasser
32. Sophia Mottershead
33. Hamza Kundi
34. Mary-Lee Kimber Smith
35. Debbie Tuttle
36. Michael Fullerton
37. Barbara Erickson
38. Nohely Melenciano
39. Lilyana Hudson
40. Tirzah Riley
41. Laila Hamidi
42. Christina Harb
43. Noah Ahmed Surti
44. 55 similarly-worded form letters (Resolution)
45. 169 similarly-worded from letters (Ceasefire)

### **Supplemental Communications and Reports 1**

#### **Item #12: Budget Referral: Allocate the Existing \$900,000 Transportation Network Company (TNC) Tax to Calm Traffic in Vicinity of Derby St., Increase Citywide Traffic Calming Budget, and Establish Ongoing General Fund Allocation Policy for the TNC**

46. Revised material, submitted by Councilmember Harrison
47. Ben Paulos
48. Damian Park
49. David Wooley
50. Janice Murota
51. Vincent Casalaina
52. Judith Grether
53. Summer Brenner
54. 21 similarly-worded form letters

### **Supplemental Communications and Reports 2**

#### **Item #4: Memorandum of Understanding: Berkeley Fire Fighters Association**

55. Supplemental material submitted by the Human Resources Department

#### **Item #11: Budget Referral: Refer \$273,341 to the November 2023 AAO #1 to Pre-fund the Green Building Program Manager on Permanent Basis**

56. Ben Gould

#### **Item A: Refer to the City Manager to Enhance the City's Deconstruction and Construction Materials Management Enforcement and Regulations and Refer to the**

**AAO #1 Budget Process \$250,000 for Social Cost of Carbon Nexus Fee Study for Berkeley Origin Construction and Demolition Debris**

57. 5 similarly-worded form letters

58. Sarah Bell

**Item #12: Budget Referral: Allocate the Existing \$900,000 Transportation Network Company (TNC) Tax to Calm Traffic in Vicinity of Derby St., Increase Citywide Traffic Calming Budget, and Establish Ongoing General Fund Allocation Policy for the TNC**

59. Hali Hammer

60. Simon Hochberg

61. Molly Miller

62. Lee Bishop

63. John Beaulaurier

64. Sallie

65. Christina Oatfield

66. David Mendelsohn

67. Warren Wells

**Item #13: Reimagining Public Safety Status Report**

68. Supplemental material submitted by Councilmember Taplin

**Supplemental Communications and Reports 3**

**Item #10: Nancy Skinner Municipal Pier Resolution**

69. Barbara Gilbert

**Item #12: Budget Referral: Allocate the Existing \$900,000 Transportation Network Company (TNC) Tax to Calm Traffic in Vicinity of Derby St., Increase Citywide Traffic Calming Budget, and Establish Ongoing General Fund Allocation Policy for the TNC**

70. 13 similarly-worded form letters

71. Heath Maddox

72. Norm Gold

73. Ben Finkel

74. Corey Busay

75. Naveen Gattu

76. Benjamin Fry

77. Joanna Dillon

**Miscellaneous Communications**

78. Mr. Eid

**MINUTES  
SPECIAL MEETING OF THE  
BERKELEY CITY COUNCIL**

**Tuesday, December 12, 2023  
3:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702  
TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY, CA 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
DISTRICT 2 – TERRY TAPLIN  
DISTRICT 3 – BEN BARTLETT  
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – RIGEL ROBINSON  
DISTRICT 8 – MARK HUMBERT

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*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1610996492> To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 099 6492**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair. Please be mindful that the meeting will be recorded.*

*To submit a written communication for the City Council’s consideration and inclusion in the public record, email [council@berkeleyca.gov](mailto:council@berkeleyca.gov).*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.*

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



## Preliminary Matters

**Roll Call:** 3:03 p.m.

**Present:** Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

**Absent:** Bartlett

Councilmember Bartlett present at 3:38 p.m.

## Action Calendar – Public Hearing

### 1. North Berkeley BART Objective Design Standards

**From:** City Manager

**Recommendation:** Conduct a public hearing and upon conclusion adopt a Resolution approving the North Berkeley Bay Area Rapid Transit (BART) Objective Design Standards (ODS).

**Financial Implications:** See report

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

**Public Testimony:** The Mayor opened the public hearing. 35 speakers.

M/S/C (Arreguin/Kesarwani) to close the public hearing.

**Vote:** All Ayes.

**Action:** M/S/Failed (Harrison/Hahn) to approve the standards as submitted by the City Manager in Supplemental Communications Packet #2 amended as follows: On the ornamentation, accept the amendment to require facades with ornaments on 5% of the wall shall eliminate requirements to have breaks on those facades in the affordable housing buildings.

**Vote:** Ayes – Harrison, Hahn, Wengraf; Noes – Kesarwani, Taplin, Bartlett, Robinson, Humbert, Arreguin.

**Action:** M/S/Carried (Kesarwani/Humbert) to adopt Resolution No. 71,130–N.S. approving the objective design standards as submitted by the City Manager in Supplemental Communications Packet #2.

**Vote:** Ayes – Kesarwani, Taplin, Bartlett, Hahn, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – Harrison.

## Adjournment

**Action:** M/S/C (Arreguin/Robinson) to adjourn the meeting.

**Vote:** All Ayes.

Adjourned at 5:30 p.m.

I hereby certify that the foregoing is a true and correct record of the special meeting held on December 12, 2023.

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Mark Numainville, City Clerk

## **Communications**

- None

## **Supplemental Communications and Reports 1**

### **Item #1: North Berkeley BART Objective Design Standards**

1. Jenna Fahle
2. Chris Lee-Egan
3. Adam Rogers

## **Supplemental Communications and Reports 2**

### **Item #1: North Berkeley BART Objective Design Standards**

4. Revised material, submitted by Planning and Development
5. AJ Cho
6. Michael Katz
7. Charles Siegel, on behalf of Walk Bike Berkeley
8. Megan Nguyen, on behalf of East Bay Housing Organization
9. Alfred Twu
10. Gerry Tierney (2)
11. Clifford Fred
12. David Lerman
13. Peggy Radel

## **Supplemental Communications and Reports 3**

### **Item #1: North Berkeley BART Objective Design Standards**

14. Ann May
15. Chris Gilbert
16. Claire Kahane
17. Cheryl Brewster
18. Tamara Birdsall
19. Daniel Dong
20. Carol and Bruce Feldman
21. Carla Woodworth
22. Wei-bing Chen
23. Michael Frantz
24. Virginia Browning
25. Meryl Siegal
26. Nell Friedman
27. Virginia Browning
28. Sperberstein
29. Kevin James
30. Sam Dorman

31. Mitali Ganguly
32. Aimee Baldwin
33. David Mendelsohn
34. Katherine Eckhouse (2)
35. Toni Mester
36. Lois Frances Smith
37. Roberta Silverstien
38. T. Anne Richards
39. Victoria Eisen (2)
40. Christopher Kroll
41. S. Entsistle
42. Meilan Ho
43. Elizabeth Kowal
44. Laureen O'Brien
45. Sharon Richey
46. Joel Myerson
47. Amanda Loudin
48. Oskar
49. Jeanne Schuman
50. David Helfant and Elliott Abrams
51. 15 similarly-worded form letters

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**  
**Tuesday, December 12, 2023**  
**6:00 PM**

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

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

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## Preliminary Matters

**Roll Call:** 6:03 p.m.

**Present:** Kesarwani, Taplin, Bartlett, Harrison, Hahn Wengraf, Robinson, Humbert, Arreguin

**Absent:** None

**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:

Presentation from the Auditor on the Measure FF Audit.

**City Manager Comments:** None

**Public Comment on Non-Agenda Matters:** 20 speakers.

## Consent Calendar

**Public Comment on Consent Calendar and Information Items Only:** 36 speakers.

**Action:** M/S/C (Arreguin/Hahn) to suspend the rules and adopt temporary rules for public comment on the Consent Calendar as follows: 1) there will be a 45-minute period allotted for all public comments; 2) speaking time is limited to one-minute per speaker.

**Vote:** All Ayes.

**Action:** M/S/C (Arreguin/Robinson) to adopt the Consent Calendar in one motion except as indicated.

**Vote:** All Ayes.

## Consent Calendar

1. **Amendments to the Berkeley Election Reform Act to ensure consistency within the Act for cost of living adjustments and committee reporting requirement thresholds**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,889-N.S. amending the Berkeley Election Reform Act (BMC Chapter 2.12) to (1) amend provisions related to filing requirement thresholds to be consistent with recent amendment to qualification threshold for committees ; and (2) add two dollar amount thresholds to the list of amounts subject to cost of living adjustments in order to maintain consistency with other associated amounts.  
**First Reading Vote:** Ayes - Kesarwani, Taplin, Bartlett, Harrison, Hahn, Robinson, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Wengraf.  
**Financial Implications:** See report  
Contact: Sam Harvey, Commission Secretary, (510) 981-6950  
**Action:** Adopted second reading of Ordinance No. 7,889–N.S.
  
2. **Amendments to Berkeley Municipal Code Title 23 (Zoning Ordinance), the Zoning Map, General Plan Land Use Diagram, and the General Plan Relating to the Southside Zoning Implementation Program of the 2023-2031 Housing Element Update**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,890-N.S. amending Title 23 of the Berkeley Municipal Code to increase residential development potential in the Southside Plan Area, per Program 27— Priority Development Areas, Commercial and Transit Corridors and Program 33—Zoning Code Amendment: Residential of the 2023-2031 Housing Element Update.  
**First Reading Vote:** Ayes - Kesarwani, Taplin, Bartlett, Harrison, Hahn, Robinson, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Wengraf.  
**Financial Implications:** See report  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Adopted second reading of Ordinance No. 7,890–N.S.
  
3. **Authorizing a Lease of 830 University Avenue to Berkeley Free Clinic**  
**From: City Manager**  
**Recommendation:** Adopt second reading of Ordinance No. 7,891-N.S. authorizing the City Manager to enter into a lease for 830 University with Berkeley Free Clinic.  
**First Reading Vote:** All Ayes.  
**Financial Implications:** See report  
Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400  
**Action:** Adopted second reading of Ordinance No. 7,891–N.S.

## Consent Calendar

### 4. Minutes for Approval

**From: City Manager**

**Recommendation:** Approve the minutes for the Council meetings of October 23 (special closed), November 6 (special closed), November 7 (regular), November 13 (special closed), November 14 (special and regular), November 21 (special) and November 28 (regular).

**Financial Implications:** None

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

**Action:** Approved the minutes as submitted.

### 5. Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on December 12, 2023

**From: City Manager**

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

**Financial Implications:** Public Art Fund - \$150,000

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

**Action:** Approved recommendation.

### 6. Extending the Duration of Funding Reservations for Housing Trust Fund Projects

**From: City Manager**

**Recommendation:** Extend the duration of the previously approved funding reservations for Housing Trust Fund (HTF) projects by adopting a Resolution to: 1. Reserve Housing Trust Funds and other currently available affordable housing funds, including Measure O Bond and Permanent Local Housing Allocation funds, for the following projects: -Ashby Lofts (2909-2919 Ninth / Satellite Affordable Housing Associates) at \$850,000; -Berkeley Unified School District (BUSD) Workforce Housing project (1701 San Pablo / Satellite Affordable Housing Associates / Abode Communities) at \$24,500,000; -Supportive Housing in People's Park (2556 Haste) at \$14,359,593. 2. Authorize the City Manager to refinance the existing Housing Trust Fund development loan for Ashby Lofts and into a new loan with terms consistent with the Housing Trust Fund Guidelines. 3. Waive Section III.A.1 of the Housing Trust Fund Guidelines for the BUSD Workforce Housing project to allow affordability levels of up to 120% of area median income in order to reflect the income and needs of BUSD educators. 4. Condition disbursement of funding for the BUSD Workforce Housing and Supportive Housing in People's Park projects on site control. 5. Authorize the City Manager or her designee to execute all original or amended documents or agreements to effectuate these actions.

**Financial Implications:** See report

Contact: Lisa Warhuus, Health, Housing, and Community Services, (510) 981-5400

**Action:** Adopted Resolution No. 71,131–N.S.

## Consent Calendar

- 7. Revise Classifications and Salary Ranges – (1) Parking Meter Maintenance and Collection Supervisor and (2) Traffic Maintenance Supervisor**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution revising the represented job class specifications and salary ranges of (1) Parking Meter Maintenance and Collection Supervisor and (2) Traffic Maintenance Supervisor to align pay with that of Public Works Supervisor classification in order to promote internal equity.  
**Financial Implications:** See report  
 Contact: Aram Kouyoumdjian, Human Resources, (510) 981-6800  
**Action:** Adopted Resolution No. 71,132–N.S.
- 8. Contract: Superior, LLC for AS400 Software Maintenance and Support**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to enter into a new contract with Superior, LLC for software maintenance and support of the City's FUNDS\$ system on the AS400 platform for a total \$283,500 from July 1, 2023 through June 30, 2025.  
**Financial Implications:** IT Cost Allocation Fund - \$283,500  
 Contact: Kevin Fong, Information Technology, (510) 981-6500  
**Action:** Adopted Resolution No. 71,133–N.S.
- 9. Grant Application – State Parks Outdoor Equity Grants Program (OEP)**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to the State Parks and Recreation Outdoor Equity Grants Program; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.  
**Financial Implications:** Up to \$700,000 (revenue)  
 Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,134–N.S.
- 10. Grant Application – California Air Resources Board (CARB) Advanced Technology Demonstration and Pilots Program for New Electric Boat and Charging Station**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to the California Air Resources Board (CARB) Advanced Technology Demonstration and Pilots (ATDP) Grant Program to procure a new electric boat and charging station; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.  
**Financial Implications:** \$218,451 (revenue)  
 Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700  
**Action:** Adopted Resolution No. 71,135–N.S.



## Consent Calendar

**11. Contract: Buhler Commercial for Willard Park Clubhouse and Restroom Replacement Project**

**From: City Manager**

**Recommendation:** Adopt a Resolution: 1. Approving the plans and specifications for the Willard Park Clubhouse and Restroom Replacement Project; and 2. Accepting the bid of the lowest responsive and responsible bidder, Buhler Commercial; and 3. Authorizing the City Manager 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 Buhler Commercial, for the Willard Park Clubhouse and Restroom Replacement Project at 2720 Hillegass Avenue, in an amount not to exceed \$6,831,067 which includes a contract amount of \$6,210,061 and a 10% contingency in the amount of \$621,006.

**Financial Implications:** Various Funds - \$6,831,067

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** Adopted Resolution No. 71,136–N.S.

**12. Donation: Memorial Bench at Cesar Chavez Park in memory of Ronald Henry Klein**

**From: City Manager**

**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at Cesar Chavez Park in memory of Ronald Henry Klein.

**Financial Implications:** \$3,400 (revenue)

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** Adopted Resolution No. 71,137–N.S.

**13. Donation: Memorial Bench at Cesar Chavez Park in memory of Ramakant Tulsian**

**From: City Manager**

**Recommendation:** Adopt a Resolution accepting a cash donation in the amount of \$3,400 for a memorial bench to be placed at Cesar Chavez Park in memory of Ramakant Tulsian.

**Financial Implications:** \$3,400 (revenue)

Contact: Scott Ferris, Parks, Recreation and Waterfront, (510) 981-6700

**Action:** Adopted Resolution No. 71,138–N.S.

## Consent Calendar

- 14. Contract (Specification No. 24-11619-C: Koios Engineering, Inc. for The Alameda, et al. Sanitary Sewer Rehabilitation Project**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution approving plans and specifications for the Sanitary Sewer Project located on The Alameda, Keeler Avenue, Euclid Avenue Et Al., and: Accept the bid of the lowest, responsive and responsible bidder, Koios Engineering, Inc., and Authorize the City Manager 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, in an amount not to exceed \$3,456,596, which includes a 10% contingency of \$314,236.  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,139–N.S.
- 15. Purchase Orders: Pinnacle Petroleum, Inc. and Western States, Inc. for Bulk Renewable Diesel and Gasoline**  
**From: City Manager**  
**Recommendation:** Adopt two Resolutions authorizing the City Manager to execute multi-year purchase orders as outlined below through June 30, 2029:  
 1. Purchase Order with Pinnacle Petroleum to provide fuel for City vehicles and equipment in an amount not to exceed \$8,500,000 for the next four fiscal years (FY 2025 through FY 2029).  
 2. Purchase Order with Western States, Inc. to provide fuel for City vehicles and equipment in an amount not to exceed \$2,000,000 for the next four fiscal years (FY 2025 through FY 2029).  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,140–N.S. (Pinnacle); and Resolution No. 71,141–N.S. (Western).
- 16. Purchase Order: National Auto Fleet Group for Four (4) Tractor Trucks and Trailers**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in Sourcewell (formerly NJPA) bid procedures, and authorizing the City Manager to execute a purchase order for four (4) Tractor Trucks and Trailers with National Auto Fleet Group in an amount not to exceed \$1,600,000.  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,142–N.S.

## Consent Calendar

- 17. Purchase Order: Braun Northwest, Inc. for One (1) North Star 155 Type 1 Ambulance**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution satisfying requirements of City Charter Article XI Section 67.2 allowing the City to participate in HGACBuy contract bid procedures and authorizing the City Manager to execute a purchase order for one (1) 2023 North Star 155-1 Type 1 Ambulance with Braun Northwest, Inc. in an amount not to exceed \$284,974.  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,143–N.S.
- 18. Contract No. 102354-1 Amendment: Direct Line Tele Response for Citywide After-Hours Answering Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment for up to \$200,000 to Contract No. 102354-1 with Direct Line Tele Response to provide continued customer service support after normal business hours, on weekends and holidays, for a total contract amount not to exceed \$832,750, and extending the contract term through December 31, 2025.  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,144–N.S.
- 19. Contract No. 32300110 Amendment: SCI Consulting Group for On-Call Civil Engineering Services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300110 with SCI Consulting Group to increase the spending authority by \$150,000 for a total not to exceed \$300,000.  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,145–N.S.
- 20. Contract No. 32400004 Amendment: Roofing Constructors, Inc. dba Western Roofing Service for on-call roofing and gutter repair services**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32400004 with Roofing Constructors, Inc. to increase the spending authority by \$200,000 for a total not to exceed \$250,000.  
**Financial Implications:** See report  
 Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,146–N.S.

## Consent Calendar

21. **Contract No. 103266-1 Amendment - Karste Consulting, Inc. for Emergency Preparedness Services and Training**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 103266-1 with Karste Consulting, Inc. to increase the amount by \$100,000 for a total amount not to exceed \$450,000 and to extend the term through June 30, 2025.  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,147–N.S.
22. **Contract: American Restore, Inc. for City of Berkeley Transfer Station Tipping Floor Repair Emergency Project at 1201 Second Street**  
**From: City Manager**  
**Recommendation:** Adopt a Resolution: 1. Acknowledging the necessity for immediate repairs to the Transfer Station Tipping Floor at 1201 Second Street due to hazardous conditions and authorizing an exception to the formal bidding process; 2. Accepting the proposal from American Restore, Inc. as the sole proposal received from an informal solicitation of multiple contractors for its specialized services in response to the urgent need for repair; 3. Authorizing the City Manager to execute the proposed contract with American Restore, Inc. and any amendments, extensions, or other change orders as necessary to facilitate the timely completion of the project, for an amount not to exceed \$443,207.  
**Financial Implications:** See report  
Contact: LaTanya Bellow, Public Works, (510) 981-6300  
**Action:** Adopted Resolution No. 71,148–N.S.
23. **Council Referral – Request for City Community Survey for placing a Modest Increase in the Parks Tax on the November 2024 Ballot**  
**From: Parks and Waterfront Commission**  
**Recommendation:** The Parks, Recreation and Waterfront Commission recommends that the City Council include in upcoming community survey for possible 2024 ballot measures, a measure to increase the Parks Tax by four cents per square foot or approximately 20%, and appropriate funding for the survey.  
**Financial Implications:** See report  
Contact: Roger Miller, Commission Secretary, (510) 981-6700  
**Action:** Approved recommendation.

## Consent Calendar

- 24. Spending Aligned with Ballot Measure FF and the City Is Improving Internal Processes**  
**From: Auditor**  
**Recommendation:** We recommend City Council request that the City Manager report back by June 2024 and every six months thereafter, regarding the status of our audit recommendations until reported fully implemented by the Fire Department and Human Resources. They have agreed to our findings and recommendations. Please see our report for their complete response.  
**Financial Implications:** See report  
Contact: Jenny Wong, Auditor, (510) 981-6750  
**Action:** Approved recommendation including the supplemental material in Supplemental Communications Packet #1 from the City Auditor.

## Council Consent Items

- 25. Reappointment of Dr. P. Robert Beatty to the Alameda County Mosquito Abatement District Board of Trustees**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Adopt a Resolution reappointing Dr. P. Robert Beatty to the Board of Trustees of the Alameda County Abatement District for a two-year term ending on January 1, 2026.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopted Resolution No. 71,149–N.S.
- 26. The Right to Reproductive Freedom**  
**From: Mayor Arreguin (Author), Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution affirming the City of Berkeley’s support to protecting the rights of those seeking reproductive care, receiving and offering reproductive care and abortion services, and deciding on their own bodily autonomy relating to their reproduction.  
Refer to the City Manager to draft an ordinance that directs City agents and employees to ensure access to abortion sites and ensure access to information related to abortion access, including posting information about reproductive health on City property, as consistent with state and federal law.  
**Financial Implications:** None  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** 1. Adopted Resolution No. 71,150–N.S., 2. Approved recommendation.

## Council Consent Items

- 27. Adjustment to City Attorney Salary Range and Revised Salary**  
**From: Mayor Arreguin (Author)**  
**Recommendation:** Adopt a resolution to approve (1) increasing the top of the City Attorney salary range to \$360,000 annually and (2) revising City Attorney Farimah Brown's annual salary to \$336,000 effective the start of the pay period closest to Ms. Brown's most recent anniversary date of July 10, 2023, pursuant to Section 1.6 of the Unrepresented Employee Manual.  
**Financial Implications:** See report  
Contact: Jesse Arreguin, Mayor, (510) 981-7100  
**Action:** Adopted Resolution No. 71,151–N.S.
- 28. Waterside Workshops Winter Festival and Kids Bike Giveaway: Relinquishment of Council Office Budget Funds from General Funds and Grant of Such Funds**  
**From: Councilmember Taplin (Author), Councilmember Hahn (Co-Sponsor), Councilmember Harrison (Co-Sponsor)**  
**Recommendation:** Adopt a Resolution approving the expenditure of an amount not to exceed \$500 per Councilmember, including \$200 from Councilmember Taplin, to support the Waterside Workshops Winter Festival and Kids Bike Giveaway.  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Adopted Resolution No. 71,152–N.S.
- 29. Budget Referral and Updated Guidelines and Procedures for City Council Office Staff Expenditures** *(Reviewed by the Budget & Finance Committee)*  
**From: Councilmember Taplin (Author), Councilmember Bartlett (Author), Councilmember Harrison (Author)**  
**Recommendation:** Refer to the Budget and Finance Committee to consider updates to the guidelines and procedures for City Council office budget expenditure accounts with regards to City Council staff salaries and an accompanying Budget Referral of up to \$219,080 for the Annual Appropriation Ordinance #1 (AAO) process to budget Council offices up to 2 FTE, meet obligations under the SEIU 1021 CSU/PTRLA MOU, and prevent layoffs.  
*Policy Committee Recommendation: To forward the item as revised to the City Council with a positive recommendation.*  
**Financial Implications:** See report  
Contact: Terry Taplin, Councilmember, District 2, (510) 981-7120  
**Action:** Approved recommendation as recommended by the Budget & Finance Committee.

## Council Consent Items

- 30. Letter to AC Transit Regarding Draft Realignment Scenarios**  
**From: Councilmember Wengraf (Author), Councilmember Humbert (Author), Mayor Arreguin (Co-Sponsor), Councilmember Hahn (Co-Sponsor)**  
**Recommendation:** Send a letter to AC Transit with Council feedback on their Realign Draft Service Scenarios presented to Council on Nov 14, 2023.  
**Financial Implications:** None  
Contact: Susan Wengraf, Councilmember, District 6, (510) 981-7160  
**Action:** Approved recommendation.

## Action Calendar – New Business

- 31. Expansion of the Elmwood Business Improvement District**  
**From: City Manager**  
**Recommendation:** Conduct a public meeting to review and discuss the expansion of the Elmwood Business Improvement District (hereafter, “Elmwood BID”, “BID” or “the District”).  
**Financial Implications:** See report  
Contact: Eleanor Hollander, Economic Development, (510) 981-7530  
**Action:** Moved to Consent Calendar. Public meeting held.
- 32. Amendment: FY 2024 Annual Appropriations Ordinance**  
**From: City Manager**  
**Recommendation:** Adopt first reading of an Ordinance amending the FY 2024 Annual Appropriations Ordinance No. 7,879–N.S. for fiscal year 2024 based upon recommended re-appropriation of committed FY 2023 funding and other adjustments authorized since July 1, 2023, in the amount of \$258,777,491 (gross) and \$246,555,990 (net).  
**Financial Implications:** See report  
Contact: Sharon Friedrichsen, Budget Manager, (510) 981-7000  
**Action:** Moved to Consent Calendar. Adopted first reading of Ordinance No. 7,892-N.S. as revised in the materials submitted by the Mayor and the City Manager in Supplemental Communications Packet #2. Second reading scheduled for January 16, 2024.
- 33. Consideration of Options for Berkeley High School Staff Parking**  
**From: City Manager**  
**Recommendation:** Receive information on several options for providing additional parking for Berkeley High School staff and provide feedback to staff, which will then be shared with 2x2 Committee with the end goal of identifying a mutually agreeable solution for both the school district and the City.  
**Financial Implications:** See report  
Contact: Anne Cardwell, City Manager's Office, (510) 981-7000  
**Action:** Item withdrawn from the agenda by the City Manager.

## Information Reports

- 34. Settlement of Claim of D.L. Falk Construction Inc. (North Berkeley Senior Center)**  
**From: City Manager**  
Contact: Farimah Brown, City Attorney, (510) 981-6950  
**Action:** Received and filed.
- 35. FY 2023 Fourth Quarter Investment Report: Ended June 30, 2023**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.
- 36. Section 115 Trust Investment Report for: Inception to Period Ended June 30, 2023**  
**From: City Manager**  
Contact: Henry Oyekanmi, Finance, (510) 981-7300  
**Action:** Received and filed.
- 37. Climate Action Plan and Resilience Update**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.
- 38. Civic Arts Commission FY24 Work Plan**  
**From: Civic Arts Commission**  
Contact: Jennifer Lovvorn, Commission Secretary, (510) 981-7530  
**Action:** Received and filed.
- 39. Housing Advisory Commission Work Plan Fiscal Year 2024**  
**From: Housing Advisory Commission**  
Contact: Mike Uberti, Commission Secretary, (510) 981-7400  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda - 0 speakers.**

## Adjournment

Adjourned at 7:39 p.m.

I hereby certify that the foregoing is a true and correct record of the regular meeting held on December 12, 2023.

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Mark Numainville, City Clerk



## **Communications**

### **Communications**

#### **Martin Luther King Jr. Way**

1. David Lerman

#### **Policing**

2. Gregory Kalkanis

#### **Public Information**

3. Mary Behm-Steinberg

#### **Housing Voucher**

4. Sameerah Karim

#### **URL's Only**

5. Vivian Warkentin (2)

#### **Tenants Opportunity to Purchase Act**

6. Diana Bohn

#### **Repaving Francisco Street**

7. David Lerman

#### **Civil Rights**

8. Lavell Young

#### **Winter Shelter**

9. Elana Auerbach
10. Boona cheema
11. Moni Law

#### **Israel and Gaza Conflict**

12. Alejandro Garcia-Paredes
13. Angie Chang
14. Rachel Noel
15. Madeline Pignetti
16. Karen Carroll
17. Boba.bunny05@
18. Greg Garcia-Wilson
19. Steven Lipson
20. Madeline Weinstein
21. Jessica Login
22. Dianna Dar
23. Youval Dar
24. Bryan Weiss
25. Mollie Mindel
26. Deborah Fink

## Communications

27. Yael Galinson
28. Doni Katz
29. Offer Grembek
30. Jaimie Baron
31. Talia Nagar
32. Elana Naftalin-Kelman
33. Howard Miller
34. Ariel Berson
35. Dan Alter
36. Ayana Davis
37. Alexia Murillo Amezcua
38. Desmid Lyon
39. Andrew Fine
40. Clara Weinstein
41. Orli Loewenberg
42. Raphael Goldman
43. Karen Weil (2)
44. Daniel Frydman
45. Katrin Youdim
46. Emma
47. Leah Rosenthal
48. Tal Garner
49. Sophie
50. Summer Brenner
51. Liberty Schubert
52. Ilana Pearlman
53. Jessica Pearlman
54. Rita Minas
55. Wenrick Family
56. Philippa Kelly
57. Rabbi Chai Levy
58. Elana Auerbach
59. Cris Arguedas
60. Vanessa Davis
61. Meital Mashash
62. Noga Alon
63. Dahlia Frydman Tenenbaum
64. Aviva Gilbert
65. Jenna Lewis
66. Chiara Juster
67. Seth Engel
68. Jennifer Burt
69. Mollie Mindel
70. David Kilimnik
71. Miriam Schultz
72. Rachel Friedman

## Communications

- 73. Daniel Green
- 74. Forouzan Khalili
- 75. Daniel Green
- 76. Shira Rome
- 77. Sarah Crow
- 78. Kasaia Luckel
- 79. Arielle Hassid
- 80. Richard Taylor
- 81. Vincent Casalaina
- 82. Rabbi Cat Zavis
- 83. Rena Greenfield
- 84. Abby Maimon
- 85. Arbel Shemesh
- 86. Ella Lachman
- 87. Traci Moren
- 88. Nora Shourd
- 89. Debbie Tuttle
- 90. 931 similarly-worded form letters – Vote No on November 28 (Letters are on file at the City Clerk’s Office)
- 91. 302 similarly-worded form letters – Resolution for Ceasefire and Solidarity with Palestine (Letters are on file at the City Clerk’s Office)
- 92. 14 similarly-worded form letters – Ceasefire Now (Letters are on file at the City Clerk’s Office)

## Supplemental Communications and Reports 1

### **Item #24: Spending Aligned with Ballot Measure FF and the City Is Improving Internal Processes**

- 93. Supplemental material submitted by the City Auditor

### **Item #27: Adjustment to City Attorney Salary Range and Revised Salary**

- 94. Michael Katz

### **Item #30: Letter to AC Transit Regarding Draft Realignment Scenarios**

- 95. Sowmya Swaminathan
- 96. Phyllis Olin
- 97. Jennifer Sowerwine

## Supplemental Communications and Reports 2

### **Item #30: Letter to AC Transit Regarding Draft Realignment Scenarios**

- 98. Phoebe Anne Thomas

### **Item #32: Amendment: FY 2024 Annual Appropriations Ordinance**

- 99. Revised material, submitted by Mayor Arreguin
- 100. Revised material, submitted by Budget/City Manager

- 101. Jennifer Lovvorn, Chief Cultural Affairs Officer/Civic Arts
- 102. Ariana Casanova

**Item #33: Consideration of Options for Berkeley High School Staff Parking**

- 103. Barry Fike
- 104. Albert Chan, on behalf of YMCA East Bay

**Supplemental Communications and Reports 3**

**Item #24: Spending Aligned with Ballot Measure FF and the City is Improving Internal Processes**

- 105. Presentation, submitted by the Auditor

**Item #26: The Right to Reproductive Freedom**

- 106. Twyla Malchow-Hay

**Item #30: Letter to AC Transit Regarding Draft Realignment Scenarios**

- 107. Elisabeth H
- 108. Rachel Tobey
- 109. Kirsten Tobey
- 110. John and Leah Rosenthal
- 111. Deborah Sommers
- 112. Frank Fletcher
- 113. Andy Gaines
- 114. Lizzie Belgum
- 115. Alan and Meridith Aki
- 116. Swapna Sundaram
- 117. Marilyn Beckerman
- 118. David Jaffe
- 119. Jane Keislar
- 120. Erin Baudo Felter
- 121. Sophie Shabel
- 122. Reka Foss
- 123. Linda Ellwood
- 124. Jessica Jennings

**Miscellaneous Communications**

- 125. Eid



Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Peter Radu, Assistant to the City Manager  
 Subject: California For All Animals Grant Award

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to receive a \$60,000 California For All Animals grant award from the Koret Shelter Medicine Program at UC Davis and to enter into contract and all necessary amendments with the Regents of the University of California resulting from this funding.

FISCAL IMPACTS OF RECOMMENDATION

Approving this recommendation will result in \$60,000 being deposited and expended from the One-Time: Non Capital Expenditure Fund and will be appropriated as part of the Second Amendment to the FY 2024 Annual Appropriations Ordinance.

CURRENT SITUATION AND ITS EFFECTS

Despite dedicated efforts by the City of Berkeley and Berkeley Animal Care Services, financial barriers continue to hinder adoption and reunification processes, leading to the unfortunate euthanasia of healthy, adoptable animals. These barriers are also evident in the unhoused community, where individuals often find themselves prioritizing animal care over their own needs. To help keep animals out of the shelter, staff completed and submitted an application on September 29, 2023, for \$118,885 in funding to support one year of subsidized fees and target outreach to unhoused animal owners. The narrow time frame between the announcement of this grant opportunity and the application deadline made it challenging to seek Council's permission within the available window.

The City's Animal Care Services team, managed by the Neighborhood Services Division in the City Manager's Office, proposes to work with owners and adopters of animals in Berkeley to eliminate the financial barriers caused by Adoption and Return-To-Owner fees. The goal of this funding is to minimize shelter occupancy, thereby reducing the need to euthanize healthy animals due to space constraints. Additionally, the team is committed to working with the unhoused community, ensuring that their animals receive necessary veterinary care and nutrition.

The City’s application was awarded \$60,000 by California For All Animals on December 8, to be fully expended by December 31, 2024. To assist animal owners in Berkeley effectively and meet this deadline, it is crucial for the City Council to swiftly adopt a resolution authorizing the receipt of these funds.

**BACKGROUND**

In the FY 2020-21 budget, Governor Newsom proposed \$50 million in one-time General Fund dollars for the UC Davis Koret Shelter Medicine Program (UCD-KSMP) to develop a program that provides expertise, support, and local assistance grants over a five-year period to help local communities achieve the state’s policy goal that no adoptable or treatable dog or cat should be euthanized.

On September 15, 2023, California For All Animals, a program initiated by UCD-KSMP, began accepting applications for the More Pets and People Together Grant. This application period, lasting for 15 days, concluded on September 29, 2023. Given the brief duration of the application window, the opportunity to present this matter to the Council for formal approval was limited. However, recognizing the importance and potential benefits of this funding, the decision was made to proceed promptly with the application to ensure that we could capitalize on this opportunity to support our community's animal care needs. The California For All Animals Advisory Council unanimously approved Berkeley Animal Services’ grant proposal at their November meeting. The \$60,000 awarded by the Advisory Council is designated as follows:

|                                       |                 |
|---------------------------------------|-----------------|
| <i>Subsidized adoption fees</i>       | <i>\$15,000</i> |
| <i>Subsidized return-to-home fees</i> | <i>\$30,000</i> |
| <i>Target pet assistance</i>          | <i>\$15,000</i> |

**ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS**

Targeted outreach to unhoused animal owners is a crucial step towards mitigating the spread of infectious diseases among animals, especially in encampment areas. By equipping owners with essential resources like proper food storage and animal waste containers, we significantly minimize vector hazards, an essential aspect of public health and environmental care. Moreover, maintaining animals in homes rather than shelters not only promotes animal welfare but also aligns with our environmental goals. This approach substantially reduces the water consumption required for shelter maintenance, which is a critical consideration in our ongoing efforts to conserve resources and address climate impacts.

**RATIONALE FOR RECOMMENDATION**

Berkeley Animal Care Services is navigating a significant uptick in animal intake, anticipating over 2,000 animals for the first time since 2018. This surge, coupled with a 10% decrease in adoptions from 2022 and a 14% decrease in Return-To-Owners compared to the five-year average, mirrors national trends in animal sheltering. This situation is not unique to Berkeley or the Bay Area; it reflects a broader, urgent challenge

in animal welfare. At this critical juncture, our commitment to the animals in our community is more vital than ever, as evidenced by our endeavors to reduce the euthanasia rate, which, notably, has decreased by 5% this year from 2022 and the five-year average, despite these formidable challenges.

Faced with limited resources to combat overcrowding and prevent unnecessary euthanasia, the urgency of implementing a proactive strategy to keep pets and their people together becomes clear. This urgency, in turn, drives our actions and decisions, emphasizing the need for swift, decisive steps to address this growing concern. Our response, therefore, aligns not only with our commitment to animal welfare but also with the necessity to act promptly in the face of escalating challenges.

ALTERNATIVE ACTIONS CONSIDERED

Alternate city funding could be considered, and/or the subsidization of fees and targeted outreach could be suspended.

CONTACT PERSON

Mike St. Pierre, Animal Services Manager, 510.981.6603

Attachments:

- 1: Resolution
- 2: Shelter Services Agreement

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

ACCEPTING THE CALIFORNIA FOR ALL ANIMALS GRANT AWARD

WHEREAS, in the FY 2020-21 budget, Governor Newsom proposed \$50 million in one-time General Fund dollars for the UC Davis Koret Shelter Medicine Program (UCD-KSMP) to develop a program that provides expertise, support, and local assistance grants over a five-year period to help local communities achieve the state's policy goal that no adoptable or treatable dog or cat should be euthanized.

WHEREAS, on September 29, 2023, staff submitted a grant application to California For All Animals requesting funds to keep more pets and people together; and

WHEREAS, staff propose the subsidization of Adoption and Return-To-Owner fees and target outreach to unhoused pet owners; and

WHEREAS, the City's Animal Services will partner with the City's Homeless Response Team and local animal welfare organizations to identify unhoused communities with animals in need of outreach; and

WHEREAS, the City Manager was notified on December 8, 2023, that the city's California For All Animals application will be funded, supporting one year of waived Adoption and Return-To-Owner fees and outreach.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to accept and receive an award from UCD-KSMP California For All Animals and to enter into contract and all necessary amendments with the Regents of The University of California for \$60,000 in grant funding, with funds to be appropriated in the Second Amendment to the FY 2024 Annual Appropriations Ordinance.



UC Davis Agreement # \_\_\_\_\_

**SHELTER SERVICES AGREEMENT**  
(Berkeley Animal Care Services)

THIS SHELTER SERVICES AGREEMENT (“**Agreement**”) is made and entered into as of the date last signed below by and between THE REGENTS OF THE UNIVERSITY OF CALIFORNIA (“**University**”) on behalf of its Davis Campus School of Veterinary Medicine on behalf of its Koret Shelter Medicine Program (“**Facility**”) and BERKELEY ANIMAL CARE SERVICES (“**Shelter**”) in connection with the California for All Animals statewide animal shelter assistance program (“**Program**”).

The parties agree as follows:

1. **Shelter Services.** Shelter shall adhere to the scope of work described in “**Exhibit A**”, attached hereto and by this reference made a part hereof (collectively the “**Services**”). University shall reimburse Shelter for costs (“**Expenses**”) pursuant to Section 2 below and as outlined in Exhibit A. “**Deliverables**” shall consist of report(s) and photographs, as applicable, as more fully described in Exhibit A. Additional work shall be performed only if authorized in advance by written amendment to this Agreement executed by both parties. To the extent that any provision of Exhibit A is inconsistent with this Agreement, this Agreement shall take precedence.
2. **Payment by University.** In consideration of Shelter’s Expenses as described in Exhibit A, Facility shall pay Shelter an amount not to exceed \$60,000 upon invoice from Shelter and final signature of this Agreement. Payment questions should be addressed to Nancy Bei at telephone number (530) 754-9183 or at e-mail address [nmbei@ucdavis.edu](mailto:nmbei@ucdavis.edu).
3. **Term.** Services shall be rendered from January 1, 2024 through December 31, 2024.
4. **Endorsement Disclaimer.** Nothing in this agreement shall be interpreted to indicate, imply, or otherwise suggest (i) that University supports, endorses, favors, or advances, any product or service offered, connected, or affiliated with Shelter; or (ii) that University endorses, favors, supports, or opposes, any proposal, measure, program of action, campaign, or public appeal that is advocated, promoted, advanced, or opposed by any other person or entity with respect to the subject matter presented by Shelter.
5. **Amendment.** This Agreement may be amended at any time by amendment in writing and signed by the parties, and no other change in any term or condition shall be valid or binding unless made by amendment.
6. **Mutual Indemnification.** The parties agree to defend, indemnify and hold one another harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising from the performance of this agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the indemnifying party, its officers, agents, students, or employees.

7. **Insurance.** The parties at their own respective costs shall carry sufficient insurance, or programs of self-insurance (general liability, workers' compensation, and auto liability), adequate to cover any claims arising from their respective activities under this Agreement.
8. **Force Majeure.** Neither party shall be liable for damages suffered by the other party because of University's or Shelter's failure to perform if failure is due to any cause beyond that party's control.
9. **Relationship of the Parties.** The parties to this Agreement shall be and remain at all times independent contractors, neither being the employee, agent, or representative of the other in their relationship under this Agreement.
10. **Use of University's Name.** Shelter shall not use the name or mark of University in any form or manner in advertisements, reports, or other information released to the public without the prior written approval of University.
11. **Contract Compliance.** As applicable, if this Agreement is funded wholly or in part with by a grant or contract from an agency of any state or federal government, Shelter shall comply with all terms and conditions applicable to recipients of such funds and their contractors.
12. **Notice.** Any notice, request, or inquiry regarding the provisions of this Agreement, its termination, or similar matters shall be directed to the appropriate party at the following address:

UNIVERSITY (regarding contracts)  
Steven Kobayashi  
Business & Revenue Contracts  
University of California, Davis  
One Shields Ave.  
Davis, CA 95616  
E-mail: [stkobayashi@ucdavis.edu](mailto:stkobayashi@ucdavis.edu)

SHELTER (regarding contracts)  
Mike St. Pierre  
Animal Services Manager  
Berkeley Animal Care Services  
1 Bolivar Dr  
Berkeley, CA 94710  
E-mail: [mstpierre@berkeleyca.gov](mailto:mstpierre@berkeleyca.gov)

UNIVERSITY (regarding project)  
Karol Tapias  
School of Veterinary Medicine  
University of California, Davis  
One Shields Ave.  
Davis, CA 95616  
E-mail: [ketapias@ucdavis.edu](mailto:ketapias@ucdavis.edu)

13. **University's Right to Use Data.** University shall have the unrestricted right to use for its own purposes, including publication, any data or information which may be developed, provided by or arising in connection with the performance of this Agreement.
14. **Governing Law.** This Agreement shall be construed pursuant to California law.

- 15. **Federal Exclusion Warranty.** Shelter warrants that it is not excluded from participation in any governmental sponsored program, including, without limitation, the Medicare, Medicaid, or Champus programs (<http://exclusions.oig.hhs.gov/search.html>) and the Federal Procurement and Nonprocurement Programs (<https://www.sam.gov/index.html/##11#1>). This agreement shall be subject to immediate termination in the event that Shelter is excluded from participation in any federal healthcare or procurement program.
  
- 16. **Audit Requirements.** The Agreement, and any pertinent records involving activities related to the services provided pursuant to the terms and conditions of this Agreement, shall be subject to the examination and audit of the California State Auditor and any other duly authorized agents of the State of California for a period of three (3) years after the date of final payment hereunder. Shelter hereby agrees to make all such records available during normal business hours to inspection, audit and reproduction by University and any duly authorized local, state and/or federal agencies. Any and all examinations and audits conducted hereunder shall be strictly confined to those matters connected with the performance of this Agreement, including, without limitation, the costs associated with the administration of this Agreement.
  
- 17. **Termination.** University may terminate this Agreement at any time by giving Shelter thirty (30) calendar days' written notice of such action. If this Agreement is terminated, Shelter shall retain any funds expended or committed for the purposes of this Agreement and will return any unexpended funds.
  
- 18. **Entire Agreement.** This Agreement constitutes the entire understanding of the parties respecting the subject matter hereof and supersedes any prior understanding or agreement between them, written or oral, regarding the same subject matter.

AGREED:

BERKELEY ANIMAL  
CARE SERVICES

THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA

By: \_\_\_\_\_  
(authorized signature)

By: \_\_\_\_\_

Print name: \_\_\_\_\_

UC Davis

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Exhibit A**

Scope of Work

1. Purpose of the work: *Berkeley Animal Care Services will receive funds to subsidize adoption and return to home fees, and for targeted pet assistance for unhoused pet owners.*
2. Roles and responsibilities of each party: *Berkeley Animal Care Services will provide historical data from 2018 to 2022, and annual data through 2026 to UC Davis Koret Shelter Medicine Program in support of the California for All Animals (CA4AA) program. KSMP will support the shelter to comply with data requirements. No University equipment will be used.*
3. Dates and times will the work be completed: *Work will be completed during the contract period of January 1, 2024 through December 31, 2024.*
4. Location where work will be performed: *1 Bolivar Dr, Berkeley, CA 94710*
5. Required deliverables: *One final report will be required upon completion of the program. Additional touch points during the grant will be discussed with project officer.*
6. Project milestones: *Program pilot to be completed by December 31, 2024.*
7. Total cost of the services: *Total of services not to exceed \$60,000. No construction costs will be funded through this grant.*

*Items:*

|                                       |                 |
|---------------------------------------|-----------------|
| <i>Subsidized adoption fees</i>       | <i>\$15,000</i> |
| <i>Subsidized return to home fees</i> | <i>\$30,000</i> |
| <i>Targeted pet assistance</i>        | <i>\$15,000</i> |

*Total expenses: \$60,000*

8. Payment schedule: *Payment will be upon execution of the agreement.*
9. Anticipated additional work: *Additional work is not anticipated at this time.*



Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Peter Radu, Assistant to the City Manager  
 Subject: Contract No. R9710 Amendment: City of Piedmont for Animal Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend an existing contract number R9710 and any amendments with the City of Piedmont for Berkeley Animal Care Services (BACS) to provide animal sheltering and certain animal care services to the City of Piedmont. For these services the City of Piedmont will pay the City of Berkeley an amount not to exceed \$196,572 for services performed from FY2024 through FY2026. This adjustment will result in a revised maximum total contract amount of \$708,388.45.

FISCAL IMPACTS OF RECOMMENDATION

The FY2023 budget already includes anticipated revenues of \$88,014 from the City of Piedmont for animal care services. The estimated costs for the City of Berkeley to provide shelter operations to the City of Piedmont are projected at \$57,975 for FY2024, \$65,222 for FY2025, and \$73,375 for FY2026. This amounts to a total not-to-exceed (NTE) sum of \$196,572 over the three-year period, culminating in a new NTE total contract amount of \$708,388.45. The City of Piedmont will reimburse the City of Berkeley for these additional estimated costs, and the revenues will be allocated to the General Fund under account 010-0704-345-4202.

CURRENT SITUATION AND ITS EFFECTS

For many years, the City of Berkeley has provided specific animal care and sheltering services to the City of Piedmont. The existing contract between the City of Berkeley and the City of Piedmont is set to expire on 6/30/2025, which now gives the City an opportunity to renegotiate the terms of the contract to cover the additional estimated costs.

In the past, the City of Emeryville obtained animal services through their agreement with the City of Piedmont. However, this contract has recently been terminated. This termination altered the service provision to Emeryville, leading both Emeryville and Piedmont to seek direct animal care services from Berkeley Animal Care Services (BACS). The City Council has already approved a separate contract with Emeryville for

these services.

Notably, the City of Piedmont lacks its own facility for animal sheltering and relies heavily on BACS for this essential service. Given these changes and the evolving needs of the involved cities, it has become imperative for the City of Berkeley to renegotiate both the costs and the scope of the services with the City of Piedmont, necessitating an amendment to the current contract.

### BACKGROUND

The City of Piedmont, lacking a dedicated Animal Shelter, requires external assistance in providing care and shelter for animals within its jurisdiction that are in need by reason of accident, sickness or being lost, stray or abandoned. In October of 2023, the Cities of Emeryville and Piedmont ended their mutual contract for animal care services. This termination prompted the need for a revised contract between Piedmont and Berkeley Animal Care Services (BACS), to adjust the scope of services provided. Additionally, on October 3, 2023, Council approved a new contract between Emeryville and BACS. This development reflects the evolving landscape of regional animal care services and the need for tailored agreements to address specific municipal needs.

### RATIONALE FOR RECOMMENDATION

The City of Berkeley possesses the necessary facilities, resources, and expertise to provide the aforementioned animal care and sheltering services for the City of Piedmont. This capability is backed by a long-standing contractual relationship between the two cities, demonstrating Berkeley's proven track record in efficiently and effectively delivering these services.

### ALTERNATIVE ACTIONS CONSIDERED

None

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

### CONTACT PERSON

Michael St. Pierre, Animal Care Services Manager, 510-981-6603.

Attachments:

1. Resolution

ATTACHMENT 1

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

CONTRACT NO. R9710 AMMENDMENT: CITY OF PIEDMONT FOR ANIMAL CARE  
AND SHELTERING FOR FY2024 - FY2026

WHEREAS, The City of Piedmont requires assistance for animal services in their jurisdiction: and

WHEREAS, The City of Piedmont requires assistance in providing care and shelter for animals within its City that are in need by reason of accident, sickness or being lost, stray or abandoned: and

WHEREAS, The City of Berkeley is well-equipped and capable of providing these services to the City of Piedmont.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to amend Contract No. R9710 and any necessary amendments with the City of Piedmont for animal care services for FY2024 - FY2026 in the amount of \$196,572, for a new Not to Exceed (NTE) total contract amount of \$708,388.45.







City Manager's Office

CONSENT CALENDAR

January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Peter Radu, Assistant to the City Manager

Subject: Extension of Declaration of Homeless Shelter Crisis

RECOMMENDATION

Adopt a Resolution extending Resolution No. 70,179 – N.S., extending the declaration of a Homeless Shelter Crisis until January 17, 2029.

BACKGROUND

The entire State of California, which has roughly 13% of the nation's general population but half of the nation's unsheltered homeless population,<sup>1</sup> has been grappling with an affordable housing and shelter crisis. In response to the city's shelter crisis and severe shortage of beds, on January 19, 2016, the Berkeley City Council unanimously approved Resolution No. 67,357-N.S., Declaring a Shelter Crisis in Berkeley. Originally set to expire on January 19, 2017, the Resolution has been extended multiple times (most recently Resolution No. 70,179-N.S. on January 18, 2022, extending it to January 19, 2024).

Since the passage of the last shelter crisis declaration extension, there have been several important developments that justify yet another extension of this resolution. The latest federal Point-in-Time homeless count in Alameda County, conducted in January 2022, demonstrated important progress on solving homelessness in Berkeley, including an overall decrease in homelessness of 5%, and a 1% decrease in unsheltered homelessness in particular between January 2019 and January 2022. Nevertheless, the overall proportion of unsheltered homelessness amongst the homeless population in Berkeley increased from 73% to 76% over the same period of time—meaning that while fewer people are experiencing homelessness overall, a growing number of those that do become homeless are unable to access shelter. Since then, the city has returned its congregate shelter capacity—which suffered a capacity loss of roughly 50% during the pandemic to comply with CDC physical distancing guidelines—to pre-pandemic levels, but many of these beds are top bunks, which can be difficult to access for the 33% of the homeless population that reports a physical disability. In response to the overall declining interest in congregate shelter since the pandemic, city staff have capitalized on emerging state funding opportunities and have

<sup>1</sup> See: <https://www.ppic.org/blog/homeless-populations-are-rising-around-california/>

brought in close to \$10M in Encampment Resolution Funding grants to establish three new non-congregate shelters for encampments in the last 18 months. This is a noteworthy feat for a city that otherwise is considered too small to receive direct state homeless funding, even though the rate at which people are becoming unsheltered is outpacing the rate of our work to respond to it.

In July 2021, the City Council adopted the All Home Regional Action Plan, committing Berkeley to an ambitious 75% reduction in unsheltered homelessness over three years. Given the extensive remaining need on the street, and in order to meet the spirit of urgency reflected in the adoption of the Regional Action Plan, staff requests another extension of the shelter crisis declaration, which will allow the city to continue our efforts to respond to the crisis. To do so as quickly and efficiently as possible, the proposed resolution would continue the previous flexibilities and waivers (including non-voter approved purchasing and bid requirements). Based on recent experiences and administrative workload increases, it recommends granting the following two additional flexibilities:

- Waiving the City Manager’s expenditure authority limit up to \$250,000 for the procurement of homeless services. The vast majority of homeless services contracts in the City exceed this threshold limit, but some flexibility for smaller contracts will increase staff’s efficiency in acting quickly.
- Authorizing the City Manager to apply for and accept funding and grants from the County, State, and Federal governments for the provision of homeless services. As the city becomes increasingly competitive for these grant programs—which increasingly have short application windows—waiver of formal Council approval in seeking these funding opportunities will again increase staff’s efficiency in acting quickly.

All changes from the current version of the shelter crisis resolution are redlined in Attachment 2, to clearly highlight recommended edits and additions.

#### FINANCIAL IMPLICATIONS

Continuing Berkeley’s shelter crisis may have the effect of expediting access and use of new and future State homelessness resources. It may also reduce the burden on staff time by streamlining project approvals.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Maintaining or increasing interim housing capacity will reduce the impacts of temporary encampments, which in turn helps mitigate the impacts of encampments and unsheltered homelessness on Berkeley’s environment, notably its sensitive waterways and fire-prone areas.

#### CONTACT PERSON

Peter Radu, City Manager’s Office      510-981-7045

Attachments:

1: Resolution

2: Resolution (with redline edits)

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

EXTENSION OF DECLARATION OF HOMELESS SHELTER  
CRISIS

WHEREAS, on January 19, 2016, the City Council unanimously passed Resolution No. 67,357-N.S., Declaring a Homeless Shelter Crisis in Berkeley, which was set to expire on January 19, 2017; and

WHEREAS, on November 15, 2016, the City Council passed Resolution No. 67,746-N.S., extending the previous Resolution to January 19, 2018; and

WHEREAS, on October 31, 2017, the City Council passed Resolution No. 68,206-N.S., placing another extension until January 19, 2020; and

WHEREAS, on June 12, 2018, the City Council enacted Ordinance No. 7,613-N.S., setting forth reasonable local standards and procedures for the design, site development, and operation of homeless shelters and the structures and facilities therein; and

WHEREAS, on November 19, 2019, the City Council passed Resolution No. 69,189-N.S., extending the previous Resolution to January 2022; and

WHEREAS, on January 18, 2022, the City Council passed Resolution No. 70,179-N.S., extending the previous Resolution to January, 2024; and

WHEREAS, according to the last Alameda County Point-in-Time homeless count in January 2022, the homeless population decreased 5% from 2019 levels to 1,057 people, but over the same time period saw an increase of 70% in tent homelessness; and

WHEREAS, this shelter crisis affects Berkeley's citizens disproportionately with more African American, Latino and elderly individuals experiencing homelessness; and

WHEREAS, the COVID-19 pandemic limited shelter bed availability in Berkeley by forcing shelter providers to reduce bed capacity to maintain compliance with CDC physical distancing guidelines, from which the City has been slow to recover; and

WHEREAS, the current number of homeless individuals in Berkeley far outpaces the number of existing shelter beds, transitional housing or permanent supportive housing units available; and

WHEREAS, homelessness encampments have increased across parts of Berkeley within the public right of way, thus exposing homeless individuals to traffic hazards, crime, risk of death and injury, exposure to weather, lack of adequate sanitation and debris services, and other conditions that are detrimental to their health and safety; and

WHEREAS, analysis and evidence have demonstrated that providing decent, safe and stable housing combined with crucial support services are two primary components of successful transition from homelessness to a safer and healthier way of living; and

WHEREAS, this shelter crisis is not unique to Berkeley, but is evident throughout the Bay Area, California and the United States, causing other municipalities such as Los Angeles, Portland, Oregon and Seattle, Washington to also take more immediate actions to address these conditions; and

WHEREAS, given the extent of the shelter crisis, the City Council of the City of Berkeley finds that more immediate and expeditious efforts are necessary to develop additional shelter solutions that are safe and meet basic habitability standards and that flexibility and broad-based approaches are essential to increase capacity; and

WHEREAS, California Government Code Section 8698, et seq., allows the governing body of a city to declare a shelter crisis when a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety; and

WHEREAS, California Government Code Section 8698.1 provides that, upon a declaration of a shelter crisis, the provisions of any state or local regulatory statute, regulation or Resolution prescribing standards of housing, health, or safety, as applied to public facilities, shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis; and

WHEREAS, California Government Code Section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities (including facilities leased by the city) during the duration of the crisis; and

WHEREAS, California Government Code Section 8698.4 provides that, The City may adopt reasonable local standards for design, site development, and operation of emergency bridge housing communities, structures, and facilities, in lieu of compliance with state and local building, housing, health, habitability or safety standards and laws.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley:

1. Finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Resolution; and
2. This Resolution shall remain in place until January 17, 2029; and
3. Finds that a significant number of persons in Berkeley are without the ability to obtain shelter, and that this situation has resulted in a threat to the health and safety of these persons, for the reasons set forth above. The Council therefore hereby declares a shelter crisis in the City of Berkeley under the authority set forth in Government Code Section 8698, et seq.; and
4. Authorizes the City Manager or her designee to allow persons unable to obtain

housing to occupy designated City facilities or facilities leased by the City as shelters during the period of this crisis; and

5. Authorizes for the term of this Resolution, an exception to planning, zoning, building, or other permit requirements and administrative processes for the interim establishment of shelters for the homeless to the extent that strict compliance with the aforementioned regulations would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Capital projects supporting homeless shelters and other programs shall receive expedited permitting and waivers for expedited permit fees; and

6. Authorizes waiver of the City Manager's expenditure limit up to \$250,000 for the procurement of services that are directly related to providing temporary shelter and other related services for the people experiencing homelessness, and authorizes the City Manager to approve such contracts; and

7. Authorizes the City Manager to apply for and accept funding and grants from the County, State, and Federal governments for the provision of homeless services; and

8. Authorizes the City Manager to waive non-voter approved purchasing and bid requirements for the installation of facilities and services and approve contracts that are directly related to providing temporary shelter and other related services for the homeless. At the City Manager's discretion, the waiver of purchasing and bid requirements may apply to leased assets/equipment and other services that will be provided within or to support temporary shelter facilities and other related programs and services; and

9. Requires that permanent housing projects that apply the authority provided for under this resolution shall be reviewed and approved by the City Council prior to implementation, and shall include detailed plans for the project and the standards and requirements being applied to the facility and its operation; and

10. Finds that if this Resolution is inconsistent with any other provisions of the Berkeley Municipal Code, this Resolution shall apply. This Resolution suspends contrary regulations in the Berkeley Municipal Code or requirements of the General Plan or implementing regulations; and

11. Recognizes that this Resolution is enacted pursuant to the City of Berkeley's general police powers, and Article XI of the California Constitution, as well as the other provisions of state and local law otherwise cited herein; and

12. Finds that if any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the resolution. The City Council hereby declares that it would have passed this Resolution and each section, subsection, clause or phrase thereof irrespective of

the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

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

EXTENSION OF DECLARATION OF HOMELESS SHELTER  
CRISIS

WHEREAS, on January 19, 2016, the City Council unanimously passed Resolution No. 67,357-N.S., Declaring a Homeless Shelter Crisis in Berkeley, which was set to expire on January 19, 2017; and

WHEREAS, on November 15, 2016, the City Council passed Resolution No. 67,746-N.S., extending the previous Resolution to January 19, 2018; and

WHEREAS, on October 31, 2017, the City Council passed Resolution No. 68,206-N.S., placing another extension until January 19, 2020; and

WHEREAS, on June 12, 2018, the City Council enacted Ordinance No. 7,613-N.S., setting forth reasonable local standards and procedures for the design, site development, and operation of homeless shelters and the structures and facilities therein; and

WHEREAS, on November 19, 2019, the City Council passed Resolution No. 69,189-N.S., extending the previous Resolution to January 2022; and

WHEREAS, on January 18, 2022, the City Council passed Resolution No. 70,179-N.S., extending the previous Resolution to January, 2024; and

WHEREAS, according to the last EveryOne Home Alameda County Point-in-Time homeless count in January 2019~~2022~~, the homeless population decreased 5% from 2019 levels to 1,057 people, but over the same time period saw an increase of 70% in tent homelessness; and

WHEREAS, this shelter crisis affects Berkeley's citizens disproportionately with more African American, Latino and elderly individuals experiencing homelessness; and

~~WHEREAS, the COVID-19 pandemic's economic toll has exacerbated income inequality and housing insecurity for the most marginally housed households across the region, increasing the risk of homelessness;~~

WHEREAS, the COVID-19 pandemic ~~has worsened shelter bed shortages limited shelter bed availability~~ in Berkeley by forcing shelter providers to reduce bed capacity to maintain compliance with CDC physical distancing guidelines, from which the City has been slow to recover; and

WHEREAS, the current number of homeless individuals in Berkeley far outpaces the number of existing shelter beds, transitional housing or permanent supportive housing units available; and



WHEREAS, homelessness encampments have increased across parts of Berkeley within the public right of way, thus exposing homeless individuals to traffic hazards, crime, risk of death and injury, exposure to weather, lack of adequate sanitation and debris services, and other conditions that are detrimental to their health and safety; and

WHEREAS, analysis and evidence have demonstrated that providing decent, safe and stable housing combined with crucial support services are two primary components of successful transition from homelessness to a safer and healthier way of living; and

WHEREAS, this shelter crisis is not unique to Berkeley, but is evident throughout the Bay Area, California and the United States, causing other municipalities such as Los Angeles, Portland, Oregon and Seattle, Washington to also take more immediate actions to address these conditions; and

WHEREAS, given the extent of the shelter crisis, the City Council of the City of Berkeley finds that more immediate and expeditious efforts are necessary to develop additional shelter solutions that are safe and meet basic habitability standards and that flexibility and broad-based approaches are essential to increase capacity; and

WHEREAS, California Government Code Section 8698, et seq., allows the governing body of a city to declare a shelter crisis when a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety; and

WHEREAS, California Government Code Section 8698.1 provides that, upon a declaration of a shelter crisis, the provisions of any state or local regulatory statute, regulation or Resolution prescribing standards of housing, health, or safety, as applied to public facilities, shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis; and

WHEREAS, California Government Code Section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities (including facilities leased by the city) during the duration of the crisis; ~~and-~~

WHEREAS, California Government Code Section 8698.4 provides that, The City may adopt reasonable local standards for design, site development, and operation of emergency bridge housing communities, structures, and facilities, in lieu of compliance with state and local building, housing, health, habitability or safety standards and laws.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley:

1. Finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Resolution; and
2. This Resolution shall remain in place until January 1~~7~~<sup>9</sup>, 202~~9~~<sup>4</sup>; and
3. Finds that a significant number of persons in Berkeley are without the ability to obtain shelter, and that this situation has resulted in a threat to the health and safety

of these persons, for the reasons set forth above. The Council therefore hereby declares a shelter crisis in the City of Berkeley under the authority set forth in Government Code Section 8698, et seq.; and

4. Authorizes the City Manager or her designee to allow persons unable to obtain housing to occupy designated City facilities or facilities leased by the City as shelters during the period of this crisis; and

5. Authorizes for the term of this Resolution, ~~no an exception to~~ planning, zoning, building, or other permit requirements and administrative processes for the interim establishment of shelters for the homeless ~~shall be required~~ to the extent that strict compliance with the aforementioned regulations would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. ~~At the City Manager's discretion and with approval by the City Council, interim municipal health and safety provisions and land use controls may be applied to facilities ensuring minimal public health and safety standards. These interim standards shall only apply to additional public facilities open to the homeless Capital projects supporting homeless shelters and other programs shall receive expedited permitting and waivers for expedited permit fees;~~ and

6. Authorizes waiver of the City Manager's expenditure limit up to \$250,000 for the procurement of services that are directly related to providing temporary shelter and other related services for the people experiencing homelessness, and authorizes the City Manager to approve such contracts; and

7. Authorizes the City Manager to apply for and accept funding and grants from the County, State, and Federal governments for the provision of homeless services; and

6.8. Authorizes the City Manager to waive non-voter approved purchasing and bid requirements for the installation of facilities and services and approve contracts that are directly related to providing temporary shelter and other related services for the homeless. At the City Manager's discretion, the waiver of purchasing and bid requirements may apply to leased assets/equipment and other services that will be provided within or to support temporary shelter facilities and other related programs and services; ~~and~~.

7.9. Authorizes homeless ~~Requires that permanent~~ housing projects that apply the authority provided for under this resolution shall be reviewed and approved by the City Council prior to implementation, and shall include detailed plans for the project and the standards and requirements being applied to the facility and its operation; and

8.10. Finds that if this Resolution is inconsistent with any other provisions of the Berkeley Municipal Code, this Resolution shall apply. This Resolution suspends contrary regulations in the Berkeley Municipal Code or requirements of the General Plan or implementing regulations; and

9.11. Recognizes that this Resolution is enacted pursuant to the City of Berkeley's general police powers, and Article XI of the California Constitution, as well as the other provisions of state and local law otherwise cited herein; and

10.12. ~~Severability.Finds that~~ if any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ~~Chapterresolution~~. The City Council hereby declares that it would have passed this Resolution and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Eleanor Hollander, Economic Development Manager  
Subject: Acceptance - \$30,000 Grant from the National Endowment for the Arts

RECOMMENDATION

Adopt a Resolution accepting a \$30,000 grant from the National Endowment for the Arts (NEA). The grant will be used to support a new Civic Arts grant program totaling \$60,000 to begin in Fiscal Year 2025 (FY25). The NEA grant will be used to underwrite a new program designed to support the following types of arts and cultural programming in the City of Berkeley:

- Nonprofit (not-art specific) organizations located in the City of Berkeley wishing to produce arts/cultural programming **in** the City of Berkeley led by a partnering arts organization or teaching artist; or
- Arts nonprofit organizations located in the Greater Bay Area (outside of Berkeley) wishing to produce arts/cultural programming taking place **in** the City of Berkeley.

FISCAL IMPACTS OF RECOMMENDATION

The NEA grant requires \$30,000 in matching funds that were identified, prior to the grant application submittal (February 2023), and therefore requires no new identification of funds. The required one-to-one matching funds totaling \$30,000 from the baseline FY25 budget and are comprised of the following reallocations within Fund 011:

- \$20,000 One (1) two-year Civic Arts General Operation Support grant award (FY23 and FY24) intended for Theatre First which closed in 2023 and was not paid out.
- \$4,000 One (1) less Individual Arts Grant (IND) selected for award in FY25. This reduction of a single grant award in FY25 would leave a total of ten (10) IND grants to be awarded in FY25.
- \$6,000 Reallocate funds in FY25 that would normally be spent on artist workshops, advertising, and other program support services to instead bolster the new program the “Arts Program Grants” enabled by the matching grant from the NEA.

There is not an obligation to identify an ongoing financial match beyond FY25 with the acceptance of this grant award.

### CURRENT SITUATION AND ITS EFFECTS

With an annual budget of approximately \$700,000 from the City's General Fund (011), the Civic Arts Grants Program currently awards funding in three distinct categories: 1) Individual Artist Projects; 2) Community Festivals, and 3) General Operating Support. This new NEA grant funding will allow for the establishment of a fourth Civic Arts Grants funding category – the *Arts Program Grants*, which will be administered in conjunction with the FY25 Civic Arts Grants process. The Arts Program Grants category aims to (1) foster cross-sector collaborations and opportunities for non-arts organizations to hire arts and cultural workers or partner with Berkeley-based arts organizations for programming, and (2) offer the Berkeley community the opportunity to engage in Greater Bay Area programming offered by non-Berkeley arts organizations taking place in Berkeley. Awards will be up to \$5,000 each for eligible program-related expenses. The review criteria for this new grant category are: Program Narrative and Timeline (25%), Artistic Merit and Artistic Excellence (25%), Community Engagement and Impact (25%), and Cultural Equity (25%).

### BACKGROUND

After analyzing data from previous Civic Arts grant cycles, Civic Arts staff identified a gap in the current grant opportunities. Staff found that there are two types of arts programming that have historically not been eligible for Civic Arts Grants funding:

1. Berkeley-based non-arts nonprofit organizations seeking funding for their current arts programming, or wishing to start arts programming.
2. Arts organizations in the Greater Bay Area wishing to do programming in Berkeley, especially those organizations in neighboring communities who already have strong partnerships with Berkeley-based arts facilities.

In order to better support a wide range of arts and cultural activities in Berkeley and to increase equitable access to artistic expression and creativity, Staff sought to create the “Arts Program Grants” category and augment City funding for the arts by pursuing a matching grant from the NEA. Approval for the NEA grant application in accordance with the city’s administrative regulation (AR 1.17) was granted February 7, 2023. The City was notified of the award from the NEA on November 9, 2023.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability or climate impacts associated with this recommendation.

### RATIONALE FOR RECOMMENDATION

Accepting federal funding from the National Endowment for the Arts would help the City accomplish one of the five high-level goals articulated in *The City of Berkeley’s Arts and Culture Plan (2018-2027)*: “**Increase Investment in a Vibrant Arts Community, Strengthen and support Berkeley’s inclusive and culturally rich arts sector by expanding funding and marketing opportunities for a broader array of arts organizations.**”

Grant from the National Endowment for the Arts

CONSENT CALENDAR  
January 16, 2024

Additionally, accepting these funds aligns with the City of Berkeley's fiscal policy to leverage City funds to secure matching State and Federal resources for the City of Berkeley.

ALTERNATIVE ACTIONS CONSIDERED

No alternatives were considered.

CONTACT PERSON

Hilary Amnah, Office of Economic Development, 510-981-7539

Attachment:

1: Resolution

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

ACCEPTING A \$30,000 GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS (NEA) TO SUPPORT ACCESS TO ARTS AND CULTURAL PROGRAMMING IN THE CITY OF BERKELEY BY CREATING A NEW CIVIC ARTS GRANTS PROGRAM-BASED FUNDING CATEGORY KNOWN AS THE *ARTS PROGRAM GRANTS*.

WHEREAS, the *Arts and Culture Plan for the City of Berkeley (2017-18)* includes the goal of increasing investment in a vibrant arts community by expanding funding and marketing opportunities for a broader array of arts organizations; and

WHEREAS, the Civic Arts Program has identified a gap in its current grant program offerings through data analysis, and community feedback on program-based funding; and

WHEREAS, an *Arts Program Grant* would support the City's ability to create increased access to arts and cultural programming taking place in Berkeley; and

WHEREAS, federal funding from the National Endowment for the Arts is available to local arts agencies for sub-granting purposes; and

WHEREAS, the Civic Arts grant program has identified \$30,000 in matching funds to use for a new grant program category, the *Arts Program Grant* of \$60,000 total; and

WHEREAS, the National Endowment for the Arts has awarded a \$30,000 grant for this purpose and these funds will be put into revenue account code 336-21-208-252-0000-000-000-434110.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the \$30,000 grant from the National Endowment for the Arts be accepted for the above purpose.





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Henry Oyekanmi, Director, Finance  
 Subject: Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 16, 2024

RECOMMENDATION

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

FISCAL IMPACTS OF RECOMMENDATION

Total estimated cost of items included in this report is **\$3,434,341**

| <u>PROJECT</u>                                                                              | <u>Fund</u> | <u>Source</u>                    | <u>Amount</u> |
|---------------------------------------------------------------------------------------------|-------------|----------------------------------|---------------|
| Advanced Medical Response Unit                                                              | 011         | Prof. Services – Misc.           | \$525,000     |
| Towing Services                                                                             | 672         | Equipment Maintenance            | \$90,000      |
| Ohlone Park Restroom and Lighting                                                           | 511         | Measure T1                       | \$966,200     |
| Lorin & Gilman Parking Benefit District(s) Formation Services                               | 011         | General Fund                     | \$70,000      |
| Fleet Vehicle Washing Services                                                              | 672         | Equipment Maintenance            | \$300,000     |
| Mental health support and consultation services for home visiting and case management staff | 011         | Non-personnel – Contract – Misc. | \$100,000     |

Formal Bid Solicitations and Request for Proposals  
 Scheduled for Possible Issuance After Council  
 Approval on January 16, 2024

January 16, 2024

CONSENT CALENDAR

|                                                                    |     |                                  |                    |
|--------------------------------------------------------------------|-----|----------------------------------|--------------------|
| Youth Development Program Assessment – Youthworks Program          | 011 | Non-personnel – Contract – Misc. | \$248,141          |
| Fire Warehouse Improvements                                        | 778 | CAP - FA - BUILDINGS             | \$535,000          |
| North Shattuck, College, and Solano Avenue Corridors Zoning Update | 011 | Non-personnel – Contract – Misc. | \$600,000          |
| <b>Total:</b>                                                      |     |                                  | <b>\$3,434,341</b> |

**CURRENT SITUATION AND ITS EFFECTS**

On May, 6, 2008, Council adopted Ordinance No. 7,035-N.S. effective June 6, 2008, which increased the City Manager’s purchasing authority for services to \$50,000. As a result, this required report submitted by the City Manager to Council is now for those purchases in excess of \$100,000 for goods; and \$200,000 for playgrounds and construction; and \$50,000 for services. If Council does not object to these items being sent out for bid or proposal within one week of them appearing on the agenda, and upon final notice to proceed from the requesting department, the IFB (Invitation for Bid) or RFP (Request for Proposal) may be released to the public and notices sent to the potential bidder/respondent list.

**BACKGROUND**

On May 6, 2008, Council adopted Ordinance No. 7,035-N.S., amending the City Manager’s purchasing authority for services.

**ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS**

The Finance Department reviews all formal bid and proposal solicitations to ensure that they include provisions for compliance with the City’s environmental policies. For each contract that is subject to City Council authorization, staff will address environmental sustainability considerations in the associated staff report to City Council.

**RATIONALE FOR RECOMMENDATION**

Need for the goods and/or services.

**ALTERNATIVE ACTIONS CONSIDERED**

None.

**CONTACT PERSON**

Darryl Sweet, General Services Manager, Finance, 510-981-7329

Formal Bid Solicitations and Request for Proposals  
Scheduled for Possible Issuance After Council  
Approval on January 16, 2024

January 16, 2024

CONSENT CALENDAR

**Attachments:**

**1: Formal Bid Solicitations and Request for Proposals Scheduled for Possible Issuance After Council Approval on January 16, 2024**

- a. Advanced Medical Response Unit
- b. Towing Services
- c. Ohlone Park Restroom and Lighting
- d. Lorin & Gilman Parking Benefit District(s) Formation Services
- e. Fleet Vehicle Washing Services
- f. Mental health support and consultation services for home visiting and case management staff
- g. Youth Development Program Assessment – Youthworks Program
- h. Fire Warehouse Improvements
- i. North Shattuck, College, and Solano Avenue Corridors Zoning Update

Note: Original of this attachment with live signature of authorizing personnel is on file in General Services.

| SPECIFICATION NO.  | DESCRIPTION OF GOODS / SERVICES BEING PURCHASED | APPROX. RELEASE DATE | APPROX. BID OPENING DATE | INTENDED USE                                                                                                                                                                                                                                                                                                                                                                                                                 | ESTIMATED COST                                         | BUDGET CODE TO BE CHARGED                                                               | DEPT. / DIVISION   | CONTACT NAME & PHONE                                                                                 |
|--------------------|-------------------------------------------------|----------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------------------------------------------|
| 24-11647-C         | Advanced Medical Response Unit                  | 12/4/23              | 1/5/2024                 | <p>The RFP is seeking a nurse practitioner to staff an advanced medical response unit for a six-month pilot program in the Berkeley Fire Department.</p> <p>Through this new team, the program aims to link 911 system users with healthcare resources tailored to their specific requirements, as well as other health services for the highest-risk patient populations that lack access to primary/preventative care.</p> | \$525,000.00                                           | 011-72-742-837-0000-000-423-612990                                                      | Fire/EMS           | Julie Haslam<br>510-292-8836                                                                         |
| 24-11654-C         | Fire Warehouse Improvements                     | December-23          | January-23               | Accessibility upgrades and interior additions for an office and attic space. The scope also includes a concrete pad in the exterior yard.                                                                                                                                                                                                                                                                                    | \$535,000                                              | 778-72-742-835-0000-000-422-662110-                                                     | Fire Department    | Uriel Gonzalez<br>x6627                                                                              |
| <b>DEPT. TOTAL</b> |                                                 |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>\$ 1,060,000.00</b>                                 |                                                                                         |                    |                                                                                                      |
| 24-11648-C         | Towing Services                                 | Jan-24               | March 2024               | Towing services from qualified companies to accommodate the City's Public Works Dept. towing needs. Towing services utilized for city vehicles only from point A to point B. No vehicle storage needed.                                                                                                                                                                                                                      | NTE \$90,000 over the course of three contract years.  | 672-54-626-722-0000-000-472-613110-                                                     | PW/ Fleet Division | Joy Brown<br>(510)981-6629<br><br>Sara Rubio<br>(510)981-5372<br><br>Don Colbert<br>(510)981-6467    |
| 24-11651-C         | Fleet Vehicle Washing Services                  | Jan-24               | Mar-24                   | Vehicle Fleet Washing Service from qualified companies to accommodate the City's Public Works Dept. Fleet Division. Interior and exterior cleaning services on all vehicle types. These services are utilized by                                                                                                                                                                                                             | NTE \$300,000 over the course of three contract years. | 672-54-626-722-0000-000-472-613110-<br><br>\$100,000 for FY24<br><br>\$100,000 for FY25 | PW/Fleet Division  | Joy Brown<br>(510) 981-6629<br><br>Sara Rubio<br>(510) 981-5372<br><br>Don Colbert<br>(510) 981-6467 |
| <b>DEPT. TOTAL</b> |                                                 |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>\$ 390,000.00</b>                                   |                                                                                         |                    |                                                                                                      |

| SPECIFICATION NO.  | DESCRIPTION OF GOODS / SERVICES BEING PURCHASED                                             | APPROX. RELEASE DATE | APPROX. BID OPENING DATE | INTENDED USE                                                                                                                                                                                                                                                                                                                                                                           | ESTIMATED COST       | BUDGET CODE TO BE CHARGED                                                                                                                                                                   | DEPT. / DIVISION                                   | CONTACT NAME & PHONE                         |
|--------------------|---------------------------------------------------------------------------------------------|----------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------|
| 24-11649-C         | Ohlone Park Restroom and Lighting                                                           | March 5, 2024        | 26-Mar-24                | Replacement of the existing porta-potties between California Street and McGee Avenue with a new, permanent prefab restroom and lighting improvements within the park.                                                                                                                                                                                                                  | \$ 966,200.00        | 511-52-545-000-0000-000-461-663110-PRWT122007                                                                                                                                               | Parks, Recreation, & Waterfront / Capital Projects | Evelyn Chan x6430<br>Stacey Rutherford x6738 |
| <b>DEPT. TOTAL</b> |                                                                                             |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                        | <b>\$ 966,200.00</b> |                                                                                                                                                                                             |                                                    |                                              |
| 24-11650-C         | Lorin & Gilman Parking Benefit District(s) Formation Services                               | 12/1/23              | 2/23/2024                | The City of Berkeley is soliciting written proposals from qualified firms and or individuals specializing in the formation of Parking Benefit Districts (PBDs) for the Lorin and Gilman business districts pursuant to Section 36600 et seq. of the California Streets and Highways Code, also known as the Property and Business Improvement District (PBID) Law of 1994 (the "Act"). | \$ 70,000.00         | Referral approved 1/18/22<br><br>Reso. N.O. 70,442 FY 23/24 Bi-annual budget                                                                                                                | CMO/OED                                            | Kieron Slaughter, 510-981-2490               |
| <b>DEPT. TOTAL</b> |                                                                                             |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                        | <b>\$ 70,000.00</b>  |                                                                                                                                                                                             |                                                    |                                              |
| 24-11652-C         | Mental health support and consultation services for home visiting and case management staff | Feb-24               | Mar-24                   | Assistance with providing Mental health support for staff who provide home visiting and case management support in terms of reflective supervision and trainings.                                                                                                                                                                                                                      | NTE \$100,000        | HHPGHO2301 – Nonpersonnel – Contracts – Misc<br><br>GL: 011-51-506-555-0000-000-451-612990<br><br>HHPGAC2301- Nonpersonnel – Contracts – Misc<br><br>GL: 011-51-506-561-0000-000-451-612990 | HHCS/ Public Health                                | Janice Chin (510) 981- 5121                  |

| SPECIFICATION NO.  | DESCRIPTION OF GOODS / SERVICES BEING PURCHASED                    | APPROX. RELEASE DATE | APPROX. BID OPENING DATE | INTENDED USE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ESTIMATED COST         | BUDGET CODE TO BE CHARGED                                                                   | DEPT. / DIVISION    | CONTACT NAME & PHONE                                                    |                |
|--------------------|--------------------------------------------------------------------|----------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------|----------------|
| 24-11653-C         | Youth Development Program Assessment – Youthworks Program          | Feb-24               | Mar-24                   | Assistance in readiness assessment, planning and implementation of youth development model, trainings, and strategies for the revisioning of the Youthworks Program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | NTE \$248,141.00       | HHPYTH2301 – Nonpersonnel – Contracts – Misc<br><br>GL: 011-51-506-555-2025-000-449-621990- | HHCS/ Public Health | Janice Chin<br>(510)981- 5121                                           |                |
| <b>DEPT. TOTAL</b> |                                                                    |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>\$ 348,141.00</b>   |                                                                                             |                     |                                                                         |                |
| 24-11655-C         | North Shattuck, College, and Solano Avenue Corridors Zoning Update | 1/29/2024            | 3/15/2024                | The City of Berkeley seeks to engage a firm or team of firms (“consultant”) to assist in zoning amendments for three priority commercial and transit corridors, with an estimated completion date of no later than December 2026. The goals of the zoning updates are to (1) revisit the land uses and permits required in these districts; (2) establish objective development standards in accordance with State laws, and (3) increase the zoned capacity for housing development by at least 2000 units. The project will also include targeted updates to the General Plan Land Use Element to align with proposed zoning amendments, and associated environmental review | \$ 600,000.00          | 011-53-584-622-0000-000-441-612990-                                                         | Land Use Planning   | Uttara Ramakrishnan<br>510. 981.7483<br><br>Anne Hersch<br>510.981.7411 | <b>1/16/24</b> |
| <b>DEPT. TOTAL</b> |                                                                    |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>\$ 600,000.00</b>   |                                                                                             |                     |                                                                         |                |
| <b>TOTAL</b>       |                                                                    |                      |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>\$ 3,434,341.00</b> |                                                                                             |                     |                                                                         |                |



Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Lisa Warhuus, Director, Health, Housing, and Community Services  
 Subject: Contract: Healthy Black Families for Housing Preference Policy Outreach and Education

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any amendments with Healthy Black Families (HBF) to provide outreach and education activities related to the Housing Preference Policy (HPP) from January 17, 2024 to January 17, 2025, in an amount not to exceed \$70,400.

FISCAL IMPACTS OF RECOMMENDATION

This contract term is from January 17, 2024, to January 17, 2025. Funding for the outreach and engagement activities for the Housing Preference Policy (HPP) from the City's General Fund is available in the Housing and Community Services General Fund (Fund 011) budget.

CURRENT SITUATION AND ITS EFFECTS

On July 11, 2023, the City of Berkeley adopted Resolution 70,960-N.S., to assist people displaced from Berkeley or facing displacement in Berkeley and those impacted by historical injustices to receive priority on a portion of new affordable housing units citywide. The HPP will apply to units created by the City's Below Market Rate (BMR) and Housing Trust Fund (HTF) programs. The HPP becomes effective on January 1, 2024.

Outreach and education around the policy is necessary to ensure potentially eligible applicants understand and apply for preferences. This policy's focus on households at risk of displacement and those already displaced from the community is outside the scope of the City's traditional engagement activities.

Staff seeks to partner with HBF to conduct targeted outreach and education initiatives for potentially eligible households. HBF is uniquely equipped to support this effort on the basis of their history of community engagement on the policy and deep connections with the Berkeley community.

Outreach and education efforts will include:

- Building an outreach list of displaced households and organizations who can share information to households who can benefit from the HPP;
- Disseminating information through podcasts, public service announcements, newsletters, social media, and fliers;
- Organizing and hosting information sessions in person and online; and
- Serving as co-collaborator and advisor to City staff by drafting and providing input on engagement/education materials.

### BACKGROUND

The HPP is a community-driven policy created through extensive outreach and engagement led by Healthy Black Families. In 2019, in response to Council referrals and ongoing community advocacy for a preference policy, the Department of Health, Housing, and Community Services (HHCS) and the Planning and Development Department worked together to apply for a Partnership for the Bay's Future (PBF) Challenge Grant. The Challenge Grant, which commenced in March 2020, allowed HHCS to support community partners HBF and East Bay Community Law Center (EBCLC) to engage in a community-driven process to make recommendations for the HPP.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no specific environmental sustainability and climate impacts associated with this contract.

### RATIONALE FOR RECOMMENDATION

Healthy Black Families was a significant partner in coordinating engagement and the development of the Housing Preference Policy. Healthy Black Families is the only contractor with a deep knowledge of the policy and extensive and trusting relationships with key stakeholders that are critical for successful implementation. Partnering with Healthy Black Families on outreach and engagement is necessary to ensure: 1) potential applicants understand and apply for preferences, and 2) the City is honoring the policy's intent to address the negative impacts of displacement.

### ALTERNATIVE ACTIONS CONSIDERED

The City may choose to entertain a competitive bidding process to identify a community outreach partner. HHCS does not recommend that route because Healthy Black Families was so fully involved in developing the policy with community, that a bidding process would both delay the process and yield the same recommendation.

### CONTACT PERSON

Anna Cash, Community Development Project Coordinator, HHCS, (510) 981-5403  
Mariela Herrick, Community Development Project Coordinator, HHCS, (510)981-5424



Contract: Housing Preference Policy Outreach and Education

CONSENT CALENDAR  
January 16, 2024

Attachments:  
1: Resolution

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

CONTRACT: HEALTHY BLACK FAMILIES FOR HOUSING PREFERENCE POLICY  
OUTREACH AND EDUCATION

WHEREAS, the City of Berkeley adopted Resolution 70,960-N.S. on July 11, 2023 to establish anti-displacement preferences in affordable housing projects through a Housing Preference Policy; and

WHEREAS, the Housing Preference Policy is effective as of January 1, 2024; and

WHEREAS, outreach and education around the policy is necessary to ensure eligible applicants understand and apply for preferences; and

WHEREAS, Healthy Black Families led engagement for the development of the Housing Preference Policy through the City's Partnership for the Bay's Future grant and established unique connections with local stakeholders and community members; and

WHEREAS, Healthy Black Families is uniquely equipped to partner with the City on outreach and education given their leadership role in community-driven development of the policy and extensive networks in the Berkeley community; and

WHEREAS, community outreach and education will include building an outreach list, hosting online and in-person info sessions, providing input to the City on user-friendly policy materials, and disseminating public information through podcasts, newsletters, and social media with a focus on Berkeley community members at risk of displacement or who have already been displaced.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is authorized to execute a contract and any amendments with Healthy Black Families as a contractor to provide outreach and engagement services to support Housing Preference Policy outreach and education from January 17, 2024 to January 17, 2025 in an amount not to exceed \$70,400.



Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Lisa Warhuus, Director, Health, Housing, and Community Services

Subject: Contract No. 32300203 Amendment: Hansine Fisher & Associates for Targeted Case Management, Medi-Cal Administrative Activities, CalAIM Enhanced Care Management Consulting Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or her designee to execute an amendment to Contract No. 32300203 for \$73,060 and any additional amendments or extensions, with Hansine Fisher & Associates for Targeted Case Management (TCM) consulting services. The contract amendment's not-to-exceed amount will be increased to a total of \$172,600 for the period July 1, 2023 through June 30, 2024.

FISCAL IMPACTS OF RECOMMENDATION

Hansine Fisher & Associates, a consulting firm, was selected to provide a comprehensive review and analysis of the Targeted Case Management (TCM) and Medi-Cal Administrative Activities (MAA) programs for the Health, Housing, and Community Services Department (HHCS). The current contract has a not-to-exceed amount of \$99,540. The contract amendment will add more services and will increase the not-to-exceed amount by \$73,060, resulting in an amended total not-to-exceed amount of \$172,600. Funds will be added in the Second Amendment to the FY 2024 Annual Appropriations Ordinance from Fund 313.

CURRENT SITUATION AND ITS EFFECTS

The Hansine Fisher & Associates contract scope of work and associated budget will be amended to include an analysis and recommendation for implementation for the CalAIM/Enhanced Care Management (ECM) initiative from the State. ECM is a new statewide Medi-Cal benefit available to eligible members with complex needs, including access to a single Lead Care Manager who provides comprehensive care management and coordinates their health and health-related care and services. This additional scope of work is to determine whether becoming an ECM provider is a sound strategic and financial option when paired with TCM.

Effective January 1, 2024, Enhanced Care Management will be a statewide Medi-Cal benefit available to select members with complex needs. CalAIM and ECM implementation will have an impact on the TCM program and how it operates in the City. Analysis of the TCM program would not be accurate without considering the impact of ECM beginning July 1, 2024, when new clients who are eligible for the ECM benefit can no longer receive TCM services. Since the City receives funding based on the services provided, reduced services will lead to reduced funding.

HHCS currently operates TCM and MAA programs within the Aging Services Division (HHCS/AS) and the Public Health Division (HHCS/PH). TCM provides a reimbursement for specialized case management services to Medi-Cal eligible individuals in a defined target population so that they can access needed medical, social, educational, and other services. Through MAA, the state reimburses the City for activities it completes connecting Medi-Cal with eligible and potentially eligible individuals and families.

The proposed services will produce a model of case management services that best serves the vulnerable populations that is eligible for TCM and MAA services, maximize reimbursement, and ensure accurate and complete documentation processes to support audit readiness so that services can be provided sustainably.

#### BACKGROUND

The City released a Request for Proposals (RFP) in fiscal year 2023 under Specification No. 23-11582-C, and convened a panel of stakeholders to select Hansine Fisher & Associates as the most responsive and responsible bidder for this contract

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental impacts identified at this time.

#### RATIONALE FOR RECOMMENDATION

Hansine Fisher & Associates is a well-respected consulting firm with demonstrated subject matter expertise on TCM and MAA programs that has provided excellent services to date. Their proposal includes high quality services that align with the intended goals of maximizing program objectives and reimbursement for eligible services.

#### ALTERNATIVE ACTIONS CONSIDERED

Staff did not identify an alternative action consistent with the City's goals of advancing efficient and financially-healthy City government and public health and social and racial equity.

#### CONTACT PERSON

Janice Chin, Public Health Division Manager, HHCS, (510) 981-5121

Contract No. 32300203 Amendment: Hansine Fisher & Associates  
for Targeted Case Management

CONSENT CALENDAR  
January 16, 2024

Attachments:  
1: Resolution

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

CONTRACT NO. 32300203 AMENDMENT: HANSINE FISHER & ASSOCIATES:  
TARGETED CASE MANAGEMENT CONSULTING SERVICES

WHEREAS, the City of Berkeley Department of Health, Housing & Community Services (HHCS), is committed to providing comprehensive Targeted Case Management services to Medi-Cal eligible clients, and

WHEREAS, HHCS seeks to eliminate health and educational inequities; and

WHEREAS, on May 9, 2023 Council approved the execution of a contract with Hansine Fisher and Associates to provide targeted case management and Medi-Cal Administrative Activity consulting services in the amount of \$100,000.

WHEREAS, CalAIM Enhanced Care Management (ECM) is a new Medi-Cal benefit effective January 1, 2024 that has impacts on the targeted case management program.

WHEREAS, funds are available in the current year budget

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is authorized to execute an amendment to Contract No. 32300203, for an additional \$73,060 and any additional amendments or extensions, with Hansine Fisher & Associates for Targeted Case Management (TCM) consulting services. The contract amendment's not-to-exceed amount will be increased to a total of \$172,600 for the period July 1, 2023 thru June 30, 2024. A record signature copy of said contract and any amendments to be on file in the City Clerk Department.



Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Lisa Warhuus, Director, Health, Housing, and Community Services

Subject: Contract No. 32300134 Amendment: Bonita House for Specialized Care Unit Provider

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or her designee to amend Contract No. 32300134 with Bonita House to add \$11,500 of state Crisis Care Mobile Units (CCMU) grant funding for a not-to-exceed amount of \$4,579,500.

FISCAL IMPACTS OF RECOMMENDATION

This amendment will add \$11,500 for a total not-to-exceed amount of \$4,579,500. Funding for the Bonita House contract for the Specialized Care Unit (SCU) is available in the FY 2024 budget in State of California CCMU funding in the One-Time Grant Fund (Fund 336), which specifically funds mobile crisis response activities.

CURRENT SITUATION AND ITS EFFECTS

The SCU is a Strategic Plan Priority Project, advancing our goal to champion and demonstrate social and racial equity. City Council approved the selection of Bonita House as the SCU service provider on December 13, 2022. Throughout 2023, Bonita House has hired and trained staff for the SCU. The SCU began providing crisis response services to the Berkeley community on September 5, 2023. In order to conduct SCU services, Bonita House has rented vehicles while the team waits for the City-purchased vehicles to arrive. Because the new vehicles are not yet available, the state has approved a budget modification moving funds initially set aside for maintenance of purchased vehicles during calendar 2023 to reimburse costs of rental vehicles from September and October of 2023.

BACKGROUND

As part of the Re-Imagining Public Safety process, the City engaged in research and planning to implement a 24/7 SCU to respond to and support people who are experiencing a mental health or substance use crisis without direct involvement of the police. The SCU is different than the City's current Mobile Crisis Team that is a partnership of HHCS' Mental Health Division (HHCS/MH) and the Police Department.

Design for the SCU began in Fall 2020 with contracted consultant, Resource Development Associates (RDA), and the establishment of the SCU Steering Committee, an advisory group of HHCS and Berkeley Fire Department staff as well as representation from the Berkeley Mental Health Commission and Berkeley Community Safety Coalition. After extensive work with the community, the City selected Bonita House as the provider for the SCU and services began in September 2023.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

No environmental sustainability and climate impacts directly associated to this recommendation have been identified.

#### RATIONALE FOR RECOMMENDATION

The additional funding from the Crisis Care Mobile Units (CCMU) program was initially allocated for vehicle maintenance for City-purchased vehicles. Due to supply chain issues and vehicle customizations, the SCU has rented vehicles to perform necessary program operations in their initial operating months. Repurposing these CCMU funds to support rental vehicle costs aligns with the intent to support SCU vehicles for crisis response operations.

#### ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered because these funds are meant to be used to support vehicle-related costs for the SCU and this aligns with the spend plan approved by the CCMU funder.

#### CONTACT PERSON

Katie Hawn, Senior Management Analyst, HHCS, 510-981-5411

Lisa Warhuus, Director, Health, Housing, and Community Services, 510-981-5404

Attachment:

1. Resolution



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

CONTRACT NO. 32300134 AMENDMENT: BONITA HOUSE FOR SPECIALIZED  
CARE UNIT PROVIDER

WHEREAS, Contract #32300134 was awarded to Bonita House, Incorporated to implement the City of Berkeley's new Specialized Care Unit (SCU); and

WHEREAS, through Contract #32300134 Bonita House has hired and trained staff to provide daily crisis response services to Berkeley community members; and

WHEREAS, \$11,500 was allocated through the Crisis Care Mobile Units (CCMU) grant to support vehicle maintenance throughout the summer and fall of 2023; and

WHEREAS, the SCU has been using rental vehicles while awaiting the arrival of City-purchased vehicles in order to provide necessary crisis services; and

WHEREAS, this grant funding has been approved to reimburse costs of these rental cars that Bonita House has used to implement the SCU in September and October 2023.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is authorized to amend the SCU Contract No. 32300134 with Bonita House by adding \$11,500 for a not-to-exceed amount of \$4,579,500. Funding is available in the FY2023 budget in State of California CCMU funding in in the One-Time Grant Fund (Fund 336), which specifically funds mobile crisis response activities.





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Lisa Warhuus, Director, Health, Housing, and Community Services

Subject: Revenue Contract: Funding from Berkeley Unified School District for First Aid Services at the Berkeley High School Health Center

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or her designee to execute a contract and any resultant revenue agreements and amendments with the Berkeley Unified School District to conduct first aid services at the Berkeley High School Health Center with the projected total amount of \$920,557 for July 1, 2023 to June 30, 2028.

FISCAL IMPACTS OF RECOMMENDATION

The City will receive funds in the estimated amount of \$920,557 from Berkeley Unified School District (BUSD) for the period FY 2024 through FY 2028. The contract will be assigned a contract number and the revenue deposited in Fund 324. Funding in the amount of \$184,111 per fiscal year will be subject to the Appropriation Ordinance in the FY2024 through FY2028 budgets for a projected total amount \$920,557 for July 1, 2023 to June 30, 2028. This is BUSD's primary contribution to the Berkeley High School Health Center (BHS HC) services that is otherwise funded and operated by City of Berkeley to provide services such as reproductive health and mental health services.

Spending of these grant funds is subject to Council approval of the budget and the Annual Appropriations Ordinances each fiscal year.

CURRENT SITUATION AND ITS EFFECTS

BUSD and the Health, Housing, and Community Services Department (HHCS) have a long-standing partnership in the operations of the Berkeley High School (BHS) Health Center. In addition to first aid services funded by BUSD, the City currently provides reproductive sexual health services, mental health services, and basic needs supports for students at the BHS Health Center. The City leverages Federal, State, and County funding and City General fund to support these services with approximately 6 FTEs to provide reproductive health services and 5.0 FTE to provide mental health services. Through this partnership with BUSD, the City is committed to advancing our goal to create a resilient, safe, connected, and prepared city, as well as champion and demonstrate social and racial equity.

## BACKGROUND

The High School Health Center was developed in 1991 by concerned parents, School Board/school district officials, the City of Berkeley Public Health and Mental Health Divisions, and other community partners. All services are free to students that access this school-based health center as it has been designed as a safe place where young people not only receive care, but also learn to advocate for their own needs and to express their autonomy. In 2005, the BSHHC expanded its services to include first aid services and has continued to grow the existing reproductive sexual health and mental health services at this school-based health center. The BSHHC has provided services to over 1,000 youth annually with an average of over 5,000 visits per year (based on non-pandemic years).

With the support of BUSD, this funding will support the continuation of first aid services provided at the High School Health Center. The City of Berkeley receives funding from many sources annually to complete activities to improve the health of the community. HHCS' Public Health Division (HHCS/PHD) is committed to providing essential services to the community to prevent the spread of disease and to promote healthy environments.

## ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

## RATIONALE FOR RECOMMENDATION

These funds support vital services related to our mandates as a public health jurisdiction and local initiatives designed to address health inequities in Berkeley and improve the health of Berkeley residents. This contract supports the Department's mission and provides the City with funding to continue working to protect and improve the health of the community.

## ALTERNATIVE ACTIONS CONSIDERED

Staff did not identify an alternative action consistent with the City's goals of advancing public health and social and racial equity.

## CONTACT PERSON

Janice Chin, Manager, Public Health Division, HHCS, (510) 981-5121

Attachments:

1. Resolution

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

CONTRACT AGREEMENT: FIRST AID SERVICES AT THE BERKELEY HIGH SCHOOL HEALTH CENTER

WHEREAS, the City of Berkeley Department of Health, Housing & Community Services, Public Health Division (HHCS/PHD), is committed to promoting the health and well-being, of our community and youth.

WHEREAS, on March 1, 2007, the City of Berkeley executed Contract number R7227 with Berkeley Unified School District, to provide first aid services at the Berkeley High School Health Center.

WHEREAS, the City of Berkeley and BUSD have partnered to operate a health center on the Berkeley High School Campus since 1991.

WHEREAS, HHCS works to promote healthy environments and behaviors, protect residents from disease, and prevent illness, disability, and premature death; and

WHEREAS, HHCS seeks to achieve health equity; and

WHEREAS, the City of Berkeley should seek outside funding wherever possible to fund vital health services.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized to accept Berkeley Unified School District funding for fiscal years 2024 through 2028 to provide first aid services on the Berkeley High School Campus; execute any resultant revenue agreements and amendments; and implement the projects and appropriation of funding in the estimated amount of \$920,557 for July 1, 2023 to June 30, 2028 for related expenses. A record signature copy of said agreements and any amendments shall be on file in the office of the City Clerk.





Office of the City Manager

## CONSENT CALENDAR

January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Aram Kouyoumdjian, Director of Human Resources

Subject: Correcting Effective Date for Salary Range Adjustments of Select Local One Supervisors

### RECOMMENDATION

Adopt a Resolution amending Resolution No. 70,993-N.S. and correcting the effective date of the increase in the salary range of select Local One supervisors – namely, Senior Building Maintenance Supervisor, Senior Equipment Supervisor, Senior Public Works Supervisor, and Senior Solid Waste Supervisor – from January 1, 2023 to December 1, 2022.

This Resolution follows Council consideration of this item in Closed Session on November 6, 2023.

### FISCAL IMPACTS OF RECOMMENDATION

The sole fiscal impact of the recommendation is estimated to be \$7,336, representing one month's equivalent of the salary range adjustments approved by Council for the aforementioned classifications.

### CURRENT SITUATION AND ITS EFFECTS

On July 25, 2023, Council adopted Resolution No. 70,993-N.S. to increase the salary range of the Senior Building Maintenance Supervisor classification by 9.30%; Senior Equipment Supervisor by 13.00%; Senior Public Works Supervisor by 8.53%; and Senior Solid Waste Supervisor by 8.53%, effective January 1, 2023. The effective date was misstated due to clerical error and should have been December 1, 2022, consistent with the agreement that the City had reached with Public Employees Union, Local One.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

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

### RATIONALE FOR RECOMMENDATION

The recommendation seeks to correct a clerical error and clarify that the effective date of the salary range increases should be December 1, 2022 in order to reflect the City's agreement with Local One.

Correcting Effective Date for Salary Range Adjustments  
of Select Local One Supervisors

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Aram Kouyoumdjian, Human Resources Director, (510) 981-6807.

Attachments:

1: Resolution



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

AMENDING RESOLUTION NO. 70,993-N.S. AND CORRECTING EFFECTIVE DATE  
FOR SALARY RANGE ADJUSTMENTS OF SELECT LOCAL ONE SUPERVISORS

WHEREAS, at its meeting of July 25, 2023 the City Council adopted Resolution No. 70,993-N.S. and approved salary range adjustments for select Local One supervisors – namely, Senior Building Maintenance Supervisor, Senior Equipment Supervisor, Senior Public Works Supervisor, and Senior Solid Waste Supervisor – with an effective date of January 1, 2023;

WHEREAS, the January 1, 2023 date constituted a clerical error, and December 1, 2022 was the actual effective date that was agreed upon by the City and Public Employees Union, Local One;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. 70,993-N.S. be amended, and the effective date for the salary range adjustments approved on July 25, 2023 for Senior Building Maintenance Supervisor, Senior Equipment Supervisor, Senior Public Works Supervisor, and Senior Solid Waste Supervisor shall be December 1, 2022.





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Kevin Fong, Director, Information Technology  
Subject: Contract No. 32200162-1 Amendment: ThirdWave Corporation for Professional Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 32200162 with ThirdWave Corporation for professional services for an amount not to exceed of \$230,000 for a total contract value not to exceed \$275,000 through June 30, 2025.

FISCAL IMPACTS OF RECOMMENDATION

One-time funding for this project is available in the Department of Planning & Development's Permit Service – Professional Services – Miscellaneous fund as follows:

|                  |                                                                                                                          |
|------------------|--------------------------------------------------------------------------------------------------------------------------|
| \$230,000        | FY 2024 Department of Planning & Development<br>Fund 621 - Planning & Development Permit Service - Professional Services |
| <b>\$230,000</b> | <b>Total FY 2024 Department of Planning &amp; Development Permit Service</b>                                             |

CURRENT SITUATION AND ITS EFFECTS

The ongoing project involving the procurement of a new permitting system is a critical initiative for the Planning & Development Department supported by the IT Department and by other Departments that process permits including Public Works and Fire. The primary objective of this project is to streamline and optimize the building and land use permitting processes through the acquisition of suitable integrated software and hardware systems. This is anticipated to be implemented by a Software as a Service (SaaS) model wherein the system vendor provides both software and hardware systems running on cloud-based servers.

Given the increasing complexity of Planning & Development's permitting system procurement project, the addition of process mapping services from ThirdWave is a logical step forward. This contract amendment will enable the Planning & Development Department, the Fire Department, and the Public Works Department, supported by the IT Department, to achieve a more seamless and successful implementation of the chosen solution. Incorporating process mapping, will ensure that the cloud-based software system not only meets the Planning & Development, Fire

Contract No. 32200162-1 Amendment: Thirdwave Corporation for Professional Services, CONSENT Calendar  
January 16, 2024

Department, and Public Works Department's functional requirements but also integrates seamlessly with department operations. This holistic approach will lead to enhanced efficiency, reduced risks, and improved decision-making throughout the project.

This project is in alignment with the City's strategic goal to be a customer-focused organization that provides excellent, timely, easily-accessible service and information to the community.

#### BACKGROUND

ThirdWave's patented RapidWorkflow® Process Modeling (RWPM) workshops have proven to be a critical tool that assisted in the development of prior Berkeley City Council approved projects including the ERP Replacement Project: Enterprise Modules Needs Assessment and the Information Technology Strategic Plan & Cost Allocation Plan. Based on these prior successes, on March 7, 2022, the City signed Contract No. 32200162 with ThirdWave Corporation for CIO Support Services similar in Task 2 to the Professional Services in this amendment.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

ThirdWave Corporation conducts a portion of their work remotely. When on-site visits may be required for face-to-face meetings, they will cluster those visits over multiple days to minimize travel costs and greenhouse gas emissions related to travel. Additionally, by identifying cumbersome business practices the City is able to maintain an environmentally sound technology infrastructure.

#### RATIONALE FOR RECOMMENDATION

ThirdWave's RWPM Workshops have proven to be an effective and efficient way of documenting business processes and identifying pain points and areas for improvement. ThirdWave's patented RWPM was a critical tool that assisted in the development of the Citywide Digital Strategic Plan and Enterprise Modules Needs Assessment. Participating in business process mapping with ThirdWave will continue to increase efficiency, consistency, and customer service and will specify requirements for the new Permitting System RFP.

#### ALTERNATIVE ACTIONS CONSIDERED

Staff considered completing the project without ThirdWave's service. However, doing so would lead to an inefficient allocation of staff resources and less than optimal requirement and process maps due to ThirdWave Corporation's expertise with their RWPM tool.

#### CONTACT PERSON

Kevin Fong, Director, Information Technology

Attachments:

1: Resolution

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

CONTRACT NO. 32200162-1 AMENDMENT: THIRDWAVE CORPORATION FOR  
PROFESSIONAL SERVICES

WHEREAS, on March 7, 2022, the City signed Contract No. 32200162 with ThirdWave Corporation for CIO Support Services; and

WHEREAS, ThirdWave's patented RWPM (RapidWorkflow® Process Modeling) is a critical tool that assisted in the development of prior Berkeley City Council approved projects including the ERP Replacement Project: Enterprise Modules Needs Assessment and the Information Technology Strategic Plan & Cost Allocation Plan and

WHEREAS, the RWPM tool has proven to be an effective and efficient way of documenting business processes and identifying pain points and areas for improvement; and

WHEREAS, the Planning & Development Department, Fire Department, and Public Works Department would benefit from application of the RWPM Tool to Department business processes, and;

WHEREAS, funding for this one-time project is available in the Planning & Development Department's Fund 621 – Permit Service - Professional Services – Miscellaneous Fund.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to amend Contract No. 32200162 with ThirdWave Corporation for professional services for an amount not to exceed \$230,000, and a total contract value not to exceed \$275,000 from March 7, 2022 through June 30, 2025.





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Kevin Fong, Director, Information Technology  
Subject: Contract No. 32100080-1 Amendment: Assetworks LLC Software Modules and Professional Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 32100080 with AssetWorks, LLC to provide additional software modules and professional services extending the term of the contract through December 31, 2028, increasing the amount by \$270,000, for a total not-to-exceed amount of \$757,249.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the additional modules and professional services are available in the Department of Public Works' Fleet Management Tech Services – Software Maintenance Fund, as itemized below. Any future expenditures are subject to Council approval of the proposed citywide budget and Annual Appropriations Ordinances.

|           |                                                                                                                                     |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------|
| \$157,564 | <b>FY 2024 - FY 2029: Software Maintenance – Public Works</b><br>Fund 672 – Public Works Department Tech Services – Equipment Maint |
| \$112,436 | <b>FY 2024 - FY 2029: Professional Services – Public Works</b><br>Fund 672 – Public Works Department Professional Services          |

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**\$270,000 Total Software Maintenance & Professional Services**

CURRENT SITUATION AND ITS EFFECTS

The department of Public Works is currently in the process of implementing a new fleet management software, called AssetWorks. As staff progressed through the Discovery phase of the implementation, staff identified a Motor Pool module along with a telematics and EV (Electric Vehicle) integration service that would streamline City operations and increase vehicle safety. These critical features are additions to the scope of the new fleet management system that add significant value to the City.

This AssetWorks implementation is consistent with the City's strategic goal to "Provide state-of-art, well maintained infrastructure, amenities, and facilities."

### BACKGROUND

The City has approximately 700 vehicles and equipment which receive routine maintenance and repair. The Equipment Maintenance division intakes and processes approximately 800 work orders every month. To manage this work, City staff use the Sungard Public Sector solution (FUND\$) as the fleet management solution, originally put in place in 1991. The SunGard system (FUND\$) runs on an IBM iSeries server and utilizes a legacy 5250 green screen user interface. The system is keyed entry menus compared to modern point and click software. Beyond its interface impediments, FUND\$ lacks many of the advanced processing, reporting, data analysis, and granular security features that are readily available in newer software packages. The City has made 2,000 customizations to the Sungard product. As such, it requires heavy support from Information Technology staff to maintain the system.

On October 19, 2018, the City issued Request for Proposals (RFP) #19-11260-C for an improved Fleet Management Software & Implementation Services. The City received three (3) responses to the RFP by the December 18, 2018 deadline. A committee of seven staff members from the Public Works and Information Technology departments conducted a comprehensive evaluation process that included proposal reviews, vendor demonstrations, and reference calls. Staff selected Assetworks as presenting the most comprehensive, user responsive, and effective solution for the City's current and future fleet management needs.

In 2020, with Council's approval, the City entered into a contract agreement (No. 32100080) with AssetWorks, LLC to provide new fleet management software. In March 2021, the implementation started.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

A modern and computerized fleet management system with a mobile application will greatly reduce the City's use of paper. This supports the reduction of carbon footprint and the goals of the City's Climate Action Plan.

### RATIONALE FOR RECOMMENDATION

The addition of the Motor Pool module will centralize management of the City's pool of shared vehicles. This will provide a portal for staff to more efficiently reserve vehicles with automated confirmation. Additionally, the electric vehicle integration will allow for accurate electric usage and billing. Lastly, the telematics integration notifies the Fleet division of vehicle errors or warning signs which allow staff to take proactive steps to ensure the City's fleet is in optimal and safe operational condition.



ALTERNATIVE ACTIONS CONSIDERED

Staff considered completing the project without the Motor Pool module and EV and telematics integrations. However, doing so would lead to an inefficient allocation of staff resources and less than optimal operational condition of the City's fleet vehicles.

CONTACT PERSON

Kevin Fong, Director, Information Technology, 510-981-6541

Attachment:

1: Resolution

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

CONTRACT NO. 32100080-1 AMENDMENT: ASSETWORKS, LLC FOR SOFTWARE  
MODULES AND PROFESSIONAL SERVICES

WHEREAS, the current Fleet Management system is a module within the antiquated FUND\$ system that cannot meet the current business requirements of the organization; and

WHEREAS, the City of Berkeley desires to procure a Commercial Off-the-Shelf “Turnkey” system to handle fleet management; and

WHEREAS, on October 19, 2018, the City of Berkeley issued Request for Proposal No. 19-11260-C for an improved fleet management software & implementation services and received 3 responding bidders; and

WHEREAS, in response to the City’s Request for Proposal, Assetworks responded with a proposal that was rated higher than responses submitted by competing vendors; and

WHEREAS, on July 23, by Resolution No. 69,043 - N.S., the Council approved a contract (No. 32100080) with AssetWorks for a Fleet Management software and related implementation services, for an amount not to exceed \$487,249 for the projected period commencing on July 24, 2019 through June 30, 2024; and

WHEREAS, the City seeks to implement the MotorPool and additional integration services to optimize staff resourcing and ensure vehicle safety; and

WHEREAS, funds for this additional module and professional services are available in the Department of Public Works’ Fleet Management Tech Services – Software Maintenance Fund.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to amend Contract No. 32100080 with AssetWorks, LLC to provide additional software module, training and professional services, increasing the amount by \$270,000, for a total not-to-exceed amount of \$757,249 and extending the term of the contract through December 31, 2028.



Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Scott Ferris, Director, Parks, Recreation & Waterfront  
 Subject: Grant Application: Caltrans Sustainable Transportation Grant Program for the Interstate 80 at Aquatic Park Tide Tube Renovation Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager or her designee to submit a grant application to the Caltrans Sustainable Transportation Planning Grant Program for the Interstate 80 at Aquatic Park Tide Tube Renovation Project; accept any grants; execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the projects and appropriation of funding for related expenses, subject to securing the grants.

FINANCIAL IMPLICATIONS

On January 18, 2024, the City will submit a grant application to the Caltrans Sustainable Transportation Grant Program for the planning phase of the Interstate 80 at Aquatic Park Tide Tubes Renovation Project in the amount of up to \$535,000. The grant program requires a 12% local cash match of \$63,600, which will be funded by the Parks Tax.

CURRENT SITUATION AND ITS EFFECTS

On October 3, 2023, The California Department of Transportation (Caltrans) released the Fiscal Year (FY) 2024-25 Sustainable Transportation Planning Grant Application Guide and Call for Applications. A total of \$53.4 million is available for transportation planning projects statewide. Within this program, the Climate Adaptation Planning grant program has \$31.9 million available. The City will submit a grant proposal to investigate feasible methods to renovate the existing failing subsurface culverts (tide tubes) that connect Aquatic Park to the Bay underneath I-80, and to the Model Yacht Basin. This project will increase the resilience of I-80, Bolivar Drive at Aquatic Park, and the adjacent local City roads (e.g., 2<sup>nd</sup> Street) from the impacts of sea-level rise and increased storms due to climate change.

BACKGROUND

In 2020, the City completed the Aquatic Park Tide Tubes Maintenance Project to evaluate the condition of the existing tide tubes and perform maintenance cleaning.

The evaluation determined that the tide tubes exhibit signs of cracking and will likely fail within ten years, and therefore need renovation. The projected increase in storms due to climate change will cause more stormwater to flow through the existing tubes, which will lead to accelerated erosion of the roadbed underneath Interstate 80 and a potential failure of the Interstate. This would create significant impacts to the region in terms of traffic congestion, delays in commuter and the movement of goods and services, increased greenhouse gases, and traffic spillover into the local roads of West Berkeley until the Interstate can be repaired.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

All parks improvement construction projects are required to comply with the City of Berkeley Climate Action Plan, specifically in terms of reducing construction waste, as well as environmentally preferred purchasing guidelines to reduce waste and increase the use of renewable resources. This project helps the City meet Strategic Goal 1 – infrastructure.

RATIONALE FOR RECOMMENDATION

This project will increase the resilience of I-80, Bolivar Drive at Aquatic Park, and the adjacent local City roads (e.g., 2<sup>nd</sup> Street) from the impacts of sea-level rise and increased storms due to climate change.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director of Parks, Recreation & Waterfront, 981-6703

Attachments

1: Resolution – GRANT APPLICATION: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING PROGRAM FOR THE I-80 AND AQUATIC PARK TIDE TUBE RENOVATION PROJECT

RESOLUTION NO. -N.S

GRANT APPLICATION: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING PROGRAM FOR THE I-80 AND AQUATIC PARK TIDE TUBE RENOVATION PROJECT

WHEREAS, the City Council of the City of Berkeley is eligible to receive Federal and/or State funding for certain transportation planning-related plans, through the California Department of Transportation; and

WHEREAS, a Restricted Grant Agreement (RGA) is needed to be executed with the California Department of Transportation before such funds can be reimbursed through the Transportation Planning Grant Program; and

WHEREAS, on October 3, 2023, the California Department of Transportation (Caltrans) released the Fiscal Year (FY) 2024-25 Sustainable Transportation Planning Grant Application Guide and Call for Applications. A total of \$53.4 million is available for transportation planning projects statewide. Within this program, the Climate Adaptation Planning grant program has \$31.9 million available; and

WHEREAS, on January 18, 2024, the City will submit a grant proposal in the amount of up to \$535,000 to investigate feasible methods to renovate the existing failing subsurface culverts (tide tubes) that connect Aquatic Park to the Bay underneath I-80, and to the Model Yacht Basin. This project will increase the resilience of I-80, Bolivar Drive at Aquatic Park, and the adjacent local City roads (e.g., 2<sup>nd</sup> Street) from the impacts of sea-level rise and increased storms due to climate change; and

WHEREAS, the grant program requires a 12% local match of \$63,600, which will be covered by the Parks Tax.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or a designee (F. Scott Ferris) is authorized to: submit a grant application to the Sustainable Transportation Planning Program of Caltrans for the Interstate 80 and Aquatic Park Tide Tubes Renovation Project for an amount up to \$535,000, and authorizes a 12% local cash match of \$63,600 from the Parks Tax; to accept any grants; to execute any resulting grant agreements and any amendments; and that Council authorize the implementation of the project and appropriation of funding for related expenses, subject to securing the grant. A record signature copy of said agreements and any amendments to be on file in the Office of the City Clerk.





Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Scott Ferris, Director, Parks Recreation and Waterfront  
 Subject: Grant Application: Cal Fire Wildfire Prevention Grants Program for the Berkeley Overnight Camp Wildfire Hazard Mitigation Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to submit The Berkeley Overnight Camp Wildfire Hazard Mitigation Project Application to the California Climate Investments Wildfire Prevention Grants Program (Cal Fire) in the amount up to \$3 million; to accept the grant; to execute any resultant revenue agreements and amendments; and authorizing the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.

FISCAL IMPACTS OF RECOMMENDATION

The grant request is for up to \$3 million for hazardous tree mitigation and education. Although this grant program does not require match, the existence of matching funds and services is a positive factor during the competitive review process and so the City will include in-kind match of City staff as the match component of the proposal. This is a reimbursement grant and projects must be completed by March 15, 2030. Revenue from this grant will be deposited into the One-Time Grants Fund (Fund 336).

CURRENT SITUATION AND ITS EFFECTS

On November 1, 2023, as part of the Governor's Wildfire and Forest Resilience Strategy, the California Department of Forestry and Fire Protection (CAL FIRE) announced the availability of up to \$117 million in funding for local projects that address the risk of wildfire and reduce wildfire potential to communities, through the department's **Wildfire Prevention Grants** program.<sup>1</sup> Funded activities include hazardous fuel reduction, wildfire prevention planning, and wildfire prevention education with an emphasis on protecting communities, improving public health and safety, while reducing greenhouse gas emissions. The City will submit a grant proposal of up to \$3 million to mitigate the risks of hazardous tree conditions at the three City of Berkeley overnight camps (Berkeley Tuolumne Camp, Echo Lake Camp, and Cazadero Camp).

<sup>1</sup> [wp-grants-news-release\\_october-2023.pdf \(azureedge.net\)](#)

BACKGROUND

Due to forest fires and storms, the three City overnight camps (Berkeley Tuolumne Camp, Echo Lake Camp, and Cazadero Camp) contain large numbers of trees that present hazardous conditions that must be mitigated. The City must continually address these issues year after year in order to maintain public safety during camp operations.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Through the mitigation of hazardous tree conditions and the use of proper forestry management methods, this project will help the City advance the following Strategic Plan Goals: 3. Create a resilient, safe, connected, and prepared city, and 7. Be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

RATIONALE FOR RECOMMENDATION

This grant will provide funding to mitigate hazardous tree conditions at the City's three overnight camps (Berkeley Tuolumne Camp, Echo Lake Camp, and Cazadero Camp).

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSONS

Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700  
Justin Pitcher, Recreation Camps Manager, 981-6700

Attachments:

1: Resolution



RESOLUTION NO. ##-###

AUTHORIZING THE SUBMITTAL OF THE BERKELEY OVERNIGHT CAMP WILDFIRE HAZARD MITIGATION PROJECT APPLICATION TO THE CALIFORNIA CLIMATE INVESTMENTS WILDFIRE PREVENTION GRANTS PROGRAM (CAL FIRE) IN THE AMOUNT UP TO \$3 MILLION

WHEREAS, the Governor of the State of California in cooperation with the California State Legislature has enacted State of California **Climate Investment**, which provides funds to the State of California and its political subdivisions for **fire prevention programs**; and

WHEREAS, the State Department of Forestry and Fire Protection (CAL FIRE) has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies, non-profit organizations, and others under the program, and

WHEREAS, the applicant will enter into an agreement with the State of California to carry out the Berkeley Overnight Camp Wildfire Hazard Mitigation Project;

NOW, THEREFORE, BE IT RESOLVED that the **City of Berkeley**:

1. Approved the filing of an application for “**California Climate Investments Wildfire Prevention Grants Program**”; and
2. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and,
3. Certifies that funds under the jurisdiction of the City of Berkeley are available to begin the project.
4. Certifies that said applicant will expend grant funds prior to March 15, 2030.
5. Appoints the City Manager or a designee (F. Scott Ferris), to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.

BE IT FURTHER RESOLVED, that the City of Berkeley authorizes the implementation of the project and appropriation of funding for related expenses, subject to securing the grant.

BE IT FURTHER RESOLVED, that a record signature copy of said agreements and any amendments to be on file in the City of Berkeley’s Office of the City Clerk.





Office of the City Manager

CONSENT CALENDAR

January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Contracts: As-needed Derelict Vessel and Debris Removal and Disposal Services

RECOMMENDATION

Adopt three (3) Resolutions authorizing the City Manager to execute the following contracts, and any amendments, extensions, or other change orders for derelict vessel and debris removal and disposal services as-needed, each for a period of January 17, 2024 to January 16, 2026:

1. Lind Marine, for an amount not to exceed \$162,000.
2. Power Engineering Construction, for an amount not to exceed \$162,000.
3. Silverado Contractors, for an amount not to exceed \$162,000.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2024 budget for the California Division of Boating and Waterways SAVE 2022 Grant (Fund 607) and in the Marina Minor Maintenance Fund (Fund 608). Additional FY 2024 SAVE 2023 Grant funding will be recommended for appropriation through the second amendment to the appropriations ordinance in Fund 607.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Marina requires regular removal of abandoned boats and marine debris from the harbor waters. Each year, approximately five to ten vessels get abandoned by their owners at the Berkeley Marina. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City. They are a visual blight on our Marina and harm our reputation. Most often, vessels are abandoned because the owners because they lack funds needed for repairs, for dockage fees, or both. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. There are also times when large marine debris such as broken dock sections need to be removed from the Marina. Upon execution of these contracts and subsequent task orders, the contractor will be able to safely remove vessels or debris from the Marina, take them back to their shipyard, and properly dispose of them in accordance with federal and state regulations.

### BACKGROUND

Responsibility for derelict and abandoned vessels, unfortunately, often falls on public agencies. For the past 20 years, the Division of Boating and Waterways has provided grant funding assistance to public agencies to properly remove, store, and dispose of abandoned, wrecked, or dismantled vessels or any other partially submerged objects that pose a substantial hazard to navigation, from navigable waterways or adjacent public property, or private property with the landowner's consent.

In 2022, the City received a SAVE grant (SAVE 2023) from the California Division of Boating and Waterways in the amount of \$60,000. In 2023, the City received an additional SAVE grant (SAVE 2024) in the amount of \$60,000.

On October 27, 2023, the City published a Request for Qualifications (RFQ) seeking qualified firms or individuals to provide Derelict Vessel/Debris Removal & Disposal services on an as-needed basis (Specification No. 24-11618-C). On November 21, 2023, the City received Statements of Qualifications (SOQs) from three (3) marine construction firms. A panel of City staff reviewed the SOQs and selected Lind Marine, Power Engineering Construction, and Silverado Contractors as the best qualified firms to meet the City's needs.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Derelict, abandoned, and sunken vessels pose a navigational and environmental hazard to the Bay waters at the waters and shoreline of the Berkeley Marina. Removal and proper disposal of these vessels contributes to the improvement of water quality of the waters of the Bay.

### RATIONALE FOR RECOMMENDATION

The Parks, Recreation, and Waterfront Department has the primary responsibility for removing derelict and abandoned vessels from local waters. This contract will allow the City to safely remove these potential environmental and navigational hazards from the Berkeley Marina.

### CONTACT PERSON

Alexandra Endress, Waterfront Manager, 981-6737

Sean Crothers, Waterfront Supervisor, 981-6744

### Attachments:

1. Resolution: Contract with Lind Marine
2. Resolution: Contract with Power Engineering Construction
3. Resolution: Contract with Silverado Contractors

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

CONTRACT: LIND MARINE FOR AS-NEEDED DERELICT VESSEL/DEBRIS  
REMOVAL AND DISPOSAL SERVICES

WHEREAS, each year, approximately five to ten vessels get abandoned by their owners at the Berkeley Marina because they lack funds to repair the vessels or they lack funds to pay for their dockage fees. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City, and these vessels are a visual blight on our Marina and harm our reputation; and

WHEREAS, on October 27, 2023, the City published a Request for Qualifications seeking firms or individuals to provide As-needed Derelict Vessel/Debris services (Specification No. 24-11618-C ); and

WHEREAS, on November 21, 2023, the City received three (3) submissions, which were reviewed and rated; and

WHEREAS, Lind Marine was determined to be fully qualified and responsive to the City's request; and

WHEREAS, the desired marine construction firms will be available on an as-needed basis over a two-year period for an amount not to exceed \$162,000; and

WHEREAS, funding is available in the FY 2024 budget in the California Division of Boating and Waterways SAVE 2022 Grant (Fund 607) and the Marina Minor Maintenance Fund (Fund 608). Additional FY 2024 SAVE 2023 Grant funding will be recommended for appropriation through the second amendment to the appropriations ordinance in Fund 607.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, or change orders with Lind Marine for as-needed Derelict Vessel/Debris services for the contract period of January 17, 2024 to January 16, 2026 in an amount not to exceed \$162,000. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.

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

CONTRACT: POWER ENGINEERING FOR AS-NEEDED DERELICT VESSEL/DEBRIS REMOVAL AND DISPOSAL SERVICES

WHEREAS, each year, approximately five to ten vessels get abandoned by their owners at the Berkeley Marina because they lack funds to repair the vessels or they lack funds to pay for their dockage fees. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City, and these vessels are a visual blight on our Marina and harm our reputation; and

WHEREAS, on October 27, 2023, the City published a Request for Qualifications seeking firms or individuals to provide As-needed Derelict Vessel/Debris services (Specification No. 24-11618-C); and

WHEREAS, on November 21, 2023, the City received three (3) submissions, which were reviewed and rated; and

WHEREAS, Power Engineering was determined to be fully qualified and responsive to the City's request; and

WHEREAS, the desired marine construction firms will be available on an as-needed basis over a two-year period for an amount not to exceed \$162,000; and

WHEREAS, funding is available in the FY 2024 budget in the California Division of Boating and Waterways SAVE 2022 Grant (Fund 607) and the Marina Minor Maintenance Fund (Fund 608). Additional FY 2024 SAVE 2023 Grant funding will be recommended for appropriation through the second amendment to the appropriations ordinance in Fund 607.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, or change orders with Power Engineering for as-needed Derelict Vessel/Debris services for the contract period of January 17, 2024 to January 16, 2026 in an amount not to exceed \$162,000. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.

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

CONTRACT: SILVERADO CONTRACTORS FOR AS-NEEDED DERELICT  
VESSEL/DEBRISREMOVAL AND DISPOSAL SERVICES

WHEREAS, each year, approximately five to ten vessels get abandoned by their owners at the Berkeley Marina because they lack funds to repair the vessels or they lack funds to pay for their dockage fees. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City, and these vessels are a visual blight on our Marina and harm our reputation; and

WHEREAS, on October 27, 2023, the City published a Request for Qualifications seeking firms or individuals to provide As-needed Derelict Vessel/Debris services (Specification No. 24-11618-C ); and

WHEREAS, on November 21, 2023, the City received three (3) submissions, which were reviewed and rated; and

WHEREAS, Silverado Contractors was determined to be fully qualified and responsive to the City's request; and

WHEREAS, the desired marine construction firms will be available on an as-needed basis over a two-year period for an amount not to exceed \$162,000; and

WHEREAS, funding is available in the FY 2024 budget in the California Division of Boating and Waterways SAVE 2022 Grant (Fund 607) and the Marina Minor Maintenance Fund (Fund 608). Additional FY 2024 SAVE 2023 Grant funding will be recommended for appropriation through the second amendment to the appropriations ordinance in Fund 607.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, or change orders with Silverado Contractors for as-needed Derelict Vessel/Debris services for the contract period of January 17, 2024 to January 16, 2026 in an amount not to exceed \$162,000. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.







Office of the City Manager

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Prevailing Wage Requirements in the Southside Plan Area; Adding Berkeley Municipal Code Chapter 13.108

RECOMMENDATION

Adopt first reading of an Ordinance amending Berkeley Municipal Code Title 13 to add Chapter 13.108 --Prevailing Wage Requirements in the Southside Plan Area to establish prevailing wage requirements for projects exceeding 50 units or 50,000 square feet in the Southside Plan Area.

FISCAL IMPACTS OF RECOMMENDATION

The prevailing wage requirements included in the proposed ordinance would be enforced through project sponsor attestation and private right of action. Therefore, the proposed ordinance would not require additional staff resources to administer.

CURRENT SITUATION AND ITS EFFECTS

On November 21, 2023 the City Council adopted zoning changes to increase residential development within the Southside Plan Area.<sup>1</sup> The materials considered with the item included a letter from the Planning Commission encouraging the Council to consider the feasibility of prevailing wage requirements.

At its November 21, 2023 meeting, the City Council adopted a motion that included the following language regarding prevailing wage requirements in the Southside:

A development project having 50 or more units, or having 50,000 square feet or more of floor area, that is located in either the C-T District, R-S District, or R-SMU District, is subject to the following prevailing wage requirements:

1. Contractors shall pay all construction workers employed in the execution of the development at least the general prevailing rate of per diem wages as set forth in Section 1771 of the California Labor Code,

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<sup>1</sup> [Staff Report regarding Southside Zoning Changes \(Council meeting of November 21, 2023\).](https://berkeleyca.gov/sites/default/files/documents/2023-11-21%20Item%2013%20Amendments%20to%20Berkeley%20Municipal.pdf)  
(<https://berkeleyca.gov/sites/default/files/documents/2023-11-21%20Item%2013%20Amendments%20to%20Berkeley%20Municipal.pdf>)

except that apprentices registered in programs approved by the California Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

2. Contractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in that section.

3. Subsections (1) and (2) above do not apply if all contractors are subject to a project labor agreement (or community workforce agreement or similar labor agreement) with the local Building and Construction Trades Council.

The motion included direction to staff to determine the most appropriate location in the Berkeley Municipal Code to include the language. The motion also stipulated that enforcement of the ordinance would be through project sponsor attestation and private right of action.

The proposed ordinance (**Attachment 1**) includes language to effectuate the direction in the City Council's motion.

#### BACKGROUND

The Berkeley Municipal Code (BMC) currently includes a single reference to prevailing wage for private development projects in the Downtown Mixed Use (C-DMU) District, including hotels, a building over 75 feet in height, or a building with more than 100 units of housing. Pursuant to BMC Chapter 23.408.060 (Green Pathway—Requirements for Large Buildings and Hotels), applicants that apply for the streamlining provisions of Chapter 23.408 must pay prevailing wage, among other requirements. However, no projects have ever been subject to these provisions. Additionally, the Green Pathways streamlining benefits have been superseded by changes to the BMC and State law that provide more streamlining benefits with fewer requirements.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

California Public Resource Code Section 21065 defines a “project” under CEQA as “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposed ordinance pertains to the terms of employment for workers on development projects, and would not result in any changes to the physical environment. The proposed ordinance does not consist of a discretionary action that would permit or cause any direct or indirect change in the environment. The proposed ordinance is therefore not a project under CEQA, and further environmental review is not required.

#### RATIONALE FOR RECOMMENDATION

The proposed ordinance reflects direction from the City Council at its November 21, 2023 meeting.

ALTERNATIVE ACTIONS CONSIDERED

Staff considered including the proposed language in Title 23 (Zoning), as the motion accompanied the Southside zoning provisions that are found in that title. However, staff determined that the proposed ordinance, which pertains to working conditions, was more appropriately located in Title 13 (Public Peace, Morals and Welfare), where similar employment-related regulations are included, such as the Wage Theft Prevention Ordinance and the Helping Achieve Responsible Development with Healthcare and Apprenticeship Training Standards (“HARD HATS”) Ordinance.

CONTACT PERSON

Justin Horner, Associate Planner, Land Use and Development, 510-981-7476

Attachments:

1: Ordinance

ORDINANCE NO. -N.S.

ADOPTING CHAPTER 13.108 OF THE BERKELEY MUNICIPAL CODE  
PREVAILING WAGE REQUIREMENTS

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

Section 1. Chapter 13.108 is hereby added to the Berkeley Municipal Code to read as follows:

**Chapter 13.108**

**PREVAILING WAGE REQUIREMENTS IN SOUTHSIDE PLAN AREA**

- 13.108.010 Title and Purpose**
- 13.108.020 Definitions**
- 13.108.030 Prevailing Wage Requirements**
- 13.108.040 Enforceability**
- 13.108.050 Severability**

**13.108.010 Title and Purpose.**

- A. This Chapter shall be referred to as the Prevailing Wage Requirements Ordinance.
- B. The purpose of this Chapter is to ensure that developers or contractors involved in the construction of large projects in the Southside Plan area pay workers at least the general prevailing rate set forth in the California Labor Code.

**13.108.020 Definitions.**

- A. "Contractor" shall mean a contractor or subcontractor of any tier that has contracted to perform work on the Covered Project.
- B. "Covered Project" shall mean a private development project located in the C-T, R-S, or R-SMU zoning districts that consists of construction or alteration of at least 50 units or 50,000 square feet or more of floor area and which has not received its final approvals (whether in the form of permits, variances, or other entitlements) by the effective date of this Ordinance.
- C. "Covered Construction Worker" shall mean any construction worker employed by a Contractor at any time over the duration of the Covered Project.
- D. "Registered Apprenticeship Program" shall mean an apprenticeship program jointly managed and administered by both a union and contractor or contractor association, and (i) approved by the State of California's Division of Apprenticeship

Standards; (ii) registered with the U.S. Department of Labor; or (iii) registered with a state apprenticeship agency granted authority by the U.S. Department of Labor to register apprenticeship programs for federal purposes, pursuant to 29 CFR Part 29.

### **13.108.030 Prevailing Wage Requirements.**

A. A Covered Project is subject to the following requirements:

1. Each Contractor shall pay all Covered Construction Workers at least the general prevailing rate of per diem wages as set forth in Section 1771 of the California Labor Code, except that apprentices participating in a Registered Apprenticeship Program may be paid at least the applicable apprentice prevailing rate.

2. Each Contractor shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in that section.

B. Subsections A(1) and A(2) above do not apply if all Contractors are subject to a project labor agreement (or community workforce agreement or similar agreement) with the local Building and Construction Trades Council.

### **13.108.040 Enforcement**

A. Each Contractor must sign a declaration attesting to compliance with this Chapter under penalty of perjury at the time of permit issuance for the Covered Project.

B. *Private Right of Action.* A Covered Construction Worker, or a joint labor-management committee established pursuant to the federal Labor Management Cooperation Act of 1978 (29 U.S.C. sec. 175a) on a Covered Construction Worker's behalf, may bring a civil action in a court of competent jurisdiction against any Contractor that violates this Chapter and, upon prevailing, shall be awarded reasonable attorneys' fees and costs and shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation. Nothing in this Chapter creates a private right of action or otherwise authorizes legal action against the City, its officers, agents, or employees.

### **13.108.050 Severability**

If any part or provision of this Chapter, or the application of this Chapter to any person or circumstance, is held invalid, the remainder of this Chapter, including the application of such part or provision to other persons or circumstances, shall not be affected by such a holding and shall continue in full force and effect. To this end, the provisions of this Chapter are severable.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 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.



BERKELEY CITY AUDITOR

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Jenny Wong, City Auditor *JW*

Subject: Contract: Ethico for Whistleblower Hotline and Case Management Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract with Ethico for whistleblower hotline and case management software services for a total amount not to exceed \$100,000 for the contract period of February 1, 2024 through January 31, 2027.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available for the FY 2024 budget in the General Fund budget code 011-12-122-000-0000-000-411-612-990.

CURRENT SITUATION AND ITS EFFECTS

The City Auditor’s Office needs a qualified, third-party vendor to provide whistleblower hotline services for the general public, employees, contractors, and other interested parties to report any activities of fraud, waste, or abuse perpetrated by an employee or agent of the City which activities directly or indirectly have a detrimental effect on the City. The whistleblower hotline will serve as an avenue for interested parties to voice their concerns via a web-based platform or directly to a live person via phone in a confidential and if desired, anonymous manner. Additionally, authorization of this contract will support the ongoing management of the Whistleblower Program by providing a central and secure case management platform.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental sustainability and climate effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City conducted a competitive procurement process and selected the most responsive and responsible vendor. The City Auditor's Office has a critical business and operational need for hotline and case management software services as part of implementing the Whistleblower Program.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Jenny Wong, City Auditor, 510-981-6750

Attachment:

1: Resolution



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

CONTRACT: ETHICO FOR WHISTLEBLOWER HOTLINE AND CASE  
MANAGEMENT SOFTWARE SERVICES

WHEREAS, the City released Specification No. 24-11630-C on October 13, 2023 for Whistleblower Hotline;

WHEREAS, two vendors responded, and Ethico was found to be the most responsive and responsible bidder; and

WHEREAS, the City Auditor requires hotline and case management software services to implement the Whistleblower Program;

WHEREAS, funding for FY 2024 is available in budget code 011-12-122-000-0000-000-411-612-990.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized execute a contract and any amendments with Ethico to provide whistleblower hotline and case management software services from February 1, 2024 through January 31, 2027 in an amount not to exceed \$100,000.





Office of the Mayor

CONSENT CALENDAR

January 16, 2024

To: Honorable Members of the City Council

From: Mayor Jesse Arreguin, Councilmember Rashi Kesarwani,  
Councilmember Sophie Hahn, and Councilmember Susan Wengraf

Subject: RFP for Development of West Berkeley Service Center

RECOMMENDATION

Refer to the City Manager to issue a Request for Proposal (RFP) for the development of the city-owned West Berkeley Service Center, (1900 Sixth Street), to permit site acquisition and construction of a 100-percent affordable housing project with the following key features:

- Space on the ground floor of the building for administrative offices, community space and supportive services as currently provided by the City;
- Maximizing the number of units under the existing zoning Mixed Use-Residential (MU-R) in conjunction with state law AB 1763 (2019);
- A mix of unit sizes, including studios, one-bedroom, and two-bedroom units;
- Require RFP applicants to include a plan for services provision and integration for the population(s) they propose to serve;
- A preference for serving seniors and adults with mental health conditions while maintaining flexibility to serve other populations based on availability of funding.

The City Manager should also consider the feasibility of the following elements in the program design:

- Universally designed housing for older adults with a portion of the units for assisted living and memory care;
- A board and care facility with a minimum of 20 beds including space for staff and services;
- Explore available federal, state, regional, local and private funding sources to finance the construction of a housing project, including with the potential target populations.

The issuance of an RFP should be timed to happen soon after funding for the development has been identified.

### BACKGROUND

Berkeley General Plan Policy H-18 encourages the use of city-owned sites, including parking lots for affordable housing or mixed-use projects: “When appropriate and feasible, use City-owned or controlled sites for affordable housing and/or mixed-use residential projects with a substantial portion of affordable units.”

On May 28, 2019, (Attachment #1), the City Council stated the intent for the use of the West Berkeley Service Center property, 1900 6<sup>th</sup> Street, would be used for senior housing with on-site services consistent with Age Friendly Berkeley Plan recommendations and maximizing the number of affordable units on site. They further referred to the City Manager to conduct a basic analysis of the development potential for the site, including build-out scenarios for a three to seven story building on the site that would include amenities, supportive social services, and community space.

Staff returned “Referral Response: Analysis of the Development Potential for the West Berkeley Service Center Site” to Council as a comprehensive Information Report on the September 7, 2023 City Council Agenda. In the report, staff analyzed Zoning Designation, State Streamlining Laws and State Density Bonus to provide considerations for development potential. Current zoning of the site is MU-R. Given staff assumptions as provided in the report (Attachment #2), it could be possible to build 190 units in six stories with AB1763. AB1763 (2019) expands State Density Bonus Laws to housing projects that are 100 percent to low-income households (excluding manager units) with up to 20 percent of units for moderate-income households. Also, projects near transit, such as the West Berkeley Service Center site, are not subject to density limits, may raise height limits by three stories or 33 feet, and are allowed up to four concessions.

Recommendations for Council action included rezoning the site to C-W and allocating funding for environmental review, or referral to the City Manager to develop recommendations to Council that would inform a RFP to develop senior housing on the site under the current MU-R zoning.

### CURRENT SITUATION AND ITS EFFECTS

The population of Berkeley residents 65 and older has steadily increased in recent years. Projections from multiple sources, including the Alameda County Plan for Older Adults, show that by 2030 over 20% of Berkeley residents will be over 65. Based on surveys completed by the Age Friendly Berkeley Initiative (2018) older adults increasingly prefer to age in their communities with housing affordability and availability, along with transit access, noted as major areas of concern, especially for

low-income respondents. Wait lists for affordable senior housing units are as long as 8 years.<sup>1</sup>

Board and Care facilities operate under the supervision of the Department of Social Services through a Community Care License and are staffed 24 hours per day, seven days per week. They provide residential care for seniors and/or people with disabilities who need assistance in their daily lives including room and board, meals, a supportive living environment with daily activities for participation and entertainment, and assistance with personal care. There is a critical lack of Board and Care facilities in the state. In recent years, the number of licensed board and care facilities, including Adult Residential Facilities and Residential Care Facilities for the Elderly has been declining largely due to inadequate funding and rising housing construction costs.<sup>2</sup> San Francisco has lost more than a third of its facilities that serve seriously mentally ill people under the age of 60 which is consistent with what other counties report, anecdotally, up and down the state.<sup>3</sup> More housing and mental health resources are critical to address the needs of our most vulnerable low-income adults who are most at-risk of homelessness: older adults, persons with disabilities, and persons with severe mental illness.

Currently, the City's Health, Housing and Community Services Department is utilizing the West Berkeley Service Center to house the West Berkeley Family Wellness Center that provides services such as Women, Infants and Children's (WIC) program, immunization programs, programs offering nursing support, Berkeley Black Infant Health and free yoga classes. Community Development Block Grant (CDBG) funds have been identified for improvements to the facility and have a five-year requirement for use, once all the funds are drawn down, without a pro-rata repayment. These improvements are scheduled to begin during the first quarter of 2024. During that time, a temporary facility will be needed to accommodate the temporary relocation of these programs to ensure continuation of services and activities during the construction period of any new housing project.

It is, currently, uncertain how this proposed development could be funded. The City of Berkeley Housing Trust Fund and funds from the 2018 Bond Measure O are in short supply or already dedicated to other projects. However, additional resources may become available through a proposed regional housing bond measure<sup>4</sup> or earmarked

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<sup>1</sup> Age Friendly Berkeley Action Plan, 2018: <https://berkeleyca.gov/sites/default/files/2022-01/Age-Friendly-Berkeley-Action-Plan.pdf>

<sup>2</sup>White Paper: County Behavioral Health Directors Association, February 28, 2020: Loss of Board and Care Facilities Is at Crisis Level: <https://namisantaclara.org/wp-content/uploads/2020/11/Loss-of-Board-and-Care-Facilities-is-at-Crisis-Level-2.28.20.pdf>

<sup>3</sup> San Francisco Chronicle article: SF Board-and-Care homes for Seriously Mentally Ill Shuttering as Costs Soar, April 16, 2019: <https://www.sfchronicle.com/bayarea/article/SF-board-and-care-homes-for-seriously-mentally-13766754.php>

<sup>4</sup> Bay Area Housing for All website: <https://bayareahousingforall.org/>

funding. Preparing an RFP that would be ready for issuance at the time resources have been identified would expedite development of the West Berkeley Service Center, ensuring critical resources can be provided for the community.

FINANCIAL IMPLICATIONS:

Staff time required for developing recommendations for an RFP. In addition, a budget will need to be developed for the temporary relocation of the West Berkeley Family Wellness Center services and possibly any pro-rata CDBG repayment.

ENVIRONMENTAL SUSTAINABILITY:

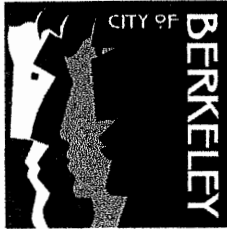
Aligns with environmental sustainability goals by providing housing densification along transit corridors.

CONTACT PERSON:

Mayor Jesse Arreguin (510) 981-7100

Attachments:

1. May 28, 2019 Council referral: Development of the West Berkeley Service Center, 1900 6<sup>th</sup> Street, for Senior Housing with Supportive Services
2. September 7, 2023, Referral Response: Analysis of the Development Potential of the West Berkeley Service Center Site



Office of the Mayor

## ATTACHMENT 1

CONSENT CALENDAR

May 28, 2019

To: Members of the City Council

From: Mayor Jesse Arreguin and Councilmembers Kesarwani, Wengraf, and Bartlett

Subject: Development of the West Berkeley Service Center, 1900 6<sup>th</sup> Street, for Senior Housing with Supportive Services

RECOMMENDATION

State the intent of the City Council that the West Berkeley Service Center property, 1900 6<sup>th</sup> Street, will be used for senior housing with on-site services consistent with Age Friendly Berkeley Plan recommendations, maximizing the number of affordable units.

The Berkeley Way Project, 2012 Berkeley Way, is the City's top affordable housing priority. The West Berkeley Service Center, as a City-owned property, to be developed for affordable housing falls under the "High Priority" on the list of housing initiatives passed by Council on November 28, 2017. In light of the above, refer to the City Manager to take the following actions to initiate the process of developing senior housing at the West Berkeley Service Center:

- a. Refer to the City Manager to conduct a basic analysis of the development potential for the West Berkeley Service Center site including build-out scenarios for a three-, four-, five-, six- and seven-story building at the site, using Mixed-Use Residential (MUR), West Berkeley Commercial (C-W), and Multiple-Family Residential (R-3) Development Standards. Each buildout scenario should reflect base project conditions, and conditions if a Density Bonus is granted including waivers and concessions, or if Use Permits are used to modify standards. The scenarios should also incorporate space on the ground floor for resident amenities, supportive social services, and community space. The results of the development scenarios will be presented to the City Council and Planning Commission.
- b. Refer to the Planning Commission to consider any modifications to the underlying zoning at the West Berkeley Service Center site to maximize the production of senior housing, including consideration of an overlay zone.
- c. Based on recommendations from the Health, Housing and Community Services Department, the Housing Advisory Commission, Measure O Bond Oversight Committee, Commission on Aging, and taking into consideration requirements and restrictions associated with potential funding sources, create

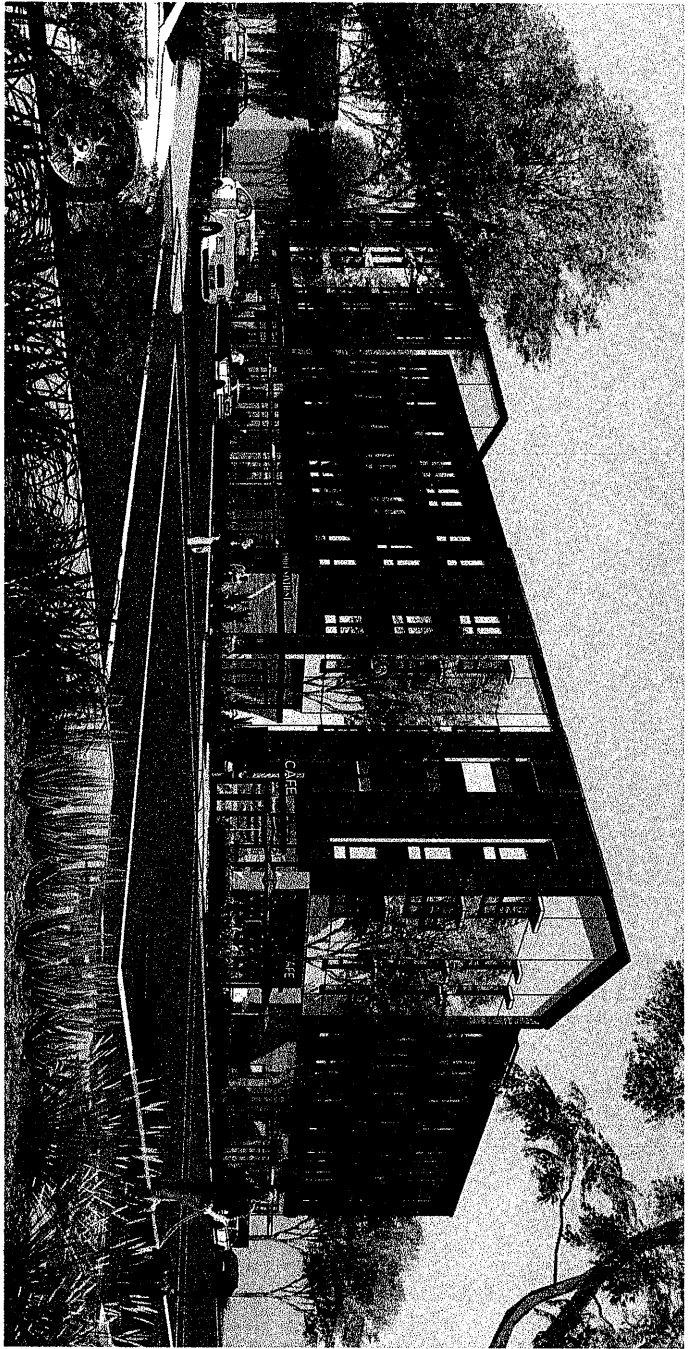
based on more current information, since predevelopment work could proceed immediately after a contract award.

- A Request for Proposals (RFP), as opposed to a Request for Information (RFI), may be the best tool to use for soliciting development concepts from housing developers if Council wishes to use this process to award a contract, such as a Disposition and Development Agreement. An RFI is typically used to collect information from many potential bidders in anticipation of releasing a request for bids, to inform the request. An RFP is an excellent tool to use when the City wants bidders to apply their creative thinking to the proposed project and wants to award a contract. The RFP can ask the bidders to respond to multiple City priorities. Since identifying and analyzing options to develop the site will require an investment of staff time from respondents, developers are more likely to respond with more fully developed proposals if the process is used to award a contract.
- As a precursor to developing an RFP, it would help staff to understand Council's priorities for the site, particularly what project components are most important, such as maximizing the number of affordable units for seniors, providing deeply affordable units, inclusion of community services space, a memory care facility, etc. Understanding the ranking of Council priorities will help staff and bidders evaluate trade-offs and enable more responsive proposals, making the process more efficient for the City and developer alike.

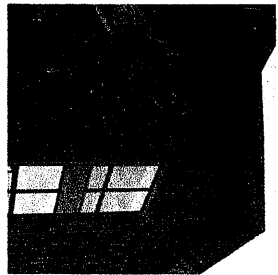
#### CONTACT PERSONS

Timothy Burroughs, Director, Planning and Development Department, 510-981-7437  
Kelly Wallace, Interim Director, Health, Housing and Community Services Department,  
510-981-5107

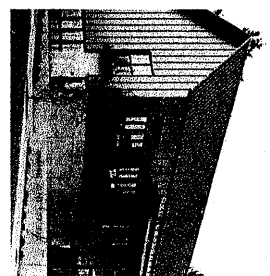




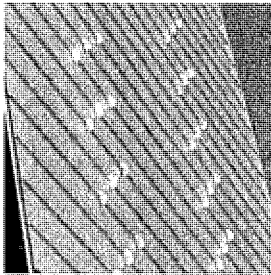
DESIGN INSPIRATION



BOARD & BATTEN  
NATURAL COLOR



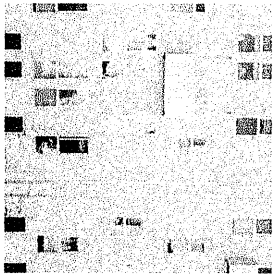
BOARD & BATTEN  
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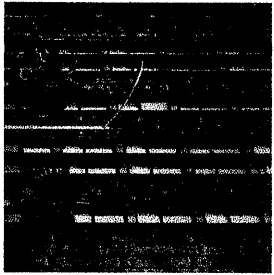
METAL ROOFING



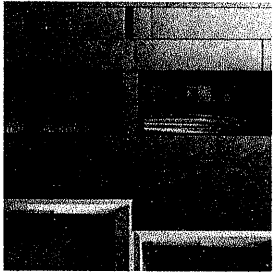
WALL SCUNCE



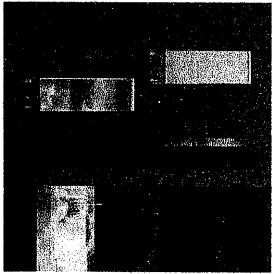
WINDOW PATTERN



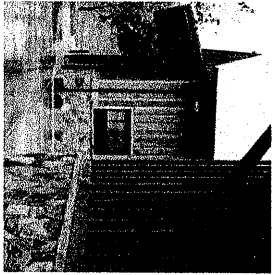
WINDOW PATTERN



CEMENT BOARD



CEMENT BOARD



CONTEMPORARY BARN



STORE FRONT

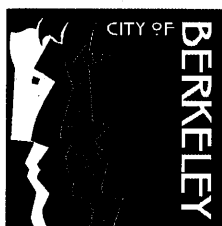
6th Street Senior Affordable Housing Berkeley, California

Perspective View 1

Project No.: 31804-P01

05.18.2018

SGPA ARCHITECTURE  
AND PLANNING



Office of the City Manager

## ATTACHMENT 2

September 7, 2023

To: Honorable Mayor and Members of the City Council

From: *DWR* Dee Williams-Ridley, City Manager

Re: Referral Response: Analysis of the Development Potential of the West Berkeley Service Center Site

### SUMMARY

In 2019, the City Council referred to the City Manager to conduct an analysis of the development potential of the West Berkeley Service Center (WBSC) site for senior housing and related support services. This memorandum analyzes a range of buildout scenarios under various zoning and permitting options, including State Density Bonus Law, and presents options for Council action.

### BACKGROUND

In 2016, the City Council adopted a referral to identify City-owned properties that have the potential to be used for affordable housing sites (**Attachment 1**). In 2017, staff identified the West Berkeley Service Center (WBSC) at 1900 Sixth Street, which currently houses a variety of social services, as one of several sites that met selected criteria for housing development suitability (included in **Attachment 2**).<sup>1</sup> In 2019, the City Council adopted a referral that asked the City Manager to further analyze the development potential options for the WBSC to achieve Council goals for that site (**Attachment 2**).

### SITE AND SURROUNDING AREA

The approximately 32,550 square-foot parcel is located at the southwest corner of Hearst Avenue and Sixth Street (Figure 1). It currently serves as the location of the West Berkeley Family Center, operated by the Health, Housing, and Community Services Department's Public Health Division (HHCS/PHD). At the site, HHCS/PHD currently offers a variety of public health and social services for low-income Berkeley

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<sup>1</sup> The 2017 staff report identified six city-owned properties and grouped them into three categories based on how they met the following housing suitability criteria: 1) located within zones allowing multifamily development; 2) larger than 15,000 square feet; 3) not protected as parks or open space under Measure L, the Berkeley Public Parks and Open Space Preservation Ordinance; 4) whether there were existing active City uses on the site. The West Berkeley Service Center was in "Group 2" because it met the first three criteria but it does have active City uses on site.

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residents, such as the Women, Infant, and Children (WIC) program, Black Infant Health, Immunization clinics and services, food and diaper distribution, and public health emergency preparedness. Additionally, there are current plans to create a community garden and co-locate various social, public health, and educational services at the site until future development initiatives can be realized. Public transit accessibility is plentiful, with several high-frequency AC Transit routes and Amtrak located within half a mile. In addition, the 4th Street shopping corridor and community health care facilities are nearby. Adjacent uses on the block consist of a range of commercial uses, including office, retail, personal services and exercise studio in one and two-story buildings.

The parcel is in the West Berkeley Plan area as part of a transition area between the Fourth Street retail district and the residential area to the east. It is zoned for Mixed-Use Residential (MU-R) (Figure 2) and has a General Plan land use classification of Mixed Use (MU) (Figure 3).

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**Figure 1: Aerial of Project Site**



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**Figure 2: Zoning - West Berkeley Service Center and Adjacent Properties**



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**Figure 3: General Plan Land Use Designation - West Berkeley Service Center and Adjacent Properties**



**ANALYSIS OF ZONING OPTIONS**

Consistent with the Council's referral, staff analyzed options to maximize residential density, including affordable senior units, to maintain existing social services, and to introduce supportive housing uses.

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Staff analysis considered the impacts of the following variables on development potential:

- *Zoning Designation.* Maintaining the existing MU-R zoning, amending the zoning designation to West Berkeley Commercial (C-W) or Multiple-Family Residential (R-3), or establishing an overlay district.
- *State Streamlining Laws.* The relevance of state laws such as SB 35 or AB 2162 that allow for streamlined, ministerial approval.
- *State Density Bonus.* The use of the Density Bonus Law to increase allowed floor area or building envelope.

The Council referral directed staff to evaluate the development potential for a project containing senior housing with ground-floor resident amenities, supportive social services, and community space. Depending on the type of senior housing desired, the project could include the following (which require different zoning permits):

- A Mixed-Use Residential project, containing dwelling units, incidental residential amenities, community center space, and offices for supportive social services. This would require a Use Permit with a public hearing (UP(PH)) in the MU-R, C-W and R-3 districts.
- A Senior Congregate Housing project, containing group living accommodations occupied by persons 60 years or older who live in sleeping rooms without kitchen facilities, which contains congregate bath and/or dining facilities. This would require a UP(PH) in the MU-R, C-W and R-3 districts.
- A Community Care Facility, consisting of a state-licensed facility for non-medical care and supervision of elderly persons, is allowed with a Zoning Certificate in the C-W district, and a Use Permit in the R-3 district. Construction of new community care facilities is allowed with a Use Permit in the MU-R district, pursuant to changes recently adopted by the City Council in July that align the zoning code with State law requirements.

Regardless of the type of senior housing developed, the project would be required to comply with the development standards of the applicable zoning district. Table 1 below lists the development standards for each potential zoning district under consideration.

The R-3 zone provides the most restrictive development envelope. Changing the site's zoning to R-3 would require changing the General Plan land use designation of the site from Mixed Use to the lower density Medium Density Residential designation. This change may be inconsistent with the objective of optimizing the site's development potential for senior housing.

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**Table 1. Permit Requirements and Development Standards**

| Development standard                      |                              | MU-R<br>(existing)                          | C-W<br>(on same block)          | R-3<br>(across 6 <sup>th</sup><br>Street)        |
|-------------------------------------------|------------------------------|---------------------------------------------|---------------------------------|--------------------------------------------------|
| Lot area, Min.                            | Per dwelling unit            | 1,250 sq. ft.                               | N/A                             | N/A                                              |
|                                           | Per GLA resident             | N/A                                         | N/A                             | 350 sq. ft.                                      |
| FAR, Max.                                 |                              | 1.5                                         | 3.0                             | N/A                                              |
| Building Height, Max.                     | Height                       | 35 ft.                                      | 50 ft.                          | 35 ft.                                           |
|                                           | Stories                      | 3                                           | 4                               | 3                                                |
| Setbacks, Min.                            | Front                        | 5 ft.                                       | 0 ft.                           | 15 ft.                                           |
|                                           | Rear                         | 0 ft.                                       | 0 ft.                           | 15 ft.                                           |
|                                           | Interior Side                | 0 ft.                                       | 0 ft.                           | 4 ft. (1 <sup>st</sup> -2 <sup>nd</sup> stories) |
|                                           |                              |                                             |                                 | 6 ft. (3 <sup>rd</sup> story)                    |
|                                           | Street Side                  | 10 ft.*<br>Across from residential district | 20 ft.*<br>Across from R-1(A)   | 6 ft. (1 <sup>st</sup> story)                    |
|                                           |                              |                                             |                                 | 8 ft. (2 <sup>nd</sup> story)                    |
| 10 ft. (3 <sup>rd</sup> story)            |                              |                                             |                                 |                                                  |
| Building Separation, Min.                 | 0 ft.                        | 0 ft.                                       | 8 ft. (1 <sup>st</sup> story)   |                                                  |
|                                           |                              |                                             | 12 ft. (2 <sup>nd</sup> story)  |                                                  |
|                                           |                              |                                             | 16 ft. (3 <sup>rd</sup> story)  |                                                  |
| Usable open space per dwelling unit, Min. | 150 sq. ft. (dwelling units) | 40 sq. ft. (dwelling units)                 | 200 sq. ft. (dwelling units)    |                                                  |
|                                           |                              | No minimum (GLA's)                          | 90 sq. ft. (GLA's)              |                                                  |
| Lot Coverage, Max.                        | 100%                         | 100%                                        | 50% (One or two-story building) |                                                  |
|                                           |                              |                                             | 45% (Three-story building)      |                                                  |

Staff also considered an overlay zone, which is typically applied over multiple underlying zoning districts in order to establish additional regulations that serve a particular public purpose (e.g., Hillside Overlay, Civic Center District). An overlay zone typically modifies development standards and administrative processes, rather than allowed land uses. Given these limitations, staff do not recommend rezoning to R-3 nor creating an overlay zone.



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## REFINING OPTIONS

### State Streamlining Laws

California has passed laws that allow certain affordable housing projects to undergo streamlined ministerial processes subject only to objective development standards. Use of these laws increases development certainty while reducing project timelines, both of which lower costs and ultimately support the production of affordable units. As shown in Table 2 on the following page, the State streamlining laws relevant to the project are SB 35 (2017) and AB 2162 (2018).<sup>2</sup>

Given the state requirements for affordability levels, workforce benefits, and additional supportive housing requirements, SB 35 is the most likely streamlining mechanism to be used. SB 35 has lower affordability requirements and no supportive housing requirement compared to AB 2162, which requires maintaining services to formerly homeless residents and partnership with a service provider. For these reasons, staff's analysis assumes that the developer would likely opt to meet SB 35 requirements to achieve streamlining.

### Density Bonus Law

For housing development projects that provide a certain percentage of affordable units or senior housing, the California Density Bonus Law<sup>3</sup> requires cities to grant a density increase over "the otherwise maximum allowable gross residential density" for the zoning district and the General Plan. In addition to a bonus in number of units, State Density Bonus Law provides for incentives and concessions to reduce the cost of providing affordable housing, and/or waivers to development standards (e.g., open space requirements, height limits, setbacks, parking requirements) to achieve the densities allowed by the law.

The amount of the density bonus and the number of incentives or concessions granted generally increases with project affordability levels. At the affordability level required by SB 35 for ministerial approval in Berkeley (currently 50 percent of units for low-income households), a project can receive a 50 percent density bonus and three incentives or concessions.

In addition, AB 1763 (2019) expands State Density Bonus Law to housing projects that are 100 percent to lower-income households (excluding manager units) with up to 20 percent of units for moderate-income households. Projects near transit, such as the West Berkeley Service Center site, are not subject to density limits, may raise height limits by three stories or 33 feet, and are allowed up to four concessions.

<sup>2</sup> Based on staff's analysis, the site is not eligible for streamlining under the provisions of AB 2011.

<sup>3</sup> Government Code Section 65915.

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=65915&lawCode=GOV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65915&lawCode=GOV)

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**Table 2. Applicable State Ministerial Approval Laws for Affordable Housing Developments**

| State Law Requirements                             | SB 35                                                                                                                                                                               | AB 2162                                                                                                                                                                          |
|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Housing Type</b>                                | Residential and mixed-use projects with at least 50% affordable housing                                                                                                             | 100% affordable housing projects where at least 25% of units (or 12 units, whichever is greater) are set aside for supportive housing (housing for formerly homeless residents)  |
| <b>Additional Requirements</b>                     | N/A                                                                                                                                                                                 | Onsite supportive services aimed at transitioning residents to regular life and housing, units with bathrooms and private cooking facilities, developer supportive services plan |
| <b>Workforce Requirements</b>                      | If government project: The project must pay prevailing wages<br><br>If project has at least 75 units and is not 100% affordable: The project must use skilled and trained workforce | N/A                                                                                                                                                                              |
| <b>Tribal Consultation</b>                         | Required                                                                                                                                                                            | Not required                                                                                                                                                                     |
| <b>Time Limit to Determine Eligibility</b>         | Up to 150 units: 60 calendar days<br>Over 150 units: 90 calendar days                                                                                                               | 30 days                                                                                                                                                                          |
| <b>Time Limit to Review and Act on Application</b> | Up to 150 units: 90 calendar days<br>Over 150 units: 180 calendar days                                                                                                              | Up to 50 units: 60 days<br>Over 50 units: 120 days                                                                                                                               |

Development Potential

The maximum development potential of the site depends on a number of factors that a developer would take into consideration when designing a project. Staff made a set of assumptions in order to illustrate the relative difference in development potential under the MU-R and C-W zoning district standards, as well as the magnitude of change allowed with State Density Bonus law under SB 35 (50 percent bonus) or unlimited bonus under AB 1763.<sup>4</sup> Specifically, staff assumed an average unit size of 550 square feet<sup>5</sup> and 20 percent common area<sup>6</sup> in both the base and density bonus projects, and 85 percent lot coverage in the density bonus project.

<sup>4</sup>The City Council's referral specified affordable senior housing, thus staff did not consider a scenario allowed under density bonus law for senior housing that does not include affordability requirements.

<sup>5</sup> Staff reviewed the average unit size of five recent affordable senior housing projects approved or constructed in the region and found the average unit size to be approximately 550 square feet, consisting of studios, 1- and 2-bedroom units.

<sup>6</sup> Residential floor area not part of dwelling unit, such as common space, circulation (e.g., hallways).

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As shown in Table 3 below, State Density Bonus Law allows significantly more units to be built than would otherwise be allowed in the base project. This is especially true for a 100 percent affordable project. With a zoning designation of MU-R, the base project could contain up to 26 units, as the maximum density is limited to one dwelling unit per 1,250 square feet of lot area. Applying a 50 percent density bonus to the base project to facilitate SB 35 streamlining, up to 39 units would be allowed. AB 1763 does not limit the project density, so the limiting factor would be the additional three stories allowed above the maximum of three stories, for a total of up to six stories allowed on the site. Given staff assumptions for unit size and lot coverage, it could be possible to build 190 units in six stories with AB 1763. With a zoning designation of C-W, the base project could contain 105 units, potentially increasing to approximately 150 units in six stories with a 50 percent density bonus, and potentially around 230 units in seven stories with an AB 1763 density bonus.

**Table 3. West Berkeley Service Center Example Development Scenarios**

| Project Type                                         | % of Project As Affordable Housing   | MU-R                 | C-W                  |
|------------------------------------------------------|--------------------------------------|----------------------|----------------------|
| Base project                                         | 0%                                   | 26 units, 3 stories  | 105 units, 4 stories |
| 50% density bonus                                    | 50% (Required for SB35 streamlining) | 39 units, 4 stories  | 150 units, 6 stories |
| No density limit + 3-story height increase (AB 1763) | 100%                                 | 190 units, 6 stories | 230 units, 7 stories |

Table 3 shows that the development potential of the site is greater when subject to the C-W district standards than the MU-R standards under the base and density bonus project conditions. However, because a project under AB 1763 would not be subject to a density standard, a 100 percent affordable project with MU-R zoning results in a development potential that is similar to that which can be achieved under C-W standards. The expanded baseline building envelope allowed in the C-W district provides for a further increase in the number of potential units under AB 1763. Ultimately, the number of units, building envelope and amount of affordable housing depends on a number of factors, such as the availability of affordable housing subsidy and overall economic feasibility. Recently developed affordable housing projects have tended to include fewer than 100 units.

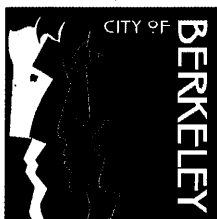


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cc: LaTanya Bellow, Deputy City Manager  
Anne Cardwell, Deputy City Manager  
Jenny Wong, City Auditor  
Farimah Brown, City Attorney  
Mark Numainville, City Clerk  
Matthai Chakko, Assistant to the City Manager  
Jordan Klein, Planning and Development Director  
Lisa Warhuus, Health, Housing and Community Services Director

Attachment 1



Susan Wengraf  
Councilmember District 6

CONSENT CALENDAR

April 5, 2016

To: Honorable Mayor and Members of the City Council  
From: Councilmember Susan Wengraf  
Subject: Analyzing All City-Owned Properties for Potential for Housing Development

RECOMMENDATION

Request that the City Manager explore the opportunity for the City of Berkeley to build housing on city-owned property: conduct an inventory of city owned properties and return to City Council as soon as possible with an evaluation and analysis of those properties that are appropriate for the development of affordable housing.

BACKGROUND

Across the state of California, urban centers are experiencing a crisis in housing availability at all levels of affordability. The crisis is very severe in the Bay Area. Lack of funds and subsidies from the state and federal government has exacerbated the obstacles to developing housing at all levels of affordability. In addition, the scarcity and the high cost of land in the Bay Area and in Berkeley, specifically, is an enormous barrier to producing affordable housing. Berkeley needs to optimize its limited resources now and look to partner with housing developers to build housing on city-owned land.

The City of Berkeley has a unique opportunity. The two senior centers, "North", on MLK and Hearst, and "South" on Ellis and Ashby and the Service Center on 6<sup>th</sup> Street are all in need of significant renovation. Now is the time to evaluate these properties to determine if it is feasible to create a mixed-use, housing/community center on these sites prior to spending millions of dollars on the current structures.

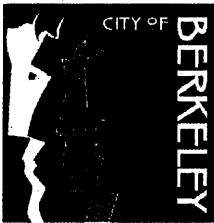
All City owned properties should be explored and evaluated for their potential as sites for housing development.

In addition, the Berkeley Unified School District owns property that has the potential to be developed as housing. The City of Berkeley should work closely with the BUSD to encourage them to move forward with their own analysis of potential housing sites that are currently under- utilized.

This severe housing crisis calls for all publicly owned land to be evaluated and considered.

FINANCIAL IMPLICATIONS: Staff time

CONTACT: Councilmember Susan Wengraf Council District 6 510-981-7160



Office of the Mayor

CONSENT CALENDAR  
May 28, 2019

To: Members of the City Council

From: Mayor Jesse Arreguín and Councilmembers Kesarwani, Wengraf, and Bartlett

Subject: Development of the West Berkeley Service Center, 1900 6<sup>th</sup> Street, for Senior Housing with Supportive Services

**RECOMMENDATION**

State the intent of the City Council that the West Berkeley Service Center property, 1900 6<sup>th</sup> Street, will be used for senior housing with on-site services consistent with Age Friendly Berkeley Plan recommendations, maximizing the number of affordable units.

The Berkeley Way Project, 2012 Berkeley Way, is the City's top affordable housing priority. The West Berkeley Service Center, as a City-owned property, to be developed for affordable housing falls under the "High Priority" on the list of housing initiatives passed by Council on November 28, 2017. In light of the above, refer to the City Manager to take the following actions to initiate the process of developing senior housing at the West Berkeley Service Center:

- a. Refer to the City Manager to conduct a basic analysis of the development potential for the West Berkeley Service Center site including build-out scenarios for a three-, four-, five-, six- and seven-story building at the site, using Mixed-Use Residential (MUR), West Berkeley Commercial (C-W), and Multiple-Family Residential (R-3) Development Standards. Each buildout scenario should reflect base project conditions, and conditions if a Density Bonus is granted including waivers and concessions, or if Use Permits are used to modify standards. The scenarios should also incorporate space on the ground floor for resident amenities, supportive social services, and community space. The results of the development scenarios will be presented to the City Council and Planning Commission.
- b. Refer to the Planning Commission to consider any modifications to the underlying zoning at the West Berkeley Service Center site to maximize the production of senior housing, including consideration of an overlay zone.
- c. Based on recommendations from the Health, Housing and Community Services Department, the Housing Advisory Commission, Measure O Bond Oversight Committee, Commission on Aging, and taking into consideration requirements and restrictions associated with potential funding sources, create



recommendations to Council regarding levels of affordability, unit sizes, on-site services and other features to be included in a senior housing and social services development, including senior living housing types. These recommendations will be presented to the City Council to inform the issuance of an RFP.

#### POLICY COMMITTEE RECOMMENDATION

On April 25, 2019, the Land Use, Housing and Economic Development Committee adopted the following action: M/S/C (Droste/Hahn) to send the item to the full Council with a Positive Recommendation. Vote: All Ayes.

#### BACKGROUND

The population of Berkeley residents 65 years and older has steadily increased in recent years. In 2017, older adults were estimated to make up 13.5% of our community – an increase of approximately 2% from the 2010 Census (11.7%) and approximately 3% from the 2000 Census (10.2%). Recent projections from multiple sources, including the Alameda County Plan for Older Adults, show that by 2030 one in five residents (20.5%) in Berkeley will be over 65, nearly doubling the current population. Advances in medicine and the spike of 'baby boomers' born after World War II have resulted in a late-twentieth century demographic phenomenon, popularly referred to as the 'silver tsunami', that cities across the country are similarly anticipating.

Based on surveys completed by AARP (2012) and the Age Friendly Berkeley Initiative (2018) we know that older adults increasingly prefer to age in their communities, which tells us we need a continuum of housing options for this growing population, in tandem with services. We also know that housing affordability and availability, along with transit access, are major areas of concern, especially for low-income respondents. In 2014, 23% of Berkeley residents 60 years and older were living under 200% of the Federal Poverty Level, according to the American Community Survey. As of July 2018, there were 738 dedicated affordable units for seniors, with a waitlist of 6-8 years. Amidst the current affordability crisis, low- and fixed-income seniors are struggling just to stay housed, let alone receive the care they require.

In an effort to respond to current and future needs, the Berkeley Age Friendly Continuum was formed out of conversations between residents and those providing and working in aging services across the city. The goal of this work is to strengthen Berkeley as a place to age, and ensure implementation of an integrated, person-centered, replicable, continuum of supports and services for older adults and those with disabilities as they navigate transitions of aging. This effort is now supported by the City of Berkeley, Kaiser, Sutter and AARP, and is heavily informed by the Age Friendly Cities and Communities effort led by the World Health Organization. Their three-year Action Plan will soon be released, focusing on how we can move forward aging standards, and ensure ours is a livable community where all generations thrive.

While the initial work of the Age Friendly Continuum has been focused on conducting a comprehensive needs assessment, setting priorities, articulating an organizational structure, and developing a 3-year plan, their longer term goal has always included piloting a senior housing and services facility that could be a model for the future of aging in place in Berkeley. One of the recommendations from their soon to be released Age Friendly Berkeley Action Plan under Housing and Economic Security, is to “develop a continuum of affordable, accessible housing options for older adults to age in their community regardless of their health or financial status”.

In April 2016, the City Council passed a referral to identify City owned properties that have the potential to be used for affordable housing sites. An information report with the referral response was presented in February 2017, with the West Berkeley Service Center (WBSC) identified as a potential site for future development. In May 2017, Council then passed a budget referral for a feasibility study for the construction of affordable senior housing, specifically mentioning the WBSC along with the North and South Berkeley Senior Centers. Located at 1900 6<sup>th</sup> Street, the WBSC is an approximately 31,000 square foot parcel situated in a Mixed Used Residential (MUR) zone. Public transit accessibility is plentiful, with several high-frequency AC Transit routes and Amtrak located within half a mile. In addition, the 4<sup>th</sup> Street shopping corridor, and community health care facilities are nearby. The site is currently home to several tenants that provide a variety of services, including the City of Berkeley Aging Services, the Black Infant Health Program, Public Health Nurses and the Meals on Wheels program. It is also covering services provided by the North Berkeley Senior Center (NBSC) for the next 18-24 months until renovations at the NBSC are completed.

Initial plans were to keep the WBSC under the scope of the Measure T1 process. Measure T1, passed by Berkeley voters in 2016, is a \$100 million bond for rebuilding and renovating the City's aging infrastructure, including City owned facilities. Yet what this site needs is beyond an infrastructure upgrade, and its history as a hub for senior services presents an opportunity. West Berkeley has an extremely limited number of affordable housing units for seniors, despite being in a location that is easily accessible to various medical and aging services. And thanks to the passage of Measure O, a \$135 million dollar housing bond, combined with other funding opportunities, it could now be possible to fund the development of a senior housing and services facility modeled after the work of Age Friendly Berkeley, that becomes the gold standard for aging in place in our community, and the region.

Such a development would be consistent with the West Berkeley Plan, which calls for the residential development of MUR zones to facilitate the activation of such blocks while also maintaining a high level of services for the diverse population of West Berkeley. Additionally, the Plan calls for the development of housing, which provides on-site supportive services, as an explicit goal. However, to fully understand the possibilities of potential development of the site, the Planning Commission will need to consider several zoning options to find the optimal conditions.

After any rezoning is approved and recommendations on the development program are made by relevant City Commissions and the Council, the next step is to issue an RFP for development of the WBSC. We recommend consideration of the following criteria:

- Focuses on universally designed, affordable housing for older adults
- Incorporates the latest in technology and aging
- Functions both as services linked to housing and as a community hub of activity
- Reserves a portion of the units for assisted living and memory care
- Consistency with the recommendations of the Age Friendly Berkeley Initiative
- Maximize sustainability and energy efficiency

Any proposed development could have access to various forms of funding, including but not limited to Measure O (which explicitly mentions senior housing), new markets and low-income tax credits, local/regional/state funding such as U1, A1, and Prop 63/MHSA, along with private foundations.

#### RATIONALE FOR RECOMMENDATION

With Berkeley's senior population expected to skyrocket over the next decade, steps must be made to increase housing and services. There is currently a lack of senior housing in Northwest Berkeley, despite being in close proximity to various healthcare, shopping, and transit options. Affordable housing is particularly limited with wait lists for some senior housing projects between 6-8 years. There is also a need for a neighborhood hub for access to information and activities for older people in the area, along with meeting rooms and event space.

In 2017, Council voted to look into the feasibility of developing housing at Berkeley's senior centers, as recommended by the community. There are limitations to providing services at the North and South Berkeley Senior Centers due to their current R-2A residential zoning, and site constraints exist at the North Center due to the proximity of the BART tunnel. The development of WBSC for senior housing and services is consistent with both zoning regulations and the West Berkeley Plan. Such a development is also consistent with the Age Friendly Continuum.

Developing the former West Berkeley Senior Center into senior housing and services would uphold and honor the legacy of elder advocates who championed the creation of the Center to serve the needs of the West Berkeley Community, and would be consistent with its long-standing use.

#### FINANCIAL IMPLICATIONS

Staff time to conduct the analysis of development potential at the West Berkeley Service Center site, prepare reports for Council and Planning Commission discussion, and to work with City Commissions to create recommendations on the development program for a senior housing project. According to the staff memo dated March 7, 2019 "Process for Considering Proposals to Develop the West Berkeley Senior Center Site for Senior

Housing”, city staff estimate that the analysis of development potential will take approximately 40-60 hours of staff time.

**ENVIRONMENTAL SUSTAINABILITY**

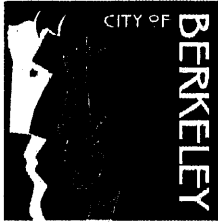
Not applicable.

**CONTACT PERSON**

|                               |              |
|-------------------------------|--------------|
| Mayor Jesse Arreguín          | 510-981-7100 |
| Councilmember Rashi Kesarawni | 510-981-7110 |
| Councilmember Susan Wengraf   | 510-981-7160 |
| Councilmember Ben Bartlett    | 510-981-7130 |

**Attachments:**

1. Age Friendly Initiative, HHCS Presentation, City Council Worksession on July 17, 2018
2. Referral Response: Analysis of City-Owned Property for Potential Housing Development, February 14, 2017
3. Budget Referral: Feasibility Study For The Construction Of Affordable Senior Housing, May 16, 2017
4. Staff Report to the Land Use, Housing, an Economic Development Committee: Process for Considering Proposals to Develop the West Berkeley Senior Center Site for Senior Housing, March 7, 2019



Office of the City Manager

WORKSESSION

July 17, 2018

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Paul Buddenhagen, Director, Health, Housing & Community Services

Subject: Berkeley Age Friendly Initiative

SUMMARY

At the request of City Council, the Health, Housing and Community Services Department is providing an overview and update on the Age Friendly Berkeley initiative. Helping Berkeley's older adults remain in Berkeley and live long, healthy and fulfilled lives is the goal of the Age-Friendly Berkeley initiative. It's a collaborative effort between the City of Berkeley, Lifelong Medical Care, the Center for Independent Living, and Ashby Village. This report provides information on the key findings from a community survey that was conducted in March and April 2018 to help plan the work. This report also provides highlights from informational interviews that were conducted with City staff from various Departments to identify projects that City Departments have completed, or are considering, that consider the needs of older adults as they age in Berkeley.

The community survey and the informational interviews are strategies used to inform the development of the City of Berkeley Aging Friendly City Plan. This Plan will include recommended actions to achieve the goal of creating a livable community for all Berkeley residents, and will be submitted to the World Health Organization in November 2018. This report provides Council with information to inform the discussion on better serving our seniors.

The community survey gathered input from Berkeley community members age 50 and over. The purpose of the survey was to identify their priorities as they age in the Berkeley community. Survey results indicate that residents prioritize affordable senior housing, transportation services, and outdoor spaces that are walkable.

CURRENT SITUATION AND ITS EFFECTS

Many cities are experiencing rapid increases in the proportion of people aged 60 and over. In Berkeley, the population over age 65 is expected to nearly double from 12% in 2010 to 21% in 2030.

The World Health Organization (WHO) recognizes that older people are a resource for their families, communities and economies in supportive living environments. Older

people in particular often require supportive and enabling living environments to compensate for physical and social changes associated with aging. Thus, in order to retain a vibrant and enriching population of older adults, cities must provide the structures and services to support their wellbeing and productivity. Making cities more age-friendly is a necessary and logical response to promote the wellbeing and contributions of older urban residents and keep cities thriving (Global Age-Friendly Cities: A Guide, WHO, 2007).

The WHO has developed an active aging framework that outlines how cities can improve opportunities for health, participation and security in order to enhance quality of life for elders as they age. In an age-friendly city, policies, services, settings and structures support and enable people to age actively. Active and healthy aging depends on a variety of influences or determinants that surround individuals, families and nations. These determinants are reflected in the eight domain, or topic areas, identified by the AARP in previous research with older people on the characteristics of elderly-friendly communities:

1. Outdoor Spaces
2. Transportation
3. Housing
4. Social Participation
5. Respect & Social Inclusion
6. Civic Participation & Employment
7. Communication & Participation
8. Community and Health Services

Berkeley must complete an Aging Friendly Plan to be recognized by the WHO as an Age-Friendly City. To develop this Plan, public input was gathered from Berkeley community members through a community survey developed and implemented in partnership with AARP. The survey was distributed by mail to AARP members in Berkeley. Hard copies of the survey were also made available at the senior centers, libraries, and partner agencies such as churches and senior housing facilities. Funding for the development and analysis of the community survey was provided by a grant from the Pilgrimage Foundation.

### **AGING SERVICES DIVISION**

The City of Berkeley's Aging Services Division aims to promote a dignified and healthy quality of life for older adults by offering connections to community, services & resources through two vibrant senior centers (North Berkeley Senior Center and South Berkeley Senior Center) and a multi-resource center (West Berkeley Service Center). Our programs touch the lives of older adults each year by serving as a resource for recreation, group meals, health & wellness education and other supportive services for adults 55 and older.

Aging Services Division  
Health, Housing and Community Services Department

WORKSESSION  
July 17, 2018

At our senior centers, staff provide local resources and provide individualized assistance to seniors and caregivers. Classes provided through the Berkeley Adult School, and other enrichment activities, are scheduled daily at the Centers. Lunchtime dining for senior center members is provided at a reasonable price (often free) at both senior centers; approximately 200 members are fed each day (over 40,000 meals per year).

Our Social Services staff provides consultation, referral, and case management for seniors in distress. Services include, but are not limited to, transportation, housing, food accessibility, access to healthcare, and legal assistance.

The Division's Meals on Wheels staff and volunteers provides approximately 60,000 home-delivered, well balanced meals to homebound seniors, 60 years of age or older, in Berkeley, Albany and Emeryville.

Berkeley senior centers provide transportation and access to recreational and educational activities in the community. Our paratransit services assist Berkeley residents with disabilities, and those 70 years of age or older, by providing taxi scrip and van voucher programs that enhance access to things seniors need and want. In FY17, over 13,400 taxi rides were provided to taxi scrip users, and over 1,200 van vouchers were used.

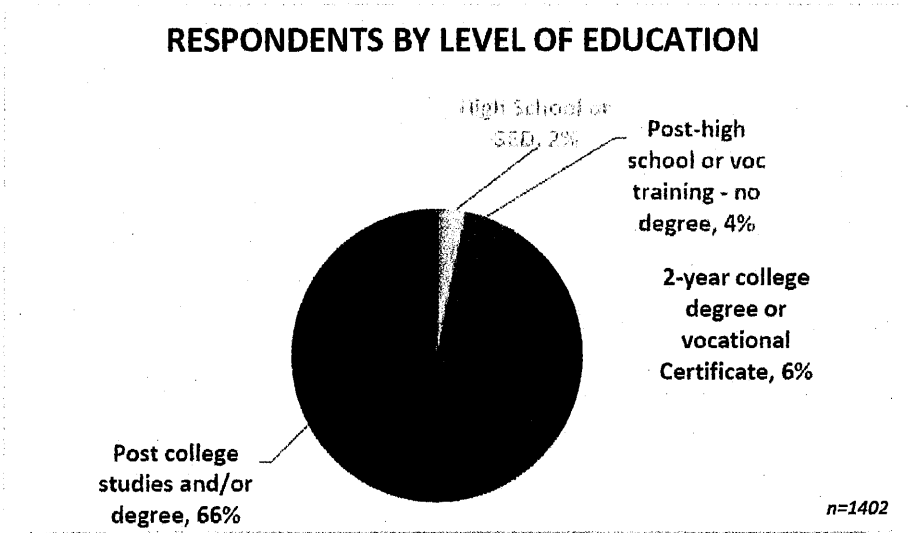
Finally, the Aging Services Division provides many opportunities for volunteers to support seniors, and thereby remain engaged in our community. Each year, hundreds of volunteers support the activities and services provided at the North and South Berkeley Senior Centers and help to deliver thousands of meals for the Meals on Wheels program.

## **SURVEY RESULTS**

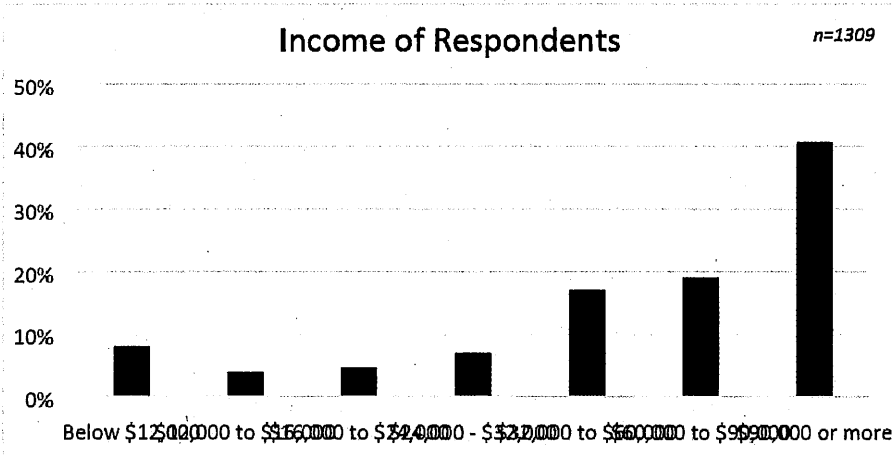
### Respondent Characteristics

A total of 1416 surveys from Berkeley adults age 50 and over were received and analyzed in April 2018. 30% of the respondents are between the ages of 50-64, 57% between ages 65-79, and 13% age 80 or more. 73% of those surveyed are female.

Approximately 66% of the respondents indicated a post-college level of education.

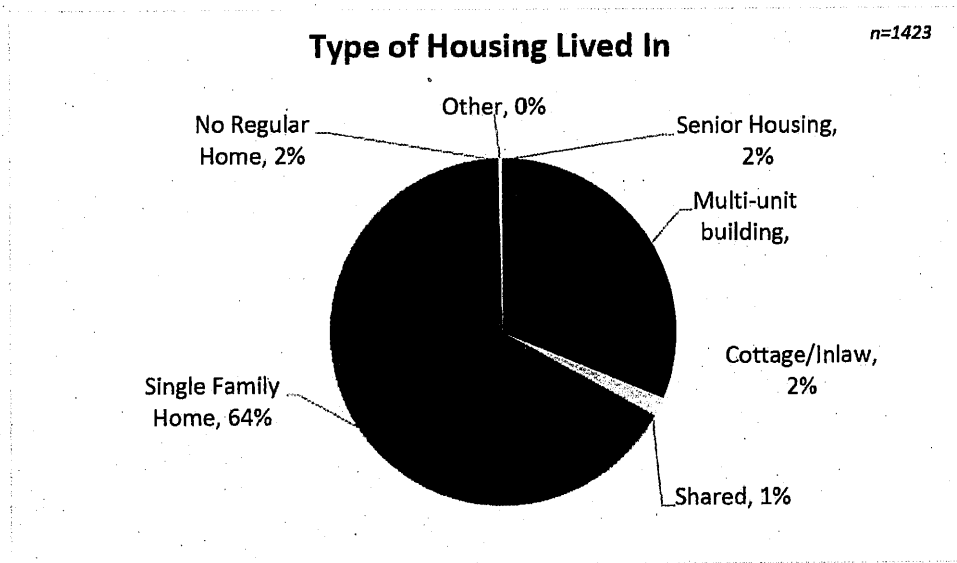


Approximately 60% of the survey respondents reported an income of \$60,000 or more in the previous year.



A majority of the survey respondents indicated that they live in single family homes. One-third of the respondents indicated living in multi-unit housing complexes.





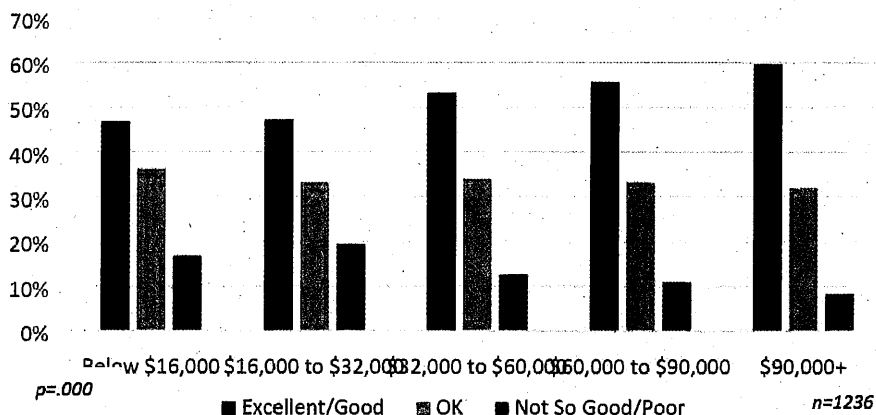
**Key Survey Findings**

The community survey included various questions that address each domain. As mentioned previously, survey respondents highlighted concerns and priorities under the housing, transportation, and outdoor spaces domain areas. These findings are summarized below, by domain area:

**Housing**

The majority of the survey respondents in each income group indicated that Berkeley was an "Excellent" or "Good" city to age in. However, over 30% of respondents reporting an income of \$32,000 or below in the previous year indicated that Berkeley is a "Not so good/poor" place to age.

**How Respondents Rate Berkeley as a Place to Age  
by Income Group**



When asked about main reasons for their rating of Berkeley as a place to age, respondents indicated that they appreciated the availability of low-income and senior housing in the City. However, respondents also pointed out that the availability of such housing was low, and that housing and property tax costs are too high. These reasons, along with mentions of gentrification and homelessness, support respondents' indication of Berkeley as a "Not so good/poor" place to age.

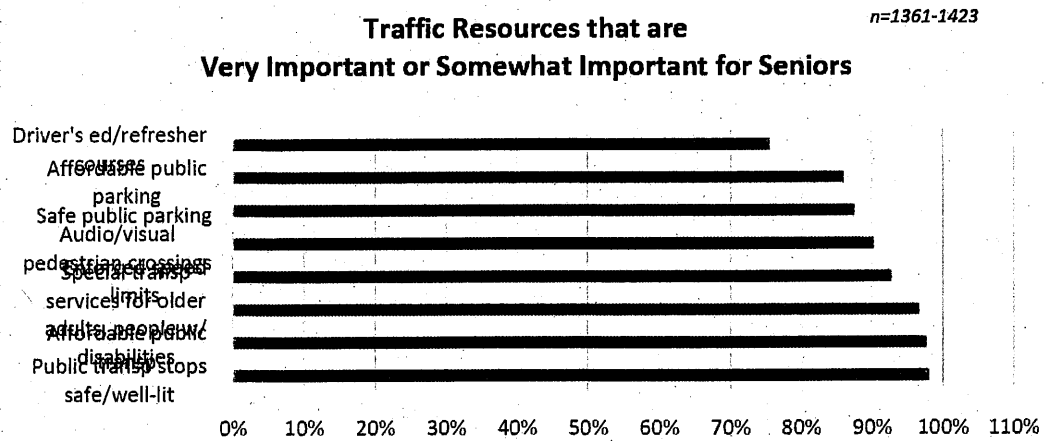
It is important to note that those survey respondents in the \$16,000-\$32,000 income bracket rate Berkeley the lowest for aging. As income increases, the number of respondents indicating that Berkeley is an "Excellent/Good" place to age also increases. The chart above highlights the income disparities that exist in Berkeley; as mentioned in the Health Status Report, the environments and neighborhoods in which people live, work, learn, and raise their families impact their access to resources such as effective health care, and ultimately affect their overall quality of life.

Additionally, survey respondents were asked about factors that would influence their decision to move out of Berkeley. Over 60% of respondents identified their need for housing to live independently, lowering the cost of living overall, and needing a less expensive home, as their top three influencing factors.

**Outdoor Spaces**

Word clouds were created to illustrate the most frequently mentioned positive reasons from those survey respondents who reported the City of Berkeley to be an "Excellent" or "Good" place to age (55% overall):





Transportation is a high priority for older adults with nearly all wanting more transit enhancements. Approximately 100% state that the following are very important: Public transportation stops are safe and well lit, public transportation is affordable, and special transportation for seniors.

**Key Interview Findings**

In addition to the community survey, a total of 18 informational interviews with City staff from 9 City Departments were conducted. Data on projects that have been completed and are currently being planned/pursued that address relevant older adult issues and concerns was collected. The following list summarizes these projects by domain area.

**Housing**

*Projects/Elements currently in place*

- Senior and disabled home loan rehab program: long term, low interest loans to fix houses of low income seniors so they can age in place.
- Short term rental application support/workshops through Finance Department
- Housing Assistance is available through the Berkeley Housing Authority, Center for Independent Living, ECHO housing (fair house counseling), NID (housing counseling Agency focused on foreclosure counseling) and the Unity Council (foreclosure workshops)
- 738 dedicated, affordable senior housing units in Berkeley, but with wait lists of 6-8 years

*Projects in process with Age Friendly Elements*

- Disability Commission and Planning Commission considering amendments to ADU's - goals is to increase housing stock that is accessible.
- Expansion of City Planning's housing safety program with intent to proactively protect low-income housing stock.

## Outdoor Spaces

### *Projects/Elements currently in place*

- Recreational programs through the Parks & Rec department now offering more adult classes: painting, yoga, aquatics, Tai Chi, etc.
- 52 Parks as well as trails and community gardens are available
- Sidewalks, curb cuts, street lighting, benches, & traffic calming devices are well developed in most of the city
- New developments & redevelopments, including businesses & housing developments, are required to build or remodel according to ADA standards

### *Projects in process with Age Friendly Elements*

- Parks & Rec Department considering adding paid classes and programs targeting the older adult population
- City Planning Department using "Crime Prevention through Environmental Design" to address safety issues, uncomfortable spaces, dark alleys, etc.
- Measure T1 holding public hearings; goal to improve existing infrastructure and facilities

## Transportation

### *Projects/Elements currently in place*

- Strategic Transportation Plan strives to enable equal access for Berkeley community members of any age, background, and ability to move throughout City
- Paratransit, senior shuttle, and taxi scrip services available through City's Aging Services Division

### *Projects in process with Age Friendly Elements*

- Planning, Public Works Departments developing master pedestrian plan in commercial areas; safety, walkability, lighting, etc.
- Planning, Public Works Departments reviewing sidewalks in poor condition, which have been an issue for people with disabilities and elders who are challenged by broken sidewalks
- Aging Services transportation services to implement mobility management and travel training for seniors

## POSSIBLE FUTURE ACTION

The recommendations listed below were developed by the Age Friendly Berkeley collaborative. These recommendations align with both the key findings from the community survey and the City staff informational interviews.

## Housing

- Incorporate universal design into new building codes
- Support efforts to overturn policy that allows people to raise the rent to market when someone in a rent-controlled space moves out
- Create a publicly accessible, understandable database where seniors can see rental opportunities rather than the need to call each establishment individually

- Allow & promote a mix of uses in buildings and neighborhoods through zoning codes and planning tools to provide access to necessary services (grocery stores, pharmacies, etc.) with multiple transportation options in neighborhoods
- Work with additional personnel and leadership outside government agencies to help coordinate housing needs along a continuum, from shared housing to assisted living

**Outdoor Spaces**

- Include input from older adults while developing the master pedestrian plan for input about cleanliness, wayfinding, safety, walkability, etc.
- Improve park bathrooms and facilities in general for the older population
- Create safe routes to common destinations (e.g., community centers, libraries)

**Transportation**

- Advance the affordability, availability, reliability, frequency, and travel destinations for public transit
- Allocate additional funding to improve transportation infrastructure (benches, shelters, traffic signals, and pavement on pedestrian sidewalks)
- Extend educational programs to help individuals learn about public transit options

The City's Aging Services Division remains committed to promoting quality services and resources to encourage active aging for Berkeley's older adults. The Division is also committed to working with partners to create sustainable age-friendly elements in the Berkeley community that enable access to resources which support a full and healthy life for everyone. As our older adult population increases, it is important for the city to continue to focus on their needs, and provide accessible and affordable opportunities for them to participate actively in our community.

**BACKGROUND**

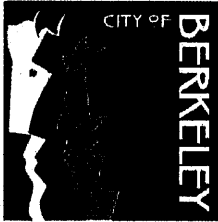
To become a member of the World Health Network, the City completed an application that demonstrated Berkeley's commitment to older adults. Through the City's dedicated services to older adults, its robust non-profit sector, and innovative planning, the City demonstrated Berkeley's commitment to the older adult community and was accepted into the World Health Network in November 2016.

**ENVIRONMENTAL SUSTAINABILITY**

There are no environmental sustainability impacts as part of this report.

**CONTACT PERSON**

Tanya Bustamante, Aging Services Manager, HHCS, (510) 981-5178



Office of the City Manager

INFORMATION CALENDAR

February 14, 2017

To: Honorable Mayor and Members of the City Council

From: *DWR* Dee Williams-Ridley, City Manager

Submitted by: Paul Buddenhagen, Director, Health, Housing and Community Services

Subject: Referral Response: Analysis of City-Owned Property for Potential for Housing Development

SUMMARY

On April 5, 2016 City Council requested an inventory of City-owned properties in order to evaluate their potential for affordable housing development. In the past, the City has sold (for example, for Oxford Plaza and Harper Crossing) and leased (in the case of William Byron Rumford Senior Plaza) City-owned property to support affordable housing.

The City owns 119 properties scattered throughout Berkeley. (In many cases, these properties are made up of multiple legal parcels.) Staff reviewed the inventory and assessed each site's development potential, based on criteria prioritizing sites that are mostly likely to accommodate a multifamily rental project and most competitive for affordable housing funding. HHCS staff reviewed the sites' zoning designation, square footage, current use, and whether or not properties were protected as parks or open space under Measure L, the Berkeley Public Parks and Open Space Preservation Ordinance. Six properties were identified citywide that met the basic criteria. One is the Berkeley Way parking lot, currently the subject of an agreement with BRIDGE Housing related to its development as affordable housing. The other five all had other significant challenges to development. All would require more review before taking any further action.

Staff did not review properties for the potential to sell. Oakland's housing plan, Oakland at Home, recommended selling City-owned properties not suitable for affordable housing development and placing 30% of the proceeds in a housing trust fund.

CURRENT SITUATION AND ITS EFFECTS

This report responds to a referral that originally appeared on the April 5, 2016 Council agenda and was sponsored by Councilmember Wengraf.

For this project, HHCS staff started with a detailed list of City-owned parcels that had been compiled by the Public Works Department from multiple sources, and updated it with information from the Berkeley Municipal Code as well as internal records. The

complete list is attached (see Attachment 3). It is the most comprehensive list that has been compiled to date.

#### Initial Assessment: Selected Properties

HHCS staff identified six properties that met basic criteria for housing development suitability and grouped them in three categories, based on the criteria briefly described above, and described in depth in the Background section of this report. The following describes the six properties which best met the criteria identified. None of these sites were identified as housing opportunity sites in the Housing Element, primarily because of existing City uses and zoning constraints. The City already has an agreement with BRIDGE Housing for the development of Berkeley Way, and the other five have significant challenges to development. These sites are also listed in Attachment 1.

*Group 1.* Two properties met all basic criteria. They are: 1) located within zones allowing multifamily development; 2) larger than 15,000 square feet; 3) not protected under Measure L; and 4) have no existing structures.

- **Berkeley Way Parking Lot (2012 Berkeley Way):**

The City and BRIDGE Housing have a Disposition and Development Agreement for a project on this site that will incorporate affordable housing, permanent supportive housing, transitional housing, homeless services, and replacement public parking. On September 27, 2016, City Council awarded \$835,897 in Housing Trust Funds to support additional predevelopment activities, including architectural work, environmental studies, and planning fees.

- **Elmwood Parking Lot (2642 Russell Street)**

Five City-owned parcels could be merged to create a 27,000 square foot lot. The parcels currently form a narrow parking lot situated between a row of shops facing College Avenue, and a residential neighborhood composed primarily of 1-2 story single family homes and small multifamily buildings. This parking lot supports the Elmwood commercial area. At a minimum, this site would need to be rezoned to support multifamily housing development at a large enough scale to make affordable housing feasible.

While the square footage of the parcel initially seemed promising, several of the adjacent residential buildings are situated on the lot lines, and the businesses use the City's property for trash pickup and delivery access. Setbacks would likely be required on one if not both sides. In addition, the lot's irregular shape and proximity to existing commercial and residential uses would constrain its footprint and height to the point at which an affordable development may be infeasible, particularly with replacement parking for the commercial district. Combined, these limitations are likely to make affordable housing development infeasible at this time.



*Group 2.* Two additional properties are 1) located within zones allowing multifamily development; 2) larger than 15,000 square feet; and 3) not protected under Measure L; but they have active City uses. A third property, Center Street Garage, also met these criteria but was not considered because it is currently under construction.

- **West Berkeley Service Center (1900 Sixth Street).** The West Berkeley Service Center is located on a parcel that is 31,000 square feet, in an area that is a mix of commercial, industrial, and residential. Some of the parking spots are currently being used for City vehicles. The neighboring buildings are 1-2 stories tall, but 4-5 story buildings are located one block away along University Avenue. Though the existing zoning (MUR - Mixed Use Residential) permits multifamily development, changing the zoning could help maximize the site's development potential. Demolishing and replacing the service center, currently used for senior social services, the Black Infant Health Program, Public Health Nurses and the Meals on Wheels program, would add significantly to the cost of housing development at the site.
- **Telegraph-Channing Garage and Shops (2425 Channing Way)**  
This six-story parking garage also includes retail spaces on the ground floor. Built in the late 1960s, the garage provides parking for the stores and restaurants along Telegraph Avenue near the UC Berkeley campus. Conceivably, the site could be redeveloped to include replacement commercial spaces and parking with housing over it.

However, since the structure is a key resource for local businesses, the costs of temporary commercial relocation during construction, and the costs of replacing parking and commercial spaces would make development very costly and could be infeasible in combination with affordable housing. In order to also add new residential units, the replacement structure would likely need to be several stories taller than the current structure, which is already among the tallest buildings in the neighborhood. These issues present significant challenges to using the site for affordable housing in the foreseeable future.

*Group 3.* These properties are both larger than 15,000 square feet and vacant, but would require zoning changes before multifamily housing could be constructed and have constraints from Measure L. The North Bowling Green is protected from development under Measure L, and would require a vote of the people to change its designation and make it legal to develop. The Santa Fe Right of Way requires further analysis to determine Measure L's applicability. Unlike other parcels protected under Measure L, both of these properties are fenced off from the public and not in active use.

- **North Bowling Green (1324 Allston Way)**  
Within the Corp Yard, along Allston Way, the North Bowling Green is a vacant lot of approximately 21,000 square feet that is not actively used by the City. The site

was used as a lawn bowling green starting in 1929, but has not been maintained as such since 2008. This site, along with the South Bowling Green and clubhouse, is leased to the Berkeley Lawn Bowling Club, though Parks is negotiating a new lease that will not include the North Bowling Green. The site contains elevated levels of pesticides and metals, and the contaminated soil would need to be excavated or encapsulated prior to active use or development, which does not rule out affordable housing development but would add to the cost. The entire Corp Yard site is within an R-2 zone, so the North Bowling Green would need to be split from the Corp Yard parcel and rezoned to allow for multifamily housing. The 150-unit Strawberry Creek Lodge (affordable senior housing) is located within a block of the vacant site, though the immediately adjacent residential units are single-family homes.

- **Santa Fe Right of Way**

The City owns six vacant, non-contiguous parcels that were part of the right of way for the former Santa Fe Railroad. The lots cut through the middle of blocks at a diagonal, and are separated by several streets: Ward, Derby, Carleton, Parker and Blake. Collectively, the parcels comprise approximately 75,000 square feet of undeveloped land. The parcels are zoned R-1 and R-2, which do not permit multifamily construction. The neighborhood is primarily single family homes with a few 2-story multifamily buildings. Although it could be possible to combine these sites into a single scattered site project, it would be difficult to achieve the density required to make a scattered site project large enough to be competitive for tax credit and other affordable housing funding.

## BACKGROUND

The initial data collection resulted in a list of 229 individual parcels, which was reduced to 119 after staff analysis. Several Berkeley Housing Authority and BUSD properties associated with Berkeley 75, former public housing, were removed from consideration, and adjacent parcels were combined into single entries to better assess their development potential. Staff then researched each property for specific data, including zoning and property square footage.

From the list of 119 parcels, some City-owned properties were excluded from further analysis because they were not available or clearly not suitable for development as housing. Sites not considered for future housing development included City offices at Center and Milvia, street segments, sidewalks, fire and police facilities, and sites leased to existing affordable housing projects.

The City owns approximately one acre of air rights to develop over the western parking lot at Ashby BART, which is zoned C-SA. The site was not included in this report because it is being analyzed as part of the Adeline Corridor planning process. The City does not own air rights at North Berkeley BART.

**Methodology and Criteria**

The remaining 92 properties were then ranked based on a set of criteria established to identify the sites with the greatest development potential (and fewest development barriers). The following criteria were used:

***Zoning***

Given the City of Berkeley's general plan and municipal code, multi-family housing can only be built within certain zones<sup>1</sup>. Properties outside these zones were ranked lower since they would require zoning changes in order to be suitable for higher density development.

***Size of parcel/ability to support 50+ units of housing***

Staff prioritized sites that can accommodate 50+ units of housing for affordable housing development. In this analysis, we looked at sites of 15,000 square feet as having the greatest potential, and gave consideration to sites over 10,000 square feet. Sites smaller than this are unsuitable for affordable multifamily housing development because:

- Even with greatly reduced or donated land, affordable housing development requires public funding. There are limited funding sources for affordable housing, and most multifamily housing developers pursue Low Income Housing Tax Credits as a significant source. Tax credit funding is highly competitive, and non-tax credit projects can be difficult to finance. California intends to start incentivizing larger developments by awarding higher points to projects with 50 or more units. Staff estimated that sites under 15,000 square feet would not allow for the density required to meet the 50-unit minimum for a competitive project. Sites between 10,000 and 15,000 were included but ranked lower, as they could be combined for a scattered site project.
- The long length of time required for obtaining financing for Harper Crossing (41 units) and Grayson Street Apartments (23 units) are probably at least partially related to their small size. Smaller projects are generally less competitive for housing funds because of their higher per unit costs and, in the case of the Affordable Housing and Sustainable Communities program, due to their smaller impact on reducing greenhouse gas emissions.
- Similarly, Oakland's housing plan recommended using sites that can accommodate 50+ units for affordable housing, and selling the others for revenue to support housing.
- One local affordable housing developer, when asked about minimum size, said "we've found that in higher-density areas (like Berkeley) sites should be at least 15,000 sq ft. We will look at smaller sites if there are special circumstances but as a rule of thumb it is hard to create a feasible multifamily rental project on a site

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<sup>1</sup> Zones that allow multifamily housing are R-3, R-4, R-5, C-1, C-N, C-E, C-NS, C-SA, C-T, C-SO, C-W, C-DMU, and MU-R

under that size.” Another emphasized the need to look at the development capacity, citing a project on 13,000 square foot plot with 62 one-bedrooms, feasible only because it has 6 stories (typically not possible in Berkeley).

#### *Parks and open spaces, restricted by Measure L*

In 1986, Berkeley residents passed Measure L, the Berkeley Public Parks and Open Space Preservation Ordinance, ensuring that all existing City open space would be preserved (not developed). Measure L requires a vote of the people to use or to develop a public open space or park for any purpose other than public parks or open space, unless a State of Emergency has been declared. In this context, the Homeless Shelter Crisis declared by City Council in 2016 does not qualify as a State of Emergency, and would not supersede Measure L. Staff consulted with Parks to confirm that 23 properties larger than 10,000 square feet are restricted under Measure L. Staff did not ask Parks to review the following properties in hillside zones due to topographical constraints on development: Grotto Rock Park, Indian Rock Park, Remillard Park, Cragmont Park, and Great Stone Face Park.

#### *Current Use*

Berkeley is largely built out, and most City-owned properties have buildings and active uses. Staff prioritized properties that do not have any structures, followed by properties that are active City facilities, and finally properties leased to non-City entities. Staff did not review the 21 leases noted in the property inventory, and did not assess the development potential of the sites once the leases expire, as that was beyond the scope of the current analysis.

#### Properties Less Suitable for Development

The remaining 113 properties were considered less suitable for development because they did not meet enough of the priority criteria. More than half of the remaining properties were eliminated because they fell below the threshold of 10,000 square feet (49 properties) or because they are actively used open space or parks and are protected under Measure L (22 properties, excluding the Santa Fe ROW). Other properties were eliminated because of their current use, including a number of City facilities on lots larger than 15,000 square feet. Attachment 2 includes a list of every City-owned property over 15,000 square feet in area.

#### ENVIRONMENTAL SUSTAINABILITY

Any site would require environmental analysis to assess its suitability for development, and identify contaminants or issues needing remediation.

#### POSSIBLE FUTURE ACTION

Staff will continue to work with BRIDGE Housing and the Berkeley Food and Housing Project on the redevelopment of the Berkeley Way Parking Lot. Staff plan to report back to City Council with a recommendation on the disposition of two former

Referral Response: Analysis of City-Owned Property  
for Potential for Housing Development

INFORMATION CALENDAR  
February 14, 2017

Redevelopment Agency properties the City owns on 5<sup>th</sup> Street. Staff welcome any additional information that could further update the property information shown in Attachment 3.

**FISCAL IMPACTS OF POSSIBLE FUTURE ACTION**

Fiscal impacts of future action will depend on the course of action identified. Developing new affordable housing on City-owned land will require additional City funding contributions.

**CONTACT PERSON**


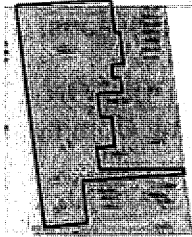

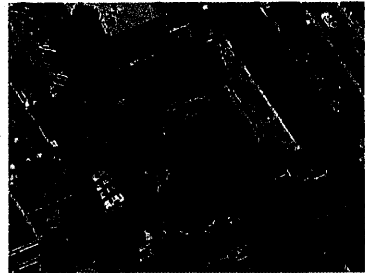
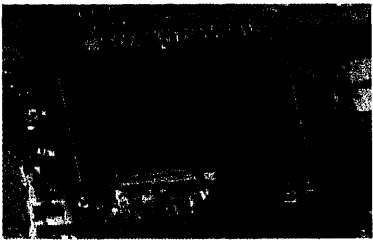
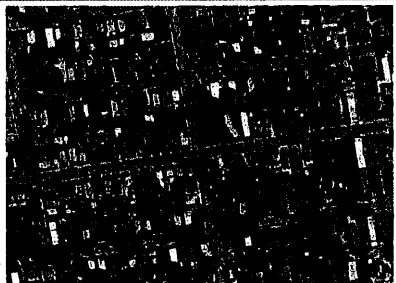
Jenny Wyant, Community Development Project Coordinator, HHCS, 510-981-5228

**Attachments:**

- 1: Selected Property List
2. City Properties Larger Than 15,000 SF
3. Inventory of City Properties
4. Original Referral Report from April 5, 2016

**Page 23 of 27**  
Attachment 1:

**Selected Property List**

| Priority Group | Name (Address)                                                         | Zoning       | Lot SF | Current Use    | Image                                                                                 | Bldg SF |
|----------------|------------------------------------------------------------------------|--------------|--------|----------------|---------------------------------------------------------------------------------------|---------|
| 1              | Berkeley Way Parking Lot<br>(2012 Berkeley Way)                        | C-DMU Buffer | 40,945 | Parking Lot    |    |         |
| 1              | Elmwood Parking Lot<br>(2642 Russell, 5 parcels)                       | C-E          | 27,374 | Parking Lot    |    |         |
| 2              | Telegraph-Channing Garage and Shops<br>(2425 Channing Way)             | C-T          | 32,685 | Parking Garage |   | 189,867 |
| 2              | West Berkeley Service Center<br>(1900 Sixth St)                        | MUR          | 31,020 | City Facility  |  |         |
| 3              | North Bowling Green<br>(portion of City Corp Yard, 1324 Allston)       | R-2          | 21,000 | City Facility  |  | 46,604  |
| 3              | Santa Fe Right of Way<br>(Ward, Derby, Carleton, and Blake, 6 parcels) | R-1/R-2      | 75,086 | ROW            |   |         |

**Attachment 2:  
All City-Owned Properties Larger Than 15,000 SF**

**City Facilities**

- Berkeley Fire Station Number 5 (2680 Shattuck Ave)
- Berkeley Fire Station Number 6 (999 Cedar St)
- Berkeley Fire Warehouse (1011 Folger Ave)
- Berkeley Police Department / Old City Hall (2100 / 2134 MLK Jr. Way)
- Berkeley Public Library – Central Branch (2090 Kittredge St)
- Berkeley Public Library-North Branch (1170 The Alameda)
- Berkeley Transfer Station (1201 Second St)
- City Corp Yard (1326 Allston Way)
- City Office Building (1947 Center St.)
- Civic Center Building (2180 Milvia St)
- Fire Department Station No.2 (2029 Berkeley Way)
- Firehouse Number 7 (3000 Shasta Ave)
- North Berkeley Senior Center (1901 Hearst Ave)
- North Bowling Green (part of City Corp Yard, 1324 Allston)
- South Berkeley Senior Center (2939 Ellis St)
- West Berkeley Service Center (1900 Sixth St)

**Existing Affordable Housing**

- Oceanview Garden Apartments (1816 Sixth St)
- University Avenue Cooperative Homes Apartments (Addison at Sacramento)
- William Byron Rumford Senior Plaza (3012 Sacramento St)

**Leased Properties**

- Berkeley Black Repertory Group Theater (3201 Adeline St)
- Berkeley Recycling Center (669 Gilman St)
- Nia House Learning Center (2234 Ninth St)
- Veterans Memorial Building (1931 Center St)
- Women's Daytime Drop-In Center (2218 Acton St)

**Parking Lots/Garages**

- Berkeley Way Parking Lot (2012 Berkeley Way)
- Center Street Garage (2025 Center St)
- Elmwood Parking Lot (2642 Russell)
- Oxford Plaza Parking Garage (2165 Kittredge)
- Telegraph-Channing Garage and Shops (2425 Channing Way)

### **Parks and Open Space**

- Aquatic Park\* (80 Bolivar Dr)
- Berkeley Way Mini Park (1294 Berkeley Way)
- Cedar Rose Park\* (1300 Rose St)
- Codornices Park and Berkeley Rose Garden (1201 Euclid Ave)
- Community Garden (1308 Bancroft Way)
- Cragmont Rock Park (960 Regal Rd)
- Dorothy Bolte Park (540 Spruce St)
- George Florence Park (2121 Tenth St)
- Glendale- La Loma Park (1310 La Loma Ave)
- Great Stoneface park (1930 Thousand Oaks Blvd)
- Greg Brown Park (1907 Harmon St)
- Grotto Rock Park (879 Santa Barbara Rd)
- Grove Park (1730 Oregon St)
- Harrison Park (1100 Fourth St)
- Hillside Open Space on Euclid Ave
- Indian Rock Park (950 Indian Rock Ave)
- James Kenney Park\* (1720 Eighth St)
- John Hinkel Park (41 Somerset Pl)
- Live Oak Park\* (1301 Shattuck Ave)
- Marina\*/Cesar Chavez Park (11 Spinnaker Way)
- MLK Jr. Civic Center Park (2151 Martin Luther King Jr Way)
- Ohlone Park (1701 Hearst Ave)
- Remillard Park (80 Poppy Ln)
- San Pablo Park (2800 Park St)
- Strawberry Creek Park (1260 Allston Way)
- Terrace View Park (1421 Queens Rd)
- Virginia-McGee Totland (1644 Virginia St)
- Willard Park (2730 Hillegass Ave)



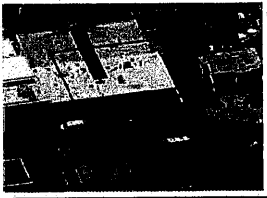
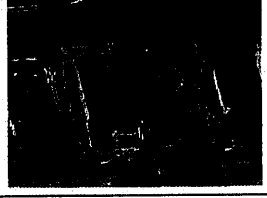




*\*A portion of the property is leased to a local organization.*

### **Other**



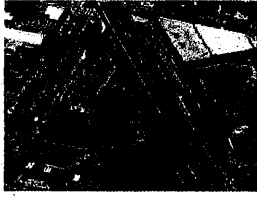


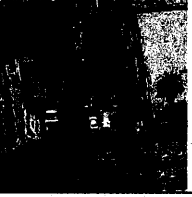
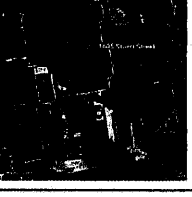

- Santa Fe Right of Way (approx. 1400 Carleton)
- Sidewalk and Road (Ashby between Harper and MLK Jr. Way)
- Roundabout (Parkside Dr)
- Sojourner Truth Court (former Santa Fe ROW)
- West St (between Lincoln and Delaware)



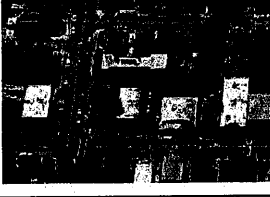
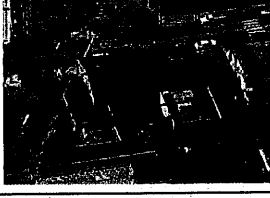



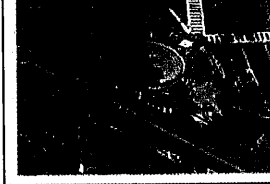


Attachment 3:  
Inventory of City Properties

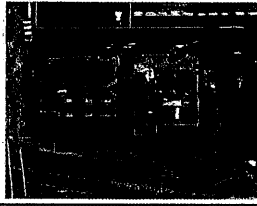
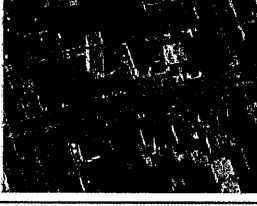

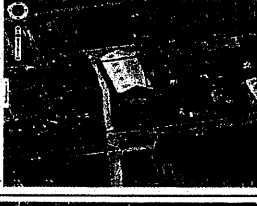


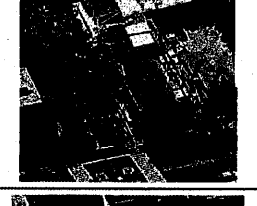

| Name (Address)                                            | Zoning        | Lot SF | Current Use   | Notes                                                | Image                                                                               | APN                            | Bldg SF | Leased? | Tenant | End Lease Term |
|-----------------------------------------------------------|---------------|--------|---------------|------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------|---------|---------|--------|----------------|
| 1631 5th Street                                           | MUR           | 5,525  | Other         | Former RDA property. Vacant lot.                     |    | 057 211701100                  |         |         |        |                |
| 1654 5th Street                                           | MULI/<br>MUR  | 5,300  | Other         | Former RDA property. Vacant, single-family home.     |    | 057 211602300                  |         |         |        |                |
| 1817-1819 Fourth Street                                   | C-W           | 12,500 | Other         | 2 parcels. Former RDA properties. Leased for retail. |    | 057 209901400<br>057 209901500 | 10,070  |         |        |                |
| 63rd Street Mini Park<br>(1615 63rd St)                   | R-2A          | 8,100  | Park          |                                                      |   | 052 152201100                  |         |         |        |                |
| Abandoned Rail ROW<br>(1018 Ashby Ave)                    | MULI          | 11,450 | ROW           | 2 parcels.                                           |  | 053 163300300<br>053 163300400 |         |         |        |                |
| Abandoned Rail ROW<br>(between Heinz and Ashby, at Ninth) | MULI/ C-<br>W | 11,855 | ROW           | Potential extension of Emeryville Greenway?          |  | 053 165200300                  |         |         |        |                |
| Abandoned Rail ROW<br>(near 920 Flogr)                    | MULI          | 743    | ROW           | At Berkeley-Emeryville City Line along Greenway.     |  | 052 151201002                  |         |         |        |                |
| Ann Chandler Public Health Center<br>(830 University Ave) | C-W           | 14,700 | City Facility |                                                      |  | 056 196600100                  |         |         |        |                |

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 Attachment 3:  
 Inventory of City Properties


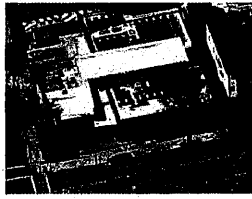

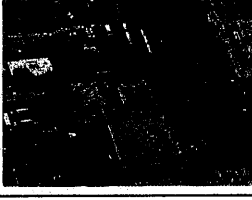


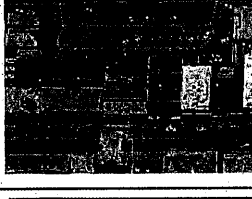

| Name (Address)                               | Zoning                                                                  | Lot SF  | Current Use | Notes                                                  | Image                                                                               | APN                                                                                                                                                                                     | Bldg SF | Leased?        | Tenant                                                            | End Lease Term |
|----------------------------------------------|-------------------------------------------------------------------------|---------|-------------|--------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------------|-------------------------------------------------------------------|----------------|
| Aquatic Park<br>(80 Bolivar Dr)              | Along MM/<br>MUL/C-<br>DMU<br>Buffer/R-<br>2A/No<br>zoning<br>available | 739,878 | Park        | 12 parcels                                             |    | 060 251300101<br>054 177100100<br>060 250700101<br>060 250700102<br>054 175200100<br>054 175200201<br>054 177200100<br>054 177100200<br>060 252700101<br>056 194900601<br>056 194800300 |         | Yes, a portion | Bay Area Outreach<br>Recreation Program;<br>Waterside<br>Workshop | 7/31/2021      |
| BART ROW<br>(Adeline at Alcatraz)            | Zoning<br>not<br>found, in<br>between<br>C-SA/ R-<br>2A                 | 5,553   | ROW         |                                                        |    | 052 153200600                                                                                                                                                                           |         |                |                                                                   |                |
| BART ROW<br>(Gilman to Neilson)              | C-N/ R-<br>1A/ R-2                                                      | 7,350   | Other       |                                                        |    | 060 239107502                                                                                                                                                                           |         |                |                                                                   |                |
| Bateman Mall<br>(3027 Colby St)              | R-2A/ R-3                                                               | 9,501   | Park        |                                                        |   | 052 157405906                                                                                                                                                                           |         |                |                                                                   |                |
| Becky Temko Tot Park<br>(2424 Roosevelt Ave) | R-2                                                                     | 6,760   | Park        |                                                        |  | 055 190701100                                                                                                                                                                           |         |                |                                                                   |                |
| Berkeley 75<br>(1521 Alcatraz Ave, A,B,C,D)  | R-3                                                                     | 7,150   | Leased      | scattered site<br>affordable<br>housing<br>development |  | 052 152000800                                                                                                                                                                           |         | Yes            | Berkeley 75 Housing<br>Partners LP - c/o<br>Related California    | 2/1/2084       |
| Berkeley 75<br>(1605 Stuart St C)            | R-2                                                                     | 6,750   | Leased      | scattered site<br>affordable<br>housing<br>development |  | 054 173001400                                                                                                                                                                           |         | Yes            | Berkeley 75 Housing<br>Partners LP                                | 5/12/2083      |
| Berkeley 75<br>(1812 A,B,C Fairview St)      | R-2A                                                                    | 6,500   | Leased      | scattered site<br>affordable<br>housing<br>development |  | 052 153001800                                                                                                                                                                           |         | Yes            | Berkeley 75 Housing<br>Partners LP                                | 5/12/2083      |

| Name (Address)                                              | Zoning          | Lot SF | Current Use      | Notes                                                  | Image                                                                               | APN                                             | Bldg SF | Leased? | Tenant                             | End Lease Term |
|-------------------------------------------------------------|-----------------|--------|------------------|--------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------|---------|---------|------------------------------------|----------------|
| Berkeley 75<br>(2231, 2231A, 2231B, 2235 Eighth St)         | R-1A            | 6,500  | Leased           | scattered site<br>affordable<br>housing<br>development |    | 056 197001507                                   |         | Yes     | Berkeley 75 Housing<br>Partners LP | 5/12/2083      |
| Berkeley 75<br>(3016 Harper St A, B)                        | R-2A            | 4,893  | Leased           | scattered site<br>affordable<br>housing<br>development |    | 053 160200600                                   |         | Yes     | Berkeley 75 Housing<br>Partners LP | 5/12/2083      |
| Berkeley Adult Day Health Center<br>(1890 Alcatraz Ave)     | C-SA            | 9,404  | Other            |                                                        |    | 052 152702401                                   | 4,425   |         |                                    |                |
| Berkeley Black Repertory Group Theater<br>(3209 Adeline St) | C-SA            | 17,097 | Leased           | 3 parcels                                              |   | 052 152902100<br>052 152902200<br>052 152902300 | 8,000   | Yes     | Black Repertory<br>Group           | 5/30/2023      |
| Berkeley Fire Station Number 1<br>(2442 Eighth St)          | R-1A            | 10,260 | City<br>Facility |                                                        |  | 056 193901902                                   | 5,260   |         |                                    |                |
| Berkeley Fire Station Number 2<br>(2029 Berkeley Way)       | C-DMU<br>Buffer | 23,977 | City<br>Facility |                                                        |  | 057 205100901                                   | 13,685  |         |                                    |                |
| Berkeley Fire Station Number 3<br>(2710 Russell St)         | R-2             | 9,359  | City<br>Facility |                                                        |  | 052 156702601                                   | 5,100   |         |                                    |                |
| Berkeley Fire Station Number 4<br>(1900 Marin Ave)          | R-1H/ R-<br>1A  | 12,623 | City<br>Facility |                                                        |  | 061 257302600                                   | 5,442   |         |                                    |                |









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 Attachment 3:  
 Inventory of City Properties

| Name (Address)                                                          | Zoning                 | Lot SF  | Current Use   | Notes                                                                                          | Image                                                                               | APN                             | Bldg SF | Leased? | Tenant                                                                                                                   | End Lease Term |
|-------------------------------------------------------------------------|------------------------|---------|---------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------|---------|---------|--------------------------------------------------------------------------------------------------------------------------|----------------|
| Berkeley Fire Station Number 5<br>(2680 Shattuck Ave)                   | C-SA                   | 17,300  | City Facility |                                                                                                |    | 055 181900301                   | 9,302   |         |                                                                                                                          |                |
| Berkeley Fire Station Number 6<br>(999 Cedar St)                        | R-1A                   | 26,000  | City Facility |                                                                                                |    | 059 231201200                   | 8,346   |         |                                                                                                                          |                |
| Berkeley Fire Station Number 7<br>(3000 Shasta Ave)                     | R-1H                   | 129,277 | City Facility | from BMC. RealQuest Pro and City site indicate that EBMUD is owner of larger parcel, not City. |    | 063 316001305<br>063 316003700  |         |         |                                                                                                                          |                |
| Berkeley Fire Warehouse<br>(1011 Folger Ave)                            | MULI                   | 24,425  | City Facility |                                                                                                |   | 053 163403000                   | 8,021   |         |                                                                                                                          |                |
| Berkeley Police Department / Old City Hall<br>(2100 / 2134 MLK Jr. Way) | R-2                    | 144,480 | City Facility |                                                                                                |  | 057 201701601                   | 122,783 | Yes     | Building Opportunities for Self Sufficiency (BOSS) - McKinley House; County of Alameda; Berkeley Unified School District | 6/30/2013      |
| Berkeley Public Library - Central Branch<br>(2090 Kittredge St)         | C-DMU Corridor         | 25,141  | City Facility |                                                                                                |  | 057 202801701                   | 75,000  |         |                                                                                                                          |                |
| Berkeley Public Library - Claremont Branch<br>(2940 Benvenue Ave)       | R-2A                   | 11,652  | City Facility | 2 parcels                                                                                      |  | 052 157301600,<br>052 157301700 | 7,434   |         |                                                                                                                          |                |
| Berkeley Public Library<br>(2031 Bancroft Way)                          | C-DMV Buffer/ Corridor | 14,133  | City Facility |                                                                                                |  | 057 202800500                   | 30,000  |         |                                                                                                                          |                |


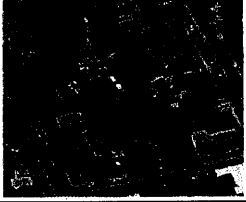
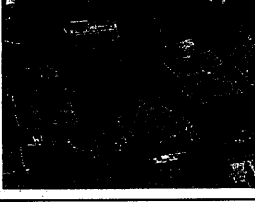





Attachment 3:  
Inventory of City Properties

| Name (Address)                                               | Zoning       | Lot SF  | Current Use   | Notes      | Image                                                                               | APN                                                                               | Bldg SF | Leased? | Tenant                                                              | End Lease Term |
|--------------------------------------------------------------|--------------|---------|---------------|------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------|---------|---------------------------------------------------------------------|----------------|
| Berkeley Public Library-North Branch<br>(1170 The Alameda)   | R-1          | 17,668  | City Facility |            |    | 061 260503500                                                                     | 10,591  |         |                                                                     |                |
| Berkeley Public Library-South Branch<br>(1901 Russell St)    | R-2A         | 13,444  | City Facility |            |    | 053 167901601                                                                     | 5,250   |         |                                                                     |                |
| Berkeley Public Library-West Branch<br>(1125 University Ave) | C-1          | 12,000  | City Facility |            |    | 057 208501100                                                                     | 9,400   |         |                                                                     |                |
| Berkeley Recycling Center<br>(669 Gilman St)                 | M            | 48,150  | Leased        |            |   | 060 236200110                                                                     | 22,595  | Yes     | Community Conservation Center Inc                                   | 8/31/1991      |
| Berkeley Transfer Station<br>(1201 Second St)                | M            | 276,531 | City Facility | 5 parcels  |  | 060 238200102<br>060 238200303<br>060 236200109<br>060 236200111<br>060 236200108 | 51,615  |         |                                                                     |                |
| Berkeley Way Mini Park<br>(1294 Berkeley Way)                | R-2A/ C-1    | 18,733  | Park          | BMC        |  | 057 208102300                                                                     | 960     |         |                                                                     |                |
| Berkeley Way Parking Lot<br>(2012 Berkeley Way)              | C-DMU Buffer | 40,945  | Parking Lot   |            |  | 057 205302201                                                                     |         |         |                                                                     |                |
| BOSS: Harrison House/ Sankofa house<br>(711 / 701 Harrison)  | MULI         | 6,486   | Leased        | HCS Leased |  | 060 238300102                                                                     |         | Yes     | Building Opportunities for Self Sufficiency (BOSS) - Harrison House | 10/31/2013     |

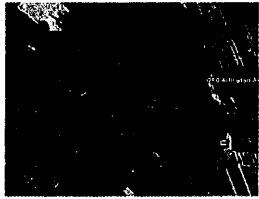





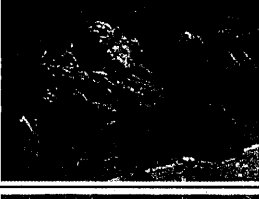

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 Attachment 3:  
 Inventory of City Properties

| Name (Address)                                                | Zoning       | Lot SF  | Current Use    | Notes     | Image                                                                               | APN                                                                                                                                                   | Bldg SF | Leased?        | Tenant                                                             | End Lease Term |
|---------------------------------------------------------------|--------------|---------|----------------|-----------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------------|--------------------------------------------------------------------|----------------|
| Cedar Rose Park<br>(1300 Rose St)                             | R-2          | 175,727 | Park           | 9 parcels |    | 060 241605800<br>060 241607700<br>059 228601900<br>059 228600203<br>059 229302001<br>060 242309600<br>059 228600103<br>058 213801500<br>059 228600104 |         | Yes, a portion | Ala Costa Center                                                   | No End Date    |
| Center Street Garage<br>(2025 Center St)                      | C-DMU Core   | 34,267  | Parking Garage |           |    | 057 202302003                                                                                                                                         | 175,500 |                |                                                                    |                |
| City Corp Yard<br>(1326 Allston Way)                          | R-2          | 250,072 | City Facility  |           |    | 056 199301501                                                                                                                                         | 46,604  | Yes            | Berkeley Lawn Bowling                                              | 12/31/2014     |
| City of Berkeley Animal Shelter<br>(1 Bolivar Dr)             | C-W          | 8,874   | Leased         |           |   | 060 252100201                                                                                                                                         |         | Yes            | New Cingular Wireless                                              | No End Date    |
| City Office Building<br>(1947 Center St)                      | C-DMU Buffer | 18,750  | City Facility  |           |  | 057 202200600                                                                                                                                         | 116,142 | Yes            | International Computer Science Institute; Rising Sun Energy Center | 4/30/2013      |
| Civic Center Building<br>(2180 Milvia St)                     | C-DMU Buffer | 38,808  | City Facility  |           |  | 057 202100100                                                                                                                                         | 77,145  |                |                                                                    |                |
| Codornices Park and Berkeley Rose Garden<br>(1201 Euclid Ave) | R-1H         | 470,240 | Park           | 4 parcels |  | 060 246800101<br>060 246800102<br>060 246800103<br>060 246500900                                                                                      |         |                |                                                                    |                |
| Colby St.<br>(between Ashby and Webster)                      | Next to R-3  | 13,603  | Other          | BMC       |  | 052 157308706                                                                                                                                         |         |                |                                                                    |                |

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Inventory of City Properties

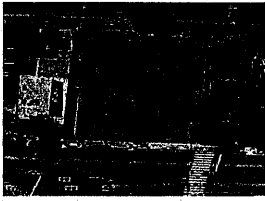
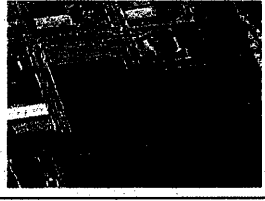

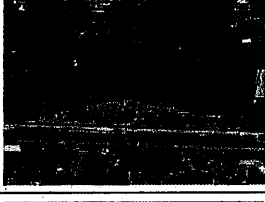
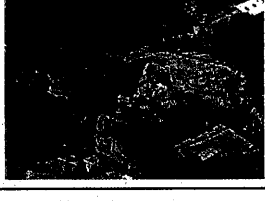

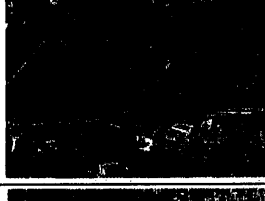

| Name (Address)                                   | Zoning           | Lot SF  | Current Use | Notes           | Image                                                                               | APN                                                                                                     | Bldg SF | Leased? | Tenant                       | End Lease Term |
|--------------------------------------------------|------------------|---------|-------------|-----------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------|---------|------------------------------|----------------|
| Community Basketball Court                       | R-1              | 11,886  | Open Space  |                 |    | 058 213903108                                                                                           |         |         |                              |                |
| Community Garden<br>(1308 Bancroft Way)          | R-2              | 38,526  | Open Space  | former rail ROW |    | 056 192203402                                                                                           |         |         |                              |                |
| Contra Costa Rock Park<br>(869 Contra Costa Ave) | R-1H             | 7,456   | Park        |                 |    | 061 257605600                                                                                           |         |         |                              |                |
| Cragmont Rock Park<br>(960 Regal Rd)             | R-1H             | 136,458 | Park        | 2 parcels       |   | 063 297500900<br>063 297501000                                                                          |         |         |                              |                |
| Dorothy Bolte Park<br>(540 Spruce St)            | R-1H             | 50,516  | Park        |                 |  | 062 293902001<br>062 293902301                                                                          |         |         |                              |                |
| Elmwood Parking Lot<br>(2642 Russell St)         | C-E              | 27,374  | Parking Lot | 6 parcels       |  | 052 156800300,<br>052 156800501,<br>052 156800601,<br>052 156800700,<br>052 156800801,<br>052 156800401 |         |         |                              |                |
| Epehsian's Children's Center<br>(1907 Harmon St) | R-2A             | 3,000   | Leased      |                 |  | 052 152901100                                                                                           |         | Yes     | Epehsian's Children's Center | No End Date    |
| Fountain Walk<br>(at Hopkins and El Dorado)      | C-N (H)/ R<br>1H | 9,678   | Other       |                 |  | 061 257100200                                                                                           |         |         |                              |                |

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 Attachment 3:  
 Inventory of City Properties



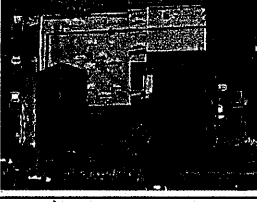

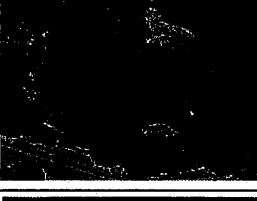



| Name (Address)                                     | Zoning   | Lot SF  | Current Use | Notes     | Image                                                                                | APN                                                                               | Bldg SF | Leased? | Tenant | End Lease Term |
|----------------------------------------------------|----------|---------|-------------|-----------|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------|---------|--------|----------------|
| Frederick Mini Park<br>(780 Arlington Ave)         | R-1H     | 9,925   | Park        |           |    | 062 292002300                                                                     |         |         |        |                |
| George Florence Park (2121 Tenth St)               | R-1A     | 21,600  | Park        |           |    | 056 197701900                                                                     |         |         |        |                |
| Glendale- La Loma Park<br>(1310 La Loma Ave)       | R-1H     | 129,092 | Park        | 5 parcels |    | 060 246904300<br>060 246905500<br>060 246904200<br>060 246906101<br>064 423201100 |         |         |        |                |
| Great Stone Face park<br>(1930 Thousand Oaks Blvd) | R-1H     | 30,471  | Park        |           |   | 062 292000100                                                                     |         |         |        |                |
| Greg Brown Park<br>(1907 Harmon St)                | R-2A     | 20,046  | Park        | 2 parcels |  | 052 152902601<br>052 152901002                                                    |         |         |        |                |
| Grizzly Peak Park<br>(50 Whitaker Ave)             | R-1H     | 10,692  | Park        | BMC       |  | 063 298304900                                                                     |         |         |        |                |
| Grotto Rock Park<br>(879 Santa Barbara Rd)         | R-1H     | 16,867  | Park        |           |  | 061 258204500                                                                     |         |         |        |                |
| Grove Park<br>(1730 Oregon St)                     | R-2/R-2A | 121,794 | Park        | 3 parcels |  | 053 167600101<br>053 167800101<br>053 167800102                                   |         |         |        |                |




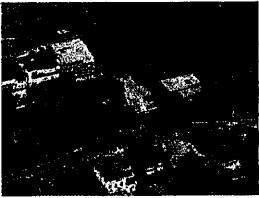



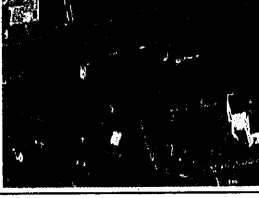


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Inventory of City Properties

| Name (Address)                                             | Zoning      | Lot SF  | Current Use | Notes                                               | Image                                                                               | APN                                                              | Bldg SF | Leased?        | Tenant            | End Lease Term |
|------------------------------------------------------------|-------------|---------|-------------|-----------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------|---------|----------------|-------------------|----------------|
| Harper Crossing<br>(3132 MLK Jr. Way)                      | R-2A/ C-SA  | 14,585  | Other       | Satellite Affordable Housing Associates development |    | 052 155101302                                                    |         |                |                   |                |
| Harrison Park<br>(1100 Fourth St)                          | MULI        | 280,341 | Park        | 4 parcels                                           |    | 060 238300102<br>060 238300200<br>060 238300300<br>060 238300400 | 9,644   |                |                   |                |
| Haskell-Mabel Mini Park<br>(1255 Haskell St)               | R-2A        | 2,658   | Park        |                                                     |    | 053 162600601                                                    |         |                |                   |                |
| Hillside Open Space on Euclid Ave<br>(near 660 Euclid Ave) | R-1H        | 21,041  | Open Space  | steep slope. Near 660 Euclid.                       |   | 063 295601701                                                    |         |                |                   |                |
| Indian Rock Park<br>(950 Indian Rock Ave)                  | R-1H        | 39,714  | Park        | 2 parcels                                           |  | 061 257802100<br>061 258401600                                   |         |                |                   |                |
| James Kenney Park<br>(1720 Eighth St)                      | R-1A        | 159,948 | Leased      |                                                     |  | 058 212200100                                                    |         | Yes, a portion | BAHIA             | 5/15/2012      |
| John Hinkel Park<br>(41 Somerset Ave)                      | R-1H        | 180,127 | Park        | 3 parcels                                           |  | 061 257900200<br>061 257900100<br>061 259803300                  |         |                |                   |                |
| Live Oak Park<br>(1301 Shattuck Ave)                       | R-2H/ R-2AH | 224,036 | Leased      |                                                     |  | 060 245503805<br>060 246601500                                   |         | Yes            | Theater First INC | 1/31/2023      |

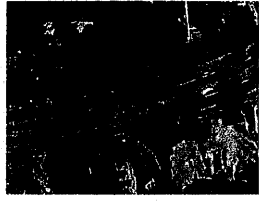

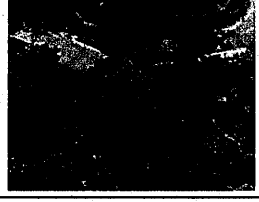





**Page 36 of 27**  
 Attachment 3:  
**Inventory of City Properties**

| Name (Address)                                                | Zoning              | Lot SF      | Current Use   | Notes | Image                                                                               | APN                                                              | Bldg SF | Leased?        | Tenant                                                                                                                                                                          | End Lease Term |
|---------------------------------------------------------------|---------------------|-------------|---------------|-------|-------------------------------------------------------------------------------------|------------------------------------------------------------------|---------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Lower Codornices Path (at Sixth St)                           | MULI                | 2,900       | Park          |       |    | 060 238501000                                                    |         |                |                                                                                                                                                                                 |                |
| Marina/Cesar Chavez Park (11 Spinnaker Way)                   | No Zoning available | 191,060,069 | Leased        |       |    | 060 254500100<br>060 254000201<br>060 252800701<br>060 253400103 | 2,529   | Yes, a portion | Berkeley yacht Club; Berkeley marine Center; Berkeley Company, Highline Kites; Cal Sailing Club; Cal adventures; Skates Restaurant; Hs Lordships; Balt Shopping Kim; Doubletree | 12/31/2058     |
| Mental Health Adult Clinic (2640 MLK Jr Way)                  | R-2A                | 12,314      | City Facility |       |    | 054 181100300                                                    | 11,194  |                |                                                                                                                                                                                 |                |
| MLK Jr. Civic Center Park (2151 Martin Luther King Jr Way)    | R-3/ C-DMU Buffer   | 121,548     | Park          |       |   | 057 202100200                                                    |         |                |                                                                                                                                                                                 |                |
| Mortar Rock Park (901 Indian Rock Ave)                        | X? Next to R-1H     | 5,174       | Park          |       |  | 061 258305100                                                    |         |                |                                                                                                                                                                                 |                |
| Nia House Learning Center (2234 Ninth St)                     | R-1A                | 19,855      | Leased        |       |  | 056 197000801                                                    | 7,760   | Yes            | Nia House Learning Center                                                                                                                                                       | 8/1/2053       |
| North Berkeley Senior Center (1901 Hearst Ave)                | R-2A                | 32,803      | City Facility |       |  | 057 205701202                                                    |         |                |                                                                                                                                                                                 |                |
| North Bowling Green (portion of City Corp Yard, 1324 Allston) | R-2                 | 21,000      | City Facility |       |  | 056 199301501                                                    | 46,604  |                |                                                                                                                                                                                 |                |









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Inventory of City Properties

| Name (Address)                                                | Zoning                     | Lot SF  | Current Use | Notes                                                                       | Image                                                                               | APN                                                                                                                                                                    | Bldg SF | Leased? | Tenant | End Lease Term |
|---------------------------------------------------------------|----------------------------|---------|-------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|--------|----------------|
| Oak Park<br>(35 Domingo Ave)                                  | R-1H                       | 9,894   | Park        |                                                                             |    | 064 424200100                                                                                                                                                          |         |         |        |                |
| Oak Ridge Steps<br>(between El Camino Real and Oak Ridge)     | R-1H                       | 1,408   | ROW         |                                                                             |    | 064 424301400                                                                                                                                                          |         |         |        |                |
| Oceanview Garden Apartments<br>(1816 Sixth St)                | MUR                        | 115,476 | Other       | Oceanview Garden Apartments. Former RDA property. 2 non-contiguous parcels. |    | 057 209801202<br>058 211801007                                                                                                                                         |         |         |        |                |
| Ohlone Park<br>(1701 Hearst Ave)                              | R-2/ R-2A                  | 300,981 | Park        | 10 Parcels                                                                  |   | 057 206702801<br>057 206600601<br>057 206503100<br>057 206400702<br>057 205601501<br>057 206700700<br>058 215002001<br>060 241403102<br>060 241707602<br>060 241101802 |         |         |        |                |
| Open Space<br>(1100 Kalins Ave)                               | R-2,<br>adjacent<br>to C-W | 5,200   | Other       | Only the open space is in Berkeley. Buildings are in Albany.                |  | 060 241000200                                                                                                                                                          |         |         |        |                |
| Open Space<br>(Santa Fe Ave at Albany border)                 | R-2                        | 1,925   | Open Space  | adjacent to BART ROW                                                        |  | 060 240906902                                                                                                                                                          |         |         |        |                |
| Open Space on California<br>(entrance to 1600 Addison condos) | R-2                        | 3,322   | Park        |                                                                             |  | 056 200500300                                                                                                                                                          |         |         |        |                |
| Open Space<br>(Hillcrest Rd)                                  | R-1H                       | 4,427   | Other       |                                                                             |  | 064 424701600                                                                                                                                                          |         |         |        |                |


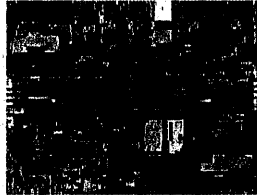

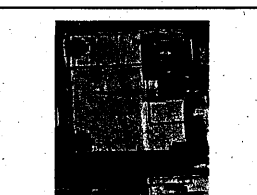
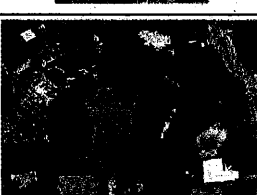



**Page 27 of 27**  
 Attachment 3:  
 Inventory of City Properties

| Name (Address)                                  | Zoning     | Lot SF | Current Use    | Notes                                                                                        | Image                                                                                | APN                                             | Bldg SF | Leased? | Tenant                         | End Lease Term |
|-------------------------------------------------|------------|--------|----------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------|---------|---------|--------------------------------|----------------|
| Open Space<br>(Sutter St at Eunice St)          | R-1H       | 7,579  | Open Space     |                                                                                              |    | 061 256600600                                   |         |         |                                |                |
| Open Space<br>(Tamalpais Rd)                    | R-1H       | 1,760  | Open Space     |                                                                                              |    | 060 247303800                                   |         |         |                                |                |
| Open Space<br>(Twain Ave near Sterling Ave)     | R-1H       | 3,271  | Open Space     |                                                                                              |    | 063 298400805                                   |         |         |                                |                |
| Oxford Plaza Parking Garage<br>(2165 Kittredge) | C-DMU Core | 46,633 | Parking Garage | 2 parcels. City owns a portion of the site - parking garage. Parcel listed as 0 square feet. |   | 057 211800100<br>057 211900100                  | 46,302  |         |                                |                |
| Parking Lot<br>(Adeline and Alcatraz)           | C-SA       | 5,831  | Leased         |                                                                                              |  | 052 152801504                                   |         | Yes     | Children's First Medical Group | No End Date    |
| Presentation Park<br>(2199 California st)       | R-2        | 2,493  | Park           |                                                                                              |  | 056 200500200                                   |         |         |                                |                |
| Prince Street Mini Park<br>(1631 Prince St)     | R-2A       | 6,750  | Park           |                                                                                              |  | 053 160601000                                   |         |         |                                |                |
| Remillard Park<br>(80 Poppy Ln)                 | R-1H       | 83,734 | Park           | 3 parcels                                                                                    |  | 063 297601201<br>063 297601100<br>063 297601203 |         |         |                                |                |






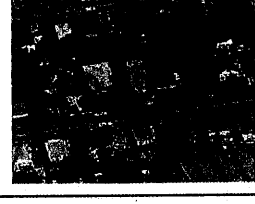
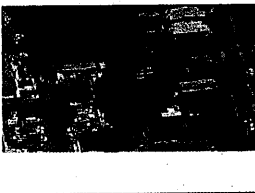
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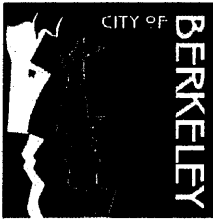
| Name (Address)                                              | Zoning         | Lot SF  | Current Use | Notes                    | Image                                                                               | APN                                                                                               | Bldg SF | Leased? | Tenant | End Lease Term |
|-------------------------------------------------------------|----------------|---------|-------------|--------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|---------|---------|--------|----------------|
| Roundabout<br>(Parkside Drive)                              | R-1H           | 16,767  | Open Space  |                          |    | 064 424404200                                                                                     |         |         |        |                |
| San Pablo Park<br>(2800 Park st)                            | R-1            | 518,647 | Park        |                          |    | 053 166500100                                                                                     |         |         |        |                |
| Santa Fe Right of Way<br>(approx. 1400 Carleton)            | R-1/R-2        | 75,086  | ROW         | 6 parcels                |    | 054 179302700<br>054 178303500<br>054 17830360<br>054 179402800<br>054 173502000<br>054 179002800 |         |         |        |                |
| Sidewalk and Road<br>(Ashby between Harper and MLK Jr. Way) | R-2A/ C-SA     | 16,500  | Other       |                          |   | 053 160100402                                                                                     |         |         |        |                |
| Sidewalk<br>(Le Conte Ave at La Loma Ave)                   | R-2AH          | 2,957   | Other       |                          |  | 058 220400100                                                                                     |         |         |        |                |
| Small Parcel<br>(Ashby Ave, between Harper and Ellis)       | R-2A           | 222     | Other       |                          |  | 053 160200401                                                                                     |         |         |        |                |
| small plaza<br>(Henry and Hearst)                           | R-2A           | 1,620   | Other       |                          |  | 057 205101602                                                                                     |         |         |        |                |
| Sojourner Truth Court<br>(former Santa Fe ROW)              | R-3/ R-1/ C-SA | 36,110  | ROW         | includes some open space |  | 054 173702000                                                                                     |         |         |        |                |

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 Attachment 3:  
 Inventory of City Properties

| Name (Address)                                                               | Zoning          | Lot SF  | Current Use       | Notes                                                                      | Image                                                                               | APN                                                                                                                                  | Bldg SF | Leased? | Tenant                                                                                                                                                                                                                                                     | End Lease Term |
|------------------------------------------------------------------------------|-----------------|---------|-------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|---------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| South Berkeley Senior Center<br>(2939 Ellis St)                              | R-2A            | 21,690  | City Facility     | 3 parcels                                                                  |    | 053 160302100<br>053 160302200<br>053 160302300                                                                                      |         |         |                                                                                                                                                                                                                                                            |                |
| Spiral gardens<br>(2850 Sacramento St)                                       | R-1/ C-SA       | 12,423  | Leased            |                                                                            |    | 053 166903000                                                                                                                        |         | Yes     | Spiral Gardens<br>Community Garden                                                                                                                                                                                                                         | 6/30/2008      |
| Strawberry Creek Park<br>(1260 Allston Way)                                  | R-2/ R-2A       | 147,999 | Park              | 3 parcels                                                                  |    | 056 199000700<br>056 199100200<br>056 199000403                                                                                      |         |         |                                                                                                                                                                                                                                                            |                |
| Telegraph-Channing Garage and Shops<br>(2425 Channing Way)                   | C-T             | 32,685  | Parking<br>Garage |                                                                            |   | 055 187900601                                                                                                                        | 189,867 |         |                                                                                                                                                                                                                                                            |                |
| Terrace View Park<br>(1421 Queens Rd)                                        | R-1H            | 39,724  | Park              |                                                                            |  | 060 248504601                                                                                                                        |         |         |                                                                                                                                                                                                                                                            |                |
| Tevlin Street<br>(north of Gillman)                                          | R-1A            | 7,438   | Other             |                                                                            |  | 060 241701900                                                                                                                        |         |         |                                                                                                                                                                                                                                                            |                |
| University Avenue Cooperative Homes<br>Apartments<br>(Addison at Sacramento) | R-4             | 50,842  | Leased            | Resources for<br>Community<br>Development<br>affordable<br>housing project |  | 056 199600401<br>056 199602401<br>056 199601000<br>056 199600600<br>056 199600900<br>056 199600200<br>056 199602800<br>056 199600300 |         | Yes     | UACH, LP                                                                                                                                                                                                                                                   | 11/15/2080     |
| Veterans Memorial Building<br>(1931 Center St)                               | C-DMU<br>Buffer | 24,819  | Leased            |                                                                            |  | 057 202202000                                                                                                                        | 33,254  | Yes     | Building<br>Opportunities for<br>Self-Sufficiency<br>(BOSS); Dorothy Day<br>House; Option<br>Recovery Services;<br>Berkeley Food and<br>Housing Project;<br>Berkeley place;<br>American Legion<br>Post 7; Disabled<br>American Vets, The<br>Ecology Center | Mo to mo       |

Attachment 3:  
Inventory of City Properties

| Name (Address)                                         | Zoning                    | Lot SF  | Current Use   | Notes                                                                      | Image                                                                               | APN                                             | Bldg SF | Leased? | Tenant                                                                                                                         | End Lease Term |
|--------------------------------------------------------|---------------------------|---------|---------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------|---------|---------|--------------------------------------------------------------------------------------------------------------------------------|----------------|
| Virginia-McGee Totland<br>(1644 Virginia St)           | R-2                       | 16,248  | Park          |                                                                            |    | 058 215700100                                   |         |         |                                                                                                                                |                |
| West Berkeley Service Center<br>(1900 Sixth St)        | MUR                       | 31,020  | City Facility |                                                                            |    | 057 209700201                                   |         |         |                                                                                                                                |                |
| West St.<br>(between Lincoln and Delaware)             | In<br>between<br>R-2/ R-1 | 33,048  | Other         | BMC.<br>3 parcels                                                          |    | 058 213602400<br>058 213701800<br>058 213501900 |         |         |                                                                                                                                |                |
| Willard Park<br>(2730 Hilllegass Ave)                  | R-2                       | 111,000 | Park          |                                                                            |   | 054 171102700                                   |         |         |                                                                                                                                |                |
| William B Rumford Senior Plaza<br>(3012 Sacramento St) | C-SA                      | 76,666  | Leased        | Resources for<br>Community<br>Development<br>affordable<br>housing project |  | 053 161401800                                   | 47,424  |         | South Berkeley<br>Cmty Housing Dev<br>Corp - William Byron<br>Rumford Sr. Plaza<br>(Resources for<br>Community<br>Development) | 8/26/2070      |
| Women's Day Time Drop-In Center<br>(2213 Byron St)     | R-2                       | 4,800   | Leased        |                                                                            |  | 056 198403000                                   | 3,173   | Yes     | Women's Day Time<br>Drop-In Center                                                                                             | 12/24/2023     |
| Women's Daytime Drop-In Center<br>(2218 Acton St)      | R-2                       | 21,085  | Leased        | Adjacent to City<br>Corp Yard                                              |  | 056 199300600                                   | 594     | Yes     | Women's Daytime<br>Drop In Center                                                                                              | 2/18/2018      |



Susan Wengraf  
Councilmember District 6

CONSENT CALENDAR

April 5, 2016

To: Honorable Mayor and Members of the City Council  
From: Councilmember Susan Wengraf  
Subject: Analyzing All City-Owned Properties for Potential for Housing Development

RECOMMENDATION

Request that the City Manager explore the opportunity for the City of Berkeley to build housing on city-owned property: conduct an inventory of city owned properties and return to City Council as soon as possible with an evaluation and analysis of those properties that are appropriate for the development of affordable housing.

BACKGROUND

Across the state of California, urban centers are experiencing a crisis in housing availability at all levels of affordability. The crisis is very severe in the Bay Area. Lack of funds and subsidies from the state and federal government has exacerbated the obstacles to developing housing at all levels of affordability. In addition, the scarcity and the high cost of land in the Bay Area and in Berkeley, specifically, is an enormous barrier to producing affordable housing. Berkeley needs to optimize its limited resources now and look to partner with housing developers to build housing on city-owned land.

The City of Berkeley has a unique opportunity. The two senior centers, "North", on MLK and Hearst, and "South" on Ellis and Ashby and the Service Center on 6<sup>th</sup> Street are all in need of significant renovation. Now is the time to evaluate these properties to determine if it is feasible to create a mixed-use, housing/community center on these sites prior to spending millions of dollars on the current structures.

All City owned properties should be explored and evaluated for their potential as sites for housing development.

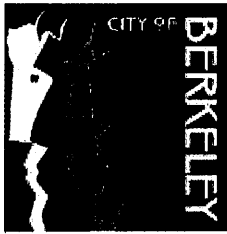
In addition, the Berkeley Unified School District owns property that has the potential to be developed as housing. The City of Berkeley should work closely with the BUSD to encourage them to move forward with their own analysis of potential housing sites that are currently under- utilized.



This severe housing crisis calls for all publicly owned land to be evaluated and considered.

FINANCIAL IMPLICATIONS: Staff time

CONTACT: Councilmember Susan Wengraf Council District 6 510-981-7160



Susan Wengraf  
Councilmember District 6

CONSENT CALENDAR  
May 16, 2017

To: Honorable Mayor and Member of the City Council  
From: Councilmembers Susan Wengraf, Kate Harrison, Linda Maio and Ben Bartlett  
Subject: Budget Referral: Feasibility Study for the Construction of Affordable Senior Housing

RECOMMENDATION:

Refer to the budget referral process a feasibility study that evaluates the financial requirements and analyzes the site/context yield of the construction of affordable housing for seniors on the sites of North Berkeley Senior Center, West Berkeley Service Center and South Berkeley Senior Center.

FINANCIAL IMPLICATIONS:

\$100,000

BACKGROUND:

The demographic for people over 65 is increasing in Berkeley. By 2030, the population of residents over 65 will be more than 26,000. The number one concern expressed by seniors is their ability to be able to stay housed in Berkeley, as they get older.

Berkeley has an opportunity to provide affordable senior housing by building over the senior or service centers. Since the city owns the land, a public/private partnership for the construction and management is an excellent possibility.

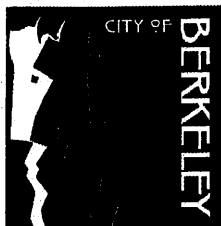
As the city moves forward with planning the expenditures from Measure T1, we should be sure that resources used on improving our current facilities do not pre-empt the possibility of future development at these three sites.

ENVIRONMENTAL SUSTAINABILITY

No adverse effect on the environment.

CONTACT PERSON

Councilmember Susan Wengraf Council District 6 510-981-7160



Planning and Development Department  
Health, Housing and Community Services Department

March 7, 2019

To: Honorable Members of the Land Use, Housing, and Economic  
Development Committee

From: Timothy Burroughs, Director, Planning and Development Department  
Kelly Wallace, Interim Director, Health, Housing and Community Services  
Department

Subject: Process for Considering Proposals to Develop the West Berkeley Senior  
Center Site for Senior Housing

### SUMMARY

The Committee is considering a referral that would direct the City Manager to issue a Request for Proposals (RFP) for the development of the West Berkeley Service Center site (located at 1900 Sixth Street) into a senior housing and services project, consistent with Age Friendly Berkeley recommendations. The Committee discussed this item at its February 20, 2019 meeting and requested that staff come to the March 7, 2019 Committee meeting with additional information.

Specifically, the Committee requested an estimate of the staff time required to conduct a basic analysis of the development potential for the West Berkeley Service Center site. The Committee also requested input from staff on the appropriate procurement process for soliciting ideas and proposals from housing developers for potential future development of the site.

### **STAFF TIME NEEDED:**

Land Use staff recommend that the analysis of development potential at the site include build-out scenarios for a three-, four-, five- and six-story building at the site, using Mixed-Use Residential (MUR), West Berkeley Commercial (C-W), and Multiple-Family Residential (R-3) Development Standards. Each buildout scenario should reflect base project conditions, and conditions if Density Bonus waivers and concessions are requested, or if Use Permits are used to modify Development Standards. The proposed analysis would take approximately 40-60 hours of staff time.

### **PROCUREMENT PROCESS:**

Staff recommends that Council consider:

- Complete any rezoning before issuing an RFP. If the zoning changes for the site are not yet settled, this may inhibit the number of interested developers. This sequence would also avoid the duplicate time and expense of designing two projects (one responding to the current zoning, one responding to the revised zoning). Completing this process first will also mean that the RFP responses are

based on more current information, since predevelopment work could proceed immediately after a contract award.

- A Request for Proposals (RFP), as opposed to a Request for Information (RFI), may be the best tool to use for soliciting development concepts from housing developers if Council wishes to use this process to award a contract, such as a Disposition and Development Agreement. An RFI is typically used to collect information from many potential bidders in anticipation of releasing a request for bids, to inform the request. An RFP is an excellent tool to use when the City wants bidders to apply their creative thinking to the proposed project and wants to award a contract. The RFP can ask the bidders to respond to multiple City priorities. Since identifying and analyzing options to develop the site will require an investment of staff time from respondents, developers are more likely to respond with more fully developed proposals if the process is used to award a contract.
- As a precursor to developing an RFP, it would help staff to understand Council's priorities for the site, particularly what project components are most important, such as maximizing the number of affordable units for seniors, providing deeply affordable units, inclusion of community services space, a memory care facility, etc. Understanding the ranking of Council priorities will help staff and bidders evaluate trade-offs and enable more responsive proposals, making the process more efficient for the City and developer alike.

#### CONTACT PERSONS

Timothy Burroughs, Director, Planning and Development Department, 510-981-7437  
Kelly Wallace, Interim Director, Health, Housing and Community Services Department,  
510-981-5107



CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Vice Mayor Ben Bartlett (Author), Councilmember Sophie Hahn (Co-Sponsor)

Subject: Black History Month Event Berkeley Juneteenth Association, Inc. 501(c)3: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds

**RECOMMENDATION:**

Adopt a Resolution approving the expenditure of funds, including \$1,500 from the discretionary Council office budget of Vice Mayor Ben Bartlett, to the Berkeley Juneteenth Association, Inc. 501(c)3 for the Black History Month Event. The funds will be relinquished to the City’s General Fund from the discretionary council office budget of Councilmember Ben Bartlett and the discretionary council office budgets of any other Councilmembers who wish to contribute.

**BACKGROUND:**

Every year, during the month of February, our Berkeley Community honors the Black community by declaring Black History Month. Throughout this month, the goal is to recognize and encourage members of our society to enhance their own knowledge about the impact and influence of Black people in shaping our society, culture, and communities. Black people have made significant contributions in various fields such as science, art, literature, music, and politics. But most importantly, this month is a platform to reduce racial bias as we collectively uplift and celebrate Black voices and perspectives.

To ensure that the funds are properly disbursed and provided to the student participants in this celebration, the proposal is for Berkeley Juneteenth Association, Inc. 501(c)3 to hold their annual event. This organization has been a reliable resource for community members interested in supporting the Berkeley cultural, arts, and history community. The donation of \$1,000 will ultimately fund various vendors for music, food, arts, and other important needs.

ENVIRONMENTAL SUSTAINABILITY:

No negative impact.

FISCAL IMPACTS OF RECOMMENDATION

No General Fund impact; \$1,000 is available from the discretionary council office budget of Councilmember Ben Bartlett.

The cost is as follows: Berkeley Juneteenth Association, Inc. 501(c)3

Fund: Black History Month Event

CONTACT PERSON:

Councilmember Ben Bartlett  
James Chang

bbartlett@cityofberkeley.info  
jchang@cityofberkeley.info

ATTACHMENT:

1. Resolution

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

AUTHORIZE THE EXPENDITURE OF SURPLUS FUNDS FROM THE OFFICE EXPENSE ACCOUNTS OF THE MAYOR AND COUNCIL MEMBERS FOR A DONATION TO THE BERKELEY JUNETEENTH ASSOCIATION, INC. TO SUPPORT THEIR ANNUAL BLACK HISTORY MONTH EVENT.

**WHEREAS**, Councilmember Ben Bartlett has surplus funds in his office expenditure account; and

**WHEREAS**, Berkeley Juneteenth Association, Inc., a California non-profit organization, will receive funds in the amount of \$1,500 from Councilmember Ben Bartlett's office expenditure account; and

**WHEREAS**, the Berkeley Juneteenth Association, Inc. educates community members about the history and accomplishments of African Americans and creates programming that highlights Black music and culture; and

**WHEREAS**, the provisions of such an event would fulfill the municipal public purpose of providing community members with educational programs and activities to encourage them to learn and embrace cultural diversity;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Berkeley that funds relinquished by the Mayor and Councilmembers from their office budgets, of an amount to be determined by each Councilmember, shall be granted to Berkeley Juneteenth Association Inc. for this purpose of supporting their event during Black History Month.





**SOPHIE HAHN**

Berkeley City Council, District 5  
 2180 Milvia Street, 5th Floor  
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 shahn@cityofberkeley.info

CONSENT CALENDAR

JANUARY 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Councilmembers Sophie Hahn (Author) and Rigel Robinson (Co-Sponsor)  
 Subject: Supporting the Installation of Permanent Chess/Games Tables on Telegraph Avenue and Proposing Resolution of Concerns at 2454 Telegraph Avenue

RECOMMENDATION

1. Refer to the FY2025 Budget Process \$50,000 to support the installation of fixed or purchase of portable public chess/game tables on Telegraph Avenue, including at or near the intersection of Telegraph and Haste Streets, and potentially elsewhere in Berkeley to support development of a citywide chess & games facility.
2. Refer to the City Manager to explore the potential development of a parklet at or near the Telegraph/Haste intersection, potentially near the South/West corner (beyond the yellow loading area on Haste Street) and other potential locations for a parklet that could accommodate chess/game tables and the volume of community participation this activity generates. Staff should consider who is the appropriate entity to finance such an improvement.
3. Refer to the City Manager the development of a city-wide chess and game facilities program to integrate permanent chess/game nodes into park, curtilage, and/or sidewalk areas throughout Berkeley in a manner that encourages broad participation in and enjoyment of games and supports the building of community around these activities. Consider appropriate locations for nodes, installation of City-owned facilities, rules and regulations for use, and maintenance.
4. Direct the City Manager to explore entering into negotiations with the property owner at 2454 Telegraph Avenue to achieve an agreement that would result in upgrades and improvements to the building exterior/facade, create a landscaped perimeter around the exposed entry area, improve maintenance, and/or similar terms, in exchange for a reduction/waiver of accumulated fees.

POLICY COMMITTEE RECOMMENDATION

On December 11, 2023, the Health, Life Enrichment, Equity, & Community Committee adopted the following action: M/S/C (Hahn/Bartlett) to send Item 2 and Item 3 on the Committee's agenda to the City Council as revised with a positive recommendation. Proposed revisions include consideration of: financing of improvements; negotiations with property

owner(s); rules relating to the public right-of-way; and support of city-wide program(s). Vote: All Ayes.

This proposal was discussed at the December 12th meeting of the Health, Life Enrichment, Equity & Community policy committee. The Item was advanced with a Positive Recommendation alongside a separate, complementary item submitted by Councilmember Robinson: M/S/C (Hahn/Bartlett)

Vote: Ayes – Hahn, Bartlett, Humbert; Noes – None; Abstain – None

### SUMMARY STATEMENT

In September, Telegraph Avenue's chess tables were shut down for the second time in two years. Tables were removed after the property owner at 2454 Telegraph received a violation notice for "obstructing the public right of way and violating a use permit." The result has been very negative for the diverse community of chess players and presents logistical and other challenges for the property owner whose relatively large entry plaza is contiguous with and open to sidewalks on both Telegraph and Haste streets.

Councilmembers have publicly voiced support for the City to resolve all related challenges in a manner that supports the continuation of chess on Telegraph Avenue – and potentially throughout the City of Berkeley – and improves conditions at the corner of Telegraph and Haste streets. This item proposes a path forward on all of these considerations.

### BACKGROUND

Chess is one of the oldest games in the world and has become increasingly popular in recent years. It is a cross-generational and cross-cultural activity that doesn't even require players to speak the same language – offering an exceptional bridge to friendships and camaraderie.

The chess club that has been operating informally at and around the corner of Telegraph and Haste, on both public and private property, has faced challenges in finding appropriate space and facilities to engage in this very positive activity, without infringing on private property or impeding sidewalk access.

The City should encourage and support activities that build community and bring liveliness to our public realm, all while supporting our sidewalk policies and removing undue pressure from private property owners. The City can balance these needs and relieve pressure on sidewalks and private property by installing a permanent cluster of chess tables at or near the Telegraph/Haste intersection, and in City-designated locations across Berkeley, signaling its support for this important play and community building activity.

New York City's chess tables in Washington Square Park, for example, have been operational for decades, and have attracted chess enthusiasts from all over the city and world, including many legendary grandmasters. Washington Square Park, as well as Union Square and Bryant Park, are regular sites of exhibitions that turn out hundreds of players and spectators. Day-to-

day, these spaces are meeting places for diverse individuals and groups, and create vibrant and important community connections.

These proposed measures will allow the City to create, manage, and maintain facilities that encourage games and community building in a manner that supports both players and other users of the City's public parks and spaces. In addition, the City Council should seek resolution of imposition of fines on the property owner at 2454 Telegraph and improved management of the property, including the publicly-accessible entry plaza – for the benefit of all.

FISCAL IMPACTS

\$50,000 to cover the cost of purchasing and installing permanent or portable chess/game tables for Telegraph and possibly other locations. Potential loss of imposed fines and savings in staff and City Attorney resources.

ENVIRONMENTAL SUSTAINABILITY

None.

CONTACT: Councilmember Sophie Hahn - 510-981-7150



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CONSENT CALENDAR

January 16, 2023

To: Honorable Mayor and Members of the City Council  
 From: Councilmember Sophie Hahn (Author), Councilmember Mark Humbert (Co-Sponsor), Mayor Jesse Arreguin (Co-Sponsor), and Councilmember Ben Bartlett (Co-Sponsor)  
 Subject: Installation of a 3-way Stop at the Intersection of Hopkins and McGee

RECOMMENDATION

Direct the City Manager to install two additional stop signs at the intersection of Hopkins and McGee Streets, transforming the 'T' intersection into a 3-way stop, to be installed as soon as possible, and no later than July 31, 2024.

BACKGROUND

The intersection of Hopkins and McGee is located in a busy neighborhood commercial district surrounded by residential areas and schools with significant pedestrian traffic. The three-way intersection of Hopkins and McGee makes a "T" directly in front of a preschool and is an important crossing leading to and from a small strip of popular food shops and restaurants. Currently, there is only one stop sign at the intersection, at the end of McGee; traffic on Hopkins Street does not stop in either direction (traveling east or west).

Berkeley Little School, directly across from McGee, is one of three preschools located within a few blocks of McGee and Hopkins, the other two being Mustard Seed School on Carlotta Avenue at Hopkins and Hopkins Preschool on Hopkins between Beverly Place and Josephine Streets. In addition to the large number of toddlers and young children and parents crossing Hopkins at McGee, the intersection is located at the eastern end of one of the busiest shopping blocks in North Berkeley. Families and seniors walk from nearby neighborhoods and drive to the area from throughout North Berkeley - and the entire City and region - to shop at the Monterey Market and other food purveyors including one of the most renown fish markets in the East Bay, as well as a bakery, butcher shop, cheese and coffee shop, wine and liquor store, and a popular pizza restaurant. The century-old Berkeley Horticultural Nursery is around the corner on McGee, also drawing large numbers of patrons as well as semi-trailer delivery trucks and vehicles picking up heavy loads.

Two large schools bring more than 1,500 teen-aged students to the area on a daily basis: Martin Luther King Jr. Middle School, with over 900 students, and St. Mary's High School, with over 600. King Middle School's campus includes a pool, tennis courts, and track that are used both by students and by members of the public of all ages who flock to the area after school hours and on weekends to use the recreational facilities. Ruth Acty Elementary and the Crowden Music Center are also located 3 blocks away, bringing hundreds more students and families to the area.

While there is a pedestrian crosswalk on Hopkins at McGee, residents of the area have long expressed feeling unsafe crossing the street, and described many near-misses. The area is home to many elderly residents, as well as residents who are visually impaired and/or have limited mobility. Residents report that they routinely step out to help neighbors who are elderly or have mobility issues cross the street safely. Residents of the neighborhood have reached out repeatedly over more than fifteen years - the first written communication shared with us is from 2008 - expressing concern for drivers barreling down Hopkins without regard for the existing crosswalk, and the potential of serious injuries.

More recently, in the course of planning for a larger project that has since been put on hold, a crosswalk was programmed for this location, and shown on staff-generated plans. In years leading up to the design of a larger project, verbal representations were made to the Council Member representing the District that stop signs were warranted on Hopkins at McGee; installation was delayed to coincide with an expected larger project. With the larger project now on hold, the previously-promised and independently warranted stop signs still should go forward.

In light of all of the above, this item directs the City Manager to install two additional stop signs on Hopkins at McGee Avenue, to stop vehicles traveling both east and west on Hopkins and allow pedestrians – in particular the many children, youth, and seniors who frequent this location – to cross safely. Simultaneous with installation of stop signs, the City Manager is requested to undertake routine intersection daylighting measures, per the City of Berkeley's existing policy, to further support pedestrian safety.

#### FISCAL IMPACTS

Limited costs and staff time associated with installation of two stop signs; to be accommodated using existing street safety funds, or, if none are available, T1 or other funds previously allocated for improvements to the Hopkins Corridor.

#### ENVIRONMENTAL SUSTAINABILITY

No impacts.

#### CONTACT

Sophie Hahn, District 5, (510) 981-7150



Susan Wengraf  
Councilmember District 6

CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Vice Mayor Susan Wengraf, Councilmember Sophie Hahn, Councilmember Rashi Kesarwani

Subject: City of Berkeley Support for Proposition 1 on March 5, 2024 Ballot

RECOMMENDATION

Adopt a Resolution in Support of California State Proposition 1 and request that the City Manager issue a press release indicating the City's support.

FINANCIAL IMPLICATIONS

None

BACKGROUND

Proposition 1 is a combination of two bills Governor Newsom signed on October 12, 2023. SB-326 (Eggman) and AB-531 (Irwin) are aimed at addressing the State's mental health crisis. The bills are packaged together into Proposition 1 for voters to approve in the Primary Election on March 5, 2024.

The extreme housing shortage coupled with the exorbitant cost of living throughout the State of California has led to our prevailing crisis of homelessness and housing insecurity. California State Proposition 1 will transform our state's mental health system and help to house those suffering with mental and behavioral health issues. This landmark proposition will reallocate billions of dollars to Californians with the most severe mental health needs and addiction issues, including those living in encampments.

In fact, this investment would be the single largest expansion of California's behavioral health treatment and residential settings in our state's history – creating new, dedicated housing for people experiencing or at risk of homelessness who have behavioral health needs. Through a \$6.38 billion bond, tens of thousands of Californians annually will receive mental health and addiction services, more than 11,000 housing settings will be created for residents with the most severe needs, and \$1 billion will be allocated to veterans experiencing homelessness.

The state funding granted by Proposition 1 will directly support Berkeley's work to solve our homeless and behavioral health crisis. Berkeley has dedicated unprecedented City resources to combating homelessness and providing mental health services. However, Berkeley must ensure our State likewise provides treatment and long-term housing for people with acute mental illness and substance use disorder if we are to reduce homelessness. Therefore, we are requesting that the City Council support California Proposition 1 appearing on the March 5, 2024 California primary election ballot to continue working toward a sustainable solution to the mental health and homelessness crises across the State of California, and request that the City Manager issue a press release indicating the City Council's support for Proposition 1: Treatment not Tents.

This historic mental health and substance abuse disorder treatment system transformation comes after months of engagement with stakeholders across the state: people and families with lived experience, health care professionals, children and youth groups, veteran's organizations, schools and school administrators, businesses, labor leaders, mental health and equity advocates, first responders, and local officials.

[Senate Bill 326](#) modernizes the Mental Health Services Act to address today's behavioral health system and demand for services. These reforms expand services to include treatment for those with substance use disorders, prioritize care for those with the most serious mental illness, provide ongoing resources for housing and workforce, and continue investments in prevention, early intervention, and innovative pilot programs. This bill reforms our system of care to prioritize what Californians need today with new and increased accountability for real results for all families and communities.

[Assembly Bill 531](#) includes a \$6.38 billion general obligation bond to build 11,150 new treatment beds and supportive housing units as well as outpatient capacity to help serve tens of thousands of people annually – from intensive services for homeless people with severe mental illness, to counseling for kids suffering from depression, and everyone in between. This investment would be the single largest expansion of California's behavioral health treatment and residential settings in our state's history – creating new, dedicated housing for people experiencing or at risk of homelessness who have behavioral health needs, with a dedicated investment to serve veterans. These settings will provide Californians experiencing behavioral health conditions a place to stay while safely stabilizing, healing, and receiving ongoing support. Included in the bond is a \$1 billion set aside specifically for veterans' housing.

87 percent of Californians say there is a mental health crisis in the United States.

- One in 20 adults in California is living with a serious mental illness.
- One in 13 children in California has a serious emotional disturbance and 30 percent of youth 12 to 24 years of age experience serious psychological distress.
- One in 10 Californians meet the criteria for a substance use disorder.



City of Berkeley Support for Proposition 1 on March 5, 2024 Ballot

CONSENT CALENDAR  
January 16, 2024

On February 23rd, 2022, 500 volunteers counted nearly 10,000 unhoused residents living in Alameda County. 1,057 reside in the City of Berkeley and of those, 43% reported suffering from mental health issues.

Research shows that incarcerating the mentally ill is counterproductive to rehabilitation and long-term public safety due to recidivism. It costs \$100,000 per person to incarcerate an estimated 150,000 people who are mentally ill; treatment provides far better outcomes at far less cost.

It is in the best interest of the City of Berkeley, and all of its residents, to support California's State Proposition 1.

ENVIRONMENTAL SUSTAINABILITY

The environment is not directly impacted by this item.

CONTACT PERSON

Councilmember Wengraf

Council District 6

510-981-7160

Attachments:

1: Resolution

2: [Yes on 1 – Treatment Not Tents Fact Sheet](#)

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

BERKELEY SUPPORTS PROPOSITION 1

WHEREAS, the very high cost of living coupled with an extreme shortage of affordable housing has produced a crisis in the State of California; and

WHEREAS, Proposition 1 will transform the State's approach to addressing homelessness and the prevalence of mental health illness; and

WHEREAS, 87% of Californians say there is a mental health crisis in the United States; and

WHEREAS, one in 20 adults in California is living with a serious mental illness. One in 13 children in California has a serious emotional disturbance and 30 percent of youth 12 to 24 years of age experience serious psychological distress; and

WHEREAS, one in 10 Californians meet the criteria for a substance use disorder; and

WHEREAS, the 2022 Point-In-Time Count found that 43% of Berkeley's unhoused residents suffer from mental health issues; and

WHEREAS, research shows that incarcerating the mentally ill is counterproductive to rehabilitation and long-term public safety due to recidivism; and

WHEREAS, Senate Bill 326 modernizes the Mental Health Services Act into the Behavioral Health Services Act, to address today's behavioral health system. Services would expand to include treatment for those with substance use disorders and prioritized care for those with the most serious mental illnesses; and

WHEREAS, Assembly Bill 531 includes a \$6.38 billion general obligation bond to build 11,150 new treatment beds and supportive housing units as well as outpatient capacity to help serve tens of thousands of people annually – from intensive services for homeless people with severe mental illness, to counseling for kids suffering from depression, and everyone in between; and

WHEREAS, Californians will have the ability to transform the state's mental health system by voting yes on March 5<sup>th</sup>, 2024 on Proposition 1.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley applauds and wholeheartedly supports Proposition 1.

BE IT FURTHER RESOLVED that the Berkeley City Council encourages all Berkeley voters to support Proposition One (1) on March 5<sup>th</sup>, 2024 with a YES vote.



**Overview**

For the first time in decades, Californians will have the ability to transform the state's mental health system – modernizing to meet the needs of all Californians.

**Proposition 1: Treatment not Tents** will refocus billions of dollars in existing funds to prioritize Californians – including our veterans – with the deepest mental health needs, living in encampments, or suffering the worst substance use issues.

*“We see the signs of our broken mental health system every day – too many Californians suffering from mental health needs or substance use disorders are unable to get the support or care they need,” said Governor Newsom.*

*“This will prioritize getting people off the streets, out of tents, and into treatment.”*

**Why Proposition 1?**

So much of the challenge we see on the streets is untreated substance abuse; two out of three homeless people right now have active symptoms of mental health illness. Proposition 1 would allow people with serious addiction to directly access services – something currently prohibited under existing law.

**Prop 1 will get struggling Californians – including our veterans – the mental health treatment they need, fund substance abuse treatment, and help get those suffering from mental health crises off the streets and into care.**

Research shows that incarcerating the mentally ill is counterproductive to rehabilitation, and in fact makes conditions worse. That undermines long-term public safety by increasing recidivism. This measure would create mental health facilities with a very simple premise: **Treatment not Jail**. Many people with mental illness and substance use problems need treatment not punishment.

**The Details**

|                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p> <b>EXPANDS COMMUNITY-BASED SERVICES:</b></p> <p>Prop 1 will expand community-based mental health and addiction services across the state and serve <b>tens of thousands of Californians</b> each year.</p>                                                                                  | <p> <b>BUILDS SUPPORTIVE HOUSING:</b></p> <p>The Initiative will create supportive housing settings where over <b>11,000 Californians</b> with the severest mental health needs can live, recover, stabilize and thrive.</p>                                                                                       | <p> <b>PROVIDES TREATMENT OVER INCARCERATION:</b></p> <p>Today, we spend <b>over \$100,000 per person</b> to incarcerate 150,000 people who are mentally ill. Research shows it's costly and counterproductive. Prop 1 will prioritize treatment not punishment for the mentally ill.</p>               |
| <p> <b>HELPS HOMELESS VETERANS:</b></p> <p>It is disgraceful that over 10,000 California veterans, many suffering from PTSD, are homeless and on the streets. Prop 1 will provide <b>\$1 billion</b> to serve veterans experiencing homelessness, mental health and substance abuse issues.</p> | <p> <b>ADDRESSES SHORTAGE OF MENTAL HEALTH WORKERS:</b></p> <p>Currently, those with serious mental health issues can wait six months or longer just for an introductory appointment. Prop 1 will help fund additional professionals so that people with mental health needs can <b>get help in real time</b>.</p> | <p> <b>REQUIRES STRICT ACCOUNTABILITY:</b></p> <p>Democrats and Republicans support Prop 1 because it addresses mental health and homelessness without raising taxes. And Prop 1 has <b>strict accountability measures</b>, including mandatory audits, to ensure that funds are spent as promised.</p> |

**Vote YES on Prop 1 on March 5, 2024**





CONSENT CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Councilmember Rigel Robinson (Author), Councilmember Harrison (Co-Author), Councilmember Hahn (Co-Sponsor)  
 Subject: Referral: Policies to Accommodate Chess

### RECOMMENDATION

Refer to the City Manager to explore legislative and policy alternatives for accommodating chess and games in the public right-of-way. Consideration should be given to ensure that use of tables and chairs does not unduly obstruct public sidewalks or complicate existing enforcement of rules relating to the public right-of-way.

### POLICY COMMITTEE RECOMMENDATION

On December 11, 2023, the Health, Life Enrichment, Equity, & Community Committee adopted the following action: M/S/C (Hahn/Bartlett) to send Item 2 and Item 3 on the Committee's agenda to the City Council as revised with a positive recommendation. Proposed revisions include consideration of: financing of improvements; negotiations with property owner(s); rules relating to the public right-of-way; and support of city-wide program(s). Vote: All Ayes.

This proposal was discussed at the December 12th meeting of the Health, Life Enrichment, Equity & Community policy committee. The proposal was advanced with a positive recommendation alongside a separate, complementary item submitted by Councilmember Hahn: M/S/C (Hahn/Bartlett).

Vote: Ayes – Hahn, Bartlett, Humbert; Noes – None; Abstain – None.

### BACKGROUND

Community members have gathered to play chess and socialize on the 2400 block of Telegraph Avenue since 2021. The informal "chess club" that has met on the block is a cherished community space that embodies Berkeley values of non-commercial, organic interactions between people of all ages and backgrounds on one of the most historic and storied blocks in the City. The chess club serves as a space for all to interact in a transaction-free, non-commercialized environment that does not exclude those who are unable to pay.

The chess club has recently been situated on private property, which has created conflicts with the property owner. These activities, however, are not permitted in the public right-of-way. There are steps that the property owner could have taken and could

take now to welcome the chess club's activities at their current location if that is desired, including but not limited to building a parklet or seeking to modify the use permit for the property. And there are steps the city can take to expand space for public recreation, including reactivating the Dwight Triangle and pursuing reforms to the municipal code to enable these activities in the public right-of-way. It is in the public interest to explore all options.

The chess club has revealed some fundamental legal limitations that the Berkeley Municipal Code places on these organic activities — namely, on residents setting up tables, chairs, and other objects on sidewalks to utilize public space for purposes of recreation. In an increasingly commercialized and consumerist environment, free and communal activities such as gathering to play chess are a welcome and necessary use of public space. Moreover, they can serve to connect people of all backgrounds by enabling new “third spaces,” or places other than work and school to socialize. It is clear that there is a public interest in encouraging these uses of public space, so long as participants act and operate with respect for their neighbors and surroundings.

There is a notable dearth of public seating available on Telegraph Avenue. Much of the seating in the Telegraph commercial district is behind paywalls, located at businesses and restaurants. There are limited spaces for relaxation and social gathering on Telegraph Avenue. A shortage of publicly available seating creates a particularly hostile environment for the elderly and disabled. The city council has embraced a radical vision for the future of Telegraph Avenue, one of widened sidewalks and beautiful placemaking where the avenue can be transformed into a plaza and embraced as a place for gathering, more so than a thoroughfare. That vision, however, will take time and significant resources. There are strategies, such as allowing chairs and tables provided by community members, that can be welcomed right now to embrace gathering and recreation on Telegraph.

At present, one additional bench has been ordered by city staff to provide for seating at a bus stop on Telegraph Avenue, and the city council has provided direction and referred funding to the budget process to reactivate the Dwight Triangle as an area for recreation and gathering with new seating. All the same, given the severe shortage of publicly available seating and space for resting currently, it is in the public interest to welcome efforts from community members to create additional space for gathering.

Chess club organizers have presented options to our offices proposing Berkeley Municipal Code edits that would loosen limitations on setting up movable tables and chairs on sidewalks. It is our intent, with this legislation, to give staff direction to study and recommend policy options for allowing activities like chess at movable tables and chairs to be set up organically on our sidewalks — so long as an ADA-accessible open sidewalk width is maintained — without applying for a city permit, reducing barriers to creating precisely the organic, transaction-free public spaces we want to see in our city.

Staff are encouraged to review and consider the proposed language submitted by community members in their analysis and preparation of recommendations and legislative alternatives. They are as follows:

**Proposal 1:**

In Proposal 1, a new section (H) is added to code section 16.18.040 Exemptions from permit requirements.

**16.18.040 Exemptions from permit requirements.**

*The following encroachments may be placed or maintained without a permit:*

...

H. Objects such as, but not limited to, tables, chairs, canopies, and umbrellas that enable members of the public to assemble and engage in legal activities for the good of the community, insofar as:

1. All members of the public are allowed to utilize these objects, as long as they are engaged in legal activities such as painting, playing games, protected speech, etc.
2. Members of the public are not charged for use of these objects
3. The placement of these objects may narrow the public right of way to no less than six feet, where possible.

**Proposal 2:**

In Proposal 2, a new section (H) is added to Title 16, Chapter 18, Section 30 entitled Prohibited Encroachments.

**Title 16, Chapter 18, Section 30 entitled Prohibited Encroachments**

Notwithstanding the provisions of Section 16.18.020, the following encroachments are specifically prohibited, and no applications shall be accepted nor permits issued therefor:

...

H. Except for tables, canopies, umbrellas, and chairs with acute mobility (e.g. foldable structure and/or able to be disassembled rapidly); assembled for activities that provide a non-profitable public good; devoid of major encroachment as defined by 16.18.010 Section C

FINANCIAL IMPLICATIONS

Staff time.

ENVIRONMENTAL SUSTAINABILITY

Use of the public right-of-way for recreation can create new “third spaces” other than home and work for residents to socialize, especially on commercial corridors where there are other nearby activities and nearby dense housing. Fostering third spaces is critical for the cultivation of walkable neighborhoods, and thereby helpful in reducing vehicular traffic.

CONTACT PERSON

Councilmember Rigel Robinson, (510) 981-7170

Councilmember Kate Harrison, (510) 981-7140





Office of the City Manager

PUBLIC HEARING  
January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Eleanor Hollander, Economic Development Manager

Subject: Expansion of the Elmwood Business Improvement District, Levy Assessments in the District for 2025, and Authorize a Contract with the Elmwood Business Association (EBA) to receive assessment revenue

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt first reading of an Ordinance expanding the Elmwood Business Improvement District, amending Chapter 7.84 of the Berkeley Municipal Code (BMC) originally adopted by Ordinance No. 6,164-N.S.; and
2. Adopt a Resolution levying assessments in the Elmwood Business Improvement District for calendar year 2025 and giving the City Manager authority to contract with the Elmwood Business Association (EBA) to receive assessment revenue and spend it on improvements and activities authorized in the Ordinance and the Resolution of Intention: Resolution No. 71,099 -N.S.

FISCAL IMPACTS OF RECOMMENDATION

Based on the expanded geographic District boundary, projected Business Improvement District (BID) revenue of approximately \$50,000 will be deposited into the Elmwood BID Fund, and expensed from budget code 782-21-208-251-0000-000-446-636110. The BID constitutes an independent funding source that must be targeted to commercial revitalization efforts that are recommended by the Advisory Board. The City of Berkeley operates a parking lot within the district and will thus be assessed \$2,000 annually, paid through the Off-Street Parking Fund.

CURRENT SITUATION AND ITS EFFECTS

On August 18, 2023, the Elmwood Business Association voted unanimously to support the expansion of the district boundary. On October 2, 2023, the Elmwood Business Improvement District Advisory Board voted on an expanded district boundary to be implemented in calendar year 2025 (M/S-Han/Hammond; Ayes: (3) Han, Berne, Hammond, Nays: 0, Absent: (1) Stepak. The Elmwood Business Improvement District Advisory Board also voted to increase the assessment rate by \$1,000 for Parking Lot Operators to \$2,000, and decrease the \$250 assessment rate for Hair, Nail and Skin Services (NAICS 81211) to \$200 annually which is reflected in Exhibits A1 and A2 of

Attachment 2 (M/S-Han/Berne; Ayes: (3) Han, Berne, Hammond, Nays: 0, Absent: (1) Stepak.

California Streets and Highway Code Section 36500, the Parking and Business Improvement Area Law of 1989, requires specific actions to create or expand a business-based improvement district including compliance with Section 54954.6 of the California Government Code. Section 54954.6 requires Council to conduct at least one public meeting at which local officials allow public testimony regarding the proposed new assessment in addition to the noticed public hearing at which the legislative body proposes to enact the assessment.

On November 21, 2023 Council adopted Resolution No. 71,099–N.S., which states the intention to expand the Elmwood BID and directed the City Clerk to schedule a public meeting on December 12, 2023, and a public hearing on January 16, 2024 to consider the expansion of the District. The City Clerk’s Office gave joint notice of both by mailing Resolution No. 71,099-N.S. to all affected businesses in the proposed (expanded) District, as is allowed by Section 54954.6 of the Government Code.

The proposed (expanded) Elmwood BID would assess businesses an annual fee according to classifications and rates defined in Exhibit A2 to Resolution No. 71,105-N.S., attached. The assessment will be collected at the same time as the annual business license renewal in a special fund, and will be remitted the revenue to the Elmwood Business Association (EBA) which will continue to be the “operating corporation” of the Elmwood BID. Projected revenues of approximately \$50,000 per year will be spent by the EBA on a program of services and activities intended to market, maintain and beautify the expanded Elmwood business improvement district.

### BACKGROUND

In 2019, the members of the both the EBA and the BID Advisory Board expressed interest in potentially expanding the boundaries of the Elmwood BID to increase capacity and collaboration with unrepresented businesses on the northern and southern ends of the Berkeley’s commercial areas along College Avenue. During the course of outreach with impacted merchants; collaboration with the neighboring Rockridge District Association in Oakland was explored and rich opportunities for streetscape improvements and partnerships were uncovered. The goal of expanding the District boundary is to support activities and programming and increase merchant and business owner collaboration in areas along College Avenue that have not previously benefited from BID support. The resolution of intention was adopted on November 21, 2023, the public meeting held on December 12, 2023, and this public hearing (1/16/24) represents the last legislative step in the process for the BID’s boundary expansion in 2025.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

By maintaining and enhancing the district, the Elmwood BID creates shopping opportunities for residents and visitors alike while encouraging alternative forms of

transportation. The environmental enhancements contribute to making the Elmwood a more pleasant walking destination. Because the district is served by public transportation and biking infrastructure, these services indirectly support environmental sustainability goals of encouraging alternative transportation choices.

#### RATIONALE FOR RECOMMENDATION

This public hearing is required by California Streets and Highway Code Section 36623 and Section 54954.6 of the California Government Code.

#### ALTERNATIVE ACTIONS CONSIDERED

The merchants considered various alternative boundaries and assessment formulas and rates, but settled on those proposed herein.

#### CONTACT PERSON

Kieron Slaughter, Office of Economic Development, 510-981-2490

#### Attachments:

- 1: Ordinance
- 2: Resolution, Levy Assessments in the Elmwood Business Improvement District for 2025; Authorize a Contract with the Elmwood Business Association (EBA) to receive assessment revenue
- 3: Resolution No. 71,099-N.S., *Intent to Expand Elmwood BID Boundaries for 2025*, November 21, 2023. (Includes Notice of Public Hearing)

## ATTACHMENT 1

ORDINANCE NO. -N.S.

ELMWOOD BUSINESS IMPROVEMENT DISTRICT AMENDMENTS; AMENDING  
BERKELEY MUNICIPAL CODE CHAPTER 7.84

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

Section 1. That Berkeley Municipal Code Section 7.84.030 is amended to read as follows:

**7.84.030 Boundaries of district.**

The boundaries of the District are as specified in this section and in the District's Boundary Map attached to the ordinance codified in this chapter and on file with the office of the City Clerk.

Western Boundary. A line connecting the western edge of all parcels fronting on the western side of College Avenue in the C-E and R-2A zoning districts from 2832-2640 College to 2992-3212 College but including parcels facing Derby Street, Stuart Street, Russell Street and the City-owned Elmwood parking lot that is accessed from Russell Street, and 2933 Benvenue Ave, addresses on 2626 Ashby Ave and 2953 Benvenue Ave~~from 2629 to 2648~~. The parcels along the western boundary are as follows:

Assessor's Book 053:

Block 1695: Parcels 4, 6, 7, 11, 9-1, 9-2, 10, 12-1, and 12-2, 13, 14, 30, 31, and 36.

Assessor's Book 052:

Block 1409: Parcels 1-1, and 3.

Block 1410: Parcels 2, 12, 14-2, 16-1, 18, 20-1, 22-1, 24, 26, 28, 30, 32, 34, 36, and 41.

Block 1562: Parcels 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 39, 47, and 50.

Block 1568: Parcels 2, 3, 4-1, 5-1, 5-2, 6-2, 7, 9, 11-1, 12-1, 14, 49, 50, 51, 52, 53, 55, and 56.

Block 1573: Parcels 2, 4-1, 6, 12, 13, 14, 15, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, and 103.

Eastern Boundary. A line connecting the eastern edge of all parcels fronting on the eastern side of College Avenue from ~~2887 College Avenue~~ 2704 Derby Street to ~~2999~~

College Avenue and 2701 Webster Street, 2704 Alcatraz Avenue and 3217 College Avenue and parcels fronting Stuart Street, Webster Street, Prince Street, Woolsey Street and Alcatraz Avenue. The parcels along the eastern boundary are as follows:

Assessor's Book 055:

Block 1845: Parcels 15-1, 15-2, 16, 17

Assessor's Book 054:

Block 1707: Parcel 10-1

Block 1708: Parcels 14, 15, 16, and 17.

Block 1709: Parcels 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 29, and 38.

Assessor's Book 053:

Block 1696: Parcels 1, 2, 15, 16, 17, 18, 19, and 20

Block 1699: Parcels 15, 16, 17, 18, and 19

Assessor's Book 052:

Block 1563: Parcels 28, 29, 30, 31, 32, 33, 34, 35, 36, 63, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 96, 97, 176-2, 177-1, 188, 191, 203, and 221,

Block 1564: Parcels 31, 32, 33, 34, 35, 36, and 37.

Block 1567: Parcels: 16, 17, 18, 19, 20, 21, 22, 23, 24, 62, 63, 64, 66, 67, 68, 87, 88, 89, 90, and 91.

Block 1568: Parcels 14, and 16-2.

Block 1573: Parcel 13.

Southern Boundary. Webster Street. A line connecting the southern edge of parcel 052-1563-188 (3217 College) on the eastern side of College and the southern edge of parcel 052-1409-3 (3212 College) on the western edge of College.

Northern Boundary. A line connecting the northern edge of parcel 053-1695-011055-1845-15-2 (2832 2640 College) on the western side of College and the northern edge of parcel 053-1696-015 054-1708-17 (2887 College 2704 Derby) on the eastern side of College.

Section 2. That Berkeley Municipal Code Section 7.84.040 is amended to read as follows:

**7.84.040 Calculation of assessments.**

Businesses, trades, and professions located within the District boundaries shall, commencing on January 1, ~~2014~~2025, pay an annual benefit assessment to the District in the amounts shown in Table 7.84.040.

**Table 7.84.040.**

| <b>Business Classifications and Assessment Rates</b>                                                                                        |                      |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Classifications</b>                                                                                                                      | <b>Annual Rates</b>  |
| Retail including jewelers and groceries but not restaurants (Tax Codes R, M and G but without NAICS 722, Food Services and Drinking Places) |                      |
| • Gross receipts under \$350,000                                                                                                            | \$250                |
| • Gross receipts \$350,000--\$999,000                                                                                                       | \$350                |
| • Gross receipts \$1,000,000                                                                                                                | \$500                |
| Restaurants, including all businesses that prepare and serve food at the request of customers (NAICS 722)                                   | \$500                |
| Professionals including offices of real estate brokers (Tax Code P)                                                                         |                      |
| • Gross receipts under \$100,000                                                                                                            | \$300                |
| • Gross receipts over \$100,000                                                                                                             | \$400                |
| Entertainment and Recreation (Tax Code E)                                                                                                   | \$450                |
| Business, Personal and Repair Services (Tax Code B) except Hair, Nail and Skin Care Services (NAICS 81211)                                  | \$200                |
| Hair, Nail and Skin Care Services (NAICS 81211)                                                                                             | <del>\$2</del> 500   |
| Parking lot operators                                                                                                                       | <del>\$1</del> 2,000 |
| Financial Institutions                                                                                                                      | \$2,500              |

~~No person or business shall be required to pay an assessment based on a residential use of the property within the District.~~ Any business that is classified as a nonprofit (Tax Code N) for business licenses purposes, shall nevertheless pay the assessment at the rate that corresponds to its North American Standard Industrial Classification if it is engaged in the sale of products or services. Any new business established within the District shall not be required to pay an assessment on application for its business license but only on renewal at the end of the year it was initiated.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 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.

**Attachment 2**

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

LEVYING AN ANNUAL ASSESSMENT IN THE ELMWOOD BUSINESS IMPROVEMENT DISTRICT (BID) FOR CALENDAR YEAR 2025, AND AUTHORIZING A CONTRACT OR CONTRACT AMENDMENTS WITH ELMWOOD BUSINESS ASSOCIATION TO SERVE AS FISCAL AGENT FOR RECEIPT AND EXPENDITURE OF ELMWOOD BID FUNDS

WHEREAS, on November 21, 2023, the City Council by Resolution No. 71,099-N.S described an expanded boundary for the Elmwood BID, and a revised fee structure, and declared its intent to levy an assessment in the District to finance the proposed activities for the calendar year 2025; and

WHEREAS, Resolution No. 71,099 -N.S. also scheduled a public hearing for January 16, 2024, to consider levying said assessment and gave notice that interested parties could attend and be heard on the issue, for and against; and

WHEREAS, the City Clerk has notified potential assessees of the public hearing by publishing the Resolution of Intention in a newspaper of general circulation; and

WHEREAS, the public hearing has now been held and there has not been protests by business owners who collectively pay 50 percent or more of the assessment proposed to be levied.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that any protests are overruled and the expanded boundaries of the Elmwood BID is confirmed, thereby levying an annual assessment for the Elmwood BID for calendar year 2025.

BE IT FURTHER RESOLVED that the Council authorizes the City Manager to enter into a contract or contract amendments with Elmwood Business Association to receive and spend funds for purposes approved in the Annual Report and Budget and as directed by the Elmwood BID Advisory Board.



RESOLUTION NO. 71,099-N.S.

DECLARING COUNCIL'S INTENTION TO LEVY AN ASSESSMENT IN THE ELMWOOD BUSINESS IMPROVEMENT DISTRICT FOR 2025; AND DIRECTING THE CITY CLERK TO SCHEDULE A PUBLIC HEARING FOR JANUARY 16, 2024 REGARDING AN EXPANDED DISTRICT BOUNDARY AND ASSESSMENT RATES FOR 2025

WHEREAS, the Parking and Business Improvement Area Law of 1989 (California Streets and Highway Code section 36500 et seq.) authorizes cities to establish parking and business improvement areas for the purpose of imposing assessments on businesses for certain purposes; and

WHEREAS, on November 19, 2013 the Berkeley City Council established such an area known as the Elmwood Business Improvement District (the "District"); and

WHEREAS, the City Council established the Elmwood Business Improvement District Advisory Board (Advisory Board) to act in compliance with State law to oversee the activities of the District; and

WHEREAS, on October 2, 2023 the Advisory Board voted to approve an expanded boundary map of the District, to update the assessment rates, and to submit the proposed rates and map to the City Council as required by the California Streets and Highways Code Section 36500; and

WHEREAS, the proposed district map is clear and complete and found to comply with the interests of Elmwood BID assessees; and

WHEREAS, the process for modifying the boundaries and assessments in Business Improvement Districts requires that cities adopt a Resolution of Intent that declares their intent to modify the boundary and the assessment and then set a date for a public hearing where interested parties may be heard on the issue.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley as follows:

Section 1. Pursuant to the provisions of Section 36500 et seq. of the California Streets and Highways Code (the "Act"), the City Council declares its intent to modify the district boundary map and levy an annual assessment for the parking and business improvement area known as the Elmwood Business Improvement District.

Section 2. The boundaries of the District are set forth in Exhibit A1 to the Resolution of Intent which is attached hereto and incorporated herein by reference.

Section 3. The improvements and activities proposed for the District will utilize funds designated for activities and improvements in the Elmwood area. Council explicitly intends that funds generated through this BID shall not be used to pay for activities routinely paid for by the City. The improvements and activities proposed for the District

are to promote, maintain and beautify the Elmwood Commercial District and include maintenance and capital improvements targeted for the area. Funds must be used for designated activities and improvements in the Elmwood BID commercial area. Funds generated through this BID shall not be used for activities routinely paid for by the City.

Any interested individual may contact Kieron Slaughter, Secretary to the Elmwood BID Advisory Board at (510) 981-2490 or at 2180 Milvia St., 5th Floor, Berkeley, CA 94704.

Section 4. The City Council intends to levy assessments on businesses located within the boundaries of the District shown Exhibit A1 and according to the business classifications and rates set forth in Exhibit A2 which is attached hereto and incorporated herein by reference. Any past due business license tax and related assessment fees will correspond to the rate currently in place. Any past due business license tax and related assessment fees not in the assessment boundary prior to January 1, 2025 will not be subject to the assessment.

Section 5. A public hearing shall be held before the City Council at 6:00 p.m. on January 16, 2024 at 1231 Addison Street, Berkeley, California. Following the hearing the Council will consider adoption of a resolution approving the District boundary map and levying an assessment as recommended by the Elmwood Business Improvement Advisory Board. At this hearing the Council will hear all interested persons for or against the expanded District boundary map or the levying of such an assessment. A public meeting will be held December 12, 2023 at 6:00 p.m. at 1231 Addison Street, Berkeley, California regarding the proposed expansion as required by Government Code Section 54954.6.

Protests may be made orally at the public hearing, or in writing by any interested person. Written protests shall be filed with or mailed to the City Clerk Department, 2180 Milvia Street, First Floor, Berkeley, California, 94704. Written protests must be received by the City Clerk at or before 3:00 pm on January 16, 2024. Written protests may also be filed in person at the public hearing, prior to the close of the hearing. Written protests will not be considered valid unless signed by the owner of a business located within the boundaries of the proposed District. This signature shall be accompanied by the name of the business owner (printed) and the date of the protest. Additionally, written protests shall contain a description of the business sufficient to identify the business, such as business name (printed), business address (printed), and City Business License Tax Registration number (or, if no Business License Number, Financial Institution name). Protests must also state if they are protesting against the furnishing of a specified type or types of improvements or activities within the District.

If the person so protesting is not listed on City records as the owner of the business, the protest shall be accompanied by written evidence that the person subscribing the protest is the owner of the business.

Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made. If written

protests are received from the owners of businesses in the District which will pay fifty percent (50%) or more of the assessment proposed to be levied, no further proceedings to levy the assessment shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvements or activities within the District, those types of improvements or activities shall be eliminated.

Section 7. The City Clerk is directed to give notice of said public hearing by publishing the Resolution of Intention in a newspaper of general circulation.

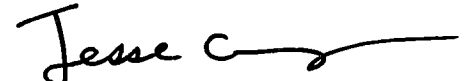
Section 8. The City Clerk is directed to give notice of said hearings as provided in section 36623 of the Act and section 54954.6 of the Government Code, which requires that the agency shall give notice by mail to the record owner of each identified business and financial institution. The public hearing shall be held not less than 45 days after the adoption of this Resolution.

The foregoing Resolution was adopted by the Berkeley City Council on November 21, 2023 by the following vote:

Ayes: Bartlett, Hahn, Harrison, Humbert, Robinson, and Arreguin.

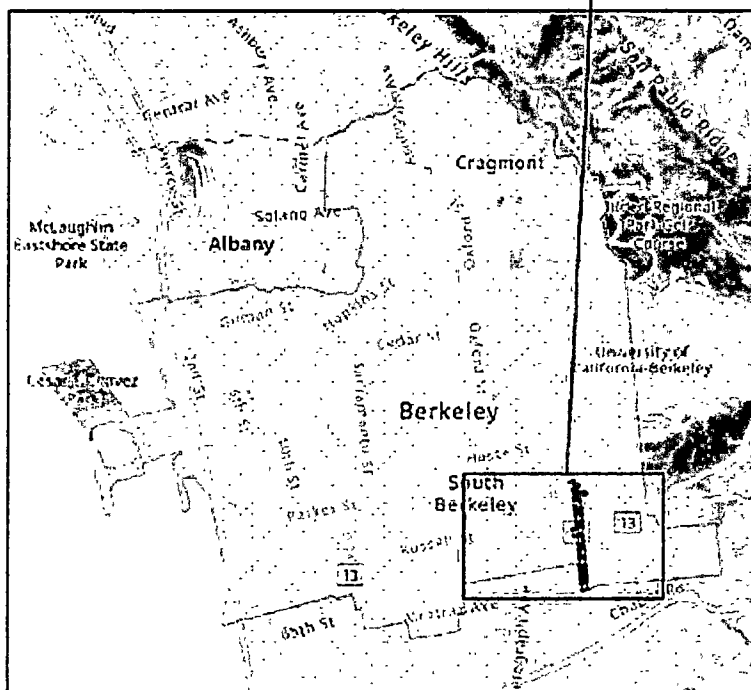
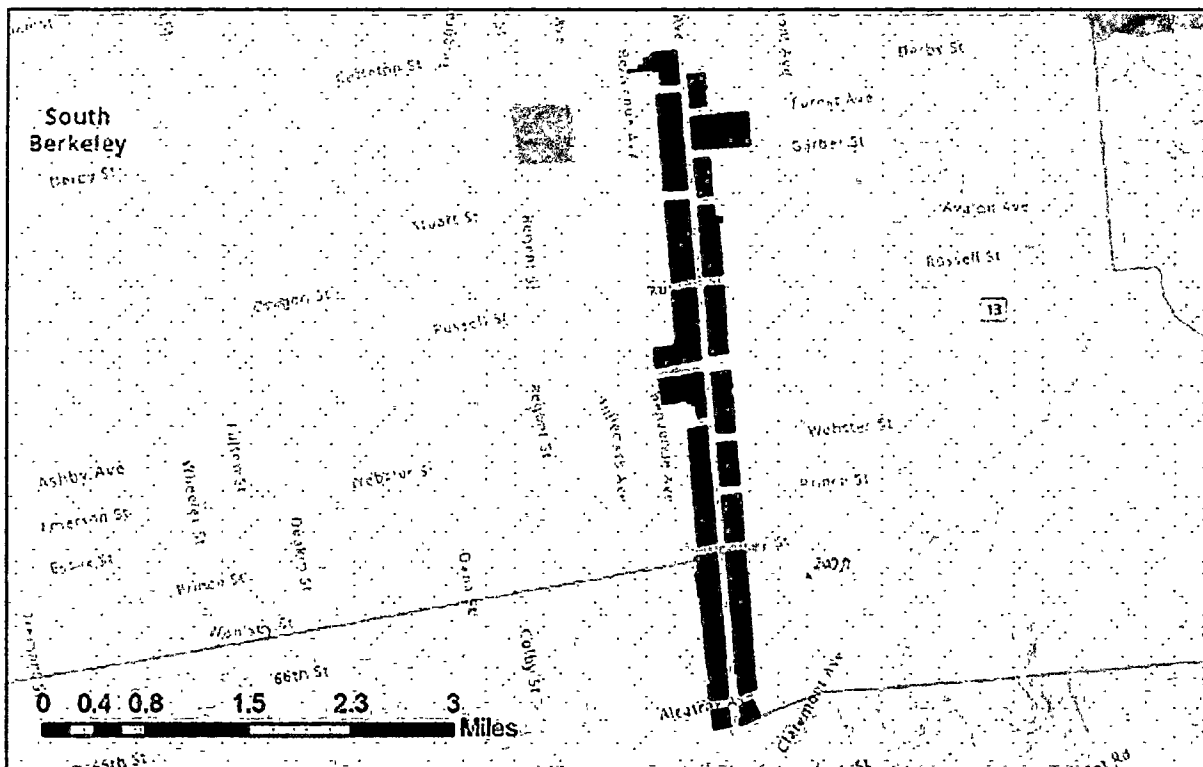
Noes: None.

Absent: Kesarwani, Taplin and Wengraf.

  
\_\_\_\_\_  
Jesse Arreguin, Mayor

Attest:   
\_\_\_\_\_  
Mark Numainville, City Clerk

Exhibit A1: Proposed Elmwood Business Improvement District Boundary Map - 2025



■ BID Elmwood Recommendation  
□ City of Berkeley



**Exhibit A2: Elmwood Business Improvement District, Assessment Rates – 2025**

| <b>Classifications</b>                                                                                                                                                                                                                                                                                                 | <b>Rates</b>                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| Retail including jewelers and groceries but not restaurants<br>(Tax Codes R, M and G but without NAICS 722, Food Services and Drinking Places) <ul style="list-style-type: none"> <li>• Gross receipts under \$350,000</li> <li>• Gross receipts \$350,000-\$999,999</li> <li>• Gross receipts \$1,000,000+</li> </ul> | \$250.00 per year<br>\$350.00 per year<br>\$500.00 per year |
| Restaurants, including all businesses that prepare and serve food at the request of customers (NAICS 722)                                                                                                                                                                                                              | \$500.00 per year                                           |
| Professionals including offices of real estate brokers (Tax Code P) <ul style="list-style-type: none"> <li>• Gross receipts under \$100,000</li> <li>• Gross receipts over \$100,000</li> </ul>                                                                                                                        | \$300.00 per year<br>\$400.00 per year                      |
| Entertainment and Recreation (Tax Code E)                                                                                                                                                                                                                                                                              | \$450.00 per year                                           |
| Business, Personal and Repair Services (Tax Code B) except Hair, Nail and Skin Cares Services (NAICS 81211)                                                                                                                                                                                                            | \$200.00 per year                                           |
| Hair, Nail and Skin Care Services (NAICS 81211)                                                                                                                                                                                                                                                                        | \$200.00 per year                                           |
| Parking lot operators                                                                                                                                                                                                                                                                                                  | \$2,000.00 per year                                         |
| Financial Institutions                                                                                                                                                                                                                                                                                                 | \$2,500.00 per year                                         |

Any business that is classified as a nonprofit (Tax Code N) for business licenses purposes, shall nevertheless pay the assessment at the rate that corresponds to its North American Standard Industrial Classification if it is engaged in the sale of products or services. Any new business established within the District shall not be required to pay an assessment on application for its business license but only on renewal at the end of the year it was initiated. (Ord. 7317-NS § 3 (part), 2013)





Human Resources

ACTION CALENDAR

January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Aram Kouyoumdjian, Director of Human Resources

Subject: Amending the Miscellaneous CalPERS Contract to (a) Eliminate PEPRA Cost Sharing for Unrepresented Employees (b) Add Paramedic and Limited Term EMT to Safety Category

RECOMMENDATION

Adopt the Resolution of Intention and first reading of an Ordinance to amend the contract between the Board of Administration, California Public Employees' Retirement System, and the City Council for the City of Berkeley (a) pursuant to California Government Code Section 20516 to eliminate the cost share contributions made on behalf of the City by PEPRA members of the Unrepresented Employees group, and (b) pursuant to California Government Code Section 20434 to add the Paramedic and Limited Term Emergency Medical Technician (EMT) classifications under the Safety category.

FISCAL IMPACTS OF RECOMMENDATION

Based on this action, the additional cost share contributions made on behalf of the City by Unrepresented Employees, originally scheduled for gradual reduction through FY 2026-27, will be eliminated upon amendment of the City's contract with CalPERS, and the City will begin making those contributions on the affected employees' behalf.

There are approximately 75 Unrepresented Employees who are PEPRA members of CalPERS and affected by this resolution, and the total cost to approve the ramp down for Unrepresented Employees is approximately \$247,957.

CURRENT SITUATION AND ITS EFFECTS

Council adopted Resolution #70,156 N.S. at its December 14, 2021 meeting authorizing the FY 2021-22 amendment to the City's CalPERS Miscellaneous contract. Council must now pass another Resolution of Intention to approve the FY 2023-24 contract amendment between the City and the Public Employees' Retirement System Board of

Resolution of Intention to Amend CalPERS Contract: (a) Eliminate Cost Sharing for Unrepresented Employees and (b) Add Paramedic and Limited Term EMT to Safety Category

ACTION CALENDAR  
January 16, 2024

Administration. (See Cal. Gov. Code § 20516.) The contract amendment process includes the following steps:

- The City shall provide CalPERS with the Resolution and a cover letter indicating the exact percentage of change, total cost-share percentage, and who it is applicable to – completed October 2023;
- CalPERS will contact the City to establish the Anticipated Schedule of Agency Actions and send the required documents;
- Over a time period specified by CalPERS, the City will:
  - Conduct an employee election whereby a simple majority of the affected PEPRA members in the Unrepresented Employees group must vote in favor of the proposed cost-share terms – completed September 2023;
  - The City shall adopt a Resolution of Intention;
  - The City shall approve the final reading of an ordinance or final resolution and complete certification forms;
- Once the documents are received and approved, the contract amendment becomes effective and is updated with the effective date in MyCalPERS;
- CalPERS sends a fully executed contract to the City.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACT

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

#### RATIONALE FOR RECOMMENDATION

In order to eliminate the additional cost share contributions made on behalf of the City by PEPRA members of the Unrepresented Employees group, Council must now pass another Resolution of Intention to approve the FY 2023-24 contract amendment between the City and the Public Employees' Retirement System Board of Administration.

The recommendation to add Paramedic and Limited Term EMT job classifications as Safety Members of CalPERS is consistent with California Government Code Section 20434, which defines "Local firefighter" to include employees of a fire department dedicated to emergency medical services.

#### ALTERNATIVE ACTIONS CONSIDERED

Continue with the reduction as scheduled, which will lead to inequity between represented and unrepresented employees.

#### CONTACT PERSON

Aram Kouyoumdjian, Director of Human Resources, (510) 981-6807.



Resolution of Intention to Amend CalPERS Contract: (a) Eliminate Cost Sharing for Unrepresented Employees and (b) Add Paramedic and Limited Term EMT to Safety Category

ACTION CALENDAR  
January 16, 2024

**Attachments:**

- 1: Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration of California Public Employees' Retirement System and the City Council of the City of Berkeley
- 2: Ordinance of the City Council of the City of Berkeley Authorizing an Amendment to the Contract Between the City Council of the City of Berkeley and the Board of Administration of the California Public Employees' Retirement System
- 3: Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Berkeley
- 4: CalPERS Certification of Governing Body's Action
- 5: CalPERS Certification of Compliance with Government Code Section 7507
- 6: CalPERS Certificate of Compliance with Government Code Section 20516

Resolution of Intention to Amend CalPERS Contract: (a) Eliminate Cost Sharing for Unrepresented Employees and (b) Add Paramedic and Limited Term EMT to Safety Category

ACTION CALENDAR  
January 16, 2024

RESOLUTION NO. XX,XXX

RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF BERKELEY

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed changes: (1) to provide, pursuant to California Government Code Section 20516 (Employees Sharing Additional Cost), a reduction of 5% for new local miscellaneous members in the Unrepresented Employees group; and (2) to add the Paramedic and Limited Term Emergency Medical Technician classifications to the Safety member category pursuant to California Government Code 20434 (which designates any officers or employees of a fire department employed to perform duties of firefighting, fire prevention, fire training, hazardous materials, emergency medical services, or fire or arson investigation services as "Local firefighter");

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an exhibit and by this reference made a part hereof.

Resolution of Intention to Amend CalPERS Contract: (a) Eliminate Cost Sharing for Unrepresented Employees and (b) Add Paramedic and Limited Term EMT to Safety Category

ACTION CALENDAR  
January 16, 2024

ORDINANCE NO. #, ### N.S.

AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF BERKELEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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

Section 1.

That an amendment to the contract between the City Council of the City of Berkeley and the Board of Administration, California Public Employees' Retirement System, is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

Section 2.

The Mayor of the City of Berkeley City Council is hereby authorized, empowered, and directed to execute said amendment for, and on behalf of, said Agency.

Section 3.

This Ordinance shall take effect thirty (30) days after the date of its adoption. 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.



## Agenda Item Attachment

This attachment will be provided to the City Council and the public prior to the meeting (including posting to the city website) in accordance with the requirements for revised and supplemental materials in the Open Government Ordinance.

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

**The City of Berkeley, City Council's Web site:**  
<http://berkeleyca.gov>



Office of the City Manager

ACTION CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Anne Cardwell, Deputy City Manager  
 Subject: Consideration of Options for Berkeley High School Staff Parking

RECOMMENDATION

Receive information on several options for providing additional parking for Berkeley High School staff. Provide feedback to staff, which will then be shared with 2x2 Committee with the goal of identifying a mutually agreeable solution for both the school district and the City.

FISCAL IMPACTS OF RECOMMENDATION

Potential fiscal impacts will vary by option, as described in the following sections.

CURRENT SITUATION AND ITS EFFECTS

Representatives of Berkeley High School state that Berkeley High School teachers use breaks in their schedule to move their vehicles around within the time-limited parking spaces near the school, for the purpose of avoiding parking tickets. For these reasons, the District has requested that the City issue Preferential Parking Program permits for use by Berkeley High School teachers in both the zone where the school is located, and the zones immediately adjacent to the school.

According to the District, the recipients of permits issued to Berkeley High School are already parking on the streets in the vicinity of the school, and therefore the issuance of these permits would have a negligible impact upon parking conditions in the area.

BACKGROUND

The Preferential Parking Program (Chapter 14.72) creates various categories of parking permits that may be issued by the Department of Finance and establishes various criteria for issuance of those permits. In addition to residential parking permits (14.72.090) and local business permits (14.72.100), parking permits may be issued to Neighborhood-serving Community Facilities, such as “churches, schools, senior centers and alcohol and drug rehabilitation facilities.” (14.72.110.B.). The criteria for issuance of permits to Neighborhood-serving Community Facilities is enumerated at Section 14.72.105.B. as follows:

1. An enterprise for which there is inadequate off-street parking and no financially feasible way of creating adequate off-street parking on the site of the enterprise;
2. An enterprise for which there is no off-street parking available nearby for lease or rental;
3. The total number of permits issued does not exceed the number representing 60% of the enterprise's employees;
4. The total number of permits issued to a Berkeley Unified School District (BUSD) school that is not within 1/2 mile of a Bay Area Rapid Transit (BART) Station, and not within 1/4 mile from a rapid transit bus stop, and not within 1/4 mile from two bus routes that run at a frequency of 20 minutes or less does not exceed 70% of the enterprise's employees;
5. Distribution of permits shall be through a designated representative of the enterprise who will be responsible for allocation of the permits to employees, or in the case of the senior centers, to users of the enterprise; and
6. Degree of impact on parking conditions for residents and merchants in the area.

Berkeley Unified School District asserts that it meets the criteria for issuance of permits. Berkeley High School currently lacks adequate off-street parking on its campus.

The City operates a parking garage nearby, and while the district has expressed a willingness to analyze options for funding of spaces, they have also noted that the current cost quoted for the needed number of spaces (approximately \$150,000 per year) is likely not fiscally feasible.

### **1. Quantity of Permits**

Whereas businesses and residents have a limit of between one (1) and three (3) permits per address, the only limit for schools is set forth in 14.72.105.B.3.: the total number of permits issued for a Neighborhood-Serving Community Facility cannot exceed 60% of Berkeley High School Preferential Parking Permits Page 3 the enterprise's employees, unless the facility is a BUSD school that is located more than 1/2 mile from BART or more than 1/4 mile from a bus rapid transit stop. Berkeley High School is located well within 1/2 mile of the Downtown Berkeley BART station, so the operative limit is 60% of the school's employees.

Without any amendments to the ordinance, the City can issue a number of permits equal to 60% of the employees of Berkeley High School. At the November 2x2 Committee meeting, Berkeley Unified School District Facilities Manager John Calise indicated that there are approximately 400 employees at the school, which would result in 240 permits utilizing the 60% figure.

## 2. Location of permits

There is no area restriction applicable to Neighborhood-Serving Community Facility permits. In drafting and passing the Preferential Parking Program, Council chose to impose geographical limitations for certain kinds of permits but not for others. Residential permits can only be issued for a vehicle that is registered with the DMV to an address within the zone. (14.72.090.B.3.) Local business permits can only be issued "for a motor vehicle regularly used in the business activity of such commercial establishment for parking such motor vehicle in such designated local business parking subarea." (14.72.100.B.) However, for Neighborhood-Serving Community Facility permits, the only geographical limitation is a broad consideration of the "Degree of impact on parking conditions for residents and merchants in the area." (14.72.105.B.6.)

It is reasonable to assume that the lack of criteria for the location of NSCF permits is intentional, but City staff is seeking Council feedback as to whether or not to issue a substantial number of permits in this area (and potentially others). There may be many facilities located on a boundary of a designated parking area and so they intent may have been to spread the permits around to multiple areas. Moreover, the Department "shall issue permits such that they will not unduly be concentrated on a specific block front in any given residential permit parking area." (14.72.080.B.) Where a facility such as Berkeley High School is located on the border of a residential permit parking area, this undue concentration requirement can more readily be met by dividing the permits between adjacent permit areas.

For additional context, a staff report from October 17, 2017 entitled *Referral Response: Additional Neighborhood Serving Community Facility Parking Permits for Berkley Unified School District Facilities* is attached.

### **Options for Council Consideration**

The following five options for addressing the request for additional parking for Berkeley High School staff are being presented for Council to review, discuss and provide feedback to staff. This feedback will be shared with 2x2 Committee, with the end goal of identifying a mutually agreeable solution for both the school district and the City.

As part of this exercise of developing options, opportunities for increasing access to parking for City employees are also noted, as City employees are experiencing challenges with finding parking similar to Berkeley High School staff.

- **Option 1: Provide an increased number of permits to Berkeley High School staff and City staff**

As previously noted, under the current ordinance, the City can grant up to 60% of the employees of Berkeley High School. One option would be to amend the ordinance to

allow for more permits to be provided to High School staff. It would be beneficial for the City if a similar approach could be applied to City of Berkeley staff (City staff are currently ineligible for permits under the Preferential Parking Program), perhaps under a new, similar program. As previously noted, City staff are also having significant difficulty finding sufficient, inexpensive parking around the Civic Center area.

If the desire is to pursue this option, it should also be clarified whether the increase in permits will be within the existing parking permit area, or will be spread across neighboring parking permit areas.

- **Option 2: Amend parking hours around Berkeley High School/Civic Center**

Another option would be to amend the parking hours in the parking permit area around the High School/Civic Center from two (2) to four (4) hours. While this option would likely result in staff still needing to move their cars at least once during the work day, it would reduce the total number of times they would need to do so.

A related, alternate option would be to remove parking time limits entirely, which would allow staff that are able to find a spot to remain in that spot all day. However, that option would require further study, as the purpose of parking time limitations is to encourage the circulation of vehicles (thus increasing the available spaces at any given time) and eliminating restrictions could reduce the use of the Center Street garage, which was funded via interest bearing bonds with specific performance obligations.

- **Option 3: Permits based on criteria, coupled with changes to parking hours**

A hybrid of the above two options would be to provide permits to only those High School and City staff who aren't able to move their cars throughout the day due to the need to remain in the classroom or at their assigned working space. For example, teachers in classrooms and City positions that are public facing, and so may not be able to readily leave their desks during the day. Additionally, the City could issue these permits in several adjacent zones, to deconcentrate impacts and spread vehicles farther than under current conditions.

For those employees not eligible for permits under the hybrid option criteria, there could also be consideration of making an increase of parking times to four (4) hours on every-other block throughout adjacent zones within two (2) to twelve (12) blocks from the High School and Civic Center. To illustrate, starting one block away from the core area, one side of the street would be two (2) hours and the other is four (4). This would help avoid the majority of vehicles being right next to the High School and Civic Center and distribute parking a bit further out. (Note that in this scenario, blocks immediately next to the Civic Center would remain two (2) hours on both sides in order to serve shorter term visitors.)



- **Option 4: “Swap” use of garage by Berkeley High staff for City Council use of the School Board Chambers (or other swap options)**

Currently the City Council has an agreement with the Berkeley School District to use the School Board Chambers for Berkeley City Council meetings. One suggested option is to explore amending that agreement to “swap” a number of spaces in the Center Street parking garage for use of the chambers. Additionally, there may be other options for a swap that could be explored.

- **Option 5: Discount Parking at Center Street garage**

Another option for consideration would be to continue exploring whether the High School could lease a certain number of spaces at the Center Street garage at a discount. As noted previously, the district has expressed a willingness to look at options for funding of spaces for BHS staff, but has also expressed that the current cost quoted of approximately \$150,000 per year would be too costly. Further, the City is limited in terms of the amount of discount that can be provided, given that the parking revenues have been pledged to bondholders and the City is not currently meeting its revenue ratio covenant. If the District is able to make funds available for this type of expense, the City and District could explore further how many spaces at what cost they could be made available.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

#### RATIONALE FOR RECOMMENDATION

These options are being provided for the Council in response to the school district’s request for additional parking spaces for their staff and subsequent discussions by 2x2 Committee members (see attached 2x2 Committee minutes). Additionally, several of the options provide an opportunity to provide increased parking for City staff, which is also a significant need expressed by various labor groups and also aligned with the City’s Employer of Choice Initiative.

#### ALTERNATIVE ACTIONS CONSIDERED

Staff considered a number of options, all of which are presented in this report.

CONTACT PERSON

Anne Cardwell, Deputy City Manager, City Manager's Office, (510) 981-7014

Attachments:

1. October 17, 2017 Staff Report
2. 2x2 Committee Minutes – February - June, 2023



Office of the City Manager

CONSENT CALENDAR

October 17, 2017

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip L. Harrington, Director, Department of Public Works

Subject: Referral Response: Additional Neighborhood Serving Community Facility Parking Permits for Berkley Unified School District Facilities

RECOMMENDATION

To implement the policy change requested by a February 28, 2017 Council referral, adopt first reading of an Ordinance amending Berkeley Municipal Code section 14.72.105 to increase residential preferential parking permits for Berkley Unified School District schools from a maximum of 60% to a maximum of 70% of total Berkley Unified School District staff (including teachers), for schools more than one half mile from a BART Station, more than one quarter mile from a Rapid Transit Stop, and more than one quarter mile from two major transit lines.

FISCAL IMPACTS OF RECOMMENDATION

Based on current Berkley Unified School District (BUSD) staffing levels, City staff expect to generate \$621 annually for the General Fund from the sale of nine additional residential preferential parking (RPP) permits.

CURRENT SITUATION AND ITS EFFECTS

At the January 19, 2017 2X2 Committee meeting, two Council members and BUSD Staff proposed increasing the limit on Neighborhood Serving Community Facility (NSCF) permits from 60% to 70% for schools outside areas well served by transit. This report responds to referral #2017-35 that originally appeared on the agenda of the February 28, 2017 meeting, sponsored by Councilmember Maio and Mayor Arreguin, where City Council approved a referral to the City Manager formalizing that requested increase. Individual schools have requested additional permits because they have staff that drive who don't have NSCF permits, and who are subject to limited transit service or a lack of access to reasonable parking choices. Those employees often park in Residential Preferential Parking (RPP) areas with two-hour visitor time limits, and subsequently move their cars every two hours. This proposed ordinance would codify an increase in the number of available permits in the Berkeley Municipal Code (BMC), and will allow staff to implement the requested change.

**BACKGROUND**

Every September, NSCFs apply for permits for RPP permits for staff subject to the following guidelines:

- Per BMC 14.72.105, the number of permits may be no more than 60% of the number of employees at each facility.
- Only K-12 Schools are eligible for NSCF Permits.
- Part time staff (under 30 hours/week) count as one half of an employee for purposes of determining 60%.
- Off-Street Parking available to NSCF staff is subtracted from 60%.
- The BMC also takes into account the parking impact on residents. This has caused a cap on the number of permits allocated in area E, as the blocks bounded by Cedar, MLK, University and Shattuck are particularly impacted.
- The City does not issue permits to NSCFs in area I due to severely limited RPP parking availability in that area.
- Permits are allocated to staff by the facility administration using whatever criteria they choose.

The primary purpose of RPP is to ensure adequate on-street parking availability for residents of a neighborhood when parking demand from employees and visitors of nearby businesses may otherwise exceed the supply of on-street parking spaces. When parking supply is particularly low or demand is particularly high, issuing too many NSCF permits in the area may impact the ability of residents and other permit holders to find available parking spaces.

Although the RPP program is intended to discourage use of single occupant vehicles by visitors and employees of nearby businesses, staff acknowledges that for some BUSD employees it is difficult to commute to work by means other than personal vehicles for reasons including limited access to transit services in their commute area. Thus City policy allows issuance of NSCF permits to minimize some of the impacts to BUSD employees.

**ENVIRONMENTAL SUSTAINABILITY**

Using current BUSD staffing levels, this change would result in the issuance of approximately nine more permits. Because this increase would apply only at those schools where commuting by public transit is a less feasible option, there could be a very small decrease in greenhouse gas emissions associated with fewer BUSD staff who would move their cars every two hours.

**RATIONALE FOR RECOMMENDATION**

BUSD has expressed a need for more permits for staff who cannot easily commute by public transit. The proposed changes would have minimal impacts to residential parking.

**ALTERNATIVE ACTIONS CONSIDERED**

None

Referral Response: Additional Neighborhood Serving Community Facility  
Parking Permits for Berkley Unified School District Facilities

CONSENT CALENDAR  
October 17, 2017

CONTACT PERSON

Matthew Cotterill, Traffic Engineering Assistant, Public Works, 510-981-6433

Attachments:

- 1: Ordinance
- 2: Map of Transit Rich area and BUSD Schools
3. Original Referral Report from February 28, 2017

## ORDINANCE NO. #,###-N.S.

AMENDING THE RESIDENTIAL PREFERENTIAL PARKING ORDINANCE, BERKELEY MUNICIPAL CODE SECTION 14.72.105, TO INCREASE ALLOWABLE PERMITS TO 70% FOR BERKELEY UNIFIED SCHOOL DISTRICT FACILITIES OUTSIDE THE TRANSIT RICH ZONE

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

Section 1. That Berkeley Municipal Code 14.72.105 is amended to read as follows:

**14.72.105 Neighborhood-serving community facility permits.**

A. The Department of Finance may issue neighborhood-serving community facility enterprise permits with a term not to exceed one year subject to the requirements set forth in this section and in administrative rules and regulations issued pursuant to this chapter.

B. A neighborhood-serving community facility parking permit may be issued to representatives of the following neighborhood-serving community facilities: churches, schools, and senior centers. The issuance of permit can occur no sooner than 30 days after implementation of a residential permit parking area and the following criteria shall be used in establishing eligibility of an enterprise and the number of permits to be issued any enterprise:

1. An enterprise for which there is inadequate off-street parking and no financially feasible way of creating adequate off-street parking on the site of the enterprise;
2. An enterprise for which there is no off-street parking available nearby for lease or rental;
3. The total number of permits issued ~~under no circumstances does not exceed~~s the number representing 60% of the enterprise's employees;
4. The total number of permits issued to a Berkeley Unified School District (BUSD) school that is not within ½ mile of a Bay Area Rapid Transit (BART) Station, and not within ¼ mile from a rapid transit bus

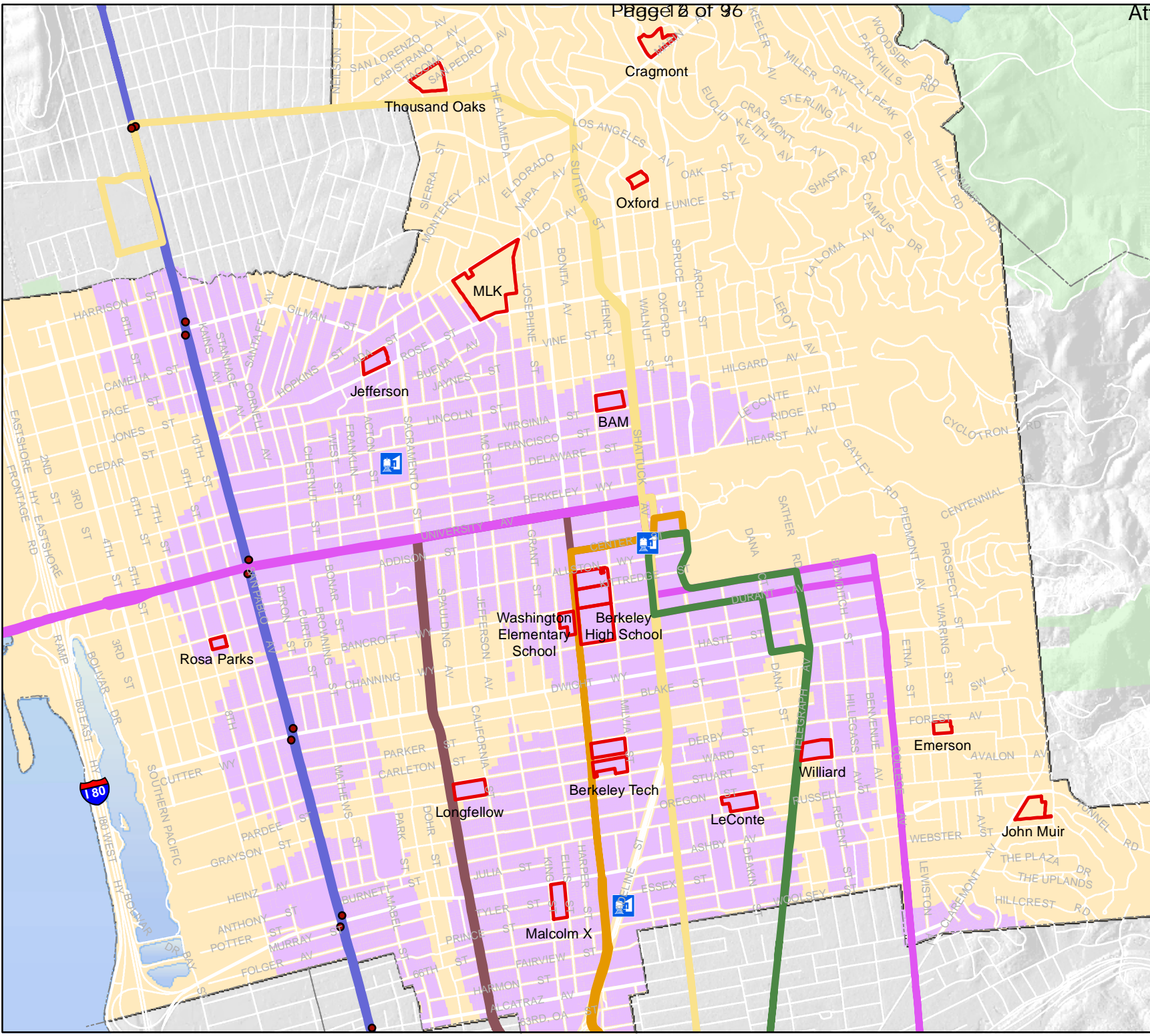
stop, and not within ¼ mile from two bus routes that run at a frequency of 20 minutes or less does not exceed 70% of the enterprise's employees;

45. Distribution of permits shall be through a designated representative of the enterprise who will be responsible for allocation of the permits to employees, or in the case of the senior centers, to users of the enterprise; and

56. Degree of impact on parking conditions for residents and merchants in the area. (Ord. 6762-NS § 4 (part), 2003: Ord. 5972-NS § 1, 1990: Ord. 5803-NS § 2 (part), 1987)

Section 2. 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.

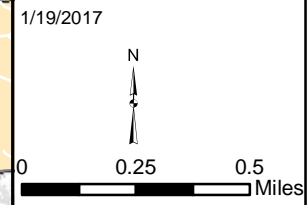
# NSCF TRANSIT PROXIMITY



- Major AC Transit Routes**
- 6
  - 12
  - 18
  - 51B
  - 72/72R
  - 88
  - 72R Stops
  - BART Stations
  - BUSD Schools
  - Transit Rich Zone

The "Transit Rich Zone" consists of parcels within 1/2 mile of a BART station or 1/4 mile from a rapid bus stop or 1/4 mile from 2 bus major bus lines. A "major" bus line is a bus line that runs at peak hours at a frequency of every 20 minutes or less.

This map is representational only. Data are not survey precise.







CITY COUNCIL  
Linda Maio

CONSENT CALENDAR  
February 28, 2017

TO: Honorable Mayor and Members of the City Council

FROM: Mayor Jesse Arreguin and Councilmember Linda Maio

SUBJECT: Increasing the Parking Permit Guidelines for Two BUSD Schools with Limited Access to Public Transit

RECOMMENDATION:

Request the City Manager to increase the guidelines used to grant residential permit parking to BUSD schools from 60% to 70% of the number of BUSD staff (includes teachers) for schools more than 1/2 mile from a BART Station, or 1/4 mile from a Rapid Transit Stop, or 1/4 mile from two (2) major transit lines.

BACKGROUND:

This recommendation will be able to address serious parking impacts for Emerson School as described by its Principal (Susan Hodge) at a recent 2x2 Committee meeting. John Muir School would also be eligible for allocation increase from 60% to 70% under the proposed policy (see below). The recommendation was discussed at the 2x2 Committee, attended by City transportation staff and the City Manager. The 10% increase will amount to an addition of approximately five additional parking permits.

Given that there are parking issues at most of the BUSD schools, the 2x2 Committee will continue to work within the 2x2 structure, along with City staff, on ways in which we can address the parking needs of our schools while also being sensitive to neighborhood impacts. In addition, staff will be looking into allowing the acquisition of some commercial yellow zone permits for BUSD maintenance staff. It was also requested, as we pursue parking issues, that the Superintendent will share with us the District's program(s) for incentives staff to utilize public transit.

Neighborhood Serving Community Facility (NSCF) Process

- Every September, NSCFs apply for permits for staff. Per Berkeley Municipal Code, the number of permits may be no more than 60% of the number of employees.
- Part time staff (under 30 hrs./week) count as ½ of an employee for purposes of determining 60% figure.
- Off-Street Parking available to NSCF staff is subtracted from the 60% figure.
- BMC also requires that we take into account the impact on residents with respect to parking. This has caused us to effectively cap the number of

permits allocated in area E as the blocks bounded by Cedar, MLK, University and Shattuck are particularly impacted.

- We also do not issue permits to NSCFs in area I due to severely limited RPP parking availability in area I.
- Permits are allocated by the facility administration using whatever criteria they choose.

**BMC 14.72.105 Neighborhood-serving community facility permits.**

- A. The Department of Finance may issue neighborhood-serving community facility enterprise permits with a term not to exceed one year subject to the requirements set forth in this section and in administrative rules and regulations issued pursuant to this chapter.
- B. A neighborhood-serving community facility parking permit may be issued to representatives of the following neighborhood-serving community facilities: churches, schools, and senior centers. The issuance of permit can occur no sooner than 30 days after implementation of a residential permit parking area and the following criteria shall be used in establishing eligibility of an enterprise and the number of permits to be issued any enterprise:
  1. An enterprise for which there is inadequate off-street parking and no financially feasible way of creating adequate off-street parking on the site of the enterprise;
  2. An enterprise for which there is no off-street parking available nearby for lease or rental;
  3. The total number of permits issued under no circumstances exceeds the number representing 60% of the enterprise's employees;
  4. Distribution of permits shall be through a designated representative of the enterprise who will be responsible for allocation of the permits to employees, or in the case of the senior centers, to users of the enterprise; and
  5. Degree of impact on parking conditions for residents and merchants in the area. (Ord. 6762-NS § 4 (part), 2003: Ord. 5972-NS § 1, 1990: Ord. 5803-NS § 2 (part), 1987)

**Possible actions for Council to consider:**

1. Allow distribution of a limited number of visitor passes to substitute teachers (number based on previous years substitute days).
2. Increase permit allocation to 70% of staff only for BUSD locations not ½ mile from a BART Station or ¼ mile from Rapid Transit Stop or ¼ mile from 2 major transit lines.

**ENVIRONMENTAL SUSTAINABILITY:**

No environmental sustainability impact.

**FINANCIAL IMPLICATIONS:**

None.

CONTACT:

Mayor Jesse Arreguin, 510-981-7100

Councilmember Linda Maio, District 1, 510-981-7110



Attachment 1

**2x2 Committee Meeting Notes**

February 16, 2023

2:30 – 4:00 p.m.

**Quorum:** 3:00 p.m.

**Roll Call:**

All members are present (BUSD Board President Babitt, BUSD Board Director Vasudeo, City Council Member Hahn, and City Council Member Taplin)

**Approval of Meeting Notes for April 22, 2022**

There was a motion to approve meeting notes from November 4, 2022, the motion was seconded.

Vote:

Yes: 4

No: 0

*Motion passes*

**Public Comment:**

The following public comment was heard by the committee:

Cordell Hinder spoke regarding an upcoming event in Contra Costa County on March 2, 2023. He also spoke regarding the parking item and encouraged the school and city to work together to promote more sustainable transportation and good parking.

Mati Teiblum spoke regarding parking and noted that BUSD and City of Berkeley should work collaboratively to tackle the issue.

Damien spoke regarding parking and the various hurdles.

Liza Lutzker spoke regarding the need to get the data from the transportation survey and a detailed analysis of cost. She also expressed that she hopes there will be more regular meetings around student safety. She shared that on March 8<sup>th</sup>, there will be an Oxford elementary school meeting. She also spoke regarding need for workforce housing for teachers.

Douglas Legg spoke about the opportunity for the use of the existing City garage and using the bond dollars to support needs of children.

Ken talked about using bond dollars for classrooms.

Cielo Rios expressed thanks to the City and BUSD staff and noted that the parking space options should be put on pause.

Dietmar Lorenz spoke about need for workforce housing and classrooms. Expressed shock regarding the parking structure, and that it is not needed, particularly in that location.

### **2x2 Committee Meeting Calendar for 2023**

Council Member Hahn expressed that the committee is very committed to having these meetings.

She suggested the committee think about what standing topics the committee should focus on. The following topics were noted:

- Afterschool care/activities
- Food and nutrition
- Health
- Zero waste
- Recreational equity
- Pool

The committee discussed this briefly and then agreed they would work further on identifying topics at their next regular meeting.

The committee agreed to meet every other month, with the exception of holidays, winter and spring break and summer.

### **Discussion of Milvia Street Project (BHS Tennis and Parking Structure)**

The committee received a presentation from BUSD staff. This was followed by each committee member asking questions. It was agreed there would be that staff responses would occur at a subsequent special meeting on this topic.

President Babitt asked for an update on the use of the Center Street garage, and what the next steps, including expected cost.

Council Member Taplin asked about when the tennis courts became a lot. He also inquired about the status of RPP and Center Street Garage. He asked if there was any update on researching alternative options.

BUSD staff responded that the thought is the City would provide a portion of Center Street garage as easements. The District is checking on the legality of this cost with use of bond funds. It was also noted that regarding the parking permits for teachers, the City Council would need to change policy on provision of parking permits.

The City of Berkeley's Deputy Public Works Director mentioned that the new parking surveys and associated data will be important. He estimated approximately \$100,000 per space for cost. He noted that the Center Street garage would be more costly because it is public, paid parking.

Director Vasudeo inquired about the Environmental Impact Report (EIR) and the associated public process. She also asked about trip alternatives and what is the ongoing maintenance cost for the district.

Council Member Hahn asked for additional information on demographics and the need. Specifically, who would be using the parking and where are they traveling from.

She also noted she would like to better understand the constraints around the use of the bond funds, and what are the options. She encouraged exploring creative solutions.

At this point, Council Member Hahn suggested they extend the meeting to 4:10 p.m. and the committee members agreed.

President Babitt asked if the rates for Center Street garage have gone down given vacancies going up, and if the cost could be lower for Berkeley High School staff.

The Deputy Director of Public Works noted that the garage is busier in the evening than during the day, but not to the point where there is a need to drop the cost. He also noted that the cost to the district would need to be the same as cost charged to public.

Council Member Hahn talked about other options through changing policy, for example, perhaps the City could look at subsidizing cost for teachers and/or perhaps the district could offer something to the City in exchange.

The committee agreed they would like to schedule a special meeting to discuss this item further. It was noted the parking surveys should be completed in March, and so the meeting should be scheduled after that information is available.

**Adjourn:** 4:10



Office of the City Manager

## **Notes - April 28, 2023 2x2 Committee Meeting**

### **1. Call to Order: 9:18 am**

**Present:** Laura Babitt, BUSD, Board President; Ana Vasudeo, BUSD, Board Vice President; and Sophie Hahn, Councilmember

**Absent:** Terry Taplin, Councilmember

**Others Present:** Anne Cardwell, Deputy City Manager and Ramonda Clarke, Secretary to City Manager from City of Berkeley. Enikia Ford Morthel, Superintendent; John Calise, Executive Director of Facilities; and Max Eisssler, Director of Technology from Berkeley Unified School District

### **2. Approval of Meeting Agenda for April 28, 2023**

President Babitt moved to approve agenda. The motion was seconded, and passed.

### **3. Approval of Minutes for February 16, 2023**

President Babitt moved to approve minutes. The motion was seconded, and passed.

### **4. Public Comment**

Tom Lent commented that he was pleased by creative thinking being applied for the Milvia lot. Strongly support the proposal to add classrooms and move softball field to Derby. The required transportation needs can be met with a combination of RPP and robust TDM. Need top, notch comprehensive professional TDM survey to understand the potential and design.

Phyllis Orrick spoke commented that the school board considered a possible surplus on Oxbow Elementary site; no action was taken. Suggested that City and BUSD work together to create affordable housing site, in a very highly resourced neighborhood, close to transit, schools and shops.

Mati Teiblum commented that Milvia Parking Project be taken off the books until proven viable and asked how new project presented is part of a master plan for BHS.



Liza Lutzker thanked the committee for creative new solutions around the Berkeley High parking issue. Commented about draft survey to the District and that input gets used; consult with the city. Comments on RPP and cost to teachers.

Cielo Rios thanked the District and City for working together to pursue creative options that reserve bond money and physical space for our kids instead of cars. Help remedy challenges for elementary and middle school staff, who use cars as primary forms of transit due to Berkeley's unaffordable housing crisis and challenges the comprehensive public transit to school sites.

Rachey Lee expressed excitement about new solutions. Agreed with completely eliminating the parking structure project. Offered to help or serve on a committee, to move new efforts forward.

## **5. Discussion Items**

### **5.1 - Partnership to Mitigate Ongoing Vandalism Around School Sites, and Fines Imposed by Code Enforcement**

Director Calise presented. He spoke about commitment from Board and Council Members to create a partnership for ongoing issues with vandalism. He stated that BUSD's walls are tagged heavier and it requires BUSD to paint windscreens each time - typically 15 hours overtime on a Saturday and within 24 hours, 75 to 85% of the graffiti is back. He mentioned that BUSD has been issued fines by code enforcement. They are looking for additional solutions, such as windscreens with preprinted murals.

Councilmember Hahn commented that this goes in the broader context of how the City should prioritize the needs of our sister organizations and sister agencies. She mentioned that they had created a program to prioritize BUSD's Public Works requests, which would include dealing with city signs that had graffiti on it and keeping curbs and crosswalks painted -- Bright Streets. The referral to have the City establish a form to have BUSD's Public Works requests jump the line has not been implemented. At recent City Council meeting, it was asked that this be treated as a short-term referral.

Peter Radu who oversees Neighborhood Services for the City provided an update on BUSD's property at 1222 University with the windscreens. He clarified that no citations have been issued to BUSD in the past three years. He also stated that after looking into issue more closely with the City Attorney, the determination was reached that the City does not have authority to enforce Graffiti Ordinance against BUSD - BMC 1398. The City team will halt current and future enforcement of BMC 1398 against BUSD properties and will rescind any outstanding notices or citation warnings. He further expressed genuine interest in being collaborative in working with property owners.

Director Calise stated that fines were never paid during COVID and no refunds are required. He further commented that PD indicated that the repeat offenders, particularly at West Campus, are the ones tagging the majority of the City and with talking PD, they were willing to put officers on overtime overnight in hopes of apprehending repeat offenders.

President Babitt commented that support is needed for making sure the graffiti stops as it is costing the District a lot of money to constantly address graffiti.

Deputy City Manager Cardwell stated that the City will touch base with Police Chief on the overtime issue.

PW Director Garland advised that the City Manager issued an off-agenda memo in August 2022, updating the community on the progress with the Bright Streets initiative. He also advised that in advance of start of school year, Public Works circles all schools (about a block radius) to make sure that signage, curb painting, pavement markings, etc., are all updated and refreshed.

Vice President Vasudeo commented that at a previous 2x2 meeting the discussion regarding Bright Street was to follow the same model that SFMTA with SFSD which is to reach out to principals. Do you know if that's being followed?

PW Director Garland advised that they will share department update at next 2x2 meeting.

Vice President Vasudeo stated she would like to coordinate with the principals regarding traffic safety concerns of the parents within the three blocks.

PW Director Garland stated that principals who have traffic safety concerns can reach him directly and get prioritized.

Councilmember Hahn commented regarding clarifying two things. One, giving priority to Bright Streets before the school year begins along perimeter of school and kids' routes to school. Two, ongoing, all year requests and having a system for those making sure they get to head of queue.

## **5.2 - Update on the Milvia Street Project**

The committee received a PowerPoint presentation from Director Calise regarding Update on Milvia Street Project. This was followed by committee members asking questions.

Vice President Vasudeo asked clarifying question regarding why TDM survey is being done separate from the staff survey and why the different timelines.

Director Calise responded that the TDM survey is a robust survey much bigger than what can be done in house. There is a need to know how many people are driving and why; and how many spots are available in the neighborhood. TDM is forthcoming; but there is limit on what can be produced.

Vice President Vasudeo asked who is doing the TDM survey, the timeline and how is the District incentivizing staff to use sustainable means for transportation.

Director Calise responded that the District has not picked a consultant to do the TDM. The District currently incentivizes staff with the Cafeteria Plan; but could not speak as to whether the District has additional money to incentivize.

President Babitt asked for next steps to solve teachers' need to move cars every two hours and if there were different policy issues to work on in interim for more parking permits.

PW Director Liam Garland commented that the plan is to take the presentation to the City's technical experts in parking program, do some further analysis, especially the pros and cons of different policy options in front of the USD and the City and return with analysis and alternatives at next 2x2 meeting.

Councilmember Hahn requested clarification regarding placement of proposed new building and tennis courts.

Director Calise responded that four tennis courts, the new building, and additional parking will be on the main campus.

Councilmember Hahn stated she was looking forward to having data about how many parking permits are desired and what the City will decide to do.

Director Calise stated the intent to have results regarding how many people are driving by next meeting.

Director Vasudeo spoke about the conversation needed for TDM and how are we incentivizing staff to travel more sustainably.

### **5.3. - Update on Berkeley Youth Equity Partnership**

Director of Health, Housing and Community Services, Dr. Lisa Warhuus, along with Nina Goldman, Katie Cobian presented on Berkeley Youth Equity Partnership. The presentation covered the New Name, Impacts of Berkeley's 2020 Vision; Lessons Learned; YEP's Framework and Key Activities. This was followed by committee members asking questions.

President Babbitt thanked HHCS for presentation and expressed BUSD goal for partnership with the City to support students. President Babbitt acknowledged the work and asked for a moment of silence for Hon. Karen Hempfield, former BUSD Board Member and President.

Director Vasudeo commented about having targeted outreach to Umoja and Puente program participants for an opportunity to be a part of the panel. She also spoke about learning how the City is working with CBOs.

Nina Goldman responded that the City funds almost every CBO in Berkeley, in Umoja and Puente, as well as connecting with the three community-based organizations that are serving the Black Lives Matter Resolution. Everyone will be invited to apply in the Fall for next round of funding.

Councilmember Hahn commented about the need for crisper goals in terms of metrics.

President Ford Morthel mentioned a lot of the partners are not clear on metrics around what the program does or what they are trying to accomplish. President Ford Morthel also commented

about how to first get clear on what District goals and outcome goals are for students, then working with partners on what their role is in supporting goals. The other discussion was creating clear metrics as partners on the quantitative measures and qualitative measures.

Nina Goldman added that one of the things learned is the complexity of the numbers – collecting data and how it interacts with each other - programs are doing amazing things with kids; but looking at the community measures, there's a disconnect. Expertise is needed in data analysis.

## **6. Action Item**

### **6.1 - Develop and Prioritize Future Agenda Items**

President Babitt asked the committee to have an agreement to prioritize issues for next meeting:

1. Giving more time to resolving parking permit issue;
2. Getting updates on Milvia project; and
3. focusing on next steps on YEP.

Vice President Vasudeo expressed that there are priority topics that come up at 2x2 meetings – 1. Transportation -- Bright Streets and Milvia project; 2. Closing opportunity gap and agencies collaborating; and 3. Safety in our schools.

Councilmember Hahn commented about having 2x2 meetings every month. Other topics of interest are seeing zero waste in plastics, including issues around recycling, composting, reusables at BUSD and how the City can support; interested in shared facilities and expanding shared facilities for more accessible spaces for the rest of the community.

Committees collected list of topics for future meetings: 1. YEP; 2. Safety Task Force; 3. Milvia Street Project; 4. Shared equitable recreation; 5. Transportation – traffic around school; 6. Zero Waste; and 7. Meeting regularly.

Committee agreed on upcoming Special Meeting on May 17, 2023 at 11:00 am and Regular Meeting on June 16, 2023 at 1:00 pm. Further discussion is needed for proposed dates of September 8 at 10:30 am -12:00 pm, November 9 and/or possible date in October.

## **7. Next Meeting**

Special Meeting on May 17, 2023, at 11:00 am – 12:30 pm

Regular Meeting on June 16, 2023, at 1:00 pm – 2:30 pm

## **8. Adjournment**

Meeting adjourned at 10:50 am



Office of the City Manager

## **Notes of 2x2 Committee Meeting May 17, 2023**

### Called to Order

Meeting commenced at 11:02 am

### Approval of Special Meeting Agenda for May 17, 2023

President Laura Babitt moved to approve agenda for meeting. The motion was seconded, and passed.

### Roll Call

Director Jennifer Shanoski, BUSD; Councilmember Sophie Hahn, City of Berkeley and President Laura Babitt, BUSD were present. Councilmember Terry Taplin, City of Berkeley was absent. Director Shanoski was the alternate for BUSD Board Member, Director Ana Vasudeo.

### Others Present

Matt Meyer, President of Berkeley Federation for Teachers for public comment; Regina Chagolla, Vice President of Berkeley Federation of Teachers for public comment; Ramonda Clarke, City of Berkeley; Anne Cardwell, City of Berkeley; Enikia Ford Morthel, Superintendent BUSD; John Calise, Executive Director of Facilities BUSD; Tom Lent, President of Walk Bike Berkeley for public comment and Jessica Lopez, Executive Assistant BUSD

### Approval of Minutes for April 28, 2023

Councilmember Hahn moved to approve minutes of April 28, 2023 meeting. The motion was seconded, and passed.

### Public Comment

Matt Myers commented about the parking situation at Berkeley High for staff around commuting with their children with different drop off locations and unable to use ebike for this purpose and

lack of available parking for school day. He also expressed support of Director Calise's alternatives and the need for the City's collaboration.

Tom Lent commented about the BUSD survey that was shared with staff members and the need for a TDM survey to evaluate needs for BHS staff.

Liza Lutzker expressed appreciation of new flexible approach. She also commented about the survey to staff and suggested District collaboration with City transportation for more accurate data.

Cielo Rios commented about the need for a survey design to create an unbiased and comprehensive analysis of how staff get to work, the distance they travel and where they live.

#### Discussion Item – 5.1 Update on Milvia Street Project

Director John Calise presented. The objective of presentation was to review high level findings of the parking study. Director Calise clarified that the internal survey is different from a TDM survey and that the District will bring in a consultant to do a TDM survey and then, engage 2x2 in discussion about possible next steps. The internal survey has been shared with City staff.

Parking study survey has been finalized. There was 40% participation in survey. Out of the respondents 80% drove to work out of necessity; 85% are able to use the staff lot; 5% parked in city or private parking garages; and 14% use surface street parking in the neighborhood.

President Babitt requested clarification of which lot, and if the 220 permits all go to Berkeley High School staff.

Director Calise responded that there are approximately 220 BHS parking permits issued for the 144 spaces, lot on Milvia between Bancroft and Durant. The spaces are first come, first serve with permit.

President Babitt stated that there are zero permits offered to staff by the City.

Director Calise thanked Babitt for clarifying stating that there are no RPP permits issued for anyone who works at BHS.

Director Calise further stated the study showed that if a financial incentive was offered, would driving to work change, 75% said no.

Director Shanoski asked about timeline for TDM survey.

Director Calise advised they anticipated putting out an RFP sometime this summer.

Director of Public Works, Liam Garland advised that the City is still digesting presentation and introduced parking policy team members Gordon Hansen and Hamid Mostowfi.

Gordon Hansen of Public Works advised that the City manages parking via RPP permits for the purpose to protect parking for residents. The area around BHS, Area C, where John's team did the parking survey was established in 1986. BHS is located within Area I, which covers the southside and downtown area. RPP permits are intended for residents only. The City has several other programs that allow different classes of users to be able to park in our different areas. One of those programs is the neighborhood serving Community Facility program or NCF that allows employees of schools, churches and rehab centers to be able to purchase permits for the areas in which the facilities are located. The City also has a program for local merchants that allows them to get permits for certain commercial districts.

Under the current program, facilities apply every year using the same standard process. By using a standard formula, we look at the number of full-time staff, multiply that by 60%, that gives us the top line of parking permits that can be issued at the facility. Off-street parking available to that facility is also taken into account.

Historically BHS and other schools and churches in Area I have been excluded from eligibility for that program due to Area I being quite compacted. The other reason for this is that the City is guided by the Berkeley Municipal Code that staff must consider the degree of impact on parking conditions for residents and merchants in the area where we would consider extending eligibility for these community facility permits. Because of the unique constraints and pressures in Area I, BHS and other facilities have been excluded by administrative regulation in keeping with the direction from the code.

The question is, how do we move forward from here from the city's perspective. These are high level for discussion purposes, not proposals or plans. One idea, we say we will allow Berkeley High School to apply for these permits in Area I. That would be a departure from our past practice and would raise a lot of concern for the City for major impacts on existing permits holders.

Area C borders Berkeley High School. BHS is not actually within the boundaries of Area C where John's team did the parking survey analysis. Area C is a little more tricky and requires additional conversation, it may actually require council action to change the location of RPP area boundaries.

If we wanted to say, allow BHS to apply for community facility permits for Area C. The other piece is changing boundaries of Area I and Area C could disproportionately impact the existing RPP Area I parking, that's located on the periphery of Berkeley High School. Further reducing

opportunities for residents in the downtown area to find Area I parking. Those are two potential ways forward that we can discuss.

President Babitt interjected to allow Q & A on what was heard thus far.

Councilmember Hahn thanked Gordon for helpful information. She further commented that the reason for this conversation is because City Council referred it 2x2 saying we don't think it's optimal to have a parking garage in the middle of the downtown and please help problem solve hand in hand with the district. In that spirit, we need a well-developed plan to go to council.

Councilmember Hahn also stated that Area J and Area E, along with Area C should be looked at. From a regulatory perspective, we would need council action to say Berkeley High is special and we will allow them to apply for permits in these other areas, or we would have to put them in another area.

Councilmember Hahn commented that surveys are helpful but definitive. What is more important even without a study is, putting programs and incentives in place at all our schools, i.e., electric trikes that have a big cargo and enhancing programs BUSD already has in place.

Councilmember Hahn expressed understanding and sympathy of people having complicated lives and being at different stages of life, and some have the need to drive for different reasons and some can take an ebike or other transit. Hahn also stated that they are trying to find solutions and personally thinks getting permits will be part of that solution, and is committed to all of the above.

Director Shanoski appreciated problem solving approach and the City partnering with the school district regarding issue of parking for teachers and staff and concerns about building a parking structure. Further comments about the big issue of subs and part-time teachers parking on city streets and if it would be possible to alleviate some of the city concerns if those folks were prioritized with the city street permits, to minimize the impact on city streets.

Councilmember Hahn clarified that once BUSD has the permits that it is up to District to allocate them.

Director Shanoski confirmed Hahn's statement and advised that she was just voicing it as a possibility and that in collaboration with labor partners, they can figure out how to prioritize the permanent spaces and we use the permits in a more flexible way

Director Calise provided feedback that Berkeley High is the only school with a parking lot. The lottery is done now for subs, part-time and full-time teachers, but the itinerant staff aren't considered in lottery - special ed folks who roam school to school, do not get into that lottery and



are stuck looking for a spot. The reason is to try and maximize lot to make sure every spot is filled for the entire day.

Director Shanoski questioned if those included in the survey, includes the subs and part-time teachers because of the need to understand the impact to all.

Director Calise advised that subs were not included, as they are not part of BHS council.

President Babitt agreed with colleagues regarding being in problem solving mode. Babitt further commented about the fact that people are driving and parking in the neighborhoods from 8:00 am to 4:30 pm every day, and moving their cars every two hours. This is extremely disruptive for the city's educational program. The district needs help eliminating the fact that teachers are moving every two hours and to use the spaces that are already being used in a more efficient way.

Councilmember Hahn asked if the survey taken of Area C that showed 73% of spaces taken, included all the BHS staff, etc., on a school day.

Director Calise responded majority parked in the west in Area C because that's where most spots are available and why the area was studied.

Councilmember Hahn expressed to Deputy City Manager Anne Cardwell that no matter what, the City is going to have to take a look at this. BUSD has not taken action on the alternative plan, etc.; but feels like this needs to get in front of council in some fashion – maybe by writing a discussion item that President Babitt and Councilmember Hahn could write it together with support from Public Works, BUSD, to lay out all these great “ha-has” we have, with imperfect information.

Councilmember Hahn suggested a general outline of a path forward for the City's piece. The city's piece would be to consider a special dispensation for a certain number of permits to be allowed in one, two, or three adjoining areas by a possible ordinance change to see if we can get a certain number of permits in the three outlining areas. The second thing that should be looked at jointly is a robust electric cargo bike program. Teachers and staff can help us understand what would work for them. Maybe there's some grant funding out there for a pilot of a really well thought through program, either loaners; maybe we give some kind of an incentive to purchase one. Let's have a broad dive into an innovative program. The third is to look at what are the transit incentives that BUSD has in place.

Director Calise responded that BUSD currently has a cafeteria plan for all staff members who use public transit that they show their receipts and that amount is pre-taxed out of their check.

Councilmember Hahn asked if there is something we can do that is better or a way to design this so that more people take advantage of it. Is there any other thing that we should put in the council's idea box?

President Babitt said that she heard Gordon say that permits are offered at a cost and asked what is the portion that BUSD in the current structure of these neighborhood community service programs would have to pay.

Gordon Hansen responded the NCF permits? Yes, I believe it's \$82 a year.

President Babitt responded \$66 and then \$185? We will need that information.

Director Calise advised that it comes come out of a different fund. The way that the permits are paid for is out of the site funds. The sites are allocated x amount of dollars of general fund dollars to use discretionary. Those permits at the sites are actually paid for by the sites.

Councilmember Hahn would like to explore allocating permits in the three nearby areas, some kind of cargo bike program, reevaluating the effectiveness of the transit incentive and whether that can be enhanced in some way. The possibility that some portion of the vehicle parking need might be handled in some way with a shared cost or something at the new half empty parking facility downtown. Hahn would invite BUSD to present at meeting and having the conversation about BUSD and the City of Berkeley's piece with council.

President Babitt asked where are we landing on the need for additional surveys or the TDM and what are the outcomes we expect a TDM to help offer, giving the framing that we have come up with to solving the immediate problem.

Gordon Hansen first confirmed the permit cost is \$83 year. He further commented BUSD already provides a pretax commute benefit which allows employees to set aside funding from their paycheck to be used for any type of transit that they use. Other options to consider an AC Transit Easy Pass program. It offers bulk discounts typically used by either large institutions. What it does is provide a discounted transit pass for use on transit at a much lower cost to the employer than a normal monthly or yearly pass would be.

Director Babitt responded that it sounds like the results of the TDM would be to basically let us know how to advocate for more of the public transit uses, the funding sources, the discounts or any kind of offerings we could partner with mass transit.

Gordon Hansen responded yes, that's definitely one approach.

Councilmember Hahn responded to Gordon saying that the question is, do we really need to spend money to do a special study; or with your expertise, would we be able to just potentially show a menu of things that could help reduce driving? Or do we need to spend the money on a study?

President Babitt said she thinks the study would help us negotiate with AC transit or BART.

Gordon Hansen responded not necessarily. To the first question, we could start with a list of TDM policies that already exist in Berkeley or that we have studied in the past in a parking pilot the city did about 10 years ago. He further stated that there is value to pursuing some external support given we are not always aware of what new programs or policies might be available so there is some research that could be valuable from a consultant.

Director Babitt thanked Gordon for feedback and asked if anyone else had anything pertinent to the solutions that we are moving towards that they would like to add before we adjourn.

Councilmember Hahn asked if we should take some action for the City team to work with the BUSD team to put an item together, a discussion item to bring before the city council so that the city council can engage in a preliminary discussion of how the city can participate in solving this problem.

#### Approval of Motion for City Team to Prepare Discussion Item for City Council

Councilmember Hahn moved for a Motion to request that the City team prepare a discussion item for City Council to begin exploring the City's options to help solve the parking garage question.

The motion was seconded and passed

Director Calise asked if there was a timeline. He further advised that per the Board's direction, they are completing the CEQA and it is almost ready to publish. He further indicated that they are supposed to be writing and releasing the RFP for the design build of the garage project in July. He again asked if he can ask for a timeline, so he understands the direction to look for from the Board as to whether or not to postpone, pause, etc.

Director Babitt asked if there is a difference between pause and terminating.

Director Calise responded there is. But what he is asking is, does the 2x2 have a timeline to work with the City or when would this action or discussion be brought to the City?

Councilmember Hahn responded that it is about putting the item together which includes a little bit of background of everything Gordon laid out about our existing rules and explain what it would take to work around them and maybe some pros and cons of the different workarounds.

Director Calise advised that he can make July work and that it is helpful to understand from a planning perspective when we would begin. If we can do it in July, I think it's helpful cause it informs their work and what needed from team.

Councilmember Hahn advised that she is not prepared to give a timeline due to it not yet being an action item. She suggested that by the end of September, she hoped to have had a discussion and an indication of the general direction that council would like to move in.

Director Babitt advised that her concern is money continuing to be spent on this \$27 million parking garage.

Director Calise responded we are but not continuing. The EIR and the bridging documents contracts are already in play and in the finalization stage. The dollars have been encumbered and expensed for that. For those particular contracts, is why he asked if there was a timeframe so not to put staff time and dollars or any public dollars, as far as bond dollars into moving this project to the next phase, until we understand. To not encumber or expense more dollars on this project, he'll need to update the Board. He further stated if this is where we are with project, they are pressing pause since the 2x2 has indicated is a willingness to partner and that it will go before city council for a conversation.

Deputy City Manager Cardwell advised that she will have internal meetings and then update on timing.

President Babitt thanked everyone and advised the next meeting is scheduled for June 16<sup>th</sup> and advised if any other meeting dates had been finalized.

Deputy City Manager Cardwell advised that Jessica and Ramonda are working on getting those on calendars and double checking that it works for everybody's schedule.

Next Meeting

June 16, 2023 from 1:00pm – 2:30 pm

Adjournment

Meeting adjourned at 12:23 pm



Office of the City Manager

**Notes - 2x2 Committee Meeting  
June 16, 2023**

**Called to Order**

Meeting commenced at 1:03 pm

**Approval of Meeting Agenda for June 16, 2023**

President Laura Babitt moved to approve agenda for meeting. The motion was seconded, and passed.

**Present**

Ana Vasudeo, BUSD Board Vice President; Councilmember Sophie Hahn, City of Berkeley and Laura Babitt, BUSD Board President were present at commencement of meeting.  
Councilmember Terry Taplin arrived at 1:12 pm

**Approval of Minutes for May 17, 2023**

President Laura Babitt moved to approve minutes of May 17, 2023 meeting. The motion was seconded, and passed.

**Public Comment**

Jeff Jue made comments regarding appreciation of work relating to teacher parking issue; as well as BHS students looking forward to getting tennis courts back at BHS.

Peter Wright echoed Coach Jue's comments about tennis courts, as well as commented regarding being encouraged by bond measure that passed with tennis courts and parking.

Ray Yep commented regarding need for tennis courts to return to Berkeley High and offered support and assistance for same.

Cordell Hindler invited 2x2 Committee members to Contra Costa Mayor's Conference on July 6<sup>th</sup> hosted by the town of Moraga.

Martha Cain commented regarding zero waste and discussion of reusable dishes in some BUSD cafeterias. Applauded the effort to get it launched in 23/24.

### **Discussion Item – 5.1 BUSD Presentation on Zero Waste Efforts**

Superintendent Ford-Morthel presented on BUSD's Zero Waste Efforts. The presentation included Reusable Foodware Pilot Project which included challenges/barriers and where additional support is needed. BUSD would like City's input around the implementation of the single use ordinance. Sofia Peltz and Stephen Collins of BUSD presented slides for discussion item.

### **Questions and Answers following Discussion Item 5.1 Presentation**

Councilmember Hahn stated excitement that efforts are in pilot mode. She also talked about advocacy at schools and districts for these types of programs and the work that Deborah Moore did on the Green Schools initiatives in hopes to get schools to go to reusables, recycle and other changes for zero waste. BUSD is the only one that Moore was never able to get to move forward. Zero waste has been a longstanding goal of the community.

Councilmember Hahn talked about a couple of ideas:

- Using the City's compostable list. Solution is reusables, any disposables are not a good solution
- Services that service corporate dining rooms like Google and contract with them to pick up/wash dishes
- Hotels and restaurants in Berkeley; kitchens are closed at night; dishwashing capacity in Berkeley that could be available.
- Labor – there are programs in Berkeley to partner with to provide entry level jobs and job training opportunities. The City has formerly homeless individuals who are ambassadors downtown.
- Motivated parents that are willing to volunteer.

Councilmember Taplin commended the District and recognized the work being done.

Director Vasudeo expressed thanks for updates. Further comments regarding the current use of a dishwasher at Cragmont, the Green team and use of reusable cutlery at the school.

Director Vasudeo requested more information regarding which campuses do not have a dishwasher, more specifics around cost and what it would take to make sure this is available to all our campuses or what a shared model could look like and, on the labor side, staffing numbers. Expressed curiosity of how a homeless ambassador program would work, as mentioned by Councilmember Hahn, from an equity perspective.

President Babbitt stated excitement to take it to next level and expressed confidence that it can be done. She expressed need to understand the cost benefit analysis of the services available to District to contract work out. Acknowledged significant challenges with hiring staff to do this type of work and we also the added layer of being on the school campus and clearances needed. Further suggested that the District partner with Cal Berkeley or Berkeley City Community College and find out how they are washing their dishes. Also, looking into how BHS can be a spot for Vessel, as mentioned by a student at Climate Fair.

President Babbitt asked what was the plan for the next school year 23/24.

Stephen Collins advised that a plan was not currently in place.

Superintendent Ford-Morthel stated this meeting was one of the things to get a plan in place. The challenges are getting people, facilities having dishwashers and funding. Would like to work with executive team, work on a plan and discuss further at next 2x2 meeting.

President Babbitt summarized that the District will come back with a plan and agreement for a target date of 24/25 school year, which also meets BUSD sustainability plan goals. Babbitt asked to understand what is involved in a pilot program of washing dishes?

Stephen Collins responded that it is having the people to wash the dishes. Money is needed to fill the positions.

Councilmember Hahn suggested having as part of the plan -- recruitment and retention for this classification and look at you whether increasing pay, different working conditions, bonuses, referring friends.

Councilmember Taplin asked if a union gets brought into the project, who do they bargain with.

Stephen Collins responded staff is unionized. The partner organization called the Merit Commission controls all of the recruiting.

President Babitt summarized that staffing is the current challenge. Would also like to understand costs, possibly partnering with Cal Berkeley or Berkeley Community College or bigger entities.

### **Prioritize Future Agenda Items**

President Babitt mentioned continuing the conversation around the parking structure and the permits.

Director Vasudeo mentioned Bright Streets and that there are specific requests from district principals around public works projects at the school sites. Would like to know if there are public works requests that district needs to collaborate on. There are also pending safe routes to school safety assessments and need collaboration with planning staff at the city to implement some of the recommendations.

President Babbitt commented about needing updates around the 2020 vision (YEP) and how those funds are being allocated. RFP needed, Grants. Collaborate more with being able to expand things that are working and just simplifying that process in general.

Anne Cardwell advised that Dr. Lisa Warhuus (Director of HHCS) requested that YEP be a standing item on agenda.

Councilmember Hahn commented about Bright Streets and asked regarding status of work from Public Works.

Summary of agenda topics

- Zero Waste
- Bright Streets
- 2020 Vision/YEP
- Transportation - Safety
- Parking Structure and Permits

### **Next Meeting**

September 8, 2023 from 10:30 am – 12:00 pm

Meeting adjourned at 2:01pm.





ACTION CALENDAR  
January 16, 2023

To: Honorable Mayor and Members of the City Council

From: Councilmember Rigel Robinson (Author), Councilmember Ben Bartlett (Co-Author,) Councilmember Terry Taplin (Co-Author)

Subject: Referral: Neighborhood-Scale Commercial

RECOMMENDATION

Refer to the City Manager and Planning Commission to consider and develop policies to permit neighborhood-scale retail uses in residential zones to increase economic opportunity, vitality, and walkability in Berkeley neighborhoods. Changes may include zoning alterations or modifications to use permit requirements.

In order to inform any potential policy changes, staff should conduct analysis and outreach to understand the market demand for neighborhood-scale commercial uses and consider best practices from other municipalities.

Staff and the Planning Commission should consider conditions and development of performance standards to avoid detrimental impacts on surrounding residential uses and neighborhoods, including but not limited to limitations on noise, odors, smoke, waste generation, operating hours, signage, loading/unloading activity, setbacks, tenant protections, limitations on selling alcohol for on-site consumption, considerations for ADA compliance, restricting applicants to businesses with fewer than three locations, and establishing different permitting requirements depending on square footage, proposed use, or other factors.

POLICY COMMITTEE RECOMMENDATION

On December 4, 2023, the Land Use, Housing, & Economic Development Committee adopted the following action: M/S/C (Robinson/Harrison) to send the item as revised to the City Council with a positive recommendation. Vote: All Ayes.

This proposal was discussed at the November 6th and December 4th meetings of the Land Use, Housing, & Economic Development committee. At the December 4th meeting of the policy committee, the proposal was advanced as amended with a positive recommendation: M/S/C (Robinson/Harrison)

Vote: Ayes – Robinson, Harrison, Humbert; Noes – None; Abstain – None.

BACKGROUND

Small, locally owned businesses are an integral part of the City of Berkeley, contributing to its lively, eclectic atmosphere and its economic development. As the city has evolved, so too has the environment for small businesses. Across Berkeley's residential

neighborhoods, there are sites, often on corners and at intersections in neighborhoods, that once hosted commercial activities on parcels where such commercial activities would no longer be legal. While some remain, many have been converted into residences.

Starting a small business can be rewarding, but there are barriers to entry for aspiring business owners who do not have the capital to start their own businesses in our current environment. Opening a small business can require heavy upfront costs and risks — especially given the cost of renting and furnishing a traditional commercial space. Small business owners often face significant risks when starting their businesses, as they may need to rely on personal savings or loans, or even use their homes as collateral to cover the upfront costs of starting a business.

Changes to allow neighborhood-scale commercial uses in residential zones would enable Berkeley residents to create new and more affordable commercial spaces, increasing economic diversity, walkability, and neighborhood vitality. Allowing residents to create new spaces for micro businesses within residential spaces like garages will allow more people to contribute to the economic growth and diversity of the City and create opportunities for businesses that would otherwise be economically infeasible in traditional commercial spaces.

This referral contemplates exploring zoning changes that would enable property owners to reactivate formerly commercial spaces in neighborhoods for active commercial uses or to enable new neighborhood-scale commercial uses in residential areas. Nothing in this referral shall be interpreted to pre-determine the level of permitting necessary for any proposed improvements or for any particular use type.

Put simply, this referral seeks to *legalize neighborhood corner stores*, and similar gentle commercial uses.

### ***One Potential Framework: “Accessory Commercial Units”***

In some localities where these sorts of reforms to legalize neighborhood-scale commercial uses have been explored, advocates and policymakers have proposed the development of “Accessory Commercial Units,” or ACUs. ACUs are likened to the business equivalent of Accessory Dwelling Units (ADUs) and are commercial spaces on residential property for a small business.<sup>1</sup>

The City of Raleigh, North Carolina recently legalized ACUs. The City approved a zoning change in 2022 to allow residents who live in neighborhoods currently zoned exclusively for residential uses to start a business on their property. The zoning change makes it so residents no longer have to first go to the Board of Adjustment (the equivalent of our Zoning Adjustments Board) to obtain a special use permit to create an ACU and instead require a city staff-issued permit as long as the guidelines are met.

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<sup>1</sup>Scott Beyer, “The Case for More Backyard Bodegas and Sidewalk Salons,” *Governing*, March 9, 2022, <https://www.governing.com/community/the-case-for-more-backyard-bodegas-and-sidewalk-salons>.

Such guidelines are constraints on the type of business, operating hours, and square footage, among others. Examples of approved ACUs in Raleigh are hair salons, music studios, health clubs, eating establishments, and more.<sup>2</sup> The city council cited climate-related goals and reducing car-dependency as a primary motivation for approving these changes to make it easier for property owners to open a small business in their home.<sup>3</sup>

Similarly, ACUs are permitted in Pomona, California under its proposed new zoning ordinance, which provides guidelines for owners of single-family homes to convert their garages into ACUs.<sup>4</sup> The ordinance provides constraints on the type of business, noise and odors, and who can operate it; only owners of the residential property may operate an ACU on their property. This approach has some drawbacks, however, as it limits potential occupants substantially and may reduce the total number of ACUs built. Nonetheless, legalizing ACUs will make neighborhoods more sustainable and vibrant in Pomona and represents a huge step forward.

Advocates from Portland, Oregon are leading the way in trying to re-introduce retail into residential neighborhoods. Specifically, the advocacy group Portland: Neighbors Welcome in the City of Portland, Oregon is seeking to legalize corner stores (ACUs) citywide.<sup>5</sup>

In developing policy options to permit neighborhood-scale commercial uses in residential zones, staff should consider the benefits and drawbacks of practices in other jurisdictions, such as creating a pathway for permitting neighborhood commercial uses as “accessory commercial units.”

### CURRENT SITUATION AND ITS EFFECTS

As commercial rents in the City of Berkeley increase, it becomes more and more difficult for small business owners to pay for their commercial spaces. Increasingly, businesses that can afford to do business here will be more likely to be corporate chains, crowding out small businesses.

Making it easier to use residential spaces for non-disruptive, neighborhood-scale commercial uses would create new opportunities to generate intergenerational wealth for people of color, addressing systemic wealth inequities. In the Bay Area, only 29% of businesses are owned by people of color.<sup>6</sup> Small businesses in the Bay Area have struggled during the COVID-19 pandemic, especially POC-owned small businesses. The impacts of the pandemic have helped spotlight the systemic racism and wealth

<sup>2</sup> Anna Johnson, “Raleigh Could Allow Small Businesses Back into Neighborhoods. How to Weigh In,” Raleigh News & Observer, November 12, 2021, <https://www.newsobserver.com/news/local/counties/wake-county/article255732896.html>.

<sup>3</sup> Anna Johnson, “Raleigh City Council Makes It Easier to Bring Some Businesses into Neighborhoods,” Raleigh News & Observer, June 9, 2022, <https://www.newsobserver.com/news/local/counties/wake-county/article262258662.html>.

<sup>4</sup> “City of Pomona Zoning and Development Code Draft,” July 24, 2023, <https://www.pomonaca.gov/home/showpublisheddocument/5714/638260497917530000>.

<sup>5</sup> “Inner Eastside for All,” Portland: Neighbors Welcome, accessed November 30, 2023, <https://portlandneighborswelcome.org/inner-eastside-for-all>.

<sup>6</sup> PR Newswire, “People of Color Small Businesses More Vulnerable to COVID-19 Impacts Due to Historic, Ongoing Systemic Inequities,” January 27, 2022, <https://www.prnewswire.com/news-releases/people-of-color-small-businesses-more-vulnerable-to-covid-19-impacts-due-to-historic-ongoing-systemic-inequities-301468964.html>.

inequality in the region. We can help address this through policy reforms that create economic opportunity for those who have been left behind by the market.

The new work-from-home reality presents an opportunity for neighborhood-scale commercial spaces to thrive. Many Berkeley residents remain in their homes throughout much of the week, working from home. 35 percent of Bay Area residents still work from home, one of the highest rates in the country.<sup>7</sup> Residents should be given the option to be able to walk to a neighborhood grocery to buy a few ingredients for lunch or to walk to a neighborhood coffee shop to work in a distraction-free environment for the afternoon. These objectives can be achieved in a way that complements, not detracts from, neighborhood character.

Berkeley's neighborhoods supported neighborhood commercial units in the past—and they still support a select few grandfathered units that still remain, such as the neighborhood retail space shown below. As Berkeley's neighborhoods densify and more people continue working from home, the demand for nearby walkable access to groceries, coffee shops, daycares, bike repair shops, and other amenities will only continue to grow.



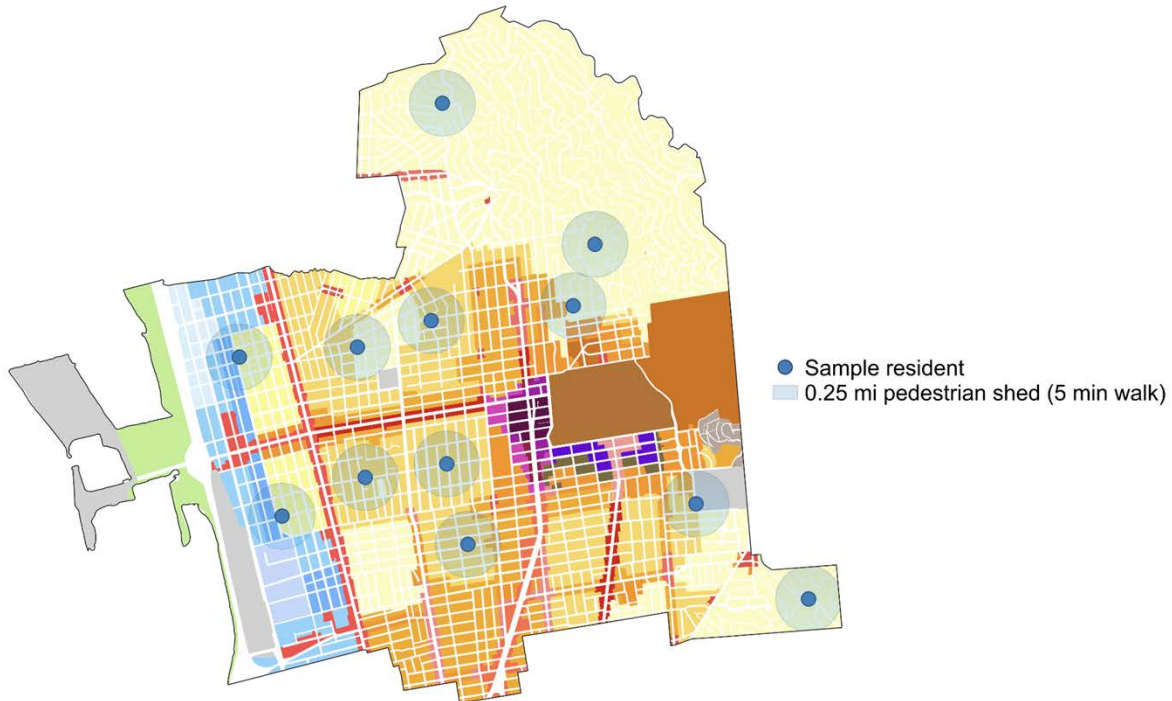
*Many grandfathered neighborhood commercial spaces, like this one at Bancroft Way and Roosevelt Avenue, already thrive in Berkeley's neighborhoods and harness the City's historic resources to increase livability and economic opportunity. (Photo: Sam Greenberg)*

Previously, there were numerous corner storefronts throughout residential neighborhoods in Berkeley that made it easier for many residents to get their needs met by walking rather than driving. But rezonings over the years changed the zoning of many neighborhood parcels that previously permitted small retail, prohibiting commercial activity. While existing shops were grandfathered in, many have since been converted to residential units; when storefronts closed, many building owners converted them into apartments. Once these commercial units were converted into apartments, they lost their grandfathered status, and it has become impossible for them to be converted back to commercial uses.

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<sup>7</sup>"The Number of People Primarily Working From Home Tripled Between 2019 and 2021," US Census Bureau, September 15, 2022, <https://www.census.gov/newsroom/press-releases/2022/people-working-from-home.html>.

Reactivating previous neighborhood commercial units and creating opportunities for new ones would harness Berkeley's historical resources to increase livability for residents. These resources include our walkable urban fabric and residential buildings that previously included commercial spaces. Berkeley has a relatively dense and walkable street grid with an abundance of residential lots that used to accommodate commercial activity. Neighborhood commercial units would blend right into their neighborhoods and harness our historical resources, not compromise them. And notably — there may be meaningful grant opportunities available to proposals that seek to renovate and revive historic properties and reintroduce previously existing uses.



*Map demonstrating how little access many Berkeley residents have to commercial zones within easy walking distance. Each dot represents a sample resident who does not live within a 5 minute walking distance of a commercial-zoned parcel. Each shaded blue circle represents their “pedestrian shed” – or the area that is walkable within 5 minutes at an average walking pace. (Map: Sam Greenberg)*

For residents who currently live in neighborhoods without walkable access to groceries and other amenities, neighborhood-scale commercial uses can make it possible and safer for residents to meet daily needs without walking across a major arterial or relying on vehicle access. And further, there may be placemaking and livability benefits to enabling neighborhood-scale commercial uses particularly around city parks.

Beyond increasing the accessibility of shops to local residents, neighborhood commercial units would create new gathering spaces for neighbors. Many Berkeley neighborhoods—especially those in lower income areas including South and West Berkeley—have very few parks. Cafes and similar establishments serve as “third spaces,” or places outside of home or work for friends, colleagues, and acquaintances to meet. They add vibrance to neighborhoods and bring pedestrian activity during the

day. Increased pedestrian foot traffic and street lighting<sup>8</sup> from neighborhood retail can improve public safety<sup>9</sup> and health outcomes.<sup>10</sup>

### REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES, AND LAWS

Under existing law, residents may set up a “home occupation” (HO) registered to their home address. There are three different classes of HOs – each with different intensities of use and different permitting requirements. Some HOs can be set up with a Zoning Certificate or AUP, while others require a public hearing.<sup>11</sup> In 2021, HO regulations were amended to allow HOs as an incidental use within a Dwelling Unit, Accessory Dwelling Unit, Accessory Building, or Group Living Accommodation room.<sup>12</sup> However, the relatively strict requirements on HOs prevent them from enabling the sorts of vibrant neighborhood-scale commercial uses like cafes that this referral seeks to address.

Additional policy changes could build on successful COVID-era policies to allow residents the freedom to run businesses from their homes without disrupting the surrounding neighborhood. While existing law does create some narrow opportunities for residents to run businesses out of their homes, it is too restrictive to allow for the light retail and cafe uses that this item proposes, and which previously have existed in Berkeley’s neighborhoods.

Berkeley already permits general retail in some residential districts — R-4, R-5, R-S, and R-SMU — with a public hearing,<sup>13</sup> and some general retail is permitted with an AUP in the MU-R district.<sup>14</sup> However, the general retail uses permitted in MU-R and MU-LI districts are arbitrarily narrow and do not fully achieve the goals of this legislation. In both districts, general retail uses permitted with an AUP are food product stores and building materials and garden supply stores. Arbitrarily, arts and crafts supplies stores are also permitted in the MU-R zone, but not MU-LI. In other words, existing law permits general retail in some narrow cases but is too restrictive to allow for the economic opportunity and neighborhood benefits provided by broader adoption of commercial uses in residential zones.

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<sup>8</sup> Park, Y. & Garcia, M. (2020) Pedestrian safety perception and urban street settings, *International Journal of Sustainable Transportation*, 14:11, 860-871, DOI: [10.1080/15568318.2019.1641577](https://doi.org/10.1080/15568318.2019.1641577)

<sup>9</sup> Rosenthal, S. & Urrego, J. (2021). Eyes on the street, spatial concentration of retail activity and crime. Working Paper. Syracuse University.

<sup>10</sup> Zandieh, R., et al. (2016). Older Adults’ Outdoor Walking: Inequalities in Neighbourhood Safety, Pedestrian Infrastructure and Aesthetics. *International Journal of Environmental Research and Public Health*. 13(12):1179. <https://doi.org/10.3390/>

<sup>11</sup> “Home Occupations Frequently Asked Questions” (City of Berkeley, March 2021), [https://berkeleyca.gov/sites/default/files/2022-02/HO\\_FAQ\\_Process\\_Flow\\_Charts\\_PDF\\_Procedures.pdf](https://berkeleyca.gov/sites/default/files/2022-02/HO_FAQ_Process_Flow_Charts_PDF_Procedures.pdf).

<sup>12</sup> Home Occupations Ordinance (City of Berkeley, 2021), <https://records.cityofberkeley.info/PublicAccess/api/Document/AVnK5eEpL2LZwSwhrcJ9IO29fFzYa%C3%89GoZdF08nKHTgetchzTofux68m%C3%81k3PHD4iWqhedYtbclWv7lv4PKfR6GaU%3D/>.

<sup>13</sup> “Title 23 Div. 2, Zoning Districts Ch. 23.202, Residential Districts” (City of Berkeley, n.d.), <https://berkeley.municipal.codes/BMC/23.202.040>.

<sup>14</sup> “Title 23 Div. 2, Zoning Districts Ch. 23.206, Manufacturing Districts” (City of Berkeley, n.d.), <https://berkeley.municipal.codes/BMC/23.206.090>.

Outreach and analysis to inform any zoning changes to permit neighborhood-scale retail uses ought to include studying the market demand for new neighborhood-scale commercial units. This could include surveying small business owners of current commercial uses in neighborhoods to understand their needs and surveying participants of the home occupations program. One can theorize that some residents may have been interested in the home occupations program, but did not follow through with becoming permitted if they decided that their dream business was beyond the scope of the existing HO process.

### FISCAL IMPACTS

Costs include staff time for outreach, analysis, and implementation. Staff and the Planning Commission should consider whether an Environmental Impact Report (EIR) must be conducted to effectuate any associated zoning changes. If so, costs would include any environmental review.

Implementation of neighborhood-scale commercial zoning reforms could increase sales taxes and permit revenue.

### ENVIRONMENTAL SUSTAINABILITY

By providing access for more commercial amenities within walking distance from residents, many vehicle trips can be eliminated. Having more walkable communities contributes to encouraging people to prefer alternative forms of transportation that do not involve an automobile, reducing greenhouse gas emissions. And further, small businesses are more likely than large corporations to be motivated to maintain environmental sustainability.<sup>15</sup>

### CONTACT PERSON

|                              |              |
|------------------------------|--------------|
| Councilmember Rigel Robinson | 510-981-7170 |
| Councilmember Ben Bartlett   | 510-981-7130 |
| Councilmember Terry Taplin   | 510-981-7120 |

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<sup>15</sup> Corporations Boast, But Small Businesses Are Key To Cleaner Environment - Global Trade Magazine. <https://www.globaltrademag.com/corporations-boast-but-small-businesses-are-key-to-cleaner-environment/>. Accessed 15 Feb. 2023.







Kate Harrison  
Councilmember, District 4

ACTION CALENDAR

January 16, 2024

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison

Subject: Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit

RECOMMENDATION

Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit.

POLICY COMMITTEE RECOMMENDATION

On November 13, 2023, the Health, Life Enrichment, Equity, and Community Committee adopted the following action: M/S/C (Hahn/Humbert) to send the item to Council with a qualified positive recommendation to approve the Ordinance with substantial edits and as may be necessary for legal and administrative purposes. Vote: All Ayes.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

Golden Gate Fields is one of the last remaining tracks in the Bay Area and has wide-reaching economic and institutional power. Unfortunately, Golden Gate Fields (GGF), spanning both Berkeley and Albany, remains a disturbing display of sanctioned animal abuse in our City. So far in 2023 alone, 16 horses have died at its facility.<sup>1</sup> The horses at GGF have succumbed to a range of causes of death including broken legs, abdominal issues, head injuries, sepsis, and neurological problems. Many fatalities in the horseracing industry are euthanizations after horses suffer non-fatal injuries, cutting their lives unnaturally short. When CBS Bay Area reported on the most recent horse death at GGF in May of this year it cited the fact that “domesticated horses live into their 30s, but the average age of active racehorses is [only] three to five years old”.<sup>2</sup> Some

<sup>1</sup> This is a 100% increase since this ordinance was introduced in June of 2023.

<sup>2</sup> Bay City News Service. “Injured Horse Euthanized at Golden Gate Fields; 8th Horse to Die at Track in 2023.” *CBS News*, 22 May 2023, [www.cbsnews.com/sanfrancisco/news/injured-horse-euthanized-at-golden-gate-fields-8th-horse-to-die-at-track-in-2023/](http://www.cbsnews.com/sanfrancisco/news/injured-horse-euthanized-at-golden-gate-fields-8th-horse-to-die-at-track-in-2023/).

data, however, shows that domesticated horses can live until their mid 40s if they have access to healthy living conditions.<sup>3</sup>

As horse deaths continue to rise at the horse racing tracks within City limits, it is overdue that the community ensure the well-being and safety of racehorses. Half of Golden Gate Fields deaths happen on the Berkeley side of the facilities. As a charter city, Berkeley has the authority to establish regulations and the jurisdiction to protect and promote the public health, safety and welfare by establishing safeguards for horses as long as they do not conflict with or duplicate state and federal law. It is in the public interest to adopt an ordinance prohibiting inhumane or abusive treatment of horses held, owned, used, exhibited or otherwise kept for sport, entertainment or profit within the City limits.

### BACKGROUND

In just the last three months, two nationally recognized racetracks have shut down because of the increasing number of horse deaths at their tracks. Churchill Downs, home to the Kentucky Derby, is suspending racing at its primary location following an investigation by the Kentucky Horse Racing Commission<sup>4</sup> after twelve horses died in two months. Just one month before Churchill Downs halted racing, a trainer was barred from participating in any further events at Churchill Downs or related tracks after two of his horses suddenly collapsed. At GGF, three horses have died under the same trainer this year, but Golden Gate Fields remains business as usual.

Baltimore's Laurel Racetrack also suspended horse racing indefinitely. In 2023, 13 horses died at Laurel Racetrack in 2023 and the two most recent euthanizations occurred after racing injuries.

Of the physical problems that lead to regular stable deaths, the three most common causes are (1) colic, (2) laminitis, and (3) pleuropneumonia, all of which are worsened by excessive confinement. According to Dr. Nathaniel White, Professor of Surgery at Marion DuPont Scott Equine Medical Center, one of the three primary situations that present a higher-than-normal risk factor for colic in horses is being confined to a stall for more than 12 hours per day.<sup>5</sup> VCA Veterinary Hospitals reports that "severe colic pain can cause a horse to roll and throw itself about in an uncontrolled and dangerous manner."<sup>6</sup> In extreme cases, the confined horse can violently lunge its body or head into

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<sup>3</sup> University of California, Davis. "Humane Disposition of Horse Carcasses." Center for Equine Health, [https://ceh.vetmed.ucdavis.edu/sites/g/files/dgvnsk4536/files/local\\_resources/pdfs/pubs-HR24-3-bkm-sec.pdf](https://ceh.vetmed.ucdavis.edu/sites/g/files/dgvnsk4536/files/local_resources/pdfs/pubs-HR24-3-bkm-sec.pdf).

<sup>4</sup> Fuente, Homero De la, and Zoe Sottile. "Churchill Downs to Suspend All Racing Operations to Further Evaluate Safety Measures amid Increase in Horse Deaths." *CNN*, 2 June 2023, [www.cnn.com/2023/06/02/sport/churchill-downs-suspension-horse-deaths/index.html](http://www.cnn.com/2023/06/02/sport/churchill-downs-suspension-horse-deaths/index.html).

<sup>5</sup> Dr. Nathaniel A. White II DVM, MS. "Prevalence, Demographics, and Risk Factors for Colic." *Presented at: AAPE Focus on Colic, Quebec City, Quebec, 2005*.

<sup>6</sup> *Colic in Horses*, [vcahospitals.com/know-your-pet/colic-in-horses](http://vcahospitals.com/know-your-pet/colic-in-horses). Accessed 20 June 2023. See also, Jennifer Rice, DVM. "Colic in Horses." *PetMD*, 27 Apr. 2022, [www.petmd.com/horse/conditions/digestive/c\\_hr\\_equine\\_colic](http://www.petmd.com/horse/conditions/digestive/c_hr_equine_colic).

a wall or other solid object...the horse might also ‘throw itself’ to the ground.”<sup>7</sup> Horses likely will incur serious self-injury during these explosive episodes, leading to the severe injury and blunt force trauma that cause many of the stable deaths.

In contrast, providing a turnout in which a horse can graze helps reduce the chance of colic, reduces stress and stable vices/behavioral issues, and reduces the chance of respiratory system illness among other benefits.<sup>8</sup>

Beyond the severe physical problems that stabling causes, are the severe psychological problems. When a horse's special, dietary, and social needs are thwarted, so-called stereotypies, or repetitive behaviors that do not have an apparent goal or function, occur. In horses, the classic stereotypies are including cribbing, wind-sucking, bobbing, weaving, pacing, stall-circling, digging, kicking, bucking, spinning, headshaking, or self-mutilation.<sup>9</sup> Through these repetitive activities, endorphins are released which reinforce the behavior as a habit. These are the same symptoms of deep psychological distress commonly seen in other animals in captivity, such as circus elephants and bears.

According to Dr. Nicholas Dodman, Animal Behaviorist and Professor Emeritus at Tufts University:

"[t]he longer horses are confined per day the more stall vices/stereotypies they will exhibit. Racehorses are the prime example of that with long periods of confinement (up to 23 hours per day), so they exhibit an unusually high prevalence of stereotypies. The suffering can be described by referencing the suffering of people in solitary confinement. A recently released man who had spent years in solitary said he sometimes felt anxiety, paranoia, panic, hallucinations etc. The only way he could help suppress the dysphoria was to walk back and forth in his cell until the line he walked was soaked in his sweat. That's what equine stall walkers do - walk endlessly in circles (or in the case of weavers, walk to and fro)."<sup>10</sup>

Confining a 1200-pound animal to a 12x12 stall is akin to confining an elephant to a box car or a killer whale to a swimming pool. Equine veterinarian, Dr. Kraig Kulikowski, compared this to locking a child in a 4x4 closet for 23 hours a day, abuse punishable by law.<sup>11</sup> The United Nations deems solitary confinement as “cruel and unusual punishment.” Prison reserves solitary confinement for the most violent criminal as the worst punishment.

Our office has edited the ordinance to be in accordance with the recommended edits from the November 13 HLEEC Committee Meeting.

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<sup>7</sup> *Id.*

<sup>8</sup> “Turnout Areas.” *All Horse Care*, [allhorsecare.weebly.com/turnout-areas.html](http://allhorsecare.weebly.com/turnout-areas.html). Accessed 20 June 2023.

<sup>9</sup> Fernanda C. Camargo. *University of Kentucky College of Agriculture, Stereotypic Behavior In ...*, [www2.ca.uky.edu/agcomm/pubs/ASC/ASC212/ASC212.pdf](http://www2.ca.uky.edu/agcomm/pubs/ASC/ASC212/ASC212.pdf). Accessed 20 June 2023.

<sup>10</sup> Sue McDonnell. *Equine Self-Mutilation*, 28 Feb. 2019, [thehorse.com/16597/equine-self-mutilation/](http://thehorse.com/16597/equine-self-mutilation/).

<sup>11</sup> Battuello, Patrick. “Equine Vet: ‘What Impact Would 23 1/2 Hours of Standing in a Closet Have on the Mental Health of a Child?’” *Horseracing Wrongs*, 6 Aug. 2019, [horseracingwrongs.org/2019/08/06/equine-vet-what-impact-would-23-1-2-hours-of-standing-in-a-closet-have-on-the-mental-health-of-a-child/](http://horseracingwrongs.org/2019/08/06/equine-vet-what-impact-would-23-1-2-hours-of-standing-in-a-closet-have-on-the-mental-health-of-a-child/).

- Changed the term racehorse to horse to encompass a wider breadth of animals
- Included a definitions section to specify the meanings of: “Full turnout,” “Horse,” and “Overwork”
- Included all grammar revisions
- Deleted the felony stipulation under the “Penalties” section
- Changed the enforcement role of the City Manager to only be responsible for enforcing provisions under section 12.75.030 C
- Deleted the language around regulating all animal abuse to protect from state and federal preemption and duplication.
- Deleted “mental and physical abuse” to just say, “abuse”
- To ensure the penalties do not unjustly do legal harm to low-wage workers, who may also be subject to unhealthy work and housing conditions. The Ordinance penalizes the owner of the horse and/or the facility where the violation occurred, not the stable-hands, jockeys, or trainers.

### **Ordinance Overview**

This proposed ordinance:

1. Makes it illegal to confine a horse to a stable for more than 10 hours per day and;
2. Requires every horse access to a full turnout with access to a minimum of 1,000 square feet of pasture, where the horse can freely roam, unrestricted and untethered.
3. Prohibits manual, electrical, mechanical, or other devices, implements, instruments or any method or modality that can cause injury, pain, suffering, overwork, and death, except as otherwise authorized by state or federal law.

This legislation is designed to govern only those areas not already directly covered by State and Federal laws. It specifically focuses on a limited set of conditions to supplement the existing regulatory framework.

Enforcement of the ordinance would be carried out by City officials, including police officers and the City’s Animal control officers. The City Attorney is also empowered to conduct inquiries or investigate complaints of violations of this Ordinance, and may seek injunctive relief in the courts or otherwise. Private parties may bring a private action for injunctive relief, penalties, or both, to prevent or remedy a violation of this Ordinance after the prospective plaintiff has (1) provided the City and the prospective defendant at least 30 days prior written notice of the alleged violation; and (2) the City has failed to initiate enforcement proceedings, or after initiation, has failed to diligently prosecute. In any action prosecuted under this Ordinance a court may award attorney’s fees to a prevailing party.

### **FISCAL IMPACTS OF RECOMMENDATION**

Staff time will be necessary for implementation and enforcement.

Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment, or Profit

ACTION CALENDAR  
January 16, 2024

### ENVIRONMENTAL SUSTAINABILITY

Horse breeding is extremely resource (including food, water, and medicine) and environmentally intensive. The senseless waste of precious animal life currently associated with horse racing also results in needless waste of limited and precious environmental resources.

### CONTACT PERSON

Councilmember Kate Harrison, (510) 981-7140

### ATTACHMENTS

1. Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit

ORDINANCE NO. –N.S.

ADDING CHAPTER 12.75 TO THE BERKELEY MUNICIPAL CODE  
TO ESTABLISH PROTECTIONS RELATING TO HORSES HELD, OWNED, USED,  
EXHIBITED OR OTHERWISE KEPT FOR RACING OR OTHER SPORT,  
ENTERTAINMENT OR PROFIT

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

Section 1. That Chapter 12.75 of the Berkeley Municipal Code is added to read as follows:

**Chapter 12.75**

**HORSE PROTECTION POLICY**

**Sections:**

- 12.75.010 Findings and Purpose**
- 12.75.020 Horse Protection Policy**
- 12.75.030 Enforcement, Private Right of Action**
- 12.75.040 Penalties**
- 12.75.050 Severability**
- 12.75.060 Effective Date**

**12.75.010 Findings and Purpose.**

The Council of the City of Berkeley finds and declares as follows:

A. Article XI, section 7 of the California Constitution recognizes the police power of cities to “make and enforce within [their] limits, all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.”

B. The home rule provision of the California Constitution authorizes a charter city to exercise plenary authority over municipal affairs, free from any constraint imposed by the general law and subject only to constitutional limitations.

C. The City of Berkeley, as a Charter City, has authority to make and enforce all ordinances and regulations in respect to municipal affairs.

D. California provides laws and regulations for the licensing and associated operations of horse racing tracks, which preempt the City’s authority to impose laws and regulations that conflict with such state laws and regulations or intrude into the state’s regulatory scheme.

E. The humane protection and care for horses is a matter of local concern essential to the public health, safety and general welfare of Berkeley residents and is a proper

subject of regulation by the City acting pursuant to its police powers separate and apart from issues of licensing and racetrack operations preempted by the state or federal government. To the extent that state and federal laws and regulations implicate the health and safety of horses, those provisions are limited in scope and overly narrow, necessitating additional safeguards adopted pursuant to the City of Berkeley's police power.

F. According to the American Association of Equine Practitioners, as pasture provides additional health benefits to horses, allowing them to move and exercise and regular pasture turnout should be part of a horse's daily routine.

G. The UC Davis Center for Equine Health indicates that horses should not be "confine[d] ... to a stall unless absolutely necessary for medical reasons." The UC Davis Center for Equine Health defines "Abuse and Cruelty" to include "use of excessive restraint such as tethering or confining movement for long periods of time" and/or "failure to provide adequate feed, water, care or protection."

H. The City of Berkeley desires, within its jurisdiction and authority, to establish regulations that protect health, safety, and welfare by prohibiting abusive treatment of horses held, owned, used, exhibited or otherwise kept for sport, entertainment or profit within its jurisdiction and authority.

I. This Ordinance aims to protect and promote public health, safety and welfare by establishing safeguards, protections and assurances for horses held, owned, used, exhibited or otherwise kept for sport, entertainment or profit within the City's jurisdiction and authority and, to the fullest extent feasible and consistent with federal, state and local law, to prevent and deter infliction of any and all abuse, overwork, and injury and death.

#### **12.75.020 Definitions**

A. "Full turnout" means the practice of giving a horse unfettered access to a dedicated paddock, pasture, or other safe and fully fenced outdoor space in which it can roam freely, graze, and socialize with other horses.

B. "Horse" has the same meaning as in California Code of Regulations Title 4 Part 1420(g), i.e. "horse" means an equine and includes a stallion, gelding, mare, colt, filly or ridgling and includes mule, jack, jenny, ginnet, and hinney.

C. "Overwork" means to push a horse uncomfortably past its physical capacity such that it becomes exhausted, overheated, or otherwise distressed. Indica of overwork can include but are not limited to a strained or slowing gait, a lolling tongue, strained breathing, a slowing pace, decreased responsiveness to aids, and reduced coordination.

#### **12.75.030 Horse Protection Policy**

A. Except as otherwise authorized by state or federal law, it shall be unlawful to use on any horse, manual, electrical, mechanical, or other devices, implements, instruments, or any method or modality that can cause injury, pain, suffering, overwork, and death.

B. It shall be unlawful to confine a horse to a stable for more than 10 hours per day.

C. During the remaining hours of the day, it shall be required to provide every horse with a full turnout with access to a minimum of 1,000 square feet per horse of pasture where the horses can freely roam, unrestricted and untethered. Where a facility houses more than one horse, pasture shall be shared amongst all horses at the facility via one contiguous shared pasture equal to 1,000 square feet or greater per horse.

#### **12.75.040 Enforcement, Private Right of Action**

A. City officials shall have the power and authority to enforce the provisions of 12.75.030 C and perform all duties imposed by, or as reasonably necessary to implement, the provisions of this Section.

B. The City Attorney may conduct inquiries or investigate complaints of violations of this Ordinance. The City Attorney may seek injunctive relief, penalties, or both, or any other type of relief, in the courts or otherwise to enforce the provisions of this Ordinance. In any action prosecuted under this subdivision, the court may award reasonable attorneys' fees to the City.

C. Any resident of the City may bring a private action for injunctive relief, penalties, or both, to prevent or remedy a violation of this Ordinance. No action may be brought under this Subsection C. unless and until the prospective plaintiff has provided the City and the prospective defendant at least 30 days prior written notice of the alleged violation. In any action prosecuted under this subdivision, the court may award reasonable attorneys' fees to any prevailing party.

D. Nothing in this chapter shall be interpreted as authorizing a right of action against the City.

#### **12.75.050 Penalties**

Any violation of this Chapter shall be deemed a violation by the owner of the horse and/or the facility where the violation occurred. Agents or employees of the owner of the horse or the facility where the violation occurred, such as but not limited to stablehands, jockeys, or trainers, shall not be deemed to have violated this Chapter. A violation of this Chapter is a misdemeanor punishable by imprisonment for a period of not less than 30 days and not exceeding six months or a fine of not less than \$1,000 per animal, per violation, per day. Any subsequent violation of this Chapter by the same actor is a misdemeanor punishable by imprisonment for a period of not less than 60



days and not exceeding six months or a fine of not less than \$1,000 per animal, per violation, per day.

### **12.75.060 Severability**

If any section, subsection, paragraph, or word of this Ordinance, or any application thereof to any person or circumstance, either on its face or as applied, is held to be invalid, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences or words of this act, and the applications thereof; and to that end the sections, subsections, paragraphs, sentences, and words of this act shall be deemed to be severable. The City Council of the City of Berkeley hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid without regard to whether any other portion of this Ordinance or application would be subsequently declared invalid.

### **12.75.080 Effective Date**

This Ordinance shall become effective immediately for immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency and is passed by a two-thirds vote of the City Council. Otherwise, this ordinance shall become effective 30-days after its final passage.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 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.





Office of the City Manager

INFORMATION CALENDAR  
January 16, 2024

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Sharon Friedrichsen, Budget Manager  
 Subject: FY 2023 Preliminary Year-End Status

INTRODUCTION

This budget update presents the preliminary Fiscal Year 2023 (FY 2023) Year-End financial status. The FY 2023 Year-End budget summary covers the period starting July 1, 2022, through June 30, 2023 (FY 2023) and is based on unaudited estimated actuals. The information is considered preliminary and subject to change as the citywide financial statements and annual comprehensive financial report are being finalized.

CURRENT SITUATION AND ITS EFFECTS**FY 2023 Year-End Summary**General Fund

On June 28, 2022, the City Council adopted the FY 2023 budget (Adopted Budget)<sup>1</sup>. The FY 2023 adopted General Fund revenues totaled \$258.6 million. The unaudited estimated actual FY 2023 year-end General Fund revenues generated \$275.1 million.

The FY 2023 Adopted Budget included General Fund expenditures totaling \$280.7 million. During the fiscal year, two Adjustments to the Appropriation Ordinance occurred totaling \$27 million, which increased the total FY 2023 General Fund expenditure budget to \$305.6 million<sup>2</sup>. As part of the FY 2023 year-end process, encumbrances, or planned expenditures for services and goods that did not materialize by June 30, 2023, are carried forward to the next fiscal year. This process results in two outcomes: (1) the FY 2023 year-end expenditure budget is adjusted to \$289.1 and (2) the FY 2024 Adopted Budget increases by \$16.8 million. However, due to underspending, the FY 2023 year-end unaudited General Fund expenditures totaled \$258.2 million.

<sup>1</sup> <https://berkeleyca.gov/sites/default/files/documents/2022-06-28%20Item%2044%20Biennial%20Budget%20Adoption.pdf> (Items 44 & 45)

<sup>2</sup> <https://berkeleyca.gov/sites/default/files/documents/2023-05-09%20Item%2003%20Amendment%20%20FY%202023%20Annual.pdf>

Revenues

At FY 2022 year-end, unaudited actual General Fund revenues generated \$275.1 million, or \$16.5 million more than the adopted budget of \$258.6 million.

During FY 2023, General Fund revenue and transfers decreased \$9,377,271 or 3.30%, from \$284,519,452 in FY 2022, to \$275,142,181 in FY 2023. Notable declines were the following:

|                                      |              |
|--------------------------------------|--------------|
| 1. Property Transfer Taxes           | \$20,023,414 |
| 2. Measure P Property Transfer Taxes | 10,391,733   |
| 3. Transfers In                      | 10,508,338   |

- The declines in Property Transfer Taxes and Measure P Property Transfer Taxes were especially troubling because they appeared to be due to a collapse in the real estate market in Berkeley in the third and fourth quarter of FY 2023.
- The decline in Transfers In was due to a decline of \$10,947,306 in transfers from the American Rescue Plan Fund.

Attachment 1 includes a detailed chart on General Fund Revenues and Transfers in FY 2022 compared to FY 2021 to accompany the narrative below.

Expenditures

Unaudited actual FY 2023 General Fund expenditures total \$258.2 million, or \$22.5 million more than the initial adopted budget of \$280.7 million and \$30.9 million less than the adjusted budget of \$289.1 million.

In the end, the General Fund personnel budget finished under budget by only \$606,822. Non-personnel savings totaled approximately \$30.3 million, primarily due to delays in projects. Funding for several ongoing projects was requested to carry into FY 2024 as part of the FY 2024 AAO#1 presented and adopted by Council on December 12, 2023.

The chart below summarizes unaudited expenditures compared to the budget by department.

| Department                           | FY 2023<br>Adopted | FY 2023<br>Adjusted | Year-End<br>Actuals | Balance           | Percent<br>Expended |
|--------------------------------------|--------------------|---------------------|---------------------|-------------------|---------------------|
| Mayor & Council                      | 4,785,155          | 4,912,933           | 3,939,049           | 973,884           | 80%                 |
| Auditor                              | 3,006,058          | 2,905,412           | 2,633,228           | 272,184           | 91%                 |
| Rent Board                           | 550,000            | 670,000             | 568,412             | 101,588           | 85%                 |
| Police Accountability                | 1,120,676          | 1,218,549           | 909,307             | 309,242           | 75%                 |
| City Manager                         | 11,628,466         | 14,075,447          | 13,385,434          | 690,013           | 95%                 |
| City Attorney                        | 4,010,250          | 4,711,297           | 3,701,943           | 1,009,354         | 79%                 |
| City Clerk                           | 2,590,414          | 2,954,492           | 2,550,698           | 403,794           | 86%                 |
| Finance                              | 8,022,118          | 8,354,606           | 7,075,972           | 1,278,634         | 85%                 |
| Human Resources                      | 2,980,172          | 3,447,973           | 2,971,640           | 476,333           | 86%                 |
| Information Technology               | 1,526,760          | 1,398,069           | 882,432             | 515,637           | 63%                 |
| Health, Housing & Community Services | 24,795,803         | 34,976,799          | 28,154,026          | 6,822,773         | 80%                 |
| Parks, Recreation and Waterfront     | 8,879,746          | 9,967,131           | 9,694,847           | 272,284           | 97%                 |
| Planning                             | 3,062,324          | 6,326,119           | 2,924,669           | 3,401,450         | 46%                 |
| Public Works                         | 5,783,759          | 15,302,097          | 7,102,952           | 8,199,145         | 46%                 |
| Police                               | 79,269,594         | 80,248,184          | 84,895,064          | (4,646,880)       | 106%                |
| Fire                                 | 41,626,945         | 41,217,457          | 40,875,362          | 342,095           | 99%                 |
| Non-Departmental                     | 77,033,053         | 56,404,818          | 45,909,230          | 10,495,588        | 81%                 |
| <b>Total</b>                         | <b>280,671,293</b> | <b>289,091,383</b>  | <b>258,174,266</b>  | <b>30,917,117</b> | <b>89%</b>          |

### Significant General Fund Variances

- City Manager's Office (+\$690,013) due to non-personnel savings
- Finance (+\$1,278,634) due to salary savings from vacant positions (\$1,184,494).
- Health, Housing and Community Services (+\$6,822,773) due to staffing vacancies during the year close to \$2.3 million in FY 2023. The remainder was due to unspent non-personnel funds. Some of the non-personnel funds for critical priority projects were carried over to FY 2024 as part of AAO#1.
- Planning (+\$3,401,450) was due to salary savings from vacant positions (\$100,624) and unspent non-personnel funds (\$3,300,825) most of which were project funds carried over to FY 2024 in AAO #1 including \$1.5 million for the Just Transition project.
- Public Works (+\$8,199,145) primarily due to non-personnel and capital project funds not being completely spent in FY 2023. A significant amount of these funds was carried over to FY 2024 as part of the AAO#1 for the following projects:
  - Cameras in Public Right of Way (+\$1,293,889)
  - EV Charging Stations (\$1,450,000)
  - Southside Complete Streets (\$1,000,000)
  - AC-Durant Transit Lane Project (\$330,120)
  - West Berkeley Senior Center Improvements (\$163,306)
  - Traffic Calming (\$153,200)
  - Fire Safety Prevention (\$109,894)

- \$100,000 Dwight Triangle Traffic Circle
- Police (-\$4,646,880) began FY 2023 with a General Fund salary savings deferral target of \$3,738,019, which was deducted at the beginning of the fiscal year. During the year, salary savings from vacant Sworn Police Office positions generated \$2,757,238. However, overtime expenses were almost \$2 million over budget due to maintaining essential public safety service with vacancies. In addition, at the end of FY 2023, Accounting made a correction related to the FY 2023 Police PERS costs that added an additional \$2.7 million in expenditures. In total, the personnel budget finished over budget by \$4.4 million. The Non-Personnel budget finished over budget by \$231,915 with most of the overage due to actuals for internal service charges being higher than the budgeted amounts, especially for fuel and other vehicle costs.
- Fire (\$342,931) is projected to be under budget by \$80,984 in personnel costs. Salaries were over budget by almost \$1.1 million and overtime was over budget by \$1.2 million. Similar to the Police Department, Accounting made a correction for FY 2023 Fire PERS costs that resulted in a reduction of \$2.6 million in expenditures. Other benefits finished over budget by \$236,257. All this combined for the personnel savings of \$80,984. Non-personnel line items finished under budget \$261,948 and resulted in the total savings of \$342,931.
- Non-Departmental (\$10,495,588) was due to savings for Reimagining Public Safety personnel and non-personnel allocations, Tier 1 personnel positions, Tier 1 operations costs, and Council allocations made during AAO #1 not being fully spent in FY 2023. Some of these allocations were carried over to FY 2024 in AAO #1.

### **General Fund Reserve**

The General Fund Reserve is distinctly separate from the General Fund Balance (Excess Equity). On January 24, 2017, the City Council established Resolution No. 67,821 – N.S., a policy for the General Fund Reserves. The General Fund reserves are comprised of two elements: (1) a Stability Reserve and (2) a Catastrophic Reserve:

- The Stability Reserve was established to mitigate the loss of service delivery and financial risks associated with unexpected revenue shortfalls during a single fiscal year or during a prolonged recessionary period. The purpose of the Stability Reserve is to provide fiscal stability in response to unexpected downturns or revenue shortfalls. Fifty-five percent of the General Fund Reserve is allocated to the Stability Reserve.
- The Catastrophic Reserve was established to sustain the General Fund operations in the case of a public emergency such as a natural disaster or other catastrophic event. The Catastrophic Reserve may be used to respond to extreme onetime events, such as earthquakes, fires, floods, civil unrest, and terrorist attacks. The policy was revised to include public health emergencies and

pandemics. Forty-five percent of the General Fund Reserve is allocated to the Catastrophic Reserve.

When the City Council adopted the General Fund Reserve Policy the target level established for the Reserve was set at a minimum of 13.8% of Adopted General Fund Revenues with an Intermediate Goal of a minimum of 16.7% by the end of Fiscal Year 2020, if financially feasible. In addition, the Council adopted a Long-Term Goal of 30% of General Fund revenues, to be achieved within no more than 10 years. The Council demonstrated their commitment to these policy goals by assigning 50% of the General Fund Excess Equity above the first \$1 million to the Stability and Catastrophic Reserves (Reserves). Additional Excess Equity may be allocated to Reserves by a majority vote of the Council.

During the FY 2023 & FY 2024 Biennial Budget process, the Council allocated a pre-funding amount of \$1.5 million in FY 2022 Excess Property Transfer Tax revenues to the reserves plus \$1.5 million from projected FY 2023 & FY 2024 Excess Property Transfer Tax revenues. This funding was in addition to the budgeted baseline amount of \$2.5 million each fiscal year to the reserves.

In June 2022, the Council also revised their fiscal policies and added the following language that 1/3 of any additional revenue earned from investments that is over the annual (fiscal year) baseline of \$6 million is allocated to reserves (with 1/3 allocated to the Section 115 Trust and 1/3 allocated to capital needs).

The chart directly below illustrates the current status of the reserve funds after adding \$1 million in revenues over the interest investment baseline and the FY 2023 year-end excess equity amount of \$10.8 million and shows a reserve percentage resulting in an actual Reserves level of 18.22%<sup>3</sup>.

| <b>General Fund Reserves</b>          | <b>Stability Reserve</b> | <b>Catastrophic Reserve</b> | <b>Reserve %</b> |
|---------------------------------------|--------------------------|-----------------------------|------------------|
| Beginning Cash Balance -              | \$ 23.32                 | \$ 13.45                    |                  |
| FY 2023 Allocation to Reserves        | \$ 6.47                  | \$ 5.30                     |                  |
| % Allocation                          | 55%                      | 45%                         |                  |
| <b>Ending Cash Balance - Reserves</b> | <b>\$ 29.79</b>          | <b>\$ 18.75</b>             | <b>18.22%</b>    |

Unfunded Liabilities- Section 115 Trust

Council held a Worksession on April 4, 2017 on the Projections of Future Liabilities - Options to Address Unfunded Liabilities Tied to Employee Benefits. The City’s outside actuary provided options for Council’s consideration to help reduce the City’s unfunded liabilities tied to post-employee benefits including the following recommendations:

<sup>3</sup> Catastrophic Reserve Fund Balance includes \$3.3 million loan to Camps Fund - Tuolumne Camp Project. Reserve Percentage based on the FY 2023 Adopted General Fund Revenues of \$258.7 million.

- Investing for the long-term to generate more earning to meet long-term funding targets,
- Increase annual contribution by approximately \$4.5 million per year and fully pre-fund the plans, and
- Establish an irrevocable supplemental trust for CalPERS to stabilize the increasing employer contribution rates.

On June 26, 2018, Council authorized the City Manager to establish an IRS Section 115 Pension Trust Fund (Trust) to be used to help pre-fund pension obligations. On May 14, 2019, Council authorized the City Manager to execute a contract with Keenan Financial Services to establish, maintain, and invest the pension Section 115 Trust.

In June 2022, the Council added a policy that 1/3 of interest investment over the annual baseline of \$6 million be allocated to the Section 115 Trust up to \$5.5 million per fiscal year, or as advised by the City's actuarial and staff. Approximately \$2.0 million will be allocated to the Trust in FY 2024 as a result of this policy and augment the \$2.0 million that has already been included within the Adopted FY 2023 & FY 2024 Biennial Budget.

The Section 115 Trust currently has a balance of \$19,133,331 as of June 30, 2023.

### **All Funds**

On an All Funds basis, the City is projected to finish FY 2023, \$198 million (23%) under the adjusted budget of \$849.4 million. These fund balances are largely due to uncompleted projects and personnel cost savings. The chart below summarizes unaudited expenditures compared to the budget by department.



| Department                           | FY 2023<br>Adopted | FY 2023<br>Adjusted | Year-End<br>Actuals | Balance            | Percent<br>Expended |
|--------------------------------------|--------------------|---------------------|---------------------|--------------------|---------------------|
| Mayor & Council                      | 4,785,155          | 4,920,433           | 3,943,449           | 976,984            | 80%                 |
| Auditor                              | 3,101,376          | 3,000,730           | 2,711,754           | 288,976            | 90%                 |
| Rent Board                           | 7,247,755          | 7,392,711           | 6,784,837           | 607,874            | 92%                 |
| Police Accountability                | 1,120,676          | 1,218,549           | 909,307             | 309,242            | 75%                 |
| City Manager                         | 15,066,824         | 22,190,972          | 19,826,928          | 2,364,044          | 89%                 |
| Library                              | 24,918,604         | 24,213,814          | 19,956,135          | 4,257,680          | 82%                 |
| City Attorney                        | 7,807,548          | 8,120,722           | 7,880,613           | 240,109            | 97%                 |
| City Clerk                           | 3,101,282          | 3,465,360           | 2,876,231           | 589,129            | 83%                 |
| Finance                              | 10,425,037         | 10,781,787          | 8,872,348           | 1,909,439          | 82%                 |
| Human Resources                      | 4,939,883          | 5,423,103           | 4,588,217           | 834,886            | 85%                 |
| Information Technology               | 22,287,156         | 23,682,401          | 15,454,604          | 8,227,797          | 65%                 |
| Health, Housing & Community Services | 92,548,598         | 142,639,547         | 102,103,272         | 40,536,275         | 72%                 |
| Parks, Recreation and Waterfront     | 53,173,498         | 64,369,528          | 44,548,310          | 19,821,218         | 69%                 |
| Planning                             | 27,166,905         | 30,745,053          | 24,148,378          | 6,596,675          | 79%                 |
| Public Works                         | 200,373,196        | 229,008,011         | 133,049,554         | 95,958,457         | 58%                 |
| Police                               | 83,997,178         | 86,737,154          | 89,672,154          | (2,935,000)        | 103%                |
| Fire                                 | 63,233,225         | 67,822,949          | 62,873,512          | 4,949,437          | 93%                 |
| Non-Departmental                     | 128,882,728        | 113,644,407         | 101,008,818         | 12,635,589         | 89%                 |
| <b>Total</b>                         | <b>754,176,624</b> | <b>849,377,231</b>  | <b>651,208,420</b>  | <b>198,168,811</b> | <b>77%</b>          |

#### Significant All Funds Variances

- Library (+\$4,257,680) due in large part to salary savings from vacant positions and underspending of non-personnel funds in FY2023.
- Information Technology (+\$8,227,797) was due to FUND\$ Replacement Funds and the IT Cost Allocation Fund not being fully spent in FY 2023.
- Health, Housing & Community Services (+\$40,536,275):
  - Of this amount, \$11.2 million in state grant funds designated for specific public and mental health activities. These funds were unspent due to vacancies throughout the Mental Health and Public Health Divisions, including both existing difficult-to-fill positions and new positions budgeted for the full year but not filled until later in the fiscal year.
  - The next largest cluster of funds are the \$15.3 million in federal, state, and local funds designated for affordable housing activities.
- Parks Recreation and Waterfront (+\$15,269,634) had unspent funds due to personnel savings and unexpended project funds in the Playground Camp Fund, Parks Tax Fund, Measure T1 Fund, and the Marina Fund. Only certain unspent project funds will be carried over to FY 2024.
- Public Works (+\$95,958,457) were largely due to the following:
  - State Transportation Tax (+\$3.3 million): \$2.6 million in continuing projects for completion in FY 2024

- ❑ Measure BB – Local Streets & Roads (+\$9.3 million): \$5.9 million in continuing projects for completion in FY 2024
- ❑ Capital Grants – State (+\$10.2 million): \$2 million in continuing projects for completion in FY 2024
- ❑ Capital Improvement Fund (+\$14.8 million): \$11 million in project fund carryover for transportation, street, facilities project funds in FY 2024
- ❑ Measure T1 (+\$6.6 million): \$6.2 million in continuing projects in FY 2024
- ❑ Sanitary Sewer (+\$14.1 million): \$1.7 million in continuing projects in FY 2024 were carried over in AAO #1
- ❑ Clean Storm Water (+\$3.2 million): \$2.7 million in continuing projects in FY 2024

### **Next Steps**

Staff will present second-quarter revenue and expenditure projections as part of the FY 2024 Mid-Year Update in February/March 2024.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Actions included in the budget will be developed and implemented in a manner that is consistent with the City's environmental sustainability goals and requirements.

### CONTACT PERSON

Sharon Friedrichsen, Budget Manager, City Manager's Office, 981-7000  
Rama Murty, Senior Management Analyst, City Manager's Office, 981-7000  
Henry Oyekanmi, Finance Director, Department of Finance, 981-7300

### ATTACHMENT

Attachment 1: General Fund Revenues and Transfers in FY 2023 compared to FY 2022

## General Fund Revenue and Transfer In FY 2023 vs FY 2022 Comparison

| Revenue Categories                                      | FY 2023              |                      |                     |                | FY 2022              |                      |                     |                | Comparison FY23 vs FY22 |               |
|---------------------------------------------------------|----------------------|----------------------|---------------------|----------------|----------------------|----------------------|---------------------|----------------|-------------------------|---------------|
|                                                         | Adopted              | Actual               | Variance            | % Received     | Adopted              | Actual               | Variance            | % Received     | Amount                  | %             |
|                                                         | (a)                  | (b)                  | c=(b) - (a)         | (d) = (b)/(a)  | (e)                  | (f)                  | g=(f) - (e)         | (h) = (f)/(g)  | (i) = (b) - (f)         | (j) = (i)/(f) |
| Secured Property                                        | \$75,664,920         | \$79,260,689         | \$3,595,769         | 104.75%        | \$71,382,000         | \$71,077,973         | (\$304,027)         | 99.57%         | 8,182,716               | 11.51%        |
| Redemptions - Regular                                   | 831,441              | 738,032              | (93,409)            | 88.77%         | 831,441              | 759,808              | -71,633             | 91.38%         | (21,776)                | -2.87%        |
| Supplemental Taxes                                      | 2,000,000            | 3,561,752            | 1,561,752           | 178.09%        | 2,000,000            | 2,317,723            | 317,723             | 115.89%        | 1,244,029               | 53.67%        |
| Unsecured Property Taxes                                | 3,516,000            | 3,830,697            | 314,697             | 108.95%        | 2,625,000            | 4,001,922            | 1,376,922           | 152.45%        | (171,225)               | -4.28%        |
| Property Transfer Tax                                   | 34,462,172           | 22,878,336           | (11,583,836)        | 66.39%         | 21,000,000           | 42,901,750           | 21,901,750          | 204.29%        | (20,023,414)            | -46.67%       |
| Property Transfer Tax-Measure P (New December 21, 2018) | 14,073,750           | 10,199,580           | (3,874,170)         | 72.47%         | 8,500,000            | 20,591,313           | 12,091,313          | 242.25%        | (10,391,733)            | -50.47%       |
| Sales Taxes                                             | 19,016,546           | 19,194,971           | 178,425             | 100.94%        | 18,287,215           | 18,928,278           | 641,063             | 103.51%        | 266,693                 | 1.41%         |
| Soda Taxes                                              | 990,210              | 1,162,310            | 172,100             | 117.38%        | 990,210              | 1,025,800            | 35,590              | 103.59%        | 136,510                 | 13.31%        |
| Utility Users Taxes                                     | 13,800,000           | 17,634,565           | 3,834,565           | 127.79%        | 13,000,000           | 14,750,065           | 1,750,065           | 113.46%        | 2,884,500               | 19.56%        |
| Transient Occupancy Taxes                               | 5,000,000            | 7,477,911            | 2,477,911           | 149.56%        | 2,173,000            | 5,727,046            | 3,554,046           | 263.55%        | 1,750,865               | 30.57%        |
| Short-term Rentals                                      | 1,000,000            | 1,372,439            | 372,439             | 137.24%        | 630,000              | 1,295,798            | 665,798             | 630,000        | 76,641                  | 5.91%         |
| Business License Tax                                    | 19,000,000           | 21,854,193           | 2,854,193           | 115.02%        | 18,498,146           | 20,404,397           | 1,906,251           | 110.31%        | 1,449,796               | 7.11%         |
| Recreational Cannabis                                   | 1,400,000            | 997,572              | (402,428)           | 71.26%         | 1,643,739            | 1,250,792            | -392,947            | 76.09%         | (253,220)               | -20.24%       |
| U1 Revenues                                             | 4,900,000            | 5,844,564            | 944,564             | 119.28%        | 5,120,350            | 4,913,872            | -206,478            | 95.97%         | 930,692                 | 18.94%        |
| Other Taxes (excluding Redemptions-Regular)             | 1,800,000            | 4,717,855            | 2,917,855           | 262.10%        | 1,761,714            | 2,430,032            | 668,318             | 137.94%        | 2,287,823               | 94.15%        |
| Vehicle In-Lieu Taxes                                   | 15,926,168           | 16,659,665           | 733,497             | 104.61%        | 14,959,837           | 15,006,003           | 46,166              | 100.31%        | 1,653,662               | 11.02%        |
| Parking Fines-Regular Collections                       | 4,326,450            | 5,875,858            | 1,549,408           | 135.81%        | 3,726,450            | 4,764,121            | 1,037,671           | 127.85%        | 1,111,737               | 23.34%        |
| Moving Violations                                       | 132,600              | 149,420              | 16,820              | 112.68%        | 132,600              | 156,253              | 23,653              | 117.84%        | (6,833)                 | -4.37%        |
| Ambulance Fees                                          | 3,880,779            | 5,143,120            | 1,262,341           | 132.53%        | 3,154,002            | 3,833,730            | 679,728             | 121.55%        | 1,309,390               | 34.15%        |
| Interest Income                                         | 6,000,000            | 12,117,025           | 6,117,025           | 201.95%        | 4,462,320            | 6,694,122            | 2,231,802           | 150.01%        | 5,422,903               | 81.01%        |
| Franchise Fees                                          | 1,613,283            | 1,822,528            | 209,245             | 112.97%        | 1,613,283            | 1,720,056            | 106,773             | 106.62%        | 102,472                 | 5.96%         |
| Other Revenue                                           | 6,729,977            | 9,043,937            | 2,313,960           | 134.38%        | 6,729,977            | 7,538,980            | 809,003             | 112.02%        | 1,504,957               | 19.96%        |
| IDC Reimbursement                                       | 5,490,000            | 6,758,577            | 1,268,577           | 123.11%        | 5,490,000            | 5,074,695            | -415,305            | 92.44%         | 1,683,882               | 33.18%        |
| Transfers                                               | 17,096,148           | 16,846,585           | (249,563)           | 98.54%         | 27,354,923           | 27,354,923           | 0                   | 100.00%        | (10,508,338)            | -38.41%       |
|                                                         |                      |                      | -                   |                |                      |                      | 0                   |                | -                       |               |
| <b>Total Revenue:</b>                                   | <b>\$258,650,444</b> | <b>\$275,142,181</b> | <b>\$16,491,737</b> | <b>106.38%</b> | <b>\$236,066,207</b> | <b>\$284,519,452</b> | <b>\$48,453,245</b> | <b>120.53%</b> | <b>(\$9,377,271)</b>    | <b>-3.30%</b> |

Notes: (1) This statement is presented on a budgetary basis (i.e., cash).

(2) Includes all TOT rebates owed through June 30, 2023

(3) Total Other Taxes includes Redemptions-Regular

General Fund revenue and transfers decreased \$9,377,271 or 3.30%, from \$284,519,452 in FY 2022, to \$275,142,181 in FY 2023. Notable declines were the following:

|                                      |              |
|--------------------------------------|--------------|
| 1. Property Transfer Taxes           | \$20,023,414 |
| 2. Measure P Property Transfer Taxes | 10,391,733   |
| 3. Transfers In                      | 10,508,338   |

- The declines in Property Transfer Taxes and Measure P Property Transfer Taxes were especially troubling because they appeared to be a collapse in the real estate market in Berkeley in the third and fourth quarter of FY 2023.
- The decline in Transfers In was due to a decline of \$10,947,306 in transfers from the American Rescue Plan Fund.

The large declines in Property Transfer Taxes, Measure P Property Transfer Taxes and Transfers were cushioned by increases in the following revenue sources: Secured Property Taxes (+\$8,182,716), Utility Users Tax (+\$2,884,500), Transient Occupancy Taxes (+\$1,750,865 net of rebates), Business License Taxes (+\$1,449,796), Other Taxes (+\$2,287,823), Vehicle in Lieu Taxes (+\$1,111,737), Ambulance Fees (+\$1,309,390), Interest Income (+\$5,422,903), IDC Reimbursements (+\$1,683,882), and Other Revenue (+\$1,504,957).

Excluding Transfers, General Fund revenue increased \$1,131,067 or .4%, from \$257,164,529 in FY 2022, to \$258,295,596 in FY 2023.

Clearly, the City General Fund has, at least for the near term, lost two of its three primary drivers of annual growth (Property Transfer Taxes and Measure P Property Transfer Taxes). This will make it difficult for significant overall growth in General Fund revenue.

Before getting into the FY 2023 General Fund revenue details, I also want to point out that the City's General Fund revenue challenges will not end when the Fed stops raising short-term rates and starts lowering them, for two reasons:

1. The Fed's monetary tightening includes a program to sell \$95 billion/month (or \$1.14 trillion per year) of Agency and Mortgage-Backed securities from its Balance Sheet, which increases the supply of these securities and puts additional upward pressure on long-term rates, including mortgage rates. Prior to the monetary policy change, the Fed was the major purchaser of these long-term securities; and,

2. The proposed \$1.8 trillion federal budget deficit for the upcoming fiscal year will require the issuance of an additional \$1.8 trillion in Treasury Bonds to fund the deficit.

The additional huge supply of bonds from these two macroeconomic factors will overwhelm demand for long-term bonds and continue to put upward pressure on long-term interest rates, including mortgage rates. In addition to reducing consumer spending and slowing down the economy, it has already pushed mortgage rates up from around 4% to 8%.

The other unknown is how the war in the Middle East will impact the economy, the oil market which is already volatile will probably see more volatility which might put more pressure on inflation.

Bottomline from a Macro Economic view is we are in for a turbulence environment and we need to be prudent in our financial decisions in the near to mid-term.

## Communications – January 16, 2024

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record.*

### **Item #5: Extension of Declaration of Homeless Shelter Crisis**

1. Irene Rice
2. Vianney Gonzalez, on behalf of Extra Space Storage
3. Elsa and Matt Esch
4. Stephanie Lowe

### **Item #30: Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Horses Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit**

5. Tweed Conrad
6. C. Scott Chaney, Executive Director, California Horse Racing Board

### **BART Development**

7. Melanie Lawrence and John Smail
8. Friends of Adeline
9. Chris Gilbert

### **Crime**

10. Richard Robbins, on behalf of Wareham Development
11. Seamus Kelly
12. Ray Sharma, on behalf of Gora, Inc. (2)
13. Ilana Pearlman
14. David Lerman
15. John Parman

### **Safe Streets**

16. Danielle Hacker
17. Ben Gould
18. John Parman
19. Alfred Twu
20. Sean

### **Street Paving**

21. Susan Orbuch
22. Pamela Rudd
23. Alicia Telford
24. Clare and Dianna Mullins
25. Barbara Gilbert
26. Bryce Nesbitt

- 27. Ray Freeman
- 28. Kenny Yip
- 29. Laura Louis
- 30. Elizabeth Kloian
- 31. Lisa Chow
- 32. Diane Garcia
- 33. Kay Englund
- 34. Karen Nady
- 35. John Malork
- 36. Mario Aranha
- 37. Peggy Radel

**Bus Service**

- 38. Minar Aware
- 39. Luoping Zhang
- 40. Erin Baudo Felter
- 41. Grank Fletcher

**Winter Shelter**

- 42. Christoverre Kohller
- 43. Elana Auerbach
- 44. Moni Law
- 45. Diana Bohn

**Mental Health**

- 46. Moni Law
- 47. Eddie Bui

**Minimum Wage**

- 48. Henry Beadles

**Farmers Market Porta Potties**

- 49. Donna Mickleson

**\$14M Budget Update**

- 50. Eric Friedman

**Uber/Lyft**

- 51. Wendy Alfsen
- 52. David Lermam

**Brown Act**

- 53. Berkeley People's Alliance
- 54. Anna Armstrong

**Ohlone Greenway**

55. Cindi Goldbert

**Save Theaters**

56. Salli Lundgren

**Cup of Water Price**

57. Jennifer Fisher

**Tenants Opportunity to Purchase Act**

58. Sierra Club, Northern Alameda County Group

**Restaurant Inspections**

59. Eric Friedman

**Emissions Footprint**

60. Corinne Scown

**930 Harrison Street**

61. Yessica Prado

**#Giving Tuesday**

62. Eric Friedman

**People's Park**

63. Carol Hirth

64. Diana Bohn

**Library**

65. Eric Friedman

**Duplex Owners**

66. Rick Maisel

**URL's Only**

67. John Parman

68. Vivian Warkentin (4)

**Israel/Gaza**

69. Sadaf Qazi

70. Ilana Pearlman

71. Hillary Kilimnik

72. Jennifer Carmona

73. Richard Tamm

74. Vladlena Gulchin

75. Rachel Factor

76. Sofia Pavlova
77. Linda Wulf
78. David Kilimnik
79. Blair Fingerhut
80. Lori Pottinger
81. Dorothea Dorenz
82. Joshua Schnoll
83. Laura Schmidt
84. Matt Lasner
85. Jaleh Niazi
86. Nancy Bickel
87. Sandy Schwarcz
88. czwolf@
89. John Blaustein
90. Craig Peterson
91. Michelle Chen
92. Anne Pescatello and Bonnie Wade
93. Jim Hynes
94. Tony Warwick
95. Mati Teiblum
96. Bohun Kinloch
97. Barbara Vaughan
98. Michael Salveson
99. Andrea and Stan Washburn
100. David Biale
101. Fran Segal
102. Susan Brand
103. Dave Kent
104. Judith and Stanley Lubman
105. Christina Crowley
106. Brett Mendel
107. Lori Berenson
108. Moni Law
109. Maya B.
110. Fateme Montazeri
111. Beatriz Manz
112. Luqman Saib
113. Caroline Lucas
114. Rohan Sabnis
115. Daniel Frydman
116. Mitch Cohen
117. Keith Watts
118. Robin Blum
119. Pamela Drake
120. Abigail Tolby
121. Jack Kurzweil



122. Veena Nambiar
123. James Nelson
124. Enikia Ford Morthel
125. David Kilimnik
126. Christine Lee
127. Christina Harb
128. Ellen Feigenbaum
129. Peter Schwab
130. Lori Berenson
131. Karin Vosgueritchian
132. Isa Hoffman
133. Amy Cummings
134. Emma Koeze
135. Lisa Jervis
136. Terry Mandel
137. Richard Fish
138. Sylvia Santillanez
139. Bob Flasher
140. Elana Auerbach
141. Chrissy Hoffman
142. Tasneem Nomnabhai
143. Debra Barach
144. Karen Carroll
145. Kiernan Rok
146. Barbara Erickson
147. Carl Nelson
148. Dorothea Dorenz
149. Lea Zalinskis
150. Daniel Goldstein
151. Clyde Leland
152. Jim Gilbert
153. Lillie Brum
154. Deb Fink
155. Luqman Saib
156. Jean Weininger
157. Ronnie Cohen
158. Martin and Jill Dodd
159. Jerry Berkman
160. Emily Brod
161. Jenny Wenk
162. Katya Gerwein
163. Karen Olson
164. Susan Matisoff
165. Candace Hyde-Wang
166. Judi Doyle
167. Raphael Goldman

168. Susan Orbuch
169. Jenna Lewis
170. Todd Andrew
171. Robert Zucker
172. Bronya Feldmann
173. Barbara Schick
174. Dorothea Dorenz
175. Karen Weinstein
176. Deborah Leeds
177. Susan Oliver
178. Daren Fields
179. Carmen de Monteflores
180. Janis Pearson
181. Mary Stapleton
182. rdurling@
183. Lean and John Rosenthal
184. Michael Lonergan
185. Verna Winters
186. Huzaifa Ahmad
187. Hope Alper
188. Ellen Feigenbaum
189. Monika Mann
190. Sarah Goldstein
191. Anirvan Chatterjee
192. John Hitchen
193. Ilene Lee
194. Shelley Horwitz
195. Malka Weitman
196. Eric Strauss
197. Robin Blum
198. Debbi
199. Jerry Skrainar
200. Mary Louise Zernicke
201. Martha Staskawi
202. Michael Cassidy
203. Lubat Asadova
204. Auzeef Ramzan Ali
205. Rachel Stevensen
206. Lionel Chocron
207. Esther Brass-Chorin
208. Barbara Mathew Smith
209. Vincent Casalaina
210. Judy Logan
211. Revi Sagee
212. Rabbi Adam Naftalin-Kelman
213. Rebecca Landes

214. Joan Bradus
215. Matthew Lasner
216. Stuart Cohen
217. Sofia Pavlova
218. Tom and Jane Kelly
219. Noah Alper
220. Andrea Medrano
221. Nancy Sader
222. Ruth Ehrenkrantz
223. Joan Hart
224. Carol Hirth
225. Harry Delmer
226. Linda Streaan
227. Councilmember Harrison
228. Barbara Gilbert
229. Peggy Harris
230. Christina Harb
231. Laura Atkins
232. Robert Bonem
233. M. Audrey Gardner
234. Stefano DellaVigna
235. Mary Wrenn
236. Catalina Ruiz-Healy
237. Itamar Landau
238. Lowell Finley
239. Michael Gardner
240. Rochelle Blumenfeld
241. Stephen Morris
242. Fran Haselsteiner
243. Vicki Sommer
244. Richard Swartz
245. Dianna Dar
246. Helen Marcus
247. Robin Kojima
248. Richard Keene
249. Steve Scholl
250. Jessica Behrman
251. Mia Reid
252. Andrea Prichett
253. Barbara Vaughan
254. Gloria Schild
255. Nancy Rader
256. Scott West
257. Robsun Coaching
258. Jane Schoenfeld
259. Alan Pearson

260. Dan and Lynne Fingerman
261. Holly Smith
262. Barbara Lewis
263. Tali Ziv
264. Jim Blume
265. Alan Schoenfeld
266. Colleen Busch
267. Patricia Kipnis
268. Bill Powning
269. Rabbi Yonatan Cohen
270. Eric Friedman
271. Rebecca Brams
272. Ruth Muscehl
273. Andrea Cassidy
274. Elizabeth Horowitz
275. Jessica Abbe
276. Stuart Kelman
277. Ivan Diamond
278. Teresa Wong
279. Janice Pardoe
280. Alison Lingo
281. Issy Kipnis
282. Geri Degen
283. Steve Meyers
284. Paul Jacobs
285. John Light
286. Marsha Gale
287. Sarah Baughn
288. Elisabeth Goldstein
289. Richard Marcus
290. Liz Hoadley
291. Katherine Mapes-Resnik
292. Joan Sarnat
293. William Gynn
294. Isabelle Gaston
295. Rick Maisel
296. Gail Nanao
297. Wendy Bloom
298. Gytta Papier
299. Michael Scandling
300. Shelley Golomb
301. Jennifer Mary Pearson
302. Esta Brand
303. Michael Juster
304. Simone Hoelck
305. Susan Schickman

306. Susan Frankel and Moshe Maler
307. Barbara Gross Davis
308. Catherine de la Pena
309. Susan Goldstein
310. Elaine Jackson
311. Neil Lupa
312. Ellen Weinreb
313. Ruth Berins Collier
314. Bill Miner
315. Lili Naveh
316. Abigail Tolby
317. Namita Chandra
318. Roni Con
319. Francesca Mejia
320. Rachel Eryn Kalish
321. Luqman Saib
322. Eric Friedman
323. Medodee
324. Miranda Lucia
325. Vish Soroushian
326. Allen Mayer
327. Laurie Dubin
328. Moni Law
329. Myriam Misrach
330. Hillary Kilimnik
331. Pascal Bensoussan
332. Lea Zalinskis
333. Luqman Saib
334. Andrea Waid
335. John Anderson
336. Andrew Fox
337. Susan Whitman
338. Kenneth Solnit
339. Dora Weinstein
340. Hillary Kilimnik
341. Doug Herst
342. Anna Henry
343. David Davis
344. Diana Bohn
345. Judd
346. Abigail Tolby
347. Mikelle Emanuel-Shoham
348. Roxana Dhada
349. Karin Vosgueritchian
350. Dorthea Dorenz (2)
351. Amodini Choudhary

352. Desmid Lyon
353. Olivia Lapinsky
354. Eyyad Haddad
355. Janice Schroeder
356. Muniba Ahmed
357. Felisa Simon
358. Amber Yada
359. Yossi Fendel
360. Arushi Kalam
361. Eyman Elzarka
362. Leslie Valas
363. Samira
364. Zachary Weed
365. Phoebe Thomas Sorgen
366. Yoel Kahn
367. Anthony Stone
368. Dhoha Bareche
369. Bruce Feingold
370. Michelle Brenner
371. Thomas Luce
372. Sophia Elkin
373. Denah Bookstein
374. Somaya Abdelgany
375. Georgia Maslowski
376. Madeeha Khan
377. Anne Ellis
378. Rachel Gita Schiff
379. Jan Leuin
380. Rabbi Chai Levy
381. Milo Anjelo
382. Yael Chaver
383. Amy Gordon Risz
384. Baruch Kadish
385. Alison Griffith
386. Arbel Shemesh
387. Igor Tregub
388. Jane Diamond
389. Michelle Brenner
390. Barbara Schick
391. Ann Garrison
392. Hind Eliyan
393. Iris Greenberg-Smith
394. Aharon Hochbaum
395. Kay Englund
396. Karen Weil
397. Elsa Tranter

398. Dorit Hochbaum
399. Joan Wagger
400. Bobbie Steinhart
401. Josh Greenbaum
402. Ory Sandel
403. Judith Breakstone
404. Oleg Ivanov
405. Susanne DeWitt
406. Ayana Davis
407. Madeline Feingold
408. Skye Lovett
409. Jo Ilfeld
410. Lois Wolf
411. Sally Nelson
412. Dor Abrahamson
413. Nimrod Pitsker Ellas
414. Terry Friedkin
415. Kaeilyn Moss
416. Judy Chess
417. Mark Morris
418. Nancy Klein
419. John Citron
420. Benjamin Fleischman
421. David Kafton
422. Steven Segal
423. Jerry Berkman
424. Ditsa Pines
425. Charles and Deborah Koppelman
426. Saturn McCoy
427. Felisa Simon
428. Gabriela Kipnis
429. Howard Miller
430. Eli Dsko
431. Susanne DeWitt
432. Robert Bonem
433. William Rosen
434. Alan Kittner
435. Chloe Novak
436. Gabriela Kipnis
437. Stanley Wulf
438. Gabriella Kellerman
439. Jeff Stein
440. Birger Stamperdahl
441. Noga Alon
442. David Kafton
443. Judy Massarano

444. William Guynn
445. Susan Heitler
446. Soshana Gross
447. Rhoda Agin
448. Ilona Sturm
449. Leslie Valas
450. Elana Auerbach
451. Liron Ouziel
452. Deborah Sosebee
453. Miriam Ferris
454. Marin McCoy
455. Susanne DeWitt
456. Ly Tran
457. Melodee Au
458. Antoinette Siguenza
459. David Socholitzky
460. Coco Kennedy
461. Alex Gumbs
462. Amy Cummings
463. Jules
464. Cierra Cardenas
465. Sylvia
466. Jennifer Fechner
467. Anna Henry
468. Jude Berman
469. Robert Stamper
470. Sofia Pavlova
471. Hagar Scher
472. Riley Abeles
473. Amy Cummings
474. Miriam Barrere
475. Elissa Kittner
476. Dan Fendel
477. Desmid Lyon
478. Kinneret Katz
479. Eids TV
480. Dorothea Dorenz
481. Deborah Shaw
482. Aliza Elias
483. Joanne Donsky
484. Yafit Shriki-Magidash
485. Paul Lee
486. Marc Sapir
487. Liron Ouizel
488. Jay Park
489. Stephanie Green



490. Helane Zeiger
491. Nicole Chabot
492. Judith Tabb
493. Stefano Schiavon
494. John Rosenberg and Diane Gerstler
495. Jil Geller
496. Laurene Wu McClain
497. Tami Rowen
498. Andrea Cohen
499. Michael TenBrink
500. Andy Hanauer
501. Lean and John Rosenthal
502. Patrice Ignelzi
503. Donna DeDiemar
504. Jim Jones
505. Ben Ringler
506. Alan Shindel
507. Karen Weinstein
508. David Ritvo
509. Rachel Bradley
510. Darya Kavitskaya
511. Denise Resnikoff
512. Jennifer Lewis
513. Rebekah Stern
514. Cassidy Kelly
515. Robert Bonem
516. Hagar Scher
517. Itamar Landau
518. Brian Rosenberg
519. Rachel Gita Schiff
520. Dmitriy Ryaboy
521. Ariel Lev
522. Noga Ravid
523. Isaac Turiel
524. Margery Eriksson and James Nelson
525. Judd Goodman
526. Gary Grimm
527. Sandy Curtis
528. Colleen Busch
529. Jean Weininger
530. Sherry Smith
531. Lauren Kubiak
532. Gretchen Brandt
533. Mona Bernstein
534. Emily Fox
535. Lisa Miller

536. Phyllis Steiber
537. Norman Postone
538. Iola Vollen
539. Jay Park
540. Fran Haselsteiner
541. Barbara Gilbert
542. Todd Andrew
543. Stephen Woodrow
544. Raphael Goldman
545. Nick and Emily Brod
546. Andrew Bestwick
547. Megan Hall
548. Eric Friedman
549. Ayelet Waldman
550. Peggy Orenstein
551. Michael Bauce
552. Melissa Chapman
553. Marvin Engel
554. Gabrielle Hazan
555. Jaclyn Phi
556. Arthur and Sheila Braufman
557. Luqman Saib
558. Rebecca Perlman
559. Peter Bruce DuMont
560. Chris Koenig
561. Summer Brenner
562. Ly Tran
563. Liberty Schubert
564. Noga Ravid
565. Barryett Enge
566. Leah Amzel
567. Talia Dixon
568. Ilana Pearlman
569. Kim Friedman
570. Mikelle Emanuel Shoham
571. Madeline Pignetti
572. Yoni Brenner
573. Chris Koenig (2)
574. Sommer Iqbal
575. Karina Sando
576. Bay Area Educators for Palenstine
577. Sally Nelson
578. Isaac Kaplan
579. Tammy Hardin
580. James Tabor
581. Shanna Baron

582. Tal Garner
583. Jason Spangenthal
584. Marcelo Vaz
585. Michael Solorio
586. Michelle Lessans
587. Maryum Styles
588. Michael Steinberg
589. Moni Law
590. Nora Shourd
591. Esther Brass
592. Hillary Kilmnik
593. Roy Elis
594. Shoshana Beary
595. Mark Brody
596. Jennifer Splansky Jester
597. Rachel Factor
598. Jamie Epstein
599. Sara Shendelman
600. Arbel Shemesh
601. Wynd Kaufmyn
602. Rebecca Soffer and Alberto Malvestio
603. Leah Amzel
604. Lindsay Vurek
605. Brett Mendel
606. Stacey Hara
607. Laila Stone
608. Deb Fink
609. Shani Stolerio
610. David Davis
611. Mimi Schultz
612. Helmi Abdellatif
613. Kiara Bragg
614. Jaiden Feldman
615. Daniel Milutin
616. Paul Lee
617. Khalid Kishawi
618. Cheryl Davila (2)
619. Nritkaar Dhesi
620. Berkeley Federation of Teachers
621. Chloe Novak
622. Diana Bohn (2)
623. Amy Cummings
624. Russbumper (2)
625. 41 similarly-worded form letters - "Ceasfire Now". (Letters are on file at the City Clerk's Office)

- 626. 194 similarly-worded form letters - "Demand for the People". (Letters are on file at the City Clerk's Office)
- 627. 323 similarly-worded form letters - "Urgent Appeal". (Letters are on file at the City Clerk's Office)
- 628. 545 similarly-worded form letters - "Urgency Item". (Letters are on file at the City Clerk's Office)
- 629. 2091 similarly-worded form letters - "Vote No". (Letters are on file at the City Clerk's Office)

**Benado, Tony**

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**From:** Irene Rice <ir07441@gmail.com>  
**Sent:** Wednesday, December 6, 2023 5:06 PM  
**To:** All Council  
**Subject:** Houston Cut Homelessness by 60%: How the U.S Can...

**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.

No doubt you have all seen or read of the current work done by journalist, Nicholas Kristin, on strategies to end homelessness in Houston and Dallas. It was uplifting to learn of the successful efforts of Houston.

If you have not seen the piece , the link below is from his interview one day ago and televised on PBS.

<https://www.pbs.org/wnet/amanpour-and-company/video/houston-cut-homelessness-by-60-how-the-u-s-can-follow/>

Thanks for all you do, Irene Rice

**Benado, Tony**

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**From:** zz 1371 Berkeley - Cedar St Site <fac1371@extraspaces.com>  
**Sent:** Saturday, December 16, 2023 1:04 PM  
**To:** All Council  
**Subject:** To: Mayor Jesse Arreguin

**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.

Good Afternoon,

I hope this email finds you well. I was reaching out because we have a very bad issue on our property with the encampments that have been on our property now for months. I have reached out to the city several times and we still haven't heard from anyone about a solution to this problem. I am the current manager of Extra Space Storage located on 601 Cedar St here in Berkeley. We have been business owners here for almost 10 years and it is extremely disheartening that the city protects the homeless people that do drugs all day outside of our property than the actual business owners that pay taxes and contribute to the city economically. We are on the brink of threatening legal action if the city does not do anything to help us with this issue. We have had three fires on our property caused by these encampments. When is enough going to be enough? We feel really disrespected that the city has done nothing to help us. ABSOLUTELY NOTHING has been done since the last time I emailed you guys. It is very unsanitary and disgusting. I have an apartment on the property and the pee and poo on the corner of our backyard. I can never enjoy my own home let alone my 5 year old child because of these unsanitary conditions. I really hope some action is take. Actions speak louder than any words that you will reply to this email.

Enjoy your day,

Vianney  
 510-847-1508

Vianney Gonzalez | **Store Manager** | Extra Space Storage  
 Eric Pearce-Chavez | **Assistant Manager** | Extra Space Storage  
 Alyssa Kodama | **Assistant Manager** | Extra Space Storage  
 P: 510-847-1508 | 601 Cedar St Berkeley CA 94710 | [extraspaces.com](http://extraspaces.com)  
 FACEBOOK | TWITTER | GADGETS | NEWS

<https://review.extraspaces.com/1371>

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**Benado, Tony**

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**From:** elsa pong esch <ms.sunshine@gmail.com>  
**Sent:** Tuesday, November 28, 2023 11:51 AM  
**To:** Bartlett, Ben; All Council; Berkeley Mayor's Office  
**Cc:** Matt Esch  
**Subject:** Encampment on Adeline

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

Hello City Officials,

I'm writing to ask for your prompt attention particularly for the growing encampment on the west side of Adeline starting around Russell. I'm sure you're well aware of it but wanted to urge you to please rectify the situation immediately as they are not only taking up the sidewalks but also causing health and fire hazards along with overall safety concerns. There is debris covering the area, preventing anyone from walking through, not to mention the smell of urine and feces. I had to call the fire department a couple weeks ago because there was an open fire with what looked to be clothing lit up, not in a container, right by the open lot with lots of brush on the corner of Adeline and Russell. With the construction going on the NW corner of Adeline and Ashby, blocking the sidewalks for several blocks, we don't know which side of the street we can use.

Overall, I no longer feel safe in this neighborhood. I've had chopsticks and slurs like "ching Chong Ching" thrown at me. We've even had people set up in our front yard multiple times and soiling the premises not to mention the litter to the point where we are having to consider paying for a fence. We have been property owners for 7 years and the issue has gotten worse and worse to the point we are strongly considering relocating out of the city. Please share what concrete steps are being done to address the growing issue in our neighborhood.

Thank you,  
Elsa & Matt Esch  
2808 Adeline street  
Berkeley CA 94703

**Benado, Tony**

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**From:** Stephanie Lowe <stephanielowestudio@gmail.com>  
**Sent:** Tuesday, December 12, 2023 9:37 AM  
**To:** All Council  
**Subject:** Civic center park

**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.

I am concerned about the growing number of tents being allowed to stay in Civic Center park. We don't need another tent city across from Berkeley High School!  
Stephanie Lowe,  
District 4 resident

Sent from my iPad



**Benado, Tony**

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**From:** TC Conrad <conrad1@berkeley.edu>  
**Sent:** Tuesday, December 12, 2023 8:30 AM  
**To:** All Council  
**Subject:** Golden Gate Fields Update

**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.

Dear City Council Members,

Dear Council,

As you meet this evening, please keep the following information in your hearts and thoughts. 2 more young horses have died at Golden Gate Fields in the past 2 weeks, making 19 needless deaths so far. The Stronach Group's racetracks are the deadliest in California, with Santa Anita's 27 deaths so far this year.

Please, do whatever you can to stop this needless abuse of these poor animals in our town. It goes against everything that we value and hold dear, and everything that the city council works for daily. Thank you.

December 2<sup>nd</sup>, "[Its Happy Hour,](#)" a 2 year old thoroughbred bay colt, broke down during his second race from [musculoskeletal](#) injury, meaning broken bones. He was subsequently unnecessarily euthanized to avoid the cost of rehabilitation, dragged into a van by his neck and his body taken offsite. Since he had only been put into 2 races, the total industry profits from his young life were only \$3,250. He was bred by Larry Ogbert, and owned by the syndicated investment group Jimmy Rex Robinson Trust, Mayo, Tom and Sherman.

November 26<sup>th</sup>, "[Promise Me Paradise,](#)" a 3 year old thoroughbred chesnut filly, died during training from "sudden death," meaning a heart attack, internal hemorrhaging, or complete bodily system failure. She had only been entered in 3 races so far, and the industry profits from her short life were \$5,657.

--  
 Tweed Conrad  
 Berkeley Native  
 Author, Researcher  
 West Coast Organizer for Horseracing Wrongs  
[www.horseracingwrongs.org](http://www.horseracingwrongs.org)  
[conrad1@berkeley.edu](mailto:conrad1@berkeley.edu)  
 415-793-2929

**Benado, Tony**

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**From:** Chaney, Scott@CHRB <cschaney@chr.ca.gov>  
**Sent:** Friday, December 22, 2023 1:31 PM  
**To:** All Council  
**Subject:** Anti-Horse Racing Ordinance  
**Attachments:** Letter to Berkeley City Council\_CHRBfinal.pdf

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.

Please see attached.



---

C. Scott Chaney  
Executive Director  
California Horse Racing Board  
916-263-6000

**CALIFORNIA HORSE RACING BOARD**

1010 Hurley Way, Suite 300  
Sacramento, CA 95825  
[www.chrb.ca.gov](http://www.chrb.ca.gov)  
(916) 263-6000 Fax (916) 263-6042



22 December 2023

Berkeley City Council  
City of Berkeley  
2180 Milvia Street  
Berkeley, CA 94704  
[council@berkeleyca.gov](mailto:council@berkeleyca.gov)

**Re: Anti-Horse Racing Proposed Ordinance**

Dear Mayor Arreguin and Councilmembers:

My name is Scott Chaney and I am the Executive Director of the California Horse Racing Board (CHRB). The CHRB is the state agency tasked with regulating the horse racing industry. Of the CHRB's many mandates, the one most important is advancing the health, safety and welfare of equine athletes participating in this sport. We take this mandate seriously and are very proud of the advancements this industry has made in promoting the health, safety and welfare of the horse and rider. While the CHRB continues to seek ways to promote the health, safety and welfare of equine participants, I became concerned when I learned of the proposed ordinance to add Chapter 12.75 to the Berkeley Municipal Code relating to racehorses.

While I appreciate that this ordinance may be well intended, its impact will be dangerous for the horses and devastating for the hundreds of people who care for these horses every day. Additionally, I have serious concerns about the legality of this ordinance as matters involving horseracing in California are solely within the authority of the CHRB. Consequently, should the ordinance pass, the CHRB would consider legal action in order to preserve our authority in this area.

**I. The Ordinance Is Illegal**

As written, the proposed ordinance unlawfully encroaches on the State of California's jurisdiction which preempts the area of horse racing and provides its oversight with the California Horse Racing Board (CHRB).

By the adoption of Section 25a of Article IV of the Constitution in 1933, the people of the State of California enacted the controlling principle that the legislature could provide for the regulation of horse races and horse race meetings throughout the

state and wagering on the results thereof.<sup>1</sup> The Legislature complied by passing the California Horse Racing Act<sup>2</sup>, which “contains a full and comprehensive legislative treatment of legalized horse racing in this state which is a clear and complete plan for the state-wide control of the subject matter.”<sup>3</sup>

Pursuant to the Horse Racing Act, supervision over horse races where wagering occurs is vested in the CHRB.<sup>4</sup> As such, the CHRB’s authority is plenary.<sup>5</sup> Of its many responsibilities, the CHRB is tasked with adopting rules and regulations that protect and advance the health, safety, welfare, and aftercare of racehorses.<sup>6</sup> In furtherance of this mandate, the CHRB has adopted numerous equine welfare regulations requiring frequent veterinary checkups.<sup>7</sup> Additionally, the CHRB prohibits any licensee from abandoning; injuring; maiming; killing; administering a noxious or harmful substance to an animal, or depriving an animal of necessary care, sustenance, shelter or veterinary care.<sup>8</sup> It also prohibits any conduct which causes any animal to suffer any form of cruelty, mistreatment, neglect or abuse.<sup>9</sup> Separately, the CHRB determines the number of useable stalls that each association or fair shall make available and maintain in order to conduct the racing meeting.<sup>10</sup> By issuing a license, the CHRB has determined that the stalls available to house the horses are sufficient for the horse population on track and that the issuance of a license is in the public interest.<sup>11</sup>

By purporting to arrogate to the City the authority to regulate the stabling, pasturing, and overall treatment of racehorses, the proposed ordinance both directly conflicts with this careful regulatory regime and invades an area fully occupied by state law.<sup>12</sup> Moreover, given the constitutional dimension of horse racing in California and the fact that “[t]he racing industry greatly affects the public interest,”<sup>13</sup> the proposed ordinance addresses a matter of statewide concern, not a municipal affair. It is consequently preempted. *See Ruegg & Ellsworth v. City of Berkeley* (2021) 63 Cal.App.5th 277, 310–311.

The ordinance is also illegal because it seeks impermissibly to exercise a “local option” with respect to horse racing. Because there is simply not enough land to both comply with the ordinance and house all the horses needed to fulfill the race meet as required by Bus. & Prof. Code Section 19535, the ordinance would effectively prohibit further horseracing in Berkeley. This appears to be the intent of the ordinance; the

<sup>1</sup> Presently cited at CA Const. art IV, § 19.

<sup>2</sup> Bus. & Prof. Code § 19400 et seq.

<sup>3</sup> *Desert Turf Club v. Bd. of Supervisors of Riverside Cnty.* (1956) 141 Cal.App.2d 446, 450.

<sup>4</sup> Bus. & Prof. Code § 19420.

<sup>5</sup> *Sandstrom v. California Horse Racing Board*, (1948) 31 Cal.2d 401, 408 (“When the state sees fit to regulate upon a matter which is within its police power, its authority over the subject is plenary. . .”).

<sup>6</sup> Bus. & Prof. Code, § 19440(a)(1).

<sup>7</sup> Cal. Code Regs. tit. 4, §§ 1588, 1846, 1846.2, 1853, 1866, 1846.1, 1846.3, 1878.

<sup>8</sup> Cal. Code Regs., tit. 4, 1902.5.

<sup>9</sup> *Id.*

<sup>10</sup> Bus. & Prof. Code § 19535.

<sup>11</sup> Bus. & Prof. Code § 19480.

<sup>12</sup> *Desert Turf Club*, *supra*, 141 Cal.App.2d at 450 (“There can be no legitimate doubt that the state has taken over in its entirety the whole subject of horse racing.”).

<sup>13</sup> *See, e.g., Vienna v. California Horse Racing Bd.* (1982) 133 Cal.App.3d 387, 395.

ordinance’s author identifies Golden Gate Fields as a “disturbing display of sanctioned animal abuse.”<sup>14</sup> But the California Court of Appeal has held in *Desert Turf Club v. Board of Supervisors of Riverside County* that a local government could not, on moral grounds, exercise a “local option” with respect to horse racing. As the court explained:

The query to be answered is: can a Board of Supervisors overrule the act of the people of the state in adopting a constitutional amendment and the legislature of the state in passing a full and comprehensive plan for the licensing and control of horse racing by forbidding on moral grounds what the state expressly permits? There is no escape, in our opinion, from a negative answer.<sup>15</sup>

Here, too, there is no escape. While the ordinance’s author may not like horse racing, the fact remains that horse racing was legalized by the California Constitution and codified by the Legislature. The proposed ordinance, which seeks to satisfy a moral objection, is not sufficient to overcome the State’s Constitution and Statutes and, as written, would be preempted.

Furthermore, as members of the Berkeley City Council may know, Congress passed the Horseracing Integrity and Safety Act of 2020, creating federal oversight with regard to certain areas of thoroughbred horse racing in the United States.<sup>16</sup> You should be aware that I spoke with the Horseracing Integrity and Safety Authority’s (“HISA’s”) outside General Counsel, John Roach, who shares similar preemption concerns to the extent that Congress passed legislation in 2020 that recognized HISA for the purposes of developing and implementing a nationwide horseracing anti-doping and medication control program and a safety program for thoroughbred horses and racetracks.

## II. Factual and Evidentiary Insufficiency

In addition to the legal shortcomings of this proposed ordinance, I would be remiss in not pointing out that the supporting documents are riddled with inaccuracies and exaggerations. First, the supporting documents cite a CBS Bay Area report that allegedly states that “domesticated horses live into their 30s, but the average age of active racehorses is [only] three to five years old.”<sup>17</sup> Clearly the journalist and author of the ordinance have conflated “lifespan” and “average age.” While it is true that horses generally race between the ages of 3 and 5 years old, that is not the average lifespan of a racehorse. Like other domesticated horses, racehorses often live well into their 30s. In fact, nearly all racehorses lead healthy lives well past their careers in racing.

Second, it’s important to note that approximately 8,000 unique horses reside at CHRB regulated facilities each year and the statement that horse deaths continue to rise is misleading. At worst the rate has remained essentially the same from June 2023 to date compared to the same period last year (8 v. 10). But to be accurate, the fatalities

<sup>14</sup> Kate Harrison, Councilmember District 4, City of Berkeley. (2023, July 11). *Adopt an Ordinance Adding Chapter 12.75 to the Berkeley Municipal Code to Establish Protections Relating to Animals Held, Owned, Used, Exhibited, or Otherwise Kept for Racing or Other Sport, Entertainment or Profit.*

<sup>15</sup> *Desert Turf Club*, 141 Cal.App.2d at 450.

<sup>16</sup> 15 U.S.C. § 3051.

<sup>17</sup> Harrison, *supra* note 12.

that this proposed ordinance seeks to address (non-Musculoskeletal/non-racing/training) are exactly the same compared to the same period last year (6 v. 6). While any horse death is troubling, the CHRB has led the nation and the world in regulatory reform regarding racehorse welfare. While our work is not complete, the implication that health and welfare of racehorses doesn't improve every day in California denies reality and ignores the effective regulatory oversight CHRB exercises.

Third, the materials supporting this ordinance not only state outright, but also imply that two racetracks in other states – Laurel Park in Maryland and Churchill Downs in Kentucky – have permanently closed due to a rise in catastrophic injuries.<sup>18</sup> In fact, Churchill Downs just concluded its fall meet and Laurel Park is in the midst of its winter meet.

Next, the justification for this ordinance relies heavily on the work and research of Dr. Nathaniel White, whose research in colic at Virginia Tech's Marion Dupont Equine Clinic is world-renowned. I have communicated with Dr. White. He has relayed that his studies do not support using time of confinement alone as a risk factor for colic at racetracks. He wrote—"[a]lthough several studies report stall confinement as a risk factor for colic, the risk is very low and because there is systematic error in these studies, the associated risk cannot be used to predict causality. Additionally, based on the average number of horses stabled at California racetracks during 2023 the mortality rate due to colic is 0.46 deaths/100 horse years. This is less than the results from other epidemiologic studies in which horses were kept in varied environments including most horses having access to turnout in pastures or paddocks. The epidemiology of colic in various populations should not be used to support the proposed ordinance."

Next, the ordinance's supporting documents claim that the UC Davis Center for Equine Health indicates that horses should not be "confine[d] ... to a stall unless absolutely necessary for medical reasons," and that the Center defines "Abuse and Cruelty" to include "use of excessive restraint such as tethering or confining movement for long periods of time" and/or "failure to provide adequate feed, water, care or protection."<sup>19</sup> Fortunately, the current Chairman of the California Horse Racing Board is Dr. Greg Ferraro, who is not only a globally respected equine veterinarian and surgeon but was also the Director of the Center for Equine Health at UC Davis from 1997 to 2017. Dr. Ferraro stated that none of the above-mentioned concerns apply to horses at Golden Gate Fields nor any CHRB regulated facility in the state.

Next, the supporting documents make outlandish arguments and analogies that, sadly, have no basis in reality. The author attempts to equate horses housed in stalls to solitary confinement, locking a child in a closet or putting a killer whale in a swimming pool. While evocative, these comparisons miss the mark by a wide margin. Horse stalls are not closed, provide an appropriate amount of space, and actually give horses a sense of security and protection. Additionally, racehorses leave their stalls every morning in order to exercise, bathe, walk to cool out after exercise, and often walk again later in the day. There are, at any given time, 5-10 attending and regulatory veterinarians at Golden

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<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

Gate Fields that provide excellent veterinary care and racehorse diets are carefully managed to provide balanced and healthy nutrition.

Furthermore, the actual language in the ordinance itself is unclear, impractical, and similar rules already exist under the state regulatory structure. The ordinance does not explain how many hours a horse should be left to occupy this ½ acre parcel of land nor how many horses are permitted to occupy said parcel. Golden Gate Fields houses approximately 1200 horses, meaning that the property would need to be 600 acres to comply. More to the point, the American Horse Council estimates that there are approximately 7.2 million horses living in the US which, according to the proposed ordinance, would require 3.6 million acres to adequately house horses alone—or an area roughly the size of Connecticut. Additionally, horses in a field together or even roaming around on their own does not make for a safe, risk-free environment. In fact, I would hazard to aver that horses living outside are far more likely to suffer injury than a racehorse in California.

In addition to the practical implausibility of this proposed ordinance, some of the actual language already exists in the CHRB regulations. Specifically, the ordinance seeks to prohibit:

1. Forms of animal racehorse mental or physical abuse, drive, overwork, overload, injury, harm, hurt, or torment; and
2. Manual, electrical, mechanical, or other devices, implements, instruments or any method or modality that can cause injury, pain, suffering, overwork, and death.<sup>20</sup>

CHRB Rule 1902.5 (Animal Welfare) currently states:

No person under the jurisdiction of the Board shall alone, or in concert with another person, permit or cause an animal under his control or care to suffer any form of cruelty, mistreatment, neglect or abuse. Nor shall such person abandon; injure; maim; kill; administer a noxious or harmful substance to; or deprive an animal of necessary care, sustenance, shelter or veterinary care.

CHRB Rule 1890 (Possession of Contraband) currently states, in part:

No person shall have in his possession on the premises during any recognized meeting any electrical stimulating or shocking device commonly known as a battery, or any mechanical stimulating device, or any other appliance, which might affect the speed or actions of a horse.

The CHRB has already regulated in this area and will continue to do so in the future.

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<sup>20</sup> *Id.*

**Benado, Tony**

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**From:** M.E. Lawrence <cosmicat9@lmi.net>  
**Sent:** Wednesday, December 13, 2023 5:27 PM  
**To:** All Council  
**Subject:** North Berkeley BART site design standards

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.

Dear City Council Members:

Following yesterday's meeting, we reiterate the importance of adopting the original ODS, rather than the planning commission's version: maintaining 8 to 10-foot setbacks, as well as the ODS-recommended breaks in the massing of buildings; this is a neighborhood, not downtown Manhattan.

Thanks, regards,

Melanie Lawrence & John Smail  
Flatland residents, property owners, frequent BART users



**Benado, Tony**

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**From:** Friends of Adeline <friendsofadeline@gmail.com>  
**Sent:** Monday, December 11, 2023 2:33 PM  
**To:** All Council; Berkeley Mayor's Office; Bartlett, Ben; Kesarwani, Rashi; Taplin, Terry; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** development of the Ashby BART Lot

**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.

Friends of Adeline  
*An organization of residents and neighbors in South & West Berkeley*  
[friendsofadeline@gmail.com](mailto:friendsofadeline@gmail.com)

December 11, 2023

To Mayor Arreguin and Members of the Berkeley City Council:

Friends of Adeline (FOA) has a demonstrated history of consistent involvement in the community planning processes for the development of the Ashby BART Lot. Since 2015, our organization has been intimately involved in community meetings with the consultants, planning commission meetings and CAG meetings. Given the city's possession of air rights, our attention is now focused on the West BART Lot and specific community needs we have thought would be encompassed in the large housing development planned there.

Our organization, with an active membership of thirty-six and a mailing list of over seven hundred and fifty, has embraced a commitment to restorative justice for the historic African American community for whom a broad section of housing and business ownership was eviscerated in building the BART Station.

Concerning the current planned Ashby BART housing development, the FOA has stood firmly for 100% affordable units (within the AMI range of 80%-20% affordability) and for the right of previously displaced South Berkeley residents to return. In addition, FOA supports the integration of a portion of supportive housing units, for those vulnerable to housing insecurity and who have fought bravely to maintain stability in face of diagnoses of mental illness. The unhoused state is the enemy of mental stability.

According to the latest county Point-in-Time data, the number of unhoused people in Alameda County increased by 22% from 2017 to 2022, going up from 5,629 to 9,747. The majority (73%) of unhoused residents in the county live outside, in cars or

**Benado, Tony**

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**From:** Chris Gilbert <chris@gilbertbiz.com>  
**Sent:** Monday, December 11, 2023 4:26 PM  
**To:** All Council  
**Subject:** Objective Design Standards

**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.

Dear Berkeley City Council members,

Please adopt the original ODS rather than the planning commission version. I am opposed to reducing setbacks from 8-10 feet to 5 feet and increasing required massing breaks from the maximum of 150 feet to 200 feet. The Planning commission's addition to the ODS that eliminates the massing requirement if the building has some sort of ornamentation should be eliminated.

I am a 35 year resident of Berkeley, ran a business here, have children that live in the Bay Area, and work with the Sierra Club to address climate change and other environmental issues. For this reason I am in favor of dense building near transit stations. I am also in favor of keeping housing costs as low as possible, or at least not increasing that the current rate. In spite of these factors, I don't feel that the changes from the original ODS will contribute to increasing housing and lower costs significantly enough to justify the damage to the neighborhood. There is a lot of building happening in Berkeley, I just drove by two new 5-6 story buildings along San Pablo. Do we really need to harm a neighborhood in order to absolutely maximize every sq ft of space for housing?

Chris Gilbert  
1797 Madera St  
Berkeley CA 94707

**Benado, Tony**

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**From:** Judy Wetterer <JWetterer@warehamdevelopment.com>  
**Sent:** Wednesday, November 29, 2023 12:27 PM  
**To:** Berkeley Mayor's Office; Williams-Ridley, Dee; Louis, Jennifer A.  
**Cc:** All Council; Taplin, Terry; John Gooding (Gooding@quadricgroup.com); Rich Robbins  
**Subject:** Wareham Development letter regarding West Berkeley crime  
**Attachments:** Letter from Wareham Development to Mayor and City Leaders 113023.pdf

**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.

Dear Mayor Arreguin and City Leaders:

On behalf of Rich Robbins, please find attached an important letter from Wareham Development regarding the serious rise and intensity of crime in West Berkeley.

We are eager to brainstorm on strategies that take into account the City's constraints and still advance our agenda of ensuring the safety of our tenants, their employees and ours, and the security of our properties and the vital research occurring at our research campus and elsewhere in West Berkeley.

Hard copies of the letter to follow under separate cover.

Thank you.


**Judith A. Wetterer**  
WAREHAM DEVELOPMENT  
1120 Nye Street, Suite 400  
San Rafael, CA 94901

(415) 457-4964 (Main Office)

(415) 459-4605 (Fax)

[jwetterer@warehamdevelopment.com](mailto:jwetterer@warehamdevelopment.com)

<https://twitter.com/warehamproperty>

 Please consider the environment before printing this email



November 30, 2023

Honorable Jesse Arreguin, Mayor of Berkeley  
Dee Williams Ridley, Berkeley City Manager  
Jen Louis, Berkeley Police Chief  
City of Berkeley  
2180 Milvia Street  
Berkeley, CA 94703

Dear Mayor Arreguin and City Leaders,

Along with Bayer, Wareham Development is writing today to alert you to the intolerable rising number and increasing intensity of safety issues occurring in our West Berkeley neighborhood.

In just the last few weeks, our West Berkeley tenant companies and their staffs, our employees, vendors, and neighbors have been put at risk from random acts of bodily harm and downright violence.

- Shooting two weeks ago at Ninth and Grayson Streets.
- A Bayer employee groped in the last two weeks walking from Amtrak to their job.
- A Berkeley Humane employee accosted outside their offices on Carlton.
- An RV burned to the ground two weeks ago on Grayson Street.
- An automobile stolen in broad daylight from our 2600 Tenth Street parking lot, which is directly across the street from Kaiser's West Berkeley facility to which hundreds of patients travel each day.

Perpetrators are ever more emboldened by the lack of police presence and other deterrents. We are aware of the policy and resource constraints on the City's ability to act on some of these issues. However, we at Wareham and Bayer spend a material amount in security with personnel and technology in deterrents and safety for our tenants and our businesses. Historically, West Berkeley has been the stepchild of police presence, often neglected given its contribution to the City. With police staffing materially diminished, Wareham, Bayer and others are eager to brainstorm on strategies that take into account the City's constraints and still advance our agenda of ensuring the safety of our tenants, their employees and ours, and the security of our properties and the vital research occurring there.

Honorable Jesse Arreguin, Mayor of Berkeley  
Dee Williams Ridley, Berkeley City Manager  
Jen Louis, Berkeley Police Chief

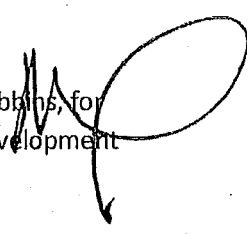
Page 2

November 30, 2023

Please help us all to engage effectively to improve conditions for businesses and residents in southwest Berkeley.

Very truly yours,

Richard K. Robbins, for  
Wareham Development

A handwritten signature in black ink, appearing to be 'R. Robbins', written over the typed name 'Richard K. Robbins, for Wareham Development'.

**Benado, Tony**

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**From:** seamus kelly <seamus.kelly.usa@gmail.com>  
**Sent:** Saturday, December 2, 2023 8:59 AM  
**To:** All Council  
**Subject:** State Farm Home Insurance Renewal

**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.

Good morning and hope all is well. I am emailing as a concerned Berkeley resident about a recent letter we received from Frank Bliss on behalf of State Farm that informed us they would no longer be renewing our home insurance policy.

The stated reason for this non-renewal was due to a home robbery we were victims of last December. There have been several crime related incidents on our block and in our neighborhood over the past year. Without the robust police presence needed and a crackdown on crimes of this nature we unfortunately expect this trend to persist. As if the consequences of having your home burglarized and your spaces violated isn't enough... the insurer, who should function as the last line of defense for piece of mind in situations like this, is now abandoning us. I am sure we are not alone.

Please get back to me to see if there are actions the city council can help us take to defend us and our fellow Berkeley citizens.

Sincerely,  
Seamus Kelly

**Benado, Tony**

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**From:** Ray Sharma <ray@bayrealtyca.com>  
**Sent:** Monday, December 11, 2023 4:43 PM  
**To:** Berkeley Mayor's Office  
**Cc:** Customer Service; Bondi, James; BPD Webmail; Manager, C; All Council; Taplin, Terry; Mirna Cervantes; R. Calocarivas  
**Subject:** 849 University Ave \_Burger King\_7th and University

**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.

Mr. Arreguín,

We like to bring this major safety concern to your attention on behalf of the business and homeowners. The burger king location on 7th and University Avenue is becoming a major destination for drug trafficking and people hanging out to sell or buy drugs. In addition they have been harassing business and home owners in the area. This is becoming a major safety concern for the female employees and homeowners in the area. It started ever since the opening of Burger King in the neighborhood. The absentee owners of Burger King do not clean the trash or debris left by their customers or people hanging around the restaurant. They have been allowing this to go on. There is a major rodent problem. Please see pictures attached.


Also there have been few vehicles (vans) parked on 7th street for over six months now. We as business owners and homeowners in the area have brought this to the city's attention a number of times but nothing has been done. The occupants of these vehicles are urinating on the sidewalks and causing health concerns. We even observed that these vehicles are not being cited for long term parking or on the day of street cleaning.


Thank you for looking into this matter.


Best Regards,


Ray Sharma  
 Gora, Inc


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
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
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
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
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
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
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
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## Benado, Tony

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**From:** Ray Sharma <ray@bayrealtyca.com>  
**Sent:** Wednesday, December 20, 2023 10:49 AM  
**To:** Berkeley Mayor's Office  
**Cc:** Customer Service; Bondi, James; BPD Webmail; Manager, C; All Council; Taplin, Terry; Mirna Cervantes; R. Calocarivas  
**Subject:** Re: 849 University Ave \_Burger King\_7th and University  
**Attachments:** 71222.jpg

**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.

Hi All,

This continues to be a major problem for our employees. Especially for the female employees. The van parked on 7th and university for over six months has been the source of drug trafficking and possibly prostitution. Also there are multiple guys in the van and they come out naked at times making the female employees uncomfortable. In addition when they are high they shout profanity at people. This is making our customers very uncomfortable and impacts our business in a negative way.

Please have the officers look into this before someone gets hurt or insulted.

Thank you!

Best Regards,

**Ray Sharma**  
Gora, Inc.

This e-mail message (including all attachments) contains confidential and/or proprietary information intended only for the addressee. Any unauthorized disclosure, copying, distribution or reliance on the contents of this information is strictly prohibited. If you are not the intended recipient, please notify us immediately and delete all contents.

On Mon, Dec 11, 2023 at 4:43 PM Ray Sharma <ray@bayrealtyca.com> wrote:

Mr. Arreguín,

We like to bring this major safety concern to your attention on behalf of the business and homeowners. The burger king location on 7th and University Avenue is becoming a major destination for drug trafficking and people hanging out to sell or buy drugs. In addition they have been harassing business and home owners in the area. This is becoming a major safety concern for the female employees and homeowners in the area. It started ever since the opening of Burger King in the neighborhood. The absentee owners of Burger King do not clean the trash or debris left by their customers or people hanging around the restaurant. They have been allowing this to go on. There is a major rodent problem. Please see pictures attached.

Also there have been few vehicles (vans) parked on 7th street for over six months now. We as business owners and homeowners in the area have brought this to the city's attention a number

of times but nothing has been done. The occupants of these vehicles are urinating on the sidewalks and causing health concerns. We even observed that these vehicles are not being cited for long term parking or on the day of street cleaning.

Thank you for looking into this matter.

Best Regards,

**Ray Sharma**  
Gora, Inc

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**BURGER KING**

**Benado, Tony**

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**From:** Ilana Pearlman <irpearlman@gmail.com>  
**Sent:** Monday, December 11, 2023 10:22 PM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Subject:** Focus on LOCAL Violence

**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.

Dear Council Members,

I look forward to seeing you all tomorrow and thank you in advance for continuing to show up and do the work, despite the hostile environment. I am once again asking this council to focus on Berkeley issues, such as gun violence that my family has been affected by in our South Berkeley District 2 neighborhood.

My sister lives directly next door to us and on October 3rd, 2023, five bullets were shot through her building at close range, just below her childrens' rooms at 2649 San Pablo Ave. I was watching a show with my oldest son when we were startled by the loud bullets ricocheting off an adjacent door, while my husband witnessed the suspect fleeing on foot.

In 2022, there was another shooting at Big O' Tires. Our backyard, where our 3 kids are often playing, directly abuts the tire shop and my children could have easily been hit by one of those bullets.

So I am asking for a LOCAL ceasefire, an end to all gun violence in Berkeley. If we can't get guns off our streets locally, then we have no business involving ourselves in international affairs.

Warmly,  
Ilana Pearlman

--  
**Ilana Pearlman, CNM, WHNP**  
Certified Nurse Midwife  
Sutter East Bay Medical Group / Alta Bates Summit Medical Center  
[irpearlman@gmail.com](mailto:irpearlman@gmail.com)  
650.208.3413

**Benado, Tony**

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**From:** david lerman <415justice@att.net>  
**Sent:** Friday, December 8, 2023 10:59 AM  
**To:** All Council; Berkeley Mayor's Office; Manager, C  
**Cc:** Gerstein, Beth  
**Subject:** Apple store robbery redux

**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.

Dear Council, Mayor & Manager:

I can't count how many times the Apple store in Berkeley has been robbed.  
[Berkeley Apple Store hit, report of 40 iPhones taken](#)



**Berkeley Apple Store hit, report of 40 iPhones taken**

"They were pulling cords, running to different tables trying to get as many as they could," a reader, who was in ...

<https://www.berkeleyscanner.com/2023/12/07/crime/berkeley-apple-store-fourth-street-stolen-iphones/>

People in Berkeley rely on the Apple store, REI, NorthFace, and other stores for jobs, goods, and services. These and other stores provide important tax revenue.

The fact that this happens over and over again provides the public with the distinct impression that our city leadership is not competent in the area of public safety?

Is there nothing you can do now to effectively stop the criminals in Berkeley? Do you listen to the Berkeley police department to find out what they actually want to attract and retain talent?

Isn't there a price at which Berkeley can offer to station an off-duty officer at the store as before?

Are you just going to wait for the Apple store, REI and NorthFace to close up and leave Berkeley?

-David Lerman

**Benado, Tony**

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**From:** John J. Parman <j2parman@gmail.com>  
**Sent:** Tuesday, November 28, 2023 5:46 PM  
**To:** All Council  
**Subject:** Starchase GPS

**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.

From "The Berkeley Scanner." This looks like a worthy addition to the city's anti-crime arsenal and is certainly better than high-speed chases.

<https://www.berkeleyscanner.com/2023/11/29/arrests/berkeley-police-starchase-gps-arrests/?ref=tbs-today-newsletter>

Yours, John

John Parman, 1428 Arch St. 94708

**Benado, Tony**

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**From:** Danielle Hacker <danielleroseh@gmail.com>  
**Sent:** Thursday, November 30, 2023 9:49 AM  
**To:** All Council; Kesarwani, Rashi; Gerstein, Beth  
**Cc:** Jake Teitelbaum; laurenkanekojones@gmail.com; davida@tescher.me; Maryam Berona; mberona@gmail.com; patrick@tescher.me; Leah Bushman@Gmail.com; djarcho@gmail.com; jbelzeradams@gmail.com  
**Subject:** Pedestrian Danger Crossing 6th St at Page St

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

Hello Rashi & Berkeley City Council,

I would like to bring to your attention the dangerous situation that is crossing 6th Street at Page Street - especially after dark as a pedestrian. Since the time change, the problem has worsened because the intersection is poorly illuminated and lacking signage of pedestrians, plus cars drive fast and aggressively on 6th.

On weekdays I'm crossing twice between 5:15pm and 5:35pm with my 2 little kids and a stroller picking up my 4 year old from Ducks Nest Preschool. Fast moving traffic is flowing both ways on 6th and cars seem to be travelling over 10mph above the 25mph limit. Cars can be so aggressive here that they swerve past each other into the pedestrian crosswalk to get around cars stopping for families on foot (this has happened to us, and in a separate incident, to another family copied on this email). The intersection is dark and poorly marked with just a little white painted crosswalk and one single pedestrian sign (that's unlit and only visible for cars traveling in one direction).

There are about 200 families that attend Ducks Nest preschool (between Page and Camilia on 4th Street) and the vast majority of families live on the other side of 6th Street. Many of us are concerned by the dangers at this crossing and I have copied a few of those I know here. We often have a stroller, many have multiple kids with us and use various strong bike lights and reflectors to illuminate ourselves only to find traffic STILL doesn't stop.. or even slow!

Furthermore a few years ago a neighbor and friend of mine on 6th and Page took the necessary steps to formally request a traffic study by the city but the speed of traffic on 6th was never evaluated and all that was done as a result was add some red paint. Plus the additional red paint to prevent parking seems to have actually made the problem worse because it allows drivers on 6th to perceive more space, a greater line of sight/visibility, and as a result they drive FASTER. This is not just my opinion but a known phenomenon proven in traffic studies. I want to stress that cars SPEEDING on 6th is the primary cause of the danger here, not parked cars.

Given how early it gets dark, this is an urgent problem that needs to be addressed before someone is seriously injured or worse. It needs illumination like a lighted pedestrian crossing signal, and maybe cones and reflectors as a temp fix (as mentioned, we have tried all sorts of bike lights without success).

I apologize for the lengthy email! Pedestrian safety is something I'm very passionate about! I would be happy to discuss on the phone and can make some suggestions as someone who's studied the topic and is familiar with this particular space.

I look forward to your thoughts!

Kind regards,  
Danielle

Danielle Rose Hacker  
415-373-8382



**Benado, Tony**

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**From:** Ben Gould <ben@bengould.org>  
**Sent:** Wednesday, December 6, 2023 8:29 PM  
**To:** Numainville, Mark L.; City Clerk; FinanceMailbox  
**Cc:** Brandon James Yung; Rebecca Mirvish  
**Subject:** Re: Finance Department recommendations to SAFE STREETS initiative petition

**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.

Dear Finance Department,

Thank you for taking the time to review and provide feedback on our SAFE STREETS initiative petition. We appreciate the attention to detail and thoughtfulness of the review, and wanted to share our thoughts and request additional feedback if necessary.

The first recommended technical change was moving the start date of the tax to July 1, 2025 to coincide with the tax year. We chose January 1st to follow existing practices set by other parcel tax measures, such as 2020 Measure FF, and to ensure funding is available at the soonest possible opportunity to address the longstanding critical issue of fixing Berkeley's streets. We recognize that there may be logistical challenges and hope that those can be prepared for in advance, in an effort to ensure the first collection is a 6 month increment, not 18 month.

The second recommended technical change was adding a definition of "dwelling unit", and other supporting definitions. This omission was an oversight on our part. Unfortunately, due to noticing requirements with The Daily Californian, updating our language would delay signature collection by as much as a month, jeopardizing our ability to get this measure on the ballot. Our measure permits Council to make certain amendments to the chapter, and we will request that they add a definition of "dwelling unit" that is consistent with other City parcel taxes, along with other definitions as needed.

The third recommended technical change was to Section 7.11.090, which states that it is the duty of the City Manager to collect and receive all taxes, and referred to BMC 7.56.060 which makes it a duty of the Finance Director. The Finance Director is not a position referenced in the City Charter and, under the Charter, the City Council is only authorized to direct the City Manager. The City Manager has the authority to delegate responsibilities to other positions, including the Finance Director. Our language assigning this responsibility to the City Manager is consistent with other more recent chapters of the BMC, such as 7.81.050 and 7.83.050. If amendments to this language are required, our measure allows Council to make this type of change.

The fourth recommendation was to clarify whether the funding timeframe and subsequent period in which the tax cannot be imposed if the City fails to maintain the \$15.3 requirement is a fiscal or calendar year. We defer to the City to determine whether one approach is logistically more feasible to implement if needed, but hope it will never need to be determined. A specific selection may be amended into the measure by City Council in the future if specificity is required.

Please let us know if you find any other errors or have additional recommendations. Thank you again for your time and consideration - we appreciate everything you do to help keep the City of Berkeley running smoothly.

Sincerely,

Ben Gould  
 On behalf of the Berkeley Citizens for Safe Streets Steering Committee

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**Ben Gould**

[ben@bengould.org](mailto:ben@bengould.org)

(510) 725-9176

**Benado, Tony**

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**From:** John J. Parman <j2parman@gmail.com>  
**Sent:** Tuesday, December 12, 2023 12:19 PM  
**To:** All Council  
**Subject:** Lowering the speed limit

**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.

FYI, Amsterdam has dropped its speed limit to 30 kph.

[https://www.bloomberg.com/news/articles/2023-12-04/amsterdam-speed-limits-to-drop-to-30kph-to-improve-road-safety?utm\\_source=website&utm\\_medium=share&utm\\_campaign=copy](https://www.bloomberg.com/news/articles/2023-12-04/amsterdam-speed-limits-to-drop-to-30kph-to-improve-road-safety?utm_source=website&utm_medium=share&utm_campaign=copy)

Yours, John

(John Parman, 1428 Arch St. 94708)

**Benado, Tony**

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**From:** Alfred Twu <alfredtwu@gmail.com>  
**Sent:** Friday, December 15, 2023 4:04 PM  
**To:** City Clerk; All Council  
**Subject:** Telegraph Ave needs to be detoured at Haste Street while Bancroft is under construction

**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.

Hi Berkeley City Council

I'm excited to see work being done on Bancroft Way. However, the narrowing of the street to one lane at some parts is causing huge traffic jams.

Right now all traffic from Piedmont (1 lane) College (1 lane) and Telegraph (2 lanes) are all funneling onto Bancroft (now 1 lane).

This isn't working. Since the work started all traffic, including all the buses, are slowed to about 1mph and taking 10-15 minutes to travel 3 blocks.

It would make more sense to close Telegraph north of Haste to through traffic and traffic going downtown turn off at Haste.

Thanks  
Alfred Twu

**Benado, Tony**

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**From:** sean mc <larucious@yahoo.com>  
**Sent:** Wednesday, November 29, 2023 3:49 PM  
**To:** Cerami, Sara; All Council  
**Cc:** Harrison, Kate; Naso, Christopher  
**Subject:** Re: 2018 Delaware

Hello Sara,

Thanks so much for getting back to me. Do you know when this campaign with the flyers and officers and enforcement will begin? I just had an incident where I was crossing the street at Hearst and Oxford, and I was in the crosswalk, crossing when it was my turn, and a scooter rider narrowly missed hitting me from behind. I appreciate that people are thinking about solutions to these problems, but when will the solutions arrive? When will there be actual enforcement of the traffic laws in downtown Berkeley? I rarely see any kind of police presence, and have never seen a car or scooter be pulled over or given a citation in my recent memory. It seems the streets of downtown Berkeley don't have anyone enforcing the rules.

One suggestion. The scooter companies should be required to install a button on the scooter that you can press to report that it is improperly parked or is breaking the rules. The system where the pedestrian is required to send them an email with a screenshot puts too much responsibility on average pedestrians. The scooter companies should provide a technological solution to this problem, not the other way around.

Looking forward to hearing more about the launch of the campaign.

Thanks!  
 Sean

On Thursday, November 9, 2023 at 04:53:16 PM PST, Cerami, Sara <scerami@berkeleyca.gov> wrote:

Dear Sean,

Thank you so much for reach out to Councilmember Harrison and expressing your concern. No one should be afraid for their safety on our city's sidewalks and streets.

Councilmember Harrison has been collaborating with the Downtown Berkeley Association and the UC Berkeley Chancellor's Office to make sure scooter riders know the danger and penalty associated with riding on the sidewalks. We are also working with the police department to station officers at areas with frequent sidewalk riding. Our office is putting together resources like fliers and infographics to effectively and easily disseminate this information and to make it abundantly clear that sidewalk riding is unacceptable and will have consequences. If you have other suggestions, we would love to hear them.

I will reach out to each of the companies the City of Berkeley partners with to express the concern over scooters being left in the middle of the sidewalk. I will share their response as soon as I receive one.

Thanks again for your email and please feel free to reach out with any further questions or concerns.

Best,

Sara

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**From:** sean mc <larucious@yahoo.com>  
**Sent:** Wednesday, November 8, 2023 10:45:41 AM  
**To:** All Council <council@berkeleyca.gov>  
**Subject:** Fw: 2018 Delaware

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

Hello Berkeley City Council,

I sent my email below to Kate Harrison and haven't heard back yet. I thought I would try emailing this address and see if I can get some help. Please see below.

Thanks,

Sean

----- Forwarded Message -----

**From:** sean mc <larucious@yahoo.com>  
**To:** kharrison@berkeleyca.gov <kharrison@berkeleyca.gov>  
**Sent:** Tuesday, November 7, 2023 at 10:54:51 AM PST  
**Subject:** Fw: 2018 Delaware

Hello Kate,

I am a member of your district, and I have become increasingly concerned about my safety on the sidewalks of Berkeley with these Veo and other branded scooters nearly running me over daily. I am writing to find out what the council is doing to address the safety of our pedestrians? I have lived in Berkeley since 2008. In the last few years I have become

increasingly concerned about pedestrian safety in Berkeley. I don't ever see anyone enforcing traffic or scooter laws, and the city becomes more and more unsafe for pedestrians every month.

I am also writing because as I understand it, the scooter companies are required to remove scooters that have been reported for safety of accessibility issues. Below you can see, that I reported a scooter, and got a response about 12 hours later. There is a building on my street that they often leave the scooters out on the sidewalk, blocking them completely. This same building is also home to a person who is hard of sight, and there are multiple wheelchair users on the block. I have reported to VEO that there is a blind woman who lives in that building at least 5 times, and still just about every week or two someone leaves a scooter or two right there on the sidewalk outside of the blind woman's building.

I noticed that in the last few months the response from Veo to my reports have lagged more and more, commonly responding 12 hours later.

What can we do to make sure the scooter companies are following the rules? How can we report them if they are not following the rules? What are you supposed to do if you get hit and run by someone on a scooter? There is no license plate or way to report them.

Thanks for any help or thoughts,

Sean McMahon

1729 MLK Jr, Way Apt 5

Berkeley CA 94709

----- Forwarded Message -----

**From:** Stephanie Lauren <slauren@veoride.com>

**To:** sean mc <larucious@yahoo.com>; BKLOps <bklops@veoride.com>

**Sent:** Tuesday, November 7, 2023 at 05:38:08 AM PST

**Subject:** Re: 2018 Delaware

Hi Sean,

Thanks for sending this information. We have sent it to the team in field to relocate the scooter.

Best,

Steph Lauren

Operations Manager  
Field Operations | Veo

---

628-261-4051

[slauren@veoride.com](mailto:slauren@veoride.com)

[www.veoride.com](http://www.veoride.com)

1334 Third Street Promenade, Suite 300, Santa Monica, CA 90401

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**From:** sean mc <larucious@yahoo.com>  
**Sent:** Monday, November 6, 2023 5:39 PM  
**To:** BKLOps <BKLOps@veoride.com>  
**Subject:** 2018 Delaware



**Benado, Tony**

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**From:** Susan Orbuch <susan.orbuch4@gmail.com>  
**Sent:** Wednesday, November 29, 2023 5:09 PM  
**To:** All Council  
**Subject:** Hopkins Street Paving -- please do it!

**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.

*This note is to urge the City Council to remove the Alameda to Gilman segment of Hopkins Street from the "holdover" list and add it to the official paving program for Fiscal Year 2025.*

*Thank you,*

*Susan Orbuch  
Berkeley, CA*

**Benado, Tony**

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**From:** Pamela Rudd, Ph.D. <pk21@aol.com>  
**Sent:** Saturday, December 2, 2023 9:08 PM  
**To:** All Council; Planning Dept. Mailbox  
**Subject:** Street Paving

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.

Dear Mayor, Director Klein, and Councilmembers,

As a resident of Berkeley since 1988, I was thrilled to hear there are plans to begin repaving some of the streets. I also understand that PG&E will underground some overhead wires to reduce the risk of fire.

Is there any coordination between these two projects?

Given that PG&E will tear up and repave streets in Berkeley to complete their task, it seems there is an opportunity to save money and not duplicate services by coordinating efforts. It would seem foolish for Berkeley taxpayers to pay to repave a street that PG&E will tear up later.

Can you please tell me how this will be handled. Thank you.

Pamela Rudd.

**Benado, Tony**

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**From:** Alicia Telford <adtelford3@gmail.com>  
**Sent:** Thursday, November 30, 2023 9:59 PM  
**To:** All Council  
**Subject:** Hopkins bike lane

**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.

Dear Berkeley City Council,

As a homeowner in the Berkeley Hills, I drive down to Monterey Market and environs, because taking the bus would take over an hour. I think that wiping out 30-plus parking spaces on Hopkins near the very busy shopping area would wipe out most of the Hopkins/Monterey business district. Less than 2% of Berkeley bike riders use Hopkins St as a route- Most use Cedar or Rose. What I might suggest is paving Hopkins and making a bike lane on Rose Street. Just my opinion,

Alicia Telford

French Horn & Fun  
adtelford3@gmail.com

**Benado, Tony**

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**From:** Dianna & Clare <grizzlypeaknest@gmail.com>  
**Sent:** Thursday, November 30, 2023 4:01 PM  
**To:** All Council  
**Cc:** bob flasher  
**Subject:** LEAVE HOPKINS STREET ALONE!

**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.

To those that hold all the power: Please do not disrupt our perfect little shopping area - a gem of Berkeley and her surrounding communities. Our small businesses that survived the COVID pandemic are still with us by some miracle of the goddess. So why oh why would you disrupt that now? Please do NOT touch our little slice of heaven. Thank you.

- Clare and Dianna Mullins  
1181 Grizzly Peak Blvd, Berkeley, CA 94708  
[GrizzlyPeakNest@gmail.com](mailto:GrizzlyPeakNest@gmail.com)  
925-216-4773

**Benado, Tony**

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**From:** bgilbertca@aol.com  
**Sent:** Sunday, December 3, 2023 12:26 PM  
**To:** All Council; Manager, C; Numainville, Mark L.; Humbert, Mark; Wengraf, Susan; Auditor; Bartlett, Ben; City Attorney's Office; City Clerk; Harrison, Kate; Berkeley Mayor's Office; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Taplin, Terry  
**Subject:** Bike Lane Kills SF Businesses

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.

**To Berkeley Public Officials,**

***Even though you have refused to pave Hopkins, at least our Hopkins businesses will be safe for a while from the insane discredited unsafe bicycle plan proposed by the small unrepresentative group of bike zealots.***

**<https://www.sfchronicle.com/bayarea/article/amados-closed-valencia-street-bike-lane-18525352.php>**

***Shame on you for your disgraceful maneuvering on the long-planned re-paving.***

***Sincerely, Barbara Gilbert***

***Barbara Gilbert  
Vincente Avenue  
Berkeley, CA 94707-1520***

***Phone: 510-559-8216  
E-mail: [bgilbertca@aol.com](mailto:bgilbertca@aol.com)***

**Benado, Tony**

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**From:** Bryce Nesbitt <bryce2@obviously.com>  
**Sent:** Friday, December 8, 2023 10:47 AM  
**To:** All Council  
**Cc:** Nevels, Ronald; Mostowfi, Hamid; transportation  
**Subject:** Hopkins: Municipal Liability for Pavement Conditions

**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.

When considering the future of the rutted pavement on Hopkins, consider:

<https://oaklandside.org/2023/12/06/oakland-lawsuit-settlement-6-million-bike-rider-macarthur-boulevard/>

*"Bicyclists were well aware of the dangerous bike lane conditions on MacArthur Boulevard near Lake Merritt, so when VanSchoote was injured, they quickly mobilized to pressure the city to fix the seam.*

*Eleven days after VanSchoote crashed, then-Bike East Bay Advocacy Director Dave Campbell emailed Sarah Fine, an OakDOT staffer in charge of the city's paving programs, asking for an urgent fix.*

*According to the city attorney, Oakland will pay \$5 million of the total settlement, with the city's insurance provider picking up the remainder."*

**Benado, Tony**

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**From:** Ray Freeman <rayfreeman2@icloud.com>  
**Sent:** Tuesday, November 28, 2023 2:08 PM  
**To:** All Council  
**Subject:** 5 Year Paving Plan

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.

Berkeley City Council,

I would like to add my voice to those that would like to see the repaving of Hopkins Street, with or without an bicycle improvements to the 5 year paving plan. It is my understanding that it was originally on the plan, then District 1 Councilperson Kesarwani added the high speed bike raceway including the removal of 190+- parking spaces between Monterey and San Pablo.

When objections arose, this woman, and her allies at Walk-Bike Berkeley, removed paving from this street after local citizens, who would be negatively impacted by this unnecessary corridor objected. The negative impacts of that additional proposal on the resident of this neighborhood was never considered by the Public Works Director or the Transportation and Planning Commission, a commission that has been packed with walk-bike berkeley fanatics.

Only after the Fire Chief intervned to say that plan was dangerous for fire safety was it dropped.

Kesarwani has shown her true nature by deliberately attempting to punish the Save Hopkins advocacy group by blocking all repaving on the street. This is clearly being done purely out of spite. This odious attitude is reminiscent of a recently deposed ex-president, who instead of using their office to serve the general public, hand out favors to those who agree with them, and seek to punish those who choose to make their voices heard.

It is my understanding that the full TIC has refused to even discuss this issue. Again, this is because this commission is controlled by a narrow constituency that passes only items that they see as relevant to their pet cause while ignoring all other considerations.

If any of you have nominated Commissioners Parolek, Ghosh, or Lutzker to this commission, I urge you to remove them and appoint a replacement more amenable to supporting the entire community (all citizens) they represent.

Ray Freeman



**Benado, Tony**

---

**From:** Kenny Yip <spgdba@hotmail.com>  
**Sent:** Tuesday, November 28, 2023 2:04 PM  
**To:** All Council  
**Subject:** Hopkins street paving project

**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.

Please adopt and vote yes on the supplemental measure (**recommending that Hopkins, from Gilman to The Alameda, be moved onto the new paving plan and scheduled for 2025**) proposed by CM Hahn and CM Wengraf. Berkeley should break the hold by the previous deputy Transportation Director. He is bad, and he is gone, let's move forward and serve the neighborhood and customers in the Hopkins area. Why did the Transportation director not listen to its own sub-committee's recommendations? May be the city should purge the entire staff in the Transportation Department and hire honest people instead.

Thank you, CM Hahn and CM Wengraf for standing up to the tyranny and the wrongs of past actions.

Kenny Yip

**Benado, Tony**

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**From:** Laura <lglenlouis@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:16 AM  
**To:** All Council  
**Subject:** Pave Hopkins

**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.

Long overdue, as is repaving \*many\* other streets in Berkeley.

Thank you,  
Laura Louis

**Benado, Tony**

---

**From:** Elizabeth Kloian <ekloian@gmail.com>  
**Sent:** Tuesday, November 28, 2023 7:51 AM  
**To:** All Council  
**Subject:** Hopkins Street

**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.

Honorable Mayor and Members of the City Council,

Please help us. Hopkins Street is in terrible condition. While it may seem quaint that stretches of it sound like an old cobblestone road, it isn't funny being fearful driving on it.

Please remove the Alameda to Gilman segment of Hopkins Street from the "holdover" list and add it to the official paving program for Fiscal Year 2025.

*Thank you,*

---  
Elizabeth Kloian  
ekloian@gmail.com

**Benado, Tony**

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**From:** Lisa P. Chow <lisachow@berkeley.edu>  
**Sent:** Tuesday, November 28, 2023 8:23 AM  
**To:** Kesarwani, Rashi  
**Cc:** All Council  
**Subject:** Please represent me tonight 11/28 council meeting- Repaving Hopkins

**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.

Dear Councilmember Kesarani,

Please support Councilmembers Hahn's and Wengraf's supplemental measure for street repaving of Hopkins Street from the Alameda to Gilman to occur in 2025 or sooner at tonight's council meeting. I am tired of walking on ruts and nearly tripping and falling. I am tired of hearing about postponements. Delaying only gets more costly and more deterioration of this dangerous roadway. Please care about your constituents and don't support any further postponement. The issue is quite simple: Safety! And Now!

Thank you.

Lisa Chow  
1206 Curtis St.  
Berkeley, CA 94706

**Benado, Tony**

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**From:** Diane Garcia <befindsf@gmail.com>  
**Sent:** Tuesday, November 28, 2023 11:35 AM  
**To:** All Council  
**Subject:** Please consider the supplemental

**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.

Dear Councilmembers,

I have reviewed the supplemental measure about putting part of Hopkins on the paving plan and I fully support it. It would pave the worst section of Hopkins and use the money that is allocated for it. It seems like a no-brainer.

It would make the street so much safer for **everyone**. There will still need to more safety measures implemented, but that shouldn't stop the paving, which is critical to the safety of the street. That section of Hopkins is heavily used by people who live in the area, people coming to do shopping in the area, and people who come to use to park and other services the area has to offer.

Please do the right thing and support this measure.  
diane.

**Benado, Tony**

---

**From:** Kay Englund <kay.englund20@gmail.com>  
**Sent:** Tuesday, November 28, 2023 6:43 AM  
**To:** All Council  
**Subject:** Council meeting tonight (Tuesday, Nov. 28th)

**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.

Dear Council Members,  
I am urging you to please support the Supplemental package on Action Item 17 so that we may move forward with the desperately needing paving of Hopkins.

Thank you,

Kay Englund



**Benado, Tony**

---

**From:** Karen Nady <karennady@aol.com>  
**Sent:** Tuesday, November 28, 2023 5:44 AM  
**To:** All Council  
**Subject:** Hopkins St paving

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.

To the City Council,

*Please remove Hopkins St from the "holdover" list for paving and add it to the paving projects list for 2025....or earlier if possible! I live on Hopkins and it is a daily problem avoiding uneven pavement and the rough surface in general. I know the bike lane project concept was divisive, but now that it is no longer on the project list, please take care of the street. It is heavily traveled and an necessary for travel to so many schools and businesses.*

Thank you for your consideration.

Karen Nady  
1825 Hopkins St  
Berkeley, CA 94707

**Benado, Tony**

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**From:** john malork <johnmalork@hotmail.com>  
**Sent:** Tuesday, November 28, 2023 2:42 AM  
**To:** All Council  
**Cc:** risala laird  
**Subject:** Please approve the paving of Hopkins from Gilman to the Alameda

**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.

This long stretch of Hopkins is a vital artery to us in North Berkeley and has been in shameful condition for decades. I wince every time I turn from the beautifully paved Alameda heading to Monterey Market knowing it will be a tire-gnashing passage through the gates of Hell.



**Benado, Tony**

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**From:** Aranha Mario <marioaranha@yahoo.com>  
**Sent:** Monday, November 27, 2023 11:01 PM  
**To:** All Council  
**Subject:** Hopkins St repaving plan

**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.

Dear Council Members,

Please formally approve for 2025, the repaving of Hopkins St between Gilman and The Alameda using funds that were previously allocated but were held up or reallocated. Thanks to council members Hahn and Wengraf for initiating this timely action as that section of the street is most in need of repair.

Hopefully paving of some of the other deteriorated sections of the street will follow suit.

Thank you,

Mario Aranha  
1931 Hopkins St

**Benado, Tony**

---

**From:** Peggy Radel <peggy@paradel.org>  
**Sent:** Monday, November 27, 2023 8:09 PM  
**To:** All Council  
**Subject:** RE Council meeting November 28, action item 17 Street Rehabilitation

**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.

Dear City Councilmembers, city clerk and staff,

I note that Councilmembers Hahn and Wengraf have submitted a supplemental filing (No. 2) that restores a portion of Hopkins Street to the 5 year paving plan. I strongly support this addition. The section of Hopkins from Gilman to Alameda is in dire disrepair. It is used heavily by residents from all over Berkeley as well as by workers, materials and construction deliveries and the like. Repaving this section is a boon to safety for all.

Please vote to remove the Alameda to Gilman segment of Hopkins Street from the "holdover" list and add it to the official paving program for Fiscal Year 2025.

Thank you,  
Peggy Radel

**Benado, Tony**

---

**From:** Minar Aware <minar.aware@gmail.com>  
**Sent:** Friday, December 15, 2023 11:56 AM  
**To:** Realign@actransit.org  
**Cc:** Wengraf, Susan; All Council  
**Subject:** Please don't cancel AC transit 67 and 65

**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.

Hi ,

Please don't cancel AC transit 67 and 65. I have been using it pretty often as it takes me to the Bart stations.

Thanks,  
Minar

**Benado, Tony**

---

**From:** Luoping Zhang <luoping@berkeley.edu>  
**Sent:** Monday, December 18, 2023 3:57 AM  
**To:** Wengraf, Susan; All Council  
**Subject:** Fwd: Keep AC Transit (65 & 67 bus) on the Berkeley Hills

**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.

FYI:

----- Forwarded message -----

**From:** **Luoping Zhang** <luoping@berkeley.edu>  
**Date:** Tue, Dec 12, 2023 at 6:52 PM  
**Subject:** Keep AC Transit (65 & 67 bus) on the Berkeley Hills  
**To:** <realign@actransit.org>

To AC Transit:

I am writing to voice my support for full continued bus service along both the 65 and 67 routes in the Berkeley Hills. Taking away the only public transportation option for thousands of residents in this neighborhood is unconscionable.

Many people in this area rely on bus service, including middle and high schoolers who need it to get to/from school and activities and people with physical limitations who do not or cannot always drive. Already, with no service on the weekends or holidays, these groups have very limited options. Further, as people are trying to find ways to cut down on their reliance on driving, this is absolutely moving in the wrong direction.

The bottom line is that it is inconceivable that a large swath of Berkeley could be left without any transit options. It is imperative that public transportation equitably serves all residents of Berkeley. AC Transit should maintain—or improve—bus service in this area.

Thank you,

Luoping Zhang and Phil Heimann

729 Hilldale Ave, Berkeley, CA 94708

**Benado, Tony**

---

**From:** Erin Baudo Felter <erin.baudo@gmail.com>  
**Sent:** Tuesday, December 12, 2023 9:16 PM  
**To:** [realign@actransit.org](mailto:realign@actransit.org)  
**Cc:** Wengraf, Susan; All Council  
**Subject:** Berkeley Hills bus service

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.

To AC Transit:

I am writing to voice my support for full continued bus service along both the 65 and 67 routes in the Berkeley Hills. Taking away the only public transportation option for thousands of residents in this neighborhood is unconscionable.

Many people in this area rely on bus service, including middle and high schoolers who need it to get to/from school and activities and people with physical limitations who do not or cannot always drive. Already, with no service on the weekends or holidays, these groups have very limited options. Further, as people are trying to find ways to cut down on their reliance on driving, this is absolutely moving in the wrong direction.

The bottom line is that it is inconceivable that a large swath of Berkeley could be left without any transit options. It is imperative that public transportation equitably serve all residents of Berkeley. AC Transit should maintain—or improve—bus service in this area.

Thank you,

--  
Erin Baudo Felter  
[erin.baudo@gmail.com](mailto:erin.baudo@gmail.com)

**Benado, Tony**

---

**From:** Frank Fletcher <fletcher\_frank@hotmail.com>  
**Sent:** Tuesday, December 12, 2023 12:40 PM  
**To:** realign@actransit.org  
**Cc:** Wengraf, Susan; All Council  
**Subject:** Significant Concerns about the Possibility of Terminating Line 65

**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.

Dear AC Transit:

I am writing to voice my concern about the possible termination of the 65 bus line along Grizzley Peak Blvd in the Berkeley Hills. For many residents in this neighborhood, including my own children and wife, the 65 serves a primary mode of transportation. Terminating this service will significantly limit their ability to conduct their every day lives.

In addition to my family, many people in this area rely on the 65 bus service. High School and Middle School aged children rely on the 65 to get to and from school on a daily basis. Individuals who have physical limitations or are unable to drive for other reasons also rely on this service. In an attempt to limit my carbon footprint, I have taken the 65 many times and am a witness to those who depend on this service. I have never been on the 65 without nearly every seat occupied. This neighborhood has had to adjust to the 65 no longer operating on weekends. The consequence of that has been a significant visible uptick in car traffic along Grizzley Peak Blvd and Marin Avenue. By terminating or limiting 65 service, AC Transit is failing at achieving its mission of delivering "safe, reliable, sustainable transit service that responds to the needs of our customers and communities."

The bottom line is that it is inconceivable that a large swath of Berkeley could be left without any transit options. It is imperative that public transportation equitably serve all residents of Berkeley. The residents of the Berkeley Hills should not have to bear the full burden of AC Transit operational cuts. AC Transit should maintain—or improve—bus service in this area.

Best regards,

Frank Fletcher

**Benado, Tony**

---

**From:** Christoverre Kohler <cvkohler@gmail.com>  
**Sent:** Thursday, November 30, 2023 1:01 AM  
**To:** Moni Law  
**Cc:** City Clerk; boona cheema; All Council; Berkeley Community Safety Coalition; Berkeley Outreach Coalition; Williams-Ridley, Dee; Dorothy Day House; Works-Wright, Jamie; Buell, Jeffrey; Louis, Jennifer A.; Warhuus, Lisa; Berkeley Mayor's Office; Paul Kealoha Blake; RCJR Google  
**Subject:** Re: [BCSC] Re: winter shelter urgent: proper hours and standards of what prompts shelter opening

**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.

I serve on the Alameda County Homeless Mortality Review Team and we've been focusing on not only the number but the different kinds and causes of death suffered by people while unhoused and in a variety of kinds of situations while particularly vulnerable, each in their own way. A key focus for us, is looking to identify specific ways to minimize those risks as may be realistically possible.

The existing Winter Shelters seem to be obvious, important resource of that kind and virtually immediately available. So, yes, by all means do deploy it to fullest possible advantage to those who will benefit.

Sent from The Harmon eStreet Fools Retreat

On Wed, Nov 29, 2023 at 9:24 PM Moni Law <[monilaw7@gmail.com](mailto:monilaw7@gmail.com)> wrote:

Dear Mayor and Council:

I concur with boona's sentiments. I've often wondered why the refugee /military camp heated tents are not requested from the state National Guard for the winter. It is inhumane and cruel to force hundreds of our unhoused neighbors to leave a shelter early in the morning or not open unless the temperature is below 40 Degrees.

Men, women and children will suffer and too many die on Berkeley streets from exposure to the harsh elements. We can prevent this suffering.

Please mandate appropriate funding and services. I've participated in supportive 'over night vigils' at Here/There camp, BART Plaza and Old City Hall. It was freezing cold, miserable, rats scattering around, nowhere to use a restroom.

Berkeley values require better.

Sincerely,

Moni T. Law, JD  
Chair, BCSC

On Mon, Nov 27, 2023 at 2:19 AM 'boona cheema' via RCJR\_Active <[rcjr\\_active@googlegroups.com](mailto:rcjr_active@googlegroups.com)> wrote:  
Jesse please show your empathy and compassion which you have plenty off by making the winter shelter be open every night from 6pm until 9 am.

It seems cruel to me that people who are not in encampments have to somehow figure out "which nights" the shelter will open. Its crazy for staff who monitor the program with such compassion and empathy and devastating for folks who will be out in the cold.

All of us housed folks feel the cold especially at night and early mornings all winter .and turn on the heat...unfortunately our unhoused folks do not have heaters nor a roof over their heads. Winter is also the time when those of us housed or unhoused experience Seasonal Affective Disorder a deeper depression.

I am in India until December the first and the city I am in called Chandigarh will begin putting up army tents with heaters in December.

Our great city always finds money. FIND THE MONEY be humane, compassionate and merciful.

In Peace

boona cheema

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You received this message because you are subscribed to the Google Groups "RCJR\_Active" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [rcjr\\_active+unsubscribe@googlegroups.com](mailto:rcjr_active+unsubscribe@googlegroups.com).

To view this discussion on the web visit

[https://groups.google.com/d/msgid/rcjr\\_active/529815233.6654041.1701080374245%40mail.yahoo.com](https://groups.google.com/d/msgid/rcjr_active/529815233.6654041.1701080374245%40mail.yahoo.com).

For more options, visit <https://groups.google.com/d/optout>.

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You received this message because you are subscribed to the Google Groups "Berkeley Community Safety Coalition" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [berkeley-community-safety-coalition+unsubscribe@googlegroups.com](mailto:berkeley-community-safety-coalition+unsubscribe@googlegroups.com).

To view this discussion on the web visit <https://groups.google.com/d/msgid/berkeley-community-safety-coalition/CAHnFbwbfNuRPaAJ3ahVnxFKmwuWayhKcV%2B5g27LhcCj9CwByQ%40mail.gmail.com>.



**Benado, Tony**

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**From:** Elana Auerbach <elanaarobyn@gmail.com>  
**Sent:** Wednesday, November 29, 2023 9:51 PM  
**To:** Moni Law  
**Cc:** City Clerk; boona cheema; All Council; Berkeley Community Safety Coalition; Berkeley Outreach Coalition; Williams-Ridley, Dee; Dorothy Day House; Works-Wright, Jamie; Buell, Jeffrey; Louis, Jennifer A.; Warhuus, Lisa; Berkeley Mayor's Office; Paul Kealoha Blake; RCJR Google  
**Subject:** winter shelter urgent: Please Go Outside and Feel the Cold for Yourself

**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.

Thank you boona and Moni for your unending compassion and concern for our unhoused neighbors.

Dear Berkeley City Leaders~

The winter shelter is closed tonight because it's supposed to dip only to 47 degrees, not 45 degrees. Please, would you go outside now or when you first wake up in the morning? While you're out there, imagine what it must be like to have no place else to sleep but outside.

Please allocate whatever funding is needed to ensure the winter shelter is open **every** night until spring. That is the only humane thing to do. It will also create reliability and be more respectful to those who use the shelter.

I went by the Dorothy Day House around 4:30pm today and there was a man outside who thought he would be sleeping at the shelter tonight and he was waiting for it to open. Later, I received a text from Robbie Montoya informing me the shelter is closed.

Please do whatever it takes to reliably provide a warm place to sleep for at least some of our unhoused neighbors every single night during the cold winter months.

Thank you~  
 Elana Auerbach

On Wed, Nov 29, 2023 at 9:24 PM Moni Law <[monilaw7@gmail.com](mailto:monilaw7@gmail.com)> wrote:

Dear Mayor and Council:

I concur with boona's sentiments. I've often wondered why the refugee /military camp heated tents are not requested from the state National Guard for the winter. It is inhumane and cruel to force hundreds of our unhoused neighbors to leave a shelter early in the morning or not open unless the temperature is below 40 Degrees.

Men, women and children will suffer and too many die on Berkeley streets from exposure to the harsh elements. We can prevent this suffering.

Please mandate appropriate funding and services. I've participated in supportive 'over night vigils' at Here/There camp, BART Plaza and Old City Hall. It was freezing cold, miserable, rats scattering around, nowhere to use a restroom.

Berkeley values require better.

Sincerely,

Moni T. Law, JD  
Chair, BCSC

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All of us housed folks feel the cold especially at night and early mornings all winter .and turn on the heat...unfortunately our unhoused folks do not have heaters nor a roof over their heads. Winter is also the time when those of us housed or unhoused experience Seasonal Affective Disorder a deeper depression.

I am in India until December the first and the city I am in called Chandigarh will begin putting up army tents with heaters in December.

Our great city always finds money. FIND THE MONEY be humane, compassionate and merciful.

In Peace

boona cheema

**Benado, Tony**

---

**From:** Moni Law <monilaw7@gmail.com>  
**Sent:** Monday, December 4, 2023 8:38 AM  
**To:** Harrison, Kate; Warhuus, Lisa  
**Cc:** All Council; Eva Adams; ginger Boswell; Haley Goetting; Mary BHS Students; Lily Mei Kung; boona cheema; Héctor Malvido; Alecia; Nathan Mizell; Gino Barichello; carole marasovic; Paul Blake; Ana Vasudeo; Laura Babitt  
**Subject:** Grand Opening of BHS Wellness Center sadly not publicized

**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.

Greetings:

I'm thankful that my Councilmember Kate Harrison asked me on Friday if I was attending the open house reception for Berkeley High's Wellness Center scheduled the next day. I had no idea it was occurring and I've been inquiring about the status for months, as recently as last Tuesday during City Council. We are now learning that the \$350,000 allocated by council May 2022 that was submitted by the 5 students cc'd here was used to pay the salary for 2 years of a new Director to run the center that officially opens today.

The attached guide of mental health resources was created by the 5 BHS grads in their senior year - it is also translated into Spanish. Dr. Warhuus offered on Saturday to distribute the guide and make it available at the center if I dropped by copies (but I gave my last glossy copy to the new director at the grand opening tour and a copy of the Spanish translation). Also, I've been working for months to secure funding to make copies- without success.

Fred Fasset, the owner of Minute Minute Man Press kindly approached me and offered a year ago to prepare the layout and print copies at a discount. The students raised funds to print a small batch. Fred can be reached to order thousands of copies. The BHS student authors hoped that this guide would have been distributed last fall after their friend's tragic death - they worked weekly for months on the research, drafting, editing and design to ideally provide a copy to all 3,200 families in the high school- and copies in offices where youth are served such as Berkeley Youth Alternative (shout out to BYA ED Kevin Williams who coordinated internship stipends to the 5 BHS students who did the work without pay but I wanted to model the importance of people being rewarded for quality and vital work).

We are happy that the Wellness Center opens officially today. I was very disappointed, however, that many community orgs were unaware of the grand opening.. mostly a few dozen white parents and a diverse group of students and campus groups were tabling.

Principal stakeholders like Healthy Black Families and others were not informed or invited. I had to search the BUSD website to find the details. The audience should have been ten times larger to celebrate this huge development.

Apparently Dr. Warhuus also learned late that the school had not listed the city as a principal partner.

Please make sure that all BHS families and all youth in Berkeley are aware of services and free mental health resources available. Just a few weeks ago - another BHS student considered suicide but was fortunately located and rejoined safely with his family. Many suffer in silence. We must connect with them now, before it is too late.

Thanks,

Moni T. Law, J.D.

Berkeley Community Safety Coalition Chair Youth Mentor for Mental Health Guide

Sent from my iPhone

**Benado, Tony**

---

**From:** Diana <nicca@igc.org>  
**Sent:** Friday, December 1, 2023 9:26 AM  
**To:** All Council  
**Subject:** winter shelter urgent: Please Go Outside and Feel the Cold for Yourself

**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.

Dear Berkeley City Leaders~

Please allocate whatever funding is needed to ensure the winter shelter is open **every** night until spring. That is the only humane thing to do. It will also create reliability and be more respectful to those who use the shelter.

Please do whatever it takes to reliably provide a warm place to sleep for at least some of our unhoused neighbors every single night during the cold winter months.

Thank you~

Diana Bohn

94707

**Benado, Tony**

---

**From:** Moni Law <monilaw7@gmail.com>  
**Sent:** Wednesday, November 29, 2023 4:34 AM  
**To:** City Clerk; All Council; Harrison, Kate; City Manager  
**Cc:** Eva Adams; Haley Goetting; Mary BHS Students; Lily Mei Kung; ginger Boswell; Ana Vasudeo; Laura Babitt; supriya@berkeleyside.org; Becky O'Malley  
**Subject:** Mental Health Guide for Berkeley Youth (this is the final product)  
**Attachments:** Mental Health Guide- Finished.pdf

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.

Greetings Council, City Manager and Dr. Warhuus :

Please advise when the BHS 'Wellness Center' is opening, and what services and resources are available now for youth in mental crisis. A student recently went missing for hours and expressed an intent to die by suicide. I saw the alert and walked arihnd and saw him as 2 nice police officers escorted him — but I thought that was a moment for a mental health specialist, but the SCU closes at 4 pm and the city's Mental Health mobile crisis unit was also closed at 6pm.

I submitted a Public Records Act request to the Clerk last night seeking a copy of the May 2022 budget of \$350,000 approved for emergency response to an April 18th suicide of a student who jumped from the 5th floor of the city garage a block from the school during lunch. Other tragedies happened that year increasing the trauma levels at BHS.

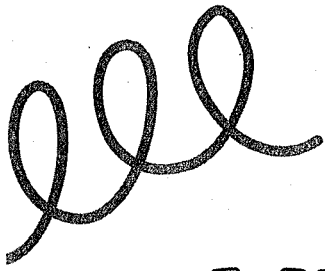
Students who created this magazine/guide provided this guide as a resource as students suffer also in silence. How was the \$175,000 allocated from 2022-23 ? What is the line item uses of the other \$175,000 starting 5 months ago to today in FYv2024? I submitted a Public Records Act request last night at Council.

Did the city follow up on the youth leaders suggestion in public testimony, written proposals and other pleas to hire Cypress Resiliency to conduct a Mental Health First aid class for teachers and staff who confirmed a need for training. And youth described teachers mistaking signs of depression as laziness. The students i mentored shared their stories including anxiety and suicide attempts.

Thank you in advance for your anticipated reply.

Moni T. Law, J.D.  
 Youth Mentor

Sent from my iPhone



# MENTAL HEALTH RESOURCE GUIDE

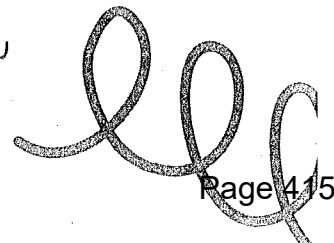
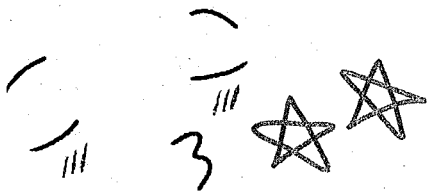


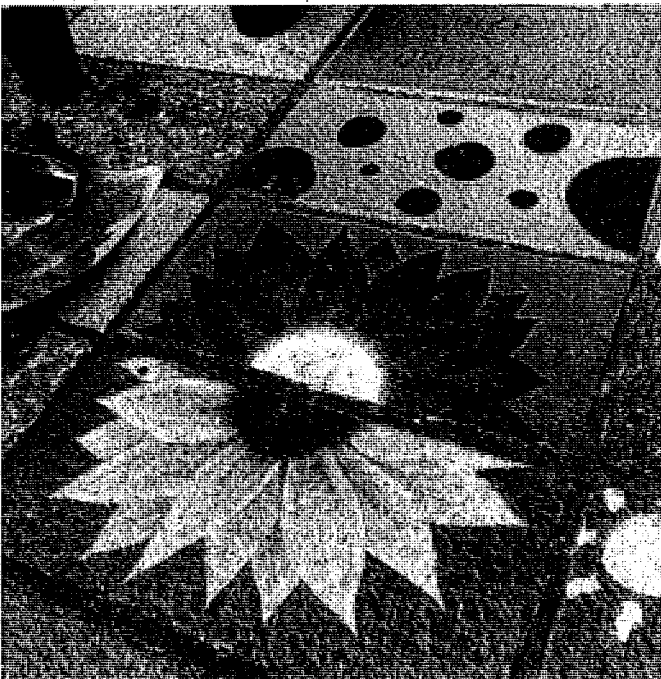
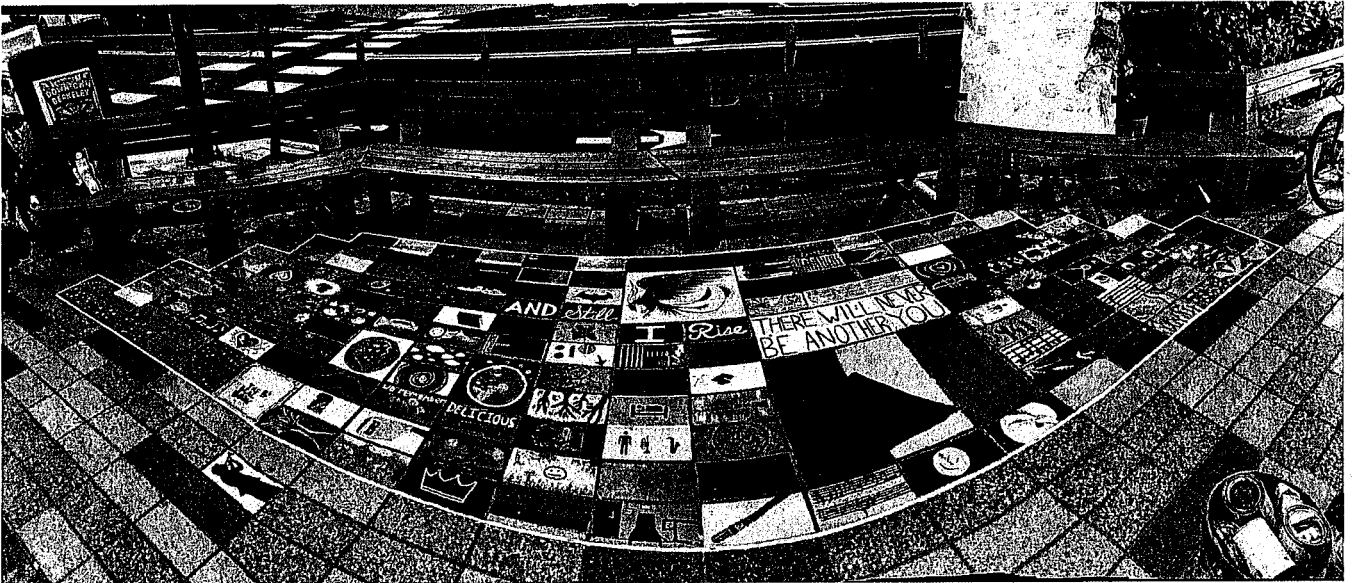
BERKELEY YOUTH



*"And Still I Rise"*

- Maya Angelou



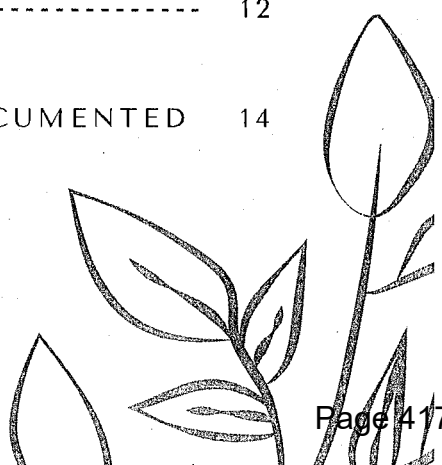
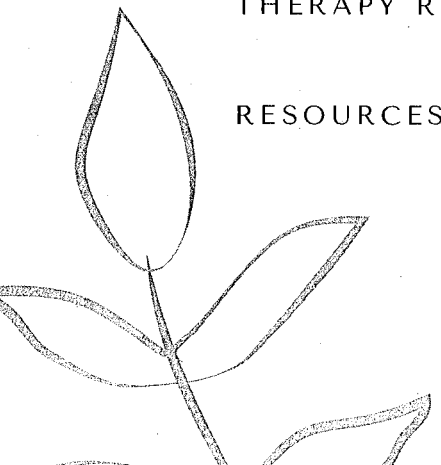






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# Hotlines

## Nationwide Mental Health Crisis and Suicide Prevention Number

- 9-8-8
- 800-273-8255
- you can call or text
- Auto-directed to a local one based on area code.
- Will call the police if you are a danger to yourself or others.

## Trevor Project ★

- **1-866-488-7386**
- [thetrevorproject.org](http://thetrevorproject.org)
- Support hotline for LGBTQ or GSM youth under 24.
- "If you are a young person in crisis, feeling suicidal, or in need of a safe and judgment-free place to talk, call the TrevorLifeline now."
- Operates 24/7
- Limited to 30 min, you can call back after 30 min.

## KEY

- ★ - QUEER &/OR TRANS SPECIFIC
- - POC SPECIFIC

## Crisis Text Line:

- **Text HOME to 741741** to get connected to a counselor
- [crisistextline.org](http://crisistextline.org)
- Provides support addressing negative emotions and suicidal thoughts.

## Blackline ★●

- **1(800) 604-584**
- Geared towards the LGBTQI, BIPOC community
- Anonymous and confidential line to report negative, physical, and inappropriate contact with police
- Provides immediate crisis counseling



# BACKGROUND

## HISTORY

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In response to a student's death by suicide on April 18th 2022, two deaths of Berkeley High students by gun violence on October 1st 2022, and the rising mental health crisis among youth across the world, five BHS alumni have come together to create a resource packet for struggling youth. Teens are in need of mental health assistance, whether this means individual therapy, group counseling, or even a guide to healthy habits, this resource packet can help.

## MISSION

---

We strive to provide Berkeley youth with accessible mental health resources. Mental health impacts thoughts, behaviors, and emotions. By learning healthy coping mechanisms, and ways in which you can improve your mental health, your outlook on life may improve drastically. This mental health guide is a starting point for those seeking care or to improve their overall well-being.

## STATISTICS

---

Among adolescents aged 12-17 years in 2018-2019 reporting on the past year:

(cdc.gov)

15.7% made a suicide plan.

59.8% of youth with major depression do not receive any mental health treatment

# Common Mental Illnesses and Symptoms

## MENTAL ILLNESS

A wide range of disorders that impact emotional and mental wellbeing. Many mental illnesses consistently affect mood and emotion.

## ANXIETY

### Symptoms:

1. Feeling restless, wound-up, or on-edge
2. Being easily fatigued
3. Having difficulty concentrating
4. Being irritable
5. Having headaches, muscle aches, stomachaches, or unexplained pains
6. Difficulty controlling feelings of worry


## DEPRESSION

### Symptoms:


1. Feelings of sadness, tearfulness, emptiness or hopelessness.
2. Angry outbursts, irritability or frustration, even over small matters.
3. Loss of interest or pleasure in most or all normal activities, such as sex, hobbies or sports.
4. Sleep disturbances, including insomnia (sleeping too little) or hypersomnia sleeping too much.
5. Tiredness and lack of energy, so even small tasks take extra effort

## TRAUMA

A distressing experience that has lasting effects on mental, emotional, and sometimes physical wellbeing



# Signs of Emotional Distress



- Struggling to get out of bed in the morning because of mood
- Having low or no energy
- Difficulty concentrating
- Appetite changes that result in unwanted weight changes
- Having unexplained aches and pains, such as constant stomach aches or headaches
- Feeling helpless or hopeless
- Excessive smoking, drinking, or using drugs, including prescription medications
- Worrying a lot of the time; feeling guilty but not sure why
- Lack of interest in schoolwork, chores, or other responsibilities
- Crying spells or bursts of anger
- Loss of interest in things you usually find enjoyable
- Inability to perform usual daily functions and responsibilities
- Thinking of hurting or killing yourself or someone else

# Trauma From Gun Violence

Violent deaths (homicide, accidents, suicide) can trigger unique qualities of traumatic grief. With the prevalence of gun violence occurring and shown in the media, it's crucial to understand the effects of these events. The mental health toll does NOT only affect those closest to gun violence.

## **Some mental health effects of gun violence:**

Depressive episodes, anxiety, trauma, post traumatic stress disorder, intrusive thoughts, sleep problems, substance abuse, self harm, and personality changes.

## **Advice to Parents/ Caregivers**

### **Acknowledge what is happening**

- Silence can communicate the idea that its not ok to talk about hard things
- Ask questions like “did you hear about the shooting, what questions or worries do you have?”
- Make sure not to stereotype the perpetrator/make assumptions about the person (Mental health is a good example: 1 in 4 adults experience mental health issues, the majority are not violent.
- Remind child that there is compassion and care in the world:  
Emphasize the amount of people who care ex. who took care of the victims.

### **Provide a sense of safety and security**

- Remind them that the adults in their lives are doing everything they can to keep them safe and protected.

### **Watch out for signs of emotional stress listed above.**

Look into getting professional help (Grief counseling, therapy, etc.)

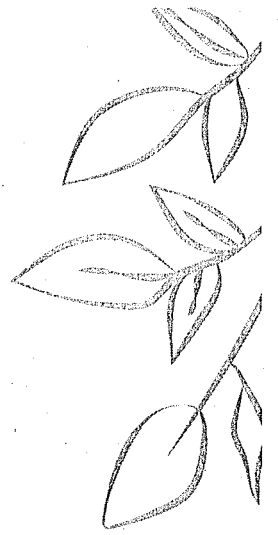


# Tending to Your Mental Health



## Taking Care of Your Body

- Regular Exercise (30 minutes of walking)
- Stay Hydrated:
  - 8x8 rule: drink eight eight ounce glasses of water (even if you don't feel thirsty)
- Eating healthy
  - Eat plenty of fruits and vegetables along with foods rich in omega-3 fatty acids, such as salmon. Dark green leafy vegetables in particular are brain protective. Nuts, seeds and legumes, such as beans and lentils, are also excellent brain foods.
- Sleep (9 hours per night)
  - Create a sleep schedule.
    - Go to sleep and wake up at the same time every night.
  - Lower your usage of screens before bed.
  - Save your bed for sleeping (don't study or work in your bed)



## **Take Time to Relax**

- Meditation
- Breathing exercises
- Yoga
- Reading

### Helpful Apps:

- Headspace (free for Berkeley residents)

For Headspace subscription (active until Sept. 30, 2023)

- Scroll down and select Headspace button
- Complete the Headspace sign-up process, enter "Berkeley" and your zip code where you work, live or go to school, and set up your profile.
- link: <https://helppathandca.org/berkeley/#Headspace>

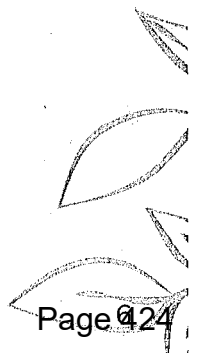
## **Gratitude**

Remind yourself of the things that you are grateful for.

Writing them down before bed, or when you get up can be really beneficial.

## **Connecting with people**

Reach out to friends and family who can support you during this process







## Advice to Parents

- Listen to your child. Don't brush their feelings or concerns off.
- Respect your child's boundaries. If they don't want to talk about something at that moment, don't force them to.
- Find a good time to bring up the topic.
- Consider suggesting therapy as an option.

## Advice to Teachers

- Remind students that their worth doesn't depend on academic performance.
- Try and provide breaks or give extensions on work if asked.
- Remember that not every student is the same. Students are going through different things and can't always work at the same pace.

# Types of Therapy

## COGNITIVE BEHAVIORAL THERAPY

A form of psychological treatment that is especially effective for substance abuse, anxiety, depression, eating disorders and other severe mental illnesses. Treatment usually involves efforts to change thinking patterns, increase awareness of thought patterns and behaviors, and establish coping mechanisms. Goal-oriented, typically lasts a few months to a year, 'symptom-focused'.

## PSYCHODYNAMIC THERAPY

Treatment focuses on the psychological roots of emotional suffering, through self-reflection and self-examination. Explore past difficulties and relationship patterns, understand how personal history influences current mindset, and establish positive relationships.

## DIALECTICAL BEHAVIORAL THERAPY

A type of psychotherapy that focuses on mindfulness, distress tolerance, emotion regulation, and interpersonal effectiveness. It balances acceptance and change, and emphasizes the importance of validating individual's experiences while encouraging personal growth.

## WEBSITES WITH MORE INFO

CBT



PSYCHODYNAMIC THERAPY



DBT



# Types of Providers

## PSYCHIATRIST

MD or DO degree. As medical doctors who studied psychology and physiology, they can diagnose and prescribe medications. Some do therapy as well.

## PSYCHODYNAMIC THERAPY

PsyD or PhD degree. No medical degree and therefore can diagnose but cannot prescribe medication. Many do therapy and treatment.

## SOCIAL WORKER/COUNSELOR/THERAPIST

Trained to practice therapy. Therapists have clinical experience and can also serve as social workers. On the other hand, social workers don't have clinical experience or a therapist license and therefore cannot work as therapists.

## PEER COUNSELOR

No degrees, trained to provide counseling. Cannot diagnose or prescribe.

## SPECIALIZATIONS AND DEGREES

LSW: Licensed Social Worker

LCSW: Licensed Clinical Social Worker

DSW: Doctorate in Social Work

MFCC: Marriage, Family, and Child Counseling

LMFT: Licensed Marriage and Family therapist

MFT: Marriage and Family therapist

For more information, visit this QR code (NAMI):  
or visit our website.



# Therapy Centers

## KEY

- ★ - Queer &/or trans specific
- - POC specific
- - low income/sliding scale
- ✓ - Accept Medi-Cal

### Life Stance

- Find a Therapist or Psychiatrist Near You
- Clinicians include psychiatrists, psychologists, and licensed therapists.
- Offers both in-person and telehealth appointments,
- Book by phone: 925-282-1778
- Insurance: Aetna, Anthem Blue Cross of CA, Cigna, MHN, Optum
- [lifestance.com](http://lifestance.com)

### National Queer and Trans Therapists of Color Network



- Search tool to find QTPOC therapists.
- Our overall goal is to increase access to healing justice resources for QTPOC.
- Search for therapists by entering your zip code.
- [nqttn.com](http://nqttn.com)  
(if you are directed to the home page, click on mental health directory)

### Peacock Rebellion (QTPOC)



- They provide lists of Queer POC therapists in your city.
- Cities: Berkeley, Oakland, Richmond, San Francisco, San Jose
- [lgbtqpsychotherapistsofcolor.com](http://lgbtqpsychotherapistsofcolor.com)

### Hume Center ■✓

- MediCal and Medicare Sliding scale.
- 1-510-745-9151
- special consideration for the under- and un-served, through practicing an enabling consultation process.

### **Blue Oak Therapy Center ■**

- \$35 - \$90 per session
- 1-510-649-9818
- 3101 Telegraph Ave, Berkeley 94705
- Accepts video/phone call therapy
- Fees may be partially covered by some insurance plans. Check with your insurance provider to find out if you qualify under your plan.

### **Open Path Psychotherapy Collective ■**

- Sessions between \$30 and \$60
- [openpathcollective.org/city/berkeley/](http://openpathcollective.org/city/berkeley/)
- nonprofit serves clients who lack health insurance or whose health insurance doesn't provide adequate mental health benefits.

### **The Pacific Center★**

- 1-510-548-8283
- \$45-162
- 2712 Telegraph Ave, Berkeley 94705
- Public mental health support for LGBTQ+
- 4 free youth groups

### **The Wright Institute ★■●**

- \$25-75 per session
- (510) 923-2241
- 1918 University Avenue Berkeley 94704
- Only communicates over phone call.
- Group rate is \$12 per session. The initial intake session for all new and returning clients is a non-refundable flat fee of \$30.
- Does not currently accept Medi-Cal insurance.
- \*Lower fees can be negotiated on a case-by-case basis.

### **Access Institute ■**

- Income based sliding scale
- (415) 861-5449 x380 (x324 for Spanish).
- 110 Gough St, San Francisco 94102
- [info@accessinst.org](mailto:info@accessinst.org)
- Provides care to people of all ages with the greatest need and least access to care.
- In person only
- Intakes 10-15 mins over the phone
- 2 weeks call return.

### **Psychology Today**

- Therapy Directory Website
- Can search by insurance, issues, gender, therapy type, age, price, etc.

### **Bay Psychiatric Associates**

- Accepts insurance
- 2020 Milvia St Berkeley 94704
- 1-510-843-2220
- Psychiatry available

### **Mind Path Health ■✓**

- Many locations throughout CA: SF, Berkeley, Oakland
- Psychiatry Available

### **Berkeley Therapy Institute**

- 1-510-841-8484
- All clinicians are able to offer teletherapy or telemedicine.
- Psychotherapy, ADHD program, medication consultation, psychiatric treatment
- 1749/1748/1801 Martin Luther King Jr. Way, Berkeley, CA 94709 / 2196 Union St. San Francisco, CA. 94123
- Monday-Friday
- 8:30am-5:30pm  
(Administrative Office Hours: Monday-Friday 8:30 am – 12:30 pm • 1:30 pm – 5:30 pm)
- Psychiatry available

### **Berkeley Youth Alternatives ■✓**

- 5108459010
- Counseling Center
- Serves youth ages 6- 24
- Sliding Scale, Insurance, Court Referrals
- 1255 Allston Way, Berkeley

# Resources for Undocumented Youth

## **United We Dream**

- <https://unitedwedream.org/our-work/undocuhealth-wellness/>
- Call: (844)-363-1423
- Text: 877877
- Has directory for therapists + a lot more resources

## **Immigrants Rising Mental Health Connector**

- provides undocumented people with psychological support
- [mentalhealth@immigrantsrising.org](mailto:mentalhealth@immigrantsrising.org)
- <https://immigrantsrising.org/mental-health-connector/>

## **Website**

[berkeyleymentalheal.wixsite.com/guide](http://berkeyleymentalheal.wixsite.com/guide)



**Created By Berkeley Mental Health  
Advocates:**

Haley Goetting, Ginger Boswell, Eva Adams, Lily  
Kung, Mary Calderon Sanchez, Rose Hara.

**Facilitated By**  
Moni T Law

**Contact Us**

[berkeley.mental.health.advocates@gmail.com](mailto:berkeley.mental.health.advocates@gmail.com)



**Benado, Tony**

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**From:** Eddie Bui <buieddie3@gmail.com>  
**Sent:** Saturday, December 16, 2023 8:42 PM  
**To:** Pugh, Eliza; All Council  
**Cc:** Berkeley Mayor's Office; Greenberg, Sam; Robinson, Rigel; The Durant; The Durant Manager  
**Subject:** Re: Substance Abuse Issue

Dear Mayor, Sir and Ma'am,

I still have a problem with my apartment tenant. They are smoking in the building and there is a toxic drug fumes that leeches into my room. I have tried to speak to the Management at Live Durant here at 2631 Durant Ave Berkeley CA, 94704. May help me with this issue please Sir or Ma'am. Thank you and have a great day.

Best Regards,  
Eddie

On Thu, Nov 9, 2023 at 10:56 AM Pugh, Eliza <EPugh@berkeleyca.gov> wrote:

Hi Eddie,

I'm sorry to hear about the smoke you smell in your room. I'm Eliza, a legislative aide for Councilmember Rigel Robinson (District 7, where 2631 Durant is). Could I give you a call to hear more about your situation? Or feel free to give our office a call at 510-981-7170.

From what you've described, it may be worth reaching out the Berkeley Rent Board directly, as they deal with tenant issues (510-981-7368).

Best,

Eliza

**From:** Eddie Bui <buieddie3@gmail.com>  
**Sent:** Monday, November 6, 2023 9:45 PM  
**To:** All Council <council@berkeleyca.gov>  
**Subject:** Substance Abuse Issue

**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.

Dear Mayor and City Council Member,

My name is Eddie Bui. I moved from Oakland to 2631 Durant Ave. Apt 308 Berkeley CA, 94704 on March 1,2023. I am currently going to Veterans Court in downtown Oakland. I am working with the Substance Abuse Treatment Specialist, Adrian Harper, from the Superior Court of California of Alameda County. He told me to contact my City Council Member about an issue I am having at my apartment complex. I keep on smelling Marijuana smoke in my room, ever since I moved in. May you please assist me with this issue Sir or Ma'am. Thank you and have a great day Sir or Ma'am.

Best Regards,

Eddie

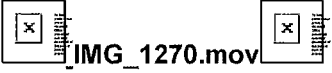
**Benado, Tony**

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**From:** Henry Beadles <henrybeadles@students.berkeley.net>  
**Sent:** Tuesday, December 19, 2023 8:07 PM  
**To:** All Council  
**Subject:** Minimum wage

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

Hello City Council, we are three Berkeley high residents and students sending in a video concerning the livability minimum wage and city planning. Thank you for your time, sincerely, Henry beadles, julian lto, and oscar Harth



**Benado, Tony**

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**From:** Donna Mickleson <donna@lmi.net>  
**Sent:** Tuesday, December 19, 2023 10:44 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** No ports potties at Tuesday Farmers Market!

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

Hello Jesse, Ben Bartlett, and Council Members,

Today I learned to my shock that the Tuesday Farmers Market has no porta potty or other form of toilet facilities for customers.

I cannot imagine how this is even legal, let alone allowed by the City of Berkeley.

When I asked an Ecology Center staff person who was walking through the market, she (quite rudely) said, "We don't have one," and went on about her business. No apology, no explanation (not that I would have been satisfied, truthfully.)

When I asked another staffer at the Ecology Center table, he was only slightly less dismissive, asking me where I would put it—as if it were my job to figure it out. He conceded that it wasn't "ideal", and eventually directed me to local restaurants; I had to walk two long blocks to find one open that would let me use the restroom. Why should local merchants have to provide their facilities for the market?

And why has the City not insisted the market provide a porta potty?

Donna Mickleson  
2926 Fulton Street  
510-684-4846

**Benado, Tony**

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**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Wednesday, December 20, 2023 8:09 AM  
**To:** All Council  
**Subject:** \$14m

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.

In his latest email blast, the mayor wrote that you all found \$14m in the budget update. Can any one of you explain why it didn't all go to street repair? On what planet are "legislative staff" a higher priority?

Several of you clearly had personal and staff resources to waste on a ceasefire initiative. How about focusing those resources on the business of the city?

> Approximately \$14 million in additional funds were available. Funds were allocated to hire more staff to address various programs, such as social workers, a new deputy city attorney, green building program coordinator, and legislative staff. Equity was a major highlight, with additional funds going towards the acquisition of affordable and supportive housing, funding for the Berkeley Food Network, and youth violence prevention.

**Benado, Tony**

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**From:** WENDY ALFSEN <noreply@adv.actionnetwork.org>  
**Sent:** Thursday, December 14, 2023 7:35 PM  
**To:** All Council  
**Subject:** Uber/Lyft Tax Revenues Must be Used to Improve Pedestrian & Bicycle Safety!

**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.

Berkeley City Council,

Dear Mayor and Councilmembers,

I am reaching out to request that the Council approve Councilmember Harrison and Taplin's important legislation to make our streets safer citywide for pedestrians, bicyclists, and transit riders, including the neighborhood where a child was struck by a hit-and-run driver on Halloween night.

The family of the victim has already collected more than 16,000 signatures to (1) immediately upgrade street safety in their neighborhood and (2) increase traffic calming citywide.

I strongly support Councilmember Harrison and Taplin's item to reallocate and use the Uber/Lyft tax revenue that was already budgeted in FY.2024 to improve safety near the hit-and-run crash, which would have no impact on this year's budget. I also ask that Council ADOPT an ongoing policy, prioritizing high serious injury and fatality corridors and intersections to allocate 50% of annual Uber/Lyft Tax revenues towards supplementing the City's tragically small traffic calming budget, and 50% to priority pedestrian, bike, and transit SAFETY improvements.

It is unacceptable that the City has only budgeted \$75,000 from the General Fund for citywide traffic calming per year. Please respect the will of the voters in investing the Uber/Lyft tax on street, pedestrian and bicycle safety improvements on an ongoing basis, and fund emergency safety upgrades in the neighborhood of the hit-and-run incident now.

Traffic fatalities should never be the leading cause of preventable deaths in Berkeley!

Best,

WENDY ALFSEN  
wendyalfsen@gmail.com  
1800 Allston Way  
Berkeley, California 94703

**Benado, Tony**

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**From:** david lerman <415justice@att.net>  
**Sent:** Monday, December 11, 2023 1:17 AM  
**To:** All Council; PWWorks; Manager, C; Berkeley Mayor's Office; Gerstein, Beth; OED (Office of Economic Development)  
**Subject:** Lyft Advertising & Maps

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.

Dear City of Berkeley:

There is a fundamental problem with the way that Lyft bike rental advertising and map displays have been built in Berkeley.

The advertising is clearly visible on one side of the display; while the view of the map that is supposed to be of some use to the public is seriously obstructed by the rental machine. (See below).

Is this in conformity with how the installations were pitched to the City of Berkeley before they were constructed?

How is the map supposed to be of any use when people can barely see it?

How about putting the map on the other side that is actually visible, and putting the advertising on the obstructed view side?

We need at least a few feet of unobstructed space in front of the maps in order for them to be of any value to the public. The current configuration is basically pointless. It set up only for effective advertising, not useful information.

If there is no room for the map to be seen, then please remove the entire display, including the advertising side-or just switch the map to the visible side so we can actually help people figure out where they are going.

Please fix this!





-David Lerman

**Benado, Tony**

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**From:** Berkeley People's Alliance <info@berkeleypeoplesalliance.org>  
**Sent:** Tuesday, November 28, 2023 1:02 PM  
**To:** All Council; City Clerk; City Attorney's Office; Brown, Farimah F.; Darrow, Brendan; Williams-Ridley, Dee; Cardwell, Anne; Bellow, LaTanya; Numainville, Mark L.; Thomsen, Rose  
**Subject:** Berkeley People's Alliance Demand for the City to Cure and Correct, and Cease and Desist from, Egregious Brown Act Violations  
**Attachments:** Berkeley People's Alliance Demand for the City to Cure and Correct, and Cease and Desist from, Egregious Brown Act Violations 11-28-23.pdf

**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.

Dear Mayor, Councilmembers, Madam City Attorney, and Madam City Manager:

Please find attached a letter calling your attention to what the Berkeley People's Alliance believes were substantial and serious violations of the Ralph M. Brown Act, which (1) jeopardize the finality of the action taken, (2) render all such actions taken by the Berkeley City Council and City of Berkeley as null and void, and (3) require the City to commit to cease and desist such violations in the future.

It should be noted that each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of the Brown Act, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the Brown Act, may be guilty of a misdemeanor.

We look forward to your prompt response and compliance with the Brown Act.

Sincerely,

Margot Smith

Berkeley People's Alliance  
<https://berkeleypeoplesalliance.org/>

November 28, 2023

**Re: Berkeley People's Alliance Demand for the City to Cure and Correct, and Cease and Desist from, Egregious Brown Act Violations**

Dear Mayor, Councilmembers, Madam City Attorney, and Madam City Manager:

This letter is to call your attention to what the Berkeley People's Alliance believes were substantial and serious violations of the Ralph M. Brown Act, which (1) may jeopardize the finality of the action taken, (2) may render all such actions taken by the Berkeley City Council and City of Berkeley as null and void, and (3) require the City to commit to cease and desist such violations in the future.

The nature of the violation is as follows: in its special meeting of November 21, 2023, the Berkeley Mayor: (1) invoked California Code, Government Code - GOV § 54957.9 et seq. with the intention of holding a non-open and non-public meeting without first attempting the removal of individuals who were allegedly willfully interrupting the meeting and clearing the room, (2) moved the session to an undisclosed room that was not posted on the agenda pursuant to the Brown Act in violation of GOV § 54956 et seq., (3) deprived members of the public from their Brown Act and First Amendment-protected rights to in-person public comment and an open meeting and held a last-minute teleconference meeting in violation of Gov § 54953 et seq., and (4) censored, abridged, and silenced members of the public from providing public comment through the Zoom platform in violation of 54954.3 et seq.

Furthermore, in its regular meeting of November 14, 2023 the Council adjourned unfinished business from the November 14, 2023 regular meeting as a special meeting in violation of Gov § 54955 et seq.

In the November 21, 2023 special meeting, the Berkeley City Council took action to approve various items. In so doing, the Berkeley City Council took "action" as defined in Govt. Code 54952.6 because a majority of the members took an actual vote when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance. As described below, the action was taken at a special meeting that did not comply with the requirements of the Brown Act and therefore all such actions taken at the November 21, 2023 special meeting are null and void.

In addition, this letter serves as a demand for an unconditional commitment by the City, added as part of an open session of a regular or special meeting as a separate item of business, to cease, desist from all such future violations of the Brown Act as described herein.

It should be noted that each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of the Brown Act, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the Brown Act, may be guilty of a misdemeanor.

### **1. Violation of GOV § 54957.9**

On November 21, 2023 the Mayor invoked GOV § 54957.9 without following the clearly defined procedures provided by the California State legislature. The act of rendering a once public meeting into a session closed to in-person participants is one of the gravest steps a public body can take.

That is why the legislature plainly requires that the officer or members conducting such a meeting must exhaust specific means to remove individuals who are willfully interrupting the meeting before moving to a closed format:

*“In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session.”* GOV § 54957.9 (emphasis added)

While the Berkeley People’s Alliance does not in any way condone or support hypothetical measures to forcibly remove individuals who are allegedly willfully interrupting the meeting, it recognizes that the legislature intended as stated by the plain language of the statute that such removal is a prerequisite to holding a Council session without the in-person presence and observation of the public.

The dependent clause of the section of the statute states clearly: “In the event...order cannot be restored by the removal of individuals who are willfully interrupting the meeting....”

We note that multiple City staff and uniformed peace officers were in attendance, but that the Mayor did not issue any removal orders as required by the statute.

Previously on November 14, the meeting had ended when alleged disruptors used the public comment microphones without approval, and on November 21 the Mayor and City used undemocratic means to prevent a similar episode through deploying means to physically and audibly silence and exclude the public, but without following the applicable provisions of the Brown Act.

The alleged interruption on November 21 began within minutes of the meeting commencing. However, instead of moving to remove the alleged group or groups responsible for the interruption, the Mayor rushed through the consent and action calendar in an uncharacteristically fast paced, substantially inaudible, and unexplained manner.

Typically, Council and public comments on the consent calendar take many minutes if not hours. Action items take hours more. However, this was not the case on November 21, 2023, where it appeared that the Mayor was determined to invoke GOV § 54957.9 ahead of the item he personally deemed worthy of extensive and detailed public comment—without the public in attendance as required by the Brown Act pursuant to § 54953 et seq.

After hastily dispensing with the consent calendar, the Mayor subsequently sped through two items on the action calendar (items 10 and 11) without asking for the disruptive individual to come to order, or to be removed. It was only when the Mayor guided the Council to item 12 (immediately preceding item 13) some four to five minutes into the meeting and alleged disruption that he noted the individual was out of order.

He thereupon read from a prepared script stating that:

“Willful disruptions of the conduct of this meeting will not be tolerated. If disruptions continue the Council will take action to *restore order and may include removal of disruptive persons or reconvening this meeting at a different location.*” (emphasis added)

Therein the Mayor clearly acknowledged the requirements of GOV § 54957.9, yet granted himself extraordinary powers not codified in state law to move the public meeting to an undisclosed location without the public in attendance.

Next, the Mayor stated:

“the Council will now take a ten minute recess and reconvene at that time when *we are able to restore order.* Then we will proceed to the rest of the meeting.” (emphasis added)

During the recess, the City Manager is seen whispering with the Mayor. Shortly thereafter the Mayor, Councilmembers, the City Manager were seen packing up their belongings and retreating to an undisclosed location external to the main School Board room, suggesting they did not intend to permanently return to the chamber.

It should be stressed that the Mayor never uttered a phrase or order to the effect that interruptive individuals *would* be removed, opting instead for “may.” In

addition, he foreshadowed the ultimate outcome of the meeting: a closed, or non-public, and non-open meeting in an undisclosed location.

Nothing in the Brown Act empowers officers of public meetings to change meeting locations on a whim. In fact, as described in detail in the following sections, such behavior is clearly prohibited.

Nevertheless, following a brief recess, the Mayor announced twelve minutes into the meeting that he decided to exclude members of the public physically present in the location noticed on the Council Meeting agenda. In doing so, and before retreating and leading the Council to an undisclosed location, he invoked GOV § 54957.9 without attempting to remove allegedly disorderly individuals:

“Okay, because the Council cannot conduct business of this meeting due to the continued disruption by members of the public in the audience who are yelling and chanting, and disrupting our meeting, this disruption has rendered the orderly conduct of the meeting unfeasible, and the *Council will proceed with the meeting without members of the public present in the location* in order to allow the orderly completion of the business as permitted by the Brown Act. So we are invoking the authority Government Code Section 54957.9. This meeting will also continue to broadcast via Zoom. Members of the press who have not participated in disruption will be allowed entry into the [new] meeting location by showing press identification to the City Clerk at the dais. In the meantime, the Council is in recess.” (emphasis added)

Only a few minutes later, the Council reconvened in an undisclosed location through Zoom. The location was novel, i.e., not the same as the prior location included on the agenda.

From the new undisclosed location, the Mayor reconvened the extrajudicial meeting with the following justification for his impermissible actions:

“Unfortunately, um, members of the public have willfully disrupted the meetings and made it difficult for us to proceed with our business. I had issued multiple warnings to ask people to cease disrupting the meeting, um and, unfortunately, *we are not able to proceed with our business in the City Council chambers*. So under Government Code Section 54957.9 the Council has *reconvened this meeting in a new location*.” (emphasis added)

Throughout the whole ordeal, the Mayor, City Manager, Clerk’s Office and other City staff, including peace officers, never attempted to—as required by Gov § 54957.9 before moving to clear the room and continuing in session without the public—restore order by the removal of individuals who were allegedly willfully interrupting the meeting. This failure was despite representations ahead of the recess that the Mayor would seek to “restore order” pursuant to the Brown Act.

Furthermore, GOV § 54957.9 requires that only after attempts to remove allegedly disruptive individuals are exhausted, “members of the legislative body conducting the meeting may order the meeting room cleared and continue in session.” The conjunction “and” means that continuing in closed session without the public is predicated on clearing the room. The Mayor nor Council ever ordered the chambers cleared of the public, and willfully did not continue in session in the same Council chambers as is provided for by GOV § 54957.9. Instead, they moved the meeting to an undisclosed location and as they themselves acknowledge for the record: “without members of the public present in the location.”

The conduct of the Mayor and Council represents an egregious and deliberate violation of the Brown Act, the City’s Open Meeting laws, and the public’s First Amendment right to express their views to their elected representatives.

## **2. Violation of GOV § 54956**

In moving the meeting in real-time to an undisclosed location, the Mayor and Council flagrantly violated the noticing requirements of GOV § 54956:

“(a) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency’s Internet Web site, if the local agency has one. The notice shall be delivered personally or by any other means and *shall be received at least 24 hours before the time of the meeting* as specified in the notice. The *call and notice shall specify the time and place of the special meeting* and the business to be transacted or discussed.”

The special meeting notice as posted by the Clerk listed “SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702” as the in-person meeting location. If the Mayor and Council intended to meet in a location other than the main chamber of the School District Board Room, such as the break room or another location within 1231 Addison Street, or even exclusively on teleconference, and a special meeting was warranted, the Mayor and Council should have posted that location on the agenda at least 24 hours before the time of the meeting. Instead, the body met in an undisclosed location without members of the public present, and deprived them of their right to observe and provide in-person public comment as provided by the Brown Act.

As noted in the previous section, the Council did not attempt to remove allegedly disruptive members of the public and failed to clear the room. In the hypothetical case that the Mayor and Council resorted to exhaust efforts to remove allegedly disruptive members, and subsequently cleared the room, they were required to

“continue in session” in the present location as listed on the agenda: the main chamber of the School Board room.

### **3. Violation of GOV § 54953**

In moving the meeting in real-time to an undisclosed location and explicitly prohibiting the public from observing or attending in person, the Mayor and Council flagrantly violated the meeting requirements of GOV § 54953:

“All meetings of the legislative body of a local agency *shall be open and public*, and all persons *shall be permitted to attend any meeting* of the legislative body of a local agency, except as otherwise provided in this chapter.” GOV § 54953 (emphasis added)

Members of the public who attended the meeting in the public, or who wished to do so, were physically prevented both by Mayoral decree and by peace officers from participating in the meeting at the original location designated by the Clerk in the agenda. During the non-open and non-public portion of the meeting, the Mayor can be heard instructing the Clerk to disconnect the public Zoom feed connection to the School Board chamber, disconnecting in person attendees from watching and listening to the meeting on the provided audio and visual equipment in the chambers, and completely dispensing with any pretense that the Council was somehow meeting in the location as specified on the agenda.

The Mayor and Council also established an illegal last-minute teleconference meeting in violation of GOV § 54953. There is a critical distinction between a teleconference system provided to the public for public comment, and teleconference option for members of the Council to participate. The early pandemic teleconferencing provisions of the Brown Act are no longer in effect due to the suspension of the State and Local emergencies.

With respect to teleconferencing for Councilmembers, the Brown Act specifies that before a legislative body holds a teleconference meeting among the Council, they must properly notice the meeting, take steps that “protects the statutory and constitutional rights of the...public appearing before the legislative body of a local agency,” and “allow members of the public to access the meeting...to address the body directly.” The Mayor and Council failed to do so.

Rather, only one member of the body was properly authorized pursuant to the Brown Act to teleconference during the meeting. Both the Council’s retreat into the undisclosed location on the pretenses of GOV § 54957.9, and using the Zoom platform on an ad hoc and last minute basis, plainly does not satisfy the strict teleconferencing and open meeting provisions of GOV § 54953.



#### **4. Violation of GOV § 54954.3**

The First and Amendment and Brown Act provide members of the public with broad free speech and expression rights. Specifically, the Brown Act states:

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body.

After the Mayor and Council had inappropriately invoked GOV § 54957.9 and retreated to an undisclosed location “without members of the public present in the location,” the Mayor proceeded to censor, abridge, and silence members of the public for providing public comment via the Zoom platform criticizing the City’s policies, procedures, programs, acts, and omissions of the legislative body. Multiple members of the public called in to provide public comment during item #13, including to express their shock and dismay with the Mayor’s unwarranted invocation of GOV § 54957.9 and ongoing policies and failure or omission to respond to public concerns.

At the arbitrary and capricious whim of the Mayor, he proceeded to cut off and mute public commenters with whom he disagreed. The Brown Act and the First Amendment explicitly provide for members of the public to address such issues during public comment periods regardless of the Mayor’s arbitrary and capricious attempts to determine whether a comment is germane to the item before the Council.

#### **5. Violation of GOV § 54955**

The Mayor and Council further violated the Brown Act in agendizing the body’s unfinished business from the November 14, 2023 regular meeting as part of a special meeting scheduled for November 21, 2023. This act violates Gov § 54955, which specifies:

“When a *regular* or adjourned regular *meeting is adjourned* as provided in this section, the *resulting adjourned regular meeting is a regular meeting for all purposes.*” Gov § 54955 (emphasis added)

At the meeting, the Mayor initially suggested that the adjourned regular meeting be continued to the next regular meeting. However, moments later, the Mayor capriciously changed his mind and moved to schedule a special meeting as part of a series of events that would disenfranchise the public from attending and providing public comment in person.

#### **Relief Sought**

For the aforementioned reasons, the Berkeley People's Alliance demands that (1) the City acknowledge that the actions of its Council on November 21, 2023 are null and void, (2) the City properly reconsider these items as part of a regular meeting consistent with State law, and (3) the City unconditionally commit as part of an action calendar Council item pursuant to the Brown Act to cease and desist from future violations of the Brown Act as specified in this letter.

Sincerely,

Margot Smith  
The Berkeley People's Alliance

**Benado, Tony**

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**From:** Anna Armstrong <aarmstrong@dailycal.org>  
**Sent:** Monday, December 4, 2023 12:09 PM  
**To:** All Council  
**Cc:** Elgstrand, Stefan; Berkeley Mayor's Office  
**Subject:** Re: The Daily Californian - Story on Brown Act, alleged violations

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

Hello,

I just wanted to follow up about the Brown Act story to see if anyone is available to send a press release or statement. Alternatively, I can provide questions by email or phone.

As a reminder, the story is about the use of the Brown Act at recent city council meetings and allegations by the Berkeley People's Alliance that the city violated the Brown Act.

Our deadline for the story is 5PM tonight ahead of tomorrow's meeting. Apologies for the quick turnaround time. We greatly appreciate any information you can provide.

Best,  
 Anna Armstrong

On Sun, Dec 3, 2023 at 4:51 PM Anna Armstrong <aarmstrong@dailycal.org> wrote:  
 Hello,

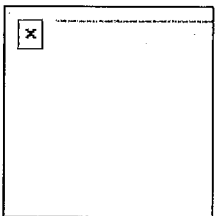
I hope this email finds you well. This is Anna Armstrong, lead city government reporter at The Daily Californian. I am currently working on a story about the use of the Brown Act in recent city council meetings and allegations by the Berkeley People's Alliance that the city violated the Brown Act.

That being said, we wanted to give the city an opportunity to respond to the allegations or provide us with a press release on the use of the Brown Act.

I am available by email or phone all day Monday. Our deadline for the story is Monday (12/4) at 5PM.

Thank you so much in advance for your time and consideration. I look forward to hearing from you soon.

Sincerely,  
 Anna Armstrong



**Anna Armstrong** | DAILY CAL Lead City Government Reporter She/They  
**P:** 559-974-1010

**e:** [aarmstrong@dailycal.org](mailto:aarmstrong@dailycal.org)  
**w:** <https://www.dailycal.org>

**Benado, Tony**

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**From:** Cindi Goldberg <cindigold1257@gmail.com>  
**Sent:** Tuesday, November 28, 2023 1:36 AM  
**To:** Berkeley Mayor's Office; All Council; Manager, C; Garrett Gritz; May, Keith; Jung, Kenneth  
**Subject:** Oppose the Ohlone Greenway Bicycle Expansion Plan

**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.

Dear Mayor, City Council, City Manager, Garrett Gritz, Commission on Disaster and Fire Safety, Project Manager Ken Jung,

I am horrified with the Ohlone Greenway Bicycle Expansion Plan because if you have fast moving bicycle and electric scooter lanes in Ohlone Greenway and you do not separate them with pedestrians walking, there are going to be frequent accidents. You have to separate the vehicles and pedestrians!

If the Ohlone Greenway Bicycle Expansion Plan as it's written, you are taking away a lot of parking spaces on Peralta and Hopkins and Rose. The parking spaces are for the residents with cars. In the nighttime, the residents are vulnerable to assault if there is no parking near them. Also, high speed bicycle/scooter lanes with concrete barriers will keep people from safely backing out of their driveways.

This is a poor Plan. You should have pedestrians and residents in mind when you make the Plan!

Yours truly,

Cindi Goldberg  
Hopkins St., Berkeley

**Benado, Tony**

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**From:** yosemitesall <yosemitesall@yahoo.com>  
**Sent:** Saturday, December 9, 2023 9:06 PM  
**To:** All Council  
**Subject:** Save theaters

**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.

Please don't ruin Berkeley! Or obliterate her history! Berkeley was a smallish quaint historic town THAT UR RUINING WITH HIGH RISE APARTMENT BUILDINGS! STOP!!!

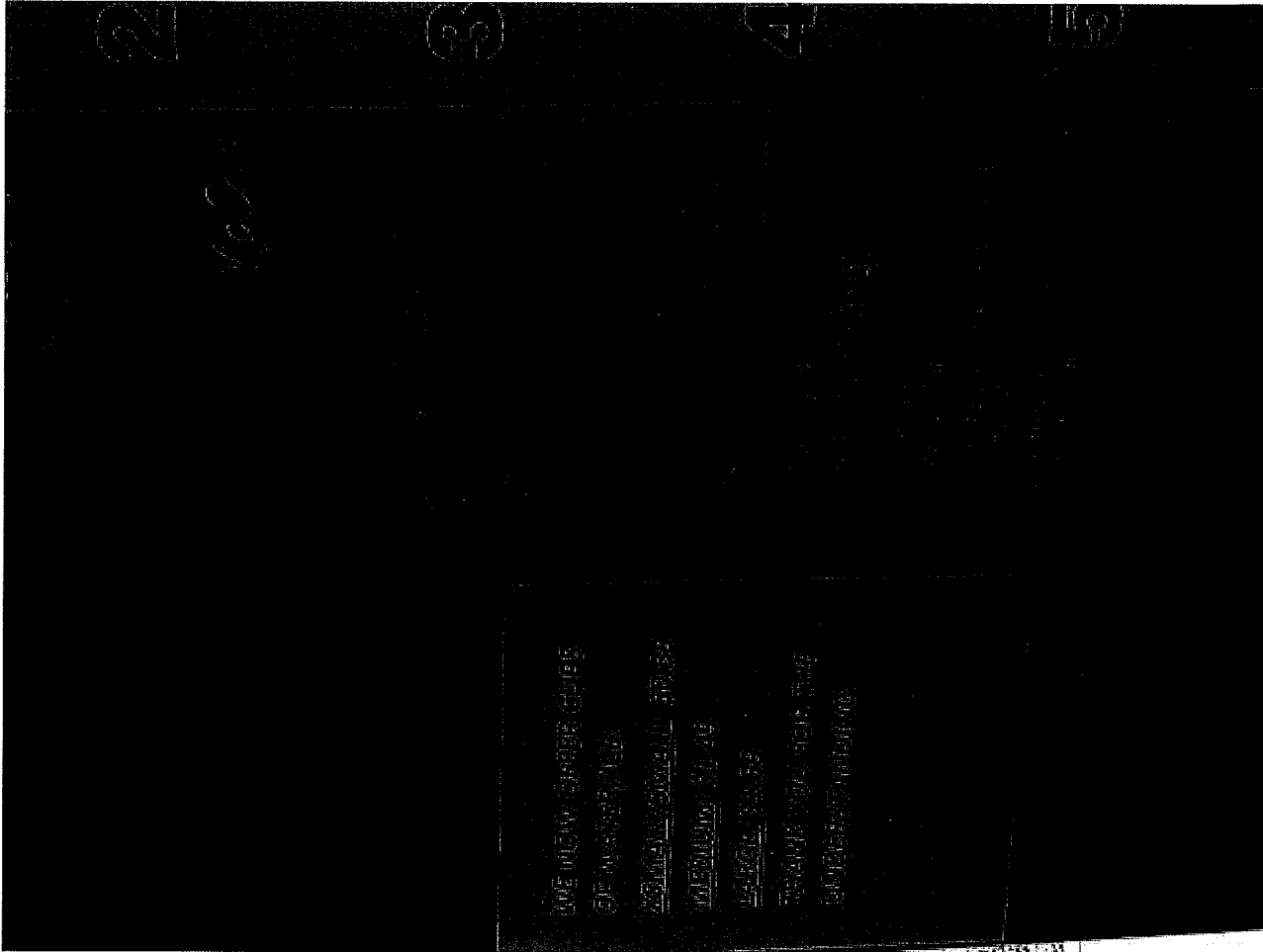
Salli Lundgren  
Born and raised in Berkeley

**Benado, Tony**

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**From:** Jennifer Fisher <tygerfisher@gmail.com>  
**Sent:** Wednesday, November 29, 2023 11:03 AM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** McDonald's on San Pablo near Gilman says they are charging \$1.49 for a medium cup of water even if you order a meal because of the city of Berkeley. Is this so?

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.



Sent from my iPhone

**Benado, Tony**

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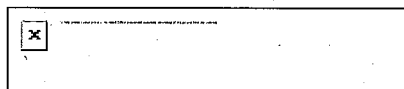
**From:** Melinda Howard-Herrarte <quetalquetzal@gmail.com>  
**Sent:** Saturday, December 2, 2023 2:09 PM  
**To:** All Council  
**Cc:** Northern Alameda County Group Conservation Committee  
**Subject:** Sierra Club Letter: Conceptual Support for TOPA  
**Attachments:** Sierra Club Conceptual SUPPORT - TOPA.pdf

**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.

Mayor Arreguín and Berkeley Councilmembers,

Please find a letter enclosed providing support in concept for Berkeley's proposed Tenant Opportunity to Purchase Act. Thank you for your time and attention to this matter.

Melinda Howard-Herrarte  
Chair, Sierra Club Northern Alameda County Group





# SIERRA CLUB

## SAN FRANCISCO BAY

NORTHERN ALAMEDA COUNTY GROUP  
ALAMEDA ALBANY BERKELEY EMERYVILLE OAKLAND PIEDMONT SAN LEANDRO

December 2, 2023

Mayor Jesse Arreguín  
Members of the Berkeley City Council  
2180 Milvia St.  
Berkeley, CA 94704

### RE: CONCEPTUAL SUPPORT: Tenant Opportunity to Purchase Act

Dear Mayor Arreguín and Members of the Berkeley City Council,

#### The Sierra Club reaffirms to express its conceptual support for the Tenant Opportunity Purchase Act (TOPA).

This is a policy that has been developed, over the course of several years, with significant community feedback – including that of the Sierra Club – and meticulous legal research, and it directly speaks to the needs of vulnerable Berkeley tenants.

When TOPA was first introduced, the San Francisco Bay Area was among the top most expensive places to live in the U.S., and, since then, the situation has only been exacerbated.<sup>1</sup> The rapid rate of Bay Area home sales and high offers from investors has resulted in bidding wars that privilege cash offers and put buyers who use conventional financing at a disadvantage. These challenges place low- and moderate-income tenants, first-time homebuyers, and affordable housing developers such as community land trusts, at a severe disadvantage when trying to purchase property in the Bay Area. TOPA, is a policy tool uniquely equipped to level the playing field through rights for tenants and timelines that make it feasible for tenants and affordable housing developers to purchase.

As you know, the local Sierra Club has a history of supporting anti-displacement legislation as well as that which induces opportunities for first-time homeownership. TOPA is consistent with the national Sierra Club's Urban Infill Guidelines, particular this one: **"Regulations and public incentives should expand housing choices in neighborhoods that offer access to educational and economic opportunity, particularly for residents who, because of race, ethnicity, and/or income, have historically been marginalized and displaced in land use decisions."**<sup>2</sup>

We ask you today to commit to passing a meaningful tenant-centered policy that courageously and proactively levels the real estate playing field so that the preservation of affordable housing is not only a stated goal but also a lived reality.

Respectfully,

Melinda Howard-Herrarte  
Chair, Northern Alameda County Group, Sierra Club San Francisco Bay Chapter

<sup>1</sup> [https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/sierra-club-california/PDFs/SCC\\_Housing\\_Policy\\_Report.pdf](https://www.sierraclub.org/sites/www.sierraclub.org/files/sce/sierra-club-california/PDFs/SCC_Housing_Policy_Report.pdf)

<sup>2</sup> [https://www.sierraclub.org/sites/www.sierraclub.org/files/Infill%20Policy\\_5.18.2019.pdf](https://www.sierraclub.org/sites/www.sierraclub.org/files/Infill%20Policy_5.18.2019.pdf)



**Benado, Tony**

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**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Thursday, December 14, 2023 1:13 PM  
**To:** All Council  
**Subject:** Environmental health

**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.

Interesting BS story about Environmental Health falling apart. In particular:

Berkeley is one of just four California cities that does its own restaurant inspections, which are typically left to county health departments.

The article makes it clear that we should drop the exceptionalism and leave restaurant inspections to Alameda County.

The function is too small to have staffing redundancy, so a single departure is debilitating. You can't hire. The IT systems are complicated and so you're tying up those resources too.

Why be in a business you can't do well when a good alternative exists?

Neither the manager nor you are paying attention, so now the Auditor has to get involved. Literally any one of you could have queried the city data portal to find that businesses your constituents depend on in the most basic sense are not being inspected. You could have asked the Manager what the backlog is like for this (and any other!) function.

Instead, you're working on foreign policy and all kinds of other foolishness.

Your actions here are pretty clear: negotiate a transfer of scope to the county, get rid of the excess staff, free up funds to the core functions we can/must do well, dig deep into city operations to find out where else we are falling down. Block out any distractions. Repeat.

Eric

**Benado, Tony**

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**From:** Corinne Scown <corinne.scown@gmail.com>  
**Sent:** Monday, November 27, 2023 7:58 PM  
**To:** All Council  
**Subject:** Please vote no on Item 16

**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.

My name is Corinne Scown. I am a Berkeley Lab scientist and teach at UC Berkeley (my kids go to school in Berkeley as well). I'm also an expert in life-cycle assessment, waste management systems (in particular, organic waste), and the use of social cost of carbon -- something we routinely do in my group's research. Our waste management emissions results have been used in San Jose's citywide GHG inventory and we are currently collaborating with CalRecycle on a composting project.

**I am troubled by the motivation behind Item 16.** It seems to be a cynical attempt to place a disproportionate burden on new housing, while ignoring other larger contributors to Berkeley's emissions footprint. I also think it is not an effective way to address GHG emissions because:

1) The typical materials in construction & demolition waste are not the main contributors to GHG emissions from landfills -- food waste and other fast-degrading wastes degrade to methane before cells are capped off and the gas capture system is in place. That is not generally true for C&D waste. **If you want to reduce emissions from waste management, send food and yard waste to compost. C&D waste is not a big problem.**

2) **Transportation is the single largest source of GHG emissions in California** and anything that enables people to live closer to where they work, go to school, and play is likely the most cost effective strategy for reducing emissions. **This item would take things in the opposite direction by hindering infill development and thus encouraging further sprawl to meet the state's housing needs.**

**Please vote no.** This is a bad use of resources and a misguided strategy for reducing GHG emissions in Berkeley.

Corinne Scown

**Benado, Tony**

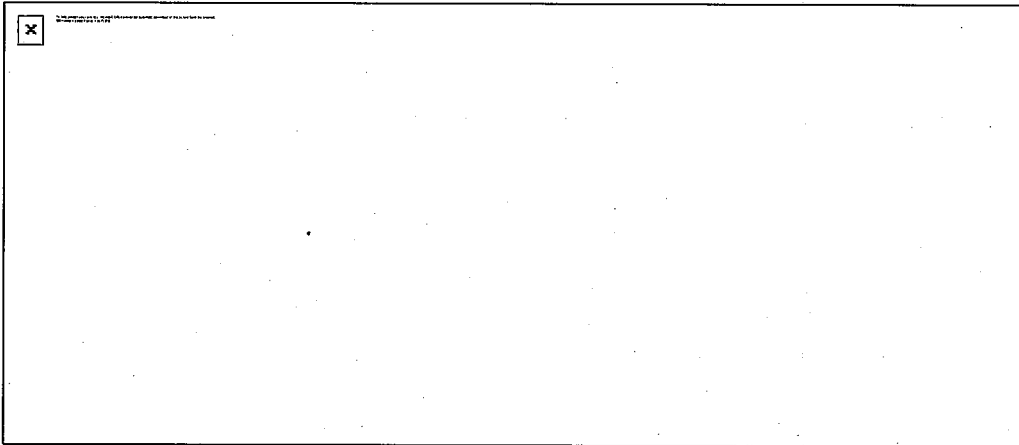
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**From:** Yesica Prado <yesica.prado13@gmail.com>  
**Sent:** Friday, December 8, 2023 6:21 PM  
**To:** Berkeley Mayor's Office; All Council; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Manager, C; MentalHealth; info@homelessactioncenter.org; Radu, Peter  
**Cc:** Osha Neumann; Osha Neumann; Brigitte Nicoletti; Melissa Riess; Sabyl Landrum; Jameelah Najieb; Thomas Zito  
**Subject:** Re: APPEAL: Minor Encroachment on 930 Harrison Street

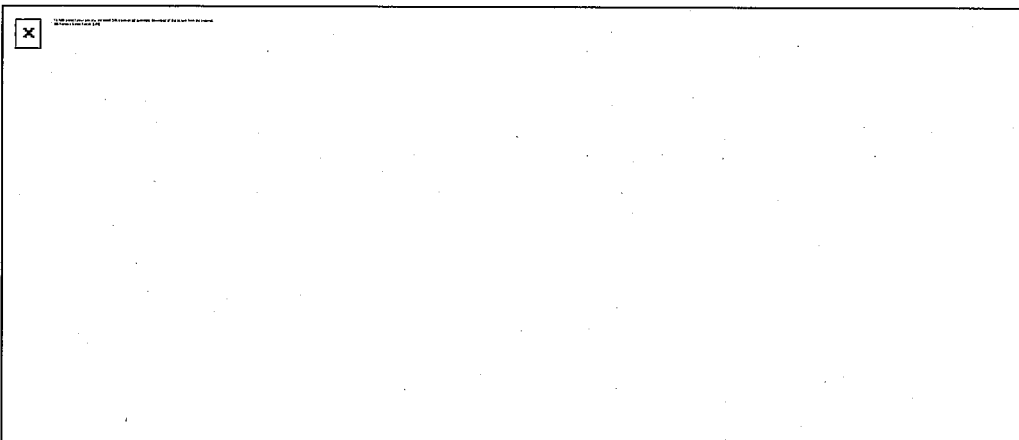
**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Additionally, I would like to point out that the property line of 930 Harrison Street does not include the proposed fenced area as part of their property, according to the city's GIS community portal. Please review the screenshots of the parcel on the map below:

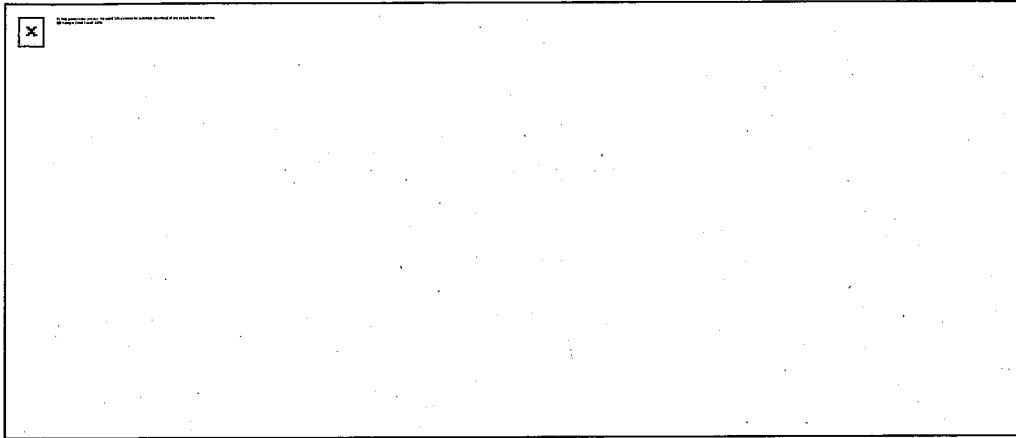
**1) General Plan and Parcel boundaries are displayed on this screenshot for the 930 Harrison Street property.**



**2) A close-up of the 930 Harrison Street property line at the intersection of 8th and Harrison. The property line does not include the planted area that will be fenced off.**



**3) A close-up of the 930 Harrison Street property line at the intersection of 9th and Harrison. The property line does not include the planted area that will be fenced off.**



**We ask that the Berkeley City Council, City Manager's Office, and Public Works halt the construction of this fence until further review and accessible outreach services are performed to the unhoused community residing here.**

**The encroachment permit must be revoked and the displacement of unhoused residents stopped.** Otherwise, the city of Berkeley will be taking extreme measures to eradicate the homes of unhoused residents living along this property to bypass having to provide adequate and accessible social services.

**PLEASE NOTE: I kindly request a reply to this email and a meeting to discuss these concerns in more detail and explore alternative strategies that align with our shared goal of creating a compassionate and inclusive community.**

I look forward to hearing from you all soon.

Thank you,

Yesica Prado



On Fri, Dec 8, 2023 at 5:31 PM Yesica Prado <[yesica.prado13@gmail.com](mailto:yesica.prado13@gmail.com)> wrote:

**Dear City Council,**

**I would like to kindly request that this appeal below for a minor encroachment permit in the public-right-away be added to the next Berkeley City Council agenda that will take place on Tuesday, December 12.**

According to BMC 16.18.060: "Any person aggrieved by the refusal of a minor encroachment permit required by this chapter may appeal to the City Council. All appeals must be filed with the City Clerk within thirty days of the mailing of the decision of the Assistant City Manager for Public Works for scheduling on the City Council's calendar. (Ord. 5514-NS § 1, 1983)"

The Assistant City Manager for Public Works has not made its final decision on the project as the commenting period is still open until December 8, 2023.

**You can also find this appeal attached to this email. We look forward to hearing from you. Thank you for your consideration.**

\*\*\*

**Yesica Prado**  
**Where Do We Go? Berkeley**  
1349 Hearst Avenue  
Berkeley, CA 94702  
[wheredowegoberk@gmail.com](mailto:wheredowegoberk@gmail.com)

12/08/23

**Mayor Arreguin and Berkeley City Council**  
2180 Milvia Street 3rd Floor, Berkeley, CA 94704

**Vincent Chen, Acting Supervising Civil Engineer,**  
1947 Center Street 4th Floor, Berkeley, CA 94704

### **Objection to Construction of Fence Encroaching on Public Right-of-Way**

Dear Mayor Arreguin, Berkeley City Council, and Mr. Chen,

I am writing to formally object to constructing a fence at 930 Harrison Street that appears to encroach upon the public right-of-way. As a concerned Berkeley unhoused resident who has lived around this property for five years, I understand the need for public spaces to be managed effectively, but the recent construction of the fence appears to have negative consequences, particularly for our unhoused neighbors.

**It is evident that the fence does not address the root causes of homelessness and, in fact, exacerbates the already challenging circumstances faced by unhoused Berkeleyans. By restricting access to public spaces, the fence only serves to displace people without providing any meaningful solutions to their plight.**

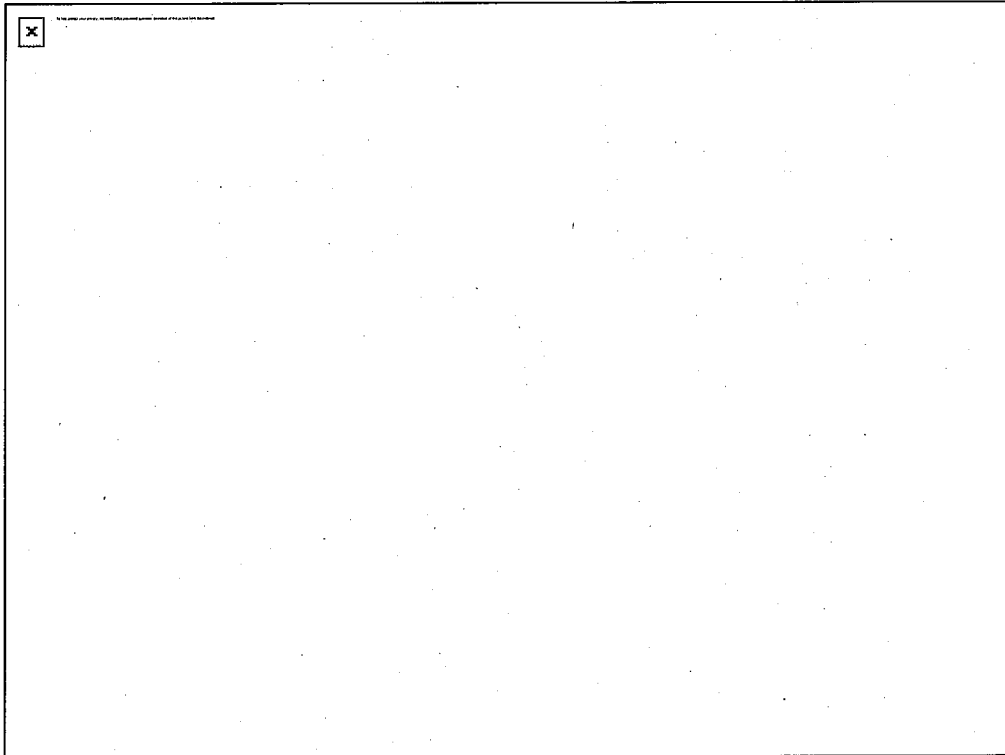
I have observed that the construction of the fence violates the established regulations and guidelines governing the use of public right-of-way areas. **This encroachment raises several concerns, including that A) Granting of the permit will be materially detrimental to the public interest, safety, health, and welfare or injurious to the other property, B) There are other reasonable methods of obtaining the desired results available except as proposed by the applicant, and C) The applicant will NOT be substantially damaged by the refusal to grant the permit as requested.**

To support my objection, I have outlined key points below:

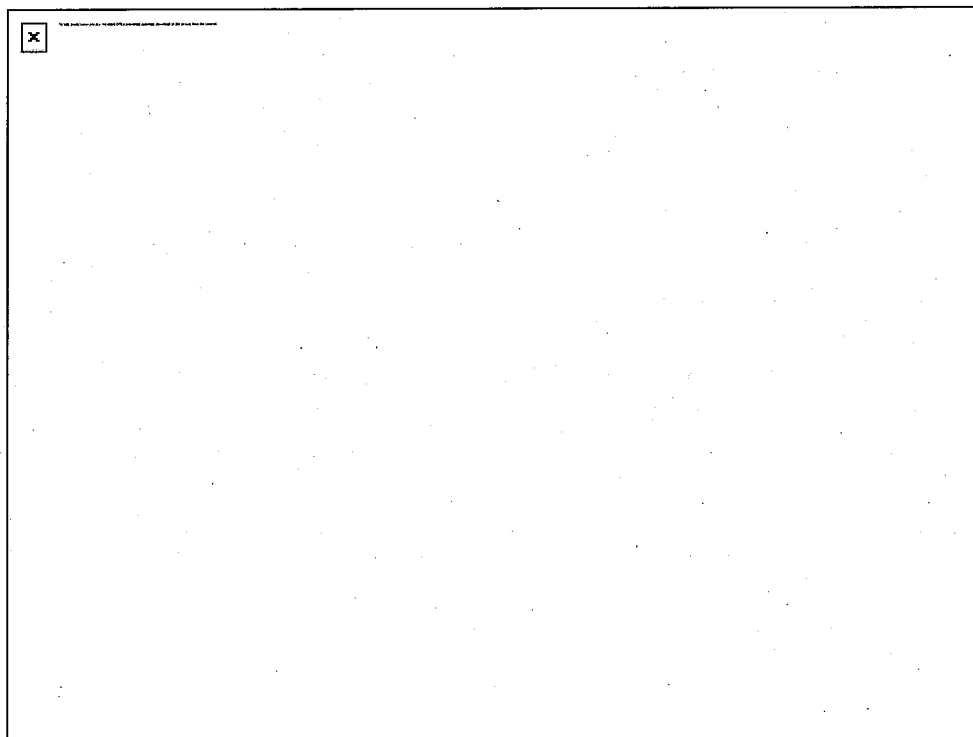
**1) Violation of Public Right-of-Way:** The construction of the fence appears to encroach upon the public right-of-way, limiting access to spaces that are traditionally available for public use. I request a review of the relevant ordinances and regulations to ensure compliance with established

guidelines. The plans also considerably limit the width of the sidewalk in some areas to less than 6 feet as required by the municipal code BMC 16.18.080.

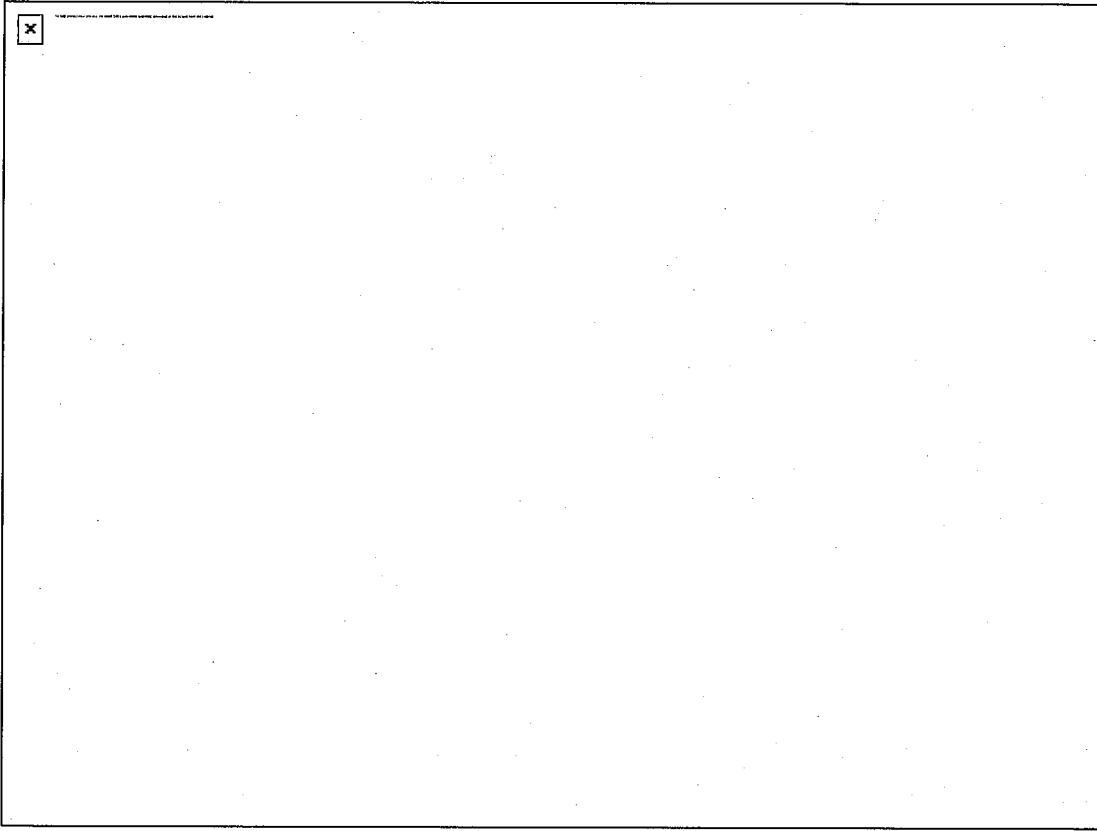
**2) The applicant will NOT be substantially damaged:** As noted in the Encroachment Application, the applicant noted that the entrances to his business were blocked, but this is untrue. Unhoused residents don't camp on any entrances, and they are all kept clear for business use.



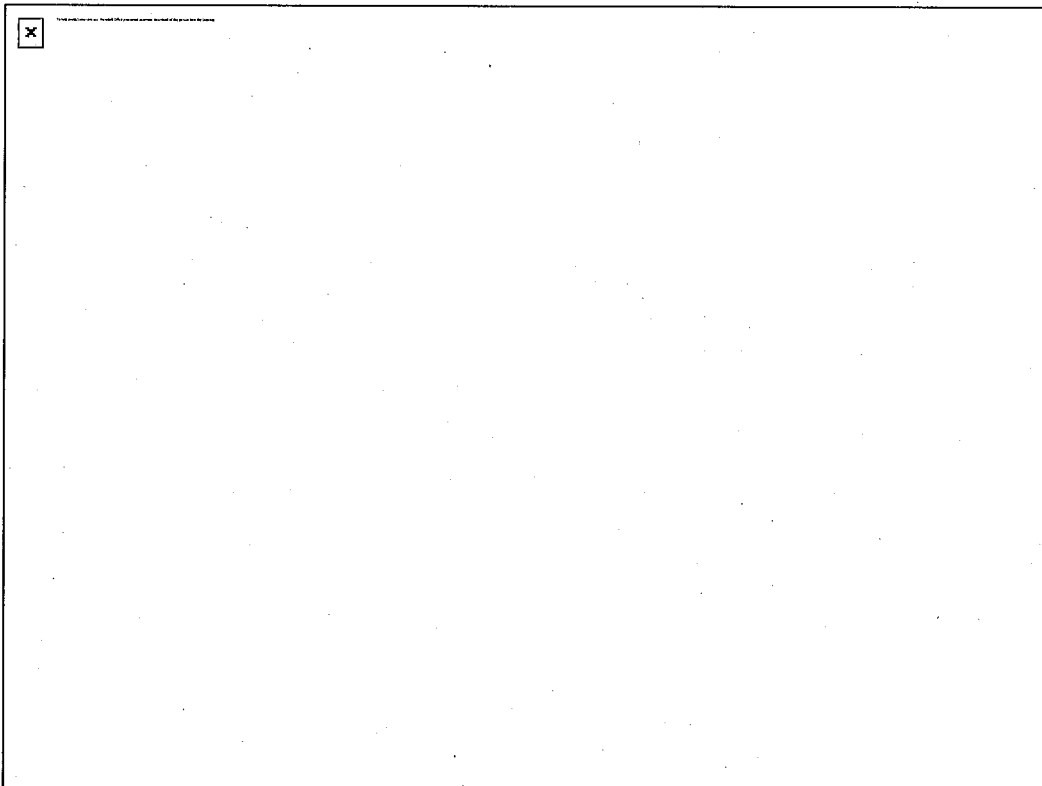
12/08/23: Entrance of 930 Harrison Street (view from Harrison St)



12/08/23: Entrance of 930 Harrison Street (view from 8th St)



12/08/23: Entrance of 930 Harrison Street (view from 9th St)



12/08/23: People camping are at least 30-40 feet away from the main entrance to the business.

**3) Impact on Unhoused Berkeleyans:** Rather than addressing the hardships faced by unhoused residents of this city, the fence seems to be a superficial attempt to push the problem elsewhere. This approach fails to acknowledge the underlying issues of homelessness and perpetuates a cycle of displacement without offering real solutions.

**4) Community Input:** It is essential to involve the community in decisions that impact public spaces. As a concerned member of the Gilman community, I request the commenting period to be extended beyond December 8, to the lawful commenting period of two weeks for any projects that involve the encroachment of the public-right-of-way. (See [Encroachment Permit](#) guidelines)

**5) Legal Implications:** Constructing a fence that encroaches on the public right-of-way may have legal implications and could be in violation of *Martin v. Boise*. The Homeless Response Team has not notified every unhoused resident living around the *930 Harrison Street* property about the construction project. About half of the residents living around this property struggle with serious mental health issues, and require accessible outreach from a behavioral health worker. To this date, this type of outreach has not been done.

**6) Lack of Notice:** The Homeless Response Team has posted public notices sporadically throughout the week in the area, but they have not personally spoken with every unhoused resident camping around the property. RV residents didn't receive a notice until the afternoon of Friday, December 8, which has caused confusion as these residents are also part of the encampment. When RV resident, Yesica Prado, asked questions about the notice to outreach worker, Okeya Vance, she responded with hostility and vague instructions on how to proceed. Overall, homeless outreach workers lack professionalism and compassion for the unhoused people that they serve. (See [Video of Outreach](#) performed at the camp)

**7) Ineffectiveness:** Restricting access to public spaces only serves to displace individuals temporarily, without offering any sustainable solutions or addressing the root causes of homelessness. Moreover, the fence does not deter unhoused individuals from camping on the sidewalk outside its confines, rendering it ineffective in achieving its intended purpose.

**8) Community Alienation:** Erecting barriers in public spaces creates an atmosphere of division and alienation within our community. It is crucial to foster a sense of inclusivity and work collaboratively towards solutions that benefit everyone, housed and unhoused alike.

I propose that the City of Berkeley take the following actions:

**1) Allocate supportive services** to provide essential services such as shelters, mental health facilities, and substance abuse programs to address the underlying causes of homelessness and support our neighbors in need.

**2) Engage with local homeless advocacy groups** and service providers to better understand the needs of the unhoused population in our community.

**3) Establish designated safe spaces** for unhoused Berkeleyans, complete with necessary amenities and support services.



**I kindly request that the Berkeley City Council and Public Works Engineering Department investigate this matter promptly and take appropriate action to remedy the situation. This may involve requiring the property owner to remove the encroaching structure entirely. Please add this appeal to the next council meeting on Tuesday, December 12, 2023.**

I urge you Mayor Arreguin, Berkeley City Council, and Public Works Engineering Department to reconsider the construction of the fence and instead focus on implementing compassionate and effective solutions to address homelessness. Collaborative efforts with local organizations and stakeholders can lead to more sustainable and humane approaches.

If you require any additional information or clarification, please do not hesitate to contact me at [yesica.prado13@gmail.com](mailto:yesica.prado13@gmail.com) or [wheredowegoberk@gmail.com](mailto:wheredowegoberk@gmail.com)

Thank you for your prompt attention to this matter.

Sincerely,

**Yesica Prado**

Board Secretary

Where Do We Go? Berkeley

(773) 751-9522



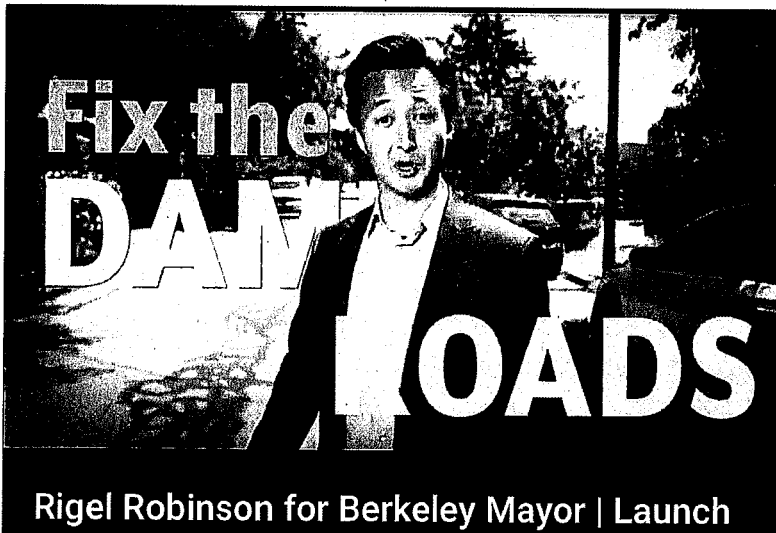
**Benado, Tony**

**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Tuesday, November 28, 2023 7:35 AM  
**To:** All Council  
**Cc:** City Clerk  
**Subject:** Fwd: This #GivingTuesday, donate to support Rigel for Mayor! ✨

**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.

As you prepare to look at the paving plan, let me once again note that you incumbents have chosen time and again to direct funds to all sorts of foolishness rather than to streets.

It requires real chutzpah to run a mayoral campaign against your own record, but that's just what Rigel Robinson is doing. After all, if fixing the damn roads "finally" were important, he wouldn't have voted as he has done year after year.

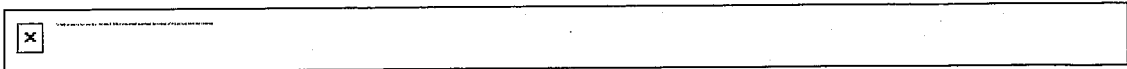


Begin forwarded message:

Begin forwarded message:

**From:** Team Rigel <team@rigelrobinson.com>  
**Date:** November 28, 2023 at 07:08:02 PST  
**To:** eric@spottedsnake.net  
**Subject:** This #GivingTuesday, donate to support Rigel for Mayor! ✨  
**Reply-To:** Team Rigel <team@rigelrobinson.com>





Hi Eric,

This **Giving Tuesday**, please consider making a donation to our campaign!

**DONATE TO RIGEL FOR MAYOR NOW!**

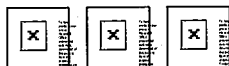
**DONATE TO RIGEL FOR MAYOR NOW!**

We're building this coalition one conversation at a time with small-dollar donations capped at **\$60 per person**. We've heard from people all over the city who are **frustrated with the influence of money in politics**, which is why we've chosen to use Berkeley's public financing program to support our campaign. Every dollar counts — especially now as we're growing our team and building the foundation for our campaign. For Berkeley residents, the city public financing program will match your donation 6:1. That's right, an additional **\$360 for each \$60 donation!**

Berkeley needs a leader who **listens to the community** and a leader who **has the community's support**. We can't do it alone.

Investing in our campaign this Giving Tuesday means investing in the future of Berkeley. Your donation will help us reach our **end-of-month fundraising goals** and continue **building a coalition of grassroots donors in Berkeley**

Thank you for your support!  
Team Rigel



Paid for by Rigel Robinson for Berkeley Mayor 2024, FPPC #1461625

[www.rigelrobinson.com](http://www.rigelrobinson.com)

**Benado, Tony**

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**From:** Carol Hirth <chirth@mac.com>  
**Sent:** Monday, January 1, 2024 12:54 PM  
**To:** Manager, C; All Council  
**Subject:** People's Park

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I understand construction work is being resumed at People's Park soon. I urge you to make sure that protestors will not be harmed, including will not be tear gassed, when this work takes place.

Thank you.  
Carol Hirth. 94702

**Benado, Tony**

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**From:** Diana <nicca@igc.org>  
**Sent:** Wednesday, January 3, 2024 8:28 AM  
**To:** All Council  
**Subject:** Please help save Peoples Park!! - PRESS RELEASE - National Trust for Historic Preservation Supports Protection of People's Park  
**Attachments:** People's Park National Trust Letter.pdf

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.

Please do what you can to save Peoples Park!  
 Diana Bohn  
 94707

*For Immediate  
 Release  
 Smith*

Contact: Harvey

pe

oplesparkhxdist@gmail.com, 510-684-0414

The National Trust for Historic Preservation has called for the preservation of People's Park, pointing out that it is "nationally significant for its association with student protests and countercultural activities during the 1960s" and is listed on the National Register of Historic Places.

In a December 2023 letter to the People's Park Historic District Advocacy Group, the National Trust says, "(We wish) to express our support for the full exploration of all potential alternatives that result in the preservation of People's Park. The exploration of alternatives is a core protection provided to historic places by CEQA."

"For projects that are not dependent on a single location, such as the proposed construction of student housing, a robust alternatives analysis can often identify superior win-win solutions that allow both preservation and new construction. We hope that just such a

solution can be identified that enables both the construction of new student housing in Berkeley and the preservation of People's Park," the letter continues.

In addition to its historical importance, People's Park is also a valuable piece of public open space in Berkeley's most densely populated neighborhood. Destroying the only piece of public open space in the South Campus area of Berkeley would have many negative impacts and would violate international, national, state and city standards for urban green space.

Bob Lalanne, former UC Berkeley Vice Chancellor for Real Estate (VCRE) notes that "People's Park was off the table for any development while we were completing a number of dormitory projects previous to me leaving my position in 2016. Many alternative campus-owned housing development sites have been available for decades and remain to this day. The VCRE issued a report to the Chancellor in 2015 and actually requested funds from campus leadership to remodel the park and were denied.

He continued, "We had looked into adjacent retail properties fronting on Telegraph Avenue, particularly the food retailers that back up to the Park to actually open the rear of their properties to the park for outdoor seating to enliven the Park even more. It is in part due to poor planning and the lack of execution of new student housing by campus for the past 20 years that housing did not keep up with enrollment growth and that the Park is targeted for destruction due to "housing shortage.""

The National Trust agrees. It supports the "full exploration of all alternatives that result in the preservation of People's Park." Like the People's Park Historic District Advocacy Group, the trust believes it is possible to have a win-win solution that includes "the construction of student housing and the preservation of People's Park."

The Washington D.C.-based trust, chartered by Congress in 1949, acts "to protect significant historic places and advocate for historical preservation as a fundamental value in programs and policies at all levels of government."

The National Trust letter is attached in a pdf file.

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National Trust *for*  
Historic Preservation®

December 22, 2023

Harvey Smith  
People's Park Historic District Advocacy Group  
P.O. Box 1234  
Berkeley, CA 94701-1234

**Re: People's Park, Berkeley, CA, and *Make UC a Good Neighbor v. Regents of the University of California*, No. S279242**

Dear Mr. Smith,

The National Trust for Historic Preservation ("National Trust") wishes to express our support for the preservation of historic People's Park in Berkeley, California. People's Park is listed on the National Register of Historic Places as nationally significant for its association with student protests and countercultural activities during the 1960s. The National Register of Historic Places is fundamentally a land-use planning tool that is intended to help prevent the loss of and harm to historic resources, and People's Park's inclusion on it should encourage just such a positive outcome. The National Trust is committed to advocating for significant historic places like People's Park, and we hope that our support helps emphasize the national significance of People's Park and the importance of exploring all possible opportunities for its preservation.

The National Trust was chartered by Congress in 1949 as a private charitable, educational, and nonprofit organization to "facilitate public participation" in historic preservation, and to further the purposes of federal historic preservation laws. *See* 54 U.S.C. § 312102(a). With over one million members and supporters, the National Trust works to protect significant historic places and to advocate for historic preservation as a fundamental value in programs and policies at all levels of government. In addition, the Chairman of the National Trust has been designated by Congress as a member of the Advisory Council on Historic Preservation ("ACHP"), which is responsible for overseeing federal agency compliance with Section 106 of the National Historic Preservation Act, *id.* §§ 304101(8), 304108(a).

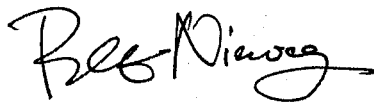
One of the National Trust's core areas of advocacy is the defense of local, state, and federal historic preservation laws. We understand that the People's Park Historic Advocacy Group is currently involved in a lawsuit challenging, among other things, the inadequate analysis of alternatives under the California Environmental Quality Act (CEQA). The National Trust wishes to express our support for the full exploration of all potential alternatives that result in the preservation of People's Park. The exploration of alternatives is a core protection provided to historic places by CEQA. For projects that are not dependent on a single location, such as the proposed construction of student housing, a robust alternatives analysis can often identify superior win-win solutions that allow both preservation and new



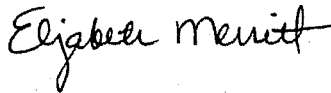
construction. We hope that just such a solution can be identified that enables both the construction of new student housing in Berkeley and the preservation of People's Park.

The National Trust would be happy to work with the People's Park Historic Advocacy Group to help envision historic preservation opportunities at People's Park and to advocate for its preservation. People's Park is a unique historic place that is integral to the story of both Berkeley and the nation, and the National Trust supports the work that the Advocacy Group is doing to prevent its destruction. Please feel free to share this expression of our support in any way that may be helpful, and we look forward to continuing to work with your organization.

Sincerely,



Rob Nieweg  
Senior Vice-President  
Preservation Services & Outreach



Elizabeth S. Merritt  
Deputy General Counsel



Chris Cody  
Associate General Counsel

**Benado, Tony**

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**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Sunday, December 31, 2023 6:14 AM  
**To:** All Council  
**Subject:** Library

**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.

Before the pandemic, the library was open on Sundays. They have never restored service, quietly degrading the level of service to residents, who pay a supplemental tax for the library, while enjoying ever increasing pay and benefits.

Could you please call the responsible officials to account for this? I think they owe the public an explanation.

Happy New Year  
Eric

**Benado, Tony**

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**From:** Rick Maisel <rlmaisel@gmail.com>  
**Sent:** Tuesday, July 26, 2022 4:46 PM  
**To:** All Council  
**Subject:** please oppose the proposals to end the rights of duplex owners

I am writing you to strongly oppose the proposals on the agenda tonight to limit the ability of owner occupied duplexes to get rid of troublesome tenants, and to impose a vacancy tax on duplex owners or small property owners if they choose not to rent out their units.

**Benado, Tony**

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**From:** John J. Parman <j2parman@gmail.com>  
**Sent:** Friday, December 1, 2023 2:39 PM  
**To:** All Council  
**Subject:** Family housing

**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.

This is the kind of family-supportive new housing we need here.

[https://www.linkedin.com/posts/gls-architecture-landscape-architecture-landscape-architecture-affordablehousing-activity-7136430397541814272-eSzb?utm\\_source=share&utm\\_medium=member\\_desktop](https://www.linkedin.com/posts/gls-architecture-landscape-architecture-landscape-architecture-affordablehousing-activity-7136430397541814272-eSzb?utm_source=share&utm_medium=member_desktop)

Yours, John

(John Parman, 1428 Arch St., 94708)

**Benado, Tony**

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**From:** Vivian Warkentin <vivwark@sbcglobal.net>  
**Sent:** Sunday, December 31, 2023 3:58 PM  
**To:** All Council  
**Subject:** Court Rules in Favor of Consumer whose "life had become hell"; Utility Must Remove "Smart" Meter - Activist Post

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.

<https://www.activistpost.com/2023/12/court-rules-in-favor-of-consumer-whose-life-had-become-hell-utility-must-remove-smart-meter.html>

**Benado, Tony**

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**From:** Vivian Warkentin <vivwark@sbcglobal.net>  
**Sent:** Saturday, December 30, 2023 3:26 PM  
**To:** All Council  
**Subject:** How California's Policies Forced Me to Give Up My Farm and Move to Texas: Mollie Engelhart | EpochTV

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[https://www.theepochtimes.com/epochtv/how-californias-policies-forced-me-to-give-up-my-farm-and-move-to-texas-mollie-engelhart-5554106?src\\_src=Morningbrief&src\\_cmp=mb-2023-12-30&est=uf6Ql0Fwv9vljZg+exwRfZmU+YN9QARUbIIYVigjpElvujatAEZ6MQaXCtDlaMc2ng==](https://www.theepochtimes.com/epochtv/how-californias-policies-forced-me-to-give-up-my-farm-and-move-to-texas-mollie-engelhart-5554106?src_src=Morningbrief&src_cmp=mb-2023-12-30&est=uf6Ql0Fwv9vljZg+exwRfZmU+YN9QARUbIIYVigjpElvujatAEZ6MQaXCtDlaMc2ng==)

**Benado, Tony**

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**From:** Vivian Warkentin <vivwark@sbcglobal.net>  
**Sent:** Tuesday, December 26, 2023 3:34 PM  
**To:** All Council  
**Subject:** Wildlife Affected by Radio Tracking Devices; Weakened Immune Systems, Deadly Sarcomas, Severe Metabolic Changes, etc. - Activist Post

**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.

<https://www.activistpost.com/2023/12/wildlife-affected-by-radio-tracking-devices-weakened-immune-systems-deadly-sarcomas-severe-metabolic-changes-etc.html>

**Benado, Tony**

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**From:** Vivian Warkentin <vivwark@sbcglobal.net>  
**Sent:** Tuesday, December 12, 2023 1:59 PM  
**To:** All Council  
**Subject:** Electric Car Charging Station's Power Usage Exceeds That of 280 Homes Every Hour | [your]NEWS

**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.

<https://yournews.com/2023/11/14/2688107/electric-car-charging-stations-power-usage-exceeds-that-of-280/>



**Benado, Tony**

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**From:** sadaf qazi <sadafhqazi@gmail.com>  
**Sent:** Wednesday, November 29, 2023 12:23 PM  
**To:** All Council  
**Subject:** About last night

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

Hello Mayor Arreguin and Berkley city council members,

Last night, I was one of the participants on zoom and I want to convey my thoughts to you all. I do not condone disrupting a meeting with chants and personally am all for providing everyone a space for expressing their opinions on all matters whether I agree with them or not. Being patient when the others are presenting their case, no matter how absurd it is in my opinion, is the basis of public dialogue and discourse. I did see some of that happening last night but I think the way it was handled by Berkley city council was very disappointing. Instead of removing the disruptors and enforcing control and order in the meeting, you chose to run away and hide in a closed room. When you have authority, you can exercise it with calm and composed manner instead of escaping the matter at hand. You also subsequently barred speakers from expressing their opinion on presenting and considering a resolution for ceasefire and the whole meeting became a joke because of the lack of control, and bad judgement on your part.

City councils are supposed to be the level of government nearest to the people and you are not hearing your people out. Hear them out, please, and stand with justice, and with the oppressed people that are being decimated by our tax dollars.

It takes courage to make that kind of a statement. I understand. And it can be very scary. But when you take the right step, you will find that your strength will come from your good action and you will not be alone.

Please consider these public opinions before your next meeting.

-Sadaf.

**Benado, Tony**

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**From:** Ilana Pearlman <irpearlman@gmail.com>  
**Sent:** Wednesday, November 29, 2023 12:46 PM  
**To:** All Council  
**Cc:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** \*\*\*THANK YOU\*\*\*

**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.

Dear City of Berkeley Council Members,

I am a Berkeley District 2 resident who witnessed the horrifyingly hostile, physically and emotionally abusive environment at the council meeting last night and the previous meeting. No human—councilmember or otherwise—deserves such harassment and I commend you for standing up against hate.

Sadly, I no longer feel safe as a Jew in Berkeley. I am scared for myself and my children; hearing the way the public openly talks about Jews, about how comfortable they are in their antisemitism, is incredibly traumatic for me. I think the only thing keeping me and my family in Berkeley right now is my faith in this leadership council, as you continue your commitment, through action, to keeping ALL Berkeley residents safe by not supporting divisive resolutions.

Majority of Berkeley's Jews did not show up to the council meeting last night out of fear for our physical and mental safety. The loud and angry would have the public believe that they speak for all of Berkeley, but that could not be further from the truth.... Thank You again for not cowering to pressure and hate. We stand with our elected Berkeley officials.

**I have a few questions:**

- 1) Could the Addison st. property/building have legally been cleared out and shut down last night when the council members moved to a behind-doors session? Keeping the building open allowed an angry group to use the space to organize how to continue to disrupt the meeting—I recorded them telling everyone to go into the bathrooms and bang on the walls to continue to disrupt the meeting as well as zoom bomb.
  - a. Furthermore, can individual disruptive community members legally be banned from future meetings based on their conduct?
- 2) What constitutes hate speech at a council meeting and is all hate speech protected?
- 3) Will certain acts—such as throwing money at council members—be charged as hate crimes?

Warmly,  
 Ilana Pearlman

--  
**Ilana Pearlman, CNM, WHNP**  
 Certified Nurse Midwife

Sutter East Bay Medical Group / Alta Bates Summit Medical Center  
[irpearlman@gmail.com](mailto:irpearlman@gmail.com)  
650.208.3413

**Benado, Tony**

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**From:** Hillary Kilimnik <chasinghillary@gmail.com>  
**Sent:** Wednesday, November 29, 2023 12:36 PM  
**To:** Berkeley Mayor's Office; All Council; Hahn, Sophie  
**Subject:** Fwd: Palestinian Flag Hanging in the Window of 2nd grade classroom of Malcolm X

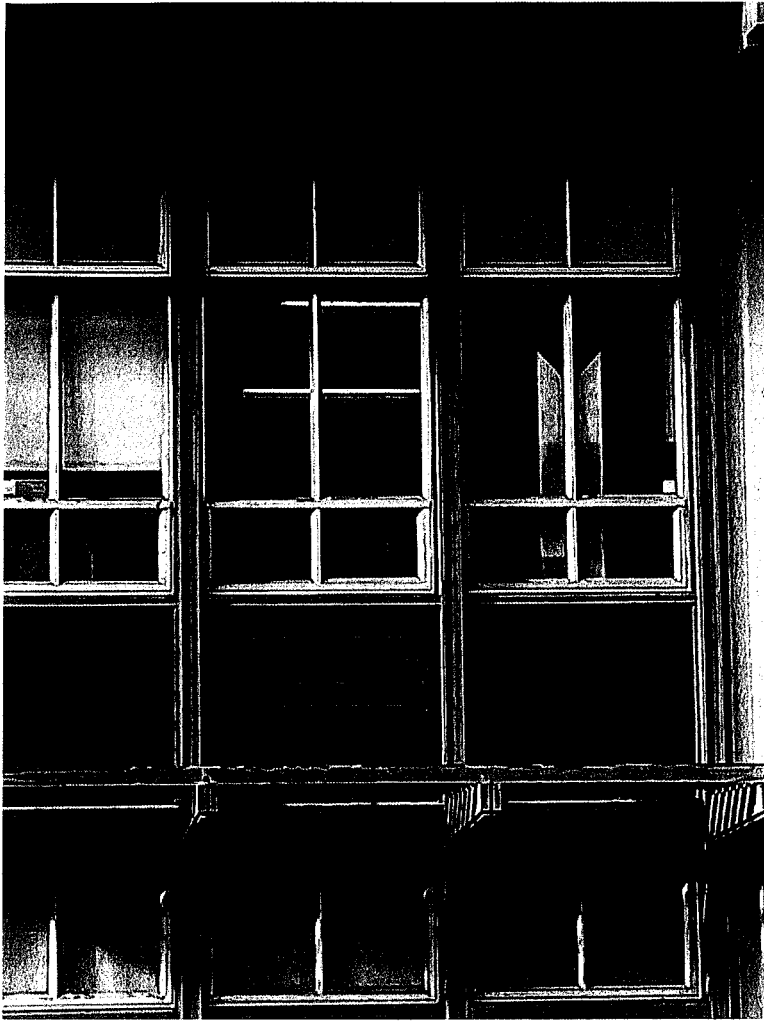
**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Mayor and Members of the City Council,

Bringing to your attention a 2nd grade classroom at Malcolm X Elementary School where the teacher (Ms. Arroyo) has hung a Palestinian flag in the window (facing the courtyard for maximum impact on the students body). This teacher is clearly trying to influence the students with her personal 1-sided political agenda.

My understanding is that teachers are supposed to present multiple sides of "controversial topics" and do so in a balanced way. The hanging of the Palestinian flag by a teacher clearly takes a "side". Teachers do not have the right to use their classrooms as a space to indoctrinate students, and I would like to know what this council is going to do to ensure that this is put to a stop immediately.

Sincerely,  
Hillary Kilimnik  
District 5 resident  
Parent of 3 BUSD students



----- Forwarded message -----

From: **Hillary Kilimnik** <[chasinghillary@gmail.com](mailto:chasinghillary@gmail.com)>

Date: Wed, Nov 29, 2023 at 12:21 PM

Subject: Fwd: Palestinian Flag Hanging in the Window of 2nd grade classroom of Malcolm X

To: <[boardofed@berkeley.net](mailto:boardofed@berkeley.net)>, Superintendent Office <[superintendent@berkeley.net](mailto:superintendent@berkeley.net)>

Superintendent and Board of Education,

Bringing to your attention a 2nd grade classroom at Malcolm X Elementary School where the teacher has hung a Palestinian flag in the window (facing the courtyard for maximum impact on the students body). This teacher is clearly trying to influence the students with her personal 1-sided political agenda.

My understanding is that teachers are supposed to present multiple sides of "controversial topics" and do so in a balanced way. The hanging of the Palestinian flag by a teacher clearly takes a "side". Given the power dynamic between teachers and students, this can be seen as stifling students' abilities to think for themselves, especially given the obvious assumption that this teacher is not presenting multiple sides of the war in her classroom...not that 2nd graders should be learning about war anyway. This seems to be clearly out of line with what teachers are allowed to do in their place of work.

As a parent of 3 Jewish kids in BUSD, I am very concerned that this flag's presence makes a statement about the school's politics, and that it creates a hostile environment for some students. Bottom line, teachers should not advocate for their personal political beliefs in the classroom.

I look forward to hearing back from the Board on steps to be taken to restore a safe and inclusive learning environment for students at Malcolm X elementary.

Sincerely,  
Hillary Kilimnik  
Parent of 3 BUSD students, 17 year Berkeley resident



----- Forwarded message -----

From: **Hillary Kilimnik** <[chasinghillary@gmail.com](mailto:chasinghillary@gmail.com)>

Date: Wed, Nov 29, 2023 at 12:13 PM

Subject: Palestinian Flag Hanging in the Window of 2nd grade classroom of Malcolm X

To: <[AlexanderHunt@berkeley.net](mailto:AlexanderHunt@berkeley.net)>, <[MaryMartin@berkeley.net](mailto:MaryMartin@berkeley.net)>

Hello Mr. Hunt and Ms. Martin,

I'm writing to bring to your attention the hanging of a Palestinian Flag in the window of a 2nd grade classroom at Malcolm X Elementary. My understanding is that teachers are supposed to present multiple sides of "controversial topics" and do so in a balanced way. The hanging of the Palestinian flag by a teacher clearly takes a "side". Given the power dynamic between teachers and students, this can be seen as stifling students' abilities to think for themselves,

especially given the obvious assumption that this teacher is not presenting multiple sides of the war in her classroom...not that 2nd graders should be learning about war anyway. This seems to be clearly out of line with what teachers are allowed to do in their place of work.

As a parent of 3 Jewish kids in BUSD, I am very concerned that this flag's presence makes a statement about the school's politics, and that it creates a hostile environment for some students. Bottom line, teachers should not advocate for their personal political beliefs in the classroom.

Sincerely,  
Hillary Kilimnik  
Berkeley Resident, Parent of 3 BUSD students

**Benado, Tony**

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**From:** Jennifer Carmona <jencarmona92@gmail.com>  
**Sent:** Wednesday, November 29, 2023 1:41 PM  
**To:** Wolan, Aleksandra; Bartlett, Ben; Gerstein, Beth; Naso, Christopher; All Council; Aguilar-Canabal, Diego; Pugh, Eliza; Panzer, Eric; Russell, Gordon; Wilson, Genevieve; Chang, James; McCormick, Jacquelyn; Harrison, Kate; McWhorter, Laurie; Skjerping, Lars; Berkeley Mayor's Office; Humbert, Mark; Hernandez Story, Ruben; Kesarwani, Rashi; Robinson, Rigel; Greenberg, Sam; Cerami, Sara; Elgstrand, Stefan; Hahn, Sophie; Wengraf, Susan; Posner, Tina; Taplin, Terry  
**Subject:** Free Palestine

**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.

Dear Council Members, I am [state affiliation to the city of Berkeley] and I am writing to call upon the longstanding spirit of activism and social justice that breathes in the heart of Berkeley, urging you to pass a formal resolution in solidarity with Palestinians in Gaza, who are being subject to ethnic cleansing and genocide by the Israeli state backed by the United States. Within the greater context of the decades-long Israeli military occupation of the Palestinian people, and immediately following the October 7, 2023 attack by Hamas, the Israeli government declared "war" on Hamas. The IDF began indiscriminately bombing the Gaza strip, a 25 by 5-mile space dubbed "an open-air prison" that has been under complete blockade by Israel and the densely populated home of over 2.2 million Palestinian civilians, the majority of whom are refugees and descendants of refugees displaced from their Palestinian villages by Israel, and of whom over 47.5% are minors. As a result, the Israeli government has now been rightly accused of numerous war crimes by human rights groups and leaders of nations around the world. You have heard from countless members of Berkeley via Public Comment and email calling upon you, as the people's representatives, to pass this Resolution. We, your constituents, have prepared a Resolution on your behalf - please see below. We call upon the Berkeley City Council to review the Resolution, make edits that are consistent with the spirit of our request, place the Resolution on the agenda as a time critical and urgency item, and please pass this Resolution. It is understood that the next public meeting is scheduled for November 28, but we encourage the council to schedule a special meeting sooner to pass this Resolution since it is an URGENCY ITEM. We'd also like to note that there are no direct financial implications since this is a Resolution. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 16, 2023: Richmond, CA; Providence, RI; Cudahy, CA; and Easton, PA. We hope the City of Berkeley will follow suit in this moral leadership. Thank you for your attention and commitment to doing what is right for our community and the world.

Sincerely, [Your name] [zip code if comfortable] A Resolution of the City Council of the City of Berkeley, California Affirming the City's Support and Solidarity with the Palestinian People of Gaza and in line with Rep. Cori Bush's Congressional Resolution Calling for An Immediate De-Escalation and Cease-Fire in Israel and Occupied Palestine WHEREAS, Israel's conflation of anti-Semitism with anti-Zionism and solidarity with Palestinians is recognized by legal scholars and human rights organizations, including Israel's B'Tselem, as a political tool to silence critics of Israel. It also creates fear among Jews, who are rightly alarmed by anti-Semitic words and actions due to the horrors of pogroms and the Holocaust in Europe; and WHEREAS, 1,200 Israelis have been killed by Hamas on October 7th and nearly 13,000 Palestinians have been killed by the state of Israel in this escalated conflict, including over 5,500 children (as of 11/19/2023) - the death toll increasing each day and includes Americans who have been killed; and WHEREAS, All human life is precious, and the targeting of civilians, no matter their faith or ethnicity, is a violation of international humanitarian law; and WHEREAS, We mourn the loss of all civilian lives lost on both sides from October 7, 2023, to the present and also throughout the decades of displacement, occupation, oppression, and blockade endured in Gaza, East Jerusalem, and the West Bank; and WHEREAS, In violation of international law, Israel has maintained 16 years of complete sea, air, and land siege on goods and travel, which had already created 42% unemployment, 84% reliance on international humanitarian aid, 41% undernourishment, 60% anemia among children, and innumerable deaths from curable diseases; WHEREAS, Israel's past bombings of Gaza, the main ones in 2009, 2012, and 2014 had already curtailed the ability to make a living by destroying agricultural plots, orchards, and chicken coops, destroyed the infrastructure, including desalination and wastewater treatment plants. And any attempts to rebuild it had been stifled by Israel



limiting access to electricity and fuel to no more than four continued hours per day; and WHEREAS, Prior to the current crisis; only 1% of Gazans had access to safe drinking water, leaving the population – half of whom are children – vulnerable to waterborne diseases, infections, and dehydration. WHEREAS, The World Health Organization states that in an emergency, every person needs between 7.5 to 20 liters of clean water, Gazans have now access to only 3 liters, and some people have been drinking highly saline and contaminated seawater, which has already resulted in cases of chickenpox, scabies, and diarrhea and could easily lead to the spread of cholera; and WHEREAS, There is a consensus among the human rights organizations and the UN that Israel has turned the Gaza Strip, which is one of the most densely populated places on Earth, into “the world’s largest open-air prison”, even prior to this conflict; and WHEREAS, Israel’s actions had already endangered the health of Gazans and the environment, by causing sewage and solid waste to pile up on the streets and over 130,000 cubic meters of wastewater to be discharged daily into the Mediterranean Sea; and WHEREAS, Hundreds of thousands of lives are in imminent danger if a ceasefire is not achieved humanitarian aid is not delivered immediately; and WHEREAS, The humanitarian pauses and safe havens have been violated by Israeli; and WHEREAS, Collective punishment is considered a war crime under international law, and refers to a form of sanction imposed on persons or a group of persons in response to a crime committed by one of them or a member of the group; and WHEREAS, Israel’s indiscriminate bombings of Gaza are a form of collective punishment, recognized as a war crime (Common Article 33 of the Fourth Geneva Convention and Article 4 of the Additional Protocol II) and also a violation of International Humanitarian Law, which requires observance of the principles of distinction (attacking only military targets) and proportionality (the anticipated military gains outweigh harm to civilians); and WHEREAS, Israel’s shutting off all access to electricity, drinking water, food, and humanitarian aid is a form of collective punishment and constitutes a war crime under international law; and WHEREAS, Ethnic cleansing refers to the creation of an ethnically homogenous geographic area through the elimination of unwanted ethnic groups by deportation, forcible displacement, or genocide; and WHEREAS, Israel has engaged in an ethnic cleansing campaign by explicitly requiring two million Palestinians to leave Gaza immediately or risk being bombed in their homes and has intensified its unprovoked killing and forced displacement of Palestinians in the West Bank to uninhabitable areas; and WHEREAS, Israel has violated international law by not ending its military occupation of East Jerusalem, the West Bank, and Gaza, which began in 1967; and WHEREAS, The International Humanitarian Law holds an occupying force responsible for the safety and well-being of the inhabitants of the land it occupies, Israel has been settling the foreign nationals of Jewish descent on the occupied land, driving away Palestinians from their land through acts of terror, confining them to small incongruent areas, demolishing their homes, businesses, and orchards, etc.; and WHEREAS, The U.S. government holds immense diplomatic power to save Palestinian and Israeli lives but has refused to take serious action to do so; and WHEREAS, The state of Israel would not be able to maintain its military occupation of East Jerusalem, the West Bank, and Gaza without enormous military aid provided by the United States every year, thereby also depriving Americans of money for their own urgent needs; and WHEREAS, The 14.3 billion requested from the Biden Administration in October 2023 in addition to the 3.8 billion in military aid provided annually by the United States to Israel is derived from American taxpayer money. However, a Reuters poll released on November 15, 2023, states that 68% of Americans agreed that “Israel should call a ceasefire and try to negotiate” demonstrating the majority of Americans do not support the continued military aid; and NOW, THEREFORE, BE IT RESOLVED, That the City of Berkeley 1) Urges the Biden Administration to immediately call for and facilitate de-escalation and a ceasefire to urgently end the current violence; and 2) Calls upon the Biden administration to promptly send and facilitate the entry of humanitarian assistance to Gaza; and 3) Calls for the end of the Israeli siege on Gaza, the end of the blockade in Gaza, and the occupation of the West Bank; and 4) Demands that the Biden administration to immediately end all existing and future military aid to Israel in order to fund urgent needs in the United States such as homelessness, food insecurity, and education; and 5) Calls upon the immediate release of all the Palestinians who have been arrested in Israel, Jerusalem, and the West Bank since October 7, 2023; and 6) Calls upon the immediate release of the approximately 220 Israeli hostages held by Hamas. BE IT FURTHER RESOLVED, That the City of Berkeley advocates for the dignity and safety of residents in every community, regardless of what crimes its leadership may commit, and that peaceful diplomacy is the only way to achieve this safety and dignity. BE IT FURTHER RESOLVED, The City of Berkeley stands in solidarity with the Palestinian people of Gaza, who are currently facing ethnic cleansing and collective punishment by the state of Israel; and BE IT FURTHER RESOLVED, That the City of Berkeley vows to combat antisemitism, islamophobia, and ethnonationalism in all its forms; and BE IT FURTHER RESOLVED, that the City of Berkeley rejects Israel’s conflation of anti-Zionism and solidarity with Palestinian people with anti-Semitism for political gains; and BE IT FURTHER RESOLVED, that the City of Berkeley endorses the Congressional Resolution submitted by Representatives Cori Bush (MO-01), Rashida Tlaib (MI-12), André Carson (IN-07), Summer Lee (PA-12), and Delia C.

Ramirez (IL-03), alongside Representatives Jamaal Bowman (NY-16), Bonnie Watson Coleman (NJ-12), Jesús "Chuy" García (IL-04), Jonathan Jackson (IL-01), Alexandria Ocasio-Cortez (NY-14), Ilhan Omar (MN-05), Ayanna Pressley (MA-07), and Nydia Velázquez (NY-07) and urges our Congressional Representative, Rep. Barbara Lee, and California's Congressional delegation to vote in support of the resolution. BE IT FURTHER RESOLVED, that the City Council directs the City Manager or his designee to immediately distribute this Resolution upon its adoption to the offices of Senator Alex Padilla (CA), Senator Laphonza R. Butler (CA), Representatives Barbara Lee (CA-13), Robert Garcia (CA-42), Cori Bush (MO-01), Rashida Tlaib (MI-12), André Carson (IN-07), Summer Lee (PA-12), and Delia C. Ramirez (IL-03), alongside Representatives Jamaal Bowman (NY-16), Bonnie Watson Coleman (NJ-12), Jesús "Chuy" García (IL-04), Jonathan Jackson (IL-01), Alexandria Ocasio-Cortez (NY-14), Ilhan Omar (MN05), Ayanna Pressley (MA-07), and Nydia Velázquez (NY-07). FINALLY, BE IT RESOLVED, That upon passage a copy of this Resolution be sent to the Office of U.S. President Joe Biden, the Office of U.S. Representative Barbara Lee, the Office of U.S. Senator Alex Padilla, and the Office of U.S. Senator Laphonza R. Butler.

**Benado, Tony**

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**From:** Richard Tamm <richard.tamm@gmail.com>  
**Sent:** Wednesday, November 29, 2023 3:52 PM  
**To:** All Council  
**Subject:** If Oakland and Richmond Can, Why Not Berkeley? And Soon?  
**Attachments:** 960x0.webp

**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.

Dear Mayor and City Council Members,

This was reported today in [sfgate](#). If Oakland and Richmond can pass a resolution, why can't Berkeley do it in a timely fashion?

- Richard Tamm

# 'Dire humanitarian crisis': Oakland passes Gaza cease-fire resolution

By Alec Regimbal, SFGATE Nov 28, 2023



Audience members show their support at a special session of the Oakland City Council for a resolution calling for an immediate cease-fire in Gaza, Monday, Nov. 27, 2023, in Oakland, Calif. The council unanimously passed a resolution calling for a cease-fire in Gaza, and rejected a proposal to formally condemn Hamas.

D. Ross Cameron/AP

The Oakland City Council on Monday unanimously passed a resolution calling for a cease-fire in Gaza, and at the same time rejected a proposal to formally condemn Hamas - the militant group that governs the Gaza Strip and incited the current war by launching a surprise attack on Israel on Oct. 7.

At a special meeting Monday night, the Oakland City Council voted 8-0 to pass the resolution after hours of raucous public testimony. Oakland joins its neighbor to the north, Richmond, as the latest Bay Area city to call for an end to the violence.

Councilmember Carroll Fife — the resolution’s sponsor — said she wanted the measure’s focus to be on peace rather than condemnation. “In order for a lasting peace to occur, the shooting, the bombings, all of these things have to stop,” Fife said. “People need food and access to water, that was the goal of this resolution. I want Jewish children to live as much as I want Palestinian children to live.”

Still, Fife specifically said it was important for the council to recognize “the imbalance and disproportionate death” on the Palestinian side of the conflict. After Hamas’ surprise attack — which Israeli authorities say left 1,400 people dead — Israel retaliated by pummeling Gaza with airstrikes. According to the Palestinian Health Ministry, the Palestinian death toll in Gaza now is nearly 15,000, with most of those killed being women and children.

The language of the Oakland resolution does stand out for its bluntness. While other city council debates on the issue have ended in chaos or stalemate, Oakland’s produced strong, unambiguous language. “Gaza is in a dire humanitarian crisis that is getting worse with each passing day,” the resolution proclaims, “with the only remaining hospitals running out of fuel and medical supplies, and over 1.5 million Palestinians facing displacement, homelessness, and starvation.” It also specifically condemns “the recent rise of Antisemitic, Islamophobic, racist, homophobic, and xenophobic attacks in our city and across the nation.”

Technically, the Oakland resolution was written in support of a Congressional House resolution calling for a cease-fire. That resolution, introduced in October, now has 34 signatures,

including from California Reps. Barbara Lee, Maxine Waters and Mark DeSaulnier. Oakland's resolution calls for copies of the document to be sent to several other high-ranking California officials, including Gov. Gavin Newsom and the state's two senators, Alex Padilla and Laphonza Butler.

The unanimous vote to approve the resolution came after hours of debate. The council had previously voted 6-2 to reject amendments sponsored by Councilmember Dan Kalb that would have added a formal condemnation of Hamas into the resolution. Kalb argued that a specific reference to the militant group was "not at all contrary" to supporting a cease-fire.

"Because the number of innocent residents killed in Gaza is so disproportionately high — that's an understatement, it's ridiculously, absurdly high — it cannot be downplayed, and therefore the desire and call for a cease-fire is logical, to say the least, in order to save lives," Kalb said. "... Likewise, downplaying — or worse yet, rationalizing — the Oct. 7 mass murder by Hamas as 'legitimate resistance' is sad, ridiculous and antithetical to promoting peace."

Other members of the council dismissed Kalb's amendments, saying the history of the conflict extends centuries. "If we were going to entertain putting those facts that you mentioned into this resolution, which I do not support, then we would also have to introduce the facts that this conflict did not start on Oct. 7," council President Nikki Fortunato Bas said to Kalb. "... It started hundreds of years ago."

Monday's meeting came after weeks of demonstrations throughout Oakland as well as San Francisco. Earlier this month, hundreds of protesters calling for a cease-fire staged a sit-in at the Ronald V. Dellums Federal Building in Oakland, which led to multiple arrests.

By Alec Regimbal

Alec Regimbal is a politics reporter at SFGATE. He graduated from Western Washington University with a bachelor's degree in journalism. A Washington State native, Alec previously wrote for the Yakima Herald-Republic and Seattle Post-Intelligencer. He also spent two years as a political aide in the Washington State Legislature.

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Richard Tamm

**"We'll know our disinformation program is complete when everything the American public believes is false."** - William Casey, CIA Director (from first staff meeting in 1981) "I am the source for this quote, which was indeed said by CIA Director William Casey at an early February 1981 meeting..."~Barbara Honegger  
[bshonegg@gmail.com](mailto:bshonegg@gmail.com)

**Benado, Tony**

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**From:** Vladlena Gulchin <vgulchin@gmail.com>  
**Sent:** Wednesday, November 29, 2023 4:56 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewishatred.com  
**Subject:** Asking for justice to Jewish People and Heartfelt Thank you!

**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.

Dear Berkeley City Council and respected government officials,

I am reaching out to you as a concerned citizen and proud American Jew who firmly believes in the fundamental values of democracy, wherein state and local governments hold a constitutional duty to safeguard public safety. As a refugee from the former Soviet Union, I have personally experienced the harsh realities of anti-Semitism. The current climate in the United States, particularly in California, leaves me deeply shocked and concerned for my family's future.

The extent of animosity directed towards our community is not only distressing but also appears to contravene the very principles that define American values. I attach to this email an impactful speech by Majority Leader Chuck Schumer, which provides a comprehensive context for the fears the American Jewish community is experiencing due to rising anti-Semitism. Additionally, the speech offers a nuanced yet fair historical background of Jewish people in the United States, Europe, and the Middle East (<https://www.youtube.com/watch?v=dIEBosgap4U>). I urge you to consider the insights shared in this speech as we collectively strive to uphold the ideals that make our nation strong and inclusive for all its citizens.

On Tuesday, November 28, the Berkeley City Council faced substantial public pressure to revise the agenda and consider a "Cease Fire" resolution. Unfortunately, the meeting was marred by numerous participants resorting to scare tactics, intimidation, and disorderly conduct, which significantly contributed to the reluctance of many Jewish citizens to attend in person. Personally, I participated in the Zoom call from 6:30 pm to 11:50 pm, witnessing a troubling display of disrespect towards the council and its decisions.

The sheer volume of disrespectful comments and the evident hostility towards the Jewish community during the meeting were profoundly challenging to witness. I commend you for your resilience and refusal to yield to bigotry and unjustifiable behaviors and **I express my heartfelt gratitude!** It is crucial to stand firm against such tactics to preserve a fair and inclusive civic discourse.

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

The Berkeley City Council is under pressure for future meetings with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters attempt to manipulate public perception by portraying Israel as uniquely "illegitimate," **we strongly urge the Berkeley City Council to refrain from entertaining this anti-Semitic resolution in future meetings.** This resolution perpetuates hateful and unfounded claims that only serve to exacerbate an already complex and sensitive situation.

Sincerely,  
Vladlena Gulchin

#EndJewHatred



**Benado, Tony**

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**From:** Rachel Factor <rjfactor@gmail.com>  
**Sent:** Wednesday, November 29, 2023 5:49 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Re: City Council should not issue any statement on Israel-Gaza war

**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.

Thank you Mayor Arreguin and City Councilmembers for your professionalism and courageous leadership in not succumbing to the pressure that has been growing from the protesters to adopt a divisive resolution. I followed the meeting via zoom and what I saw made me incredibly concerned for your safety. It's been a while since I've been at a meeting in person so I'm not sure what the police presence is, but, if it's not already in the works, I do hope that there are at least a few officers next week and the weeks to come.

Thank you again,  
 Rachel  
 District 5

Dear Mayor and City Council members,

My name is Rachel and have been a resident of Berkeley since 2016 with my husband and three children. We relocated to Berkeley to live in a city that prides itself on embracing all people and is home to an incredibly accepting and thriving Jewish community. Our kids have been so incredibly fortunate to grow up in Berkeley where they have felt safe to be Jewish without a moment of hesitation to wear Jewish stars and talk about their religion with friends and neighbors in our community.

We have been protecting them from the news about the 400% increase in antisemitic incidents in this country since Oct 7, the horrendous rhetoric in the local protests and on UCB campus so they are still not scared to be Jewish and my 12-year-old son is still not scared to roam freely with his friends wearing kippas at the parks in Berkeley after Shabbat services.

However, amid the rise in antisemitism since Oct 7, I'm not sure how long this window of freedom will be open, particularly if the City Council decides to make any kind of one-sided statement about the Israel/Gaza conflict as was the case in Oakland last night and in Richmond weeks ago that are being requested by the loudest voices, but not the vast majority of residents who just want the City to handle the numerous local issues (housing, state-of good repair, fire and life safety, etc.). While I've understood that Council is not considering a resolution like the other cities, statements can be just as divisive. These statements being requested will only incite more anti-Israel, antisemitic rhetoric and actions such as we're seeing at Berkeley High and King Middle School where at a walk out kids were shouting KKK and "F\*\*\* the Jews."

I highly urge you not to buckle to the pressure of folks that are showing up to meetings throwing money, screaming, making obscene one-sided comments and not letting Council conduct its business. I highly urge you not to make a statement on the current Israel-Hamas war.

Making any kind of statement on this conflict requires an incredibly in-depth knowledge of the middle east, the Jewish diaspora, the Holocaust, the programs and genocide committed on Jewish people throughout history. A statement would need to recognize the complexity and genesis of the conflict and how Palestinian terror organizations have been a huge obstacle to peace in the region. This isn't black and white - oppressed against oppressors, colonized against

colonizers. And any statement that delves into these sorts of issues must also include clear unequivocal condemnation of antisemitism - note that the Jewish population in the US is 2.4% and it receives over 60% of the religious-based hate crime (<https://www.bbc.com/news/world-us-canada-67281042>). If not, this teaching will only foster less understanding and more hate for the generations to come.

I'd also like to point out that one of the groups with a very loud voice is Jewish Voice for Peace (JVP), while vocal in Berkeley, does not represent the vast majority of Bay Area Jews (or the Jewish diaspora for that matter). A professional poll of Bay Area Jews conducted in 2022 found that: "The vast majority of survey participants (89%) agree that Israel has the right to exist as a Jewish and democratic state —a basic marker of Zionism" (p. 15). This data makes clear how unrepresentative JVP, an avowed anti-Zionist organization, is when it comes to how most Jews feel about Israel. JVP provides convenient cover to groups and organizations that seek Israel's destruction because they hold up their Jewishness. To be clear, there are always small fringes within any community that speak loudly and are at odds with the majority. The Council should not give any more deference to JVP's opinion on the Hamas-Israel war than they would Kanye West's opinion on the subject of Black Lives Matter. JVP and Kanye are both entitled to their perspectives, but that does not make them either representative or authoritative with regards to the perspectives of mainstream Jewish or African American communities.

We are at a critical juncture where our council member's decisions will influence whether our community becomes more divided, putting marginalized residents at increasing risk of hate crimes, or becomes more united. I appreciate that this council has not considered any resolutions on the Israel/Hamas war thus far, despite mounting pressure, and I urge you to continue to keep our community safe and productive by:

- 1) Continuing to focus on Berkeley-specific issues, not international issues.
- 2) Banning disruptive individuals from city council meetings.
- 3) Communicating with BUSD regarding the large increase in antisemitism our students are experiencing without consequences for perpetrators

Thank you for your time,

Rachel, District 5

**Benado, Tony**

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**From:** Sofia Pavlova <sofiarighttoknow@gmail.com>  
**Sent:** Wednesday, November 29, 2023 6:02 PM  
**To:** All Council  
**Subject:** Requesting a special meeting for Ceasefire resolution

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

Hello,

We need an urgent special meeting to adopt a Ceasefire resolution immediately. The items on the city agenda are not more important than standing up for innocent kids being murdered in Gaza. This city is supposed to be progressive, but it is the Governments of Richmond and Oakland that put us to shame. No Ceasefire resolution means that bombing and war are the answer. Do you think more bombing is the solution?

Call the special meeting. Your constituents are embarrassed.

Sofia Pavlova  
505 Cragmont Ave

**Benado, Tony**

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**From:** Linda Press Wulf <lindapwulf@gmail.com>  
**Sent:** Wednesday, November 29, 2023 6:58 PM  
**To:** citycouncil@albanyca.org; saa@solanoavenueassn.org; All Council  
**Subject:** Re: Lulu restaurant's "#zionists not welcome"

**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.

I forgot to give my address and phone number:

Linda P Wulf

1016 Cragmont Ave  
 Berkeley, CA 94708  
 510 5254115

On Nov 29, 2023, at 6:54 PM, Linda Press Wulf <lindapwulf@gmail.com> wrote:

Regarding Lulu restaurant's "#zionists not welcome" :

This type of hate is unacceptable in our community. Of course the business owner has the right and freedom to take a side and support Palestinians; the concern is the public hatred against Zionists.

Please do not fall for the claim that being "anti-Zionist" is not antisemitic. Zionism is the belief that Israel has the right to exist as a Jewish and democratic state — and because Jews have been murdered for thousands of years for being Jews, a refusal to concede their *need* for one safe haven contributes materially to the danger Jews face all over the world, with the most recent reminder coming on October 7, 2023 and in its aftermath.

That speaks to *need*. What about *right*? If you have ever read histories of the Middle East (whether the Bible or academic histories), you know that Jews have inhabited the area of Israel for those same thousands of years. Despite the populace being thrown out many times, there has been a continuous Jewish presence. (Palestinians are not traced back to that period genetically, having descended from groups that migrated to the area much, much later, but that fact is only relevant when Palestinians are claimed to be the "indigenous" people and Jews "the colonialists.")

Finally, please do not be misled by the tiny fringe groups of Jews who are loudly anti-Zionists. While I too have spoken, written, and protested for Palestinian rights, JVP and other loud extremists are so concerned about those Palestinian rights that they are willing to give up on a Jewish state for their cause.

A statement that Zionists are not welcome is a message that the vast majority of Bay Area Jews are not welcome. I doubt elected officials and local residents would think it is okay to discriminate against other groups in this way.

Linda P Wulf

**Benado, Tony**

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**From:** David Kilimnik <david.kilimnik@gmail.com>  
**Sent:** Wednesday, November 29, 2023 8:41 PM  
**To:** boardofed@berkeley.net; All Council; Berkeley Mayor's Office; complaints@berkeley.net  
**Subject:** Large Palestinian Flag Displayed in Window of 2nd grade classroom

**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.

Dear Sir/Madam:

I am writing to express my concerns about a matter that I believe is crucial to the educational and ethical standards of the Berkeley Unified School District. Recently, I learned that a large Palestinian flag is displayed in a second-grade classroom within our district at Malcolm X. While I fully support the principles of free speech and the importance of educating our students about global issues, I am concerned that the display of this flag, particularly in a classroom for young children, does not align with the district's policies and educational goals. The ongoing conflict between Israel and Palestine is a deeply complex and sensitive issue. Presenting such a potent symbol in a classroom could inadvertently convey a one-sided view of this conflict, especially to young children who are in their formative years of understanding the world around them. At this age, students are highly impressionable and may lack the context to understand the complexities of international conflicts. Our district has always strived to maintain an environment where all perspectives are respected, and critical thinking is encouraged. However, displaying a flag representing one side of a contentious political issue might contradict these values, as it could be perceived as an endorsement of a particular political stance over others. This is especially concerning in light of our district's policy, which emphasizes neutrality in political matters within the classroom. Furthermore, considering the diverse backgrounds of our student population, such displays could inadvertently create a feeling of discomfort or exclusion among students and families who may have differing views or personal connections to the issue. It is vital that our schools remain a neutral ground where all students feel safe, respected, and included.

In light of these concerns, I respectfully urge the district to review this matter and consider the potential implications of allowing political symbols in classrooms, particularly in elementary schools. It would be beneficial to reaffirm our commitment to providing an unbiased educational environment, where students can learn about complex global issues in a balanced and thoughtful manner.

If the teacher responsible for this does not take immediate corrective action, I would expect disciplinary steps to be taken. I appreciate your attention to this important issue and look forward to your response.

Sincerely,

David Kilimnik  
Parent to 3 BUSD students



David Kilimnik  
415-359-4109



**Benado, Tony**

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**From:** Blair Fingerhut <blairaf20@gmail.com>  
**Sent:** Wednesday, November 29, 2023 9:07 PM  
**To:** All Council  
**Subject:** Thank you for defending Israel's right to exist

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I appreciate you. Thank you so much.

Best,  
Blair Fingerhut, LCSW

**Benado, Tony**

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**From:** Lori Pottinger <loripottinger2@gmail.com>  
**Sent:** Thursday, November 30, 2023 10:10 AM  
**To:** Berkeley Mayor's Office  
**Cc:** All Council  
**Subject:** Thank you on managing "cease fire" calls

**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.

Dear Mayor Arreguin,

Thank you for your efforts to quiet the noisy faction that continues to disrupt city business with calls for a cease fire in the Gaza/Israel war. I wonder if it's time for Berkeley to take stronger action to keep our city government focused on city business? Might it be time for a resolution to ensure our city government stays focused on the city's problems by restricting efforts to weigh in on international political matters?

Berkeley is a wonderful place and we have a proud and powerful history on many major issues that have global resonance, but when it comes to specific foreign policy I feel our city government should stay out--not as individuals, but certainly as a council doing official business. These issues are far too divisive and far too complex to be dealt with in a city council meeting.

Thank you for your attention to this matter.

Best,  
Lori Pottinger

**Benado, Tony**

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**From:** D Dorenz <ddorenz@gmail.com>  
**Sent:** Thursday, November 30, 2023 1:30 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Thank you for refusing to hear ceasefire resolution.

**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.

Dear Berkley City Council Members,

Thank you for not caving to pressure to hear a ceasefire resolution and standing with Mayor Arreguin in his refusal to hear this resolution.

This means that you are devoted to working on issues that truly concern our Berkeley residents and in doing so, you are fulfilling the job description for which you were elected. Foreign affairs are being handled by our elected representatives in Congress and by our President.

Please continue to stand up against this pressure that doesn't emanate from most Berkeley residents. In fact, it would be interesting to find out where those who seek to disrupt City Council work over and over again, actually live. Thanks.

Dorothea Dorenz  
1200 Neilson St. B  
Berkeley, ca. 94706

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Dorothea Dorenz

**Benado, Tony**

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**From:** Joshua Schnoll <schnollj@hotmail.com>  
**Sent:** Monday, December 4, 2023 9:15 AM  
**To:** All Council  
**Subject:** Finding Balance

**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.

Dear City Council Members and Mayor,

I greatly appreciate the balance you have established in the face of very challenging set of circumstances in the Middle East. I attended a school board meeting a few weeks ago and the tension was very high in that meeting. I can only image what the recent council meetings have been like. I very much agree that while we may have many disagreements about the situation, these resolutions will do nothing but fan the flames of hatred here at home. Please continue to chart the balanced course here.

On the issue of balance for some less weighty matters, I feel the council needs to be more balanced in its approach to offering transportation options to folks that live in the hills. First, I'm fully supportive of building new housing at the North Berkeley BART station, however, the number of parking spaces in the current plans is greatly reduced from the current number. I've tried to take the 65 and 67 service, but they do not start early enough for me to get to work on time. I understand that BART parking will need to be reduced, but some plans under consideration have no parking at all. I urge you to push for the maximum parking options.

Second, our children take the 65 and 67 buses to get to and from school every day, and now AC transit is looking to combine the two bus lines. We have already provided feedback to them. The AC transit sites are not clear in the options that they are fact merging the lines. Obviously, that will lead to more parents choosing to drive to drop their children off at school. Sure, we could get electric bikes and go up and down Spruce each day, but not everyone is willing to brave the narrow streets on a bike.

Finally, there is currently no bus service on the weekends to downtown, and no bus service at all that goes from the hills to the commercial streets Solano or Hopkins in the North Berkeley hills. The bike route plans for Hopkins look to take away additional parking from the street. Monterey Ave was recently repaved with wide bike lanes (yes unprotected), and has far less traffic than Hopkins. Why is that route not sufficient? These routes run parallel to each other. It is very unfortunate that this dispute has pushed the Hopkins plan out from the recent 5 year paving plan, as the street is in urgent need of repair.

Thank you for maintaining balance in your thought processes and decisions.

Joshua

**Benado, Tony**

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**From:** Schmidt, Laura <Laura.Schmidt@ucsf.edu>  
**Sent:** Monday, December 4, 2023 9:39 AM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Mayor and City Council,

I'm sorry to hear about the recent disruptions to the city council meetings and threats concerning the tragedy in Gaza. As a community member and constituent, I support your efforts to focus on what we elected you to do--conduct wise, balanced policies that promote the collective interests of the Berkeley community. I appreciate your reasonable approach and speaking for myself, do not feel a particular need for our city officials to weigh in on the Mideast conflict beyond doing what we can to support both our Jewish and Palestinian community residents here Berkeley.

I'm sorry for the threats and disruption, and grateful to have an excellent local government.

Professor Laura A. Schmidt  
UCSF School of Medicine

**Benado, Tony**

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**From:** Matt Lasner <highlife74@protonmail.ch>  
**Sent:** Monday, December 4, 2023 9:35 AM  
**To:** All Council  
**Subject:** Thank You

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.

Dear Berkeley City Council,

I wanted to write to express my appreciation, and gratitude, for your sensible and principled position on the City of Berkeley taking a position — or, rather, not taking an official position — on the situation in the Middle East. I urge you to not waver going forward. Thank you.

-M. Lasner, Euclid Ave.

**Benado, Tony**

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**From:** Jaleh Niazi <jaleh.niazi30@gmail.com>  
**Sent:** Monday, December 4, 2023 9:49 AM  
**To:** City Clerk; Hahn, Sophie  
**Subject:** Re: Re Ceasefire resolution

**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.

By the way my address is 1709 Hopkins in Berkeley

On Mon, Dec 4, 2023 at 8:53 AM Jaleh Niazi <jaleh.niazi30@gmail.com> wrote:  
To the honorable members of the city council of Berkeley,

To hear the Berkeley city council argue against a "Ceasefire" resolution in Gaza, citing overreach, is truly disappointing, this from a city that prides itself in standing up for equity and justice. What does the other side of the world have to do with us? It is our tax money in the shape of bombs that is contributing to a genocide of a people; thousands of children have been killed by the Israeli army.

It is true that what Hamas did on October 7th was horrific, but is revenge the answer? Really, are we supporting murder now as a city? We are better than this. We normally uphold all religious groups, including atheists, races, ethnicities and ways of life, as long as they don't subjugate other people. How can it be anti-semitic to stop killing people? Have you met with the "Jewish Voice for People" who are asking for the same?

Berkeley is a special place to me. Please don't tarnish its image.

Jaleh Niazi, M.D.

Original author of the Nasrin Sotoudeh resolution for human rights passed by the Alameda County Democratic Party and later adopted by the city of Berkeley

P.S. Many of us pediatricians are trying to pass a resolution in the American Academy of Pediatrics to strongly condemn all entities that contribute to morbidity and mortality of children in conflict zones.

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This e-mail message, including attachments, contains information that may be confidential, privileged, and/or attorney work product. If you are not the addressee indicated in this message (or responsible for the delivery of the message to such person) you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error please advise the sender by reply e-mail and delete the message. Thank you.

**Benado, Tony**

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**From:** nkbickel@gmail.com  
**Sent:** Monday, December 4, 2023 9:54 AM  
**To:** All Council  
**Subject:** Middle East war

**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.

Thanks to Mayor and Council for balanced approach and humane attitude to atrocities and subsequent bombing in Israel and Gaza. I deplore the mob chants and hateful shouts.

Nancy Bickel

Sent from my iPhone



**Benado, Tony**

---

**From:** Sandy Schwarcz <sandyschwarcz@pacbell.net>  
**Sent:** Monday, December 4, 2023 9:57 AM  
**To:** All Council  
**Subject:** Thank you for focusing on local issues

**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.

Dear Mayor and Council members.

I am so grateful for your stance against passing resolutions concerning foreign affairs. I know that there is unprecedented pressure on you to take sides in the middle east conflict and appreciate the strength you have shown in sticking with your mission and job; attending to the City's business. I also appreciate the Mayor's statements against hate in our community.

Sincerely,

Sandy Schwarcz (94708)

**Benado, Tony**

---

**From:** czwolf@comcast.net  
**Sent:** Monday, December 4, 2023 10:18 AM  
**To:** All Council  
**Subject:** Arreguin statement on Israel/Palestine

**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.

Dear Berkeley City Council,

I support Mayor Arreguin's statement on the Israel/Palestine situation, which is also supported by my councilmember, Susan Wengraf.

Unfortunately, I also believe what I heard from a former member of the Obama administration that the heads of government in the Westbank (Palestinian Authority), Gaza (Hamas), and Israel all need to be replaced in order to create a two-state solution. I hope for the best.

Berkeley resident

**Benado, Tony**

---

**From:** John Blaustein <johnblaustein@gmail.com>  
**Sent:** Monday, December 4, 2023 10:57 AM  
**To:** All Council  
**Subject:** I agree with and support Mayor Arreguin regarding a resolution

**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.

Dear Berkeley City Council,

I support Mayor Arreguin and the Council in their decision not to proceed with a resolution regarding the Israeli-Hamas war for reasons outlined by Councilmembers Wengraf and Hahn in their recent emails.

Thank you to all Councilmembers for the work you do on behalf of Berkeley, particularly in these very trying times.

Regards,

John Blaustein

**Benado, Tony**

---

**From:** craig peterson <4craig@sbcglobal.net>  
**Sent:** Monday, December 4, 2023 11:02 AM  
**To:** All Council; Wengraf, Susan  
**Subject:** Berkeley, Hamas and Israel

**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.

The Mayor's stance on Berkeley's role parallels my own. Keep on!

Principle, heart, vision, and balance  
advocate for those in equal measure

Craig Peterson  
782 Wildcat Canyon Road  
510 325.8272

**Benado, Tony**

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**From:** Michelle Chen <micchen@berkeley.edu>  
**Sent:** Monday, December 4, 2023 11:35 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Stand on the right side of history!

**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.

Greetings Mayor and Council Members,

My name is Michelle Chen and I am a student at UC Berkeley. I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza. As a student of public health and social work, I believe it is necessary to put an immediate end to preventable deaths, injury, and psychological suffering for the people of Palestine.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. This dehumanization and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the

Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

Please do your part and stand on the right side of history.

Thank you,  
Michelle Chen

**Benado, Tony**

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**From:** Bonnie C Wade <bcwade@berkeley.edu>  
**Sent:** Monday, December 4, 2023 11:53 AM  
**To:** All Council  
**Subject:** our thanks

**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.

To the Mayor and COuncilmembers,

We on Euclid Avenue are very supportive of your ideas and actions and applaud the very sensible and meaningful piece by the Mayor and the courage of the Councilmembers. As decades-long residents of Berkeley we expected more of our citizenry than harassing elected officials and acting on misinformation. Keep up the good--although difficult--work.

Ann Pescatello  
Bonnie Wade  
and others of our neighbors

**Benado, Tony**

---

**From:** Jim Hynes <jimhynes@pacbell.net>  
**Sent:** Monday, December 4, 2023 11:57 AM  
**To:** All Council  
**Subject:** Israel-Palestine/Hamas conflict

**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.

Mayor and Council:

I am writing to express my support to Mayor and Council for NOT passing any resolutions in support of either side in this conflict. Unlike elected leaders in Richmond and Oakland that folded to the political pressure and threats from a vocal minority, the Berkeley Council did not take the bait for short term political gain and expediency but stood tall and demonstrated exemplary leadership in the interest of serving the people of Berkeley. I realize it is inconvenient not to be able to hold regular meetings in the council chamber, and I myself had to personally endure an inconvenience because a council meeting in which I was to scheduled speak was hastily adjourned, because of protesters, before my agenda item came up. The inconvenience is worth it because it sends a message to those who have been duped by propoganda that the Council will not be bullied and threatened to take political stands that only serve to further divide us, which is exactly what our adversaries want. The Council is rightly focused on more pressing and practical local priorities and the nuts and bolts of local government work. Moreover, I am particularly thankful for the Council's role in not making Berkeley a "mouse that roared" laughing stock to the rest of the world for thinking it is in a position to effect change with a simplistic resolution in such a deep and complex conflict on the other side of the world.

As a Berkeley resident, I am proud of the Council for doing the right thing and not capitulating to the bullies.

Jim Hynes, MPH, MCP  
 Adjunct Professor of Public Administration  
 Ageno School of Business  
 Golden Gate University (GGU)  
 536 Mission Street  
 San Francisco, CA 94105-2968  
 jimhynes@pacbell.net  
 jhynes@ggu.edu  
 www.ggu.edu  
 510-225-8128 (iPhone/text)

50+ YEARS OF PUBLIC ADMINISTRATION PRACTICE AND EDUCATION

#1 NATIONAL RANKING

Washington Monthly selects GGU the top spot in its College Guide three years in a row, 2016, 2017 and 2018!

Chair, City of Berkeley Homeless Services Panel of Experts, (formerly City of Berkeley Homeless Commission)

Chair, City of Berkeley Fair Campaign Practices Commission

Chair, City of Berkeley Open Government Commission

Principal, Berkeley Consultation Services

"The culture of any organization is shaped by the worst behavior the leader is willing to tolerate"  
 Gruenert and Whitaker



**Benado, Tony**

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**From:** Tony Warwick <anthonyiwarwick@gmail.com>  
**Sent:** Monday, December 4, 2023 12:01 PM  
**To:** All Council  
**Subject:** appreciation for mayor arreguin's statement

**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.

dear Berkeley city council

I fully support the balanced statement from mayor Arreguin regarding the terrible situation in Israel, Gaza and the West Bank.

Berkeley City Council is being pressured to take a side in the current conflict, which it should not do. I very much appreciate the strength of the council and I hope the situation will be calmer going forward. Meanwhile, please don't give in to pressure, hold onto your common sense. You have the support of this voter.

best regards

--

Tony Warwick  
1317 Spruce Street  
510 295 8493

**Benado, Tony**

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**From:** Mati Teiblum <mteiblum@gmail.com>  
**Sent:** Monday, December 4, 2023 1:16 PM  
**To:** Mueller, Aimee B.  
**Cc:** 'Mati Teiblum'; ally@berkeleyside.org; All Council; Berkeley Mayor's Office  
**Subject:** VOTE NO - Resolution 23-30: Palestine Israel

**Importance:** High

**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.

BOARD SECRETARY – PLEASE INCORPORATE TO THE RENT BOARD 12/4/2023 PUBLIC COMMENT AND RECORD  
 PLEASE CONFIRM RECEIPT.

To the Rent Board.

Your proposed Resolution 23-30 is a tragic, manipulative abuse of the democratic representation system in local government.

The fact that this phenomena is occurring all around us does not absolve this dereliction of powers - it just amplifies the travesty.

Nowhere, by any stretch of the imagination or extrapolation of this body's powers and duties, were you given the moral authority or governmental power to even discuss or option of matters of this nature.

The fact that you have dais, a public meeting and access to city resources does not give you the right to abuse these power; furthermore, the mere use of public resource to promote or address any issue outside this body's mandate is arguably an abuse of power, not much different than using the board's power to promote your personal business, employ your cousin or buy concert tickets.

You were elected by Berkeley voters to the rent board, which duties and powers are listed here  
<https://berkeley.municipal.codes/BMC/13.76.060>

No one gave you the authority or privilege to make political or moral statements in our behalf.

You are Rent Board commissioners.

Do that. Only that: remove this item from your agenda altogether.

**VOTE NO**

But if you decide to vote Yes –

Have the decency and integrity to remove the Land Acknowledgment from your agenda:  
 the hypocrisy of criticizing Israel while seating here in the *“unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people”*, enjoying the riches of the genocide, rape, pillage and displacement of Native Americans while pretending to absolve yourselves by reading an empty statement is abhorrent.

Mati Teiblum  
 Berkeley

**Benado, Tony**

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**From:** Bohun Kinloch <bkinloch@earthlink.net>  
**Sent:** Monday, December 4, 2023 1:18 PM  
**To:** All Council  
**Subject:** Mayor's 11/28 statement to council

**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.

Completely agree with Mayor's and CCW Wengraf's comments on the Coucil's approach to calls for a resolution on the War, antisemitism and islamaphobia. Berkeley does not have a Secretary of State or State department. Leave this alone!

Bohun Kinloch  
Le Roy Ave

**Benado, Tony**

---

**From:** Barbara Vaughan <barbvaughan@icloud.com>  
**Sent:** Monday, December 4, 2023 1:19 PM  
**To:** All Council  
**Subject:** Council meetings

**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.

The Berkeley City Council meetings are for the sole purpose of governing the City of Berkeley, not solve the problems of the world. People who disrupt the meetings should harness their energy in more productive ways to put an end to this very inhumane war. I support the mayor's statement and fervently hope the my City government will not issue any statements one way or the other and "take sides" regarding this situation. It is my opinion that neither side is without blame and both sides should be held accountable for the pain and suffering of their citizens.

Barbara Vaughan

**Benado, Tony**

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**From:** Michael Salveson <msalveson@comcast.net>  
**Sent:** Monday, December 4, 2023 1:20 PM  
**To:** All Council  
**Subject:** Mayor's statement

**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.

I strongly support keeping public discourse in Berkeley civil and respectful. I also strongly support keeping Berkeley free of the rampant racial and political prejudice that is infecting our democracy. My thanks to all the city council members for insisting on respectful dialogue at city council meetings.

Michael J Salveson  
Michael Salveson  
msalveson@comcast.net

**Benado, Tony**

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**From:** A & S Washburn <ansburn@gmail.com>  
**Sent:** Monday, December 4, 2023 1:25 PM  
**To:** All Council  
**Subject:** Mayor and Council's Gaza position

**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.

Friends, your refusal to get drawn into foreign affairs is gutsy and correct.

Andrea and Stan Washburn

**Benado, Tony**

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**From:** David Biale <dbiale@ucdavis.edu>  
**Sent:** Monday, December 4, 2023 1:42 PM  
**To:** All Council  
**Subject:** Israel-Gaza resolution

**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.

Dear Council members,

You have my full support in your refusal to take up a resolution on the Israel-Gaza war. It would have no effect on the terrible situation 10,000 miles away and would only inflame divisions in our community,

I am deeply disturbed at the amount of vitriol to which you have been subjected. It does not speak well for our community.

Thank you for taking the stand that you have.

Sincerely yours,

David Biale  
790 Wildcat Canyon Rd.  
Berkeley, CA 94708

David Biale  
Emanuel Ringelblum Distinguished Professor Emeritus  
Department of History  
UC Davis

**Benado, Tony**

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**From:** Fran Segal <seagull@sonic.net>  
**Sent:** Monday, December 4, 2023 2:32 PM  
**To:** All Council  
**Subject:** Statement

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.

Mayor and Council,  
Thank you for your rational statement on the Middle East situation.

Fran Segal  
N. Berkeley



**Benado, Tony**

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**From:** Susan Brand <susanfernbrand@gmail.com>  
**Sent:** Monday, December 4, 2023 3:05 PM  
**To:** All Council  
**Subject:** Israel/Hamas

**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.

Thank you for your statement and the Council's decision to NOT adopt a resolution. This is all too painful and nuanced. People are being pit against one another. I applaud you for not making generalizations and furthering the divisions.

Dr. Susan Brand, Ed.D.

**Benado, Tony**

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**From:** Dave Kent <davekent02@gmail.com>  
**Sent:** Monday, December 4, 2023 4:46 PM  
**To:** All Council  
**Subject:** Israel & Palestine

**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.

To The mayor and all council members, thank you for thoughtful and compassionate statement regarding the conflict,

This is important to express, thanks again for your time and service!

BTW, my father, Jack Kent was a council member back in 1958 when Wally Johnson was mayor

I wish you could meet in the old city hall!

Dave Kent  
Sent from my iPhone

**Benado, Tony**

---

**From:** Stanley Lubman <stanley.lubman@gmail.com>  
**Sent:** Monday, December 4, 2023 4:49 PM  
**To:** All Council  
**Subject:** Mayor's position on recent events

**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.

We appreciate and support our mayor's position and thank Susan Wengraf for keeping us informed.

Judith and Stanley Lubman  
1422 Arch St.

**Benado, Tony**

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**From:** Christina Crowley <ccrowley580@gmail.com>  
**Sent:** Monday, December 4, 2023 5:51 PM  
**To:** All Council  
**Subject:** Thank you

**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.

I understand that this has been an extremely difficult time for the mayor and the city council to stay focused on city business and not succumb to the pressure of unruly protestors. While I personally support a ceasefire in the Israel/Gaza conflict, I reject the anger that has made some protestors embrace anti-semitism and an unfathomable justification for the violence of Hamas.

I support the Mayor's statement about the City of Berkeley's position on this very sad situation.

Christina

--

**Christina Crowley**  
[ccrowley580@gmail.com](mailto:ccrowley580@gmail.com)  
(m) 415-205-5984

**Board Member, National Eczema Association**  
<https://nationaleczema.org/>

**Benado, Tony**

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**From:** Brett Mendel <brett.mendel@gmail.com>  
**Sent:** Monday, December 4, 2023 7:44 PM  
**To:** All Council; Hahn, Sophie; Berkeley Mayor's Office  
**Subject:** Re: No resolution on Israel

**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.

Dear Mayor Arreguin, Councilmember Hahn, and other members of the Berkeley City Council,

I want to thank you for ignoring the increasingly belligerent calls for a "ceasefire" resolution, especially during the chaos of the last council meeting. Your courage is not lost on those of us who value civil discourse and oppose the divisive agenda of bullying activists.

In particular, I want to praise Mayor Arreguin for your calm, steady, and firm leadership. Your handling of the meeting was a model of professionalism in governance. I also appreciated the statement you issued opposing a resolution. Not only did it explain the clear safety concerns, but you correctly framed the present conflict around Hamas's heinous attack of Oct. 7 and the tragic consequences of Israel's response. We need more elected officials to similarly avoid the rhetorical trap of broadening this debate to age-old grievances that are used to blame the victims (Israeli citizens) for the unconscionable acts of terrorism just perpetrated against them.

Sincerely,  
 Brett Mendel  
 District 5 resident

On Tue, Nov 28, 2023 at 4:22 PM Brett Mendel <brett.mendel@gmail.com> wrote:  
 Dear Mayor Arreguin, Councilmember Hahn, and other members of the Berkeley City Council,

I urge you NOT to consider any resolution on Israel or the current war there, including any statement that seeks to placate everyone with a stake in this issue. No matter how "fair and balanced" it is, however noble your aim, you will satisfy no one at best and sow more division, anger, and aggression at worst.

I'm a resident of District 5 and the father of 2 students at Berkeley High School. For the first time in my 18 years living in Berkeley, I've found some of the anti-Israel rhetoric here very disturbing, including much misinformation and bias my sons have experienced at their school. Anything that the City Council as a body states publicly will only perpetuate this climate by further empowering the vociferous and strident views that feed this negative, highly charged atmosphere of accusation and retribution.

I am a Jewish American who firmly opposes the policies of Israeli right-wing hardliners. I have even participated in protests against Netanyahu. I'm pained by the death of thousands of Gazans in the current war and by the treatment of Palestinians more broadly. However, I also firmly and unequivocally believe in the right of Israel to exist, with all its flaws and indecencies. These two sets of beliefs can be held at the same time, but to hear the public discourse now you'd think the concept of Israel as an independent state should be questioned as a matter of principle. This question was concluded with the establishment of Israel in 1948. Millions of Jews were born and live there. They are not "going back." I cannot overstate how threatening and appalling this agenda of undermining Jewish statehood is to Jews in this country and around the world.

I'm not opposed to the City Council taking a stand on a political issue. I would question the timing and purpose of speaking on this one specific issue, though, especially if it fails to condemn the murderous rampage of Hamas, as other

recent city resolutions **have done**. The generic condemnation of "antisemitism and Islamophobia" satisfies no one. Such statements are particularly toothless without reference to Oct. 7, the biggest single act of antisemitism against Jews since World War II. Rather, I fear any statement by the City Council will amplify the loudest and most divisive voices in our community, who spew distorted vitriol about Israel, its history, and its legitimate right to exist. Bowing to the demands of these voices will further alienate and endanger Jewish constituents, a minority that already feels unsafe and threatened by rising antisemitism, both subtle and overt, in our community.

Thank you,  
Brett Mendel

**Benado, Tony**

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**From:** lhberenson@yahoo.com  
**Sent:** Tuesday, December 5, 2023 4:31 AM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Subject:** Berkeley City Council should pass a resolution on the war against Gaza

**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.

Dear Mayor Arreguin and esteemed Councilmembers,

I live in District 1 writing to urge Berkeley City Council to call a special meeting to draft and pass a formal resolution in support of a permanent ceasefire in Gaza, as part of a long-term, peaceful solution, of coexistence in dignity between the people of Israel and Palestine.

I urge you to do this, because our government, our tax dollars are being spent to cause grave harm to Palestinian civilians giving all of us in the US an outsized obligation to put an end to the bombing that is killing and injuring thousands, the forced starvation, the deprivation of water, electricity, medical services and affecting more than 2 million people in Gaza, as well as the aggression against Palestinian people in the West Bank and East Jerusalem.

Calling for a Ceasefire is a call for humanity, for dignity and a long lasting peace in the region and in the world. The campaign of vengeance that Israel is unleashing against the people of Gaza and the Palestinian populations in the Occupied West Bank and Jerusalem, cannot be justified by the brutal attack that Israel suffered on October 7. The same way Israel's brutal occupation of Palestine should not justify the violence committed against Israeli civilians on October 7, the violence Israel suffered cannot justify their murderous campaign against millions of civilians.

I urge you to call a special meeting so that our great city of Berkeley can join the cities of Richmond and Oakland and make a statement for an immediate, permanent cease fire, and all U.S. aid to Israel and Palestine should be exclusively humanitarian in nature, to support the infrastructure of life and of a peaceful coexistence between the peoples of Palestine and Israel.

Thank you for the consideration,

Lori Berenson

**Benado, Tony**

---

**From:** Moni Law <monilaw7@gmail.com>  
**Sent:** Tuesday, December 5, 2023 8:42 AM  
**To:** ABC7; All Council; Berkeley Community Safety Coalition;  
 BerkeleySpeaksNewspaper@gmail.com; Daily Cal; Gino Barichello; Kpfc News;  
 Kpixonnewsmanager@cbs.com; NBC 11; Ross Todd Kerr; boona cheema; Berkeley Mayor's  
 Office; susan.spano@latimes.com  
**Subject:** Ceasefire Now: Praying for all innocent victims

**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.

Dear Council and Mayor:

I wanted to let you know that my support of a ceasefire in Gaza is a prayer for the release of all persons kidnapped by Hamas, the accountability of both Hamas and the IDF for violations of international law, and for urgent distribution of humanitarian aid to help the survivors of the Hamas attack and IDF/ U.S. supplied bombing since October 7th. My heart - as I'm sure yours as well- is breaking as thousands die or suffer from lack of heat, shelter, water, medicine.

I respectfully but stridently disagree with the statement that to support a ceasefire creates more hate and division. White supremacists, anti-Semitic and racists are making sick and dangerous gestures and threats and actions nationwide - and have been all my Black life - with increasing violence and hate. They are not created by people calling for peace for Palestinians. We should unify our Berkeley strength to defeat that hatred by Standing for Peace/ Shalom/Safety for Palestinians as well as all Persons residing in Israel. . Pro-Palestinian survival is not an anti-Semitic position but a humanitarian position -and consistent with Berkeley values of justice, equity and fairness.

The City of Berkeley is a global citizen- and as such— should join the millions of people world wide urging peace and an end to bombing and destroying homes, schools, churches with our tax dollars, and killing innocent women, children, elders, entire families. This travesty is worsened by not calling for deescalation of this deadly violence against civilians that is traumatizing generations to come.

Let's all stand in love and unity as we call for a return of all hostages and cessation of all bullets and bombs in Gaza.

Please support Ceasefire Now. I have friends in Israel and Palestine. End this suffering and support a humanitarian response for this tragedy.

Our voice can make a difference - as

Groups of farmworkers, civil rights workers, tenants and landlords supporting rent control, anti South African apartheid advocates, anti nuke activists, pro-environment activists, anti-Vietnam war activists, anti-death squads in El Salvador, BlackLivesMatter advocates etc have displayed ... when Berkeley speaks, the world listens. Nelson Mandela thanked Berkeley for standing on the right side of justice .. as did Dr. Martin Luther King, Delores Huerta and others. What would they say today to our city's silence and inaction as innocents suffer in Gaza?

Shalom,

Moni T. Law, J.D.  
 Chair, Berkeley Community Safety Coalition



**Benado, Tony**

---

**From:** Mya Richmond <myabrentwood@gmail.com>  
**Sent:** Tuesday, December 5, 2023 11:37 AM  
**To:** Berkeley Mayor's Office  
**Cc:** McCormick, Jacquelyn; Skjerping, Lars; Elgstrand, Stefan; Rodriguez, Anthony; Wilson, Genevieve; All Council; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Item Discussion for Upcoming Agenda...

**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.

Dear Mayor,

I am writing to inquire when you might **add a formal resolution to call for a "permanent ceasefire" to the next Council meeting agenda?** The past few weeks, constituent members have flooded your boardroom to speak to this cause and it has been blatantly ignored. You have also advised us that we cannot speak to it, if it is not on the agenda. Therefore, we would love to have a professional and formal discussion on this matter in accordance with the remainder of council present.

I am kindly urging you to **please add this to the agenda so that it can at least be discussed and voted upon. You owe your constituents this much.**

Kindly,

Maya B.

**Benado, Tony**

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**From:** Fateme Montazeri <montazeri@berkeley.edu>  
**Sent:** Tuesday, December 5, 2023 12:25 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Immediate Ceasefire Please! Solidarity with Palestinians

**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.

Dear Mayor and Council Members,

I am [state affiliation to the city of Berkeley] and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. This dehumanization and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
 Fateme Montazeri  
 94720

**Benado, Tony**

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**From:** Beatriz MANZ <bmanz@berkeley.edu>  
**Sent:** Tuesday, December 5, 2023 1:14 PM  
**To:** All Council  
**Cc:** Wengraf, Susan  
**Subject:** Statement re. antisemitism and islamophobia

**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.

Dear Mayor Arreguín,

I am pleased to hear that you have taken a more balanced position about the conflict in Israel and Gaza than the one taken by Oakland and Richmond.

I agree with your statement and I am glad I live in a city that does not always go for the extremes. You ought to be congratulated.

Best regards,

Beatriz Manz  
647 Creston Road

**Benado, Tony**

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**From:** Luqman Yusuf Saib <luqmansaib@berkeley.edu>  
**Sent:** Tuesday, December 5, 2023 2:06 PM  
**To:** All Council  
**Subject:** Ceasefire in Gaza Now!

**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.

Dear Berkeley City Council Members,

My name is Luqman Saib, and I am a student at UC Berkeley. I am writing to urge you to call for an immediate and permanent ceasefire in the city of Gaza.

The people of Gaza are facing a massive campaign of ethnic cleansing and genocide by the apartheid state of Israel, with more than 16,000 Palestinians killed by Israeli bombardment of Gaza in the past two months. Nearly half of them were children. According to Catherine Russell, the executive director of UNICEF, more than 420 children are killed in the Gaza Strip every day. Do not turn away and claim that Israel has the right to defend itself. The right to defend oneself is not equivalent to the right to kill 6,000 children in less than two months. Nothing will ever justify genocide. I urge you to call for a permanent ceasefire, in the name of human rights and human dignity.

Sincerely,  
Luqman Saib

**Benado, Tony**

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**From:** Caroline Lucas <carolinelucas@berkeley.edu>  
**Sent:** Tuesday, December 5, 2023 3:19 PM  
**To:** All Council  
**Subject:** Propose Resolution Calling for Ceasefire

**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.

Good afternoon council members,

Though it is not an agenda item yet, it is of utmost urgency for the Mayor and the City Council to act immediately on passing a Ceasefire resolution in support of Palestinian liberation and safety for all. We are all watching and witnessing the murder of innocent Palestinians in Gaza and the West Bank reaching the thousands in a the span of 24 hours. It is inhumane for leaders to stay silent as an ethnic cleansing takes place. It is inhumane to not call for a ceasefire when doing so will save thousands and millions of Palestinian lives. As a recently registered voter, I hope you make the right choice as I will vote for the leaders that are responsive to the Palestinian community.

Thank you for your time,  
Caroline Lucas

**Benado, Tony**

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**From:** Rohan Sabnis <unodivididopbr0@yahoo.com>  
**Sent:** Tuesday, December 5, 2023 4:30 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Lost Sales Tax Revenue

**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.

Dear Council Members,

Both of my parents attended Cal and I love Berkeley, especially the restaurants. However, the City of Berkeley has yet to pass a resolution for Ceasefire in Palestine. So today I decided to have lunch at a place in Oakland and the food was good! I estimate that the City of Berkeley has lost at least three dollars in sales tax revenue (and counting).

Want to get some of that sales tax revenue back? Then pass a ceasefire resolution as soon as possible! Thank you.

Sincerely,

Rohan Sabnis

**Benado, Tony**

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**From:** Daniel Frydman <danfrydman@gmail.com>  
**Sent:** Tuesday, December 5, 2023 6:49 PM  
**To:** Bartlett, Ben; Taplin, Terry; All Council; Harrison, Kate; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Wengraf, Susan  
**Subject:** Berkely Clty Council Meeting 12.05

**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.

Hi council people -

Thank you for your continued service on the city council. I wanted to share 2 comments please

1) the process of simply choosing 10 names is deeply weighted to a single side of the discourses . The comment I was hoping to make tonight is below but without some modifications to the process of choosing speakers it is likely we will only ever get to hear from the same side as was presented tonight .

2) the comment I was hoping to make tonight -

Rather than refute slogans or alternative facts , I'd like to call out the extreme luxury we have here - in berkely - to have this forum, to discuss difficult Matters . I'd ask this council - how might we build unity - here in berkely ? How might we provide opportunities for actual discourse - for listening & understanding, for actually hearing each other and working collectivity to try and find some bridges . We have real work to do in this city to build some unity locally . I ask this council to focus its resources and help this local community take action on achievable goals rather than symbolic resolutions .

**Benado, Tony**

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**From:** Mitch Cohen <redbeerd@hotmail.com>  
**Sent:** Tuesday, December 5, 2023 7:32 PM  
**To:** All Council  
**Subject:** Mayor's pre-11/28-meeting statement about Islamophobia, antisemitism and the war in Gaza

**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.

Hi,

I read the pre-11/28-meeting statement in Councilmember Wengraf's newsletter, and, as she suggested, I'm writing to show my appreciation for your approach.

For Peace! Happy Holidays,  
Mitch Cohen



**Benado, Tony**

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**From:** Keith <keithwattsjr@gmail.com>  
**Sent:** Tuesday, December 5, 2023 7:54 PM  
**To:** All Council  
**Subject:** Re: Berkeley Community Demands Ceasefire! ps

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

Hello,  
 I hope you are well, and want to follow up on this topic.

Thank you for giving space for people to raise public concerns.

I am a District 5 member of 14 years, and am with the Berkeley community asking the Council please address a ceasefire resolution.

I have been joining the BCC meetings and am hoping our leaders will be able to make a resolution soon, as Berkeley Rent Board has, and our neighbors in Richmond have.

Sincerely,  
 -Keith

On Tue, Nov 14, 2023 at 5:15 PM Keith <keithwattsjr@gmail.com> wrote:

Dear Council Members,

As a Berkeley community member of 14 years, I urge you to stand in solidarity with the Palestinians in Gaza. The current situation, characterized by what many describe as ethnic cleansing and genocide, demands our attention. I request that you draft and pass a resolution with the following points:

1. Demand an immediate ceasefire.
2. Call for safe passage of humanitarian aid to address the dire shortages in Gaza.
3. Appeal for an end to Israeli apartheid and the occupation of Palestinian land.
4. Request an immediate halt to all military aid to Israel.
5. Call for the release of approximately 3,000 Palestinians and 220 Israeli hostages.

The severity of the situation is evident, with over 8,000 Palestinians lost to Israeli airstrikes funded by our own U.S. government. The displacement of half a million Palestinians underscores the urgency of our response.

Berkeley, well known for its history of social justice movements, should be at the forefront of national calls for justice. Our neighbors in Richmond set an example by passing a resolution against genocide in Gaza. Let us do the same. I appreciate your attention and commitment to making a difference.

Sincerely,  
 Keith Watts, Jr.  
 Berkeley Community Member (14 years)

**Benado, Tony**

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**From:** Robin Blum <rblum2a@yahoo.com>  
**Sent:** Tuesday, December 5, 2023 8:19 PM  
**To:** All Council  
**Subject:** Dec 5 mtg

**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.

I listened to a bit of this mtg around 8 pm, and was struck that Jesse allowed the pro Palestinian speakers extra minutes to speak but only allowed the Jewish speaker to finish her sentence. This seems unfair. The pushy are getting their way.

Robin Blum

**Benado, Tony**

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**From:** Pamela Drake <pamelaadrake@gmail.com>  
**Sent:** Wednesday, December 6, 2023 7:11 AM  
**To:** Jack Kurzweil  
**Cc:** All Council  
**Subject:** Re: [WDRC\_CC] A thought about a Berkeley Cease Fire Resolution.

**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.

Excellent approach

On Tue, Dec 5, 2023, 4:01 PM Jack Kurzweil <[jack.kurzweil@gmail.com](mailto:jack.kurzweil@gmail.com)> wrote:

Dear Mayor Arreguin and Berkeley City Council Members,

First, I wish to express sympathy to you for the difficult times that you've encountered since this latest war in Israel/Palestine began on October 7.

We have seen that City Council meetings have been disrupted by impassioned protesters and we've learned that Council Members Hahn and Wengraf have been signaled out for threats and derision because they are Jewish. None of this is acceptable. All of us should be committed to both decorum and personal respect and safety, especially when the issue before us is so divisive.

We note that just a few days after the Hamas attack and the Israeli response, Congresswoman Lee joined the call for a ceasefire in Gaza/Israel:

<https://lee.house.gov/news/press-releases/congresswoman-lee-votes-against-partisan-republican-security-supplemental#>

"My position remains that we must call for a ceasefire in Gaza because it is the surest way to protect civilians, to release all hostages, to forestall greater regional violence, and to preserve the possibility of a diplomatic resolution to secure peace, security and justice for Palestinians and Israelis. In this devastating time, the United States must lead the way forward diplomatically to prevent wider escalation and ensure that essential humanitarian aid is urgently delivered to the region.

I suggest that the Berkeley City Council consider supporting Congresswoman Lee in a brief Resolution. For example:

Whereas: The continuing military action in Gaza and Israel is resulting in an increasing number of deaths in both Israel and Palestine; and

Whereas: This continuing military "solution" to a collection of political issues that have made the entire Middle East vulnerable to sudden eruptions of violence; and

Whereas: Berkeley is represented by Congresswoman Barbara Lee, who has demonstrated outstanding leadership and wisdom in a multiplicity of armed conflicts by standing for peaceful negotiations and processes for standing back from mass violence.

Therefore Be It Resolved: That the Berkeley City Council once again stands in support of Congresswoman Lee and urges that a ceasefire between Israel and the Palestinians in Gaze be implemented.

I think that it's important for Berkeley to support the efforts of Congresswoman Lee. She has always placed life ahead of politics. Her courage around the September 11 destruction of the World Trade Center at the beginning of her arc in Congress is now bracketed by her call for a cease fire in the last year of that arc.

Many thanks for considering this last minute note.

Jack Kurzweil  
1737 Allston Way

510-292-8757

On Dec 5, 2023, at 10:02 AM, Ann Schwartz <[schwartzav@gmail.com](mailto:schwartzav@gmail.com)> wrote:

Dear Peace Committee

We are meeting today, Tuesday, Dec 5, at 5:00PM. Zoom link is below.

Agenda:

- Review seminar on Israel/Gaza. (A link to the recording if you couldn't attend: [https://drive.google.com/file/d/1EFNgCVFc9QSRH6VTfMYPtTnDbpJze0QH/view?usp=drive\\_link](https://drive.google.com/file/d/1EFNgCVFc9QSRH6VTfMYPtTnDbpJze0QH/view?usp=drive_link))
- Shall we plan another seminar for February?
- Berkeley City Council and resolution on ceasefire
- Other actions around ceasefire that we want to publicize to Wellstone?

Best  
Ann

Join Zoom Meeting

<https://us02web.zoom.us/j/88565585536?pwd=all0QkM0eFJ4SWNlRHlEMTdLeHNpZz09>

Meeting ID: 885 6558 5536

Passcode: 109717

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To post to this group, send email to [wdrcc@googlegroups.com](mailto:wdrcc@googlegroups.com)

For more options, visit this group at <http://groups.google.com/group/wdrcc>

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You received this message because you are subscribed to the Google Groups "WDRC\_CC" group.

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[wdrcc+unsubscribe@googlegroups.com](mailto:wdrcc+unsubscribe@googlegroups.com).

To view this discussion on the web visit <https://groups.google.com/d/msgid/wdrcc/9C13E5D5-FE96-45D5-B193-91DF7E2E884D%40gmail.com>.

**Benado, Tony**

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**From:** Abigail Tolby <natolby@hotmail.com>  
**Sent:** Wednesday, December 6, 2023 7:20 AM  
**To:** All Council  
**Subject:** Support Israel... NO Ceasefire

**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.

I want to express my support as one of many pro-Israel Americans. Now is NOT the time to call for a ceasefire. First, release all hostages, stop firing rockets into Israel & recognize Israel's right to exist.

Abigail Tolby

**Benado, Tony**

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**From:** Jack Kurzweil <jack.kurzweil@gmail.com>  
**Sent:** Wednesday, December 6, 2023 7:22 AM  
**To:** All Council  
**Subject:** Voters Want the U.S. to Call for a Permanent Ceasefire in Gaza and to Prioritize Diplomacy  
**Attachments:** WebPage.pdf

**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.

Dear Mayor Arreguin and Berkeley City Council Members,

Please look at the link below. The majority of Democratic Voters (as well as all voters) are in favor of a cease fire in Israel/Palestine.

Jack Kurzweil

<https://www.dataforprogress.org/blog/2023/12/5/voters-want-the-us-to-call-for-a-permanent-ceasefire-in-gaza-and-to-prioritize-diplomacy>

**Benado, Tony**

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**From:** v <vijayanti3@gmail.com>  
**Sent:** Wednesday, December 6, 2023 7:52 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Re: District 8 Ceasefire Resolution Support

**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.

I'm Veena from District 8. I was born on this Ohlone land, I'm a Cal graduate with a background in public policy, and I'm a Buddhist who is committed to world peace.

I write to you today about the humanitarian crisis in Gaza. The situation in Gaza is dire with immense destruction to the land, plants, waterways, animals, and human life, and over a million Palestinians facing displacement, homelessness, and illness. I am heartbroken by the images I'm seeing and want this violence to end immediately. I am disheartened by the way policy makers have handled this situation, responding to violence with violence rather than deescalating the situation and finding a peaceful, mutually beneficial solution.

I chose to raise my child in this city because of its strong history of advocating for peace, social justice and implementing policy to serve the needs of the entire community, especially those who are oppressed. I am writing today to ask this city council to honor its historical legacy; to act in accordance with United Nations, the Alameda County Democratic Central Committee, the neighboring cities of Richmond and Oakland, and our own Berkeley Rent Board who have already acted; and immediately hold a special meeting to adopt a resolution supporting a permanent ceasefire in Gaza and immediate humanitarian aid to the region. The City of Berkeley must also acknowledge and stand against the long history of oppression of the Palestinian people that is the root

cause of the current violence and destruction in Gaza and demand that military aid to Israel be ended.

Week after week the people of Berkeley have demanded the city hold a special meeting to adopt a resolution now. I can tell you that the people of this city will not stop coming to city council meetings, will not stop writing and calling your offices, and will not stop fighting for justice and peace.

I implore you to represent your constituents who overwhelmingly want this city to adopt a resolution now. Schedule a special meeting to adopt a resolution before the scheduled 12/12 city council meeting. Berkeley always has and must remain on the right side of history.

The Berkeley community has drafted a resolution and would like to meet and confer with the Council and Mayor to discuss it. Please let us know when you are available to meet to finalize resolution language to discuss at the special meeting you call.

Thank you for your leadership.

On Sunday, December 3, 2023, v <[vijayanti3@gmail.com](mailto:vijayanti3@gmail.com)> wrote:

Dear Mayor and Council Members,

I am a resident in the city of Berkeley and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's revolutionary history. I moved back to Berkeley last year because of the city's track record in being on the right side of history. I wanted to be among others who advocate for peace and justice. I am shocked and appalled that Berkeley was not the first city in Alameda County to adopt a ceasefire resolution. I am even more shocked by the behavior I have witnessed at City Council meetings with the city not even entertaining the idea of a resolution.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. This dehumanization and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted



humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Veena Nambiar  
94705

*Our own life has to be our message.*  
—Thich Nhat Hahn

*This message was written with the assistance of screen readers and voice-to-text software. If anything is unclear, please contact me.*

**Benado, Tony**

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**From:** J T Nelson <nelsonjt@earthlink.net>  
**Sent:** Wednesday, December 6, 2023 10:55 AM  
**To:** All Council; Berkeley Mayor's Office  
**Cc:** Wengraf, Susan  
**Subject:** Israel and Palestine

**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.

Mayor and Councilmembers:

I am in general agreement with the Mayor Jesse Arreguin's and Councilmember Wengraf's position regarding the Israeli-Palestinian conflict.

James T. Nelson  
55 Poppy Lane  
Berkeley, CA

**Benado, Tony**

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**From:** Enikia Ford Morthel <enikiafordmorthel@berkeley.net>  
**Sent:** Friday, December 1, 2023 10:19 AM  
**To:** David Kilimnik  
**Cc:** boardofed@berkeley.net; All Council; Berkeley Mayor's Office; complaints@berkeley.net; hillary  
**Subject:** Re: [School Board] Large Palestinian Flag Displayed in Window of 2nd grade classroom

**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.

Good Morning David,

As I said in my email "We are aware of this situation and are currently addressing it."

In my original response to you, I thought it important to reiterate our values and my ongoing commitment to our classrooms being safe, inclusive learning spaces for all students. The response was not necessarily to reiterate the importance of free speech, but rather a more detailed explanation of a board policy (BUSD Policy 6144 Controversial Issues) that has come up a lot in recent weeks.

My goal was to highlight important information that may not be interpreted in the policy on controversial issues. Specifically, engaging students in controversial topics must be done in a way that is aligned to those values noted in my email, and must foster the educational environment and experiences that I outlined. Furthermore, I wanted you to know that when these tenets are not followed and engagement is inappropriate and/or harmful, staff will investigate and follow up. Such is the case with this instance.

Again, the flag in the classroom (the matter that you called my attention to in your original email) is being addressed, directly.

I understand that you have filed a formal complaint with our Civil Rights and Compliance Office regarding this same matter as well. Per your request, the district investigator will be speaking with you prior to the completion of this formal investigation.

With regard to the social media post that you have noted in your response below, your partner also filed a formal complaint with our Civil Rights and Compliance Office regarding this same matter. There is an open investigation at the time of this communication. As this is both an active investigation and a personnel matter, I am not privy to provide any further detail. That said, as a complainant in the matter, you will receive a final investigation report. Please note that employee privacy laws prevent us from disclosing any corrective actions taken against the respondent to anyone besides the employee involved.

David, I take your concerns and issues raised very seriously. Thank you for the opportunity to follow up and further clarify my initial response.

In Community,

Enikia Ford Morthel

On Fri, Dec 1, 2023 at 8:56 AM David Kilimnik <david.kilimnik@gmail.com> wrote:  
 Enikia,

While I appreciate your response and also agree that free speech and open dialog are important principles of our community, I don't think your response is sufficient given the context of Jessica's Arroyo's actions. In addition to the Palestinian flag, she has posted blatantly anti Israel and anti semitic messages on her instagram. Please see the image attached.

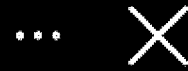
Given the context and her views, I don't think this is a case where she is facilitating a balanced discussion - rather one where she is using her platform as a teacher to advance a one sided agenda which is clearly anti-Israel and guaranteed to be experienced as anti semitism by the Jewish community. As a Jewish person it feels personal, but putting that aside, I don't find it appropriate for any teacher in our school system to be advancing a personal agenda like this against any ethnic group, whether I am a member of it or not.

The district should intervene immediately, be it through ordering her to take down this flag, suspending her, or dismissing her. The course of action should be appropriate to the legal situation and respectful to Ms. Arroyo's rights and privileges as a BUSD employee. However, this is clear cut case where your response is not enough. The district should not speak in vague terms about actions that may or may not happen - it should have a moral compass and act with conviction to put an immediate stop to acts of hatred against our community.

I appreciate your service to our community, and look forward to your response.

David Kilimnik  
District 5  
Parent of three BUSD students

👤 arroyofoto 2h



|                                                       |                                                  |
|-------------------------------------------------------|--------------------------------------------------|
| Founded on Arian supremacy                            | Founded on Jewish supremacy                      |
| Expelled millions from their homes                    | Expelled millions from their homes               |
| Put racial groups in ghettos and camps (eg Auschwitz) | Put racial groups in ghettos and camps (eg Gaza) |
| Used dehumanising language for undesirables           | Used dehumanising language for undesirables      |
| Enforced collective punishments                       | Enforced collective punishments                  |
| Signature method: gas chambers                        | Signature method: carpet bombing                 |

David Kilimnik  
415-359-4109

On Nov 30, 2023, at 4:44 PM, Enikia Ford Morthel <[enikiafordmorthel@berkeley.net](mailto:enikiafordmorthel@berkeley.net)> wrote:

Thank you for your email.

It is important to me that our classrooms and school are welcoming communities where all students need to feel safe, seen, valued, and heard. Furthermore, they must be reflective of our diverse students, responsive, and humanizing.

We appreciate your bringing this to our attention and sharing the ways in which you or your child have been impacted by this specific display. We are aware of this situation and are currently addressing it.

The ongoing conflict between Israel and Palestine is a deeply complex and sensitive issue. Berkeley has a long history of engaging in open dialogue about issues that are both complicated and complex, and supporting freedom of speech and expression. We understand engaging in controversial issues as a fundamental pillar of education. Our district believes that "students should have opportunities to discuss controversial issues which have political, religious, social, historical, or economic significance" (BUSD [Policy 6144 Controversial Issues](#)).

BUSD encourages educational programs that foster a nuanced understanding of the historical, cultural, and political factors contributing to this conflict or any other controversial topics. It is most important that the educational experiences and environment that we create emphasize the importance of empathy and open-mindedness, support the integration of diverse perspectives, foster students' critical thinking and evaluation, connect to content standards, and create spaces that are inclusive and respectful.

We have also taken significant actions to support our staff, holding the values mentioned above. The short term actions have included shared guidance and resources.. We have provided our educators with resources for engaging in critical conversations that may arise in their classrooms in a manner that is age appropriate and supports the emotional well-being of all students, especially students who may feel particularly vulnerable. This included resources for challenging anti-semitism and islamophobia.

We are in the process of sharing additional resources and guidance for our educators including a framework for teaching controversial issues, more clarity on academic freedom and freedom of speech - what they are and what they are not, and continued opportunities to build their knowledge and support instructional practices. This is essential in response to the current events and aligned to our continued goal of ensuring Equity, Excellence, Enrichment and Engagement, making sure our educators have the skills, tools, and knowledge to do so across grade levels.

We are continually clarifying with our educators what is and is not appropriate ways for them to engage with our students. Any reported incidence of intolerance, inappropriate or harmful content in our classrooms are promptly investigated in accordance with District policies. In addition to the investigation process, any affected students will be offered supportive measures in order to ensure unhindered access to their education.

I hear your concerns and want to assure you of our commitment to keeping all of our students safe and making sure that our schools are inclusive and humanizing for all members of our diverse student body.

In Community,

Enikia Ford Morthel

On Wed, Nov 29, 2023 at 8:41 PM David Kilimnik <[david.kilimnik@gmail.com](mailto:david.kilimnik@gmail.com)> wrote:

Dear Sir/Madam:

I am writing to express my concerns about a matter that I believe is crucial to the educational and ethical standards of the Berkeley Unified School District. Recently, I learned that a large Palestinian flag is displayed in a second-grade classroom within our district at Malcolm X. While I fully support the principles of free speech and the importance of educating our students about global issues, I am concerned that the display of this flag, particularly in a classroom for young children, does not align with the district's policies and educational goals. The ongoing conflict between Israel and Palestine is a deeply complex and sensitive issue. Presenting such a potent symbol in a classroom could inadvertently convey a one-sided view of this conflict, especially to young children who are in their formative years of understanding the world around them. At this age, students are highly impressionable and may lack the context to understand the complexities of international conflicts. Our district has always strived to maintain an environment where all perspectives are respected, and critical thinking is encouraged. However, displaying a flag representing one side of a contentious political issue might contradict these values, as it could be perceived as an endorsement of a particular political stance over others. This is especially concerning in light of our district's policy, which emphasizes neutrality in political matters within the classroom. Furthermore, considering the diverse backgrounds of our student population, such displays could inadvertently create a feeling of discomfort or exclusion among students and families who may have differing views or personal connections to the issue. It is vital that our schools remain a neutral ground where all students feel safe, respected, and included.

In light of these concerns, I respectfully urge the district to review this matter and consider the potential implications of allowing political symbols in classrooms, particularly in elementary schools. It would be beneficial to reaffirm our commitment to providing an unbiased educational environment, where students can learn about complex global issues in a balanced and thoughtful manner.

If the teacher responsible for this does not take immediate corrective action, I would expect disciplinary steps to be taken. I appreciate your attention to this important issue and look forward to your response.

Sincerely,

David Kilimnik  
Parent to 3 BUSD students

<ii\_lpkdp1570.jpeg>

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David Kilimnik  
415-359-4109

**Benado, Tony**

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**From:** David Kilimnik <david.kilimnik@gmail.com>  
**Sent:** Friday, December 1, 2023 8:56 AM  
**To:** Enikia Ford Morthel  
**Cc:** boardofed@berkeley.net; All Council; Berkeley Mayor's Office; complaints@berkeley.net; hillary  
**Subject:** Re: [School Board] Large Palestinian Flag Displayed in Window of 2nd grade classroom

**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.

Enikia,

While I appreciate your response and also agree that free speech and open dialog are important principles of our community, I don't think your response is sufficient given the context of Jessica's Arroyo's actions. In addition to the Palestinian flag, she has posted blatantly anti Israel and anti semitic messages on her instagram. Please see the image attached.

Given the context and her views, I don't think this is a case where she is facilitating a balanced discussion - rather one where she is using her platform as a teacher to advance a one sided agenda which is clearly anti-Israel and guaranteed to be experienced as anti semitism by the Jewish community. As a Jewish person it feels personal, but putting that aside, I don't find it appropriate for any teacher in our school system to be advancing a personal agenda like this against any ethnic group, whether I am a member of it or not.

The district should intervene immediately, be it through ordering her to take down this flag, suspending her, or dismissing her. The course of action should be appropriate to the legal situation and respectful to Ms. Arroyo's rights and privileges as a BUSD employee. However, this is clear cut case where your response is not enough. The district should not speak in vague terms about actions that may or may not happen - it should have a moral compass and act with conviction to put an immediate stop to acts of hatred against our community.

I appreciate your service to our community, and look forward to your response.

David Kilimnik  
District 5  
Parent of three BUSD students





arroyofoto 2h



|                                                       |                                                  |
|-------------------------------------------------------|--------------------------------------------------|
| Founded on Arian supremacy                            | Founded on Jewish supremacy                      |
| Expelled millions from their homes                    | Expelled millions from their homes               |
| Put racial groups in ghettos and camps (eg Auschwitz) | Put racial groups in ghettos and camps (eg Gaza) |
| Used dehumanising language for undesirables           | Used dehumanising language for undesirables      |
| Enforced collective punishments                       | Enforced collective punishments                  |
| Signature method: gas chambers                        | Signature method: carpet bombing                 |

David Kilimnik  
415-359-4109

On Nov 30, 2023, at 4:44 PM, Enikia Ford Morthel <[enikiafordmorthel@berkeley.net](mailto:enikiafordmorthel@berkeley.net)> wrote:

Thank you for your email.

It is important to me that our classrooms and school are welcoming communities where all students need to feel safe, seen, valued, and heard. Furthermore, they must be reflective of our diverse students, responsive, and humanizing.

We appreciate your bringing this to our attention and sharing the ways in which you or your child have been impacted by this specific display. We are aware of this situation and are currently addressing it.

The ongoing conflict between Israel and Palestine is a deeply complex and sensitive issue. Berkeley has a long history of engaging in open dialogue about issues that are both complicated and complex, and supporting freedom of speech and expression. We understand engaging in controversial issues as a fundamental pillar of education. Our district believes that "students should have opportunities to discuss controversial issues which have political, religious, social, historical, or economic significance" (BUSD [Policy 6144 Controversial Issues](#)).

BUSD encourages educational programs that foster a nuanced understanding of the historical, cultural, and political factors contributing to this conflict or any other controversial topics. It is most important that the educational experiences and environment that we create emphasize the importance of empathy and open-mindedness, support the integration of diverse perspectives, foster students' critical thinking and evaluation, connect to content standards, and create spaces that are inclusive and respectful.

We have also taken significant actions to support our staff, holding the values mentioned above. The short term actions have included shared guidance and resources.. We have provided our educators with resources for engaging in critical conversations that may arise in their classrooms in a manner that is age appropriate and supports the emotional well-being of all students, especially students who may feel particularly vulnerable. This included resources for challenging anti-semitism and islamophobia.

We are in the process of sharing additional resources and guidance for our educators including a framework for teaching controversial issues, more clarity on academic freedom and freedom of speech - what they are and what they are not, and continued opportunities to build their knowledge and support instructional practices. This is essential in response to the current events and aligned to our continued goal of ensuring Equity, Excellence, Enrichment and Engagement, making sure our educators have the skills, tools, and knowledge to do so across grade levels.

We are continually clarifying with our educators what is and is not appropriate ways for them to engage with our students. Any reported incidence of intolerance, inappropriate or harmful content in our classrooms are promptly investigated in accordance with District policies. In addition to the investigation process, any affected students will be offered supportive measures in order to ensure unhindered access to their education.

I hear your concerns and want to assure you of our commitment to keeping all of our students safe and making sure that our schools are inclusive and humanizing for all members of our diverse student body.

In Community,

Enikia Ford Morthel

On Wed, Nov 29, 2023 at 8:41 PM David Kilimnik <[david.kilimnik@gmail.com](mailto:david.kilimnik@gmail.com)> wrote:

Dear Sir/Madam:

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Sincerely,

David Kilimnik  
Parent to 3 BUSD students

<ii\_lpkdp1570.jpeg>

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David Kilimnik  
415-359-4109

**Benado, Tony**

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**From:** Kurisutiin Lee <christine.japan19@gmail.com>  
**Sent:** Friday, December 1, 2023 5:08 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Berkeley to pass a Resolution in Solidarity with Palestine

**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.

Dear Council Members,

I write to you today with an urgent appeal for the city of Berkeley to pass a Resolution to stand in Solidarity with the Palestinian people of Gaza, similar to what the City of Richmond passed on Oct 25, 2023.

This week is United Against Hate Week (Nov 12-18) with the mission to "reject hate of any kind and believe that building a safer and more equitable world starts by working together." I could not think of a better time than to pass the Resolution this week, and for the city of Berkeley to stand united against the genocide and ethnic cleansing of Palestinians in Gaza.

As a result of this genocide, Islamophobia and anti-Semitism is on the rise. We, the city of Berkeley, should be standing against this hate both in our city and also as progressive leaders of this country.

The city of Berkeley can make a difference, and we, your constituents, call on you to act today to please stand against hate and in solidarity with the Palestinian people of Gaza.

Thank you,  
 Christine Lee  
 94703

Please see a copy below of the City of Richmond resolution for your reference (source: Contra Costa News).

*WHEREAS, the City of Richmond stands in solidarity with the Palestinian people of Gaza, who are currently facing a campaign of ethnic cleansing and collective punishment by the state of Israel; and*

*WHEREAS, collective punishment is considered a war crime under international law, and refers to a form of sanction imposed on persons or a group of persons in response to a crime committed by one of them or a member of the group; and*

*WHEREAS, the state of Israel is engaging in collective punishment against the Palestinian people in Gaza in response to Hamas attacks on Israel; and*

*WHEREAS, this collective punishment of the Palestinian people includes shutting off all access to electricity, drinking water, food, and humanitarian aid; and*

*WHEREAS, the UN says approximately 2 million people in Gaza may soon run out of drinking water and all medical care; and*

*WHEREAS, ethnic cleaning refers to the creation of an ethnically homogenous geographic area through the elimination of unwanted ethnic groups by deportation, forcible displacement, or genocide; and*

*WHEREAS, Israel is now engaged in an ethnic cleansing campaign by explicitly requiring two million Palestinians to leave Gaza immediately or risk being bombed in their homes by the Israeli army; and*

*WHEREAS, the Gaza Strip, one of the most densely populated places on Earth, has been repeatedly referred to by human rights groups as “the world’s largest open-air prison” even prior to this conflict; and*

*WHEREAS, Gaza is known as “the world’s largest open-air prison” due to ongoing, unbearable living conditions imposed by the state of Israel, including a full air, land and sea blockade, enclosure of its borders by concrete walls and barbed wire fences, and the strict prohibition of Palestinians from leaving and entering the territory freely; and*

*WHEREAS, this blockade on Gaza has caused a 42% unemployment rate, while 84% of the population relies on humanitarian aid, 41% of Palestinians have too little food, 60% of Palestinian children are anemic, and the Gazan population cannot count on more than 2-4 hours of continuous electrical power a day; and*

*WHEREAS, prior to this current water shortage, only 1% of Gaza population has access to safe drinking water, leaving Gaza’s population – half of whom are children – increasingly vulnerable to waterborne diseases, infections, and dehydration; and*

*WHEREAS, Israel has not allowed many common cancer diagnosis and treatment tools, including PET CT and radiotherapy, to enter Gaza since 2007; and*

*WHEREAS, pediatric cancer cases that are typically considered treatable are often fatal in the Gaza Strip, as a result of the lack of healthcare and restrictions on movement; and*

*WHEREAS, the state of Israel would not be able to maintain an apartheid regime without enormous military aid provided by the United States every year, thereby also depriving Americans of money for their own urgent needs; and*

*WHEREAS, 1,400 Israelis have been killed by Hamas on October 7th and nearly 6,000 Palestinians have been killed by the state of Israel in this escalated conflict; and*

*WHEREAS, we mourn the loss of all civilian lives lost on both sides from October 7th to the present and also throughout the decades of displacement, occupation, oppression and blockade endured in Gaza and the West Bank;*

*NOW, THEREFORE, BE IT RESOLVED that the City of Richmond takes seriously the entreaty of “Never Again,” and that the historical memory of the Holocaust means fighting ethnic cleansing and apartheid everywhere; and*

*BE IT FURTHER RESOLVED that the City of Richmond vows to combat antisemitism and ethno-nationalism in all its forms; and*

*BE IT FURTHER RESOLVED that the City of Richmond calls for an immediate humanitarian ceasefire and the safe passage of substantial humanitarian aid to Gaza; and*

*BE IT FURTHER RESOLVED that the City of Richmond calls for the immediate release of all Israeli hostages taken by Hamas; and*

*BE IT FURTHER RESOLVED that the City of Richmond calls for an end to Israeli apartheid and the occupation and blockade of Palestinian land by Israeli military forces; and*

**Benado, Tony**

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**From:** Christina Harb <christinaharb23@gmail.com>  
**Sent:** Friday, December 1, 2023 6:31 PM  
**To:** All Council  
**Subject:** Request for a meeting with BUSD's only Palestinian teacher

**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.

Dear Council,

I hope you're recovering from the stressful events of this past Tuesday's meeting. I've been reflecting a lot about what happened and feel it's imperative for dialogue to happen. To preface, I'm not writing to convince you to adopt a ceasefire resolution.

Just some background on me- I am Catholic Palestinian American (although I don't practice), born here in California. My entire extended family is in diaspora, across 4 continents. My grandparents all survived the violent military attacks of the 1948 Nakba as children. My grandparents suffered and fought to make sure their grandchildren were born free. I've never been to my homeland. And with my freedom, I have a responsibility to use my voice and privilege to try to free others.

I was educated at UCLA in Psychology and got my M.Ed. there in Education. My program was focused on social justice and at the time was in the top 10 education programs in the country. I've been an educator for 8 years and work in the newcomer program at King, teaching ELD and supporting newcomers and EL students at the school. I have good standing in the school community as well as in the larger Palestinian American community in California.

I would like to meet with as many of you who are willing, regarding anti-Arab and anti-Palestinian intimidation and harassment that is alarmingly prevalent in Berkeley. I don't live in Berkeley, but I work in BUSD. I know that some of you may be familiar with a petition I wrote in mid-October. I feel that as the only Palestinian classroom teacher in the entire district, it is my obligation to speak up about the hate and intimidation that is raging through the community. I feel that all of the attacks against anyone who supports or teaches about Palestine are personal attacks against my ethnicity.

Teachers in the district who have been in the community for decades are now living in fear due to a group of parents who is claiming to fight for the safety of children, but is responsible for starting defamation campaigns. I'm not making assumptions- I know exactly who is behind all of this but I have no interest in defamation. I am only interested in trying to get through to you.

I can only hope that you find it in your hearts to just talk to me and listen to a different perspective. My experience over the last two months is one full of anguish, as it is for many. But for Palestinians, we are quite literally watching the daily mass murder and mass expulsion of our own people, and additionally face hatred and attacks here in the US. Every day, I feel like part of my soul is dying.

The hardest part of all this is the intense campaigns to silence people who are fighting so hard for justice and freedom, and unable to be heard by people who have the power to help.

I hope you will talk to me, and maybe one or two others who have something to share, and I look forward to your replies.

Best,  
 Christina Harb

**Benado, Tony**

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**From:** Ellen Feigenbaum <efeigenbaum17@gmail.com>  
**Sent:** Saturday, December 2, 2023 11:37 AM  
**To:** Berkeley Mayor's Office  
**Cc:** All Council  
**Subject:** Thank you for standing up against hatred

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.

Dear Mayor Arreguín and City Council members,

I wanted to send my deepest appreciation for your decision not to introduce a resolution condemning Israel or calling for a permanent ceasefire in Gaza. I am in full agreement with the mayor's wise words about the "flames of hatred" that such a resolution would fan here at home in our beloved Berkeley community. I understand that you've been subject to significant pressure from some extremely vocal parties, but please be assured that there are countless Berkeley residents like myself who support you for your courage and integrity in making this decision.

Thank you for making me prouder than ever to live in Berkeley.

Sincerely,

Ellen Feigenbaum  
1014 Grizzly Peak Blvd  
Berkeley CA 94708

Sent from my wireless handheld.

**Benado, Tony**

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**From:** Peter Schwab <pschwab@gcalaw.com>  
**Sent:** Saturday, December 2, 2023 12:00 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Thank you for standing against hatred

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.

Dear Mayor Arreguín and City Council members,

I wanted to send my deepest appreciation for your decision not to introduce a resolution condemning Israel or calling for a permanent ceasefire in Gaza. I am in full agreement with the mayor's wise words about the "flames of hatred" that such a resolution would fan here at home in our beloved Berkeley community. I understand that you've been subject to significant pressure from some extremely vocal parties, but please be assured that there are countless Berkeley residents like myself who support you for your courage and integrity in making this decision.

Thank you for making me prouder than ever to live in Berkeley.

Sincerely,

Peter Schwab  
1014 Grizzly Peak Blvd  
Berkeley CA 94708

Sent from my iPhone



**Benado, Tony**

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**From:** lhberenson@yahoo.com  
**Sent:** Saturday, December 2, 2023 12:04 PM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Subject:** Call a special meeting to pass a resolution on the war against Gaza

**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.

Dear Mayor Arreguin and esteemed Councilmembers,

I live in District 1 writing to urge Berkeley City Council to call a special meeting to draft and pass a formal resolution in support of a permanent ceasefire in Gaza, as part of a long-term, peaceful solution, of coexistence in dignity between the people of Israel and Palestine.

I urge you to do this, because our government, our tax dollars are being spent to cause grave harm to Palestinian civilians giving all of us in the US an outsized obligation to put an end to the bombing that is killing and injuring thousands, the forced starvation, the deprivation of water, electricity, medical services and affecting more than 2 million people in Gaza, as well as the aggression against Palestinian people in the West Bank and East Jerusalem.

Calling for a Ceasefire is a call for humanity, for dignity and a long lasting peace in the region and in the world. The campaign of vengeance that Israel is unleashing against the people of Gaza and the Palestinian populations in the Occupied West Bank and Jerusalem, cannot be justified by the brutal attack that Israel suffered on October 7. The same way Israel's brutal occupation of Palestine should not justify the violence committed against Israeli civilians on October 7, the violence Israel suffered cannot justify their murderous campaign against millions of civilians.

I urge you to call a special meeting so that our great city of Berkeley can join the cities of Richmond and Oakland and make a statement for an immediate, permanent cease fire, and all U.S. aid to Israel and Palestine should be exclusively humanitarian in nature, to support the infrastructure of life and of a peaceful coexistence between the peoples of Palestine and Israel.

Thank you for the consideration,

Lori Berenson

**Benado, Tony**

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**From:** Karin Vosgueritchian <karinv@berkeley.edu>  
**Sent:** Saturday, December 2, 2023 1:53 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Support for a Ceasefire TODAY from an affected member of the community

**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.

Dear Council Members,

I have been a resident of Berkeley almost consistently since 2009, and I am emailing you with great urgency. I am writing to you to urgently call for a ceasefire in Gaza and to support House Resolution 786: Calling for an immediate deescalation and cease-fire in Israel and occupied Palestine. This is a humanitarian crisis and I am appalled that my tax dollars are funding a literal genocide. As an Armenian-American who is a descendent of genocide survivors who were expelled from their ancestral lands, seeing the videos of innocent Palestinian civilians being marched miles out of their historic homeland in what is being called a "humanitarian corridor" but is, in actuality, a death march is incredibly triggering.

I have family in Gaza who were at the church in Northern Gaza that was bombed on October 19 that killed 18 Christian Palestinians. When I called my mom to ask her if that was the church they were sheltering at, do you know what she said to me? She told me, in one of the quietest voices I've ever heard from her, "That was the church. I don't know anything. I'm going to church to pray now." My relatives miraculously survived but how long will that last as they can only consume one piece of bread a day? How long will they live when there is barely any food and bombs reign down around them?

I'm writing to let you know that I am out of the fugue state that I have been living in for over a month. I'm done waiting around for massacre after massacre to stop. The City of Berkeley needs a ceasefire resolution now.

What's happening in Gaza is a genocide akin to the Armenian genocide---a genocide the entire world is watching and refusing to stop. Armenians are not just distant allies. We are the neighbors of the Palestinian people and on-the-ground witnesses to their suffering. Armenians have existed in Jerusalem since the 4th century AD. As I write this email, Armenians in Jerusalem are being threatened, harassed, and expelled from their homeland by armed settlers supported by Israeli police.

These images coming out of occupied Palestine are horrific and the rhetoric being used by the Israeli government to justify their indiscriminate carpet bombing is clearly genocidal and completely unacceptable. Over 20,000 dead. Over 37,000 injured. Over 1.7 million people displaced. I promise you that history will remember whether the City of Berkeley Council Members spoke up and supported a ceasefire. If you choose to remain silent, that decision will follow you the rest of your lives.

There is, in fact, still an opportunity to stand against genocide. I implore you to stand for justice. I implore you to stand for the City of Berkeley's principles. I implore you to recognize that we are all human beings, worthy of love, shelter, safety, and dignity, whether we live in Berkeley, California or Gaza City.

Please voice your support for this resolution and call for a ceasefire now!

Sincerely,  
Karin Vosgueritchian  
Berkeley, CA

**Benado, Tony**

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**From:** Isa Hoffman <isahoffman11@gmail.com>  
**Sent:** Sunday, December 3, 2023 9:18 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Solidarity with Palestine NOW

**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.

Dear Mayor and Council Members,

I am a lifelong Berkeley resident, and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. This dehumanization and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide. To

reiterate, I will not vote for anyone who does not support an immediate and permanent ceasefire and I will campaign hard against them to ensure others don't either. You are losing any community credibility you had by staying silent on this. From People's Park to Palestine it is clear that you do not care for human life, that your own electoral success is your priority, and I am beyond embarrassed to be part of you constituency. Do better.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Isa Hoffman  
District 8 Voter

**Benado, Tony**

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**From:** Amy Cummings <amycummings@ucla.edu>  
**Sent:** Sunday, December 3, 2023 1:13 PM  
**To:** All Council  
**Subject:** Public Comment on mayor's November 28 statement

**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.

Berkeley City Council: My name is Amy and I'm a resident of Council District 3, represented by Councilmember Ben Barlett. I attended the Berkeley City Council meeting on November 28th, 2023 and was very disappointed by how you responded to community members calling for the Berkeley City Council to adopt a resolution calling for Ceasefire Now in Gaza. While I believe that the United States must go much further beyond simply calling for a ceasefire, and also call for an end to military aid to Israel and an end to the occupation of Palestine, calling for a ceasefire NOW is the absolute minimum we can do as residents of the United States and neighbors in Berkeley. I was shocked and disappointed by Mayor Jesse Arreguin's statement that day, asserting that calls for ceasefire resolutions impact communities negatively. I strongly disagree. We are nearly two months into witnessing Israel carry out a brutal genocide of the Palestinian people and it is being live streamed right to our phones by Palestinians on the ground who live each day fearing it will be their last as Israel bombs their entire city to smithereens, including homes, hospitals, and so called "humanitarian" zones. Calling for a ceasefire—a very minimal ask that Israel's military stop killing hundreds to thousands of Palestinians daily—affirms to the entire community that Berkeley will not stand for state sponsored violence on any scale. As a leftist and queer person it was disconcerting to stand in the Berkeley City Council chambers, which have conspicuous Pride and Black Lives Matter flags hanging on the wall behind the dais, and see what looks like complete unwillingness to engage with hundreds of community members asking you to speak up against mass killings of civilians in Gaza. We as queer people understand there can never be freedom for us anywhere until there is freedom for everyone everywhere. And you ignored the countless calls by Black community leaders and organizers calling for a ceasefire in Gaza. As a resident I can't trust a city council that will co-opt these messages, particularly that of Pride, without putting even the bare minimum into a Ceasefire Now resolution. I am disappointed and frankly embarrassed by all of you and I will remember your cowardice when you are up for reelection.

**Benado, Tony**

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**From:** Emma Koeze <emmathekoeze@gmail.com>  
**Sent:** Sunday, December 3, 2023 9:22 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Resolution for Ceasefire and Solidarity with Palestine

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Dear Mayor and Council Members,

I am a resident of Berkeley and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. This dehumanization and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
 Emma Koeze  
 94709

**Benado, Tony**

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**From:** Lisa Jervis <lisa@delightfullycranky.com>  
**Sent:** Sunday, December 3, 2023 9:41 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** I support a Resolution for Ceasefire

**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.

Dear Mayor and Council Members,

I have lived in the Bay Area for almost 30 years, the last two in Berkeley, and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

It is so frustrating to me that constituents have been trying to get a resolution on the council agenda and you are not listening and cutting people off/muting them during public comments.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. It was a meaningful strategy then and it is meaningful strategy now.

Some will say that municipal resolutions for ceasefire aren't meaningful and we should focus on local issues. But military aid to Israel IS a local issue when it means my tax dollars are being spent making war on civilians across the globe instead of paying for schools, healthcare, and library workers here at home.

It is just a cowardly cop-out to refuse to consider a ceasefire resolution on the grounds that it is not a local issue.

As your constituent, I feel strongly that local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as I am far from the only person who will refuse to vote for anyone who stays silent when our government commits genocide.

Sincerely,  
Lisa Jervis  
94710



**Benado, Tony**

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**From:** Terry Mandel <terrymandel@gmail.com>  
**Sent:** Sunday, December 3, 2023 11:56 PM  
**To:** All Council  
**Subject:** I strongly support...

**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.

...the Mayor's statement on Israel and Gaza. I'm a progressive Jew and longtime Berkeley resident who's spoken out for years in support of a Palestinian state, against right-wing Israeli politics, and for the right of all people to live with self-determination and respect. I'm devastated by the proposed resolution and the terrifying antisemitism it reveals and would unleash.

Israel's long oppression of Palestinians must be condemned by its political allies, but to use that to justify Hamas' murderous attack on innocent civilians is to condone terrorism. Nothing justifies terrorism, and even terrorism does not justify depriving innocent Palestinian civilians of their safety, basic human rights, and humanitarian aid.

When intelligent, thoughtful people ignore decades of ardent, public opposition by progressive Jews of Israel's Palestinian policies, the lazy, irrational conflation of Jewishness with Israeli politics is an antisemite's dream come true.

Americans who protested the wars in Vietnam and Iran, and the invasion of Iraq, were not assumed to blindly support then Presidents Richard Nixon, George Bush, and George W. Bush.

Progressive Jewish activists have always been on the frontlines of civil rights, marching alongside Martin Luther King Jr., Cesar Chavez, Palestinians, LBGTQI, Black Lives Matter, Ukraine, and others, yet many wonder where our allies are when we're under attack.

Many intellectuals, corporations, and governments were tragically slow to act while the Nazis slaughtered 6 million Jews, intellectuals, homosexuals, Roma-Sinti, disabled, socialists, and protestors. "Never again" is not abstract to those of us who lost family and live with the trauma of the Holocaust.

I write this from Germany, where I've come for a 4-mo visit to promote an emerging initiative dedicated to reclaiming hidden legacies in ourselves, communities, and world. **The Unerasure Projekt** takes the long view, connecting our individual and collective histories with our future. We start with the simple truth that ***we all live with things we may not ourselves have even lived through***. Whether our ancestors were victims, perpetrators, or survivors, and whether we know our families' specific stories or not, descendants carry their legacies. Our programs reach across the divides of time and circumstance to ensure that our ancestors' histories do not dictate our future. As descendants, we have the power to create a world where thoughtful reflection, critical thinking, and respectful dialogue are the norm.

It is absolutely surreal that, right now, I feel safer in Germany — where the politics of the 1930s and 1940s murdered many of my family and scarred those who fled — than I would in my "progressive" Berkeley home of nearly 30 years.

Lovers of humanity do not blame victims of terrorism for their losses. Lovers of humanity discern between terrorism and oppression, and come together to fight for justice and safety for all. Please do not support this inflammatory resolution. Please focus on deepening the dialogue across differences in Berkeley ... and pave Hopkins Street!

With respect,

Terry Mandel

500 Boynton Ave  
Berkeley, CA 94707

Our real security is to be here  
for what's happening now.  
~ Jack Kornfield

v +1.510.528.9970  
c +1.510.910.0086

**Benado, Tony**

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**From:** Richard Fish <rhfish@lbl.gov>  
**Sent:** Monday, December 4, 2023 1:54 AM  
**To:** All Council  
**Subject:** Hamas-Israel War

**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.

The Hamas is the enemy of both the Palestinian and Israeli societies, since they use the Gaza population as hostages, and are only interested in erasing Israel from the Middle Eastern map! Israel must realize that the Palestinian people need their own state, living in peace next to the State of Israel. The only way to overcome the hatred and violence is to compromise, while sharing the Land between the River and the Sea for both States! The US has to mediate this delicate process of Statehood for the Palestines in discussions with Israel, and without Netanyahu and his right wing coalition!  
Sent from my iPhone

**Benado, Tony**

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**From:** sylvia <lsr2@pm.me>  
**Sent:** Monday, December 4, 2023 8:00 AM  
**To:** All Council  
**Subject:** Support of policy

**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.

Dear council,

Please do the right thing and support a **permanent ceasefire** in the Israeli offensive against families and individuals in Gaza.

Scholars of genocide and ethnic cleansing have studied the current conflict & deemed it in fact "a textbook case of genocide."

Last night, some families of the hostages taken by Hamas, gathered in Tel Aviv to **protest** the resumption of war. Please read their words in The Guardian.

Please listen to informed Jewish and Muslim anti-war activists and scholars in our community, who are deeply knowledgeable and call ever more desperately for a permanent cessation to this violent and lethal conflict.

Sincerely  
Sylvia Santillanez  
Berkeley resident

**Benado, Tony**

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**From:** bob flasher <rangerdude333@hotmail.com>  
**Sent:** Monday, December 4, 2023 8:17 AM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** So sorry about your hate mail

**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.

Mayor & Council,

I'm so sorry about all the hate mail and harassment you are receiving. It must be incredibly painful for you. And it harms all of us because we can no longer provide direct feedback to you at meetings.

Where is Gandhi when we need him? I understand how some people feel like interrupting business as usual is the best way to make a point. I think it just makes them more enemies.

Please remember that the huge majority of Berkeley citizens support you and what you are doing. In particular, you have taken a balanced, caring approach to the Israel versus Hamas issue.

I share your concerns about the incredible damage being done to civilian populations in that area. It's also unfortunate that a small vocal group is also doing damage to our democracy here over the issue.

Bob Flasher

**Benado, Tony**

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**From:** Elana Auerbach <elanaarobyn@gmail.com>  
**Sent:** Wednesday, December 6, 2023 3:52 PM  
**To:** All Council; Arreguin, Jesse L.; Harrison, Kate; Taplin, Terry; Bartlett, Ben; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Kesarwani, Rashi  
**Subject:** Please Watch ~ THANK YOU!

**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.

Dear Mayor & Council~

Several of you have mentioned wanting to learn more about the history of the conflict in Israel/Palestine.

I recommend these two documentaries to begin to cut through the reality distortion field that persists around this conflict.

1) [The Occupation of the American Mind](#)

2) [Tantura](#)

As our city's elected leaders, please be willing to confront difficult truths.

Thank you~  
Elana Auerbach

**Benado, Tony**

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**From:** Chrissy <chrissy@lmi.net>  
**Sent:** Wednesday, December 6, 2023 2:41 PM  
**To:** All Council  
**Subject:** Public ally Support Ceasefire in Gaza Now!

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.

Dear Council Members and Mayor Arreguin,

I remember when Mayor Arreguin and Council Members supported the "Berkeley is a Hate Free Zone" posters. They were everywhere! Unfortunately, by not passing a Ceasefire in Gaza referendum, you are flooding Berkeley with Hate. A ceasefire stands for peace and compassion for all marginalized people. It is not antisemitic, or necessarily against the State of Israel. It simply moving to support Peace for all.

More human beings have been killed in Gaza since October than In Ukraine during the entire war with Russia. Taking a stance against Putin is not slandering the Russian people. Taking action against this genocide and the government perpetrating it is not condemning the Israeli people.

Be brave, like some of our BUSD Teachers, and officially call for a Ceasefire in Gaza.

Sincerely,  
Chrissy Hoffman  
District 8 property owner

Sent from my iPhone

**Benado, Tony**

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**From:** Tasneem Nomanbhai <tnomanbh@gmail.com>  
**Sent:** Wednesday, December 6, 2023 4:36 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Do more for your constituents

**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.

Dear Mayor and Councilmembers,

I'm shocked by your response to the atrocities occurring in Gaza with our taxpayer dollars. You mention that the other council leaders are misinformed, but sadly it's the other way around. The other leaders are doing their best to represent the voices of the people. They are upholding their moral obligation to humanity. You have another Holocaust occurring right in front of you and you dare question our support for the people of Palestine? You are worried about your discomfort at a city council meeting? You're worried you can't have business as usual? There will be no rest while war crimes are taking place. There will be no rest while we are complicit in genocide. None of us should be able to sleep at night with a clear conscience, especially the representatives of Berkeley.

I'm ashamed that citizens of California and Berkeley don't have better, morally responsible and more courageous voices representing us.

I hope you reconsider your stance and consider a ceasefire. Until then, we will continue to fight for humanity and do the right thing. If you're not going to stand by our side, don't try to suppress our freedom of speech either and manipulate the narrative. Even Western Media outlets are representing the facts including the fact that 16000+ civilians have been killed and over 5,500 are children. If you don't see what's wrong here, then SHAME ON YOU.

Sincerely,  
Tasneem Nomanbhai



**Benado, Tony**

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**From:** Debra Barach <debralynnbarach@yahoo.com>  
**Sent:** Thursday, December 7, 2023 9:25 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Vote NO on November 28th

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

#EndJewHatred

Sent from my iPhone

**Benado, Tony**

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**From:** Karen Carroll <karen18carroll@gmail.com>  
**Sent:** Thursday, December 7, 2023 10:31 AM  
**To:** All Council  
**Subject:** Palestinians

**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.

Dear Berkeley City Council,

Thousands of Palestinians have been killed. Thousands more will die from lack of clean water, food, fuel, medical supplies. Their homes have been destroyed. And Berkeley will not pass a cease fire resolution because it might create a division among Berkeley citizens who are living comfortably in our warm houses with all the basic necessities? You have to do better.

Karen Carroll  
Prince St, district 8

**Benado, Tony**

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**From:** kiernan <kiernan.rok@gmail.com>  
**Sent:** Thursday, December 7, 2023 12:17 PM  
**To:** All Council  
**Subject:** Please support a ceasefire resolution

**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.

Dear Berkeley City Councilmembers and Mayor Arreguín,

I am a member of the Berkeley community and an educator. I have worked in Berkeley public schools for the past 8 years. I am writing today to ask you to please support a resolution for an immediate and permanent ceasefire in Israel and Gaza. The U.S. can not be complicit in ethnic cleansing and war crimes, and we need our local elected officials to help send a message to the whole world that here in Berkeley we stand for human rights and justice for all. Join with your constituents in opposing Israel's bombardment and killing of Palestinian civilians, children, and babies. Every human life is precious. Please vote yes on a ceasefire resolution!

Thank you,

Kiernan Rok

**Benado, Tony**

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**From:** John or Barbara Erickson <nalongo1511@gmail.com>  
**Sent:** Thursday, December 7, 2023 11:33 AM  
**To:** All Council  
**Subject:** End aid to Israel, Stop the massacre

**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.

Mayor and Council Members,

As a long time Berkeley resident I am amazed and ashamed that most of you are failing to call for a ceasefire in Gaza, even after some 7,000 children have been killed. How can any human being keep silent and allow this killing to continue? We must all call for a permanent ceasefire immediately and for an end to military aid to Israel. Surely you must know that your failure to act is both cowardly and complicit in a massacre that is occurring right now in plain view. Act now!

Barbara Erickson  
1511 Edith St.  
Berkeley

**Benado, Tony**

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**From:** carl nelson <cpanelson@gmail.com>  
**Sent:** Thursday, December 7, 2023 11:53 AM  
**To:** Berkeley Mayor's Office  
**Cc:** All Council  
**Subject:** Israel-Hamas war

**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.

The Honorable Jesse Arrequin-

I am a Berkeley resident in District 2. I write to commend you for refusing to be bullied into adopting a resolution on the Israel-Hamas war. (I have copied your colleagues on the Council, most of whom, I believe, are in agreement on this.)

Further, I appreciate your thoughtful remarks on this subject as reported in Joe Garofoli's column in the SF Chronicle this past Sunday. My synagogue is in Richmond, and the vitriol and vehement anti-semitism that occurred during the hearing leading up to the resolution that the Richmond City Council adopted was unduly divisive and, frankly, frightening. The vile falsehoods and hateful rhetoric spoken, or shouted, by some attendees at an Oakland City Council meeting last week, the worst of which were compiled into video clips that went viral, was even worse. Both reminded me of what we saw from white nationalists in Charlottesville Virginia 6 years ago in terms of the level of hatred towards Jews and other minorities.

As you have correctly noted, these sorts of resolutions will not end the violence abroad, but they certainly will fan the flames of hatred here at home. Anti-semitic and Islamophobic attacks are already on the rise across the country; they have no place in this City, where, just last month, the City Council adopted Resolution No. 71,090-N.S. Commemorating United Against Hate.

Thank you for standing strong against bullying.

Carl

--

Carl P A Nelson  
925-788-2485

**Benado, Tony**

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**From:** D Dorenz <ddorenz@gmail.com>  
**Sent:** Thursday, December 7, 2023 1:33 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** city Council resolution re: war between Hamas and Israel

**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.

Dear City Council Members,

I just read that you are working on a resolution re: the war between Hamas and Israel. You are wading into a complex political reality from which there is no easy answer. Those clamoring for an immediate cease fire have an agenda that goes way beyond the call for the bombing to stop.

As you can see from my points below, the cease fire resolution that many are pressuring you to pass, is inadequate to address the real situation in the Middle East that includes Israel and Gaza. Israel is fighting an existential war. It is being attacked on 3 sides at this time, by Hezboillah, Hamas, and the Houthis. It is fighting for the survival of the Jewish State along with the survival of 20% of its population who are Arab Israelis.

Whatever resolution you come up with I **hope it will NOT include a demand for a cease fire**. Please don't cave to those who believe this war is a simple black and white event. Most of those pressuring you to put a cease fire in this resolution want you to do so, because they believe that Israel has no right to defend its citizens, has no right to live in peace next to Gaza, has no right to have its citizens and others returned to Israel from where they were so brutally kidnapped and has no right to get rid of those who committed the worst atrocity in the history of the Jews and since WWII.

What demands will you make on Hamas who has broken many cease fires including the last one along with many agreements it made such as its most recent promise to release 10 hostages.

If you do persist in creating a resolution, I hope you will include the following:

\*We condemn Hamas' invasion of Israel and the atrocities it carried out by torturing, murdering and kidnapping Israeli citizens.

\*We demand the immediate release of all the hostages.

\*We Condemn Hamas which is supported by Iran, a sworn enemy of the United States, for vowing to commit many more atrocities and murder of Jews and vowing to destroy Israel.

\*In light of the fact that Hamas has broken numerous cease fires, we will NOT urge a cease fire at this time.

\*All countries have a right to defend their citizens as does Israel.

\*We condemn Hamas for locating its military command centers underneath hospitals, schools, daycare centers, libraries and in doing so endangers the lives of Gazan residents.

\*The United States government supports Israel's war in order to rid the Middle East of yet another ISIS type organization that seeks to murder all those who do not convert to Islam or be killed and to install a Caliphate in the Middle East. We commend the United State government for defending its only ally and the only democracy in the Middle East.

\*We condemn the continued bombing of Israel by Hamas, Hezbollah and the Houthis and call for an immediate cease fire by these proxies of Iran.

\* We reaffirm Israel's right to live in peace with its neighbors and urge the United States government to do all it can to get the hostages back and to continue to support Israel as it fights Hezbollah, the Houthis and Hamas.

\* We condemn words and actions that inspire antisemitism and Islamophobia .

Thank you for hearing my points. I am hoping that you do the right thing, although in choosing to write a resolution you are opening yourselves up to a swamp of anger and hatred by those who have condemned you already.

Sincerely,  
Dorothea Dorenz  
1200 Neilson.st. B  
Berkeley, Ca. 94706

--  
Dorothea Dorenz



**Benado, Tony**

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**From:** Lea Zalinskis <melnavarna@gmail.com>  
**Sent:** Thursday, December 7, 2023 1:28 PM  
**To:** All Council  
**Subject:** Ceasefire Resolution Now

**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.

My name is Lea Zalinskis and I am a Berkeley resident, raised in Berkeley from age 2.

My great-grandmother lived through three wars. She, my grandparents, and my uncle fled their homeland of Latvia during WWII, to live in refugee camps for 14 years. My father and 4 of his sisters were born in these camps as stateless citizens. Eventually placed in Michigan, they never returned home.

What was clearly severe PTSD from brutal oppression, bombings, soldiers murdering family members, losing their home and being separated from family and everything else they knew, has affected me and the rest of my family through the generations in ways I hope you'll never understand first hand. And it is not even a drop in the ocean compared to the endless atrocities visited upon the Palestinian people by the state of Israel, with the use of our tax dollars.

I am one of your many constituents who has shown up repeatedly to demand that Berkeley pass a resolution for a ceasefire in Gaza. I have watched our Palestinian community members stand before you, stating they have lost tens of family members in an instant, due to Israel's U.S.-funded genocide. I have watched Mayor Arreguín and the whole of the city council sit stone-faced and, without acknowledgement or sympathy, cut comments short, walk out on us to hold private meetings, and adjourn early, among other insulting, unusual actions.

The death toll in Gaza and in the West Bank continues to climb, and we are watching a genocide take place every day in real time. You'll know by now that 68% of Americans want a ceasefire. As you have seen by the turnout at the aforementioned meetings, this is also what your constituents want. Please do your job of representing us, by calling an urgent special meeting with a ceasefire resolution on the agenda-- and then vote yes.

This city has a long, important history of standing up for free speech, human rights, disabled rights, etc.-- on many of these issues, the rest of the country has followed suit. That is precisely why passing this resolution is of the utmost relevance and importance. There is also already precedent for this-- all you need to do is follow the lead of Richmond, Oakland, and other cities in the U.S. who have passed similar resolutions. Anything else makes us all complicit.

Sincerely,

Lea Zalinskis

**Benado, Tony**

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**From:** Daniel Goldstein <Daniel.Goldstein@hayward-ca.gov>  
**Sent:** Thursday, December 7, 2023 3:11 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** NO resolution but do support peace

**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.

The bombardment of innocent Palestinians is heartbreaking. If "Never Again" and "Never Forget" hold enduring value, we must stand together in opposition to the persecution of the innocent. What Hamas did is indefensible but not all Palestinians are Hamas; certainly not the young children. Reciting a list of wrongs perpetrated by Hamas only inflames anger; it doesn't get us any closer to peace.

The city has no jurisdiction in foreign affairs, and our residents strongly object to spending tax dollars on staff time, public meetings, and drafting language on matters outside our jurisdiction. Every day matters in this conflict. It can take months to follow the lawful process to issue a resolution. But council members can write personal letters now.

And I do. I have been writing letters, signing petitions, and making calls to Congress and state leaders, and meeting with local groups, urging that the protection of innocent lives must be a priority, and asking for abundant food, water, and aid. Dismantling Hamas must remain a priority as well, as much for the preservation of innocent Palestinians as for innocent Jews, Christians, Druze, Muslims, and others. Letters and phone calls also avoid the unintended appearance of approval of Hamas that a resolution might.

Lending your voice and influence for protecting the innocent is working. This past week, President Biden, Sec. Blinken, and Def. Sec. Austin openly cautioned the Israeli government over the need to protect innocent Palestinians and to provide aid, even while it defends its right to exist. It appears Israel has changed its tactics.

I will continue to lend my voice, my influence, to ensure innocent life is protected. I plan to meet with the Interfaith Council, with Jewish leaders, and with Palestinian community leaders to see what more I can do for peace and justice. Let me know if I can help.

--Dan

Daniel Goldstein  
 Council Member  
 City of Hayward  
 510-305-9949 mobile  
 510-583-4356 office



**Benado, Tony**

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**From:** Clyde Leland <clydeleland@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:07 PM  
**To:** All Council  
**Subject:** Ceasefire resolutions

**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.

I do not agree that the City Council should avoid matters beyond our borders. The City Council is the only vehicle for expressing the conscience of our community, which is clearly calling for an end to the horrific bombing of hospitals, schools, places of worship, and even people fleeing the bombing to places they were told would be safe but aren't.

I have written to and called Congress, the State Department, and the White House--those who actually could do something about our demand for a ceasefire--because I believe that if enough of us make that demand it may have an effect on the Biden Administration so that the United States stops blocking the sentiment of the United Nations calling for a ceasefire. And I believe that if elected officials also make that sentiment clear on behalf of our community, it will have an even greater effect than have my communications as an individual.

I understand the desire to avoid conflict among community members, but I would think it is up to you to resolve such conflicts, not to avoid them. Indeed, turning a blind eye to the horrific lethal conflict in the Middle East because we want to avoid an argument here seems cowardly.

Please approve a resolution calling for an end to the brutal assault on Gaza.

Clyde Leland  
Milvia Street

**Benado, Tony**

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**From:** Urban Explorer <explorer2040@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:08 PM  
**To:** All Council  
**Subject:** Opposition to resolution related to the tragic situation in Israel and Gaza

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.

Dear Berkeley City Counsel,

I am writing to express my opposition to the City Counsel taking a vote on any resolution related to the tragic situation in Israel and Gaza. While I am heartbroken and angered by the loss of innocent lives in Israel and Gaza since October 6, I also recognize that the long running conflict underlying the current war is complex and elicits differing views among members of our community. Taking a stand on the war, which is unfolding beyond our borders, will only further divide our community and is likely cause real harm to many people who live in our city. For that reason alone, passing a resolution is unacceptable and inappropriate.

Your job as elected officials is to focus on issues directly related to life in our city that the majority of constituents agree require attention and action. These include homelessness, housing affordability, transportation infrastructure, climate change, and other environmental concerns, among others. The tragic situation in Israel and Gaza does not meet that test. As a resident of Berkeley, I ask you to remain focused on the job you were elected to do and to reject the call from those who want the counsel to pass the aforementioned resolution.

Thank you,  
Jim Gilbert

**Benado, Tony**

---

**From:** Lillie Brum <lilliebrum@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:08 PM  
**To:** All Council

**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.

It has come to my attention that The resolution about Gaza/Israel Is once again being brought up.It is not OK to bring this up as "late resolutions" In a rushed manner.

I was happy that Berkeley wasn't going to be divisive as Oakland and Richmond chose to be about this very polarizing resolution. I had just written a letter to the mayor and Sophie Hahn about how proud I was to live in Berkeley in that the city hadn't succumbed to the pressures That some loud constituents or even perhaps people outside of the city had put on the city Council.

Now I understand the resolution is to be put on the table and perhaps pushed through. The resolution is divisive because it can and does quickly spill over into anti-Semitism which as you know has spiked to unbelievable rates.

Please consider not passing this resolution that Would make me feel ashamed to live in this city.

Thanks,  
Lillie Brum

**Benado, Tony**

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**From:** Deb K Fink <debkfink@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:13 PM  
**To:** All Council  
**Subject:** Happy Chanukah?

**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.

Dear Berkeley City Council,

As you may know, it is Chanukah...the Festival of Lights. Many in the Jewish community of Berkeley, including myself, are trying desperately to cling to "the light" during a very dark time for our people. With loved ones living through war/captivity, antisemitism on the rise around the world, and our children targeted at their public schools...it is a very challenging time.

This coming Tuesday, Congregation Netivot Shalom is holding its annual Chanukah celebration for all of its members. My family and I have been looking forward to this special event, especially my daughter (who will be home from college where she, as a freshman, has had to face discrimination on campus from professors and peers alike). I very much want to attend this event with her and my son who attends King Middle School, to help them find light, hope and safety during this dark time. I am not willing to forego this experience in order to attend the city council meeting...and many in my community feel similarly.

I trust you will NOT be considering a resolution about the Israel-Hamas war, especially during Chanukah. We Berkeley residents elected you to the council to address local challenges and to work towards peace and unity in our city, not to put forth divisive resolutions about an extremely complicated foreign conflict (no matter how simplistic some try to present it).

Lastly, I want to say that I feel strongly that it sets a dangerous precedent for you to allow protesters to take over your meetings, attack you and the mayor personally, and prohibit you from doing your important work. Cowarding to their bullying only rewards their vile behavior. Please stand strong, as the Macabees did in the Chanukah story.

Sincerely,

Deb Fink

**Benado, Tony**

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**From:** Luqman Yusuf Saib <luqmansaib@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 2:13 PM  
**Subject:** Support a Permanent Ceasefire in Gaza

**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.

Dear Berkeley City Council Members,

My name is Luqman Saib, and I am a student at UC Berkeley. I am writing to urge you to call for an immediate and permanent ceasefire in the city of Gaza.

The people of Gaza are facing a massive campaign of ethnic cleansing and genocide by the apartheid state of Israel, with more than 20,000 Palestinians killed by Israeli bombardment of Gaza in the past two months. Nearly half of them were children. According to Catherine Russell, the executive director of UNICEF, more than 420 children are killed in the Gaza Strip every day.

Do not turn away and claim that Israel has the right to defend itself. The right to defend oneself is not equivalent to the right to kill 8,000 children in less than two months. Nothing will ever justify genocide. I urge you to pass a resolution that calls for a permanent ceasefire, in the name of human rights and human dignity.

Sincerely,

Luqman Saib

**Benado, Tony**

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**From:** Jean Weininger <jeanweininger@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 2:20 PM  
**To:** All Council  
**Subject:** new Middle East resolutions this week

**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.

Dear Berkeley City Council members,

This is the second email I've sent to all of you regarding resolutions about Israel and Gaza. I strongly urge you to reject *any* resolutions on the Middle East situation, as horrific as it may be. People in Berkeley have a variety of nuanced positions on this topic, and it would only be detrimental to our community for the Council to needlessly vote on a resolution that will surely have no impact on the actual situation. And I understand that some of you have come up with Twitter (X) posts that would certainly not count as public notice, and they are therefore not valid as Agenda items at your Dec. 12 meeting. Feel free to speak out as individuals, but please please please don't try to speak for the entire City of Berkeley on this subject. I dread the effect that such a reckless resolution would have on our beloved City.

Thanks for listening,  
Jean Weininger  
1949 Hopkins St.  
Berkeley



**Benado, Tony**

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**From:** Ronnie Cohen <racohen66@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:27 PM  
**To:** All Council  
**Subject:** No Gaza resolution

**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.

I deeply appreciated it the wise words of Mayor Arreguin last month opposing the adoption by the Berkeley City Council of a resolution on the conflict in the Middle East. I believe that any resolution, regardless of its wording, fans the flames of anti-Semitism and further divides our community. I urge the Council not to pass a resolution on this issue.

Sincerely,

Ronnie Cohen  
764 Contra Costa Ave,  
Berkeley, CA 94707

**Benado, Tony**

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**From:** Dodd, Jill <JDodd@manatt.com>  
**Sent:** Sunday, December 10, 2023 2:35 PM  
**To:** All Council  
**Subject:** Israel Hamas resolution

**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.

Dear Berkeley City Council,

As long term Berkeley homeowners and residents, we are writing to urge you not to discuss or take up in any fashion the "urgency item" pertaining to the circumstances in Israel and Gaza. In addition to being plainly improper procedurally under state and local law, the Berkeley City Council has no business taking up matters that can only divide Berkeley residents and will have no impact on the tragic circumstances unfolding in the Middle East.

Thank you for your consideration,  
Martin and Jill Dodd  
1957 Yosemite Road  
Berkeley 94707

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**Benado, Tony**

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**From:** Jerry Berkman <jerry@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 2:44 PM  
**To:** All Council  
**Subject:** Resolutions on Israel-Hamas conflict

**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.

None of the resolutions will do anything but raise the level of tension. What is the point? To determine whose fault it is? That is hopeless in a centuries old conflict. Even if we could decide that, no-one would listen to us. Most of the resolutions are one-sided or ignore facts. Keep to your official duties to deal with Berkeley issues.

- Jerry Berkman, 3136 Eton Avenue, Berkeley, CA

**Benado, Tony**

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**From:** Emily Brod <emily.brod@pm.me>  
**Sent:** Sunday, December 10, 2023 2:47 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** DO NOT PASS Resolution on Ceasefire

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.

Dear City of Berkeley Councilmembers and Mayor Arreguin,

I am writing again to strongly oppose your passing a resolution regarding the war in Israel and Gaza. I understand two will be brought to the council as non-agenda resolutions this coming Tuesday, December 12 and I implore you to not allow them to be added to the agenda. I agree with my councilmember, Sophie Hahn's points as follows:

- None of these resolutions has ever - or will ever - appear on a Council Agenda prior to Tuesday's meeting. X/Twitter posts do not constitute adequate public notice - or notice to other Councilmembers and the Mayor, who apparently will be asked to vote.
- I do not believe these resolutions qualify - under State Law or City of Berkeley Rules of Procedure - to be placed on our Agenda at the last minute, without required advance notice. Council is only allowed to take up last minute matters under limited, exigent circumstances. (See: California Code, Government Code - GOV § 54954.2(b) and 54956.5).
- Tuesday's Council meeting takes place during Hanukkah - the most widely celebrated Jewish holiday of the year - at a time when families across Berkeley who may have a strong interest in resolutions will be gathered with their children and families.

PLEASE stand firm and refuse to place any resolutions on the Agenda as Urgency Items, as doing so would only further divide our community rather than keeping it unified and safe.

Thank you,  
 Emily Brod

1086 Spruce St  
 Berkeley, CA 94707

**Benado, Tony**

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**From:** Jenny Wenk <jwenk69@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:47 PM  
**To:** All Council  
**Subject:** Please respect ALL people of all faiths & beliefs

**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.

Dear Members of the Berkeley City Council,

Back long, long, long ago the League of Nations created the British Mandate for Palestine. After the Holocaust and WWII that led to " ... Jewish immigration to the region increased considerably, leading to tensions between Jews and the Arab majority population. The UN-approved 1947 partition plan triggered a civil war between these two peoples. The British terminated the Mandate on 14 May 1948, and Israel declared independence on the same day."

It was only in the last very few years that most of the Arab nations ceased to devote considerable official time and effort to the elimination of the State of Israel, and all of the people of the Jewish faith who live there. In other words, it's only recently that the attempt to kill all people who know what Torah is (aka Genocide), ceased to be an official policy of the governments of all the nations that surround Israel.

If you haven't read much ancient history lately it may help you to know that that region was the historic home to people of the Jewish faith, just as it is the home of the other two Abrahamic religions, Christianity and Islam. Yes, three of the most historic religions all trace back to "Abraham, a Hebrew patriarch, (who) is extensively mentioned in the religious scriptures of the Hebrew and Christian Bibles, and the Quran."

Here's a quick look at a bit of that history: "The history of ancient Israel and Judah begins in the Southern Levant region of Western Asia during the Late Bronze Age and Early Iron Age. The earliest known reference to "Israel" as a people or tribal confederation (see Israelites) is in the Merneptah Stele, an inscription from ancient Egypt that dates to about 1208 BCE, but the people group may be older. According to modern archaeology, ancient Israelite culture developed as an outgrowth from the pre-existing Canaanite civilization. Two related Israelite polities known as the Kingdom of Israel (Samaria) and the Kingdom of Judah had emerged in the region by Iron Age II.

According to the Hebrew Bible, a "United Monarchy" (consisting of Israel and Judah) existed as early as the 11th century BCE, under the reigns of Saul, David, and Solomon; the country later split into two kingdoms: Israel, containing the cities of Shechem and Samaria in the north, and Judah (containing Jerusalem and the Jewish Temple) in the south. The historicity of the United Monarchy is debated—as there are no archaeological remains of it that are accepted as consensus—but historians and archaeologists agree that Israel and Judah existed as separate kingdoms by c. 900 BCE<sup>[1]</sup>; 169–195<sup>[2]</sup> and c. 850 BCE,<sup>[3]</sup> respectively.<sup>[4]</sup>"

While I have many disagreements with the current government of Israel, including how they are pursuing this new war, I know that most Israelis feel they are fighting for their lives, the lives of their children and grandchildren, and the right for their nation to survive. And I also believe that Hamas is less interested in the health and welfare of the Palestinian people than they are in their power, fame, and fortunes donated by Iran. They fully understood what the reaction of Israel would be to their secret attack on 10/7/2023.

Having been a distant witness to the founding of the State of Israel in 1948, the Suez War in 1956, the 1967 Six Day War, the 1967-1970 War of Attrition, and the 1973 Yom Kippur War, I've learned that this is an Extremely complex situation.

A Resolution by the City Council of Berkeley, or any other City in the United States, will not change this current war, nor have any effect on the foreign policy of the United States, much less reduce the religious tensions around the world.

Please respect that religious wars (for instance between Hindus and Muslims) are still a fact of life in the 21st century.

Please devote your time and effort to the health, education and safety of Berkeley residents as we elected you to do.

Please stop trying to make headlines on social media and concentrate on the City of Berkeley's many problems and their solutions.

Jenny Wenk  
2316 Eunice Street  
Berkeley, CA 94708

**Benado, Tony**

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**From:** Katya Gerwein <kgerwein@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:48 PM  
**To:** All Council  
**Subject:** urgency item

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.

I would urge you not to use a late coming resolution as an urgency item on the war in Gaza/Israel. I feel that this will divide the city especially during the Jewish holiday of Hanukkah and will not lead to further peace. in general I think the city council should focus on agenda items where it can further the citizens of Berkeley to thrive within the city of Berkeley but certainly if they take this up, I think it should be with due process and not during a Jewish holiday.

Thank you so much for your time and service.

Warmly,

Katya Gerwein

**Benado, Tony**

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**From:** Karen H. Olson <karenolson06@earthlink.net>  
**Sent:** Sunday, December 10, 2023 2:55 PM  
**To:** All Council  
**Subject:** No Resolution

**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.

I am firmly opposed to the idea of a US city issuing some middle-ground 'resolution'' re: the Hamas-Israel war.

Karen H. Olson  
1358 D Scenic Ave  
Berkeley, CA 94708



**Benado, Tony**

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**From:** Susan MATISOFF <matiss@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 3:11 PM  
**To:** All Council  
**Cc:** sophie Hahn  
**Subject:** Objection to Late-Coming Resolution

**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.

The city council has no business weighing in on the conflict in Israel-Palestine. Such a message has no real meaning or effect except to sow pain and discord in Berkeley.

Respectfully,

Susan Matisoff  
50+ years a Berkeley resident

**Benado, Tony**

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**From:** Candace Hyde-Wang <candacehw@gmail.com>  
**Sent:** Sunday, December 10, 2023 3:12 PM  
**To:** All Council  
**Subject:** Middle East Ceasefire Discussion

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.

There is a book on my reading list called the Tragic Mind by Robert Kaplan. It's a discussion of geopolitical crises, ancient and modern, and how to resolve them. What attracted me was a reviewers' comment on Kaplan's conclusions: **"The great dilemmas of international politics, he argues, are not posed by good versus evil—a clear and easy choice—but by contests of good versus good, where the choices are often searing, incompatible, and fraught with consequences."**

We have a small city that has been recently really torn apart by differing factions. I don't think we can afford to be so divided since our greatest challenges are ahead and we must have a unified populace to meet them.

The current situation in the middle east is tragic and no one can look on without being terribly saddened. But the role of our city government should not be, in my opinion, to choose a side and put out a call for political action. This would be a futile effort.

At best we should educate each other about the issues. We can send out a wish that some peaceful resolution can be found. But let's not have a city government that picks sides and increases division. That is not the type of governance we need.

Thank you:

Candace Hyde-Wang - GREEN  
Realtor® • #983422  
510.541.4661  
1575 Hopkins Street, Berkeley, CA 94707  
[candacehydewang.com](http://candacehydewang.com) •  
[www.linkedin.com/in/candacehydewang](http://www.linkedin.com/in/candacehydewang)

**Benado, Tony**

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**From:** Judi Doyle <doylejudi@gmail.com>  
**Sent:** Sunday, December 10, 2023 3:14 PM  
**To:** All Council  
**Subject:** No late resolution

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.

There is no reason to have a late resolution added to the agenda.

**Benado, Tony**

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**From:** Raphael Goldman <raphegoldman@yahoo.com>  
**Sent:** Sunday, December 10, 2023 3:53 PM  
**To:** All Council  
**Subject:** Please do NOT adopt a resolution on the Israel-Gaza War

**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.

Dear Mayor Arreguin, Ms. Kesarwani and Members of the Berkeley City Council:

I am a resident of Berkeley's District 1, a consistent voter, and a Jew. I am writing because I understand that some members of the Council are considering introducing and adopting a resolution this Tuesday to call for a "ceasefire" in the Israel-Hamas war. I urge you not to do so.

First, calls for a "ceasefire" do not ring in the ears of most of your Jewish constituents as "pacifist" or even peaceful. They sound like support for Hamas's genocidal mission. Israel's war on Hamas has been accompanied by tragic suffering among the people living in Gaza. It is a tragedy. But, regardless of your views about the current Israeli government, the responsibility for this tragedy undeniably lies with Hamas. As you know, on October 7, 2023, Hamas terrorists murdered over 1,000 Jews living in Israel—including young children; elderly Holocaust survivors; mothers; daughters; sons; fathers; and a large number of teenagers and young adults, many the age of Berkeley High School and UC Berkeley students, who were attending a dance party. The terrorists also kidnapped over 200 people and committed unspeakable acts of sexual violence against Jewish women. This was not a one-off occurrence: Hamas, the governing body in Gaza, has always been committed to killing the Jews or expelling them from Israel, and a member of Hamas's political bureau recently confirmed that the October 7 pogrom was "just the first time," and that Hamas "will do it twice and three times" until Israel is "remove[d]." As a practical matter, calls for a "ceasefire," no matter how well-intentioned, constitute a demand that Israel simply let Hamas try to kill its Jewish citizens, without responding, until Hamas succeeds in its horrific mission.

Second; the Council ought not spend its limited time and resources taking positions on foreign wars instead of working on the local problems it was elected to confront. But a City Council resolution would not merely be pointless and powerless—it would raise questions of antisemitism. In recent years numerous peoples in foreign lands have endured terrible misfortunes. To pick only a few instances involving Muslim victims, there is the ongoing deportation of Afghans by Pakistan; China's persecution of Uyghurs in Xinjiang; Saudi Arabia's killing of hundreds of thousands of Yemenis; Bashar al-Assad's murder of hundreds of thousands of his own people, including Palestinians, during the Syrian civil war; and on and on. As far as I can tell, the City Council has not expressed a view on any of these atrocities. In the context of thousands of years of scapegoating and repression of Jews around the world, and spiking antisemitism worldwide and here in the United States, it would be deeply unsettling if the Berkeley City Council were to pick as the single foreign conflict on which it decided to take a position the one that permitted it to point an accusing finger at the Jewish homeland.

Third, I am troubled that you might consider one or more resolutions that were never on the City Council's agenda. There is certainly no exigency in the adoption a non-binding resolution, so there is no basis to act without proper notice under California's Government Code. I struggle to understand why anyone would think it is worth flouting democratic norms -- indeed, legal requirements -- to take such an inflammatory but ultimately ineffectual action. I deeply hope you will not do so.

This is an issue about which I feel strongly. I will be watching.

Best regards,

Raphael Goldman

**Benado, Tony**

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**From:** Susan Orbuch <susan.orbuch4@gmail.com>  
**Sent:** Sunday, December 10, 2023 4:14 PM  
**To:** All Council  
**Subject:** Opposition to putting Israel/Gaza Resolution on the Council Agenda

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.

Dear Berkeley City Counsel,

I am writing to express my opposition to the City Counsel putting an emergency resolution on the Agenda or taking a vote on any resolution related to the tragic situation in Israel and Gaza. While the situation unfolding is heartbreaking and the loss of Israeli and Palestinian civilian lives is tragic, the situation is longstanding and complex and elicits very different views among members of our community. Taking a stand on the war may only further divide us and increase the sense of insecurity and vulnerability that both Jewish and Palestinian/Islamic members of our community are already feeling. And I fear it may also lead to further emboldening some to cause real harm to people who live in our city. As such, debating and passing a resolution should not be undertaken.

Your job as elected officials is to focus on issues directly related to life in our city that the majority of constituents agree require attention and action. These include homelessness, housing affordability, transportation infrastructure, climate change, etc. Making a statement re the tragic situation in Israel and Gaza does not serve our community. As a resident of Berkeley, I ask you to remain focused on the job you were elected to do and to reject the call to take up and pass any aforementioned resolution.

Thank you,  
Susan Orbuch

**Benado, Tony**

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**From:** Jenna Lewis <jennalewis28@gmail.com>  
**Sent:** Sunday, December 10, 2023 4:15 PM  
**To:** Bartlett, Ben  
**Cc:** All Council  
**Subject:** NO to a resolution regarding Israel-Hamas war

**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.

Councilmember Bartlett,

I am your constituent. I am Jewish, and **I support a ceasefire in Gaza. However, I am writing to urge you NOT to introduce a resolution regarding the Israel-Hamas war.** I believe a resolution on this subject will increase both anti semitism and Islamophobia here in Berkeley.

I believe that the future of Israel/Palestine depends on both peoples seeing humanity in the other, and embracing our shared need for safety and freedom. Resolutions that stand with one side increase violence, and they will prolong this war.

Please listen to Israeli and Palestinian people who are working together on behalf of their joint future. If you are interested in understanding this peace work more, I encourage you to check out Standing Together, a grassroots movement started by Israeli Jews and Arabs to fight for a just future for everyone: <https://www.standing-together.org/en>

If you continue to believe that your resolution is a good idea, I ask that you abstain from bringing it forward during Chanukah. Those who are most affected by this resolution -- Palestinians, Israelis, Jews, and Muslims -- have a right to be included in the debate. Bringing forward your resolution on Chanukah is unfair.

Thank you,  
Jenna Lewis  
2164 Blake Street

**Benado, Tony**

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**From:** Todd Andrew <toddandrew@gmail.com>  
**Sent:** Sunday, December 10, 2023 4:38 PM  
**To:** Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Wengraf, Susan; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel; Hahn, Sophie  
**Cc:** Manager, C; City Clerk; City Attorney's Office  
**Subject:** \*NO\* international resolutions, please

**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.

Mr. Mayor and Councilmembers,

You were elected to focus on policy for making life better for Berkeleyans within a local context.

While international events can understandably elicit strong emotions, local proceedings are no place to consider ineffectual foreign policy resolutions.

***I would urge you to follow San Jose's lead and pass a restriction on such resolutions.*** (Mercury News article here: <https://www.mercurynews.com/2023/12/06/policy-prohibits-san-jose-from-passing-israel-hamas-resolution-mayor-says/> )

I would not extend this restriction to other city business. I would not want the City of Berkeley to be doing business with recognized international pariah, rogue or terrorist regimes, and I believe it's well within your local policy responsibility to direct the city manager on such matters.

For instance, the City of Berkeley acted to suspend/rescind Sister City status with two Russian cities after the unprovoked and illegal Russian aggression against Ukraine. If these relationships have practical effects on business, commerce, contracts or other obligations, this is entirely understandable. If they do not, then focusing on such matters took you away from your primary responsibilities.

One of you has qualified your opposition to (a) resolution(s) on the current Middle East conflict, stating that there has been a "longstanding norm that we should not take up matters beyond Berkeley's borders that have the potential to divide, frighten, or harm people in Berkeley."

Really? How about the Consent Calendar resolution on the Fukushima action earlier this year, on which the scientific community had reached consensus that it was safe? Why did you spend time on this?

I believe you should avoid all such resolutions, not just those "that have the potential to divide, frighten, or harm people in Berkeley." Why stop there; what's the point of this qualification? Why not prohibit all such resolutions on international issues that do not have practical impacts, since they distract you from significant and I'm sorry to say, in many cases, unfulfilled local responsibilities?

I would argue your colleague's standard is too broad in one respect, however: It is abundantly clear that federal and state action, which is "beyond Berkeley's borders," can significantly impact the well-being of Berkeleyans.

Again, please agendized action to follow San Jose's lead, keeping all of the above in mind.

Thank you.

Best,

Todd Andrew  
Hopkins & Monterey  
District 5



**Benado, Tony**

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**From:** Robert Zucker <zucker@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 4:47 PM  
**To:** All Council  
**Subject:** Regarding Dec. 12 Council Meeting

**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.

Mayor Arreguin and Members of the Berkeley City Council:

As a Berkeley resident for over 49 years, I ask, indeed implore, the City Council to not consider or adopt any resolutions regarding the current events in the Middle East.

Almost all Berkeley residents are dismayed and horrified by the Israel-Gaza war.

There is no question that many action of successive Israeli governments contributed to the present situation of despair, hopelessness, and limitation of basic human rights confronted by Palestinians in both Gaza and the West Bank.

Nevertheless, there is no possible justification for the horrendous acts of torture, murder, and rape committed as explicitly directed by Hamas on Oct. 7 in Israel.

Israel's response was inevitable, as would be the case for any nation so attacked.

Nevertheless, the widespread civilian deaths, injuries, disruptions, and severe deprivations in Gaza are equally unsupportable to the extent that they could possibly have been minimized and were not.

The pain of these events caused to Americans of almost all political persuasions, and to Jews, Muslims, Christians, and even atheists, alike, is undeniable. That certainly applies to the vast majority of Berkeley residents.

This has also led to a verifiable increase in antisemitic and Islamophobic incidents not only in Berkeley, but worldwide.

However, resolutions of sympathy with either Palestinians or Israelis, or with Jews or Muslims, are not appropriate actions for a city council of a town thousands of miles away.

First, the solutions to the Middle East conflict, whatever they may be, are both complex and elusive. The Berkeley City Council is in no place to offer such realistic solutions that could possibly have any significant or salutary effect on the conflict.

Second, there is probably not a single statement I have made above that would garner the support of most Berkeley residents. We are not united on whom we support, or whom to condemn. Most residents would disagree with some of my statements above, and conversely most would find those they agree with as far too weak and unnecessarily conciliatory. I do not see any possibility that any resolution passed by the Council would fare any better. Even the most balanced and neutral statement possible would not garner the support of a majority of Berkeley's residents. Any resolution undertaken by the Council would only further inflame emotions and disagreements, divide our citizenry, and alienate the council further from its constituents, no matter what that resolution says. It would be positively counterproductive.

Third, foreign affairs are not the business of U.S. city councils. Devoting time and energy to international conflicts merely distracts the council and its staff from its proper attention to the affairs of the city.

Finally, taking action on items not on the agenda nor given public notice except under dire emergency violates CA GOV § 54954.2(b), while the conditions for an emergency situation delineated in CA GOV § 54956.5 have not been met. Therefore such action by the Berkeley City Council would be illegal.

For these reasons, I ask, indeed implore, City Council Members to reject consideration of any last-minute resolutions regarding events in the Middle East and their repercussions here, and instead to concentrate on the proper business of the city for which they were elected.

Sincerely,

-- Bob Zucker

\*\*\*\*\*

Robert S. Zucker, Professor of the Graduate School  
University of California, Berkeley  
1236 Oxford St.  
Berkeley, CA 94709  
Cell Phone: +1 510 599-4809  
Email: [zucker@berkeley.edu](mailto:zucker@berkeley.edu)  
Web Page: <http://mcb.berkeley.edu/labs/zucker>

**Benado, Tony**

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**From:** bronyaf@comcast.net  
**Sent:** Sunday, December 10, 2023 5:06 PM  
**To:** All Council  
**Subject:** Don't accept late resolutions to the Tuesday council meeting

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.

Dear Council people:

As a Berkeley citizen, I implore you not to accept late resolutions from the City of Berkeley presented at Tuesday's council meeting. I approve of how the council has not taken a side in the Palestine-Israel conflict. You're going to tick people off whatever you'd say. Your resolutions mean nothing to the warring parties nor to our government anyway.

Sincerely,

Bronya Feldmann  
964 Keeler Avenue, 94708

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

**Benado, Tony**

---

**From:** Barbara Schick <bschick2@earthlink.net>  
**Sent:** Sunday, December 10, 2023 5:10 PM  
**To:** All Council  
**Cc:** Taplin, Terry; Hahn, Sophie; Wengraf, Susan; Kesarwani, Rashi; Bartlett, Ben; Harrison, Kate; Robinson, Rigel; Humbert, Mark; Berkeley Mayor's Office; Berkeley Mayor's Office  
**Subject:** Please pull all Israel and Palestine resolutions prior to the Dec 12 City Council Meeting

**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.

Dear City of Berkeley Councilmembers.

I am a resident of Berkeley. I urge all council members to pull their resolutions ahead of Tuesday's meetings and to inform the public as soon as possible: Resolutions impact Jews, Israelis, Muslims, and Palestinians living in Berkeley and should be able to study any and all proposed resolutions in a timely manner. Thank you in advance.

Sincerely yours,  
Dr. Barbara Schick, PhD

**Benado, Tony**

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**From:** D Dorenz <ddorenz@gmail.com>  
**Sent:** Sunday, December 10, 2023 5:11 PM  
**To:** All Council  
**Subject:** re: resolution

**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.

Dear City Council members,

I am very disturbed by the fact that some of you are submitting a resolution regarding the conflict between Hamas and Israel. I know that many people want to be on the side of "good", and think that these resolutions calling for immediate ceasefire are squarely on the side of good. But this is an illusion because what you and they are really doing is telling Israel that it has no right to live in peace by defeating an enemy that committed crimes against its people that outdoes the horror of 9/11 here in the US by ten times in relation to Israel's small, 10 million population. It also puts Jews throughout this country in danger.

So being seen to be on the right side of "good", is not exactly a very clear choice that you are making in considering and passing a resolution. This resolution just opens a Pandora's box that causes Jewish Berkeleyans and Californians to think that you are ignorant of the actual outcomes of these resolutions, as are the other City councils who have indulged their desire to appear as righteous people.

I had thought that you would be the one city council that did not jump on the Hamas propaganda bandwagon to inspire hatred against Jews, Israel and against Muslims in our city and beyond. In addition, I hope that you realize that in calling for a cease fire you are denying Israel's right to protect its citizens by disarming a violent Jihadist organization that promises to commit many Oct 7ths and to target Jews and Israelis world wide. I hope you realize that you will be supporting this despicable, dangerous goal in calling for a cease fire that only enables Hamas to continue to threaten Israel and all Jews.

As chair of the antisemitism committee at my synagogue, I am acutely aware of the rise in hatred towards Jews that has already resulted in violence and death of Jews, and in attacks on Muslims.

In an attempt to educate you about the dangers of this resolution which I haven't seen the text of yet, I hope you will read this letter below written by a therapist who has worked with trauma victims for a long time. This letter was written after the Oakland City council unanimously passed a resolution that did not even condemn Hamas' invasion and atrocities committed on Israeli citizens. But the real issue here is: what will you really accomplish with any sort of resolution? Since your jobs do not include foreign policy, passing a resolution becomes just another propaganda ploy that benefits those who hate Jews, Israelis, and Muslims. The reason for this is that the pro Palestinian groups that are pressuring you to do this, gain publicity and attention while these resolutions make no demands on Hamas to lay down their weapons, do not hold them accountable for their horrific atrocities which are war crimes, do not demand the return of hostages, and have no visible effect on the conflict except to incite more hatred here at home.

Here is an important letter that I hope you all will read. Thanks for your careful consideration and I hope that you will come out with a strong, and very clear statement about why you are NOT considering a resolution. We need strong leadership at this very perilous time when our pluralistic democracy is under threat from forces from the left, the right and from those groups and their supporters who want to glorify Hamas and support Jihad. Sincerely, Dorothea Dorenz

Berkeley, Ca. 94706

Hello,

I wanted to respond to all of you after the city council meeting. I am a Mizrahi Jew, but also a Psychoanalyst and trauma specialist. I have devoted my life to working with people with sexual abuse, trauma, and addiction. I spent many years as a social worker and providing services for underserved communities.

It was very painful for me to witness the division happening in our community and see our city council people fail to advocate for your Jewish constituents. In your inability to condemn the language that was used in the meeting towards other constituents, you colluded with concepts of hatred, division, and dehumanization that are so characteristic and baked into our culture's unconscious antisemitism.

In your inability to condemn Hamas, you denied tangible facts that Hamas has acknowledged, and even published videos of in the chronicling of their crimes. In your advocating for ideology, you are creating tension and division, and perpetuating a denial of facts that again, is reflective of baked-in antisemitism. I have spent my life attempting to help people understand the way that our personal biases prevent us from seeing the experience of other people. Your Jewish constituents are feeling the same thing.

I have enclosed a few links that I hope you will reflect upon and watch.

|                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                   |
|                                                                                                                                                   |
| <a href="https://evebarlow.substack.com/p/say-their-names?utm_medium=email">https://evebarlow.substack.com/p/say-their-names?utm_medium=email</a> |
|                                                                                                                                                   |
|                                                                                                                                                   |

I am also including the email of a reporter and communications expert for Haaretz. Her name is Jillian Jones: [jillian.jones@haaretz.co.il](mailto:jillian.jones@haaretz.co.il) and she has graciously agreed to brief you on what they are facing there. If you don't know Haaretz, it is a very left leaning paper with a high degree of accuracy which reports Middle East news. Even Al-Jazeera has lost its credibility, because it is considered a Qatari state media since it is owned by the government.

The idea that resolution to social issues comes from the condemnation of others or that violence and rape are justifiable, tips us into a polarized balance and civil unrest. It also communicates to your constituents that Oakland does not condemn rape; and therefore decreases the likelihood of victim reporting.

Please have the courage to go against the trends (and what 325 million a year from the Islamic republic, 30 million a month from Qatar can subsidize on social media). We must be on the side of our similarities.  
Sincerely,

Lauren Martin

--  
Dorothea Dorenz

**Benado, Tony**

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**From:** Karen Weinstein <karenweinstein.berkeley@gmail.com>  
**Sent:** Sunday, December 10, 2023 5:15 PM  
**To:** All Council  
**Subject:** Late Resolution

**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.

Dear City Council,

I have been very proud that Berkeley has continued to do the people's business in the midst of chaos and efforts to disrupt.

Every resolution that has been voted upon, whether in city councils or clubs, has been done so in a very quick manner without any real discussion. Since October 7th people immediately have taken sides and those with the loudest voices have won. Where is the education, where are the discussions, where are the teach ins to help us understand the complexity of history and the diversity of opinions.

I oppose the discussion of an urgent resolution on Tuesday. There needs to be more public notice and a deeper discussion.

Thank you for your work,  
Karen Weinstein

--

Twitter: [@WeinsteinKaren](https://twitter.com/WeinsteinKaren)

Facebook: [facebook.com/KarenWeinstein](https://facebook.com/KarenWeinstein)

**Benado, Tony**

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**From:** Deborah Leeds <onedeborah@icloud.com>  
**Sent:** Sunday, December 10, 2023 5:24 PM  
**To:** All Council  
**Subject:** DO NOT ACCEPT LATE COMING RESOLUTIONS

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.

To My Berkeley Council Members,

I urge you, and urgently so, not to accept any late coming resolutions nor to take up or vote on any resolution related to the TRAGIC situation in Israel and Gaza. I have been appalled, stunned, intimidated by and frankly embarrassed that the city councils of Richmond and Oakland have done so, and have done so with such bias as to feel to me to be anti-semitic and at times downright ignorant. It has been some comfort to me that at least Berkeley has not taken such a step, and I implore you now not to do so.

Additionally, it is my understanding that the terms by which this could happen this coming Tuesday, December 12th, are entirely irregular and unacceptable for a number of reasons. These include the failure to notify the public properly, the fact that these resolutions do not qualify as exigent circumstances, and that Tuesday's meeting takes place during Hannukah, which would demonstrate incredible disregard for those Berkeley Citizens who observe the holiday and would wish to attend the meeting.

Please, do not go down this path. Do not demonstrate biased sway that acts beyond important policies and practices, and results in a biased and intellectually limited grand statement that is incomplete and promoted by inherently anti-semitic and therefore "racist" standings. Yes. The "r" word.

Please.

Deborah Leeds



**Benado, Tony**

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**From:** Susan Oliver <seoliver@lmi.net>  
**Sent:** Sunday, December 10, 2023 5:31 PM  
**To:** All Council  
**Subject:** resolution re Gaza

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.

Dear Council Members,

Although I understand the sentiments of those requesting the council to make a resolution about the mid-east war I would vote no.

This is beyond the purview of the council -- your job is to govern Berkeley well — not to meddle in international affairs,

I was a Vietnam protester but that was a different situation — our government was at war.

Thanks so much for all you do.  
Susan Oliver  
Berkeley 94709

**Benado, Tony**

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**From:** Daren Fields <daren.fields@gmail.com>  
**Sent:** Sunday, December 10, 2023 5:34 PM  
**To:** All Council  
**Subject:** City Council Resolution on Israel-Hamas War

**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.

To those Councilmembers who have resisted the attempts to wade into the middle of the Israel-Hamas War by passing a City Council Resolution, I say thank you. Too many individuals want to take sides without little or no understanding of the events, or the context, of what has recently occurred. No simple statement will satisfy all interested parties and will only serve to deepen the divide that exists.

I appreciate your willingness to stand up against those who wish to use this terrible war as an excuse to push their own viewpoint and spread hatred and violence.

Thank you again.

To those who are pushing for the passage of a City Council Resolution on the Israel-Hamas war, I ask you to avoid doing this as it will only serve to deepen the divide and mistrust that already exists. Resolutions which are introduced by individual councilmembers, especially by those running for higher office who are trying to curry political favor and score electoral points, do not help the situation. Just because you can pass a Resolution, doesn't mean you should, especially if it will serve to give a platform to those who are pushing their own agenda and create further divisions within our community.

Sincerely,

Daren Fields  
1936 El Dorado Avenue

**Benado, Tony**

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**From:** Carmen de Monteflores <moonsea@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 6:19 PM  
**To:** All Council  
**Subject:** Regarding Tuesday, Dec. 12 meeting

**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.

I strongly urge the Berkeley City Council members to not adopt the resolutions that have been proposed at the last minute without the required time to be reviewed. You must follow the rules and not give in to this kind of pressure.

I am a long-time resident of Berkeley and a property owner.  
I also vote.

Carmen de Monteflores  
Sent from AT&T Yahoo Mail on Android

**Benado, Tony**

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**From:** Janis Pearson <janpear1@comcast.net>  
**Sent:** Sunday, December 10, 2023 6:33 PM  
**To:** All Council  
**Subject:** City council meeting

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.

I support the Mayor and Sophie Hahn in urging the city to stay focused on city problems. No good can come from a city taking sides. Please keep our city free from this complicated situation.

Sent from my iPhone

**Benado, Tony**

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**From:** Mary Stapleton <speedskater99@comcast.net>  
**Sent:** Sunday, December 10, 2023 7:20 PM  
**To:** All Council  
**Subject:** Late resolutions

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.

I am against the setting of late resolutions. And putting them in X is offensive and degrading. And setting any resolutions during Hanukkah is particularly upsetting to me. The Berkeley city council must take care of business in Berkeley and avoid entering into any international political issues.

Mary Stapleton  
1055 Cragmont Av  
Berkeley

Sent from my iPhone

**Benado, Tony**

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**From:** rdurling <rdurling@earthlink.net>  
**Sent:** Sunday, December 10, 2023 7:22 PM  
**To:** All Council  
**Subject:** NO Israel-Hamas Resolutions!!

**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.

Attend to the business of Berkeley, not to the business of other countries!

I DO NOT support my city council trying to pass a resolution without adequate public notice through legitimate channels.

Thank you

Sent from my Galaxy

**Benado, Tony**

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**From:** John & Leah Rosenthal <johnleahrosenthal@gmail.com>  
**Sent:** Sunday, December 10, 2023 8:27 PM  
**To:** All Council  
**Subject:** Late submissions

**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.

Dear City Council,

We urge you to not accept late submissions on the City Council. It is particularly concerning to residents of Berkeley, and parent's of students in Berkeley, who trust representative government, to learn of a proposal to censure a foreign country brought by members of the City Council. This would be a divisive act, one sided, and racist. Please use good judgement to support the work needed to run the City, address important matters such as street paving, fire prevention, crime and safety, education, climate change, democracy, etc. Please do not engage in hateful rhetoric or take governmental actions that could further foster antisemitism by proposing and attempting to pass resolutions about difficult and complex terrorist situations in countries abroad, which essentially would amount to supporting propaganda.

Sincerely,  
Leah & John Rosenthal

**Benado, Tony**

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**From:** Michael Lonergan <mike.lonergan@comcast.net>  
**Sent:** Sunday, December 10, 2023 8:55 PM  
**To:** Berkeley Mayor's Office; Wengraf, Susan; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Robinson, Rigel; Humbert, Mark  
**Cc:** City Clerk; All Council  
**Subject:** Calling for an immediate deescalation and cease-fire in Israel and occupied Palestine.

**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.

Dear Mayor Arreguin and Council Members,

Please pass a Resolution urging the Biden administration to immediately call for and facilitate deescalation and a cease-fire to urgently end the current violence; and call upon the Biden administration to promptly send and facilitate the entry of humanitarian assistance into Gaza.

I find nothing controversial in calling for a halt to the killing.

Michael Lonergan  
 District 6, Berkeley

Below is a statement by Lynn Hastings, UN Humanitarian Coordinator in the Occupied Palestinian Territory on October 10th, International Human Rights Day.

## **Statement by the United Nations Resident and Humanitarian Coordinator in the Occupied Palestinian Territory, Lynn Hastings, on International Human Rights Day**

*10 Dec 2023*

Today could have been a celebration of the 75th anniversary of the Universal Declaration of Human Rights, born from the atrocities of two world wars. Instead, human rights are assaulted in Israel and the Occupied Palestinian Territory. The violations perpetrated on both populations will bring neither peace nor security to either of these nations.

In Israel, the killings, sexual violence and kidnappings by Hamas and other Palestinian armed groups on 7 October traumatized an entire nation. Elderly, disabled, and children have not been spared. Non-state armed actors have obligations under international law, too. Perpetrators must be held accountable. All hostages should be released unconditionally but in the interim, access should be granted so their conditions can be verified.



In Gaza, the response from Israel has been disproportionate. The air strikes against civilians and civilian infrastructure such as hospitals, schools, and UN facilities and the repeated displacement of the civilian population cannot be justified. Nor can the siege, depriving the entire Gaza population of food, water, health care and hygiene. We are now seeing reports of men and boys, from the age of 15 and older, rounded up in Gaza, stripped to their undergarments, blindfold, and taken somewhere unknown. Access to all detainees and prisoners should be granted to verify their conditions.

This crisis is not about the number of trucks going into Gaza. Israel has the obligation as the occupying power to ensure that sufficient hygiene and public health standards as well as the provision of food and medical care are available to the population under occupation. Israel must allow the humanitarian community to deliver aid safely inside and throughout Gaza.

This crisis is also not about safe zones. A unilateral declaration by an occupying power that patches of land where there is no infrastructure, food, water, health care, or hygiene are “safe zones” does not mean they are safe. This is especially true when there is no guarantee of freedom of movement nor for the humanitarian community to deliver wherever there is need.

A ceasefire – the terms of which must be consulted with humanitarians and human rights defenders – is needed.

In the West Bank, including East Jerusalem, unprecedented levels of Israeli state and settler violence against Palestinians, their displacement, movement restrictions, arbitrary detention and ill-treatment, have been reported in 2023 and compound the already discriminatory and coercive environment. 265 of the 464 Palestinians killed in the West Bank in 2023 were killed since 7 October; at least three killed were disabled. And at least 1,000 people have been forcibly displaced from their land citing settler violence and the inability to access their land.

Civil society organizations in Palestine and Israel who fight daily to protect human rights are needed now more than ever. Instead, they are under attack. They must be protected by all of us.

In 2023, I should not have to issue such a statement. It is as if we have learned nothing in the past 75 years.

**Benado, Tony**

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**From:** Verna Winters <vernawinters@yahoo.com>  
**Sent:** Sunday, December 10, 2023 9:14 PM.  
**To:** All Council  
**Subject:** Agenda

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.

Dear Council members.

I have just been informed that a matter is about to be brought up at Tuesday's meeting which has not been properly vetted. It is apparently something to do with the terrorist Hamas war. It is not proper for Berkeley to advance this divisive issue, so please do NOT allow it on the Agenda.

Thank you.

Verna Winters, District 5

**Benado, Tony**

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**From:** Huzaifa Ahmad <huzaifa.a@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 10:29 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Vote Yes on Council Member Bartlett's Resolution for Ceasefire

**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.

Dear Berkeley City Council Members,

I hope this email finds you well. As a concerned student at the University of California, Berkeley, a resident in district 3, and a member of the Muslim community, I am writing to urgently urge you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire, without any additional amendments.

Firstly, I would like to express my deep dismay over the prolonged delay in considering this crucial resolution. It is disheartening to witness the lack of prompt action while the lives of innocent Palestinians, particularly children and women, are at stake. Over 20,000 Palestinians have already lost their lives, and this staggering number cannot be ignored.

Allow me to provide a personal perspective that highlights the gravity of this issue. My closest friend, who has become like family to me, recently suffered an unimaginable loss. In a single strike, they lost 22 members of their family spanning three generations. The pain and anguish caused by this war are indescribable. People are dying, and it deeply disappoints me to observe that you are seemingly preoccupied with financial matters rather than standing up for what is morally right.

I implore you to reflect on your role as elected officials and the values you claim to uphold. It is crucial that you hold yourselves accountable for the delayed consideration of Council Member Bartlett's resolution and address the apparent hypocrisy in your actions. The world is watching, and our community expects you to take immediate action to prevent further loss of innocent lives.

Please vote yes on Council Member Bartlett's resolution for a ceasefire, without any additional amendments. By doing so, you will demonstrate your commitment to human rights, justice, and peace. This is a moment that calls for unity and decisive action, and I trust that you will make the right choice.

Thank you for your attention to this urgent matter. I eagerly await your positive response, assuring me that you will prioritize the lives and well-being of innocent Palestinians.

Sincerely,  
 Huzaifa Ahmad



**Benado, Tony**

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**From:** Hope <hopeworks@pacbell.net>  
**Sent:** Sunday, December 10, 2023 11:17 PM  
**To:** All Council  
**Subject:** Reject any resolution pertaining to the war between Israel and Hamas

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.

To The Berkeley City Council,

As a Jewish citizen of Berkeley, I urge you to reject ANY resolution pertaining to the war between Israel and Hamas. Please stand firmly against the voices of division and hate that threaten our city, our streets, our communities, and our members.

Especially at this time, I urge you to make clear to our entire city PRIOR to Tuesday's meeting, that you will not discuss matters pertaining to our local Jewish community, and that will have direct impact on Jews living in our city, during the holiday of Hanukah, denying us the ability to celebrate our holiday in Berkeley in peace.

I urge all council members to pull their resolutions ahead of Tuesday's meetings and to inform the public as soon as possible: Resolutions impact Jews, Israelis, Muslims, and Palestinians living in our local communities the most, and members of these populations deserve to be in the room without impediments.

Hope Alper

**Benado, Tony**

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**From:** Ellen Feigenbaum <efeigenbaum17@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:19 PM  
**To:** All Council  
**Subject:** No Gaza Resolutions in Berkeley

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.

Dear City Council members,

I urge you to stand firm and refuse to place any resolutions regarding Gaza on your agenda (as Urgency Items) this Tuesday—or to consider such resolutions at all.

It will break my heart to have my own Berkeley community backing such a divisive resolution that can only trigger a sense of alienation for many of us.

Thank you in advance for standing firm.

Best,  
Ellen Feigenbaum  
Berkeley CA 94708

Sent from my wireless handheld.

**Benado, Tony**

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**From:** Monika Mann <mmann3@usfca.edu>  
**Sent:** Sunday, December 10, 2023 9:41 PM  
**To:** All Council  
**Subject:** resolutions

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.

Please do not accept late-coming resolutions at the December council meeting.

Thank you,

Monika Mann  
2217 Browning St  
Berkeley

**Benado, Tony**

---

**From:** ron goldstein <rongoldsteinart@yahoo.com>  
**Sent:** Sunday, December 10, 2023 9:50 PM  
**To:** All Council  
**Subject:** Possible Tuesday resolution

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.

Berkeley City Council Members,

Please follow all state and city laws and procedures concerning resolutions before the council. What some are suggesting has no local urgency that would suggest abandoning our procedures.

Sincerely,  
Sarah Goldstein  
1441 Grant St  
94703

Sent from my iPhone

**Benado, Tony**

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**From:** Anirvan Chatterjee <anirvan@chatterjee.net>  
**Sent:** Sunday, December 10, 2023 10:00 PM  
**To:** All Council  
**Subject:** Yes to an urgency resolution on Tuesday

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.

Dear Council Members,

I appreciate the efforts to place a resolution on genocide in the Middle East on the agenda as an urgency item on Tuesday. It's important to balance city work with occasionally taking a stance on the biggest issues of the day. This is one of those times.

The suggested text from Council Members Robinson and Bartlett is a good start.

Tuesday, December 12 would be the perfect day to quickly pass such a resolution, because it's the United Nation's International Day of Neutrality. We honor the UN's work in Israel and Gaza by echoing their emergency call for an even-handed ceasefire.

Thank you to Councilperson Hahn for alerting hundreds of Berkeley residents about Tuesday's meeting, and sharing guidance on how best to offer comment.

Sincerely,  
Anirvan Chatterjee  
District 5

Dear council members,

I appreciate the efforts to place a resolution on genocide in the Middle East on the agenda as an urgency item on Tuesday.

There's a balance between doing the practical business of the city, and occasionally taking a strong ethical stance on national issues. I believe this is one of those rare moments when residents are looking to council to speak bravely on issues of national importance.

The sample language that council members Robinson and Bartlett have shared on Twitter is a strong start.



Tuesday, December 12 would be the perfect day to pass such a resolution, because it's the United Nation's International Day of Neutrality. We honor the UN's work in Israel and Gaza by echoing their emergency call for an even-handed ceasefire.

(A special thank you to Councilperson Hahn for alerting so many Berkeley residents about the importance of Tuesday's meeting, and for the emailed guidance on how to provide public comment.)

Anirvan Chatterjee  
District 5

**Benado, Tony**

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**From:** John Hitchen <johnhitchen@outlook.com>  
**Sent:** Sunday, December 10, 2023 10:16 PM  
**To:** All Council  
**Subject:** Pointless and Destructive Resolutions on International Conflicts

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.

I implore you to drop all resolutions regarding the Israel-Palestinian conflict.

As citizens and taxpayers, we elect you to conduct the City's business-and Only the City's business.

Any other actions are an abuse of your power, and distract from urgent local priorities.

We all have different perspectives on what is happening globally, but your mandate is to act locally-and not get into the weeds of what is happening thousands of miles away and is solely the responsibility of our National government.

You Councilpersons who issue your meaningless opinions on global matters should find new jobs as a political activist, lobbyist, diplomat, or gun for hire at the National level; and leave local governance to those who can focus on what they were elected to do.

I am absolutely irritated and disgusted by the mobs interfering with Council meetings, and you all need to stand up to them and declare that you will not be intimidated into caving to their insane demands.

How about becoming adults who can distinguish between the incessant political chatter of our times, and the real needs of our 9 square mile portion of the earth?

Get real, get practical, and get down to the nuts and bolts of local government. We are not impressed with your political posturing.

Sincerely,

John Hitchen  
845 Oxford Street

**Benado, Tony**

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**From:** ilenelee@aol.com  
**Sent:** Monday, December 11, 2023 12:26 AM  
**To:** All Council  
**Subject:** Please, NO RESOLUTION on the Israel-Hamas war

**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.

My name is Ilene Lee and I am a Berkeley resident, and a concerned member of Berkeley's Jewish community.

I am **against** the introduction of a resolution on the Israel-Hamas War.

I believe that any resolution about the Israel-Hamas war will increase tensions and create a forum for hate

Thank you for prioritizing our city's unity by not taking positions on foreign affairs that create division and fear among neighbors.

Sincerely,

Ilene Lee

Berkeley, District 8

**Benado, Tony**

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**From:** Shelley Horwitz <Sahorwitz@comcast.net>  
**Sent:** Sunday, December 10, 2023 11:40 PM  
**To:** All Council  
**Subject:** City Resolutions

**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.

I am Shelley Horwitz and a longtime Berkeley resident. I implore the Council not to engage in adopting resolutions regarding the middle east conflict and the Israel - Hamas war, as the process of doing so is fomenting hate, creating disharmony and so very far field from the role of our local government, particularly given the many challenges we have in our city. Anything, other than standing for peace engages in a complex situation that cannot be adequately addressed into a "sound bite" resolution. Please rise above the current trend of joining a chorus of opinions regarding this conflict, treading on anti-semitism and/or Islamaphobia, and stay focused on the job we elected you to do for the citizens of Berkeley.

Thank you,  
Shelley Horwitz

**Benado, Tony**

---

**From:** Malka Weitman <malkaw@earthlink.net>  
**Sent:** Monday, December 11, 2023 1:12 AM  
**To:** All Council  
**Subject:** resist Israel-Hamas resolution pressure

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.

Dear Mayor Arreguin and Berkeley City Council members,

I thank the Mayor and City Council members for thus far resisting pressure to adopt any resolutions regarding the Israel-Hamas war. Your principled stance has made me proud to be a citizen of Berkeley.

Please continue to resist attempts to coerce you into considering such resolutions by disruptive groups who disrespect the work of the city council. Please stay focused on the work of governing our city and protect us from debates that inevitably become hate-filled and chaotic.

If you do decide to consider any resolution, I would support the resolution authored by Council Member Terry Taplin. It is thoughtful, balanced, and expresses the sentiments of people of good will.

Malka Weitman

District 3

**Benado, Tony**

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**From:** Eric Strauss <koberpress@mindspring.com>  
**Sent:** Monday, December 11, 2023 1:18 AM  
**To:** All Council  
**Subject:** Please resist Issrael-Hamas resolution pressure

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.

Dear Mayor Arreguin and Berkeley City Council Members,

Thank you all for so far resisting pressure to adopt any resolutions about the Israel-Hamas war. It is a welcome contrast to the deplorable resolutions passed in Richmond and Oakland.

Please continue to resist these persistent and disruptive attempts to coerce you to considering such resolutions. Please stay focused on what you do best--governing Berkeley.

If you do decide to adopt a resolution about this matter, I would support the resolution authored by Terry Taplin. It is thoughtful, balanced, and reflects good will.

Respectfully,  
Eric Strauss  
District 3

**Benado, Tony**

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**From:** Robin Blum <rblum2a@yahoo.com>  
**Sent:** Monday, December 11, 2023 7:43 AM  
**To:** All Council  
**Subject:** In support of Sophie Hahn

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.

As your policy, Please do not accept late agenda items. Also, it is not right to allow anti semite statements to be submitted at a time when Jews are unlikely to be in attendance because of a Jewish holiday.

Robin Blum

**Benado, Tony**

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**From:** debbigindi (null) <debbigindi@aol.com>  
**Sent:** Monday, December 11, 2023 5:30 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhated.com  
**Subject:** Vote NO on November 28th

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.



This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,  
Debbi

#EndJewHatred

Sent from my iPhone

**Benado, Tony**

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**From:** Jerry Skrainar <jskrainar@comcast.net>  
**Sent:** Monday, December 11, 2023 8:27 AM  
**To:** All Council  
**Subject:** Israel Gaza Conflict Resolution

**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.

The City of Berkeley governance is limited to the geographical boundaries of the city and to the well being of and services provided to its residents. Under no circumstance should the city be taking a position on foreign affairs, either formally or informally.

Jerry Skrainar  
1005 Euclid Ave

**Benado, Tony**

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**From:** makemydayz@aol.com  
**Sent:** Monday, December 11, 2023 8:14 AM  
**To:** Berkeley Mayor's Office; Humbert, Mark; All Council  
**Subject:** Israel vs. Hamas

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

Hello--

I was so proud of the Berkeley City Council for not getting into the mess of Israel and Hamas. It was so adult of you all!!

Now I hear that three council members will bring it up on Tuesday. Don't! There is no reason as a councilmember for you to address it. We want LESS conflict in our city, not more. Your comments will not help Berkeley or your constituents, no matter how wise and wonderful they are.

Please reconsider.

Mary Louise Zernicke, 94705

**Benado, Tony**

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**From:** Martha Staskawicz <mostask@gmail.com>  
**Sent:** Monday, December 11, 2023 8:15 AM  
**To:** All Council  
**Subject:** 12/12/23 Council meeting

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.

I am opposed to the Berkeley City Council considering any resolution on Israel and Gaza.

Sincerely,  
Martha Staskawi

**Benado, Tony**

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**From:** Michael Cassidy <mjcassidy48@gmail.com>  
**Sent:** Monday, December 11, 2023 8:17 AM  
**To:** All Council  
**Subject:** Resolution

**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.

The city of Berjeley, while famous for their national and international oriented resolutions, needs to avoid involving itself in the current middle east crisis. Previous resolutions, or a resolution now, have no influence on these affairs. What they do do, is further dissension within our community, to no benefit to anyone.

Furthermore, we have elected all of you to work on issues that directly affect us as citizens in Berkeley. Safe streets. Homelessness. Housing. Put your efforts in these areas, not useless resolutions that divide us.

As a 45 year resident of Berkeley, I implore you to not insert yourselves, not waste your time, not cause more controversy, by involving yourselves in this international conflict.

Michael Cassidy  
94708

**Benado, Tony**

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**From:** Lubat A <lubat1707@gmail.com>  
**Sent:** Monday, December 11, 2023 11:21 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Plea for a Yes Vote on Council Member Ben Bartlett's Resolution for Ceasefire - No Amendments Required

**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.

Dear Berkeley City Council members,

I hope this email finds you well. As a concerned resident of the Bay Area, I write to urgently request your support for Council Member Ben Bartlett's resolution for a ceasefire, without any additional amendments. The prolonged delay in considering this crucial resolution is deeply dismaying, and the lack of prompt action is disheartening.

It is with utmost urgency that I implore you to vote in favor of this resolution. The current situation in Palestine demands immediate attention and intervention. Over 20,000 Palestinians, including a significant number of innocent children and women, have tragically lost their lives. This unprecedented loss of human lives calls for decisive action and a firm commitment to ending the violence.

As a member of this community, I firmly believe that it is essential for the Council to be held accountable for the delayed consideration of this critical resolution. It is disheartening to witness the apparent hypocrisy in prioritizing other matters over the lives and well-being of thousands of innocent Palestinians.

This issue personally affects me as I strongly believe in the value of human life and the importance of justice. I cannot turn a blind eye to the immense suffering endured by the Palestinian people during this prolonged conflict. Their cries for peace and security resonate deeply within me, and it is my sincere hope that the Berkeley City Council will listen to their voices.

I urge you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire, without any additional amendments. By doing so, you will send a powerful message of solidarity and compassion to those who have suffered unimaginable loss. Let us stand together as a community that values justice, peace, and human rights.

Thank you for your attention to this urgent matter. I trust that you will carefully consider the gravity of the situation and make the right decision for the sake of humanity.

Sincerely,

Lubat Asadova

**Benado, Tony**

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**From:** Auzeef Ramzan Ali <auzeefali00@icloud.com>  
**Sent:** Sunday, December 10, 2023 4:02 PM  
**To:** All Council  
**Subject:** Ceasefire now please

**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.

**Subject:** Urgent Call for a Yes Vote on Council Member Ben Bartlett's Resolution for Ceasefire - No Additional Amendments

Dear Berkeley City Council,

I hope this email finds you well. As a concerned resident of the Bay Area, I write to urgently urge you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire in the ongoing conflict. This resolution must be considered without any additional amendments, as any further delay would be deeply disheartening and unacceptable.

The prolonged delay in addressing this crucial resolution has left me dismayed and concerned for the lives of innocent Palestinians, particularly the children and women who have suffered the most. With over 20,000 fatalities already, it is imperative that we take immediate action to prevent further loss of life.

The gravity of this issue cannot be overstated. Children are being killed by devastating bombs, and the situation demands our prompt attention and decisive action. It is essential that the Council comprehends the urgency and dire consequences of their delayed consideration.

I hold the Council accountable for this apparent hypocrisy in failing to promptly address this pressing matter. I implore you to set aside any political or personal biases and make a principled decision in favor of this resolution for a ceasefire. Lives hang in the balance, and it is our moral duty to prioritize peace and protect the innocent.

Please remember that brevity is key. We must not allow this issue to be overshadowed or diluted by unnecessary amendments or prolonged discussions. The lives of countless Palestinians depend on your swift action to bring about a meaningful ceasefire.

Thank you for your attention to this urgent matter. I trust that you will act in the best interest of humanity and make the right decision by voting yes on Council Member Ben Bartlett's resolution for a ceasefire, without any additional amendments.

Sincerely,

Auzeef Ramzan  
Concerned Bay Area Resident

Sent from my iPhone



**Benado, Tony**

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**From:** Rachel Stevensen <rachelstevensen89@gmail.com>  
**Sent:** Monday, December 11, 2023 8:00 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Call to Vote Yes on Council Member Bartlett's Resolution for Ceasefire, Unconditionally

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.

Dear Berkeley City Council,

I am writing to express my deep dismay and urgent frustration regarding the prolonged delay in considering Council Member Ben Bartlett's resolution for a ceasefire in Palestine, and to call for an immediate vote in its favor without any additional amendments.

As a concerned constituent and a student at the University of California, Berkeley, I am appalled by the lack of prompt action taken by the Council to address this crucial resolution. The ongoing violence in the region has claimed the lives of over 20,000 Palestinians, predominantly innocent children and women. This humanitarian crisis demands our immediate attention and decisive action.

It is disheartening to witness the seeming hypocrisy of the Council, as it claims to champion justice and equality, yet fails to prioritize the lives of those suffering in Gaza. The delayed consideration of this resolution undermines our community's values and erodes trust in our elected representatives.

I implore you to vote yes on Council Member Bartlett's resolution without any additional amendments. It is imperative that we stand united for the people of Gaza and send a clear message that their lives matter. By doing so, we can demonstrate our commitment to justice, human rights, and the principles Berkeley holds dear.

Please understand the gravity of this matter and act swiftly to address it. The world is watching, and our community is counting on you to lead with integrity and compassion.

Thank you for your immediate attention to this urgent matter.

Sincerely,

Rachel  
2525 College Avenue  
Berkeley, CA  
[Rachelstevensen89@gmail.com](mailto:rachelstevensen89@gmail.com)

**Benado, Tony**

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**From:** lionel chocron <lchocron@yahoo.com>  
**Sent:** Monday, December 11, 2023 11:19 AM  
**To:** All Council  
**Cc:** Humbert, Mark  
**Subject:** Please do NOT vote on any resolution about the Israel-Hamas war. Do NOT import this conflict to our community.

**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.

Lionel Chocron  
3010 Benvenue Avenue  
Berkeley, CA 94705  
District 8

Dear Berkeley City Council,

I have been living in Berkeley for the past 25 years. I am writing today as I am concerned that the Berkeley City Council will be importing the Israel-Hamas conflict to our community and will be enflaming tensions at home, if the Council is accepting to discuss and vote on any proposed resolution.

The past few months have shown a new level of hate and bullying, with antisemitism and Islamophobia continuing to escalate in our city. Discussing a resolution, in particular a one-sided resolution, will only worsen the community tensions for the years to come.

At a minimum, any resolution must include language that condemns the October 7 massacre, calls for the immediate release of all hostages still held in Gaza, acknowledges that Hamas is an impediment to any sustained ceasefire, and supports on-the-ground efforts that bring Israelis and Palestinians closer to a shared future of coexistence and prosperity.

I'm asking you to say no to spreading hate, and if you must continue with a resolution process please SAY NO to any that are one-sided. I believe that the resolution introduced by Council Member Terry Taplin is one that reflects the diverse voices of the whole Berkeley community.

Thanks for your consideration.

Best regards,  
Lionel Chocron

**Benado, Tony**

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**From:** Esther Brass <estherbrass@gmail.com>  
**Sent:** Monday, December 11, 2023 11:17 AM  
**To:** All Council  
**Subject:** No consensus, NO RESOLUTION

**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.

Dear Mayor and City Councilmembers,

I have heard that there are now three resolutions being circulated about the Israel-Hamas war for the Berkeley City Council to consider. I have read Councilmember Taplin's suggested resolution which seems to me factual, empathic to the pain of all sides, and recognizing the needs and aspirations of Palestinians and Israelis. If there is/were strong consensus supporting this resolution I would support it so that Berkeley could model the unity and empathy Council-member Taplin's effort reflects.

However, given that there are other resolutions and that there has been loud disruption at council meetings for weeks, there is no strong consensus on the Hamas-Israel war, and I agree with the Mayor's and some of the Councilmembers' positions that the City of Berkeley NOT engage in proclamations about international affairs especially when they are so divisive and have taken much time and attention away from the needs of our city which we can actually address in constructive ways, and need to. One glaring example that needs attention is making sure unhoused people in Berkeley are safe from the elements during cold winter weather. That's what should be considered an emergency item for Berkeley. Thank you for your attention and the work you do,

Esther Brass-Chorin

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 I live and work on unceded Ohlone land. I pay a voluntary land tax as one way to be a good guest and support Indigenous life. Learn more [here](#).

**Benado, Tony**

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**From:** Bobbye Smith <37lakeshorecourt@gmail.com>  
**Sent:** Monday, December 11, 2023 11:00:AM  
**To:** All Council  
**Cc:** Bobbye Smith  
**Subject:** RESOLUTION RE: HAMA-ISREAL WAR

**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.

Berkeley City Council - As a longtime resident of Berkeley, I urge the Council to avoid allowing a Council Resolution that has not gone through the proper channels of notice, debate, public comment then vote!

This is NOT, in my opinion, a place for such political demonstrations. In the past, these Resolutions have resulted in Berkeley being the Story, not the actual suffering of the persons Berkeley Residents are trying to support.

There are many and complex facets to this debate. They should take place at the federal level in Congress. Urge supporters to write our Congressional representatives, Senate and House

I urge you not to allow such a Resolution to come before the City Council.

With respect,

Bobbye Smith

Barbara Mathews Smith

**Benado, Tony**

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**From:** Vincent Casalaina <proberk@aol.com>  
**Sent:** Monday, December 11, 2023 10:58 AM  
**To:** All Council  
**Subject:** Berkeley should not have a foreign policy

**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.

We have plenty of issues that are directly related to how we live in Berkeley.

We do not need to weigh in on every issue whether national or international that we have no control over.

Please work on solving Berkeley issues where you can make a difference.

Vincent Casalaina

**Benado, Tony**

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**From:** Judy Logan <jilogan2003@yahoo.com>  
**Sent:** Monday, December 11, 2023 10:51 AM  
**To:** All Council  
**Subject:** New resolutions on Agenda

**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.

I am appalled that there are plans to put new resolutions on the Council's Agenda without the appropriate time for public comment. This breach of Berkeley rules and California law is a violation of your oath of office. If you violate this oath, you should not be holding a position in the city council. We know practically nothing about these resolutions and we citizens have a right to read them and have the opportunity to comment.

The little we know about the resolutions appears to have no place in Berkeley politics. You need to serve the interest of Berkeley residents and the City of Berkeley according to your oath of office. Not your personal opinions. We need to stick together in these times of division and crisis and fight, not promote, policies that create deeper divisions.

Please concentrate on the City of Berkeley and its residents.

If you want to affect world policy, run for national office, not for a local office that should be operating in the interests of the City of Berkeley.

Sincerely,  
Judy Logan  
Berkeley resident since 1996

**Benado, Tony**

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**From:** Revi Goldsher Sagee <rgoldshe@gmail.com>  
**Sent:** Monday, December 11, 2023 10:50 AM  
**To:** All Council  
**Subject:** Submission of a written communication for the City Council's consideration and inclusion in the public record

**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.

Dear Council members of the City of Berkeley,

My name is Revi Sagee. I am a concerned member of the community.

I am against the introduction of a resolution on the Israel-Hamas War because any resolution will NOT benefit innocent people who are suffering in the Middle East. Any resolution WILL cause further controversy and division in the local community.

There are people whose job is to understand the fragile situation and make difficult decisions on the next steps to eliminate terror and protect innocent people. This complex matter should NOT be a subject for residents of a city located thousands of miles away within one or two council meetings, but rather to those who invest in thorough research from reliable sources and in understanding of the situation's complexity.

Nevertheless, if you must pass a resolution, I support a resolution that is NOT one-sided and doesn't cause disagreement among the community.

Thank you for allowing me to comment on the matter.

**Benado, Tony**

**From:** Adam Naftalin-Kelman <adamnk@berkeleyhillel.org>  
**Sent:** Monday, December 11, 2023 10:34 AM  
**To:** All Council  
**Subject:** City Council - Late Come Resolution

**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.

Dear City Council –

I hope you will continue to follow the leadership of the Mayor and focus on the needs and safety of the Berkeley residents. Taking up a resolution on the war in Gaza has no impact on the countless innocent victims in Israel and Gaza and only continues to build strife in our own community. And then considering taking up something so controversial in a late coming resolution minimizes the acceptance in the City of Berkeley of the vast majority of Jewish residents.

I hope you will stay focused on the your primary charge of the needs of the City of Berkeley.

Adam

**Book a time with me**



**Rabbi Adam  
Naftalin-Kelman**

THE ROSALINDE AND ARTHUR GILBERT  
FOUNDATION EXECUTIVE DIRECTOR  
HE/HIM/HIS

Berkeley Hillel  
2736 Bancroft Way  
Berkeley, CA 94704

adamnk@berkeleyhillel.org  
510-845-7793



**Benado, Tony**

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**From:** Rebecca Landes <rlandes799@yahoo.com>  
**Sent:** Monday, December 11, 2023 10:19 AM  
**To:** Kesarwani, Rashi  
**Cc:** All Council  
**Subject:** Proposed City Council Resolution re Israel-Hamas War

**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.

Dear Rashi,

My name is Rebecca Landes, I live in District 1, at 1905 Chestnut St. I'm writing you about, and in opposition to, proposed City Council resolutions on the Israel-Hamas war.

Firstly I want to thank you for coming to the community-wide Hanukah candle-lighting in Cedar-Rose Park on Saturday 12/9, it was wonderful to see you there.

I am against the introduction or adoption of any resolution on the War by the Berkeley City Council. The Israel-Palestine conflict is too complex to reduce to a one-sided statement blaming Israel for the War and everything that is happening there.

If the City Council is unable to withstand the pressure to pass a resolution, I do not oppose Terry Taplin's draft, which is not one-sided and clearly condemns Hamas as the instigator of the War.

Thank you for holding strong against pressure to pass a resolution that will divide our city and demonize only one actor in this tragic situation.

~Rebecca Landes  
1905 Chestnut St.  
Berkeley

**Benado, Tony**

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**From:** Joan Bradus <joandale@gmail.com>  
**Sent:** Monday, December 11, 2023 10:15 AM  
**To:** All Council  
**Subject:** Resolutions regarding the Israel - Hamas war

**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.

I am writing to support Sophie Hahn and Mayor Arreguin in opposing the introduction and voting on any resolutions re: the current war between Israel and Hamas. No resolutions have been legally introduced as yet. More importantly, the Berkeley City Council has more important business to conduct on issues that directly affect Berkeley residents than to opine on international affairs. Yes, many residents of Berkeley have opinions about what is happening in Israel and Gaza, however many residents also care about what is happening in Sudan, in Afghanistan, in Ukraine and in other parts of the world where there is conflict and the City Council has not been moved to form official positions regarding these other areas. Berkeley residents have ample opportunity to individually express their concerns to officials who have the ability to make real policy on international matters. We depend on our City Council to form policy and take action on issues which directly affect us, street conditions, public safety, schools and libraries, etc.

Do not accept any late resolutions as urgency items. Political grandstanding is not urgent.

For Berkeley to be a safe community for all its residents, the Council should not endorse any political position, least of which could spur violence in our community. We can and do disagree among ourselves about what is the best way to preserve life and to promote justice. No resolution will fix that disagreement in a way that will be productive in a real way.

Thank you,

Joan Bradus  
1324 McGee Avenue

**Benado, Tony**

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**From:** M. G. Lasner <townhouse74@icloud.com>  
**Sent:** Monday, December 11, 2023 10:01 AM  
**To:** All Council  
**Subject:** Please Refuse Resolutions on Agenda as Urgency Items

**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.

Dear Berkeley City Councilmembers,

I'm writing to urge you to refuse to accept any late-coming resolutions related to Israel and the Palestinians (such as, but not limited to, those posted by several of you on X.com) on your Agenda as Urgency Items this Tuesday.

Please continue to stand firm against such divisive resolutions.

-Matthew Lasner, Euclid St.

**Benado, Tony**

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**From:** Stuart Cohen <stuartcohen375@gmail.com>  
**Sent:** Monday, December 11, 2023 10:34 AM  
**To:** All Council  
**Subject:** NO RESOLUTION, ESP. DURING HANNUKAH

**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.

Greetings,

I am requesting that, as a councilmember who cares about the well-being of all people, that you **do not** consider a Berkeley City Council resolution about the Israel-Palestine conflict, especially during Hannukah. Hannukah is holiday remembering another time when Jews were under attack by a country trying to banish them and when families come together in the evening to commemorate it. To consider a resolution on Dec 12 would be wholly inappropriate.

I greatly appreciate the care that some council members, such as Terry Taplin, have taken in crafting well-balanced resolutions. That said, I agree with Mayor Arreguin's statement that these resolutions don't just divide the community but foster both islamophobia and antisemitism and should not be considered on this issue.

I'd suggest to all the people who want to positively impact the situation, no matter the side they are on or if they have no side at all, to contact their federal representatives and/or to raise money they can send towards the health and well-being of those impacted by this horrible conflict.

Thank you,  
Stuart Cohen,  
Resident, District 5

**Benado, Tony**

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**From:** Sofia Pavlova <sofiarighttoknow@gmail.com>  
**Sent:** Monday, December 11, 2023 9:01 AM  
**To:** All Council  
**Subject:** Make tomorrow a Special meeting for CeaseFire

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

Hello,

We need an urgent special meeting to adopt a Ceasefire resolution immediately. The items on the city agenda are not more important than standing up for innocent kids being murdered in Gaza. This city is supposed to be progressive, but it is the Governments of Richmond and Oakland that put us to shame. No Ceasefire resolution means that bombing and war are the answer. Do you think more bombing is the solution?

Call the special meeting. Your constituents are embarrassed.

Sofia Pavlova  
505 Cragmont Ave

**Benado, Tony**

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**From:** Tom Kelly <tkelly@kyotousa.org>  
**Sent:** Monday, December 11, 2023 8:59 AM  
**To:** All Council  
**Cc:** City Clerk  
**Subject:** Ceasefire Resolution for Israel - Hamas Conflict - SUPPORT

**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.

Dear Mayor Arreguin and Members of the City Council,

We sincerely and wholeheartedly urge you to pass a resolution calling for the immediate ceasefire of the Israel-Hamas conflict and the release of any hostages and non-combatants held by either side.

San Francisco Supervisor, Hillary Ronen who supported her City's proposed resolution, and who is also Jewish, clearly stated the rationale for U.S. cities to call for the ceasefire. She said "By supporting the resolution before us and calling for an end to the killing of hostages, bombing, starving and dehumanization of people in Palestine and Israel, I am not anti-Semitic. I am not one-sided. I am not overstepping the bounds of my job," Ronen said. "I am engaging very thoughtfully in a conflict fueled by my constituents' tax dollars. And this conflict is deeply rooted in my personal life and my identity. The world must finally stand up and demand a lasting peace for Israel and Palestine."

We fully support this statement and strongly encourage the Council to acknowledge the urgent need for cities and others in the U.S. to call for a ceasefire in this war in which more than 1,200 Israelis and more than 16,000 Palestinians have already been killed. Please add our City's voice in the call for peace.

Tom and Jane Kelly  
1809 San Ramon Ave.  
Berkeley, CA 94707

**Benado, Tony**

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**From:** Noah Alper <noahalper@gmail.com>  
**Sent:** Monday, December 11, 2023 8:49 AM  
**To:** All Council  
**Subject:** Reject any resolution pertaining to the war between Israel and Hamas

**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.

To The Berkeley City Council,

As a Jewish citizen of Berkeley, I urge you to reject ANY resolution pertaining to the war between Israel and Hamas. Please stand firmly against the voices of division and hate that threaten our city, our streets, our communities, and our members.

Especially at this time, I urge you to make clear to our entire city PRIOR to Tuesday's meeting, that you will not discuss matters pertaining to our local Jewish community, and that will have direct impact on Jews living in our city, during the holiday of Hanukah, denying us the ability to celebrate our holiday in Berkeley in peace.

I urge all council members to pull their resolutions ahead of Tuesday's meetings and to inform the public as soon as possible: Resolutions impact Jews, Israelis, Muslims, and Palestinians living in our local communities the most, and members of these populations deserve to be in the room without impediments.

Noah Alper

**Benado, Tony**

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**From:** Andrea Medrano <amedrano@berkeley.edu>  
**Sent:** Monday, December 11, 2023 8:45 AM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Urgent: Vote Yes on Ceasfire

**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.

Dear Berkeley City Council,

I am writing to urgently appeal to you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire in Palestine, without any additional amendments. As a concerned student at the University of California, Berkeley, I am deeply dismayed by the prolonged delay in considering this crucial resolution. The lack of prompt action is disheartening and raises concerns about the Council's commitment to justice and human rights.

The escalating violence in Palestine has claimed the lives of over 20,000 Palestinians, a majority of whom are innocent children and women. This humanitarian crisis demands immediate attention and decisive action. Every moment we delay, more lives are lost and families are shattered.

As a Latin American, I have personally experienced the effects of US imperialism on my family and community. However, the suffering I have witnessed is incomparable to the unimaginable hardships endured by the people of Palestine at present. It is imperative that I convey this perspective effectively to ensure that the Council comprehends the gravity of this matter.

I implore you to hold yourselves accountable for the delayed consideration and act swiftly by voting yes on Council Member Bartlett's resolution without any amendments. Let us not allow political agendas or hypocrisy to overshadow the urgency of this situation. Lives are at stake, and it is our moral duty to stand for justice and peace.

Thank you for your immediate attention and action on this pressing matter.

Sincerely,

Andrea Medrano



**Benado, Tony**

---

**From:** Nancy Sader <nancy@nhs1.com>  
**Sent:** Sunday, December 10, 2023 2:41 PM  
**To:** All Council  
**Subject:** Late coming resolutions

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.

Sent from my iPhone

Please do not accept any late coming resolutions to the agenda. Especially now, with feelings running high, please spare us the need to choose between attacking and feeling attacked in our own home town.

People can and do express themselves on the painful issues of the day; our university invites it. I am proud of it.

but it is an error for our local government to make unnecessary pronouncements ...

**Benado, Tony**

---

**From:** Ruth Ehrenkrantz <ehrenkrantz968@gmail.com>  
**Sent:** Sunday, December 10, 2023 1:51 PM  
**To:** All Council  
**Subject:** Your next public meeting

**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.

Dear Berkeley City Council,

I am writing to urge you to vote no on creating a resolution regarding the Hamas/Israel War. It is deeply concerning that these types of resolutions do nothing to solve the problem for the Palestinians or the Israelis and only deepen the conflict for both sides.

It is my sincere hope that you will not be a party to spreading more hate. Peace is what we all want and this resolution will not accomplish that.

I attended your last public meeting as I had wanted to speak to the paving plan being discussed that evening. I am sorry for the hate and vitriol that you are all being exposed to. Please do not give in to the pressure to "do something", which will have no real impact on creating peace. As an aside, thank you for increasing funding to fix Berkeley's roads.

Respectfully,  
Ruth Ehrenkrantz

**Benado, Tony**

---

**From:** joanhart12@aol.com  
**Sent:** Sunday, December 10, 2023 1:50 PM  
**To:** All Council  
**Subject:** Do not Resolve on the Middle East

**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.

Dear Council,

You signed an oath to serve the citizens of Berkeley, not the world. Your business is our local business and mighty important it is. Stick to it. Berkeley is one of the most heterogeneous and multi-faceted places on earth. Your constituency is extremely varied. I interact daily with people from all over the planet with all kinds of religious and political beliefs. **It's your job to represent all of us without prejudice.**

It seems to be very sexy right now to condemn Israel. While you're at it, why not resolve about Darfur (that was sexy a decade ago, what happened to that?), or Haiti (why not do that one, very sexy a few years ago?), or how about Yemen (very sexy not too long ago), how about China (now that one is always sexy, let's do a resolution on that one and besides it's much closer to actual US concerns), or how about Ukraine (have we forgotten Uk?). Maybe you get the message. Taking some kind of stand on a war that is far away, which is very complex, which most US citizens have only the tiniest knowledge about, it not a good plan. You are likely to regret it. When is the last time any of you on the Council read a serious book about the history of "Palestine", who is "indigenous" to it, Israel, etc? If you had, you would not be doing any resolution, trust me.

Lots of wars go on, all of them are horrible and ghastly. We don't need you to tell us about them. Stick to your job and do it well. There are plenty of garages to repair, potholes to fill, children to roll up your sleeves for, homeless to care for. Do that and we will be proud of you.

Joan Hart, Ph.D.  
Former School Board Member in Bloomington, IN  
Peacenik for the Mid East

**Benado, Tony**

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**From:** Carol Hirth <chirth@mac.com>  
**Sent:** Sunday, December 10, 2023 1:50 PM  
**To:** All Council  
**Subject:** Resolutions regarding Israel and Hamas

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.

I am opposed to the City of Berkeley, City Council passing any resolution regarding the current situation in Israel and with Hamas in Gaza. To do so is highly problematic and divisive.

The timing of any resolution, particularly at the last minute, is also problematic.

Thank you,

Carol Hirth

**Benado, Tony**

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**From:** harry delmer <hecdel@comcast.net>  
**Sent:** Sunday, December 10, 2023 1:42 PM  
**To:** All Council  
**Cc:** sophie@sophiehahn.com  
**Subject:** Israel/Gaza

**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.

I oppose the City Council taking a stand on the Israel/Gaza conflict. It will only generate more bad feelings, and ultimately satisfy no one. Just look around at those governmental/educational entities and individuals who have already taken principled stands on this issue. The phrase "quicksand" comes to mind. Does Berkeley really need more chaos at its City Council meetings, especially over a non-Berkeley issue?  
Harry Delmer

**Benado, Tony**

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**From:** Linda Streaan <lindaastreaan@yahoo.com>  
**Sent:** Sunday, December 10, 2023 1:36 PM  
**To:** All Council  
**Subject:** Resolutions

**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.

Dear council members,

I strongly oppose the attempt to act on resolutions put forward as urgency items and not properly put on the council agenda.

As a Jew, I have been horrified by the suffering of innocent Palestinians and Jews. I am proud that my city has refused so far to join others in making bumper sticker statements that oversimplify a conflict with deep roots and no easy solutions.

Please stand firm on this.

Sincerely,  
Linda Streaan  
Berkeley resident

Sent from my iPhone

**Benado, Tony**

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**From:** Harrison, Kate  
**Sent:** Sunday, December 10, 2023 1:33 PM  
**To:** bgilbertca@aol.com; Taplin, Terry; City Clerk  
**Subject:** Re: Urgency Item/ "Ceasefire" Resolution

I have not indicated I would submit a resolution.

[Get Outlook for iOS](#)

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**From:** bgilbertca@aol.com <bgilbertca@aol.com>  
**Sent:** Sunday, December 10, 2023 1:12:06 PM  
**To:** Harrison, Kate <KHarrison@berkeleyca.gov>; Taplin, Terry <ttaplin@berkeleyca.gov>; Robinson, Rigel <RRobinson@berkeleyca.gov>; City Clerk <clerk@berkeleyca.gov>  
**Subject:** Urgency Item/ "Ceasefire" Resolution

**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.

**To Councilmembers Taplin, Harrison, and Robinson, and City Clerk,**

**Can you please send me ASAP as well as publish any proposed urgency items relating to the Israel/Hamas conflict. There is ample time to do so and voters are entitled to see in advance exactly what is being proposed and by whom**

**Sincerely, Barbara Gilbert**

**Barbara Gilbert  
Vincente Avenue  
Berkeley, CA 94707-1520**

**Phone: 510-559-8216  
E-mail: bgilbertca@aol.com**

**Benado, Tony**

---

**From:** bgilbertca@aol.com  
**Sent:** Sunday, December 10, 2023 1:12 PM  
**To:** Harrison, Kate; Taplin, Terry; Robinson, Rigel; City Clerk  
**Subject:** Urgency Item/ "Ceasefire" Resolution

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.

**To Councilmembers Taplin, Harrison, and Robinson, and City Clerk,**

**Can you please send me ASAP as well as publish any proposed urgency items relating to the Israel/Hamas conflict. There is ample time to do so and voters are entitled to see in advance exactly what is being proposed and by whom**

**Sincerely, Barbara Gilbert**

**Barbara Gilbert  
Vincente Avenue  
Berkeley, CA 94707-1520**

**Phone: 510-559-8216  
E-mail: bgilbertca@aol.com**



**Benado, Tony**

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**From:** Peggy Harris <harris\_pearl@yahoo.com>  
**Sent:** Sunday, December 10, 2023 1:28 PM  
**To:** All Council  
**Subject:** late-coming resolutions to the city agenda

**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.

Dear Councilmembers,

As a Berkeley resident who shares in everyone's distress over the war in Gaza, I believe, in general, that it is helpful to no one to escalate the passions incited by the horrors of this conflict by bringing them into city council meetings.

On Dec. 12, any proposed resolutions on the Gaza war should be placed on the agenda through normal channels and not as an 'emergency.' Please give the press and public the usual, and legal, opportunity to hear of and consider any resolutions and not rush to a discussion or vote.

Thank you,  
Peggy Harris

**Benado, Tony**

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**From:** Christina Harb <christinaharb23@gmail.com>  
**Sent:** Sunday, December 10, 2023 1:18 PM  
**To:** Taplin, Terry; Taplin, Terry  
**Cc:** City Clerk  
**Subject:** Time sensitive- Follow up from Friday's meeting

**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.

Dear Councilmember Taplin,

Thank you so much for meeting with a small group of us yesterday. I see your humanity and your pain and your intentions to act with urgency to meet the needs of our community. I also see your internal battle and struggle in putting forth a resolution that clearly does not sit well in your heart. After you left our meeting, I was overcome with emotion for your ailing mother and your courage to be vulnerable with us. Thank you for taking time away from her to learn more about the issue of Palestine.

As a Palestinian American, in solidarity with our collective struggle for liberation, I must ask you not to formally introduce the resolution you have shared online. It doesn't call for a ceasefire and echoes messages that have come directly from the Israeli government and the JCRC, who are ACTIVELY advocating against ceasefire resolutions all over the Bay Area.

The community who have been showing up in the hundreds at city council meetings are asking for a ceasefire resolution that centers life and stands with Palestinians in their struggle to survive Israeli aggression. We have not asked you to stand with the JCRC and Israel's government, who are staunchly anti-Palestinian and pro-war.

Please do not abandon the people of Berkeley by standing with lobbyists who defend a genocidal government. Please stand with the people. Please do not introduce a resolution that aligns the City of Berkeley with a government that is committing genocide.

The people of the Bay Area are showing up in the thousands all around the Bay Area for resolutions similar to Oakland's, which center and respect human life by calling for a ceasefire. We are not asking city council's to solve the entire Israel-Palestine conflict.

Please do not amplify the voices of people who advocate for the continuation of mass murder.

You mentioned that you want more time to learn and hear from the community and I strongly urge you to meet with leaders of the Arab, Muslim and Palestinian community. I am very happy to connect you to many amazing organizations, all of whom are aligned with Black liberation grassroots organizations in the Bay Area.

I hope to hear back from you soon.

Best,  
Christina Harb, M.Ed.  
MLK Middle School, Berkeley  
(951) 229-2058

**Benado, Tony**

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**From:** laura lauraatkins.com <laura@lauraatkins.com>  
**Sent:** Sunday, December 10, 2023 1:03 PM  
**To:** All Council  
**Subject:** Request that you not accept late coming resolution

**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.

Dear Berkeley city council,

I am in district 1, but was previously in district 5, so I still get Sophie Hahn's emails. I appreciated her previous email explaining why the city of Berkeley is not passing a resolution on Gaza because of how polarizing this issue is with people who live in the city. While I also am supportive of a call for a cease fire, I am concerned about the way this is playing out in public spaces. As a Jewish person, some slogans feel dangerous to me - even "free Palestine" can seem loaded. This is such a complicated issue, and I've never felt as worried as a Jew. I've been connected to Bay Area activism and progressive politics for my whole life. This is the first time I'm felt uncomfortable in this way. So I appreciate and agree with the decision to not have this called as a resolution. And support Sophie Hahns call to not accept this late coming resolution.

Thank you,  
Laura Atkins

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**Benado, Tony**

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**From:** R <rbonem@gmail.com>  
**Sent:** Sunday, December 10, 2023 1:00 PM  
**To:** All Council  
**Subject:** Please stick to Berkeley Business, not Middle East Politics  
**Attachments:** Hebron.doc

**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.

Dear Member of the Berkeley City Council,

I am writing to encourage you to not vote on issues related to the Middle East. It is outside the purview of Berkeley to know enough, let alone make decisions, about events that are distant, complex, and involve many actors and factors. Please focus on our problems here!

I am a Berkeley resident who has made 20 trips to Israel. During my first trips, I realized that the situation is far more complex than I - and most people - know or realize, and that the aggressor/oppressed narrative was a false and gross oversimplification. It was not until my 11th trip that I felt I knew enough to have an opinion.

During these trips, I talked to as many people as possible and tried to see for myself what was going on. So, for example:

Arab Israelis (Arabs who have, and want, Israeli nationality) attended the same courses as I did in Jerusalem. They are fully part of Israeli society; there is no apartheid. In fact, recent polls have shown an increase in them feeling more Israeli than

Arab: <https://twitter.com/realbassemeid/status/1731801805632180545>

Palestinians (those Arabs who do not have, or want, Israeli nationality) in Jericho (and elsewhere) told me that they liked Israel and wanted to live in or with Israel. But they were afraid to speak out because of terrorists (such as Hamas).

A Sbarro pizza place in Jerusalem was bombed. I used to go there once a week, and had I been there at the wrong time, I would not be writing this letter. It was known as a place where Arabs and Jews worked together, in cooperation with each other. It was widely assumed that this venue was chosen by the terrorists for that reason.

I saw in Hebron (burial place of the Patriarchs and Matriarchs) how some Palestinians use their children to wage war (sending them into the street to throw Molotov cocktails at Israelis), for the benefit of the press. If Israelis do nothing they get killed. If they defend themselves, they are seen as child killers (please see the attached story).

The Middle East is far too distant and complicated for the Berkeley Council to weigh in on.

Please have the Berkeley Council stick to city business!

Thank you,



## Hebron

When I look at the events - and the press - in recent weeks, I am reminded of a situation in Israel I witnessed some years ago, in the city of Hebron. Hebron, less than an hour from Jerusalem, is the burial place of Abraham, Isaac, and Jacob, of Sarah, Rebecca, and Leah.

It is a holy site for both Jews and Muslims, and its name come from the Hebrew word, Chaver, which means friend. If only its holiness and its name would mean real peace! Instead, it is, and has been, a political hotspot for many years. At the time of one of my visits to Jerusalem, the conflict was once again flaring up.

I asked a friend of mine - a journalist - what was happening there, and he told me to get in his car. I got in, and then asked where we were going.

"Hebron".

I got very quiet. But my heart raced, as he drove me past the usual barricades, to "where the action was". We arrived at an army checkpoint, at the bottom of a quiet street, about two blocks long. The street was empty and tranquil.

Camera crews from various Western countries began to arrive on the scene. They exchanged some casual remarks between themselves. One congratulated another on the photo he had taken the week before of an Israeli soldier being blown up, and also congratulating him for the handsome price this photo had obtained. The reporters continued to prepare, coifing their hair - in order to appear good on television. I realized - Lesson #1 - they had been notified beforehand that something would happen. Whatever was going to happen was planned, orchestrated - for the press. This was not a spontaneous protest.

And I also realized - Lesson #2 - that they were profiting from the conflict. They were not neutral. They were happy to show up and broadcast whatever would happen - and do what it took to transform this into a money making day.

And then, things began to happen.

At the top of the previously quiet street, someone set a tire on fire, and sent it rolling down towards the checkpoint. It rolled and rolled down, and then fell over, billowing smoke and flame. This diminished visibility, and created a great backdrop for the television cameras; this little street now looked like it was the center of a war zone.

Then kids began to come into the street, from the houses on both sides. They would throw Molotov cocktails at the Israeli position before disappearing again. I would guess they were about 11 years of age. I thought, wow, for them this is a chance to be a national hero, be on television, perhaps even be a martyr, instead of spending another boring day in school. Not an opportunity most kids would miss.

And the adults? It could not be coincidence that adults were absent. Nor could it be a coincidence that the kids all came out around the same time. This was planned. This was intended. Lesson #3 - they use their kids - for their war, for their propaganda.

And Lesson #4 - This was brilliant. The Palestinians are not dumb. What could the Israelis do? If they did nothing, they would be killed or wounded. If they answered - even with rubber bullets - the press would show them as oppressors, as murderers - of kids. It was a no-win situation for Israel, and the Palestinians would win whatever happened.

This all occurred within two blocks within Hebron. It almost seemed like a local turf war. Yet the view that the press gave, and that the world

received, was that Hebron was ablaze and filled with violence. The press was magnifying and distorting the situation. If the press were not there, I wondered if any of this would happen, and wondered if there might actually be chances for peace.

When I see the news today, I know that the Palestinians (in this case, the terrorist group Hamas) have gotten even better at this game. In almost every conflict, the Palestinians score public relations points - even when Israel goes to great lengths to minimize civilian casualties. For Hamas - to begin a conflict is to win.

And, Lesson #5, I am also aware, that, left to their own devices - these two peoples might find a way to live together. A new team of Israeli soldiers arrived. As the new team took up their positions, some of the other would go into the Arab kiosk - a few feet away and still open - to buy a snack from the Arab shopkeeper. I watched as a soldier opened his bag of chips.



## Hebron

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received, was that Hebron was ablaze and filled with violence. The press was magnifying and distorting the situation. If the press were not there, I wondered if any of this would happen, and wondered if there might actually be chances for peace.

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**Benado, Tony**

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**From:** M.Gardner <gardner.m@comcast.net>  
**Sent:** Sunday, December 10, 2023 12:44 PM  
**To:** All Council  
**Subject:** Tuesday's council meeting

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.

To the distinguished members of the Berkeley City Council,

I must protest to the additions of any unannounced agenda items at this late date for the Tuesday, December 12th agenda for your meeting. It is clearly against all rules by which you are governed as Councilmembers. I believe that this sets a terrible example for the young people of Berkeley. (I speak as a former educator.)

M. Audrey Gardner  
Berkeley resident and voter since 1969

**Benado, Tony**

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**From:** Stefano DellaVigna <sdellavi@econ.berkeley.edu>  
**Sent:** Sunday, December 10, 2023 12:41 PM  
**To:** All Council  
**Subject:** no resolution

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.

Hi,

Please let us leave the world politics out of the city council, it does help in any way to include it

--

Best,  
Stefano

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Stefano DellaVigna  
Daniel E. Koshland, Sr. Distinguished Professor of Economics and Professor of  
Business Administration University of California, Berkeley

Address: University of California, Berkeley  
Economics Department  
515 Evans Hall  
Berkeley, CA 94720-3880

Telephone: (510) 643-0715  
Fax: (510) 642-6615  
<http://elsa.berkeley.edu/~sdellavi/>

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**Benado, Tony**

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**From:** Mary Wrenn <marywrenn@comcast.net>  
**Sent:** Sunday, December 10, 2023 12:41 PM  
**To:** All Council  
**Subject:** Support for call for immediate ceasefire

**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.

I write in support of Rigel Robinson's well-reasoned and balanced resolution calling for an immediate ceasefire in Gaza. I am haunted by the images of children and other innocent civilians who have been killed and wounded and shamed by the response of our government.

Mary Wrenn  
2259 Derby Street  
Berkeley

**Benado, Tony**

---

**From:** Catalina Ruiz-Healy <catalina.ruizhealy@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:38 PM  
**To:** All Council  
**Subject:** No resolution

**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.

Please do not try to pass a resolution about something that Berkeley has NO influence over.

Any resolution will be looked upon as performative and will serve to only increase the divide and fear among our community.

Catalina Ruiz-Healy  
415-310-9172

**Benado, Tony**

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**From:** Itamar Landau <itamar.landau@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:27 PM  
**To:** All Council  
**Subject:** Do not add last-minute divisive issues to agenda at this time

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

Hello, my name is Itamar Landau and I'm a resident of District 1 in Berkeley. I'm urging the City Council not to add a resolution to this Tuesday's meeting about the Israel-Gaza war. This issue is incredibly divisive as you all know, and the City Council would be best served not raising it at all. But if you do it should be with proper notice to the broader Berkeley population and with good coordination with all the relevant communities who are most impacted by such a resolution. It should also not be in the middle of Hanukah.

If eventually you are compelled to take on the issue please consider Bernie Sanders' words from today:

"I don't know how you can have a permanent ceasefire with Hamas who has said before October 7 and after October 7 that they want to destroy Israel and they want a permanent war. I don't know how you have a permanent ceasefire with an attitude like that."

<https://twitter.com/yashar/status/1733885042458562955>

Thank you,  
Itamar Landau  
1603 Lincoln St, Berkeley, CA 94703

--  
Itamar Landau



**Benado, Tony**

---

**From:** Lowell Finley <lfinley51@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:24 PM  
**To:** All Council  
**Subject:** No un-noticed resolutions on Council agenda

**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.

Dear Mayor and Council members:

For all the reasons so well stated by my council member, Sophie Hahn, please do not agree to consider any resolution on Gaza and Israel at your December 12, 2023 meeting.

Thank you for your consideration.

Sincerely,  
Lowell Finley  
912 Mendocino Ave.  
Berkeley

**Benado, Tony**

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**From:** Michael Gardner <mag45@comcast.net>  
**Sent:** Sunday, December 10, 2023 12:21 PM  
**To:** All Council  
**Subject:** City Council Resolution

**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.

Dear members,

Given the United States' success in Vietnam, Iraq, and Afghanistan. I don't believe it's appropriate for you to provide guidance to Israel, as to how to conduct a war they did not start.

I object to your putting items on the agenda at the last minute, contrary to mandated procedures, and I object to any call for a cease-fire at this time.

Thank you.

Michael Gardner 55 year BERKELEY resident

**Benado, Tony**

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**From:** Rochelle <rslamovich@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 12:21 PM  
**To:** All Council  
**Subject:** Urgency item

**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.

Please do not weigh in on the Hamas/Israel war as an 'urgent agenda item'. The issues within the war and underlying this tragedy are layered and complex. How is it serving our community to weigh in (and inevitably get drawn in to taking a side)?

Respectfully  
Rochelle Blumenfeld

Sent from my iPhone

**Benado, Tony**

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**From:** Stephen Morris <morris@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 12:20 PM  
**To:** All Council  
**Subject:** Please do not accept late resolutions

**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.

Dear Council; Please do not add to the divisions already straining our society. In general, as members of the city council, please stick to matters within your competence.

Thank you, Stephen Morris

**Benado, Tony**

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**From:** Fran Haselsteiner <franhaselsteiner@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:19 PM  
**To:** All Council  
**Cc:** BetterBerkeley  
**Subject:** Please do not participate in undemocratic actions

**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.

You are elected leaders tasked with maintaining democratic norms in the course of performing your municipal responsibilities. Protestors have been attempting to force anarchy on the City of Berkeley. Their resolution is not urgent; i.e., it will not end the Israeli-Hamas conflict. One must also note: Where were these protestors during, unfortunately, so many other horrific acts of aggression?

Please don't undermine the norms that give community members ample opportunity to express their views. If individual council members wish to sign a resolution, fine, but don't sneak resolutions onto the agenda at the last minute. ("Sneak" is the right word.)

Bypassing democratic process will not have a good outcome on the city or your political careers.

Sincerely,

Fran Haselsteiner  
 Forty-year resident of District 2

- > - not get into foreign affairs
- > - not sneak resolutions onto the agenda at the last minute
- > - not try to schedule resolutions that affect one group in particular for a meeting that is on a holiday observed by that group.

**Benado, Tony**

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**From:** Vicki Sommer <vickisommer@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:17 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** No last minute resolution re the Middle East

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.

Dear Mayor and Council,

I heard that after wisely refusing to make a statement about the Middle East, that one was planned. For this Tuesday. So I looked to see who was authoring resolutions and wanted to read the text beforehand. There was no indication on the city website, on the agenda for Tuesday's 6pm meeting of anything pertaining to the Middle East.

If this is being sneaked in, with no appropriate advance notice, then I really want to know who is behind it!

I hear the text is available on Twitter, or "x" as it's called now. A Very "Trumpian" move!!

I can't check twitter (x) as I've recently cancelled my account due to disgust with Elon Musk.

To conclude:

- 1) Tuesday evening many Jewish families will be celebrating Chanukah and attending or zooming into a lengthy city council meeting would really detract from the holiday.
- 2) Don't flip flop and pander to pressure. Berkeley should stay out of this. Every other city that engaged this debate resulted in ugly antisemitic rhetoric.
- 3) Engaging in this issue wastes council time and energy that is better spent on local civic issues (ie safe housing for homeless Women and children) and is divisive, increasing antisemitism and Islamophobia, rather than bringing our community together.

Sincerely,

Vicki Sommer

Sent from my iPhone

**Benado, Tony**

---

**From:** Richard Schwartz <[richard@richardschwartz.info](mailto:richard@richardschwartz.info)>  
**Sent:** Sunday, December 10, 2023 12:14 PM  
**To:** All Council  
**Subject:** Late resolutions

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.

Dear City Council,

I am voicing my strong opposition to ANY late-coming resolutions. Your reputations are at stake with these decisions as is the history and honor of Berkeley.

Sincerely,

Richard Schwartz, long-time Berkeley resident

--

Richard Schwartz  
<http://www.RichardSchwartz.info>

Subscribe to my events email list,  
<http://eepurl.com/o4ltf>

**Benado, Tony**

---

**From:** dianna d <diannadar@gmail.com>  
**Sent:** Monday, December 11, 2023 11:37 AM  
**To:** All Council  
**Subject:** I urge you not to accept any late-coming resolutions

**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.

Berkeley City Council,

I urge you not to accept any late-coming resolutions. These resolutions do NOT qualify under State Law or City of Berkeley Rules of Procedure to be placed on the Agenda at the last minute, without required advance notice. Council is only allowed to take up last minute matters under limited, exigent circumstances. (See: California Code, Government Code - GOV § 54954.2(b) and 54956.5).

Kind regards,  
Dianna Dar



**Benado, Tony**

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**From:** Helen Marcus <hmmarcus@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 12:14 PM  
**To:** All Council  
**Subject:** Resolution about Israel/Palestine

**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.

Dear council members.

I do not favor the idea of the City of Berkeley considering a last minute resolution on Israel - Palestine issues. I do not want my city involved in creating foreign policy.

Fix the streets. Support the schools,. Create housing. Do what is necessary to Make living in Berkeley a pleasure.

Regards,

Helen Marcus

Sent from AT&T Yahoo Mail on Android

**Benado, Tony**

---

**From:** Robin Kojima <robkojima@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:14 PM  
**To:** All Council  
**Subject:** Late resolutions

**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.

Please do not consider any late breaking urgency resolutions. It is undemocratic . I urge you to use your time and positions to discuss Berkeley business only. It is outside your remit to be taking city time to debate global politics. Robin Kojima, Shattuck Ave, Berkeley

Get [Outlook for Android](#)

**Benado, Tony**

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**From:** Richard Keene <rkeene37@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 12:13 PM  
**To:** All Council  
**Subject:** Council resolutions regarding Israel/ Gaza

**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.

Dear city council members.

Please do not entertain any resolution expressing an opinion about the tragic situation currently underway in Israel/ Gaza.

The opinion of council members will be of no value as political leaders struggle to ameliorate this horrible situation. Such expressions will only serve to divide and encourage rancor in our community.

Thank you  
Richard Keene

**Benado, Tony**

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**From:** Steven Scholl <scholl99@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 12:12 PM  
**To:** All Council  
**Subject:** Do not place so-called urgency items on the agenda without proper public notice

**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.

I do not support placing items on the Council agenda without following required public notice procedures. Doing so would set a very bad precedent for future items that might be "slipped" onto the agenda, without letting the public know. Please do not go down that path.

--Steve Scholl  
1620 Visalia Avenue  
Berkeley, CA 94707

**Benado, Tony**

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**From:** Jessica Behrman <jessicabehrman@gmail.com>  
**Sent:** Monday, December 11, 2023 1:28 AM  
**To:** All Council  
**Subject:** Resolutions on war in Gaza

**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.

I. I was relieved by the Council's decision to refrain from taking a stance on the war in Gaza. Please continue this position. Any other action would create more strife.

II. I learned that some council members have devoted working hours to draft ceasefire resolutions that they plan to improperly introduce. This is untenable. You don't need me to detail all the many reasons why. (But I'll note anyway, the least of them being blowback from entertaining any discussion of it on a Jewish holiday. Those tweets wishing a Hanukkah filled with joy and peace from the honorable Mayor and District 1 Councilmember...they weren't meant ironically, correct?)

III. Regarding the Rent Board's adoption of a ceasefire resolution, how is this action tenable? Why have you allowed it to stand? Please let me know the municipal code governing the Rent Board that allows it. It's not their purview or mandate - it's taxation with wrongful representation. Illegal. I anticipate the announcement of your correction.

IV. A sincere question: Who is served from resolutions on matters outside of our city? How have they helped? What are the costs? It appears that the only benefit is to public image for a very few number of individuals.

I have lived and worked in Berkeley for over 46 years. The decay in the city's infrastructure, financial health, environment and discourse is apparent and painful: Statements about accomplishments during your tenures ignore but cannot deny this reality.

Berkeley needs your focus. As a municipal representative, you are beside the point to difficult and crucial events outside of it.

P.S. Community forums led by qualified people on topics such as Ukraine and Gaza have the possibility of being useful; City resolutions do not: You could delegate or refer people to those for support or to make their voices heard.

Jessica Behrman

**Benado, Tony**

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**From:** Mia <miasinginggirl@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:55 PM  
**To:** Bartlett, Ben; All Council; Harrison, Kate; Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Wengraf, Susan; Taplin, Terry  
**Subject:** Ceasefire NOW: Berkeley Community Stands with Gaza

**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.

Dear Councilmembers,

I am writing to call upon the longstanding spirit of activism and social justice that breathes in the heart of Berkeley, urging you to draft and pass a formal resolution in solidarity with Palestinians in Gaza, who are being subject to ethnic cleansing and genocide by the Israeli state backed by the United States. This resolution should:

- 1- Demand an immediate CEASEFIRE.
- 2- Demand immediate safe passage for substantial humanitarian aid to Gazans who have little to no food, water, fuel or medical supplies to save the almost 20,000 Palestinians injured (at the time of this writing);
- 3- Call for an immediate end to all existing and any future U.S. military aid and support to Israel; US taxpayer dollars that go to Israel in the form of \$3.8 billion in military "aid" per year are being used to further harm and kill Palestinians.
- 4 - Call for an end to Israeli apartheid, the siege, the occupation and blockade of Palestinian land by Israeli military forces; and the systematic harassment of the Palestinian people, including stealing of land, burning of farms, and regular arrests of ordinary civilians.
- 5 - Call for the immediate release of the approximately 3000 Palestinians who have been arrested in Israel (about 1500 people), including in Jerusalem, and the West Bank (another 1500 people) since Oct. 7th and the approximately 220 Israeli hostages held by Hamas.

Already, over 8000 Palestinians have been killed by Israeli airstrikes, with more than half of these being women and children. The numbers of displaced Palestinians with no homes to return to, could be as high as half a million people.

Berkeley, with its illustrious legacy of pioneering social justice movements, holds a responsibility to be at the vanguard of national calls for justice. Berkeley has been the crucible where powerful movements were forged; from the Free Speech Movement of the 1960s, to being one of the first cities in the US to divest from companies doing business with the apartheid regime in South Africa. These histories reflect our enduring commitment to global justice and liberation, and advocacy for the voiceless and oppressed.

On Tuesday, October 24, our neighbors at the Richmond City Council exemplified moral leadership by passing a resolution standing against genocide in Gaza, making it the first U.S. city to stand on the right side of history on this critical issue. Inspired by their boldness, it is imperative that Berkeley continues its anti-apartheid and anti settler colonialism legacy by standing against the shadows of genocidal apartheid regimes.

Thank you for your attention and commitment to making a difference.

Sincerely,

Mia Reid

**Benado, Tony**

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**From:** Andrea Prichett <prichett@locrian.com>  
**Sent:** Sunday, December 10, 2023 12:02 PM  
**To:** All Council  
**Subject:** Ceasefire Resolution ASAP!

**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.

Dear Councilmembers and Mayor,

While it is disappointing that our city has somehow managed to wait more than two months after the initial carpet bombing of Gaza to consider calling for a ceasefire, it is better to do so now than not at all. While the October attack by Hamas against Israeli military personnel and civilians resulted in terrible loss of life, the solution to such acts of violence is not exponentially more violence.

To those council members who oppose calling for a ceasefire, what do you propose? Shall we ignore the devastation and the toll that this conflict is having on people in Berkeley as well as in Gaza? Shall we simply ignore the gross mass murder of thousands of women and children and non-combatants? Ignore the utter decimation of the infrastructure and residential capacity of Gaza itself? When the US representative vetoed the UN resolution calling for a ceasefire, they claimed that it would "only benefit Hamas" as if the 2.3 million Gazans who are starving and being bombed are a mere detail and the "benefit" they would experience from a cessation of conflict an afterthought.

I don't know how you can turn away. I can't imagine how any council member could say this matter is not urgent. I can't imagine how any council member could turn their back on Berkeley's proud history of taking positions on international issues that have local impact. If a person is so conflict averse that they are unable to address the issues of our day, then perhaps municipal leadership is not the right place for them. Leadership **REQUIRES** the willingness to address controversy. A real leader would take risks in pursuit of peace.

And while my partner and so many of my Jewish friends enjoy Hanukkah, they also appreciate that their ability to gather with their friends and families is something that is being denied to millions of Palestinians. How many Gazans will die while council members enjoy "gathering with their children and families"?

This is not a time to position yourselves politically and to use the tragedy in Gaza to advance your political careers. It is the time to stand on the side of peace and justice.

Thanks for reading this,

Andrea Prichett

District 2 resident  
BUSD Teacher

**Benado, Tony**

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**From:** Barbara Vaughan <barbvaughan@icloud.com>  
**Sent:** Sunday, December 10, 2023 11:57 AM  
**To:** All Council  
**Subject:** resolutions

**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.

**DO NOT GET EMBROILED IN WORLD POLITICS THAT WILL DIVIDE THE CITY. THAT IS NOT WHY YOU WERE ELECT3D TO THE CITY CONCIL.**

Barbara Vaughan,citicen of Berkeley



**Benado, Tony**

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**From:** Gloria Schild <gloriaschild@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:56 AM  
**To:** All Council  
**Subject:** Resolutions

**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.

Dear Mayor Arreguin and Berkeley City Council Members:

Thus far , my neighbors, my family and I have been both impressed and relieved by the Mayor and the Berkeley City Council's wisdom in NOT bringing forth a resolution concerning the Middle East conflict.

Nearby cities and school districts who have brought forth resolutions have only divided their residents and sown seeds of mistrust, fear, and hate, leaving some residents feeling unsafe where they live, work, and /or attend school.

PLEASE continue to NOT put forth a resolution about this conflict thousands of miles away.

Many Berkeley residents have families directly or indirectly affected by the conflict. They do not need their city government weighing in and adding to their stress, worry, and fear.

Please leave commentary on this conflict to geo-political experts and historians.

Please focus on what we elected you to do: Take care of the direct business of running the City of Berkeley.

Thank you,  
Gloria Schild  
Long time Berkeley resident

Sent from my iPhone

**Benado, Tony**

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**From:** Nancy Rader <nraderhome@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:51 AM  
**To:** All Council  
**Subject:** Support ceasefire resolution - But not rushed on Tuesday!

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

Hello Mayor and Council,

I support Oakland's resolution condemning the recent rise of Antisemitic and Islamophobic attacks, supporting a ceasefire in Gaza, and speaking to the need for a lasting peace, and I would support such a resolution from the Berkeley council.\* However, your unfortunate delay in addressing a resolution should not be remedied by rushing a resolution on Tuesday, during Hanukkah and without adequate public notice and thoughtful discussion. Please attend to this properly in January.

\*Generally, I believe that Berkeley should not address matters beyond its purview. In this case, however, Congress is failing us badly by allowing our tax dollars to support a massacre of innocent people in, and wholesale destruction of, Gaza and so there is purpose in sending a message to our U.S. Senators in particular.

Nancy

Nancy Rader  
1198 Keith Avenue  
Berkeley, CA 94708

**Benado, Tony**

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**From:** Scott West <sp.west@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:49 AM  
**To:** All Council  
**Subject:** No Gaza agenda topics!

**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.

Please focus on city of Berkeley issues.

Best,  
Scott

**Benado, Tony**

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**From:** Robsun Coaching <robsuncoaching@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:46 AM  
**To:** All Council  
**Subject:** Re Israel resolution  
**Attachments:** Hebron.doc

**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.

Dear Member of the Berkeley City Council,

I am writing to encourage you to not vote on issues related to the Middle East. I recognize there are many hurt people around these issues. However, I think it is outside the purview of Berkeley to know enough, let alone make decisions, about events that are distance, complex, and involve many actors and factors.

I am a Berkeley resident who has made 20 trips to Israel. During my first trips, I realized that the situation is far more complex than I - and most people - know or realize, and that the aggressor/oppressed narrative was a false and gross oversimplification. It was not until my 11th trip that I felt I knew enough to have an opinion.

During these trips, I talked to as many people as possible and tried to see for myself what was going on. So, for example:

Arab Israelis (Arabs who have, and want, Israeli nationality) attended the same courses as I did in Jerusalem. They are fully part of Israeli society; there is no apartheid. In fact, recent polls have shown an increase in them feeling more Israeli than

Arab: <https://twitter.com/realbassemeid/status/1731801805632180545>

Palestinians (those Arabs who do not have, or want, Israeli nationality) in Jericho (and elsewhere) told me that they liked Israel and wanted to live in or with Israel. But they were afraid to speak out because of terrorists (such as Hamas).

A Sbarro pizza place in Jerusalem was bombed. I used to go there once a week, and had I been there at the wrong time, I would not be writing this letter. It was known as a place where Arabs and Jews worked together, in cooperation with each other. It was widely assumed that this venue was chosen by the terrorists for that reason.

I saw in Hebron (burial place of the Patriarchs and Matriarchs) how some Palestinians use their children to wage war (sending them into the street to throw Molotov cocktails at Israelis), for the benefit of the press. If Israelis do nothing they get killed. If they defend themselves, they are seen as child killers (please see the attached story).

The Middle East is far too distant and complicated for the Berkeley Council to weigh in on.

Please have the Berkeley Council stick to city business!

Thank you,



## Hebron

When I look at the events - and the press - in recent weeks, I am reminded of a situation in Israel I witnessed some years ago, in the city of Hebron. Hebron, less than an hour from Jerusalem, is the burial place of Abraham, Isaac, and Jacob, of Sarah, Rebecca, and Leah.

It is a holy site for both Jews and Muslims, and its name come from the Hebrew word, Chaver, which means friend. If only its holiness and its name would mean real peace! Instead, it is, and has been, a political hotspot for many years. At the time of one of my visits to Jerusalem, the conflict was once again flaring up.

I asked a friend of mine - a journalist - what was happening there, and he told me to get in his car. I got in, and then asked where we were going.

"Hebron".

I got very quiet. But my heart raced, as he drove me past the usual barricades, to "where the action was". We arrived at an army checkpoint, at the bottom of a quiet street, about two blocks long. The street was empty and tranquil.

Camera crews from various Western countries began to arrive on the scene. They exchanged some casual remarks between themselves. One congratulated another on the photo he had taken the week before of an Israeli soldier being blown up, and also congratulating him for the handsome price this photo had obtained. The reporters continued to prepare, coifing their hair - in order to appear good on television. I realized - Lesson #1 - they had been notified beforehand that something would happen. Whatever was going to happen was planned, orchestrated - for the press. This was not a spontaneous protest.

And I also realized - Lesson #2 - that they were profiting from the conflict. They were not neutral. They were happy to show up and broadcast whatever would happen - and do what it took to transform this into a money making day.

And then, things began to happen.

At the top of the previously quiet street, someone set a tire on fire, and sent it rolling down towards the checkpoint. It rolled and rolled down, and then fell over, billowing smoke and flame. This diminished visibility, and created a great backdrop for the television cameras; this little street now looked like it was the center of a war zone.

Then kids began to come into the street, from the houses on both sides. They would throw Molotov cocktails at the Israeli position before disappearing again. I would guess they were about 11 years of age. I thought, wow, for them this is a chance to be a national hero, be on television, perhaps even be a martyr, instead of spending another boring day in school. Not an opportunity most kids would miss.

And the adults? It could not be coincidence that adults were absent. Nor could it be a coincidence that the kids all came out around the same time. This was planned. This was intended. Lesson #3 - they use their kids - for their war, for their propaganda.

And Lesson #4 - This was brilliant. The Palestinians are not dumb. What could the Israelis do? If they did nothing, they would be killed or wounded. If they answered - even with rubber bullets - the press would show them as oppressors, as murderers - of kids. It was a no-win situation for Israel, and the Palestinians would win whatever happened.

This all occurred within two blocks within Hebron. It almost seemed like a local turf war. Yet the view that the press gave, and that the world

received, was that Hebron was ablaze and filled with violence. The press was magnifying and distorting the situation. If the press were not there, I wondered if any of this would happen, and wondered if there might actually be chances for peace.

When I see the news today, I know that the Palestinians (in this case, the terrorist group Hamas) have gotten even better at this game. In almost every conflict, the Palestinians score public relations points - even when Israel goes to great lengths to minimize civilian casualties. For Hamas - to begin a conflict is to win.

And, Lesson #5, I am also aware, that, left to their own devices - these two peoples might find a way to live together. A new team of Israeli soldiers arrived. As the new team took up their positions, some of the other would go into the Arab kiosk - a few feet away and still open - to buy a snack from the Arab shopkeeper. I watched as a soldier opened his bag of chips.



## Hebron

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received, was that Hebron was ablaze and filled with violence. The press was magnifying and distorting the situation. If the press were not there, I wondered if any of this would happen, and wondered if there might actually be chances for peace.

When I see the news today, I know that the Palestinians (in this case, the terrorist group Hamas) have gotten even better at this game. In almost every conflict, the Palestinians score public relations points - even when Israel goes to great lengths to minimize civilian casualties. For Hamas - to begin a conflict is to win.

And, Lesson #5, I am also aware, that, left to their own devices - these two peoples might find a way to live together. A new team of Israeli soldiers arrived. As the new team took up their positions, some of the other would go into the Arab kiosk - a few feet away and still open - to buy a snack from the Arab shopkeeper. I watched as a soldier opened his bag of chips.

**Benado, Tony**

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**From:** Jane Schoenfeld <jane.schoenfeld@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:48 AM  
**To:** All Council  
**Cc:** Jane Schoenfeld  
**Subject:** City Council resolution on the Mid-East

**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.

I do not support any resolution in the city council dealing with foreign affairs. The city council's job is dealing with local issues. Furthermore, since this issue is particularly divisive, the council will spend an inordinate amount of time discussing it. This is a tremendous waste of energy and time.

Thank you,  
Jane Schoenfeld

**Benado, Tony**

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**From:** Alan Pearson <alanjohnpearson@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:48 AM  
**To:** All Council  
**Subject:** Statement regarding Israel/Hamas was

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.

Please keep berkeley city politics out of the war. Individuals may want to express their own views but please do not issue comments or statement regarding the war on behalf of the city of berkeley. The city council is elected to manage the business of berkeley.

Thanks

Alan Pearson

Sent from my iPhone

**Benado, Tony**

---

**From:** Dan Fingerman <dfingerman@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:48 AM  
**To:** All Council  
**Subject:** The role of our City Council

**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.

Dear Council Members,

Sure, hold your personal beliefs, whether about Berkeley infrastructure, crime in Berkeley, Berkeley schools, garbage collection, or any other issues concerning our city. Speak to those beliefs to friends or in public or in Council meetings.

But as an elected official, please focus your time and effort on issues that directly affect our city, here, now, and in the future. I believe that the role of our City Council is to focus on making our city a better place, not to pontificate on international politics.

Please do the job you were elected to do, to make Berkeley a better place. Stay away from pointless proclamations regarding international affairs.

Sincerely,

Dan & Lynne Fingerman  
915 Mendocino Ave.  
Berkeley

**Benado, Tony**

---

**From:** Holly Smith <hsmith@philosophy.rutgers.edu>  
**Sent:** Sunday, December 10, 2023 11:42 AM  
**To:** All Council  
**Subject:** Potential late arriving resolutions on the situation in the Middle East

**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.

As a voter I am strongly opposed to the consideration by the City Council of any resolutions introduced, in a non-emergency situation, without prior notice and circulation to city council members or to the public. I understand some Council members may wish to introduce such a resolution concerning the situation in the Middle East at the upcoming meeting. Since the Middle East situation has been developing for weeks, this is hardly an emergency occasion, especially as no resolution by the Berkeley City Council can have any effect on the catastrophic developments there. Horrific injuries have been, and are being, suffered by innocent civilians on both sides of this conflict, but for the City Council to adopt a resolution regarding the situation will only prove divisive for the City. It is hard to imagine any resolution -- even one asking for a cease-fire -- that would be truly neutral as between the parties to the conflict. The City will be better served by the Council not attempting to address the situation, especially as any attempt to do so at this point in time will appear to be against the interests of the City's Jewish population, who are celebrating Hanukkah this week and would be unlikely, without advance notice, to be able to attend the meeting of the Council and make their voices heard.

Yours sincerely,  
Holly Smith  
548 Vincente Ave  
Berkeley 94707

**Benado, Tony**

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**From:** Barbara Lewis <bslewis\_cards@yahoo.com>  
**Sent:** Sunday, December 10, 2023 11:32 AM  
**To:** All Council  
**Subject:** Do Not Accept Any Late Coming Resolutions Without Advance Notice

**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.

As a long time resident and citizen of Berkeley, I wish to voice my concern about attempts to by-pass the rules, procedures and regulations of the City and State regarding "Urgency Messages". Do not accept any late coming resolutions without advance notice.

Thank you,  
Barbara Lewis



**Benado, Tony**

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**From:** Tali Ziv <talaziv1@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:30 AM  
**To:** All Council  
**Subject:** No last minute resolutions especially on Hannukah

**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.

Dear City Council:

I am dismayed that any item about the Israel/Palestine/Gaza war will be reviewed on Tuesday night, on Hannukah, let alone a last-minute item not already on the planned agenda about a war across the world. Berkeley City Council members were not elected based on their knowledge and skill leading international policy. Must this madness of increasingly blatant antisemitism continue? New city council resolutions only add to the pain. The state of Israel is the only sliver of the land in the world, and a land indigenous to the Jews, that has a Jewish majority and most important, allows and celebrates full practice of Jewish observance, while also allowing peaceful practice of all religions. It's by no means a perfect nation, and I do not support its current government, but it remains a democracy that is a democratic and innovative light amongst nations in that region. There are more than 15 Arab majority sovereign countries in the world. My father-in-law, an Arab Jew, is from one of these countries, Iraq, that has no Jews left basically. He left his home at age 3, smuggled in the back of a car and in refugee camps to Israel, the only country that would take him, after his father's and family's life was increasingly in danger. The amount of blatantly anti-Semitic misinformation recorded in the Richmond and Oakland city councils is still traumatizing me and my family.

Never mind that it is Hanukkah, and our Berkeley synagogue has a family Hanukkah lighting event to bring a little light into the darkness of this horrific time, and involves many individuals who would be compelled to instead attend the city council meeting, after attending so many recent BUSD school board meetings trying to keep all students emotionally and physically safe. People with loved ones slaughtered and raped on Oct 7th inside Israel's green lines, with loved one now on the front lines in Gaza, with deaths announced daily, with missiles aimed into the Israeli civilian areas, still fired from civilian areas used as shields, and with over 100 hostages still unaccounted for, alive hopefully in tunnels, with those released attesting to mistreatment, under feeding, and even sexual abuse. We are in mourning, every day since Oct 7th. Including mourning so many innocent Palestinians dead, including scholars, journalists, artists and writers. Believe me, I am a pacifist. This war was not my choice. And starting or stopping it won't be my choice. But Israel, like all sovereign countries, has a right to

defend itself and to create a future of peace for its people, Jews, Christians, Muslims among them, to live. Ceasefire should and will happen, when Hamas and Israel agree to one. Just like every other country in this world. Not when the residents of Berkeley agree it will.

For heaven's sake, please, many Berkeley Jews and Israeli immigrants to the USA living in Berkeley right now are truly traumatized every single day. Just last night I was in a different city lighting Hanukkah candles, and during the lighting we added another blessing, that we are free to light candles. There were people in that room who are immigrants and children of immigrants from countries where they were not free to observe their religious and ethnic traditions.

Those lighting candles literally celebrated our Berkeley's mayor for refusing to bring the topic that is causing only tremendous anguish locally and won't resolve this war to his city council meeting. Please, let all our Berkeley people, Muslims, Christians, Jews, Arab, Israeli, Gazan, go to work, to school, and freely observe their holidays in peace this Tuesday, if not every Tuesday.

If people want to work towards peace and support those suffering, there are countless ways to do that, but not with local City Council resolutions which only creates divisions and brings more pain locally to its residents.

With respect,  
Tali Ziv

**Benado, Tony**

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**From:** James B. Blume <jbb@blumecapital.com>  
**Sent:** Sunday, December 10, 2023 11:28 AM  
**To:** All Council  
**Subject:** GAZA

**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.

Councilmembers,

The Berkeley City Council should NOT be dealing with foreign policy. That is not the reason you were elected.

Yours truly,

Jim Blume

23 Vicente Rd.

**Benado, Tony**

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**From:** Alan H Schoenfeld <alans@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 11:28 AM  
**To:** All Council  
**Cc:** Alan Schoenfeld  
**Subject:** Please do not introduce resolutions during Chanukah

**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.

Dear Council:

It is totally inappropriate to introduce "emergency" resolutions that can be seen as anti-Jewish during the week of Chanukah, when many Jewish families will be gathering to celebrate and not be available to participate at a city Council meeting. This "emergency" has been going on for a long time. You can wait and follow due process.

Sincerely,  
Alan Schoenfeld  
830 Colusa Ave  
Berkeley, CA 94707

**Benado, Tony**

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**From:** Colleen Busch <colleenmortonbusch@gmail.com> on behalf of Colleen Busch <colleen@mobu.org>  
**Sent:** Sunday, December 10, 2023 11:17 AM  
**To:** All Council  
**Subject:** No resolutions on agenda for Tuesday Council meeting

**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.

Dear Council,

Thank you for your work representing residents of the City of Berkeley. This is the scope of the council's work, NOT having a foreign policy or making statements and passing resolutions that can have no meaningful impact abroad and will only further divisions locally. Please do NOT place any resolutions posted on X/Twitter on the Council agenda for this Tuesday's meeting. This is not the activity Councilmembers were elected to perform.

C. Busch  
859 Euclid Ave / Councilmember Wengraf's district

**Benado, Tony**

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**From:** Patricia Kipnis <pkipnis@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:15 AM  
**To:** All Council  
**Subject:** Resolution

**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.

Please do not discuss or waste our money and time discussing resolutions that have nothing to do with the business of running the city of Berkeley. There are plenty of local issues you were elected to resolve. Concentrate on those please.

Thank you,  
Patricia Kipnis  
1153 Amador Ave  
Berkeley, CA

**Benado, Tony**

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**From:** Bill Powning <billpowning@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:13 AM  
**To:** All Council  
**Subject:** the Middle East

**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.

City Council Members,

I do not presume to know how peace will ever reign in the Middle East. However, the Berkeley City Council taking up the issue will not help there or locally. Please do not waste your time debating resolutions as a City Council. Regardless what side you might take it will only fuel negative passions to no good effect.

Bill Powning

**Benado, Tony**

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**From:** Rabbi Yonatan Cohen <rabbiyonatancohen@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:11 AM  
**To:** All Council  
**Subject:** On behalf of Congregation Beth Israel

**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.

Dear City Council,

I wanted to first thank the five council members who attended last night's public gathering for Hanukah, a first of its kind in our city. Your presence made it clear that you not only celebrate with us, but that you also celebrate and understand the unique and beautiful diversity of our city.

The event was attended by members of Congregation Beth Israel, Beth El, Netivot Shalom, Berkeley JCC, Berkeley Hillel, Chochmat Halev, and Urban Adamah.

At this time I wanted to urge you to reject ANY resolution pertaining to the war between Israel and Hamas. Please stand firmly against the voices of division and hate that threaten our city, our streets, our communities, and our members.

Especially at this time, I urge you to make clear to our entire city PRIOR to Tuesday's meeting, that you will not discuss matters pertaining to our local Jewish community, and that will have direct impact on Jews living in our city, during the holiday of Hanukah, denying us the ability to celebrate our holiday in Berkeley in peace.

I urge all council members to pull their resolutions ahead of Tuesday's meetings and to inform the public as soon as possible: Resolutions impact Jews, Israelis, Muslims, and Palestinians living in our local communities the most, and members of these populations deserve to be in the room without impediments.

Finally, the rabbis, administrators, and educators of the organizations mentioned above, represent the largest segments of Berkeley's Jewish community. Please take the time to reach out to each of them collectively and individually. We represent a significant constituency of this beloved city. Please put our interests and our communities' wellbeing at the forefront of any international initiative or resolution. Stand firm and together with our mayor say NO to any resolution.

Sincerely,  
 Rabbi Yonatan Cohen

Rabbi Yonatan Cohen

Congregation Beth Israel  
[www.cbiberkeley.org](http://www.cbiberkeley.org)  
 1630 Bancroft Way  
 Berkeley, CA 94703  
 (510) 843-8052



**Benado, Tony**

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**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Sunday, December 10, 2023 11:09 AM  
**To:** All Council  
**Subject:** No late-coming resolutions on Tuesday

**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.

Looking for any advantage they could find, Hamas launched its October 7th attack on a Jewish holiday. They did this in the Passover Massacre and in countless other terror attacks timed for holidays. Other Arab nations most famously used this ploy when they started the Yom Kippur War.

So, I don't know whether to laugh or cry when I hear that some of you are thinking of using the same tactic to push forward your inappropriate and divisive ceasefire resolution during Hanukkah.

Maybe you're ignorant or maybe you just don't care. Either way, just stop.

Eric

**Benado, Tony**

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**From:** Rebecca Brams <rebecca.brams@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:06 AM  
**To:** All Council  
**Subject:** I do not support the Berkeley City council passing a resolution on Israel-Gaza

**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.

I am a longtime resident of Berkeley, a homeowner and a voter here. I do NOT support the City Council passing a resolution on the tragic situation in Israel-Gaza.

Rebecca Brams

**Benado, Tony**

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**From:** Ruth Muschel <ruth.muschel@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:03 AM  
**To:** All Council  
**Subject:** late resolutions

**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.

Accepting late resolutions regarding Palestine/Israel makes no sense for Berkeley City Council which has no relevance for the actual issue. Hence this is not an emergency that the Council should weigh in on. Further in the absence of relevance to consider putting forward an opinion on an issue for which Berkeley residents are not in accord would only be divisive and not lead to a serious and tolerant environment to discuss these issues.

I do not think there is any good reason for Berkeley or the Council to accept resolutions on this topic for consideration. Any such resolution should not be part of the City Council debate.

Yours  
Ruth Muschel

Ruth Muschel  
908 Mendocino Ave.  
Berkeley, CA 94707  
USA

+1 510 646 6157

**Benado, Tony**

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**From:** Andrea Cassidy <berkgal22@gmail.com>  
**Sent:** Sunday, December 10, 2023 11:03 AM  
**To:** All Council  
**Subject:** Really? "urgent" action resolutions??

**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.

As a 45 year resident of Berkeley, enough is enough! If you want to take positions on world affairs, run for Congress. Your job is to run the City, which is woefully in need. Stop wasting my money talking about things you have no power over and run the City before you run me out of it. There is no urgency for the City to adopt a resolution about Middle East affairs. To do so raises serious Brown Act violations which Subject the City and its officials to litigation.

People that want to get involved in stating their positions on the Middle East crisis have ample opportunities to do so without interfering with City time and services. Stop before you further alienate and divide your residents. This is a time to avoid wedge issues instead of creating further tension in the City.

I implore you to not waste time on resolutions outside the scope of City powers, no matter how much pressure you get for these ill conceived resolutions. Get a backbone and run the City.

Andrea Cassidy

Sent from my iPad

**Benado, Tony**

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**From:** E.Horowitz <eahorowitz@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:57 AM  
**To:** All Council  
**Subject:** Israel-Gaza resolution

**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.

I stand firmly with Councilwoman Sophie Hahn in opposing the City Council passing a resolution about either side of the Israel-Gaza war. It will only increase division and hostility between citizens of Berkeley, without having any effect on the war.

Leave it to individual citizens to make their opinions known to our congressional representatives and President Biden.

Elizabeth Horowitz  
1421 McGee Ave.  
Berkeley 94703

**Benado, Tony**

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**From:** Jessica Abbe <jessabbe@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:57 AM  
**To:** All Council  
**Subject:** late resolutions

**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.

To the Mayor and City Council,

Thank you for not taking sides on the complex and divisive issue of the war. Those of us who mourn losses on both sides appreciate it.

I have heard that some of you are planning to bring up urgency items this week, without appearing on the agenda in advance.

This Tuesday is Hannukah, when many of my Jewish neighbors, your constituents, won't be there to see your actions.

Please do not accept any late resolutions. This would represent a sneaky, bad precedent and diminish the Council's previously principled stand to concentrate on issues of wider agreement among people in Berkeley.

Thank you,

Jessica Abbe

Berkeley Voter

**Benado, Tony**

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**From:** stuart.kelman <stuart.kelman@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:52 AM  
**To:** All Council  
**Subject:** please do not take up these late-coming resolutions

**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.

rabbi wwtuart kelman

**Benado, Tony**

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**From:** Ivan Diamond <ifdiamond@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:31 AM  
**To:** All Council  
**Subject:** Resolutions

**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.

It is inappropriate for you to accept late – coming resolutions. Do not accept them

Ivan Diamond, MD  
761 San Diego Road.  
Dictated on my iPhone.  
Please excuse typos



**Benado, Tony**

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**From:** Teresa Wong <otis.teresa@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:28 AM  
**To:** All Council  
**Subject:** Continue to follow the law

**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.

Please refuse to pass any resolutions on Tuesday's Agenda as Urgency Items that did not receive adequate public notice. According to **State Law or City of Berkeley Rules of Procedure - Agenda items cannot be added at the last minute, without required advance notice.**

Sincerely,  
Teresa Wong  
913 Modoc St, Berk 94707

**Benado, Tony**

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**From:** Jan Pardoe <jrp44074@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:27 AM  
**To:** All Council  
**Subject:** No late resolutions on Tuesday 12/12

**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.

I urge you all not to accept any late, non-agenda resolutions at this Tuesday's city council meeting. There are specific, limited circumstances under which such resolutions are allowable, and establishing foreign policy does not qualify.

In general, I agree with Councilmember Hahn that the terrible situation in Gaza is too divisive for local governments to take positions on. I elect local officials to represent not just me, but the community and well-being of the city. Encouraging more anger, hatred, and potentially violence here in Berkeley does not fulfill that elected function.

Janice Pardoe  
2230 Woolsey St.

**Benado, Tony**

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**From:** Alison Lingo <alisonlingo@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:25 AM  
**To:** All Council  
**Subject:** Re Tuesday Meeting's Agenda and beyond

**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.

Dear City Council Members,

I agree with City Councilwoman Sophie Hahn who has stated in an email : *"I am calling on my Council colleagues to stand firm and refuse to place any resolutions on our Agenda as Urgency Items this Tuesday "*

In Particular, it has been disturbing to learn of the anti-semitic, anti-Muslim propaganda being diffused into our City Council and beyond and am opposed to the BCG taking up or voting on any resolution related to the tragic situation in Israel and Gaza. As Sophie Hahn has stated:

- None of these resolutions has ever - or will ever - appear on a Council Agenda prior to Tuesday's meeting. *X/Twitter posts do not constitute adequate public notice* - or notice to other Council members and the Mayor, who apparently will be asked to vote.
- I do not believe these resolutions qualify - under State Law or City of Berkeley Rules of Procedure - to be placed on our Agenda at the last minute, without required advance notice. Council is only allowed to take up last minute matters under limited, exigent circumstances. (See: California Code, Government Code - GOV § 54954.2(b) and 54956.5).
- Tuesday's Council meeting takes place during Hanukkah - the most widely celebrated Jewish holiday of the year - at a time when families across Berkeley who may have a strong interest in resolutions will be gathered with their children and families.
- 

I also question, as Hahn does, the reasoning behind any city taking up matters that extend beyond Berkeley itself and in this case in particular creating a situation that could have potentially dangerous consequences for the safety of Berkeley residents.

Alison Lingo  
 Berkeley, CA.

**Benado, Tony**

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**From:** Issy Kipnis <issy.kipnis@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:22 AM  
**To:** All Council  
**Subject:** resolutions

**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.

Please do not consider ANY resolutions that do not strictly relate to the City of Berkeley. You have sufficient issues properly managing the business of the City, to waste time on resolutions that are none of your business, and that have no impact on the wellbeing of the City residents.

Thank you for your consideration,  
Issy Kipnis

**Benado, Tony**

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**From:** Geri Degen <geridegen@sbcglobal.net>  
**Sent:** Sunday, December 10, 2023 10:21 AM  
**To:** All Council  
**Subject:** No on resolutions pertaining to Israel/Gaza war

**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.

Dear City Council members,

I am very disturbed that members of the City Council are planning to present "urgent" resolutions related to the conflicts in Israel and Gaza. Communicating to the public through X is not how I want to hear about City Council intentions. I was in great support that the City Council was working towards inclusivity and not divide or alienate members of our community. The City Council should continue to support its platform of not bringing resolutions related to this conflict and risk bringing harm to people in this community. Vote NO on discussing these resolutions and work on supporting all members of Berkeley.

Sincerely,

Geri Degen

654 Neilson

Sent from my iPhone

**Benado, Tony**

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**From:** Steve Meyers <spmey55@yahoo.com>  
**Sent:** Sunday, December 10, 2023 10:20 AM  
**To:** All Council  
**Subject:** NO late-coming resolutions

**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.

resolutions on the war in Gaza do not qualify - under State Law or City of Berkeley Rules of Procedure - to be placed on the Agenda at the last minute, without required advance notice.

furthermore, the Council should focus on the needs of Berkeley and not on issues that contribute to divisions in our community.

Steve Meyers  
1421 Allston Way

**Benado, Tony**

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**From:** Paul Jacobs <pauljacobs53@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:19 AM  
**To:** All Council  
**Subject:** Late coming resolutions re: Hamas/Israel war

**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.

It has come to my attention that three council members are attempting to calendar (for the 12/12/23 mtg) resolutions relating to the war between Hamas and Israel.

I am (a resident and registered voter) adamantly opposed to this attempt to breach city procedures.

Paul M Jacobs

**Benado, Tony**

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**From:** john light <john.light@comcast.net>  
**Sent:** Sunday, December 10, 2023 10:17 AM  
**To:** All Council  
**Subject:** Resolutions

**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.

I urge council members to not accept any late-coming resolutions, absolutely not!!  
John Light



**Benado, Tony**

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**From:** Marsha Gale <marsha.gale@me.com>  
**Sent:** Sunday, December 10, 2023 10:17 AM  
**To:** All Council  
**Subject:** Citizen Input- Dec. 12

**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.

I am writing to urge the City Council NOT to entertain or consider passing a resolution regarding the Hamas-Israeli conflict. While issues surrounding this conflict resonate with many of us who support the cause of peace and justice, these complex issues are outside the scope of local government; furthermore, a resolution will represent a counterproductive distraction from serious responsibilities of the City Council. Please do not pursue a resolution because it will create a damaging and unwelcome divisive flash point in Berkeley.

Respectfully,  
Marsha Gale

**Benado, Tony**

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**From:** Sarah Baughn <s\_baughn@hotmail.com>  
**Sent:** Sunday, December 10, 2023 10:11 AM  
**To:** All Council; sophie@sophiehahn.com  
**Subject:** Resolutions added without notice

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.

Dear City Council,

I am a taxpayer in the city of Berkeley and I'm writing to protest the adding of zero notice "urgent" resolutions regarding non-city business to the agenda for the December 12 meeting.

I am speaking up in support of Sophie, Hahn, and her holding fast to established process and protocol. The business of the City of Berkeley is to manage the City of Berkeley, and not to make resolutions about conflicts across the planet from us and which are divisive and inflammatory between neighbors.

I want to see better streets, safer neighborhoods, parks that can be used by all and not given over to illegal camping, and real intervention to address the mental health issues of people on the streets that make walking in downtown Berkeley unsafe at worst and unpleasant at best. Remember your jurisdiction boundaries and care of business for Berkeley.

Sincerely,

Sarah Baughn

Sent via thumbs from my iPhone

**Benado, Tony**

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**From:** Elisabeth Goldstein <elgoldstein@yahoo.com>  
**Sent:** Sunday, December 10, 2023 10:08 AM  
**To:** All Council  
**Subject:** Opposed to resolution on Mideast conflict

**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.

I do not believe a last minute item should be on tonight's agenda and I am opposed to the council passing a resolution about an international conflict. Please spend your time to improve Berkeley instead.

Elisabeth Goldstein  
McGee Avenue

**Benado, Tony**

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**From:** Marcus, Richard <marcusr@uclawsf.edu>  
**Sent:** Sunday, December 10, 2023 10:07 AM  
**To:** All Council  
**Subject:** Last-minute resolutions on Gaza situation

**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.

Dear Berkeley City Council members:

I understand that some Council members are trying to get the Council to reverse its very recent position on resolutions dealing with the situation in Gaza. As a very long-time resident of Berkeley (my father was a freshman at the university 99 years ago, and my mother was in the class of 1939), I write in strong opposition to this effort to reverse the recent decision. Besides being wrong-headed, these efforts probably do not comply with the public notice requirements of state law and our own city rules. Pushing these measures on a High Holiday seems to me to magnify the proponents' indifference to democratic norms. I worry that vehement supporters of these belated measures may crowd the Council chamber to berate Council members, while others are unable to attend to express opposing views. Speaking only for myself, I have a monthly Board meeting of the Claremont Canyon Conservancy at the same time as the upcoming Council meeting.

Please do not entertain, much less adopt, these belated submissions.

Richard Marcus  
70 Domingo Ave.  
Berkeley, CA 94705  
[510] 655-6086

UC Law San Francisco  
marcusr@uclawsf.edu

Note that, effective July 21, 2023, our email addresses have changed to uclawsf.edu.

**Benado, Tony**

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**From:** Liz Hoadley <liz.hoadley@me.com>  
**Sent:** Sunday, December 10, 2023 10:04 AM  
**To:** All Council  
**Subject:** New Resolutions for December 12 Council Meeting

**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.

Dear City Council,

I urge you NOT to vote on the new resolutions that are not on the December 12 agenda, but appear to have been announced on Twitter/X. Please do not vote on these resolutions for two reasons:

1. Berkeley City Council Resolutions regarding the Hamas/Israel conflict are beyond the city's scope of responsibility. The only purpose served would be to further divide the Berkeley community over this fraught and complicated situation.
2. This approach to putting forward City Council resolutions does not comply with state and city laws, and should not be condoned.

Thank you,  
Liz Hoadley

**Benado, Tony**

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**From:** katherine <kmapesresnik@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:00 AM  
**To:** All Council  
**Subject:** Hamas/Israel Resolution  
**Attachments:** Berkeley HamasIsrael Resolution.docx

**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.

Dear Berkeley City Council,

Please read this letter urging you to vote no on creating a resolution regarding the Hamas/Israel War. It is deeply concerning that these types of resolutions do nothing to solve the problem for the Palestinians or the Israelis and only deepen the conflict for both sides. .

It is my sincere hope that you will not be a party to spreading more hate. Peace is what we all want and this resolution will not accomplish that.

Respectfully,  
Katherine Mapes-Resnik

December 10, 2023

Dear San Berkley City Council,

As antisemitism and Islamophobia continue to escalate in the Bay Area, the introduction any resolution about the Hamas/Israel will only further inflame tensions between already traumatized Muslim and Jewish communities and create a forum for hate.

As the whole country witnessed in Oakland and Richmond, the consideration of one-sided resolutions about the Israel-Hamas War result in hours of public comment plagued by antisemitic jeering and hateful conspiracy theories, as well as general confusion and lack of decorum.

If the Berkeley City Council truly wants to support peace between Israelis and Palestinians, it must not create a divisive resolution. If there is to be any resolution at all it must condemn the October Hamas massacre, call for the immediate release of all hostages in Gaza. Further, it must acknowledge that Hamas is an impediment to any sustained ceasefire, and that Hamas does not support on-the-ground efforts that bring Israelis and Palestinians closer to a shared future of coexistence and prosperity.

I'm asking you to say no to spreading hate and no to one-sided resolutions.

Respectfully,  
Katherine Mapes-Resnik

**Benado, Tony**

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**From:** joan sarnat <joansarnat@gmail.com>  
**Sent:** Sunday, December 10, 2023 10:00 AM  
**To:** All Council  
**Subject:** No late resolutions please!

**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.

Please do not divide our community by forcing a vote on something not relevant to our immediate community!  
Joan Sarnat



**Benado, Tony**

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**From:** William Guynn <wsguynn@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:53 AM  
**To:** All Council  
**Subject:** Do not entertain any late coming resolutions about the Israel/Hamas conflict

**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.

To The Berkeley City Council:

As very long time citizens of Berkeley we are dismayed to learn that some members of the Council intend to bring up resolutions this Tuesday about the Israel/Hamas conflict.

It appears these resolutions would not qualify under State Law or City of Berkeley Rules of Procedure without advance notice.

We also do not believe it is the business of the Berkeley City Council to deal with this international matter. It would also be most inappropriate for the City Council to take a position which would clearly be contrary to the positions and opinions of a good number of Berkeley citizens.

Further, what the Berkeley City Council does is highly unlikely to have any influence on the conflict.

Moreover, and most importantly, in this time of mounting and devastating antisemitism, for the Berkeley City Council to act on the matter of the Israel/Hamas conflict would be to increase the risk of violence against Jews in our city. This must absolutely be avoided.

Please also note that during the Jewish holiday of Hanukkah Jews who out of deep concern might wish to attend this City Council meeting would instead be gathering with their families.

Also, please note many Jews would be frightened to attend Council meetings given the aggressive pro-Palestinian demonstrations that have taken place.

We have applauded the Berkeley City Council for thus far avoiding the mistakes made by the Richmond City Council and the Oakland City Council. We hope we can continue to respect and support our City Council.

We sincerely hope the Berkeley City Council will continue to act appropriately.

Sincerely yours,

Stefanie Guynn  
William Guynn

**Benado, Tony**

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**From:** Isabelle Gaston <isabelle.gaston@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:53 AM  
**To:** All Council  
**Cc:** City Clerk  
**Subject:** Please Refuse Resolutions as Urgency Items on this Tuesday's Agenda

**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.

Dear Mayor and City Council,

I implore you to not accept any late coming resolutions as urgency items on this Tuesday's Agenda.

I will have no opportunity to read and respond to the resolutions before the meeting. Furthermore, Tuesday is a holiday for the Jewish community.

Thank you.

**Benado, Tony**

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**From:** Rick Maisel <rlmaisel@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:51 AM  
**To:** All Council  
**Subject:** Please do not accept any late resolutions

**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.

Please don't encourage divisiveness in the community. Israel is not about to have an unconditional ceasefire which would allow Hamas to remain in power in Gaza and continue to pose a terrorist threat to Israel and its citizens. I'm all in favor of calls for more redirect for life o both sides and more care be taken to prevent civilian causal ties and humanitarian disasters. But asking Israel to capitulate to Hamas? This is not Berkeley's place

Sent from my iPhone

**Benado, Tony**

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**From:** Gail Nanao <gailcnanao@yahoo.com>  
**Sent:** Sunday, December 10, 2023 9:44 AM  
**To:** All Council  
**Subject:** Resolutions

**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.

Please do not go outside the scope of your powers and vote for a resolution that goes beyond the politics of Berkeley and does not represent all of Berkeley.

Gail Nanao

Sent from my iPad

**Benado, Tony**

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**From:** Wendy Bloom <webloom54@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:43 AM  
**To:** All Council  
**Subject:** Resolution on Gaza

**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.

Dear Council,

I am very much in support of a ceasefire and abhor the loss of innocent lives continuing to occur in Gaza. I have been witness to a number of proposed resolutions in a variety of city councils and other organized groups. I find the resolutions to be performative and their passing has actually caused more division & angst in our diverse communities than they have in bringing an end to the dispute. I was pleased that our city council has not been bullied into passing something without giving it the time or thought it deserves. I know people are feeling distraught and heartbroken. I am myself as well, but rushing through something will actually do nothing to end our heartache. Please do not put any resolution on the agenda as an emergency measures. Do not allow yourselves to be bullied in to this. Many of us are appreciative of how you have managed this so far.

Thank you,  
Wendy Bloom  
510-701-0192

**Benado, Tony**

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**From:** Gyttta Papier <gyttapapier@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:34 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Vote NO on November 28th

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,  
Gytta Papier

#EndJewHatred

Sent from my iPhone



**Benado, Tony**

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**From:** Michael Scandling <mwscan@earthlink.net>  
**Sent:** Sunday, December 10, 2023 9:33 AM  
**To:** All Council  
**Cc:** Michael Scandling  
**Subject:** Dec 12 Meeting – NO URGENT RESOLUTIONS

**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.

Dear Mayor and Council members,

It is my understanding that some will attempt to introduce an urgent resolution or resolutions (plural) that are not on the agenda. This is highly irregular. There is no chance for public review prior to the meeting, and is bound to create great disagreement within the city. I urge the Mayor and Council to refuse any urgent resolutions in this meeting.

Thank you.

Michael Scandling  
901 Cragmont Ave.  
Berkeley

**Benado, Tony**

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**From:** Shelley Golomb <shelleygolomb@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:31 AM  
**To:** All Council  
**Subject:** NO resolution on GAZA

**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.

Under no circumstances should the City of Berkeley adopt a resolution regarding the Israel-Hamas war or any other world conflict. Berkeley has enough of its own problems, that is your job. Not anti-semitic resolutions that divide a community and serve no purpose. Those that want to protest have the right to do so, peacefully and publicly. This tragic situation has no place on the City agenda.

Focus on the many homeless and drug addicted people laying on our sidewalks that need your help.  
Shelley Golomb  
Berkeley resident

**Benado, Tony**

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**From:** Jennifer Pearson <jennifer.maryphd@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:31 AM  
**To:** All Council; Jennifer Pearson  
**Subject:** No vote on treating a late coming issue as urgent

**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.

The war in the Middle East has been ongoing for years, thus is not urgent for Berkeley residents and workers.

Lest we not forget the historical context. Nor the plan to extract petroleum from beneath Gaza. And then geography: what of the plan for trade to bypass the Suez Canal--crossing over Palestine and Israel lands? How are these plans relevant for our diverse community?

Sincerely, Jennifer Mary Pearson 1546 Milvia Street 94709

**Benado, Tony**

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**From:** Esta Brand <esta.brand@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:30 AM  
**To:** All Council  
**Subject:** Resolutions

**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.

Do not vote on any late-coming resolutions, especially those concerning a cease-fire in Gaza. This is not an appropriate issue for the City of Berkeley to address. I am also strong opposed to any such resolution.

Esta Brand

**Benado, Tony**

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**From:** michael juster <mjuster@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:28 AM  
**To:** All Council  
**Subject:** No resolutions on Gaza

**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.

Up to this point Berkeley has done the right thing and stayed out of putting out a resolution on the situation in Gaza. It will just divide and inflame the community and will have zero bearing on anything that happens there. Plus many people are treating this as a black and white situation and it is not.

My understanding is some council members are preparing to bring up resolutions on short notice, during a Jewish holiday. This is wrong on so many levels.

I am extremely disappointed also to see these propositions brought up by more progressive members that I would normally align with. On most issues I do not agree with the mayor or council member Hahn, but they have this one exactly right. Kudos for them for having the bravery to stand up against ignorant resolutions that will make our community weaker not stronger.

If you really want to help you should be creating opportunities for community members to try and understand each other better and not take such inflexible positions.

Don't be like Oakland-- there's a reason they are refusing a bathroom to a Jewish patron. They encourage these actions in their biased resolutions.

Best,  
Michael

**Benado, Tony**

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**From:** Simone Hoelck <shoelckaa@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:28 AM  
**To:** All Council  
**Subject:** Please: No late coming resolutions!

**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.

Dear City Council:

I would like to urge the Berkeley City Council not to accept any late coming resolutions. I'm also in favor of not taking any sides when it comes to the Israel/Gaza situation.

Regards,  
Simone Hoelck

**Benado, Tony**

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**From:** Susan Schickman <sbschickman@comcast.net>  
**Sent:** Sunday, December 10, 2023 9:26 AM  
**To:** All Council  
**Subject:** Resolutions

**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.

please do what's best for Berkeley and keep these resolutions out of our city government. I respect that you have not allowed national and international events to disrupt our city government and bring hate and complicated national issues that target and divide our residents. Please keep holding this position.

Sincerely Susan Schickman Berkeley resident on Euclid Ave.

**Benado, Tony**

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**From:** Susan Frankel <susan.frankel@comcast.net>  
**Sent:** Sunday, December 10, 2023 9:24 AM  
**To:** All Council  
**Subject:** No resolutions on Israel/Hamas war

**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.

Berkeley City Council - I support your current position regarding resolutions on Israel/Hamas war. To be clear we are emailing to urge you not to entertain emergency resolutions on the topic.

We support focusing on fixing and running the City of Berkeley. Crime news appears daily, homeless is heartbreaking and the threat of fire due to climate change is intense. Kids and seniors need support. There is so much crying out for improvement.

We appreciate the difficulty you face from vocal factions that want Berkeley to pick a side on the horrible situation in the Middle East. Stand strong against them!

From - Taxpayers and citizens at 35 the Crescent. Susan Frankel and Moshe Maler

Sent from my iPhone



**Benado, Tony**

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**From:** Barbara G Davis <bgd@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 9:24 AM  
**To:** All Council  
**Subject:** Do not accept late resolutions; do not issue resolutions

**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.

Dear City Council Members,

I am writing to urge the Council not to accept any late resolutions pertaining to the Israel-Hamas war. City governments should prioritize local city issues and avoid engagement in international political conflicts, especially those where the Council has no direct influence or control. Introducing and debating resolutions on complex international issues not only diverts attention from pressing local concerns (such as infrastructure, crime, community development) but also risks creating divisions within Berkeley over matters that are beyond the Council's capacity to impact. I strongly believe it is inappropriate for the Council to accept a late resolution or issue any resolution related to the Israel-Hamas conflict. Please focus your resources and efforts on initiatives where you can make a real difference in the lives of residents.

Thank you for considering my request and for your continued service to our community.

Sincerely,

Barbara Gross Davis  
932 Hilldale Ave  
Berkeley

**Benado, Tony**

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**From:** Catherine de la Peña <dlpcath@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 9:21 AM  
**To:** All Council  
**Subject:** Urgent Request for a Ceasefire Resolution and Condemnation of Israel's Actions

**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.

Dear Berkeley City Council Members,

I hope this email finds you well. As a resident of District 2 in Berkeley, I am writing to urgently urge you to vote yes on a resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel.

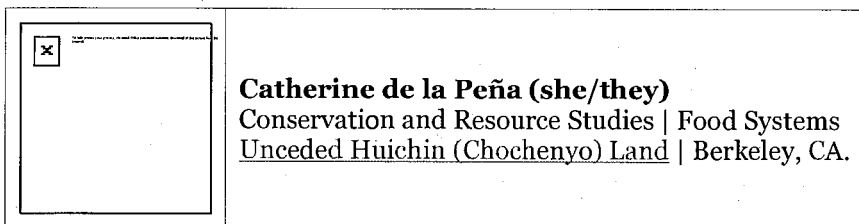
I am deeply dismayed by the prolonged delay in considering this crucial resolution. It is disheartening to witness the lack of prompt action, especially when the lives of over 20,000 Palestinians, including innocent children and women, are at stake.

Having attended the recent city council meeting, I was disappointed by the perceived lack of urgency and commitment from council members. I believe it is essential to convey this perspective effectively, ensuring that the Council understands the gravity of the matter at hand.

I implore you to take immediate action by voting in favor of the ceasefire resolution. By doing so, you will not only demonstrate Berkeley's commitment to justice and peace but also hold the Council accountable for the delayed consideration. It is important to address this apparent hypocrisy and ensure that our city stands firmly against the violence and injustice inflicted upon the Palestinian people.

Thank you for your attention to this urgent matter. I trust that you will act in alignment with the values of justice, compassion, and human rights that our community prides itself on.

Respectfully, Catherine  
 Berkeley Resident, District 2



**Benado, Tony**

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**From:** Susan Goldstein <susangoldstein@earthlink.net>  
**Sent:** Sunday, December 10, 2023 9:20 AM  
**To:** All Council  
**Subject:** No urgency vote on the Middle East

**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.

I am distressed and appalled that after assuring constituents in a number of ways that the City Council was not going to take a vote on a resolution about the Middle East, there is now apparently something that is going to be presented as an "urgent" measure. As a long-time Berkeley resident, I ask that you do NOT do so and please do NOT consider passing a resolution on the Middle East. Whatever you say will not be OK. You can only make it more difficult to live safely and comfortably in Berkeley.

Susan Goldstein  
530 Colusa Avenue  
Berkeley, CA 94707

**Benado, Tony**

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**From:** Elaine Hooker <enhooker@hotmail.com>  
**Sent:** Sunday, December 10, 2023 9:19 AM  
**To:** All Council  
**Subject:** no resolutions

**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.

It is not up to the Berkeley City Council to act on international matters.

Elaine Jackson

**Benado, Tony**

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**From:** Neil Lupa <nlupa@comcast.net>  
**Sent:** Sunday, December 10, 2023 9:17 AM  
**To:** All Council  
**Subject:** Do Not Accept Late Arriving Resolutions

**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.

Please do not accept any late resolutions especially they are designed to further inflame our community.

Thank you.

Neil Lupa

**Benado, Tony**

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**From:** Ellen Weinreb <ellen@weinrebgrou.com>  
**Sent:** Sunday, December 10, 2023 9:15 AM  
**To:** All Council  
**Subject:** DO NOT ACCEPT ANY LATE COMING RESOLUTIONS

**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.

These resolutions are dividing our community. Why are my local council members taking time away from Berkeley to focus on something that is going on half way across the world?

Get back to work and focus on Berkeley. This is upsetting.

Ellen Weinreb

**Benado, Tony**

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**From:** Ruth Berins Collier <rcollier@berkeley.edu>  
**Sent:** Sunday, December 10, 2023 9:15 AM  
**To:** All Council  
**Subject:** Do not proceed on the resolutions regarding the Middle East

**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.

Sent from my iPad.

**Benado, Tony**

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**From:** Bill Miner <railroadbill60@gmail.com>  
**Sent:** Sunday, December 10, 2023 9:15 AM  
**To:** All Council  
**Subject:** Run the damn city, check your ego

**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.

Please - don't take up global issues. We have enough problems to address locally. Let citizens do their own politicking globally.

Do not shirk your local responsibilities thinking you can change Gaza or Israel.




**Benado, Tony**

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**From:** Lili Naveh <navehl11@gmail.com>  
**Sent:** Sunday, December 10, 2023 8:29 AM  
**To:** Berkeley Mayor's Office; All Council  
**Cc:** Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** I wonder what behooves you??

**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.

**Re: Resolution about the War between Israel and Hamas****Berkeley City Council Members.**

 am writing to you as a citizen who is very concerned about the peace, safety and wellbeing of all the residents in Berkeley, and the Bay area communities at large.

On Nov 26/2023, over 30 million people witnessed the unprecedented and shameful disarray, provoked by hoodlums, as the Oakland City Council unanimously and regrettably, passed an infamous Israel-Hamas War resolution, de-facto endorsing terrorism.

The Oakland mayhem featured over five hours of public disturbing comments infested by antisemitic hyperbolic jeering, appalling bigotry, widely concocted conspiracies, hateful decorum, and boorish ignorance.

This same "**Roman Gladiator**" **blood thirsty circus** preceded the Oakland one also at **Richmond** Township, and then again post-ceded in **San Francisco**, as if a senseless mass hysteria, inflicted the measured reasonable sensibilities of the Bay area electives.

And now, the township of Berkeley, foolishly and irresponsibly, wishes to emulate and replicate that **irresponsible populist fad**, by pedaling, likewise infamous resolution, at the next council meeting on Tuesday, December 12. This act is only an offence to civility and decency as well as pure indignation to a conscientious leadership.

**What behooves you** to tread in Middle East foreign affairs, a complex and nuanced topic about which you lack historical depth, understanding, or any qualifications?

Parroting and recycling slippery structural concepts as:

"Imperialism" "Post Colonialism" "Genocide" to name a few, tagged to the hot-headed discussions on this thorny conflict, compounded within post-structural framework, is dangerously superficial, and is pure intellectual and moral laziness, since NOT the FACTS, nor investigatory depth or critical thinking matters, but only non-complexed, ignoramus hysterical communication and "contextual relativist" exchanges count.

The outrageous efforts to push this biased and divisive resolution, compounded by wanton disregard to the concerns of the large segments of the city's community; are truly a profile in political populist cowardice.

These efforts have outdone what even the Governments of Iran and Russia could have attempted and it is perplexing to see the council parroting the talking points of some of America's enemies.

Projecting, imposing and propagating your own personal restricted outlook, which is shackled by your own domestic political interests and scanty cultist identity, into a compounded post-World War II global geopolitical larger reality, only

reflect cognitive limitation, intellectual blindness, and **pure hubris**.

**Humility** would be much more befitting of the Mayor and the rest of the Council Members. It would, definitely, be by far a more decent service to the community you, all nominally represent. Your time and work, first and foremost, are supposed to be dedicated to the local public priorities, you were elected - for the betterment of life conditions of all ethnic groups in the city.

Wasting taxpayer money, as well as municipality workers' brain power, precious work time, assembly resources, and other public assets on a genuinely toxic resolution concerning one of the world's most entrenched Foreign Affairs issues, is literally a gross poor judgment and an abuse of power.

Beyond this colossal waste of resources, which is fueled by ignorance and morally *bankrupt* equivocation, it is shocking to see the township avoiding the issues it is solicited to address, namely the outrageous growth in homelessness, urban crime, and loss of individual safety on the streets.

Given the Municipality's dubious decades-long record in failing to confront these local problems, it is hard to imagine that the Middle East will be better off with a morally bankrupt and toothless resolution.

But more so, the resolution is divisive to the community, discriminating, alienating and antagonistic to a large segment of the city's productive population.

If not aborted, it will only further inflame hate and tensions between already traumatized communities, and thus make you accountable and unworthy of the public position you have shamelessly abducted.

Needless to remind you how flashing out the moral vacuity of 3 Ivy League University's presidents at the recent Tuesday hearing for the House's Education and Workforce Committee, tarnished and rightfully, their reputation and future with remarks as : "it depends on the context" or "if the speech turns into conduct,"

Such rhetoric and pushing toxic resolutions only further inflame tensions, create a forum for hate, and are despicable enablers to antisemitic conduct.

You will be judged and ultimately replaced for what you are neglecting to contribute to the betterment of Berkeley's citizens, and resolutions like this will only shorten your political longevity.

Prayers to all the citizens of Berkeley whose leadership has clearly lost its way.

Sincerely,

Lili Naveh  
Oakland CA

**Benado, Tony**

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**From:** Abigail Tolby <natolby@hotmail.com>  
**Sent:** Sunday, December 10, 2023 7:11 AM  
**To:** All Council  
**Subject:** Call on Hamas to Surrender

**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.

I want to express my support as one of many pro-Israel Americans. Now is NOT the time to call for a ceasefire. First, release all hostages, stop firing rockets into Israel & recognize Israel's right to exist. The call should be for Hamas to Surrender.

Abigail Tolby

**Benado, Tony**

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**From:** Namita Chandra <namitachandra@rocketmail.com>  
**Sent:** Sunday, December 10, 2023 5:31 AM  
**To:** All Council  
**Subject:** Ceasefire now and thoughts from a resident

**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.

**Subject: Urgent Appeal to Vote Yes on Gaza Ceasefire Resolution and Condemn Israeli Actions**

Dear Members of the Berkeley City Council,

I hope this email finds you well. As a Bay Area resident residing in District 4 and a concerned citizen, I write to urgently urge you to vote yes on the resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel.

I must express my deep dismay at the prolonged delay in considering this crucial resolution. The lack of prompt action is disheartening, especially considering the gravity of the situation. Over 20,000 Palestinians, including countless innocent children and women, have lost their lives. The delay in addressing this issue reflects poorly on our commitment to justice and human rights.

I implore you to understand the personal significance of this matter. By voting yes on the ceasefire resolution, you have the power to set a precedent that an entire group of people does matter. The world is watching, and our actions will resonate beyond the borders of Berkeley. We must not allow the oppression and suffering of any group to go unnoticed or unaddressed.

Moreover, it is important to realize that our response to this crisis has broader implications. By standing up against the atrocities committed in Gaza, we send a strong message to other nations, like India, where similar oppressions occur. Our collective voice can deter potential massacres and protect the lives of countless vulnerable individuals.

I respectfully call upon you to account for the delayed consideration of this resolution and remind you of the need for urgency. The time for action is now, and I trust that you will fulfill your responsibility to represent the concerns and values of your constituents.

Thank you for your attention to this matter. I sincerely hope that you will stand on the right side of history by voting yes on the Gaza ceasefire resolution and condemning the actions of the apartheid state of Israel.

Yours sincerely,

Namita  
Berkeley Resident  
District 4

**Benado, Tony**

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**From:** roni con <rconicon@gmail.com>  
**Sent:** Sunday, December 10, 2023 12:45 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Vote NO on November 28th

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

Roni Con

#EndJewHatred

**Benado, Tony**

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**From:** Francesca Mejia <divastarmeija@icloud.com>  
**Sent:** Saturday, December 9, 2023 8:16 PM  
**To:** All Council  
**Subject:** CEASEFIRE NOW

**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.

Dear Members of the Berkeley City Council,

I am writing to urgently urge you to vote yes on the resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel. As a member of the Jewish community, I am deeply dismayed by the prolonged delay in considering this crucial resolution, and it is disheartening to witness the lack of prompt action.

Over 20,000 Palestinians, including countless children and women, have tragically lost their lives. This devastating loss of innocent lives demands immediate attention and a strong stance from our community leaders. As an antizionist jew, I believe it is our moral responsibility to advocate for justice, peace, and the protection of human rights.

I am personally committed to this issue because I firmly believe in the power of dialogue and diplomacy to resolve conflicts. It is essential that the Berkeley City Council understands the urgency of the situation and listens to the voices of its constituents. By voting yes on the ceasefire resolution, you would not only demonstrate our city's unwavering commitment to peace but also uphold the principles of justice and equality.

I respectfully call upon the Council to reflect upon the delayed consideration and address the apparent hypocrisy surrounding this matter. We must hold ourselves accountable for our actions and ensure that our values align with our words. This resolution provides an opportunity for our community to take a stand, and I implore you to seize it.

In conclusion, I urge you to vote yes on the resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel. Time is of the essence, and it is crucial that we act swiftly to protect innocent lives and work towards a just and lasting peace.

Thank you for your attention to this urgent matter.

Sincerely,





**Benado, Tony**

---

**From:** Rachel Eryn Kalish <rachelerynkalish@gmail.com>  
**Sent:** Saturday, December 9, 2023 6:20 PM  
**To:** All Council  
**Subject:** Israel Hamas war

**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.

Dear Berkeley City Council:

As a former long time resident of Berkeley who still has deep roots there, I am writing to request that you support the resolution that will bring out the best in all sides of this conflict and help inspire and elevate the diasporas to work together for peace.

I worked on the ground with Palestinians and Israelis during the second intifada teaching compassionate dialogue skills. Due to poor choices and different mistakes by leaders on both sides things have become more entrenched over the years. We are now at a true crossroads and splintering the communities in Berkeley seems unwise to put it mildly.

I sincerely ask you as leaders to take a stand for higher ground. Listen to the voices asking for your support and heed them and vote for a resolution that condemns sectarian violence and supports inclusion and healing for both peoples who have suffered long enough.

Thank you. 🙏

Rachel Eryn Kalish, M.C.

**Benado, Tony**

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**From:** Luqman Yusuf Saib <luqmansaib@berkeley.edu>  
**Sent:** Saturday, December 9, 2023 5:32 PM  
**Subject:** Support a Permanent Ceasefire in Gaza

**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.

Dear Berkeley City Council Members,

My name is Luqman Saib, and I am a student at UC Berkeley. I am writing to urge you to call for an immediate and permanent ceasefire in the city of Gaza.

The people of Gaza are facing a massive campaign of ethnic cleansing and genocide by the apartheid state of Israel, with more than 20,000 Palestinians killed by Israeli bombardment of Gaza in the past two months. Nearly half of them were children. According to Catherine Russell, the executive director of UNICEF, more than 420 children are killed in the Gaza Strip every day.

Do not turn away and claim that Israel has the right to defend itself. The right to defend oneself is not equivalent to the right to kill 8,000 children in less than two months. Nothing will ever justify genocide. I urge you to pass a resolution that calls for a permanent ceasefire, in the name of human rights and human dignity.

Sincerely,

Luqman Saib

**Benado, Tony**

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**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Saturday, December 9, 2023 5:02 PM  
**To:** All Council  
**Subject:** Please stick to city governance

**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.

Good evening,

Congratulations to the Mayor for keeping it real in his NY Times quote. You have your hands full with City business and have neither the time, resources, or expertise needed to engage in foreign policy. Please hold that line.

It's sad that Rigel thinks he can compress this all down into a one page item. Spoiler: he failed and is just pandering. But even if he HAD somehow cracked the code, would any of you feel that you were equipped to verify it? Of course not! It's not your job and a council meeting is not the venue for foreign policy debate.

San Jose's charter forbids city officials from commenting on foreign policy unless asked by a federal official. Perhaps we could get a charter amendment in place?

Eric

**Benado, Tony**

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**From:** Melodee <me.edith@gmail.com>  
**Sent:** Saturday, December 9, 2023 4:57 PM  
**To:** All Council  
**Subject:** Comment on proposed Israel-Hamas war resolution

**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.

Dear Members of the Berkeley City Council,

My name is Melodee Au, and I'm a resident of Berkeley, where I live with my husband and 7-year-old daughter in our apartment in the Elmwood area. We're a mixed race and faith household -- I'm Ashkenazi Jewish, and my husband is ethnically Chinese and Vietnamese and was raised in a Buddhist family. Everyone in my family loves Berkeley for being such a welcoming home for multicultural families like ours. However, I'm concerned about the introduction of a resolution of the Israel-Hamas war, as I feel that similar resolutions passed by neighboring Bay Area cities have only been used to further escalate tensions in those communities. I'm greatly saddened and frightened by the rising tide of antisemitism and Islamophobia that we've seen across the globe as of late, and unfortunately very much in cities across California. I would ask the Berkeley City Council not to pass a resolution regarding the Israel-Hamas war. If the Members of Berkeley City Council should choose to pass a resolution anyway, then I would ask for you to consider passing Council Member Terry Taplin's as it speaks to all aggrieved parties in this conflict, and specifically condemns the actions of Hamas.

Thank you for all that you do for our city, and for taking the time to read this comment. It is very appreciated.

Sincerely,  
Melodee

**Benado, Tony**

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**From:** Miranda Lucia <mirandalucia1@gmail.com>  
**Sent:** Saturday, December 9, 2023 4:17 PM  
**To:** Berkeley Mayor's Office; All Council; Kesarwani, Rashi  
**Subject:** Israel Hamas Resolution

**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.

Respected Mayor, City Council Members,

I am a District 1 resident of Berkeley for over 30 years, with 3 kids attending BUSD.

It has come to my attention that the council will be considering a resolution on the Israel Hamas war in the upcoming meeting on December 12th (Ironically, in the middle of Hannukah, a Jewish holiday that celebrates triumph from those who sought to wipe us out in 165 BC).

I remain concerned that the introduction of any resolution about the Israel Hamas war at this time will only further inflame the current tensions in our community and create a forum for hate. I do not support putting forth any resolution on this topic.

However, if you feel you must consider a resolution, which I hope you do not, I support Terry Taplin's alternative resolution for the following reasons:

- 1) These debates are tearing apart our community but unlike the other proposed resolutions, at least Terry Taplin's is not one-sided.
- 2). Any resolution, like Taplin's does, must clearly condemn Hamas, call for the immediate release of hostages and removal of power and surrender of Hamas
- 3) Any resolution like Taplin's does, must acknowledge that Hamas is clear in its intention to repeat the atrocities of October 7th until Israel is wiped off the face of the earth
- 4) Taplin's resolution rightfully calls for Israel's right to defend itself, just like any other sovereign nation
- 5) Taplin's resolution calls for a two-state solution for a safe and secure Israel **and** a safe and secure Palestinian state.

A few important additional points to include in any resolution are:

- 1) the clear condemnation of Hamas' use of sexual violence in this war (Rape is not Resistance and it is a war crime and crime against humanity)
- 2) Hamas' use of civilian locations such as schools, hospitals and playgrounds is a war crime under International law

The only people who would oppose Taplin's proposed resolution and the additional points outlined above, are those who support the terrorist actions of Hamas and are antisemitic. Please do not succumb to their pressure.

Thank you Mayor Arreguin, Rashi and other members of the city council, for your continued support and effort to keep the peace in our community.

**Benado, Tony**

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**From:** Vish Soroushian <vmsoroush@gmail.com>  
**Sent:** Saturday, December 9, 2023 3:40 PM  
**To:** All Council  
**Subject:** Support for CM Bartlett's Ceasefire Resolution with Modification

**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.

Dear Mayor & City Council,

I hope this message finds you all safe and at peace. I am a resident and voter in District 2 and husband to another D2 voter. I urge you to support Councilmember Bartlett's ceasefire resolution with one material modification. I ask that the resolution be amended with a demand that no further aid of any kind be provided to Israel, a nuclear power with one of the most advanced militaries in the world. Those billions of dollars that flow without condition from our pockets to the Israeli war machine should instead be used to provide Americans with universal healthcare and free or low-cost higher education or provided to state and local governments to house people or to improve our infrastructure and services. It's unacceptable that the United States continues to fund the oppression of black and brown people worldwide while simultaneously claiming poverty when it comes to addressing the needs of people at home.

I also respectfully **implore you not to support** the one-sided resolution submitted by Councilmember Taplin. While it centers and repeatedly highlights the atrocities carried out on October 7, it only trivially references the horrendous violence Israel has carried out in Gaza since then -- including the murder of almost 18k civilians in Gaza, 70% of whom were women & children, and the displacement of around 85% of Gazans -- which have been 100% enabled by the US.

Furthermore, CM Taplin's resolution makes no mention of the atrocities being carried out against Palestinians in areas where Hamas does not govern, including the occupied West Bank, East Jerusalem, and Israel itself. These atrocities include, but certainly are not limited to, the murder of hundreds of civilians by the IDF and settlers, the eviction and displacement of hundreds of Palestinians from their homes by Israeli actors, the unconscionable siege of and attacks on hospitals and healthcare facilities, the rounding up of military detention of hundreds of Palestinians without due process, etc. Moreover, CM Taplin's resolution perpetuates a misunderstanding of international law, under which an occupying power like Israel does not have a right to self-defense in and against the land it occupies, including the occupied West Bank and Gaza.

Perhaps, most importantly -- while centering on October 7, condemning Hamas, and referring to the Israeli hostages taken -- the resolution does nothing to acknowledge the historic oppression of Palestinians by Israel and the former British empire, which dates back to the early 20th century and at least as far back as 1947/1948. Without even an acknowledgment -- at the very least -- of the murder of 10K+ Palestinians and mass displacement of 700k - 800k Palestinians in 1947 and 1948 by Zionist militias and Israeli forces and the subsequent history of Israeli military governance, land seizures, occupation & siege, apartheid, and arrest and imprisonment of over 800,000 Palestinians (oftentimes children) in the occupied West Bank & East Jerusalem since 1967 (oftentimes held without charge or due process and subject to torture), it deludes readers into believing that October 7, 2023, was the first date on which a conflict arose between Palestinians and Israelis and that Hamas was the sole cause of the conflict, i.e., Israeli is nothing but an innocent victim. This simplistic narrative is inaccurate, irresponsible, and intellectually disingenuous narrative and will not bring us any closer to securing the safety and liberty of Palestinians and Israelis, which CM Taplin appears to support. *\*\*\* Please note that many of these same criticisms apply to CM Robinson's preferred resolution as well.*

While we all live in and love the United States -- a country founded on settler colonialism, genocide, and slavery -- we acknowledge its shameful origin story. The same standard should be applied to any nation that receives billions of dollars a year from the US working class. Unless, at the very least, CM Taplin's and Robinson's resolutions incorporate an

equally full-throated condemnation of the US state & security establishment, the IDF, Israeli settlers, and Israeli politicians, all of whom have played -- and continue to play -- a major hand in enabling the human rights violations, oppression, and insecurity that continues to pervade the region, there should be no place for condemnations in a ceasefire resolution. Let's keep the resolution to calling for an end to the bloodshed & eliminating the tools that cause said bloodshed, which CM Bartlett's resolution, with the modification I suggested, can best achieve.

Thank you all for your work and for taking the time to read this message.

Gratefully yours,

Vish Soroushian



**Benado, Tony**

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**From:** Allen Mayer <mayer.aj@gmail.com>  
**Sent:** Saturday, December 9, 2023 1:05 PM  
**To:** All Council  
**Subject:** Comment on Resolution about Israel-Hamas war

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.

Dear Sirs and Madams,

I am Allen J. Mayer, a concerned member of the local Jewish community. I want to express my opposition to the Berkeley City Council passing a resolution that weighs in on the current war between Israel and Hamas. If the council members believe it is important to pass such a resolution, they should vote for the resolution formulated by Terry Taplin.

These debates and resolutions are sowing divisions within our community; there is already enough hatred and divisiveness in our society. If a resolution is passed, at least the Taplin resolution is not one-sided.

Thank you very much for your consideration.

Allen J. Mayer  
38 Arlington Ave.  
Berkeley, CA 94707  
Sent from my iPad

**Benado, Tony**

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**From:** Laurie Dubin <lauriepDubin@gmail.com>  
**Sent:** Saturday, December 9, 2023 12:37 PM  
**To:** All Council  
**Subject:** Gaza resolution

Dear Berkeley City Council,

I am a Bay Area resident deeply concerned that the Berkeley City Council will be discussing and voting on a proposed resolution about the Israel-Hamas War. *As we know, as Berkeley goes, so goes many cities in California and across the US.* **What happens in Berkeley affects us all.**

One-sided resolutions only serve to enflame tensions at home. As antisemitism and Islamophobia continue to escalate in the Bay Area, we have seen city council meetings turn into forums for hate and bullying. **If a resolution must be considered, I believe that the resolution introduced by Council Member Terry Taplin is one that reflects the diverse voices of the whole Berkeley community.**

At a minimum, any resolution must include language that condemns the October 7 massacre, calls for the immediate release of all hostages still held in Gaza, acknowledges that Hamas is an impediment to any sustained ceasefire, and supports on-the-ground efforts that bring Israelis and Palestinians closer to a shared future of coexistence and prosperity.

I also call on you to maintain order during the meeting itself. As the whole country witnessed in Richmond, Oakland, and San Francisco, these debates about the Israel-Hamas War result in hours of public comment plagued by antisemitic jeering and hateful conspiracy theories, as well as general confusion and lack of decorum.

As you can imagine, our Jewish community is incredibly weary of these City Council Meetings at which hate and lies are spewed. It's so painful for us to attend these meetings and listen to it all, much less speak up and attempt to counter.

**I hope that you will take whatever measures are within your authority to prevent and stop antisemitic or hateful comments or disruptive behavior violating civility and decorum.** Here are some suggestions:

- Requiring speakers to state **first and last names**, and **whether or not they live in Berkeley**,
- Limiting comments to **one minute**
- **Turning off microphones** when that time is exceeded
- Responding to antisemitic and hateful comments and actions by **reminding speakers this is not what Berkley is about**, and
- **Kicking out** those who don't abide by these ground rules, **whether they are physically present or on Zoom.**

I'm asking you to do what you can to stop the spreading of hate. If you must continue with this resolution process please **VOTE NO** to any that are one-sided.

Thank you for all you do for our communities.

Laurie Dubin

**Benado, Tony**

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**From:** Moni Law <monilaw7@gmail.com>  
**Sent:** Saturday, December 9, 2023 9:50 AM  
**To:** All Council; City Clerk; Wengraf, Susan; City Attorney; Manager, C; Berkeley Mayor's Office  
**Subject:** Sending you wishes for a wonderful holiday season.

**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.

Thank you all for your service to the City. I send prayers daily to all the innocents in Israel and Palestine-particularly babies and children yearning to be with their loved ones. A bilateral ceasefire and return of all hostages is what I seek during these holy days. Violence begets violence, and I pray for peace. Also urgent prayers for humanitarian aid to those displaced, without food, water, heat or medicine.

Peace, Amen, Ashe and Shalom,

Moni T. Law, J.D.  
Chair, Berkeley Community Safety Coalition

**Benado, Tony**

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**From:** Myriam Misrach <myriammisrach@icloud.com>  
**Sent:** Saturday, December 9, 2023 9:47 AM  
**To:** All Council  
**Subject:** Against the introduction of a resolution on the Israel-Hamas war

**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.

Dear Berkeley Council, what would be the point of passing an inflammatory resolution on the Israel Hamas war? That is not your job, and these debates simply add fuel to the fire. We urge you not to pass such a resolution. Thank you very much.

Myriam and Richard Misrach

Typos courtesy my iPad

Myriam's email is [myriammisrach@me.com](mailto:myriammisrach@me.com)

**Benado, Tony**

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**From:** Hillary Kilimnik <chasinghillary@gmail.com>  
**Sent:** Saturday, December 9, 2023 8:35 AM  
**To:** Berkeley Mayor's Office; All Council; Hahn, Sophie  
**Subject:** Regarding Israel-Hamas Resolution

**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.

Respected Mayor, City Council Members,

I am a District 5 resident of Berkeley for over 17 years, with 3 kids attending BUSD.

It has come to my attention that the council will be considering a resolution on the Israel Hamas war in the upcoming meeting on December 12th (Ironically, in the middle of Hannukah, a Jewish holiday that celebrates triumph from those who sought to wipe us out in 165 BC).

I remain concerned that the introduction of any resolution about the Israel Hamas war at this time will only further inflame the current tensions in our community and create a forum for hate.

If you feel you must consider a resolution, I support Terry Taplin's alternative resolution for the following reasons:

- 1) These debates are tearing apart our community but unlike the other proposed resolutions, at least Terry Taplin's is not one-sided.
- 2). Any resolution, like Taplin's does, must clearly condemn Hamas, call for the immediate release of hostages and removal of power and surrender of Hamas
- 3) Any resolution like Taplin's does, must acknowledge that Hamas is clear in its intention to repeat the atrocities of October 7th until Israel is wiped off the face of the earth
- 4) Taplin's resolution rightfully calls for Israel's right to defend itself, just like any other sovereign nation
- 5) Taplin's resolution calls for a two-state solution for a safe and secure Israel **and** a safe and secure Palestinian state.

A few important additional points to include in any resolution are:

- 1) the clear condemnation of Hamas' use of sexual violence in this war (Rape is not Resistance and it is a war crime and crime against humanity)
- 2) Hamas' use of civilian locations such as schools, hospitals and playgrounds is a war crime under International law

The only people who would oppose Taplin's proposed resolution and the additional points outlined above, are those who support the terrorist actions of Hamas and are antisemitic. Please do not succumb to their pressure.

Thank you Mayor Arreguin and members of the city council, for your continued support and effort to keep the peace in our community.

Sincerely,  
 Hillary Kilimnik



**Benado, Tony**

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**From:** Pascal Bensoussan <pascal.bensoussan@sbcglobal.net>  
**Sent:** Saturday, December 9, 2023 1:38 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** No to Divisive Israel-Hamas Resolutions

**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.

I am a resident urging you to reject outside attempts to adopt divisive resolutions about the Israel-Hamas War.

As antisemitism and Islamophobia continue to escalate in the Bay Area, the introduction of one-sided resolutions about the Israel-Hamas War will only further inflame tensions between already traumatized Muslim and Jewish communities and create a forum for hate.

As the whole country witnessed in Oakland and Richmond, the consideration of these divisive resolutions results in hours of public comment plagued by antisemitic jeering and hateful conspiracy theories, as well as general confusion and lack of decorum.

The Oakland resolution and similar government actions have continued to fan the flames of hate and antisemitism in the Bay Area. Since the October 7th Hamas terrorist attacks and as the Israel-Hamas war continues, we have witnessed ongoing attacks on the Jewish community including:

- Vandalism of Jewish businesses
- Swastika and threatening graffiti in public spaces
- Antisemitic bullying of Jewish students
- Chants at rallies inciting violence against Jews
- Distribution of flyers with antisemitic conspiracy theories

During this time of rising hate and antisemitism, I'm asking you to lead with empathy and ensure all local residents feel supported and welcomed. The ongoing war between Israel and Hamas has deeply impacted many members of our community. Many of us are in mourning. Inaccurate and one-sided resolutions will not solve the conflict or bring us any closer to peace. We must bring our community together – not pull ourselves apart.

If you decide to put on the agenda of the City Council on Tuesday night the 3 different proposals, I urge you to adopt a balanced approach, like the one proposed by Taplin. If you decide to make any statement about such a controversial far away issue, then do it right, in a balanced way: condemn Hamas for their

barbarically act of terrorist on October 7th, support Israel's right to exist and love in peace with a 2-state soliton, support Israel's right to defend itself and to disarm Hamas, demand unconditional release of all hostages still held on Gaza.

Thanks for your compassion and understanding.

With gratitude.

Pascal Bensoussan



**Benado, Tony**

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**From:** Lea Zalinskis <melnavarna@gmail.com>  
**Sent:** Friday, December 8, 2023 11:16 PM  
**To:** All Council  
**Subject:** Special Meeting

**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.

Dear Council Members,

You already know that your constituents demand a resolution for a ceasefire in Gaza, humanitarian aid to Gaza, and an end of U.S. aid to Israel (our tax dollars can go to better things than blatant genocide). We have already drafted the resolution for you. All you need to do is call a special meeting immediately, put it on the agenda, and vote yes.

Berkeley has been at the forefront of so many important movements in support of people at home and around the world; we have historically led the rest of the country on these issues, and here we must do the same.

Please speak out for the Palestinian people before it's too late. Members of our community have already lost too many loved ones.

Lea Zalinskis  
Lifelong Berkeley resident  
94702

**Benado, Tony**

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**From:** Luqman Yusuf Saib <luqmansaib@berkeley.edu>  
**Sent:** Friday, December 8, 2023 7:41 PM  
**Subject:** Support a Permanent Ceasefire in Gaza

**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.

Dear Berkeley City Council Members,

My name is Luqman Saib, and I am a student at UC Berkeley. I am writing to urge you to call for an immediate and permanent ceasefire in the city of Gaza.

The people of Gaza are facing a massive campaign of ethnic cleansing and genocide by the apartheid state of Israel, with more than 20,000 Palestinians killed by Israeli bombardment of Gaza in the past two months. Nearly half of them were children. According to Catherine Russell, the executive director of UNICEF, more than 420 children are killed in the Gaza Strip every day.

Do not turn away and claim that Israel has the right to defend itself. The right to defend oneself is not equivalent to the right to kill 8,000 children in less than two months. Nothing will ever justify genocide. I urge you to pass a resolution that calls for a permanent ceasefire, in the name of human rights and human dignity.

Sincerely,

Luqman Saib

**Benado, Tony**

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**From:** Andrea Wald <waldmba@gmail.com>  
**Sent:** Friday, December 8, 2023 6:22 PM  
**To:** All Council  
**Subject:** resolution to be voted on at your Tues night meeting

**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.

I am horrified by how society has reacted to the brutal and horrific massacre of Israeli citizens by Hamas and how the world has turned their backs on Israel - the only Democracy in the Middle East. My heart aches for innocent Palestinian citizens caught in the crosshairs of Israel's attempt to rid the world of Hamas - and actually free the Palestinians from the tyranny of Hamas control over their lives.

I am against any resolution condemning Israel for what's currently going on in Israel. If Hamas is not destroyed, many nations will suffer - not to mention the Palestinians that Hamas rules and controls - without giving them all the aid monies that have poured in over the years, but rather spend it on tunnels, weapons, and lavish lifestyles in Qatar!

I do support Council member Taplin's resolution - if one is needed. It is not one-sided and shows dignity to those suffering - both the Palestinians and the Israelis.

I hope Tuesday night's meeting will be civil and hatred and misinformation will not be allowed nor guide the council in any votes they do take.

Appreciate your efforts in doing the right thing and not allowing hatred and evil acts to continue.

Sincerely,

Andrea Wald

**Benado, Tony**

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**From:** john anderson <mcevers-anderson@att.net>  
**Sent:** Friday, December 8, 2023 4:08 PM  
**To:** All Council  
**Cc:** A Anderson Rev Dr John  
**Subject:** Call for Ceasefire

**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.

Dear Berkeley City Council members,

The JCRC's action alert says...Don't Bring the Israel-Hamas War Home.

Unfortunately it is already here. The city of Berkeley contributes \$1,616,932 to Israel's weapons per

year. **President Biden speaks of an unbreakable bond. Only Israel receives our \$3.8 Billion per year, for bombs, bullets and white phosphorus. We are not just complicit, we are in control. We give Israel a pass, make it the exception to our fundamental principles. Why do we make Israel the exception from accountability when it knowingly targets civilians?**

Please bring for a vote a permanent ceasefire in Gaza.

**Rev. Dr. John Anderson he/him**

415 786 4489

San Francisco

*"Those at the center of the pain should be the first heard."*

**Benado, Tony**

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**From:** Andrew Fox <ajfox61@gmail.com>  
**Sent:** Friday, December 8, 2023 4:03 PM  
**To:** All Council  
**Cc:** Berkeley Mayor's Office; Humbert, Mark  
**Subject:** Request from a Constituent

**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.

To the Berkeley City Council,

I'm a registered voter in District 8, writing to express my concern about Council's apparent intention to take up a resolution pertaining to the Israel-Palestine conflict at next week's meeting. I hope you will reconsider this ill-advised foray into international affairs and stay focused on your primary responsibility of administering good governance within Berkeley's city limits.

I make this request without regard to the substantive content of the resolution(s), nor out of any personal inclination toward one side or the other in the present conflict. Rather, I would hope that Council will recognize the common wisdom that municipal government is not an appropriate forum to adjudicate matters of US foreign policy as a general principle. Whatever the right solutions might be to the crisis in Gaza, the Berkeley City Council has neither the authority nor the expertise to productively contribute to this issue.

This debate arrives at a time when Berkeley does not lack for problems that might be meaningfully addressed by Council. We are currently in the midst of a housing affordability emergency, our city finances face long-term challenges, our police department is experiencing a severe staffing shortage, and the Ashby BART parking lot is still a parking lot. The prospect that Council might turn its attention toward empty gestures on Middle East politics is offensive to those of us who want to see progress on these pressing local concerns.

I urge Council to remove all future foreign policy resolutions from the docket and refocus on local governance in the City of Berkeley.

Respectfully,  
Andrew Fox

**Benado, Tony**

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**From:** Susan Whitman <srwhitmanjd@gmail.com>  
**Sent:** Friday, December 8, 2023 3:30 PM  
**To:** All Council  
**Subject:** Comments for the City Council meeting on December 12th

**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.

Dear Councilmembers:

My name is Susan Whitman. I live and work in Berkeley and am a member of its Jewish community. I am against the introduction of a resolution on the Israel-Hamas War. If the City Council feels it must pass a resolution, I support Terry **Taplin's**. These debates are tearing apart our community, but at least Council Member Taplin's resolution is not one-sided.

The Berkeley City Council should stay focused on the critical needs of Berkeley, and not pass resolutions on international issues in which there are significant differences of opinion among the electorate, and which inflame anti-semitism.

Thank you for considering my opinion.

Sincerely,

Susan Whitman, J. D.

**Benado, Tony**

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**From:** Ken Solnit <ksolnit@gmail.com>  
**Sent:** Friday, December 8, 2023 3:17 PM  
**To:** All Council  
**Subject:** Proposed Resolution on the Israel-Hamas War

**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.

Dear City Council,

My name is Kenneth Solnit and I am a concerned Jewish community member.

I am against the introduction of a resolution on the Israel-Hamas War.  
If you feel you must pass a resolution, I support Terry Taplin's.

These debates are tearing apart our community, but at least Council Member Taplin's is not one-sided.

Thank you very much for your consideration.

Yours truly,  
Kenneth Solnit

**Benado, Tony**

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**From:** dora weinstein <doraweinstein@mac.com>  
**Sent:** Friday, December 8, 2023 3:14 PM  
**To:** All Council  
**Subject:** Upcoming resolution about the war in Gaza

**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.

Dear Council Members,

Berkeley council members have no business bringing up any resolutions regarding activities that don't pertain to Berkeley business and about which you have no real knowledge. If such a resolution is brought up, it will only stir up unnecessary bad feelings between community members; as people will make inciting comments and the resolution itself will be inciting and antisemitic. Please drop it.

Dora Weinstein  
Sent from my iPhone



**Benado, Tony**

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**From:** Hillary Kilimnik <chasinghillary@gmail.com>  
**Sent:** Friday, December 8, 2023 3:11 PM  
**To:** Hahn, Sophie; All Council  
**Subject:** No resolution on Israel-Hamas during Hannukah Please

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

Hello Councilmember Hahn and city council of Berkeley,  
I'm a district 5 resident and member of the Jewish community here in Berkeley.

While I would prefer this city council to stick to its job of addressing local issues here in Berkeley of which we have plenty that benefit from your attention, and not issue any kind of resolution on the Israel Hamas war, I understand that ship may have sailed.

I would ask you to please consider deferring until January, out of consideration for the fact that Hannukah just started last night. As you may know, Hanukkah lasts for 8 nights. While I would much rather be celebrating the holiday with my family and community at an event being held at my Synagogue on Tuesday 12/12, unfortunately, I feel my presence is needed at the city council meeting instead, in order to counter the heavy presence of the disruptive and negative anti-Israel contingent.

Please don't add to this unfortunate circumstance by also putting the resolution on the agenda that night.

I extend my sincere gratitude to the Mayor and council members who have shown moral clarity and fortitude in not getting bullied into taking a side in this most unfortunate conflict.

Sincerely,  
Hillary Kilimnik  
District 5 Resident  
Parent to 3 BUSD Students

**Benado, Tony**

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**From:** Doug Herst <doug@herstventures.com>  
**Sent:** Friday, December 8, 2023 2:46 PM  
**To:** All Council  
**Subject:** Don't Bring the Israël-Hamas War Home

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.

My name is Doug Herst & have been a Berkeley business owner since 1969.

I don't believe that introduction of a resolution on the Israel-Hamas war is appropriate.

Not only are these debates causing dissension within our community, but they are a distraction to the important work of the important work of our City Council.

With strong conviction.....Doug Herst

Spelling, punctuation & grammar sponsored by iPhone

**Benado, Tony**

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**From:** Anna Henry <aphenry27@gmail.com>  
**Sent:** Friday, December 8, 2023 12:04 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Pass a Resolution Calling for a Permanent Ceasefire in Gaza

**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.

Dear Mayor and Council Members,

I am a Berkeley resident and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's history and community.

Israel's bombardment of Gaza since October 7, 2023 has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza. I urge you to take a simple step to pressure national leaders to stop supporting this war.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

The last time I recall the City of Berkeley ignoring the widespread calls to end militarism was when the City Council refused to end its support for Urban Shield, a program that offered international training opportunities between Israel's military and local police units. After hours of public comment across a wide spectrum of civil society calling for an end to Urban Shield, and immediately after Mayor Arreguin fled the meeting while continuing to support this military program, Berkeley police officers unleashed violence upon public commenters. That was a shameful day in the City Council's history, and one that should be a lesson to those members of the City Council that feel pressured by the Mayor to not support the Ceasefire resolution now.

I have also been to Palestine and spoken to a mother whose child was burned alive by Israeli settlers. I have seen another child be tried at a Military Court on trumped up charges (all Palestinians in the occupied territories are tried in military court, and military courts have a 99+% conviction rate). I have visited villages without access to water and electricity because the state of Israel does not recognize them as an indigenous people living on indigenous land. I've seen two separate roadway systems - one for Israelis and one for occupied Palestinians. I've gone through checkpoints and spoken to families of prisoners who have to travel hours to go a short distance to visit their loved ones in prison because of how many checkpoints are along the way. I sat at a community center in Jerusalem next to a table filled with shells of weapons that had been used against the community, and these shells had "Made in USA" stamped on them.

Every Palestinian I met asked me to pressure the US government to end US military aid to Israel because they saw with striking clarity that US aid enables a system of Israeli apartheid. It is the US government's continued support that provides the current extremist government of Israel with the confidence to inflict collective punishment and mass death upon the population of Gaza.

I understand the desire to protect the City of Berkeley from unnecessary divisions, but I cannot in good conscience ignore what I saw and the people who I met that asked me to stand up for their basic human rights. What other time is there to take a stand than a time of unrelenting violence against an entire people? My hope is that your conscience will not allow you to turn a blind eye either.

The people of Berkeley have made our message clear in the past several city council meetings and through hundreds of emails. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

As a City Council Member, I encourage you to lean into courageous leadership and take action to demand the collective punishment of the Palestinian people in Gaza come to an immediate end. This is a violation of international law and a crime against humanity. Please do not let fear of retaliation get in the way of saving lives.

Sincerely,  
Anna Henry  
94703

**Benado, Tony**

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**From:** David Davis <davisde@gmail.com>  
**Sent:** Friday, December 8, 2023 10:40 AM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** No to Gaza resolution

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.

Dear Council,

I preface this email by saying I abhor war and violence and that my home is a home of peace for all people and all nations.

That said, I encourage you to resist putting forward any resolution about Gaza without an unequivocal condemnation of their government - Hamas. Hamas' official policy and directives were and are to rape, mame and kill Israeli civilians. Period. They are a genocidal government promoting the genocide of Israelis and Palestinians alike. It is a belief akin to "The Jews are Nazis, that's why we have to kill them all". It is not hyperbole and we cry for the suffering of their innocents.

The Mayor, who has travelled to Israel, understands why blanket terms are too simple an explanation for the situation in Israel.

10 times in the last 75 years., Palestinians have been offered a country and their leaders refuse. Israel has accepted each offer.

The current Palestinian leadership will only accept a country if the entire region is free of Jews or political Judaism.

There are approximately 50 Muslim led countries in the world. Only one Jewish, and it is tiny. Look at a map of the muslim Middle East and North Africa and compare the size to Israel.

Let us not forget that in addition to the 6 million killed in the Holocaust, close to one million jewish people were viciously expelled from Arab Countries in the 1940s and 50s and their land and assets confiscated.

As a resident of Berkekey, I have been a visitor of the recent council meetings with the many pro-Palestinian speakers and guests dominating your meetings. Our council faces immense pressure from this vocal minority. At the end of the day, the movement for a Free Palestine is not one promoting freedom, democracy and progressive human values that we cherish in Berkeley. "Free Palestine" is a catchy euphemistic slogan for an imperial directive of world domination by a unified muslim caliphate without national boundaries. Sounds big and conspiratorial but that is their political business plan and it is written down. See Hamas' Operating Chapter here:

<https://irp.fas.org/world/para/docs/880818a.htm>.

In my opinion, the solution for the area of Israel and Palestine is a two - state government that is inseparable and permanently committed to the safety and security of both states. This would go on to provide social and political freedoms, opportunity, education, environmental progress and all the conditions that people want for themselves, their families, communities, etc. It's what we need to survive into the next century and beyond.

PEACE!

Thank you

David E. Davis

Born and raised in Berkeley with kids in BUSD.

To understand more, I recommend reading this beautiful and informative essay written so eloquently by Dana Lawrence Gillis, Adrienne Kane Lawrence and Les Lawrence.

Thank you for taking the time to read and respond to my message. I am relieved that you felt it worthy of the thorough and thoughtful reply you composed.

I reached out because I did not want to believe that you truly meant to express the hateful political rhetoric you've chosen to share, including and starting with content that calls the events of 10/7 "Israeli atrocity propaganda." After reading your reply, it is clear to me that your heart is in the right place and your intentions are honorable, as I would hope and expect them to be. What you are missing is the context of complete factual history.

I understand what you believe to be the facts you're dealing with, and while your own personal history may shape your deep understanding of relevant issues, the narrative you follow often omits or inverts history and projects onus onto the wrong group of people. I greatly value the opportunity to dialogue with you, to address some of the assumptions that you've made and the conclusions that you've drawn.

Whether or not you choose to consider anything I say, I hope you are able to see that this particular situation is not another "Oppressor vs. Oppressed" story the way you understand it to be.

You say you know what colonization is, and you pose the question, "What would you call the forced displacement and dispossession of the native inhabitants of a land?" My answer is that, like you, I call it my own people's history. Jewish people are in fact a single ethnic group comprised of various displaced homelands due to centuries of violence against them and exile. I may be a "white" person of "European descent who grew up on Chicago's North Shore," but all of my grandparents ended up on American soil only because they had to escape the pogroms of Eastern Europe.

But even before that my ancestors were oppressed, murdered and displaced for centuries. You can trace all of them- and almost all

Jews- back to one single location: Judea, our indigenous homeland. The proof of this fact is contained within the bible and roughly 3k years of history, the beginning of which

predates both Christianity and Islam, the latter by 1200 years. There is historical, archaeological, and cultural evidence that Israel was the birthplace of the religion, ethnicity and culture of the Jewish people. In fact, Israel is the only country in the world that bears the same name, speaks the same language, upholds the same faith, and inhabits the same land as it did 3k years ago.

This is an important fact to note, because being Jewish doesn't just mean you share the Jewish faith. Jews are an ethnic group who come from the land of Israel. In fact, on Israeli ID cards, "nationality"

isn't even listed as "Israeli" but as "Jewish." Most Jews I know aren't even very religious; but the Jewish culture and traditions that unite us are deeply rooted in our ancestry and our ancient homeland.

Just as Muslims pray facing Mecca in Saudi Arabia, Jews pray facing Jerusalem in Israel.

You refer to the libel and dismissal of indigenous peoples and First Nations around the world as the "language of colonization," and claim that this is exactly what was perpetuated against, for example, your ancestors throughout the British Empire and Black people in America. I know this to be true, because this also describes Jewish history.

As you may know, the Jews are considered to be amongst the most persecuted people in history, and to this day- NOW more than ever, even though just a few weeks ago we mistakenly still believed that we had comfortably evolved beyond this history of dehumanization and the nightmare reality of the Holocaust that took place only 80 years ago- the Jews are being targeted worldwide in the most blatant and disturbing public outpouring of open Antisemitism since WWII. This fact is supported by the most recent FBI hate crime statistics. But this is just a continuation of the historical patterns we have witnessed time and again since the beginning of documented Jewish existence in the 2nd millennium BCE.

From ~700 BCE until the 20th century, the land of Israel was colonized by empire after empire who oppressed and exiled Jews. Israel was subject to imperial rule for centuries which forced Jews out into other parts of the world. Of particular note in that time was the Arab-Islamic Empire, the beginning of which was marked by Muhammad and early Muslims brutally conquering the entire Middle East, North Africa and Central Asia, killing, expelling, and oppressing ancient Jewish tribes in pursuit of power; some say this was the true beginning of the centuries-old "Arab-Jewish conflict."

More recently in 1929, there were riots against the native Jewish community in the British Mandate of Palestine, during which over 100 Jews were massacred- raped, tortured, stabbed, hung, burned alive, sexually mutilated (sound familiar?). This is just another example in a very long list of well-documented attempts that have been made throughout history to annihilate the Jewish people, including Arab pogroms against the Jews in the Middle East in 1066, 1465, 1785, 1805, 1915, 1830, 1864-1880, 1912, 1934 and 1941, The Hebron Massacres of 1517, 1834 and 1929, and the Arab Riots of the 1920s, just to name a few.

It wasn't until the end of the British Empire in 1948 when modern-day Israel was established as a state- effectively decolonizing the land for the first time in centuries-

that the Jews finally “got their land back,” and once-exiled generations finally regained their ancestral homeland. Israelis are not settlers, as one cannot be a settler in the land where their ancestors came from.

To illuminate this concept we can look at the history of language, which is inextricably tied to the history of colonialism, occupation, historic revisionism and indigenous erasure. Here are the stats that speak for themselves: 67 English speaking countries, 29 French speaking countries, 25 Arabic speaking countries, 20 Spanish speaking countries, and only 1 Hebrew speaking country. Regarding faith, Judaism is the only religion that has never sought to convert nonbelievers. Any converts to Judaism must do so of their own volition. As such, most natural born Jews’ ancestry can be traced all the way back to our origin in Judea.

What does this all prove? It proves that Israel is not a colonial state, as they have never imposed their language or religion on anyone. This includes the Palestinians. In modern times, the Jewish faith varies as much as our lineage over centuries of displacement and colonization, but we are all bound by enduring cultural ties and bloodlines that date back to the origin of our recorded history. So while I may not be able to “speak on behalf”

of an Indian Jew, a Ugandan Jew (though there’s a divergent tribe conversion under British rule story there), or Baghdadi Jew (if there are any amongst the ~4 left in Iraq from the pre-1948 total numbering ~150,000), I can still speak UP for them as members of the same genealogical Jewish diaspora.

On the other hand, as you said, your Christian faith is a product of the historical colonization of your ancestors; and you do not have shared lineage or cultural ties with white Christians from rural Mississippi, South Korea or Nigeria. This makes sense because Christianity is a religion and not an ethnic group. Do you see the difference? I do not see the Palestinian right to sovereignty and self-determination as a “subversive call to harm” Jews. I, along with most Jews and Israelis, believe this to be a fundamental right of all peace-loving humans on this earth, including the Palestinians. Most would agree this is not a racist concept; it is a basic human right that transcends race, sex, nationality, ethnicity, language, religion, or any other status.

For Jewish people, this right to sovereignty and self-determination is called “Zionism,” because Jews are indigenous to Zion and the land of Israel. Similarly, the Jewish right to sovereignty and self-determination is not a subversive call to harm Palestinians, or anyone else living in the land of Israel. Zionism is not racism; it is our basic human right.

You say you refuse to accept that the Palestinians “did this to themselves,” and rightly so: they had help from decades of corrupt leaders and pervasive Radical Islamic Fundamentalist groups who consistently prioritize violent and destructive Jihadism over the basic needs of their people. They have long been rejected and abandoned, first by the Muslim caliphate as the only remaining group to not be given their own state, and then by their modern sovereign sister nations in their refusal to accept or absorb them. Don’t you think it’s bizarre that not even one of the 22 surrounding Arab nations or 57 Muslim countries has stepped forward to provide even temporary safe haven for Gazan civilians since the war began? Not even Jordan, the land of which is comprised



of over 75% of what was the British Mandate of Palestine, and whose population is over 80% Palestinian. Even the PM of Egypt in response to pressure to admit Palestinian refugees said he “remained committed to protecting his people’s land and sovereignty regardless of the cost,” and that he was “prepared to sacrifice millions of lives (Palestinian) to ensure that no one encroaches on their territory.” (quote from the WSJ) The sad reality is that the Palestinians are more valuable to them as pawns of the “greater struggle” with Western civilization and Democratic ideologies, exploited as victims of neglect in their manipulated ongoing war against the Jews and Israel, born to be Martyrs for “the cause.” Sadly, this last notion of martyrdom is deeply ingrained in Palestinian culture.

Since 2007 Hamas has been central to the humanitarian crisis of the Palestinian people in Gaza, but it didn’t start with them. It was in fact the fundamentalist Muslim Brotherhood- which existed before Israel even became a state, whose goal it is to reestablish the caliphate and abolish individual Muslim nation states, and who have killed more Muslims than anyone in history- who continued this ideology of rejectionism amongst the Palestinians in Gaza. Hamas is actually just the imperialist Muslim Brotherhood re-branded.

And they have not acted alone: we can also blame Qatar and Turkey, where the billionaire leaders of Hamas unabashedly live their extravagant lifestyles while their own people- for whom they openly claim no responsibility- live in poverty, forced to scrounge for food and water. We can blame the Islamic Republic of Iran, who funds Hamas and other militant terror organizations in Gaza and throughout the Middle East. They don’t want freedom for Palestinians; they want terror and destabilization. Together, they have actively suppressed the Palestinians’ humanity and right to life, not just in Gaza but in the entire region.

Did you know that the Palestinians in Israel have been offered their own land at least a dozen times since before Israel even became a state? In fact, the British Empire’s Peel Commission Plan of 1937 offered the Arabs 80% of the land while Israel was only to get about 20%. Israel accepted it, but the Arabs rejected it, because they wanted it all to themselves, no Jews allowed.

Between 1939 and 1947 there were various iterations of a “one state solution” proposed, with an Arab majority state in all of the territory encompassing the British Mandate, on the condition that the Jews already residing in the territory were absorbed as equal citizens. But the Arabs rejected all of them, because they wanted it all to themselves, no Jews allowed.

As with every single proposal since, Israel accepted the deal and the Arabs rejected it. Why? Because they refuse to let go of a false narrative that purports the Jews stole their land, and the only way to get it back is through Jihad until the entire land is Jew-free. Their real problem has never been with the partition of land; their real problem is with the Jews in it.

This is what “From the River to the Sea, Palestine will be free” is meant to express: not free from occupation or oppression, but free from Jews. The phrase originated with the PLO in the 60s, was subsequently used by various Palestinian terror groups, and is part of the current Hamas charter which specifically calls for the murder or ethnic

cleansing of all Jews. So YOU may not intend to communicate this in your use of the expression, but you can't separate it from what it truly means; and to use it not only perpetuates a dangerous ideology of hate for the blood that runs through my veins, but also incites others to the same.

The reality is that the Palestinian people are victims of their own leaders' refusal to accept anything less than the total annihilation of the Jews in Israel. This stolen land narrative has been passed down from generation to generation, despite the fact that they have been

given- and subsequently rejected- several opportunities for sovereignty and self-determination, and in spite of the fact that 3/4 of the land that was originally designated as the Mandate of Palestine resides in Jordan.

The result is a generations-deep nation of people who identify as dispossessed refugees, even though at least two-thirds of the Palestinians in Israel were born there and have lived there their entire lives. They pass their refugee status on to their children as they continue to wait for all the Jews to be slaughtered so they can one day return to the land they believe is rightly theirs and theirs alone. This status will never change until they and their ruling organizations collectively shift their focus to supporting their own right to life more than their sworn religious mission to martyr themselves and kill Jews in the name of Allah.

I do not hold the Palestinian people responsible for the actions of their terrorist rulers, nor have I / do I / would I ever hold any nation responsible for the actions of their governing bodies; and as Americans with our own sordid history, we should be able to recognize this kind of hypocrisy from a million miles away. I do not believe- nor would I ever imply- that Palestinians are "collectively a dishonest people who chose self-destruction over life and cannot be trusted to make good decisions."

However, according to the most recent poll conducted by the Palestinian Center for Policy and Survey Research, 75% of Palestinians in Gaza and 83% in the West Bank support Hamas' actions- specifically the formation of armed groups to murder Jews and eliminate Israel, and only 13% oppose it. I am hopeful that these polls are inaccurate, as freedom of expression amongst the Palestinians under Hamas is nonexistent; and many may say they support the cause for reasons of self-preservation, or figures may be manipulated by the powers that be, who are not trustworthy sources. It has been documented, however, that hundreds of Gazan residents- including women and children as young as 10- joined Hamas in the 10/7 massacre.

Additionally, it is indisputable fact that Palestinian children have been indoctrinated for generations with hate for Jews and Israel, as evidenced in part by UNRWA literature and curriculum found in Palestinian schools throughout many decades. From the earliest ages they are encouraged to take up arms and incite violence against Jews and Israel in the name of Allah.

I have seen interviews with those who say, "life means nothing," that becoming a Shahid is the highest honor, that they "cry out in joy and celebrate" when someone- even a child- becomes a martyr. One Palestinian woman explains, "This is why we have suicide bombers"

(direct quote). This is a death-centered and violent religious fanaticism enabled by corruptive power.

Devastatingly, it is more difficult to decouple the terrorist organizations from the majority of their people who largely embody the same violent ideology. We just can't see or hear it as clearly as we should, because Western voices who think they understand the Palestinian cause are too busy drowning out Palestinian voices in order to impose their own beliefs onto them. But decades of media demonstrate otherwise. I do believe that there have been and currently are many Palestinians (who likely comprise that last 13%) who reject this ideology of hate, who denounce this evil mission of martyrdom via acts of violence against Jews, who prefer economic development over war. But those voices aren't being heard either.

From the interviews I've listened to, those who reject and denounce live in silence and fear of being jailed or tortured by their militant oppressors, or they do whatever they can to escape (like the Hamas co-founder's son Mosab Hassan Yousef, whose video I sent to you).

Or, they are labeled as traitors or infidels and murdered (like the two Palestinians who were publicly executed just last week after being targeted as collaborators with Israel, their bodies hung from electricity poles then dismembered and thrown in the trash, as the civilian crowd cheered and recorded it on their phones like they were at a rock concert).

I seek out as many of these dissenting Palestinian, Arab and Muslim voices as I can find, and I would encourage you to do the same. Here are some to check out, if you're interested: @mosabhasanyosef- Palestinian from Gaza, @realbassemeid- Palestinian from the West Bank,

@aziz0nomics- British Palestinian, @realsarahidan- Iraqi Muslim,

@yosephhaddad- Israeli Arab, @imamofpeace- Iranian Australian The fact that you've heard Palestinians explain their aspirations to reclaim their ancestral homeland does not negate the fact that what they call their ancestral homeland also happens to be the ancestral homeland of the Jews. Actually, it wasn't until almost 2k years after the establishment of the Kingdom of Israel that they arrived in the area through expansion and conquests.

But even though Jews were living in the Land of Israel before Christianity and Islam even existed, Israel and the Jews have always supported the Palestinian Arab right to their own land, which is why they have agreed to every land proposal that has ever been made.

Don't you think that if it were truly just about land, Palestinian leaders would have accepted at least one of the many deals offered over the last century that would have given them their own state? The truth is that for them it has never been about land, peace or freedom.

Hamas media consultant Taher El-Nounou even said "I hope that the state of war with Israel will become permanent on all the borders."

This is about Imperialism via Radical Jihad- which is, in fact, a death mandate for the Jewish people.

They have uncovered forensic evidence from 10/7 that proves Gazans working in Israel enabled the attacks by providing intimate knowledge of the communities targeted, detailed maps and building layouts.

Stories are now coming out of Palestinian teachers, doctors and UNRWA staff who held hostages, one locked in an attic for 50 days with minimal provisions and no medical care, by a Palestinian father of 10 children.

Even just a few days ago, while the ceasefire was still supposedly in effect, Hamas called for an escalation, and two Palestinian "civilians" who were released from Israeli jail where they were imprisoned for terror activity used their newly regained freedom to shoot innocent civilians at a bus stop in Jerusalem, killing 3 people including a 24yo pregnant teacher and injuring 8 others, 5 of whom are in critical condition. The violence will never stop as long as it is their holy mission to kill Jews.

To address your comparison, historically there is no equivalence between the Palestinians and the Native Americans. Firstly because Jews are not colonizers as the Brits were (they were in fact the indigenous population as the Native Americans were), but also because as far as I know, Native Americans do not have a publicly-known charter that openly and specifically calls for death to American settlers, nor do they indoctrinate their children with a universal call to arms, violence and death against Americans in the name of their gods (as Hamas does).

In fact, when Israel became a state in 1948 and until 1967, they declared that anyone who wanted to stay in the land would automatically become Israeli citizens. In their 1948 Declaration of Independence, they wrote that Israel would "ensure complete equality of social and political rights to all its inhabitants, irrespective of religion, race or sex." (Does this sound like supremacy to you?) Some Arabs stayed, and some followed orders to flee to the Gaza Strip (which at the time belonged to Egypt) and West Bank (which belonged to Jordan), in addition to refugee camps in Lebanon, Syria and Jordan, where they were told to stay temporarily until they could annihilate Israel and eventually move back. In fact, the day after the partition vote in 1947, less than 3 years after the Holocaust, Palestinian Arab leaders expressed their intention to do so in no uncertain terms, publishing a leaflet proclaiming "The Arabs have taken into their own hands the Final Solution of the Jewish Problem. The problem will be solved only in blood and fire. The Jews will soon be driven out."

Hundreds of thousands of both Arabs and Jews were displaced in this time period, but it is documented that neighboring Arab countries were preparing for an invasion before even a single Palestinian Arab was displaced; the only reason they didn't invade sooner was because the British were still in charge. By this time the Palestinian Nakba had already started, and 300k Arabs, including the families of Palestinian Arab leadership at the time, left of their own volition because they had the means to do so. At the same time, 40k Jews were expelled from the West Bank (then known as Judea and Samaria), East Jerusalem and the Gaza Strip, in addition to 850k from neighboring Arab countries.

In 1967 they tried to annihilate Israel yet again; but as with every other time, they failed, and Israel captured Gaza and the West Bank.

Lebanon, Syria and Jordan do still exist, and many Palestinians there are still denied citizenship and subject to inhumane living conditions, apartheid and oppression. As soon as Israel pulled out of Gaza, the first thing the people did was to destroy the Israeli infrastructure they left behind. Then, when given the chance to elect their own leaders in 2007, Hamas came into power, thanks in part to the coup they staged to remove or murder any Palestinians who were in favor of a two-state solution. The first thing Hamas did after coming into power was to amass weapons and attack Israel, again. It was because of this that Egypt and Israel BOTH attempted to lawfully control the border by building a wall that would restrict the flow of weapons and attempt to stifle the incessant terror attacks. This was not, as you put it, an "inhumane blockade"

meant to turn Gaza into an "open-air prison." In fact, they were allowed and encouraged to leave in order to go into Israel for work.

Are you aware of the fact that prior to 10/7 over 17k Gazans crossed the border into Israel daily to earn income? Do you know that in the years since the border wall was erected, Israel has provided humanitarian aid weekly, and has actually done more to provide Gazans with food, water and electricity than any other entity INCLUDING THEIR OWN LEADERS, even though it was not their responsibility to do so?

Hamas leader Khalil al-Hayya even said that "Hamas' goal is not to run Gaza or to bring it water and electricity and such. This battle does not seek to improve the situation in Gaza."

Despite all of this, since 2005 Hamas has never stopped firing rockets and mortar shells at Israel, continuously and deliberately into civilian areas. My friend's mom's house in Ashkelon took a direct hit, even though the closest military base is over 10 miles away. The attacks and assaults are constant and have continued to this day. In 1948 the US was actually not supportive of Israel, and it led an international arms embargo against them that year. Regardless, as history tells, Israel was established as the only Western Democratic nation in the Middle East and ultimately became the US' biggest ally.

The primary reason why they've been the biggest recipient of US foreign aid since this time has been to guarantee US economic interests (unsurprisingly) in a region marked by terrorist organizations and Fundamental Islamist insurgency. The US and Israel have common strategic goals for the Middle East, and a shared commitment to Democratic values.

And in 2023, at 75 years old, Israel is the most amazing little Middle Eastern oasis of Western Democratic Values, Freedom, Love, and Possibility, not just for Jews, but for all who live there. I have been there 5 times since 1985, most recently just this past July for my nephew's bar mitzvah. I have blood relatives and many friends who live there, and my brother and I also both lived there for a period of time in the 90s. It is filled with wonderful, caring, passionate people, just like you and me, who want nothing but to live their lives in peace, but will sacrifice themselves in a heartbeat to protect their nation. Have you ever been? Do you have your own stories to tell that paint a different picture?

Most of the US funding that goes to Israel is allocated to the military for security reasons, because Israel has always had to protect itself from its surrounding neighbors, all of whom have sworn or openly tried to destroy Israel since the day it was established (quite literally- Israel was attacked by 7 Arab armies from surrounding countries on the day after it declared independence).

However, the US also funds Islamic groups and mosques who have praised terrorists and called for the destruction of Israel (as reported by the Washington Free Beacon). I do not consent to my tax dollars supporting terror, or the annihilation of my people or our indigenous homeland. I don't believe that the extermination of any group of people means flourishing for anyone else; though depressingly recent events prove that there is a shocking percentage of people in this world who apparently do believe this where the Jews are concerned.

Hamas leaders have repeatedly said in no uncertain terms that they will repeat the events of 10/7 over and over again, "1 million times if necessary," until they "end the occupation" of not just Gaza but all of Israel (i.e. remove all the Jews)- and that the West is next.

It's not a secret, and nothing has been lost in translation. Israel would not continue to exist if not for the IDF, and the reason their military is so advanced is precisely because of this long history with Arab nations, which has forced them to become experts in survival.

Did you know that the reason Hamas has a seemingly endless supply of rockets is because it dug up Gaza's water pipes to build them? They would rather kill Jews than provide fresh water to their own people.

Did you know that even after Israel cut off fuel and electricity provisions in order to restrict Hamas' access, Hamas has had everything they needed to keep operating? They would rather preserve themselves at the expense of their people to maintain Gaza as a military launchpad against Israel than to develop it for the benefit of its inhabitants.

The UNRWA's annual budget alone is more than 1.5 billion, but Hamas steals the aid designated for the Palestinian people that comes in for their own military operations, including billions of dollars to buy weapons and build underground terror tunnels so they can wage war from underneath and behind the innocent civilians they are supposed to govern and protect. And it would be remiss of me not to mention the suspicious combined net worth of their top 3 leaders, which is estimated to be ~\$11 billion. Can you explain why their people lack basic essential provisions when their leaders are billionaires?

Israel has bomb shelters on almost every corner and safe rooms in almost every house because they are constantly under attack; but in 20 years the attackers have not built even one bomb shelter for their own people. Why? Because they know Israel will retaliate to defend themselves, which will allow them to martyr their own people to advance their cause of inciting hatred for those they hate most (Israel), all the while blaming them for it. But those who understand this know who the real enemy is, and it is not Israel.

Some Jews and Israelis I know openly criticize existing government policies. Even so, you say you do not believe the Israeli government or military speaks for all Jewish people. In spite of this, you call the horrific massacre on 10/7 RESISTANCE. Even if you believe that the Palestinians' true oppressors are the Israeli government and not their own leaders, how can you justify such an indiscriminate attack on innocent civilians who have nothing to do with the government?

Do you honestly believe that stealing children and babies from their beds, decapitating, dismembering, disfiguring, raping, torturing or burning alive innocent civilians in their homes and in front of their loved ones constitutes LIBERATION? How does any of this "free Palestine?"

Or worse: Do you deny- as some of the propaganda you've shared expresses- that the events of 10/7 ever even took place? Or that it was Israel who massacred its own people?

I realize that most of what I've explained here reverses victim and offender as per the narratives you've been exposed to, and for this reason it may be hard for you to believe. This is what Radical Islamists want in order to turn the world against Israel and Jews to further their Pan-Islamist goals, and they are succeeding. The information war on Israel is decades old, and their infiltration of our educational systems and public media is a horrifying reality that was laid out in a detailed multiphase plan and initiated long ago. One needs only to follow the money to see that this is true.

Iran, who is the funding entity behind Hamas, serves every narrative while stoking Antisemitic sentiment amongst those driven by "social justice." China's territorial claims over Taiwan are advanced by US destabilization, which they are masterfully accomplishing via TikTok.

Russia revels in our distraction from their genocide in Ukraine, where they have kidnapped over 50k children for purposes of indoctrination, and the horrors of whose <true> occupation (in the legal sense of the word) are well-documented. The deceptions run rampant and deep. I can only encourage you to look back into history and prove me wrong; I am happy to address any of your doubts.

Israel could have bombed all of Gaza and ended this war on 10/8 without ever setting foot on the ground, but they did not because they purposely don't target civilians (unlike Hamas, who purposely targets civilians and hides behind their own). Instead, they risk their own lives in attempts to minimize civilian casualties.

The IDF have strict wartime humanitarian law, and those who violate it are jailed. They go to the furthest lengths they can to warn innocent civilians of incoming action and give them time and assistance to get out. Hamas shoots them on the road if they try to leave and orders them to stay. This has been documented via video and from the mouths of Gazans trying to escape.

Every single death is on Hamas. They waged this war and are murderous monsters. They are not just the enemy of Israel, but the enemy of their own people. They value Jewish death over Palestinian life. The Palestinians need to be freed from Hamas. None of this is to say that any part of this war is justified. In my opinion, bloodshed NEVER is. Every death is horrific. The loss of every life is tragic and unforgivable.

Starting with the barbaric events of 10/7. Hamas doesn't afford its people even an ounce of humanity in the way it operates, and it has no intention to. Both Palestinians and Israelis deserve safety, freedom and dignity. Hamas is the real enemy, of both Israel and the innocent civilians of Gaza, and they must be stopped. Ironically, when Israel succeeds in doing so, it is in fact they who will "free Palestine," in the truest sense of the word.

So in this war between the terrorist death-worshipping organization that is Hamas vs. the life-loving people of Israel and the innocent Palestinians who aspire to have their own land and their own lives, it DOES simply come down to Good vs. Evil. And it's not just a war between our innocent civilians and Hamas- as Israeli President Isaac Herzog said, "It is a war between those who adhere to the norms of humanity and those practicing a barbarism that has no place in the modern world."

We must free Gaza from Hamas, just as we must free Afghanistan from the Taliban, just as we must free Lebanon from Hezbollah, just as we must free Iran, Iraq, Syria and Pakistan from the Radical Islamic Regime, as this is just the beginning for Pan-Islamic Imperialists.

Hamas commander Mahmoud Al-Zahar is quoted as saying that "Israel is only the first target. The entire planet will be under our rule." If Hamas is allowed to stay in power and isn't completely eradicated, the entire Western world's freedom is at stake, including mine, yours and our precious families'.

With Love and Concern for Humanity,  
Dana

--

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"Love's a gift that's made for giving, you give it all away and have it still" - Neil Diamond



**Benado, Tony**

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**From:** Diana <nicca@igc.org>  
**Sent:** Friday, December 8, 2023 9:23 AM  
**To:** All Council; council  
**Subject:** Please vote for the ceasefire resolution!~

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.

Please vote for Rigel's Ceasefire resolution.

Thank you!

Diana Bohn 94707

**Benado, Tony**

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**From:** juddgoodman@gmail.com  
**Sent:** Friday, December 8, 2023 9:23 AM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Israel Resolution

**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.

Dear Berkeley City Council,

I write this letter as an admirer of your city and past resident. I pass through on my travels through the Bay Area. It is not the job of the City Council to deal with international affairs. Any resolution that favors one group or another will create more divisiveness in our community, including antisemitism and Islamophobia. If you wish to take a stance on something related to the war, please focus on fostering community and speak out against hate. Please do not alienate any of your constituents right now. There is enough fear, hatred, and isolation as is.

Best Regards,  
Judd

Sent from my iPhone

**Benado, Tony**

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**From:** Abigail Tolby <natolby@hotmail.com>  
**Sent:** Friday, December 8, 2023 6:59 AM  
**To:** All Council  
**Subject:** Support Israel

**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.

I want to express my support as one of many pro-Israel Americans. Now is NOT the time to call for a ceasefire. First, release all hostages, stop firing rockets into Israel & recognize Israel's right to exist. The call should be for Hamas to Surrender.

Abigail Tolby

**Benado, Tony**

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**From:** Mikelle Emanuel-Shoham <mikellemanuel@gmail.com>  
**Sent:** Thursday, December 7, 2023 11:34 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi  
**Cc:** Wengraf, Susan; Bartlett, Ben; Hahn, Sophie; Robinson, Rigel; Harrison, Kate; Humbert, Mark; Chai Levy; Rabbi Yonatan Rabbi Cohen  
**Subject:** Anti-Semitic Incidents this week

**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.

Dear Mayor Arreguin, Ms Kesarwani and members of the city council,

I reached out to you in late November requesting and again thank you for not bringing a ceasefire resolution to the city council agenda, in fear that it would cause more divisiveness and anti semitism to the residents of Berkeley, without actually impacting the war itself. Although that is not the subject of this email it is directly related to it.

I grew up in Berkeley, my mother still lives in the house that I grew up in. I am a Berkeley High graduate as well as my two brothers. I am a nurse at Alta Bates, a homeowner in District 1 and I am a dual American - Israeli citizen along with my husband and our two sons.

In my 18 years of growing up here and in the past eight years since I have returned and lived in Berkeley with my Israeli husband and children, I, nor any members of my family have experienced personal harassment or verbal or physical attacks on us as Jews or Israelis.

Unfortunately, this has now changed.

I am writing to let you know about two separate Anti Semitic / anti-Israeli incidents in North Berkeley this past week that my family and I personally experienced.

I would go as far to say they were blatant harassment. Two incidents in One week!

The first incident occurred on 12/2 Saturday morning, the Jewish Sabbath, on our way walking from our house to a bar mitzvah at synagogue Netivot Shalom on University Ave. As we were walking across university from the alone greenway a man very aggressively yelled out at us. It took a moment to make sense of what he was saying and to realize that his yelling was clearly directed at us. My husband and two sons were wearing Kippas on their heads. He angrily yelled at us that Hitler should have killed us all, Fuck you, that we should go back to Europe and that we are causing genocide and Cease fire now! He continued to yell while he walked down University and we walked into the parking lot of the Berkeley School that is shared with Netivot Shalom. My husband and I were angry of course and I had to convince my husband not to going back and confront him. It felt very unsafe to go from that experience straight into a Bar Mitzvah with many jews in a confined space, regardless of security measures.

The second incident was early this morning 12/7, while my husband and son were walking up Virginia St. towards the North Berkeley Bart station where my son catches the bus to Oakland Hebrew Day School along with many other local jewish children. They were speaking Hebrew and a man near them yelled at them and called them Nazis and continued to use profanity and aggressively talk about PM Netanyahu. My son was scared and ran ahead to the bus stop and my husband chose to not engage in order not to upset my son further. Once again, this incident happened while on the way to a larger group of Jewish families.

Im am sharing this as a concerned mother, resident, jew, American and Israeli. I urge you to take these harassments very seriously as unfortunately I believe there will be many more. I urge you to continue to commit to the safety and well being of the Jewish and Israeli community and I urge you to work with our community leaders in matters or security and local actions that can be made to decrease antisemitism as well

as islamophobia and I plead with you that you continue to not bring forth a resolution to the Agenda. Doing so will cause more hatred, division and violence to our community. and will not impact the Israel/Hamas war. Along with the council members I have cc'd Rabbi Chai Levy of Congregation Netivot Shalom and Rabbi Yonatan Cohen of Congregation Beth Israel.

Thank you and Happy Chanukah,

In Partnership,  
Mikelle Emanuel - Shoham

**Benado, Tony**

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**From:** Roxana Dhada <roxana.dhada@gmail.com>  
**Sent:** Thursday, December 7, 2023 9:33 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** URGENT: Ceasefire Resolution by 12/12

**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.

Dear Mayor and Council Members,

I am a Berkeley City College student and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 15,000 Palestinians and over 5,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. This dehumanization and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering unrestricted, unconditional military aid to Israel as it completely destroys an entire civilization in Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Every single American is complicit in the ethnic cleansing of Palestinians while we remain silent and allow our taxes to be used to fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Roxana Dhada  
Berkeley City College

**Benado, Tony**

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**From:** Karin Vosgueritchian <karinv@berkeley.edu>  
**Sent:** Thursday, December 7, 2023 8:23 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Ceasefire Resolution now

**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.

I am emailing on the absolute need for a ceasefire in Gaza and to support House Resolution 786: Calling for an immediate deescalation and cease-fire in Israel and occupied Palestine. As an Armenian-American who is a descendent of genocide survivors who were expelled from their ancestral lands, seeing the videos of Palestinian civilians being forced on a death march out of their historic homeland is an affront to humanity, an affront to justice, and an affront to the values that City of Berkeley claims to espouse. We must use our words clearly: the described "humanitarian corridor" is a death march; the "evacuation" is forced transfer of a besieged population; and the Israeli "expanding offensive" is a genocide. The calls from Israeli leaders to resettle Palestinians in Gaza to other countries is a call to strip Palestinians of their right under international law to return to their homes in historic Palestine/modern-day Israel. The majority of the Palestinians in Gaza are already refugees from the 1948 Nakba, when over 750,000 indigenous Palestinians were ethnically cleansed from their homeland to establish modern-day Israel.

There are now over 1.8 million Palestinians displaced in Gaza. According to the youth-led, independent, nonprofit organization Euro-Med Human Rights Monitor, there are at least 61,700 completely destroyed housing units, and 169,550 partially destroyed housing units as of December 5, 2023. The UN Special Rapporteur on the right to adequate housing, Balakrishnan Rajagopal, has used the term "domicide" to refer to the systematic or widespread attacks on housing and civilian infrastructure. Rendering an entire city, like Gaza City, uninhabitable for civilians is domicile, and this is a crime against humanity. This is not solely confined to Gaza City or the Gaza Strip. As I write this email, Armenians in Jerusalem's historic Armenian Quarter -- where the world's oldest Armenian diaspora community has resided since the 4th century -- are being threatened, harassed, and expelled by armed Israeli settlers supported by Israeli police. As I write this email, armed Israeli settlers continue to systematically drive out Palestinian communities and villages in the West Bank as they have for decades.

The US-funded Israeli genocide in Palestine is modeling new ways that technology, international political inaction, systemic racism, and settler colonialism are depriving human beings of their homes and their lives. Berkeley City Council must clearly state their support for a ceasefire or their silence will be understood as support for genocide and domicile. Berkeley City Council must clearly state their support for a ceasefire or their silence will be understood as support for racialized dispossession of land, displacement from home, and exclusion from access to safety and stability. Silence, at this pivotal moment, is not an option. Now is the time to affirm Berkeley City Council's commitment to Berkeley's values of justice, free speech, and human rights. Now is the time for the City of Berkeley to affirm their support for a ceasefire loudly and clearly.

Thank you,  
 Karin Vosgueritchian  
 Berkeley, CA

**Benado, Tony**

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**From:** D Dorenz <ddorenz@gmail.com>  
**Sent:** Thursday, December 7, 2023 8:14 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Important information from the American Jewish Community

**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.

1. **From me: If you really want to know the truth about what's going on in Gaza don't listen to Hamas statistics of the dead. It is impossible to count a couple more thousand people every day who have died. All of Western media are taken in by these false statistics, and you will never hear about all the aid that Israel sends to Gaza: not in the past and not now. One person told me they had bombed all the hospitals. This is another lie. I hope you read what is below from AJC**
- 2.
3. **Palestinian Woman in Gaza Tells Reporter Hamas Steals Humanitarian Aid, Israel to Open Kerem Shalom Crossing to Increase Humanitarian Aid for Gazans**
4. In a video posted on social media, a Palestinian woman in Gaza told a reporter that Hamas is stealing all humanitarian aid sent to Gaza saying, "The aid does not reach the nation and [the] entire people." The woman also said that Hamas would "shoot me and do whatever they want to me." The IDF posted receipts for luxury jewelry purchased by family members of Hamas leaders, equivalent to multiple years' salary for the average Gazan resident. In the coming days, Israel will open the Kerem Shalom border crossing for the first time since Hamas' barbaric slaughter of Israelis. This will increase the number of aid trucks that can enter the Palestinian enclave each day, and all aid trucks will be inspected by Israel.
  - **How Hamas Exploits the Palestinian People:** Since coming to power in a violent coup in 2007, Hamas terrorists have systematically abused Palestinian civilians to build their war machine and further their aim to kill Jews and destroy Israel. Here are seven ways Hamas exploits the Palestinian people.
5. **War Update: Israeli Civilian Killed by Missile from Lebanon, Hamas Firing Rockets from Gaza Safe Zones, UN Secretary-General Invokes**



## **Article 99**

Tragically, an Israeli man in his 60s was killed by a missile fired from Lebanon into the northern border town of Mattat today. May his memory be a blessing. Also today, the fighting continued in Khan Younis, a Hamas stronghold in southern Gaza. The IDF says it's continuing to take out terrorists and their tunnels as the military closes in on the hideouts of key Hamas leaders. A report by *The Times of Israel* said that videos and photos show dozens of Gazan men, potentially suspected terrorists, have surrendered to the IDF. Yesterday, UN Secretary-General Antonio Guterres invoked Article 99 of the UN Charter, urging the UN Security Council to act in response to the war in Gaza. Guterres told the Security Council that he believes the war between Israel and Hamas "may aggravate existing threats to the maintenance of international peace and security." The Security Council is set to meet tomorrow to discuss Guterres' invocation of the rarely used Article 99. Meanwhile, Hamas continues to put Palestinian civilians in danger by firing rockets from the designated safe zones in Gaza.

**Benado, Tony**

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**From:** D Dorenz <ddorenz@gmail.com>  
**Sent:** Thursday, December 7, 2023 8:00 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Making sure you know Fwd: \*Warning - very graphic. WSJ: Opinion: Peggy Noonan: The Rape of the Israeli Women

**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.

Dear City Council members,

As you waded into the morass of writing a resolution about the Hamas- Israel war, I hope you educate yourselves very well, based on research about what actually happened and what is happening now. As you may already know, Jews are only one of the targets of jihadists, all non-Jews are considered targets for death.

As a resident of Berkeley, I hope that you will do much better than the other City Councils, teachers' unions, Rent Stabilization Board of Berkeley, And various school districts that decided that the liberated version of ethnic studies which is full of antisemitism, boycott, Divest and sanction propaganda, is best for their students, and which only considers people with brown skin to be victims of oppression. A very strong statement against the hatred that is coming from the pro Palestinian supporters as they deny what Hamas did in its murderous rampage of death of innocents, and want to turn them into heroes of liberation. Please be very clear that Israel has a right to survive this kind of never ending hostility. If the United States were faced with a border enemy, such as Israel has been, one would be sure that that country would be turned into dust very quickly. Please consider this scenario as you decide for Israel what is right for it as though you were arm chair generals. Please See below.

Sincerely  
Dorothea Dorenz  
Berkeley, Ca

----- Forwarded message -----

Date: Thu, Dec 7, 2023 at 7:05 PM

Subject: Fwd: \*Warning - very graphic. WSJ: Opinion: Peggy Noonan: The Rape of the Israeli Women

To:

**Wall St. Journal** [wsj.ltrs@wsj.com](mailto:wsj.ltrs@wsj.com)

<https://www.wsj.com/articles/the-rape-of-the-israeli-women-october-7-hamas-gaza-progressives-c2a4cd38>

(Comments 1044 so far)

**The Rape of the Israeli Women**  
**Hamas's crimes on Oct. 7 were deliberate and systematic. Why has the left been disbelieving, silent or equivocal?**



By Peggy Noonan  
Dec. 7, 2023 1:17 pm ET



The Abduction of the Sabine Women by Nicolas Poussin, painted circa 1633-34. PHOTO: METROPOLITAN MUSEUM OF ART

At first I didn't understand. Among Hamas's crimes of 10/7: little children and babies murdered, some burned to death; children forced to watch parents chased, beaten and shot. Old couples murdered in their homes; families who'd taken refuge in safe rooms burned out and killed. Hamas attempted to behead a kibbutz worker, and killed old women standing at a bus stop. Women were abused—raped, it seemed certain. But I didn't understand why, from day one, the last received such emphasis. Defenders of Hamas kept demanding proof and claiming there was no evidence. It was as if they were saying: *Sure we behead people and kill infants but raping someone, that's crossing a line!*

But now I understand what was done. It was grim and dreadful, but it was also systematic and deliberate. And since there's going to be a lot of 10/7 trutherism—there already is—we have to be clear about what happened.

In the days after the attack, chaos reigned in the attack areas. At least 1,200 people had been murdered, their bodies scattered through kibbutzim and on the site of the Nova music festival. The crime scene was huge; the priority was identifying the dead and informing their families. Documentation of crimes was incomplete, forensic evidence not always recorded, evidence perishable. The testimony of witnesses, body collectors and morgue workers came in unevenly. It has built and is becoming comprehensive.

A stunning report appeared last weekend in London's Sunday Times, by reporter Christina Lamb. Bar Yuval-Shani, a 58-year-old psychotherapist treating the families of victims, told Ms. Lamb she has been told by several witnesses of rape at the music festival. A police commander told Ms. Lamb, "It's clear now that sexual crimes were part of the planning, and the purpose was to terrify and humiliate people." Ms. Lamb quotes Yoni Saadon, 39, a father of four and shift manager in a foundry who was at the music festival. He said he hid as a young woman was raped, and saw Hamas fighters capture another young woman near a car. "She was fighting back, not allowing them to strip her. They threw her to the ground and one of the terrorists took a shovel and beheaded her."

"We didn't understand at first," Ms. Lamb quoted Cochav Elkayam-Levy, a Hebrew University expert on international law, who heads a commission into the Hamas crimes. She said survivors arriving at hospitals weren't asked about sexual abuse or given rape kits, but those who volunteered to collect bodies started reporting that many of the women were naked and bleeding from the genitals. The commander of a unit of a volunteer religious organization that collected the remains of the dead told Ms. Lamb they collected 1,000 bodies in 10 days from the festival site and the kibbutzim. "No one saw more than us. . . . It seemed their mission was to rape as many as possible."

Israel Defense Forces sources told the paper that Hamas fighters caught in Gaza reported in police interrogations that they had been instructed by superiors to "dirty" and "whore" the women.

A few days after the Sunday Times report came one on the mounting evidence of violent sexual abuse from BBC correspondent Lucy Williamson. Several of those involved in collecting and identifying the bodies of the dead told the BBC that they had seen "multiple signs of sexual assault, including broken pelvises, bruises, cuts and tears, and that the victims ranged from children and teenagers to pensioners." Video testimony of an eyewitness to the music festival, shown to journalists by Israeli police, "detailed the gang rape, mutilation and execution of one victim." The BBC saw "videos of naked and bloodied women filmed by Hamas on the day of the attack."

The gallant gents of Hamas were filming their own war crimes.

Israeli police have privately shown journalists filmed testimony of a woman at the music festival. She describes Hamas fighters gang-raping a woman and then mutilating her. The last of her attackers shot her in the head. She said the men cut off parts of the woman's body during the rape.

To unsubscribe from this group and stop receiving emails from it, send an email to [no-highlights-letter-team-2023+unsubscribe@googlegroups.com](mailto:no-highlights-letter-team-2023+unsubscribe@googlegroups.com).

To view this discussion on the web visit [https://groups.google.com/d/msgid/no-highlights-letter-team-2023/CAKSLVHU1FHvp-8-WBAXy2dKTfDUq4Aepm7ktoC3vALUh78Ua\\_w%40mail.gmail.com](https://groups.google.com/d/msgid/no-highlights-letter-team-2023/CAKSLVHU1FHvp-8-WBAXy2dKTfDUq4Aepm7ktoC3vALUh78Ua_w%40mail.gmail.com).

For more options, visit <https://groups.google.com/d/optout>.

**Benado, Tony**

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**From:** Amodini Choudhary <amodini@berkeley.edu>  
**Sent:** Thursday, December 7, 2023 5:03 PM  
**To:** All Council  
**Subject:** On Anti-semitism and a Ceasefire Resolution in Berkeley

**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.

Dear Councilmember,

I hope this finds you well. My name is Amodini Choudhary; I am a student at UC Berkeley and a resident of District 4, emailing with respect to current affairs in Israel and Gaza. As a resident of Berkeley and a student at a university central to the city, I am deeply concerned with the role that our City Council-members play in reassuring their constituents and promoting safety, inclusion, wellbeing, and a recognition of what is happening in Israel and Palestine.

I want to start by addressing something that struck me from the December 5, 2023 Berkeley City Council meeting, which this council decided to adjourn prior to hearing public opinion for the second time in a row:

There was one individual, a Jewish mother, who spoke up about feeling unsafe in the environment of that meeting and in her community. Consider her religious identity: she expressed that her child is being threatened in school and feels unsafe. The Palestinian-supporting majority crowd booed her. I wish we had heard more of her comments. Do not get me wrong: I believe in the Palestinian resistance and believe vehemently that the occupation must go.

The comment of this Jewish speaker, who is brave for having said her piece in a loud room full of hurt people who strongly oppose her view, points strikingly to the fact that the silence of authorities on the matter hurts communities both Jewish and Palestinian. (Notice the intrinsic disparity in a conflict between a religion and an ethnic group. Pay attention to this. Understand how it affects the argument.) Central to Israeli rhetoric—which so many in authority are echoing, especially in their silence (it is empty space which creates an echo chamber)—is the conflation of zionism and semitism. This is something that even the Dean of Berkeley Law has said explicitly and taken pride in. Yet, when a fascist and occupying regime that kills thousands of innocents and uproots a culture and a people is itself rooted in zionism, then the violence and injustice falls on the shoulders of the religion that is associated. Palestinian rhetoric which seeks to distinguish Semitism from Zionism does so in an effort to respect Judaism and uphold the values of Semitism, to not allow it to justify the murdering of a people and gutting of a culture. We seek to honour the non-violence and harmony of the Jewish. Remember: weaponizing a religion only goes so far before its institutions become distorted.

By pushing for a ceasefire resolution that recognises Semitism as separate from Zionism, pinpointing exactly a violence to settler colonial ideologies and not a religion, everyday Jewish people can navigate their spaces with faith in their institutions, and faith that the weaponization of their religion is not being accepted by authorities meant to represent the interests of those very Jewish constituents. This is precisely why Jewish constituents of yours are expressing their unwavering support of a ceasefire resolution, meeting after meeting. I implore you to listen.

Passing a resolution for permanent ceasefire supports communities beyond the Arab, Muslim, and Palestinian communities. It vouches for Semite, Jewish safety by recognising the core values of a faith as distinct from the violence caused by its weaponization as justification for a separate, Zionist, ideology. Pass a ceasefire resolution so that the children of Jewish mothers can go to school safely because they know that Zionism is not Semitism and that their communities have called for an end to the atrocities. Be the reason that kid can say “actually, Berkeley does not support this. Not in the name of my faith.” Truly, truly, seek to serve all the communities that fall within your constituency. If you do the right thing, that mother will not feel scared or alone in this environment.

Recall elementary lessons on bystander intervention. Do you need a reminder from a harm reduction office? Silence is complacency. Do not mistake your authority for objectivity. Seek to use it for the benefit of your people. Allow Berkeley to lead change, to uphold its legacy without the burden of hypocrisy. You have seen us on our knees, begging. You have seen us on our feet, yelling. You have seen us in our seats, representing. You have seen pictures of our dead. You have heard the cries of *humans* who should not have to appeal this way to remind you of your moral, democratic, and representative duty the moment you take a seat in the chair you occupy. If this is a democracy, prove it. Find your humanity. Then, hold it up next to the videos of dying Palestinian people. Does that humanity waver? Question who you are if it does. Then find it again, hold it steadfast, and pass a resolution for ceasefire anyways.

God knows that Palestinian people are grieving publicly for your benefit. If our faith justified the weaponization of our grief the way Zionists justify weaponizing Judaism, the conversation would be a different one. It is your privilege to not find yourselves on this side of the table.

The time for a ceasefire resolution is now.

In respect, solidarity, and urgency,  
Amodini Choudhary



**Benado, Tony**

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**From:** Desmid Lyon <desmid@gmail.com>  
**Sent:** Monday, December 11, 2023 11:49 AM  
**To:** All Council; Kesarwani, Rashi; Berkeley Mayor's Office  
**Subject:** Please do not take up ANY resolutions on Israel/Gaza Tues night (District 1 resident)

**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.

Dear City Council Members and Mayor Arreguin,

I know things keep moving and changing quickly and I know I've written before. This time I simply want to thank you for holding firm against making any resolutions on Israel/Gaza, and **request you make no resolutions Tuesday night. any resolution will divide Berkeley further and worsen antisemitism and islamophobia here.**

Thank you again for your courageous stance to date, and especial thanks to those of you who stood with us as we rejoiced at Cedar-Rose Park Saturday night. You make us feel safer and we appreciate you!

Desmid Lyon  
1808 Sacramento St  
Berkeley, CA. 94702

--  
Desmid Lyon  
[desmid@gmail.com](mailto:desmid@gmail.com)

**Benado, Tony**

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**From:** Olivia Lapinsky <olivialapinsky@outlook.com>  
**Sent:** Monday, December 11, 2023 11:47 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Appeal: Vote Yes on Council Member Bartlett's Resolution for Ceasefire - No Additional Amendments

**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.

Dear Members of the Berkeley City Council,

As a concerned student at the University of California, Berkeley, I am writing to urgently urge you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire without any additional amendments. The prolonged delay in considering this crucial resolution is deeply dismaying and reflects a lack of prompt action that is disheartening to witness.

The current situation demands immediate attention, as over 20,000 Palestinians, including a significant number of innocent children and women, have tragically lost their lives. This is nothing short of a massive human rights crisis, and it is imperative that Berkeley, a city with a rich history of free speech and activism, takes a stand and condemns the ongoing genocide that Israel is enacting in Gaza.

I implore you to recognize the urgency of this matter and hold yourselves accountable for the delayed consideration of Council Member Bartlett's resolution. It is essential that you resist any additional amendments that may dilute or undermine the resolution's effectiveness.

Berkeley has always been at the forefront of championing justice and human rights. By voting yes on this resolution, without any amendments, you can send a powerful message to the world that our city stands against the atrocities being committed and supports peace and justice for all.

Please take immediate action and prioritize the lives and well-being of innocent Palestinians. The world is watching, and it is crucial that the Berkeley City Council acts in alignment with its values and principles.

Thank you for your attention to this urgent matter.

Sincerely,

Olivia Lapinsky  
University of California, Berkeley

**Benado, Tony**

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**From:** Eyyad Haddad <nasawiyaaqatila@gmail.com>  
**Sent:** Monday, December 11, 2023 12:40 PM  
**To:** Bartlett, Ben; All Council; Harrison, Kate; Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Wengraf, Susan; Taplin, Terry  
**Subject:** Vote Yes on Council Member Bartlett's Resolution for a Ceasefire, No Additional Amendments

**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.

**Benado, Tony**

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**From:** J & J Schroeder <janicejimschroeder@gmail.com>  
**Sent:** Monday, December 11, 2023 12:40 PM  
**To:** All Council; City Clerk; Berkeley Mayor's Office  
**Subject:** Please act morally, with integrity and introduce a permanent ceasefire resolution now!

**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.

Mayor Arreguin and City Councilmembers,

I urge you to take the right, moral, just and humane action to end your silence, which is tacit support for the ongoing bombing of Gaza resulting in the skyrocketing number of innocent civilian deaths in Gaza and the West Bank.

Introduce a resolution on Tuesday, 12/12/23 calling for an immediate and permanent ceasefire in Gaza and pass it!

I urge you to join the growing number of U.S. city councils, U.S. Senators and House Representatives to urge an immediate and permanent ceasefire, unrestricted humanitarian aid into Gaza, urging the release of all Hamas held civilians, the release of all Palestinian women and children held in Israeli jails without charges, the end of all U.S. funds to the Israeli government, the end of U.S. funding the IDF, and ending sending weapons to Israel.

Where is your humanity, your sense of morality and reverence for human life? How do you sleep at night with the ongoing, indiscriminate bombing, slaughter and violence in the Gaza Strip and the West Bank; the starvation of Palestinians in Gaza due to the lack of food, the lack of access to medical supplies, fuel, electricity especially for doctors to care for the thousands of wounded Gazan civilians?

Sincerely,  
Janice Schroeder

**Benado, Tony**

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**From:** Muniba Ahmed <munibaahmed94@gmail.com>  
**Sent:** Monday, December 11, 2023 12:33 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Students Demand Ceasefire Resolution

**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.

Subject Line: Urgent Appeal to Vote Yes on Resolution for Ceasefire - No Additional Amendments

Dear Berkeley City Council Members,

I hope this email finds you well. I am writing to you as a member of the Muslim community, deeply concerned about the prolonged delay in considering Council Member Ben Bartlett's resolution for a ceasefire. The urgency of this matter cannot be overstated, and it is disheartening to witness the lack of prompt action from the Council.

As you are aware, over 20,000 Palestinians, including a significant number of innocent children and women, have tragically lost their lives. This heartbreaking reality should serve as a powerful reminder of the urgent need for immediate action to address the ongoing crisis.

It is with great disappointment that I feel compelled to hold the Council accountable for the delayed consideration of this crucial resolution. It is disheartening to witness the apparent hypocrisy in a city that prides itself on its commitment to justice and human rights. The continued delay only perpetuates the suffering of innocent lives and undermines the principles Berkeley stands for.

As a member of the Muslim community, this issue deeply resonates with me on a personal level. I have witnessed the anguish and despair felt by fellow Muslims who have been directly affected by this never-ending conflict. The lack of action from the Council only amplifies our frustration and despair, making us question the commitment to justice and peace that we expect from our elected representatives.

I implore you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire without any additional amendments. The urgency of the situation demands immediate action, and any delay in voting on this resolution only prolongs the suffering and loss of innocent lives. It is crucial that you understand the gravity of this matter and the impact your decision can have on countless lives.

I beseech you to prioritize humanity over politics and demonstrate true leadership by voting in favor of the resolution for a ceasefire. The world is watching, and your decision can make a significant difference in bringing an end to this devastating conflict.

Thank you for your time and consideration.

Sincerely,

Muniba Ahmed

**Benado, Tony**

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**From:** Felisa Simon <felisa.simon@gmail.com>  
**Sent:** Monday, December 11, 2023 1:48 PM  
**To:** All Council  
**Cc:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Tuesday's city council meeting. Re: Israel and Hamas conflict.

**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.

Dear City Council,

I wanted to first thank the five council members who attended this past Saturday night's (12/9/2023) public gathering for Hanukkah, a first of its kind in our city. Your presence made it clear that you not only celebrate with us, but that you also celebrate and understand the unique and beautiful diversity of our city.

The event was attended by members of Congregation Beth Israel, Beth El, Netivot Shalom, Berkeley JCC, Berkeley Hillel, Chochmat Halev, and Urban Adamah. A group of people representing a very wide and diverse community of Jewish identity in Berkeley.

At this time I wanted to urge you to reject ANY resolution pertaining to the war between Israel and Hamas. Please stand firmly against the voices of division and hate that threaten our city, our streets, our communities, and our members.

I will not be attending the meeting in person because I am afraid. I am afraid of what I have seen at previous meetings not only in Berkeley, but also in our neighbor to the South, Oakland, or Richmond to the North, and other cities that have had very forceful people show up in support of Hamas. I am also worried for my children, who are Berkeley born and raised, if something happened to me while I was there speaking my truth, representing my community and exercising my constitutional rights. I live and work in Berkeley and have for more than 10 years. I.AM.AFRAID.

Especially at this time, I urge you to make clear to our entire city PRIOR to Tuesday's meeting, that you will not discuss matters pertaining to our local Jewish community, and that will have direct impact on Jews living in our city, during the holiday of Hanukkah, denying us the ability to celebrate our holiday in Berkeley in peace.

I urge all council members to pull their resolutions ahead of Tuesday's meetings and to inform the public as soon as possible: Resolutions impact Jews, Israelis, Muslims, and Palestinians living in our local communities the most, and members of these populations deserve to be in the room without impediments.

Finally, the rabbis, administrators, and educators of the organizations mentioned above, represent the largest segments of Berkeley's Jewish community. Please take the time to reach out to each of them collectively and individually. We, Jewish people, represent a significant constituency of this beloved city. Please put our interests and our communities' wellbeing at the forefront of any international initiative or resolution.

Better to focus on real, on the ground issues like the huge unhoused population in Berkeley or any number of issues we citizens encounter on a daily basis. My own young elementary age children ask me often, why do our local representatives talk about things so far away? Why not work on issues that they see, everywhere, in Berkeley? Is this why we pay taxes? How should I answer them?

Stand firm, and together with our mayor say NO to any resolution.

Sincerely,  
Felisa Simon



**Benado, Tony**

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**From:** Amber Yada <ayada@berkeley.edu>  
**Sent:** Monday, December 11, 2023 1:45 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Yes on Council Member Bartlett's Resolution for a Ceasefire, w/ No Amendments

**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.

Dear Berkeley City Council Members,

As a Bay Area resident and student at the University of California, Berkeley, I am disappointed in the delay in considering Council Member Ben Bartlett's resolution for a ceasefire. The lack of prompt action is disheartening. I urge you to vote **yes** on this resolution without any amendments.

The situation in Palestine demands our immediate action. Over 20,000 Palestinians, including many children, have tragically been killed. The crisis cannot be ignored any longer.

Berkeley, a city with a proud history of resistance to oppression, cannot espouse values of inclusion while a genocide continues. This moment in history calls for bravery that extends beyond our individual interests. It is a matter that is bigger than all of us, and we have the opportunity to set the bar for how we intervene in worldwide humanitarian crises.

By making a public call for a ceasefire, we not only stand in solidarity with Palestine, but also protect the teachers and educators who speak out and teach the upcoming generations. It sends a powerful message that Berkeley is a culture of critical hope and love, valuing the importance of human rights for all.

I note that it is Jewish leadership who is at the forefront of our resistance movements. They are movements firmly rooted in antiracism and opposed to antisemitism.

I implore you to consider the urgency of this matter. Please vote YES on Council Member Bartlett's resolution. Let us show the world that Berkeley takes a stand for justice and peace.

Thank you for your attention to this critical issue.

Sincerely,

Amber Yada  
University of California, Berkeley Student  
Bay Area Resident

**Benado, Tony**

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**From:** Yossi Fendel <joefendel@gmail.com>  
**Sent:** Monday, December 11, 2023 1:41 PM  
**To:** All Council  
**Subject:** Peace in our community

**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.

Berkeley City Council,

I am deeply appreciative of your efforts to prioritize peace in our community above all else during a time of heated conflict in the Middle East. Bringing a distant conflict to Berkeley with resolutions inevitably divides us, bringing out the worst in neighbors who are determined to blame each other for the deep pain that so many are experiencing.

Thank you for your bravery and leadership.

**Please continue to prioritize peace at home by staying clear of ANY resolutions on Israel or Gaza.** There is no good that can come from taking a stand on these issues, and there is plenty of harm that can potentially be done.

I recognize that you are facing tremendous pressure by fiercely disruptive voices that are interfering with your ability to do the important work for Berkeley citizens that you were elected to do. Please do not reward their disruption by attempting to appease these voices with resolutions.

Thank you again,

Yossi Fendel  
Berkeley Citizen in District 1

**Benado, Tony**

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**From:** Arushi Kalam <arushikalam@gmail.com>  
**Sent:** Monday, December 11, 2023 2:39 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Appeal to Vote Yes on Council Member Bartlett's Resolution for Ceasefire, Without Amendments

**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.

Dear Berkeley City Council Members,

I hope this email finds you well. As a member of the Muslim community, I write to you with a heavy heart and a deep sense of urgency regarding Council Member Ben Bartlett's resolution for a ceasefire. I implore you to vote in favor of this resolution without any additional amendments.

The prolonged delay in considering this crucial resolution has deeply dismayed me. It is disheartening to witness the lack of prompt action and the apparent hypocrisy that undermines the urgency of this matter. Over 20,000 Palestinians, including a significant number of innocent children and women, have lost their lives. This ongoing tragedy demands immediate attention and intervention.

As a human rights issue, the Palestinian genocide is an unspeakable atrocity that must not be overlooked. Thousands of lives are being lost, and the majority of them are children. It is our duty, as compassionate individuals and responsible members of the global community, to protect and defend these innocent lives. By voting for a ceasefire, you will be upholding the fundamental human right to safeguard and preserve the lives of those affected.

I urge you to consider the gravity of this situation and the urgent need for action. It is essential that you support Council Member Bartlett's resolution for a ceasefire without any additional amendments. By doing so, you will demonstrate your commitment to human rights, justice, and the preservation of innocent lives.

Thank you for your attention to this matter. I hope that you will act swiftly and decisively in favor of the ceasefire resolution. Together, we can make a difference and contribute towards a more peaceful and just world.

Sincerely,

Arushi Kalam  
Member of the Muslim Community

Sent from my iPhone

**Benado, Tony**

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**From:** Eyman Elzarka <eymanelzarka20@gmail.com>  
**Sent:** Monday, December 11, 2023 2:39 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Sad community member :(

**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.

Dear Berkeley City Council Members,

I hope this email finds you well. As a concerned Palestinian, I am writing to urgently urge you to vote in favor of council member Ben Bartlett's resolution for a ceasefire, without any additional amendments. It deeply saddens me that this crucial resolution has been subjected to a prolonged delay and lack of prompt action.

The gravity of the situation cannot be overstated. Over 20,000 Palestinians, including innocent children and women, have lost their lives in this ongoing conflict. Their lives, hopes, and dreams have been tragically cut short. As a Palestinian, this issue is not merely political or distant; it is personal and deeply affecting.

I implore you to consider the urgent need for a ceasefire and to vote in favor of Council Member Bartlett's resolution. Any further delay or amendments will only prolong the suffering and loss of innocent lives. It is the responsibility of the Council to prioritize the well-being and safety of all, without any further hesitation.

Moreover, I must express my disappointment in the Council's apparent hypocrisy. The delay in considering this resolution contradicts the principles of justice, equality, and human rights that Berkeley is known for championing. It is disheartening to witness the lack of action when it comes to the lives of Palestinians.

I sincerely hope that you will take this appeal to heart and vote in favor of Council Member Bartlett's resolution for a ceasefire. Your decision holds the power to make a significant impact and contribute towards ending this devastating conflict.

Thank you for your attention to this matter and for considering the urgency of the situation. I trust that you will act with compassion and responsibility, ensuring that innocent lives are protected.

Sincerely,

Eyman

Sent from my iPhone

**Benado, Tony**

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**From:** Leslie Valas <vffam5@gmail.com>  
**Sent:** Monday, December 11, 2023 2:25 PM  
**To:** All Council; Kesarwani, Rashi; Berkeley Mayor's Office  
**Subject:** Please support NO Resolution at tomorrow meeting

**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.

Dear City Council members, Councilmember Kesarwani, and Mayor Arreguin,

I urge you to support a vote for NO RESOLUTION at tomorrow's city council meeting, concerning the conflict between Israel and Hamas. I want to express my gratitude to the mayor and the council for their strength and commitment to keeping the Israel-Hamas war out of Berkeley politics.

All of Berkeley needs to stand up strongly against antisemitism and all forms of hate. Hate has no place in Berkeley, against anyone or any group.

I urge you all to recognize the need for the City Council to focus on the many issues the City suffers: crime, homelessness, housing crisis, infrastructure repair, and the rise in antisemitism in Berkeley public schools.

Thank you for your support.

Leslie Valas  
Voter, District 1

**Benado, Tony**

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**From:** samira <samsamiirara@gmail.com>  
**Sent:** Monday, December 11, 2023 2:19 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent: Vote Yes on Council Member Bartlett's Resolution for Ceasefire without Amendments

**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.

Dear Berkeley City Council Members,

I am writing to urgently urge you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire, without any additional amendments. As a concerned bay area resident, I am deeply dismayed by the prolonged delay in considering this crucial resolution. It is disheartening to witness the lack of prompt action from the Council.

The current situation in Palestine demands immediate attention. Over 20,000 Palestinians, including a significant number of innocent children and women, have lost their lives. This immense loss of life is unacceptable, and it is our moral responsibility to take a stand against the violence and work towards a peaceful resolution.

I am frustrated and disappointed by the Council's apparent hypocrisy in failing to promptly address this critical issue. It is essential to hold our elected officials accountable for their actions, or in this case, their lack thereof. The delay in considering Council Member Bartlett's resolution undermines our faith in the Council's commitment to justice and human rights.

Personally, I deeply care about this issue because it represents a larger struggle for freedom and an end to the occupation. The ongoing suffering of the Palestinian people cannot be ignored, and it is imperative that we take a strong stance in support of their rights.

I implore you to vote yes on Council Member Bartlett's resolution for a ceasefire without any additional amendments. The gravity of the matter demands immediate action, and it is crucial that the Council stands on the right side of history.

Thank you for your attention to this matter.

Sincerely,



Sam

Sent from my iPhone

**Benado, Tony**

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**From:** Zachary Weed <zacharyweed3@gmail.com>  
**Sent:** Monday, December 11, 2023 3:07 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Demand for the People's Ceasefire Resolution

**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.

Dear Mayor and Council Members,

I am a Berkely resident and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Ben Bartlett's resolution with NO amendments.

Many council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Zachary Weed  
94709

**Benado, Tony**

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**From:** Phoebe Thomas Sorgen <phoebes@earthlink.net>  
**Sent:** Monday, December 11, 2023 2:55 PM  
**To:** All Council; Harrison, Kate; Berkeley Mayor's Office; Sophie Hahn; Wengraf, Susan; Taplin, Terry; Kesarwani, Rashi  
**Subject:** Berkeley needs a resolution towards stopping genocide in Gaza  
**Importance:** High

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

Hello Mayor Arreguin and members of the Berkeley City Council,

Please uphold Berkeley's long, proud tradition of taking courageous but well-considered stands. Most of your constituents expect it. What is happening in the Middle East is extremely disturbing and depressing for your constituents. Joan Baez said action is the antidote to despair. The path to healing distress involves empowerment, even by merely passing a symbolic resolution. Refusing to address the issue will exacerbate many of your constituents' frustrations and feelings of disempowerment.

In 1986, Berkeley voters overwhelmingly approved a ballot measure creating the volunteer Peace & Justice Commission, so hard-working volunteers do the legwork for you. The Mayor/Council can chew gum and walk at the same time. If we don't stand up to symbolically stop genocide in Berkeley, where will people do so? Richmond, Oakland, SF, and many other cities are doing so. Shame on Berkeley if our leadership is too cowardly. Our electeds need to accept that Berkeley is known for taking stands and Berkeleyans are proud of doing so. I know people who moved here, or stayed here, specifically because they want to live in a community where people don't put their heads in the sand but get accurately informed from independent media sources and take related actions.

Of course our hearts go out to Oct 7 victims. Killing civilians is never justified. Neither is collective punishment, which is against international law and US law, yet US taxes fund it, so we are directly responsible. The Israeli government's disproportionately violent response is entirely unacceptable, destroying hospitals, schools, etc. Approx 1,200 Israelis were tragically murdered by Hamas on Oct 7. Since then, Israel has killed over 15,000 Palestinians.

Israel's brutality will not stop as long as over \$10 million/day of US taxes are going to Israeli military efforts (which \$ then bounces back to US weapons manufacturers in this corporatocracy's revolving door.)

Large numbers of calls and letters from constituents to national elected officials matter.

Capitol Hill: 800-826-3688

Letters from organizations carry more weight than from individuals. Letters from municipalities get even more attention.

Do not be fooled by charges of anti-Semitism. Yes, it exists, and is unacceptable but, as you know, many (most?) Berkeley jews support justice and peace in the Middle East and are not afraid to criticize the government of Israel and the IDF. I won't be the only one holding a menorah at the candlelight vigil tomorrow evening

Peace, Salam, Shalom!

Phoebe Thomas Sorgen, former P&J Commissioner for 8 yrs, Berkeley resident since 1989

PS Thank you, Councilmembers Bartlett and Harrison, for favoring a carefully worded, well-balanced resolution. Thanks, Councilmember Taplin, for initially favoring it. I'm disappointed by the message below and respectfully request that you reconsider.

On Dec 11, 2023, at 2:07 PM, Councilmember Terry Taplin <[ttaplin@berkeleyca.gov](mailto:ttaplin@berkeleyca.gov)> wrote:

.....I have listened to and wrestled with the reasons for and against the Berkeley City Council making a statement on this tragic and horrifying conflict. Many people have pointed out that the Berkeley City Council is not the United States Congress, nor do we really have the ear of Congress on this issue. Others have pointed to the Council's past willingness to make statements on international issues. I have weighed these and myriad other considerations and I have decided that, at least for now, our City is best served by Council continuing to forgo consideration of a resolution on this matter....

In light of all this, I will not be introducing a resolution at tomorrow's Council meeting. ....

With hope and humility,  
Councilmember Taplin

**Benado, Tony**

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**From:** Yoel Kahn <rabbiyhk@gmail.com>  
**Sent:** Monday, December 11, 2023 2:54 PM  
**To:** All Council  
**Subject:** Resolutions are not "emergencies"

**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.

Dear Mayor and Council Members:

With the many urgent and important local matters, I do not believe that it is in any way necessary for the City Council to take positions on international affairs. That is not why you are elected and that is not your mission.

Should the Council choose to pass resolutions on topics, i would expect that this would be done with appropriate hearings and ample discussion - not as an unscheduled "emergency" item on the Council agenda.

Finally, i would point out that the "be it resolved..." sections of the proposed agenda (which I found on X, not on the City website for the Council agenda) is unbalanced - making no mention of an end to terrorism, the return of hostages or the safety of all people.

I respectfully ask that you refrain from entertaining, let alone approving such resolutions.

Thank you.

Yoel Kahn  
Capistrano Ave

**Benado, Tony**

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**From:** ANTHONY STONE <anthonybstone@comcast.net>  
**Sent:** Monday, December 11, 2023 2:48 PM  
**To:** All Council  
**Subject:** Gaza

**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.

Stick to local issues... that's what you get paid to do.  
Anthony Stone



**Benado, Tony**

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**From:** Dhoha Aden Bareche <dbareche@berkeley.edu>  
**Sent:** Monday, December 11, 2023 2:18 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Appeal: Vote Yes on Council Member Ben Bartlett's Ceasefire Resolution Without Amendments

**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.

Dear Berkeley City Council,

I am writing to you as a concerned student at the University of California, Berkeley, urgently urging you to vote yes on Council Member Ben Bartlett's ceasefire resolution without any additional amendments. The prolonged delay in considering this crucial resolution is deeply dismaying, and I implore you to take prompt action.

The current situation in Palestine has reached a critical point, with over 20,000 Palestinians, including countless children and women, having lost their lives. The urgency of this matter cannot be overstated, and it is essential that you, as esteemed council members, act responsibly and decisively.

I find it disheartening that the Council has not promptly addressed this resolution, which calls for a ceasefire. This delay highlights a concerning discrepancy between your apparent commitment to justice and the actual implementation of such principles. It is essential to hold the Council accountable for this apparent hypocrisy and to demand immediate action.

Personally, this issue deeply resonates with me because I believe in the value of human lives and the importance of peace. The continuous loss of innocent lives in Palestine is a grave concern that cannot be ignored. By voting yes on Council Member Ben Bartlett's ceasefire resolution without amendments, you have the power to take a meaningful step towards ending the violence and fostering a more peaceful future.

I implore you to consider the gravity of this matter and to prioritize the lives of Palestinians. Your vote has the potential to make a significant difference, and I urge you to seize this opportunity. Together, we can stand up for justice and demonstrate solidarity with those who are suffering.

Thank you for your attention to this urgent matter. I trust that you will act swiftly and responsibly to address the ceasefire resolution without further delay.

Sincerely,

Dhoha Bareche

Sent from my iPhone

**Benado, Tony**

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**From:** bhfein@aol.com  
**Sent:** Monday, December 11, 2023 2:11 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Resolution Regarding Israel-Hamas

**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.

Dear Council & Mayor,

I live in Berkeley and thank all of you for your service.

I am writing to you today as I understand that the Berkeley City Council might be considering a resolution about the Israel-Hamas War at the Council meeting on 12/12.

I urge you not to consider or pass any resolutions on this matter.

The Berkeley City Council website states that the City Council, "This nine-member body makes decisions about *local laws and policies* (italics are my own) for the city using input from the community... The Mayor issues proclamations, the City Council receives off-agenda memos from the City Manager, and the City Council comments on *state and national legislation* (italics are my own)."

Based on this mission statement, I believe it is beyond the scope of the City Council's duties to issue a resolution on the Israel-Hamas War.

Also, I don't believe the city is following its protocols to vote so quickly on a measure as I understand that it has not gone through proper review.

The rise in anti-semitism in Berkeley in the last months has been upsetting and made me and many others feel threatened. I am concerned that a resolution on the Israel-Hamas War will inflame tensions and increase divisions in our community.

I believe the goal of the Berkeley City Council should be to adopt policies which heal the division in our community which was sparked by the war by increasing tolerance, acceptance, and understanding, and by denouncing hateful speech and actions concerning Islamophobia and antisemitism.

I do understand that not all resolutions are one sided. I read Council Member Taplin's resolution and found it embraces diverse perspectives and maintains the values of acceptance and peace.

However, my concern is that debating resolutions will devolve into hateful discourse which goes far beyond the topic of the Israel-Hamas War and into antisemitism and conspiracy theories, which occurred in past meetings of the Berkeley City Council

I therefore urge that the Berkeley City Council will follow Mayor Arreguin's commitment not to consider or pass any council resolutions on the Israel-Hamas War.

Best Regards,

**Bruce Feingold**

Bruce H. Feingold  
16 Hazel Rd  
Berkeley, CA

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**Benado, Tony**

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**From:** Michelle Brenner <michelle.a.brenner@gmail.com>  
**Sent:** Monday, December 11, 2023 2:06 PM  
**To:** All Council  
**Subject:** No resolution

**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.

Dear members of the Berkeley City Council,

As a Jewish mother with three small children in Berkeley and with family and friends in Israel, my heart has been broken by recent events and I have been horrified by the antisemitic and Islamophobic responses to it. I know the city council is under pressure from a very loud, bullying faction pushing for a resolution on the Israel-Hamas War. Please know that although I am unable to come to meetings (my children are ages 1-8), I stand with the mayor's decision to not make a divisive resolution that would only make us feel less safe here.

Thank you for fighting to keep Berkeley a place where people of all ethnicities can feel safe.

Thank you,  
Michelle Brenner

**Benado, Tony**

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**From:** Thomas Luce <hhecoordinator@gmail.com>  
**Sent:** Monday, December 11, 2023 3:27 PM  
**To:** All Council  
**Subject:** Ceasefire!

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

Hello Mayor Arreguin and members of the Berkeley City Council,

Please uphold Berkeley's long, proud tradition of taking courageous but well-considered stands. Most of your constituents expect it. What is happening in the Middle East is extremely disturbing and depressing for your constituents. Joan Baez said action is the antidote to despair.

The path to healing distress involves empowerment, even by merely passing a symbolic resolution. Refusing to address the issue will exacerbate many of your constituents' frustrations and feelings of dis-empowerment.

In 1986, Berkeley voters overwhelmingly approved a ballot measure creating the volunteer Peace & Justice Commission, so hard-working volunteers do the legwork for you. The Mayor/Council can chew gum and walk at the same time. If we don't stand up to symbolically stop genocide in Berkeley, where will people do so? Richmond, Oakland, SF, and many other cities are doing so. Shame on Berkeley if our leadership is too cowardly. Our electeds need to accept that Berkeley is known for taking stands and Berkeleyans are proud of doing so. I know people who moved here, or stayed here, specifically because they want to live in a community where people don't put their heads in the sand but get accurately informed from independent media sources and take related actions.

Of course our hearts go out to Oct 7 victims. Killing civilians is never justified. Neither is collective punishment, which is against international law and US law, yet US taxes fund it, so we are directly responsible. The Israeli government's disproportionately violent response is entirely unacceptable, destroying hospitals, schools, etc. Approx 1,200 Israelis were tragically murdered by Hamas on Oct 7. Since then, Israel has killed over 18,000 Palestinians.

Israel's brutality will not stop as long as over \$10 million/day of US taxes are going to Israeli military efforts (which money then bounces back to US weapons manufacturers in this corporatocracy's revolving door.

Large numbers of calls and letters from constituents to national elected officials matter. Letters from organizations carry more weight than from individuals.

Letters from municipalities get even more attention.

Do not be fooled by charges of anti-Semitism. Yes, it exists, and is unacceptable but, as you know, many Berkeley Jews support justice and peace in the Middle East and are not afraid to criticize the government of Israel and the IDF.

Peace, Salam, Shalom!

Tom Luce

--  
Thomas F. Luce 1515 Fairview St. Apt.C Berkeley, Ca 94703 510-575-6326

**Benado, Tony**

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**From:** Sophia Elkin <sophielkin@gmail.com>  
**Sent:** Monday, December 11, 2023 3:22 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Demand for the People's Ceasefire Resolution

**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.

Dear Mayor and Council Members,

I am Sophia Elkin, and I am writing to urge you to pass a formal resolution that calls for a permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Ben Bartlett's resolution with NO amendments.

Many council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's revolutionary history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted



humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Sophia Elkin

Sent from my iPhone

**Benado, Tony**

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**From:** Denah S. Bookstein <denahsbookstein@gmail.com>  
**Sent:** Monday, December 11, 2023 3:31 PM  
**To:** All Council  
**Subject:** International affairs are not City of Berkeley affairs !

**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.

Dear Council Members,

As part-time employees, doing a full time job as dedicated elected Members of our City governing Council, I do not support your wasting City paid time to discuss International Affairs. There are many conflicts going on in the World, there are many people suffering from politically driven situations.

**NOT A BERKELEY CITY COUNCIL PROBLEM.**

We have housing insecure , hungry people, many with multiple disabilities living here in Berkeley. We have many other problems to solve.

Please address these needs, and keep political grandstanding and desire for headlines on your own time.

As a resident of Berkeley, and involved community member, I underline the fact that the political Resolutions on the Middle East being considered tonight are NOT in your purview.

You do not serve the community in making personal statements about complex world events. Any Council ptime or voting dedicated to the subject will be non-productive, divisive, and promote prejudice and discord in our community.

We voted for you to work for Berkeley !

Thank you,

Denah S Bookstein. MSW

Voting Berkeley Resident.

**Benado, Tony**

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**From:** Somaya Abdelgany <sabdelgany@gmail.com>  
**Sent:** Monday, December 11, 2023 3:41 PM  
**To:** Bartlett, Ben; All Council; Harrison, Kate; Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Wengraf, Susan; Taplin, Terry  
**Subject:** Please Vote Yes on Ceasefire Resolution

**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.

Dear Berkeley City Council,

I am writing to urge you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire in Palestine, without amendment. As a resident of Berkeley for 7 years and an affordable housing professional in the bay area, I am dismayed by the prolonged delay in considering this crucial resolution.

I care deeply about this issue because a genocide is currently being committed against my loved ones in Palestine, funded by our collective tax dollars. These dollars are desperately needed here at home to meet the basic needs of housing, food, education, and healthcare for our communities. In the last two months alone, over 18,000 Palestinians, many of whom are children and women, have already been killed. Thousands more have been severely injured, starved, or trapped under the rubble of destroyed infrastructure. This is just the latest atrocity in 75 years of the Israeli state's violent occupation of Palestine, which is the root cause of the horror we are witnessing today.

Every day that action is not taken risks another senseless massacre. I implore you to understand the urgency of this resolution and to demonstrate the leadership that our state and federal politicians have failed to exhibit.

Please vote yes on Council Member Bartlett's resolution for a ceasefire without any additional amendments. Please understand the gravity of the matter at hand and take immediate action.

Thank you for your attention and understanding.

Sincerely,  
Somaya Abdelgany

**Benado, Tony**

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**From:** Georgia Maslowski <gegemaslow@comcast.net>  
**Sent:** Monday, December 11, 2023 3:47 PM  
**To:** All Council  
**Subject:** Resolutions

**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.

Honorable Council Members,

Please do not accept any late-coming resolutions for the agenda of your meeting on December 12. There has not been adequate public notice about any late-coming resolutions and they do not qualify under State Law or City of Berkeley Rules of Procedure to be placed on the Council's agenda at the last minute without the required public notice. I believe the Council has observed a longstanding norm, which I strongly urge you to continue to honor, not to take up matters beyond the city limits of Berkeley that may divide, frighten or harm Berkeley's citizens. The proposed resolutions have the strong possibility to do so. Tuesday's meeting also occurs during Hanukkah when many people with strong interest in the proposed resolutions will, out of their tradition, be with families. For these reasons, please do not consider late-coming resolutions this Tuesday. There must be adequate public notice, not posts on X/Twitter, to give all Berkeley citizens a right to become aware of them and be heard by the entire Council.

Respectfully,  
Georgia Maslowski

**Benado, Tony**

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**From:** madeeha khan <madeehakhan2001@gmail.com>  
**Sent:** Tuesday, December 12, 2023 8:17 AM  
**To:** Bartlett, Ben; All Council; Harrison, Kate; Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Wengraf, Susan; Taplin, Terry  
**Subject:** VOTE YES

**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.

Dear Berkeley City Council Members,

I am writing to you as a concerned constituent residing in Berkeley with an urgent appeal. I implore you to **vote yes on** Council Member Ben Bartlett's resolution for a ceasefire without any additional amendments. The prolonged delay in considering this crucial resolution is deeply dismaying, and the lack of prompt action is disheartening to witness. The alarming truth is that over 20,000 Palestinians, including innocent children and women, have lost their lives. This devastating loss demands immediate action and a strong stance against the violence and suffering inflicted upon the Palestinian people. As a resident of Berkeley, this issue holds immense personal importance to me. I care deeply about human rights and believe in the equal value of every human life. The ongoing conflict and loss of innocent lives deeply trouble me, and I feel a moral obligation to urge you to act swiftly and decisively in favor of humanitarianism and justice. I must express my deep concern that the delayed consideration of this resolution reflects an apparent hypocrisy within our Council. It is imperative that you hold yourselves accountable for this delay and take immediate steps to rectify the situation. The world is watching, and our community expects our elected representatives to stand firm in their commitment to upholding justice and human rights. In conclusion, I implore you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire without any additional amendments. Please understand the gravity of this matter and the urgent need for action. The lives of countless Palestinians depend on your decision. Thank you for your attention to this matter.

Madeeha Khan  
UC Berkeley '24  
<http://linkedin.com/in/madeehabk>  
(510)779-4865

**Benado, Tony**

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**From:** Anne Ellis <annefranellis@gmail.com>  
**Sent:** Tuesday, December 12, 2023 11:12 AM  
**To:** All Council  
**Subject:** District 5 - No Hate & Divisiveness in Berkeley

**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.

City Leaders,

I'm writing in support of a safe and inclusive community for ALL citizens. There is a startling rise in Islamophobia and Anti-Semitism in this community that is neither acceptable nor representative of the values that inspired me to move to Berkeley with my family in the first place. I love that my neighbors represent all backgrounds and faiths and that we can unite in the community and appreciate and celebrate one another's differences. Please focus your valuable time and energy on addressing challenges within our community, of which there are many, rather than debating topics that do not pertain directly to city issues and are performative at best and damaging and dangerous for Berkeley residents at worst. Given the disturbing trends in BUSD in particular with regards to reports of Islamophobia and Anti-semitism, further divisiveness is not going to help anything.

Thank you,  
Anne Ellis

District 5

**Benado, Tony**

---

**From:** Rachel Gita Schiff <rachelgita@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:55 AM  
**To:** All Council  
**Subject:** resolution on Isreal/Palestine tonight

**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.

Dear Berkeley council,

Thank you for your thoughtful response on rejecting the middle east resolution on 11/28. Thank you for supporting and protecting the citizens of Berkeley and not giving in to hate. I ask that you continue to protect Berkeley citizens at tonight's meeting as well by rejecting calls to pass any measure on Israel or Palestine.

I do strongly believe that nothing good will come out of passing such a statement that is clearly coming from a place of hatred, and refuses to condemn the Hamas massacre and abductions. Our city council needs to focus on the many issues in our city it actually can and should be addressing.

Sincerely,  
Rachel

**Benado, Tony**

---

**From:** Jan Leuin <asymetry@earthlink.net>  
**Sent:** Tuesday, December 12, 2023 10:52 AM  
**To:** All Council  
**Cc:** Berkeley Mayor's Office  
**Subject:** No to Divisive Israel-Hamas Resolutions

**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.

I am an Oakland resident urging you to reject attempts to adopt divisive resolutions about the Israel-Hamas War.

As antisemitism and Islamophobia continue to escalate in the Bay Area, the introduction of one-sided resolutions about the Israel-Hamas War will only further inflame tensions between already traumatized Muslim and Jewish communities and create a forum for hate.

As the whole country witnessed in Oakland and Richmond, the consideration of these divisive resolutions results in hours of public comment plagued by anti-Semitic jeering and hateful conspiracy theories, as well as general confusion and lack of decorum.

During this time of rising hate and antisemitism, I'm asking you to lead with empathy and ensure all local residents feel supported and welcomed. The ongoing war between Israel and Hamas has deeply impacted many members of our community. Many of us are in mourning. Inaccurate and one-sided resolutions will not solve the conflict or bring us any closer to peace. We must bring our community together – not pull ourselves apart.

If Berkeley must pass a resolution on world affairs, I hope that it will be Terry Taplin's measure that is not one-sided and clearly condemns Hamas as the instigator of this conflict.

Thanks for your compassion and understanding.

Sincerely,

Jan Leuin



**Benado, Tony**

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**From:** Rabbi Chai Levy <rabbi@netivotshalom.org>  
**Sent:** Tuesday, December 12, 2023 10:47 AM  
**To:** All Council  
**Subject:** Thank you again

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.

Dear Mayor Arreguin and Berkeley City Councilmembers,  
Thank you again for refraining from introducing a resolution on the Israel-Hamas war that would add to the current polarization. I know you are receiving a lot of pressure in this tense time. On behalf of Congregation Netivot Shalom, we are grateful that you are focusing on local issues. Our synagogue is having our big annual Hanukkah party this evening, otherwise more of us would show up at the Council meeting to express our support and gratitude for your leadership.

We are also grateful that several of you attended the Hanukkah candle-lighting on Saturday evening. It means a lot to the Jewish community.

Thank you again for your service and leadership,  
Rabbi Chai Levy



**Rabbi Chai Levy**  
Congregation  
Netivot Shalom  
[www.netivotshalom.org](http://www.netivotshalom.org)  
[Click here](#) to like us on Facebook

**Benado, Tony**

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**From:** Milo Anjelo <miloanjelo@yahoo.com>  
**Sent:** Tuesday, December 12, 2023 10:35 AM  
**To:** All Council  
**Subject:** Please adopt a resolution for an immediate and permanent ceasefire

**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.

Dear Berkeley City Council,

I am writing to you as a concerned member of the Berkeley community to express our collective plea for immediate action in addressing the ongoing Israel-Hamas conflict. The people of Berkeley City urgently call for a permanent cease-fire and the facilitation of humanitarian aid into Gaza.

Our specific requests include:

**Congressional Resolution for Permanent Cease-Fire:** We request your support in advocating for a congressional resolution that ensures a permanent cease-fire in the Israel-Hamas conflict.

**Unrestricted Entry of Humanitarian Assistance into Gaza:** The people of Berkeley urge you to work towards allowing urgent humanitarian aid to reach Gaza without hindrance, ensuring the well-being of the civilian population.

**Restoration of Basic Services:** We call for efforts to restore essential services in Gaza, addressing the critical needs of the population, including access to healthcare, clean water, and electricity.

**Respect for International Law:** It is our fervent hope that all parties involved commit to upholding international law and protecting the rights of civilians caught in the crossfire.

**Release of Hostages:** We demand the immediate release of all hostages, emphasizing the importance of protecting innocent lives and fostering a path towards peace. The people of Berkeley demand that the Cease-Fire Resolution be passed swiftly and effectively, prioritizing the well-being of those affected by the conflict.

We appreciate your attention to this matter and trust that you will represent the values of peace and humanity in your efforts to bring about a resolution to this devastating situation.

Sincerely,

MA

**Benado, Tony**

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**From:** Yael Chaver <ychaver38@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:32 AM  
**To:** All Council

**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.

To the Council:

I'm a decades-long Berkeley resident and support Council Member Sophie Hahn's communications to her Council colleagues about the fraught and divisive issues associated with the war in the Middle East. A discussion about the war is for another time. In the interest of brevity, I'll cut to the chase and appeal to the Council.

I urge the Council to heed and implement established Council policies vis-à-vis the "Agenda as Urgency Items." I appeal to the City of Berkeley to take no official position on the Middle East conflict. As Councilmember Hahn noted, there is "the longstanding norm that we [the Council] should not take up matters beyond Berkeley's borders that have the potential to divide, frighten, or harm people in Berkeley."

Respectfully,

Yael Chaver

**Benado, Tony**

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**From:** Amy Gordon <ab\_gordon@yahoo.com>  
**Sent:** Tuesday, December 12, 2023 10:30 AM  
**To:** All Council  
**Subject:** opposition to hearing resolutions that are not related to Berkeley's borders.

**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.

I am writing to oppose the possibility of the council hearing any last minute resolution regarding voting on a stance of ANYTHING beyond Berkeley's borders. This does not pertain to the wellbeing of Berkeley residents and is inappropriate.

Amy Gordon Risz

**Benado, Tony**

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**From:** Benjamin Kadish <baruch.kadish@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:27 AM  
**To:** All Council  
**Subject:** Israel statement

**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.

Hey,

Thanks for being so considerate of everybody during this troubling time. it was so nice to see everyone at the menorah lighting the other night.

I think you guys should table any statement on the Israel Palestine conflict, as we saw in Oakland and at the rent board letting people air their feelings will give space for bigots to say whatever made up and hateful nonsense comes into their heads.

That said if you are going to pass/ talk about a resolution Terry Taplins resolution that he posted on December 7 seems great, considerate and not inflammatory.

I wish you all well.

Baruch Kadish

(Resident of district 1)

**Benado, Tony**

---

**From:** Alison Griffith <alisonagriffith@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:21 AM  
**To:** Wolan, Aleksandra; Bartlett, Ben; Gerstein, Beth; Naso, Christopher; All Council; Aguilar-Canabal, Diego; Pugh, Eliza; Panzer, Eric; Russell, Gordon; Wilson, Genevieve; Chang, James; McCormick, Jacquelyn; Harrison, Kate; McWhorter, Laurie; Skjerping, Lars; Berkeley Mayor's Office; Humbert, Mark; Hernandez Story, Ruben; Kesarwani, Rashi; Robinson, Rigel; Greenberg, Sam; Cerami, Sara; Elgstrand, Stefan; Hahn, Sophie; Wengraf, Susan; Posner, Tina; Taplin, Terry  
**Subject:** Ceasefire resolution

**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.

Dear Mayor and Council Members,

I am an alumni of UC Berkeley and longtime resident of over a decade and I am writing to urge you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments. Several council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us. Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history. Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations. The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza. We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide. We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA. We demand that the City of Berkeley follows suit.

Sincerely,  
 Alison Griffith

**Benado, Tony**

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**From:** Arbel <arbelshemesh@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:08 AM  
**To:** All Council  
**Subject:** Support

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

Hello,

I would like to show my support for our Berkeley government that is resisting adopting any resolutions dealing with the Middle East. The resolutions do not have any effect on international affairs but they do create a very tense and unsafe feeling in our town. We have enough to deal with local issues, I thank you for keeping your focus, Arbel Shemesh Sent from my iPhone

**Benado, Tony**

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**From:** Igor Tregub <itregub@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:07 AM  
**To:** All Council  
**Subject:** On Israel-Gaza resolutions tonight

**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.

Dear Mayor Arreguin and Members of the Berkeley City Council,

I write to you today requesting that - if a resolution is to be passed - that you take the appropriate amount of time to fully think through not just every word of it but also how to ensure that the meeting facilitates dialogue rather than simply further fomenting the collective pain we all feel over what is going on. Of the three resolutions submitted, I feel that the one submitted by Councilmember Taplin comes closest to speaking for me, as it provides the needed balance to the complexity of the situation. I appreciate that Councilmember Robinson's resolution hews closely to the elected officials/party leaders' letter that I co-signed. On the other hand, though I only speak for myself, I intended for this letter to be signed by individuals - if they wish to - rather than to reflect the position of an entire body. I thank you for the thoughtful nature with which you have approached the subject so far and would be grateful for the continued judgment that you exercise.

Respectfully,

Igor (in an individual capacity, as a Jew for whom Israel was once a home and who, like all of us, is deeply grieving)



**Benado, Tony**

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**From:** Jane Diamond <jane@matthaber.com>  
**Sent:** Tuesday, December 12, 2023 7:42 AM  
**To:** All Council; Kesarwani, Rashi  
**Subject:** I do not want the City Council to hear resolutions related to Gaza tonight

**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.

I oppose the City Council entertaining resolutions from anyone, including Councilmembers, related to Israel and Gaza at tonight's Council meeting. Further, I urge the Council to continue to resist the call for supporting a complete ceasefire and to continue to remove itself to an alternate location to conduct business if Council meetings continue to be disrupted by this issue. Jane Diamond, District 1 voter

**Benado, Tony**

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**From:** Michelle Brenner <michelle.a.brenner@gmail.com>  
**Sent:** Tuesday, December 12, 2023 7:05 AM  
**To:** All Council  
**Subject:** Re: No resolution

**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.

I forgot to mention that I live in District 5 (1633 Cedar St)!

On Mon, Dec 11, 2023 at 2:05 PM Michelle Brenner <[michelle.a.brenner@gmail.com](mailto:michelle.a.brenner@gmail.com)> wrote:

Dear members of the Berkeley City Council,

As a Jewish mother with three small children in Berkeley and with family and friends in Israel, my heart has been broken by recent events and I have been horrified by the antisemitic and Islamophobic responses to it. I know the city council is under pressure from a very loud, bullying faction pushing for a resolution on the Israel-Hamas War. Please know that although I am unable to come to meetings (my children are ages 1-8), I stand with the mayor's decision to not make a divisive resolution that would only make us feel less safe here.

Thank you for fighting to keep Berkeley a place where people of all ethnicities can feel safe.

Thank you,  
Michelle Brenner

**Benado, Tony**

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**From:** Barbara Schick <bschick2@earthlink.net>  
**Sent:** Tuesday, December 12, 2023 1:11 AM  
**To:** All Council  
**Cc:** Taplin, Terry; Hahn, Sophie; Wengraf, Susan; Kesarwani, Rashi; Bartlett, Ben; Harrison, Kate; Robinson, Rigel; Humbert, Mark; Berkeley Mayor's Office  
**Subject:** Opposed to divisive Gaza Ceasefire proposals

**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.

Dear City of Berkeley Council Members,

I am a resident of District 5 in Berkeley and Sophie Hahn is my Councilmember. I greatly appreciate that the Mayor and City Council have been able to keep the politics of the Israel-Hamas war out of Berkeley politics. The **history** of Israel, Palestine, and the entire Middle East is complicated. So complicated that without appropriate and unbiased information, it is easy to become anti-semitic, islamophobic, anti-Israel and/or anti-Arab.

I highly recommend that the Council **not pass** a Ceasefire Resolution concerning the war in Gaza. Or if you decide to pass such a resolution that it not one-sided and divisive, and place the blame for the current conflict where it belongs - on Hamas. My reasons are as follows:

- i) The City Council does not have unlimited time, resources, and stamina to deal with the multiple critical issues in Berkley [crime, homelessness, housing issues, infrastructure repair, all forms of hate (racism, anti-semitism, islamophobia), and public health, to name a few], so I believe concentrating your efforts on these regional issues would be more beneficial use of your valuable than officially commenting on the Israel-Gaza conflict.
- ii) If the Berkeley City Council passes a ceasefire resolution, many people will assume (without ever reading it) that it agrees with unbalanced ones passed by other cities, which I believe will only inflame and re-traumatize our impacted communities.
- iii) In 2005, Israel withdrew all Israel citizens and military personal from Gaza, leaving the Palestinians in Gaza to determine their own destiny. Soon after, Hamas (which is an internationally recognized terrorist organization) gained control of Gaza , and several military conflicts between Israel and Gaza ensued. There have been many ceasefires (six I believe), all of which were broken by Hamas. So I believe another ceasefire would only defend Hamas and let it regain its strength to attack Israel again. Both Palestinians and Israelis (Jews and Arab citizens) deserve a chance to determine their destiny without the interference of Hamas.
- iv) Berkeley residents can directly contact their elected officials (President, Vice-President, and US Congress members) that determine international policy to express their opinions.
- v) Prior to resolutions being considered at City Council Meetings, their complete text should be available to Berkeley residents via official City of Berkeley avenues

vi) I agree with the following Jewish Community Relations Council (JCRC) recommended letter:

"I am a Berkeley resident deeply concerned that the City Council may consider a divisive resolution about the Israel-Hamas War. As antisemitism and Islamophobia continue to escalate in the Bay Area, and as past examples in Oakland and Richmond show, such actions will only further inflame tensions and re-traumatize our impacted communities. Instead, Council should take steps to bring Berkeley residents together and solve the crucial challenges facing our city. Furthermore, I am asking the Council to take concrete steps to maintain order and decorum during Tuesday's meeting and all future meetings. The antisemitic comments and actions, violent rhetoric, and amplification of conspiracy theories that have plagued past meetings have no place in Berkeley. "

Thank you in advance for your consideration.

Sincerely yours,  
Dr. Barbara Schick, PhD

**Benado, Tony**

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**From:** Ann Garrison <ann@anngarrison.com>  
**Sent:** Monday, December 11, 2023 11:39 PM  
**To:** All Council  
**Subject:** Please pass a resolution condemning Israel's genocide in Gaza

**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.

Sincerely,  
@Ann Garrison  
Independent Journalist  
415-503-7487

**Benado, Tony**

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**From:** hind eliyen <hindeliyan@gmail.com>  
**Sent:** Monday, December 11, 2023 11:02 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** ceasefire NOW: Berkeley community stands with GAZA

**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.

Dear Council Members,

I am writing to call upon the longstanding spirit of activism and social justice that breathes in the heart of Berkeley, urging you to draft and pass a formal resolution in solidarity with Palestinians in Gaza, who are being subject to ethnic cleansing and genocide by the Israeli state backed by the United States. This resolution should:

- 1- Demand an immediate CEASEFIRE.
- 2- Demand immediate safe passage for humanitarian aid to Gazans who have little to no food, water, fuel or medical supplies to save the 20,000+ Palestinians injured
- 3- Call for an end to Israeli apartheid, the occupation and blockage of Palestinian land by Israeli military forces;
- 4- Call for an immediate end to all existing and any future military aid to Israel
- 5- Call for the immediate release of the approximately 3,000 Palestinians who have been arrested in Israel (about 1500 people), including in Jerusalem and the West Bank (another 1500 people) since Oct. 7 and the approximately 220 Israeli hostages held by Hamas.

Already, over 23000 Palestinians have been killed by Israeli airstrikes, with more than half of these being women and children. The numbers of displaced Palestinians with no homes to return to, could be as high as half a million people.

Berkeley, with its illustrious legacy of pioneering social justice movements, holds a responsibility to be at the vanguard of national calls for justice. Berkeley has been the crucible where powerful movements were forged: from the Free Speech Movement of the 1960s, to being one of the first cities in the US to divest from companies doing business with the apartheid regime in South Africa. These histories reflect our enduring commitment to global justice and liberation, and advocacy for the violence and oppressed.

On Tuesday, October 24, our neighbors at the Richmond City Council exemplified moral leadership by passing a resolution standing against genocide in Gaza, making it the first US city to stand on the right side of history on this critical legacy by standing against the shadows of genocidal apartheid regimes.

Thank you for your attention and commitment to making a difference

**Benado, Tony**

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**From:** ipgeepers@yahoo.com  
**Sent:** Monday, December 11, 2023 10:52 PM  
**To:** All Council  
**Subject:** No resolution on Hamas-Israel war

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

Hello.

I urge you to avoid passing a resolution having to do with the Hamas-Israel war. Such a resolution would only further inflame tensions and hate in our city. Please use your time and resources to concentrate on taking good care of our city. No need to delve into foreign affairs.

Thank you,

Iris Greenberg-Smith.

835 Santa Barbara Rd, Berkeley 94707

**Benado, Tony**

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**From:** Aharon Hochbaum <hochbauma@gmail.com>  
**Sent:** Monday, December 11, 2023 10:29 PM  
**To:** All Council  
**Subject:** Please donot accept any late-coming resolutions on 12/12 meeting

**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.

To the Berkeley Council,

As a Berkeley resident for decades, I endorse Council Member Sophie Hahn's communications to her fellow Council members regarding the contentious and divisive issues associated with the Middle East conflict. A comprehensive discussion on the war can be reserved for another occasion.

I strongly urge the Council to adhere to and implement the established policies concerning the "Agenda as Urgency Items." I appeal to the City of Berkeley not to adopt an official position on the Middle East conflict. As Councilmember Hahn pointed out, there is a "long-standing norm that we [the Council] should not take up matters beyond Berkeley's borders that have the potential to divide, frighten, or harm people in Berkeley."

Respectfully,

Aharon Hochbaum

District 5 Resident



**Benado, Tony**

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**From:** Kay Englund <kay.englund20@gmail.com>  
**Sent:** Monday, December 11, 2023 9:26 PM  
**To:** All Council  
**Subject:** tomorrow's meeting

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.

> Dear council:

>

> I have read Sophie Hahn's comments about NOT proposing any resolutions at council meetings that are not universally agreed upon. I agree with her. You should be spending your time running the city and dealing with the many local problems we have.

>

> Commenting on the troubles in the Middle East is NOT in your purview so I hope you do not use your time discussing this.

>

> I will be very disappointed if you do not stick to local business tomorrow evening.

>

Kay Englund

**Benado, Tony**

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**From:** Karen Weil <karen@karenweil.com>  
**Sent:** Monday, December 11, 2023 9:16 PM  
**To:** All Council; Hahn, Sophie; Wengraf, Susan; Berkeley Mayor's Office  
**Subject:** NO on resolution

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.

Dear City Council,

I am very disappointed to hear that there are some council members here in Berkeley that are planning to place a Ceasefire resolution on the Agenda as an **Urgency Item** this Tuesday.

There are several reasons that I am upset.

First of all, I don't see the wording for the resolution that is being proposed ANYWHERE! Is it on the City Berkeley Website????? How can any one member vote yes or no on a proposal without seeing it? How can the residents know whether to support it or not???

I WOULD APPRECIATE IT IF YOU COULD SEND ME A COPY OF THE PROPOSED RESOLUTION, ASAP.

Secondly, as Sophie Hahn mentions:

- I do not believe these resolutions qualify - under State Law or City of Berkeley Rules of Procedure - to be placed on our Agenda at the last minute, without required advance notice. Council is only allowed to take up last minute matters under limited, exigent circumstances. (See: California Code, Government Code - GOV § 54954.2(b) and 54956.5).

Previously, I was very relieved to know that Mayor Jesse and the council members had decided that it is **NOT** in Berkeley's best interest to create a Ceasefire resolution. It was reassuring to me to know that the mayor and council members aren't just doing what is perceived as "cool and

progressive", and instead are making their top priority Berkeley's needs (exactly what they were hired to do), and to keep the residents of Berkeley safe. The following words are taken from the Berkeley City Website, "This nine-member body makes decisions about *local laws and policies* for the city using input from the community." **What is occurring in the Middle East is not under your job description to fix. I doubt that many of you are truly knowledgeable of the Middle East's historical complexities, as very few Americans are (including myself, I admit)!**

As a child of Holocaust survivors and someone that is very tuned in to anti-semitism and Islamophobia, I would argue that by creating and supporting a resolution such as this one, the council members are **adding** to the **division** of Berkeley. Jews and Muslims are feeling more **UNSAFE** here in Berkeley. In addition, I find the timing of this "Urgent Item" especially troubling, being that it is going to be voted on during the week of the Jewish celebration of Chanukah.

Of course, we all want the fighting to cease and the whole thing is a horrific tragedy, but it seems to me that City Council members should concentrate on city issues. **Please continue to do the job you were hired to do, and DO NOT PASS this resolution. There are many other ways to fight hate and to help to stop all wars.**

Thanks you,  
Karen Weil  
Berkeley, CA

**Benado, Tony**

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**From:** elsa tranter <elsatranter@gmail.com>  
**Sent:** Monday, December 11, 2023 8:42 PM  
**To:** All Council  
**Subject:** resolutions

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.

Dear council:

I have read Sophie Hahn's comments about NOT proposing any resolutions at council meetings that are not universally agreed upon. I agree with her. You should be spending your time running the city and dealing with the many local problems we have.

Commenting on the troubles in the Middle East is NOT in your purview so I hope you do not use your time discussing this.

I will be very disappointed if you do not stick to local business tomorrow evening.

Elsa Tranter

**Benado, Tony**

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**From:** Dorit S Hochbaum <dhochbaum@berkeley.edu>  
**Sent:** Monday, December 11, 2023 8:38 PM  
**To:** All Council  
**Cc:** sophie@sophiehahn.com  
**Subject:** I urge the Council to not take a position on the war in the Middle East

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.

To the Council:

I'm a decades-long Berkeley resident and support Council Member Sophie Hahn's communications to her Council colleagues about the fraught and divisive issues associated with the war in the Middle East. A discussion about the war is for another time.

I urge the Council to heed and implement established Council policies vis-à-vis the "Agenda as Urgency Items." I appeal to the City of Berkeley to take no official position on the Middle East conflict. As Councilmember Hahn noted, there is "the longstanding norm that we [the Council] should not take up matters beyond Berkeley's borders that have the potential to divide, frighten, or harm people in Berkeley."

Respectfully,

Dorit Hochbaum

District 5 Resident

-----  
Dorit S. Hochbaum,

Distinguished Professor of IE&OR at Berkeley  
Etcheverry Hall,  
University of California,  
Berkeley Ca. 94720-1777

tel: (510)-642-4998

fax: (510)-642-1403

email: [dhochbaum@berkeley.edu](mailto:dhochbaum@berkeley.edu)

<https://ieor.berkeley.edu/~hochbaum>

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**Benado, Tony**

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**From:** Joan Wager <joanwager2004@comcast.net>  
**Sent:** Monday, December 11, 2023 8:34 PM  
**To:** All Council  
**Subject:** Pls do not accept any late coming resolutions!

**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.

Thanks  
94708

Sent from my iPad

**Benado, Tony**

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**From:** Bobbie Steinhart <bobbie.steinhart@gmail.com>  
**Sent:** Monday, December 11, 2023 8:17 PM  
**To:** All Council  
**Subject:** I urge the Council to not take a position on the war in the Middle East

**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.

To the Council:

I'm a decades-long Berkeley resident and support Council Member Sophie Hahn's communications to her Council colleagues about the fraught and divisive issues associated with the war in the Middle East. A discussion about the war is for another time. In the interest of brevity, I'll cut to the chase and appeal to the Council.

I urge the Council to heed and implement established Council policies vis-à-vis the "Agenda as Urgency Items." I appeal to the City of Berkeley to take no official position on the Middle East conflict. As Councilmember Hahn noted, there is "the longstanding norm that we [the Council] should not take up matters beyond Berkeley's borders that have the potential to divide, frighten, or harm people in Berkeley."

Respectfully,

Bobbie Steinhart  
District 5 Resident

Never doubt that a small group of thoughtful, committed citizens can change the world; it's the only thing that ever has -- Margaret Mead

**Benado, Tony**

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**From:** Joshua Greenbaum <josh@eaconsult.com>  
**Sent:** Monday, December 11, 2023 7:43 PM  
**To:** Berkeley Mayor's Office; Hahn, Sophie; All Council  
**Subject:** Please do not pass a resolution regarding the conflict in Gaza

**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.

Dear Mayor Arreguín and Councilwoman Shahn, et. al.,

Please resist the temptation to embroil our city in an issue that cannot and should not be adjudicated at the local level. As a Berkeley citizen and voter since 2004, and a resident of district one since 2018, I firmly believe that such a resolution will only serve to polarize our community at a time when we desperately need unity and consensus to solve the many local problems that are within our purview and our abilities to solve.

Let me be clear, racial and religious hatred are definitely among the issues I would like my city to concern itself with. But rather than take sides in a conflict not our own, I would prefer that we reaffirm Berkeley's historical position as a haven for all and a place where, despite the turmoil outside our boundaries, we can encourage engagement and dialogue instead of exchanging in rhetoric and slogans meant to inflame rather than heal.

National and international politics are continually debased by inflammatory sound bites and performative actions that feed the machinery of hatred, anger, and self-righteousness that have turned social media and social discourse into a weapon pointed at ourselves and our precarious democracy. It's at the local level, neighbor to neighbor, friend to friend, citizen to citizen, where we can and should find a path forward that gives our better selves a chance to rise above the confrontational dialogue on this and many other issues.

Please take actions that can help us heal; all Berkeleyites of good conscience are in pain at how this and other conflicts in our lives and the world are transpiring. Be the mirror that reflects the good in all of us, not the anger and sadness and hate that we all need to transcend.

Regards,  
Josh

Josh Greenbaum  
1243 Kains Ave.  
+1-510-459-6769



**Benado, Tony**

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**From:** Ory Sandel <osandel@gmail.com>  
**Sent:** Monday, December 11, 2023 6:23 PM  
**To:** d3info; Berkeley Mayor's Office; Bartlett, Ben; Berkeley Mayor's Office  
**Cc:** All Council; All Council  
**Subject:** Israel-Hamas ceasefire resolutions

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.

Dear Mayor Arreguin, my City Councilperson, Ben Bartlett, and all other members of the City Council:

Two points:

1. Please keep foreign policy matters out of our local City of Berkeley affairs. It causes nothing but division and dissension (or worse) between our citizens. Given the pathetic state of the City's infrastructure (sidewalks and streets), and the more pressing City issues (homelessness and empty storefronts), your attention is best directed to your job, namely, taking care of City business.
2. There is no merit, legal or factual, to any call for a ceasefire between the State of Israel, on the one hand, Hamas — a US-designated terrorist organization — on the other hand. Hamas started this war by perpetrating unspeakable horrors against Israel civilians, from infants to the very elderly, and taking many hostages. Israel is absolutely within its rights to put an end to Hamas' "governance" in Gaza, which from the outset was imposed by force of violence and arms. A ceasefire would simply permit Hamas to continue its oppression not only of its Israeli neighbors, but also of the Palestinian Arabs living under its hegemony (i.e., those Hamas uses as human shields).

Of course, Hamas could unilaterally end the war immediately simply by releasing the hostages, laying down its weapons and surrendering unconditionally. If, for any reason, the City Council feels absolutely compelled to pass a resolution, that is precisely what it should call for.

To suggest there is any equivalence, moral or otherwise, between Hamas and Israel is nothing less than obscene.

Ory Sandel  
2536 Grant Street  
Berkeley, CA 94703  
510.388.3889

**Benado, Tony**

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**From:** judy breakstone <judybreakstone@gmail.com>  
**Sent:** Monday, December 11, 2023 6:19 PM  
**To:** All Council  
**Subject:** late-coming resolutions Dec 12

**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.

I am a 50 year Berkeley resident and I am absolutely appalled that it could be possible for the city of Berkeley to consider a resolution regarding the tragic situation in Gaza and Israel that has not previously been put on the agenda. This is one of the most divisive issues that Berkeley has withstood since I've been living here, and IT HAS NOTHING WHATSOEVER TO DO WITH BERKELEY!

Be strong, and attentive to the concerns of all Berkeley citizens. Do not give in to an extremely loud, furious group that has been foisting itself on so many organizations, councils and boards. You really DO NOT HAVE TO DO THIS!

Judith Breakstone

**Benado, Tony**

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**From:** Oleg Ivanov <[ivanovo@ajc.org](mailto:ivanovo@ajc.org)>  
**Sent:** Monday, December 11, 2023 5:27 PM  
**To:** All Council  
**Cc:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** AJC Northern California Urges You Not To Bring the Israel-Hamas War Home

**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.

Dear Mayor Arreguín and Members of the Berkeley City Council,

As a representative of AJC (American Jewish Committee) Northern California, I am deeply concerned by the consideration of resolutions concerning the Israel-Hamas war at the meeting of the Berkeley City Council on Tuesday, December 12th, 2023. Here are just a few reasons to vote no on considering any resolution related to the Israel-Hamas war: resolutions like this have caused harm and sowed division in every city where they have been considered; the public comments on the resolution will inevitably elicit extreme and antisemitic opinions that will create strife in the community (even if the resolution is not passed); such resolutions do nothing to further the cause of peace either in a geopolitical conflict halfway around the world or here in our community. Similar resolutions in Richmond and Oakland fomented hateful rhetoric, promoted antisemitic conspiracy theories, and caused the Jewish members of those communities to feel unsafe there. This is not acceptable in any community. If you feel you must pass a resolution on the subject, please consider adopting the one proposed by Councilmember Terry Taplin, which is the best version of the resolution up for consideration.

Please help ensure that Berkeley remains a safe place for all of its residents.

Sincerely,  
 Oleg Ivanov

Oleg Ivanov, PhD  
 Assistant Director  
 AJC Northern California  
 American Jewish Committee (AJC)  
[ivanovo@ajc.org](mailto:ivanovo@ajc.org)  
 415.596.1983 (Mobile)  
[AJC.org](http://AJC.org)  
[facebook.com/AJCSanFrancisco](https://facebook.com/AJCSanFrancisco)  
[twitter.com/AJCGlobal](https://twitter.com/AJCGlobal)



**Benado, Tony**

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**From:** skdewitt@comcast.net  
**Sent:** Monday, December 11, 2023 5:22 PM  
**To:** All Council  
**Subject:** Resolutions on City Council Agenda

**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.

To: Berkeley City Council Members  
From: Susanne (Sanne) DeWitt  
144 Fairlawn Drive,  
Berkeley, 94708

**I am a long time resident of Berkeley and also as a Holocaust survivor. Council members must reject propositions that are not relevant to running the city.**

Berkeley city council members are elected to ensure that the city benefit all residents. Their responsibility is to the safety and well being of its residents, including Jews. Council members are expected to make sure all residents are well served.

Berkeley must provide a safe environment for all residents and to try to help solve problems such as crime and homelessness, not by conducting foreign policy. Council members should focus on running the city by developing transportation, recreation, parking and, above all, a warm, safe and welcoming environment. It should support a good business atmosphere.

I will not vote for member who are not committed to providing a safe environment for all if its residents.

Please reject any resolutions that are not directly pertinent to the business of running the city.

Sincerely,

Susanne (Sanne) DeWitt  
144 Fairlawn Drive,  
Berkeley, 94708

**Benado, Tony**

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**From:** Ayana Davis <ayanabracha@gmail.com>  
**Sent:** Monday, December 11, 2023 5:20 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Thank you!

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

Hello Mayor and Council members,  
I want to express my gratitude for your stand against antisemitism and keeping the Israel-Hamas war out of Berkeley's agenda.

I have not been attending the meeting due to the tense nature of them. It does not feel safe to me to be in this environment.

I am sorry that you have to experience that.

Happy holidays to you all!

Best,  
Ayana Davis  
Berkeley resident

**Benado, Tony**

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**From:** Madeline Feingold <mlfeingold@gmail.com>  
**Sent:** Monday, December 11, 2023 5:18 PM  
**To:** All Council  
**Subject:** Upcoming Berkeley City Council Meeting on 12/12/23

**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.

Dear Mayor Arreguin and members of the Berkeley City Council.

I am writing to you today about an issue which causes me concern. It is my understanding that the Berkeley City Council may be discussing and voting on a proposed resolution about the Israel-Hamas War at the next Council meeting on 12/12. I urge you not to consider or pass any resolutions on this matter. The Berkeley City Council website states the following about the City Council, "This nine-member body makes decisions about *local laws and policies* (italics are my own) for the city using input from the community...The Mayor issues proclamations, the City Council receives off-agenda memos from the City Manager, and the City Council comments on *state and national legislation* (italics are my own)." Based on this mission statement, I believe it is beyond the scope of the City Council's duties to issue a resolution on the Israel-Hamas War.

I have lived in Berkeley for close to 45 years, and I absolutely love our city. I have experienced Berkeley as a community that ideologically embraces peace, tolerance, and acceptance, values I hold dearly. Although I, like so many others, am horrified and heartbroken by the loss of innocent lives in Israel and Gaza, my concern is that a resolution on the Israel-Hamas War will further inflame tensions and increase a division that already has begun in our community. I believe the overarching goal of the Berkeley City Council at this time should not be to adopt a resolution on the Israel-Hamas War but rather to adopt city policies that heal the division in our own community that was sparked by the war by increasing tolerance, acceptance, and understanding through denouncing hateful speech and actions concerning Islamophobia and antisemitism.

I do understand that not all resolutions are one sided. I read Council Member Taplin's resolution and found it to be one that embraces diverse perspectives and maintains the values of acceptance and peace. However, my concern is that any debate in the City Council about proposed resolutions runs the considerable risk of devolving into hateful and chaotic discourse, that goes far beyond the topic of the Israel-Hamas War and into antisemitism and conspiracy theories, as was evidenced in past meetings of the Berkeley City Council as well as other neighboring councils. I find the rise of antisemitic rhetoric concerning and distressing.

I, therefore, hope that the Berkeley City Council will follow Mayor Arreguin's commitment not to consider or pass any council resolutions on the Israel-Hamas War.

Respectfully,  
Madeline Feingold  
16 Hazel Road  
Berkeley, CA 94705

**Benado, Tony**

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**From:** Skye Lovett <skylarelovett@gmail.com>  
**Sent:** Monday, December 11, 2023 5:08 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Resolution for Ceasefire in Gaza

**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.

Dear Mayor and Members of the City Council,

I am a District 4 resident and have worked for the last five years in District 1. I write again to urge you to pass a resolution calling for an immediate and permanent ceasefire in Gaza. Berkeley was not silent on South African apartheid, and this Council was not silent on war in Ukraine. Berkeley's failure to speak out against injustice in Gaza and the West Bank calls into question our willingness to speak out against injustice anywhere. Please draft, with community support, a resolution calling for ceasefire, and call a special meeting as soon as possible to pass it.

I hope you have read the Washington Post's recent reporting that more than 22,000 of the bombs Israel dropped on Gaza in the first six weeks of fighting were supplied by the United States -- a rate of 155 American bombs per square mile. **If located in Gaza, Berkeley's 10.5 square miles of homes, schools, shops, medical clinics, community centers, and places of worship would have been flattened by 1,625 American bombs in those six weeks alone.** In the same period of time, the United States sent an additional 15,000 bombs to Israel. And just days ago, the United States was the sole vote against a United Nations resolution calling for a humanitarian ceasefire.

Over 24,000 people in Gaza have been killed or are presumed dead. More than 9,000 were children, and an estimated 92% were civilians. Almost 50,000 people have been physically injured, and 1.8 million people have been displaced. Many thousands more are expected to die from treatable injury and illnesses spreading due to the absence of basic hygiene and medical infrastructure. The United Nations has said that people in Gaza face the immediate possibility of starvation.

We cannot continue to be complicit with our country's uncritical support for an Israeli military that is willing to accept a 92% civilian casualty rate as the price of doing business. Calling for a ceasefire is the most moderate and uncontroversial action that local government can take. And it is necessary -- both to communicate to the federal government, which has the power to change the conditions in Gaza, Israel, and the West Bank, that the violence of the last 66 days cannot continue, and to show the members of our community mourning generations of their family that they matter.

Sincerely yours,

Skye Lovett (94703)

**Benado, Tony**

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**From:** Jo Ilfeld <joilfeld@me.com>  
**Sent:** Monday, December 11, 2023 5:04 PM  
**To:** All Council  
**Subject:** Regarding Israel-Hamas proposals

**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.

Dear Berkeley City Council,

My name is Jo Ilfeld and I am a Berkeley resident and have been for 20+ years. I'm also a concerned Jewish community member and have a lot of fear about the Berkeley city council taking up a resolution about the Israel-Hamas war. I am personally very against the introduction of a resolution on the Israel-Hamas war. It has torn apart communities in Oakland and I see no reason why Berkeley should be weighing in on a complex and HIGHLY politicized issue around the world when many of the people here in Berkeley don't even accurately know the history and background of the conflict. So many posters and protestors are talking about colonialism which clearly indicates they don't know the long history that BOTH Jews and Arabs have in the region and feel that this issue has more in common with conflicts in the US than is accurate.

If you feel like you must pass a resolution, I would support Terry Taplin's but honestly, I would prefer (and vote for) a Berkeley city council that prioritized Berkeley issues of which there are plenty to focus on - homelessness being a huge one that I feel like needs our urgent and in depth attention in Berkeley at this moment.

These debates are tearing apart our lovely Berkeley community and I urge you to take a stand for cohesiveness at home versus voting for a one-sided resolution because of a vocal subset of Berkeley.

Thank you for taking the time to read this message and I hope my opinion and voice is considered.

Warmly,  
Jo

\*\*\*\*\*

Jo Ilfeld, PhD (she/her)  
 Executive Leadership Coach & Consultant  
 Developing Innovative Leaders for High-Impact Organizations  
 (w): (510) 402-6224  
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Download my [complimentary e-book on How To Be A High-Performance Leader](#)

Wondering how high performance your team really is? Take my [free team assessment here](#).



**Benado, Tony**

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**From:** Lois Wolf <loisbwolf@gmail.com>  
**Sent:** Monday, December 11, 2023 5:00 PM  
**To:** Hahn, Sophie; Berkeley Mayor's Office; All Council  
**Cc:** Lois Wolf  
**Subject:** please only use the Berkeley City Council or other City of Berkeley entity to address Berkeley issues

**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.

To: Berkeley Mayor and City Council, my council member Sophie Hahn (District 5)

Thank you for your strength and commitment to keeping the Israel-Hamas war out of Berkeley politics

Please keep the focus of the City Council of Berkeley (and all City of Berkeley boards, agencies, councils, departments, and committees) on Berkeley.

Whether these are issues of crime, homelessness, housing crises, infrastructure repair, or antisemitism ( or any other form of hate), please address them as they apply to Berkeley.

Furthermore I would suggest that a board or any other entity of the City of Berkeley should address the Berkeley issues for which it was elected or otherwise constituted and not the unrelated political or other personal interests of the members of that board or entity.

Thank you,

Lois Wolf  
Berkeley resident (District 5)

**Benado, Tony**

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**From:** Sally Nelson <sallynels7@gmail.com>  
**Sent:** Monday, December 11, 2023 4:56 PM  
**To:** All Council; Berkeley Mayor's Office; Harrison, Kate; Hahn, Sophie; Robinson, Rigel; Bartlett, Ben; Taplin, Terry; Wengraf, Susan; Kesawani, Rashi; Humbert, Mark; Manager, C; City Clerk  
**Subject:** Please pass a Cease-fire Resolution today, Tues., Dec. 12, 2023

**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.

Dear Mayor Arreguin and Members of Berkeley's City Council.

In regard to the Israel-Hamas "war", an editorial in today's (12/11/23) San Francisco Chronicle is titled: **Cease-fire call is right.**

Please allow me to quote these words of the author, Terry Fletcher, of Berkeley.

"As a member of the Jewish community and child of a Holocaust survivor, I was moved to tears to read about the courageous and principled words of Jewish Supervisors Dean Preston and Hillary Ronen.

"The resolution expresses compassion for Israelis and Palestinians while condemning Islamophobia and anti-Semitism.

"These brave San Francisco supervisors represent the best of the Jewish values that I was raised with: be kind to strangers, defend the oppressed and work for peace.

"The resolution appropriately comes in the season of Hanukkah, a holiday commemorating the struggle to hold onto our values and identity in the face of seemingly overwhelming odds.

"I hope that my city and many others will follow suit with similar resolutions and that they convince the U.S. to change its policies to support peace, equality and justice for all Israelis and Palestinians."

Personally, I wasn't raised in a Jewish community, yet I find these words speak very well to our need to treat **all** people with compassion, dignity, and respect. The Berkeley City Council, while listening to the voices of Berkeley's people, needs to pass a ceasefire resolution. The sooner, the better. The need is for humanitarian aid, not weapons.

Respectfully,  
 Sally Nelson  
 2200 McGee Avenue  
 Berkeley, CA. 94703  
[sallynels7@gmail.com](mailto:sallynels7@gmail.com)

**Benado, Tony**

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**From:** Dor ABRAHAMSON <dor@berkeley.edu>  
**Sent:** Monday, December 11, 2023 4:42 PM  
**To:** Berkeley Mayor's Office; Hahn, Sophie; All Council  
**Subject:** regarding Israel-Hamas Resolution

**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.

Respected Mayor, City Council members,

I'm a Berkeley resident in district 1 and have lived here since 2005. Both our kids were educated here in our excellent public schools and we care deeply about our community.

I strongly support the council in resisting the pressure to issue divisive resolutions regarding the war between Israel and Hamas.

I support your work and urge you to remain focused on issues that impact life here in Berkeley such as homelessness, rising antisemitism, and Islamophobia within our community, safety in our schools, and safety on the streets.

At this time of the hanukkah holiday, holiday of lights - may the light of peace shine for all, near and far.

Sincerely,

Dor Abrahamson  
 Professor  
 Learning Sciences & Human Development  
 Berkeley School of Education  
 Room 4110, Berkeley Way West building  
 University of California, Berkeley, MC #1670  
 2121 Berkeley Way  
 Berkeley, CA 94720-1670  
 USA

[My lab profile](#)  
[My faculty page](#)  
[More about me](#)  
[CV](#)  
[ORCID](#)

Selected Recent Publications

[Grasp actually: An evolutionist argument for enactivist mathematics education](#) *Human Development* 2021  
[Taking design to task: A dialogue on task initiation in STEM activities](#) *Educational Designer* 2021  
[Getting up to SpEED: Special education embodied design for sensorially equitable inclusion](#) *ESS* 2021  
[Modeling nonlinear dynamics of fluency development in an embodied-design mathematics learning environment with Recurrence Quantification Analysis](#) *IJCCI* 2021  
[Characterizing learner behavior from touchscreen data](#) *IJCCI* 2021  
[Toward an enactivist mathematics pedagogy](#) *Routledge* (Stolz) 2022  
[Toward synergizing educational research and movement sciences: A dialogue on learning as developing perception for action](#) *EPR* 2022  
[Getting a grip on geometry: Developing a tangible manipulative for inclusive quadrilateral learning](#) *ESS* 2022  
[Learning through negotiating conceptually generative perspectival complementarities: The case of geometry](#) *FLM* 2022  
[Embodied design of digital resources for mathematics education: Theory, methodology, and framework of a pedagogical research program](#) *Springer* 2023  
[Learning mathematics with digital resources: Reclaiming the cognitive role of physical movement](#) *Springer* 2023  
[The \(slow\) digital return of multimodal educational resources](#) *Constructivist Foundations* 2023  
[Coordination dynamics of semiotic mediation: A functional dynamic systems perspective on mathematics teaching/learning](#) *Constructivist Foundations* 2023  
[Theory and practice of designing embodied mathematics learning](#) *PME* 2023

Programs: [Learning Sciences & Human Development](#) ; [SESAME](#) ; [ICBS](#)

NSF projects: [Gesture Enhancement of Virtual Agent Mathematics Tutors](#), [Debugging Failure](#)

Presentations: [NAPLeS interviews](#), [Attentional Anchors 2015](#), [Copernicus Science Centre 2017](#), [PME-Yandex Moscow, 2019](#), [LUMEN 2021](#), [ICME 2021](#)

Media: [Future Learning Design Podcast](#)

Conference: [CDME 2018 JPS 2024](#)

Technology: [Mathematics Imagery Trainer proportions app](#) [PhET accessible MITp](#)

J'accuse  
*e pur mi muoves*

**Benado, Tony**

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**From:** Nimrod Elias <elias.nimrod@gmail.com>  
**Sent:** Monday, December 11, 2023 4:20 PM  
**To:** All Council  
**Cc:** Kesarwani, Rashi  
**Subject:** Please, No Resolution Related to Israel and Gaza

**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.

Dear Mayor Arreguin and City Councilmembers,

As a longtime Berkeley resident of District 1, I am writing to thank you for not addressing the conflict between Israel and Hamas, and to strongly encourage you to continue to steer clear of this difficult and divisive topic. I have lived in Berkeley for nearly 19 years. As an observant Jew, I wear a kippah at all times, so I am visibly and identifiably Jewish. Because of that, I am a target whenever people are angry at Israel. I have experienced several antisemitic incidents over the years, including on the streets of Berkeley, such as being yelled at for supposedly "murdering Palestinians" or being called a "f\*\*\*ing kike" (both occurred within a few blocks of where I lived in Berkeley at the time), for no reason other than because someone saw the kippah on my head. These incidents tend to happen more frequently at times like these, when the Middle East conflict is especially intense. Friends and neighbors of ours who are also identifiably Jewish were called Nazis twice in the past week.

However well intentioned, resolutions addressing this topic will not have any impact on the direct parties to the conflict halfway across the world. But they will enflame and divide those of us who live together in this community and share this city. Based on my own personal experience, I can assure you that the only practical impact from debating and passing (or not passing) a resolution on this issue is that I am more likely to get yelled at, or assaulted, on the streets of Berkeley tomorrow or the day after.

Thank you for maintaining your focus on the many important local issues that need addressing.

Respectfully,

Nimrod Pitsker Elias

**Benado, Tony**

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**From:** Terry Friedkin <terryfriedkin@gmail.com>  
**Sent:** Monday, December 11, 2023 4:19 PM  
**To:** All Council  
**Subject:** Keep politics off the council

**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.

As a UC Alum and Berkeley resident for over 20 years, I urge you to continue to focus on local issues:

Thank you, Terry Friedkin

Sent from my iPhone

**Benado, Tony**

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**From:** kaelyn moss <klmoss\_10@yahoo.com>  
**Sent:** Tuesday, December 12, 2023 11:28 AM  
**To:** All Council; Berkeley Mayor's Office  
**Cc:** Hahn, Sophie; Robinson, Rigel  
**Subject:** Resolutions related the to Israel-Hamas war- Please refrain from passing one

**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.

Dear Esteemed Mayor and Council Members,

I write to you today as Jewish member of the city of Berkeley and a small business owner who pays annual business taxes to the city.

My name is Kathy Moss (I go by Kaelyn) and I am a member of Congregation Beth Israel and an small business owner in Berkeley.

I want to thank Mayor Jesse Arreguin and and our esteemed council members for maintaining a stance of neutrality to date regarding the war in Israel and the Gaza strip.

I strongly encourage this governing body to refrain from passing ANY resolutions related to the war, and instead continue to focus your efforts on the matters that directly affect our community and require your attention: Homelessness, dramatic rises in crime, affordable housing and economic equity being among the top issues. Please maintain your neutral stance.

Please do not bring this war as an "entity" into our diverse and largely peaceful community dialogue. Any resolution passed is likely to spark reactions and conflicts.

If a resolution must be passed for some reason, I impose on you and implore you to take much more time to meet with the leaders of the communities likely to be most affected by such a resolution, and do your "social due diligence", or to pass the one presented by Terry Taplin.

For the time being, I respectfully request that any and **ALL resolutions be withdrawn** at this time and tabled for further and later evaluation if needed.

Personally, and as a tax paying citizen of this city, I think the governing bodies ought to stay out of international politics and stick to doing what you do best: Governing out beautiful, wonderful and diverse community.

Thank you for your time and consideration.

Kaelyn Moss

Kaelyn Moss 510-375-5206 klmoss\_10@yahoo.com

**Benado, Tony**

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**From:** Judy CHESS <jchess@berkeley.edu>  
**Sent:** Tuesday, December 12, 2023 11:21 AM  
**To:** All Council  
**Subject:** No Israel Hamas resolution, please

**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.

Dear Councilmembers - I am deeply concerned about the City Council's consideration of a divisive resolution about the Israel-Hamas War.

As antisemitism and Islamophobia escalate in the Bay Area, and as past examples in Oakland and Richmond show, such actions will only further inflame tensions and re-traumatize our communities. Instead, please use your public service role to take steps to bring Berkeley residents together and solve the crucial challenges facing our city.

Furthermore, I am asking the Council to take concrete steps to maintain order and decorum during Tuesday's meeting, and all meetings. The antisemitic comments and actions, violent rhetoric, and amplification of conspiracy theories that have plagued past meetings have no place in Berkeley. As a long time Berkeley resident and a Jew, I find the lack of attention to this issue almost as troubling as the issue itself.

I'm asking you to stand with ALL Berkeley residents – say no to spreading hate, and SAY NO to divisive resolutions.

Respectfully yours,

Judy Chess  
Poe Street, District 2



**Benado, Tony**

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**From:** MARK MORRIS <mark\_morris@comcast.net>  
**Sent:** Tuesday, December 12, 2023 11:55 AM  
**To:** All Council; Hahn, Sophie; Wengraf, Susan; Berkeley Mayor's Office  
**Subject:** no resolution!!

**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.

Dear City Council members,

I don't see the wording for the resolution that is being proposed! How can any one member vote yes or no on a proposal without seeing it?  
How can the residents decide whether to support it or not?

Please email me a copy of the the resolution right away!

I was pleased when the Mayor and the council members decided decided not to create a Ceasefire resolution. It was reassuring to me to know that the mayor and council members aren't just doing what is perceived as "cool and progressive", and instead are making their top priority Berkeley's needs (exactly what they were hired to do), and to keep the residents of Berkeley safe.

Mark Morris

**Benado, Tony**

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**From:** Nancy Klein <nmklein@sonic.net>  
**Sent:** Tuesday, December 12, 2023 12:13 PM  
**To:** All Council  
**Subject:** resolutions, meeting today

**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.

Please do not spend time on resolutions not on the agenda which interfere with the admittedly mundane business of Berkeley. Perhaps suggest to those who want a cease-fire to exercise their free speech right by writing to their congressional representatives.

It's interesting that pro-ceasefire rhetoric can become anti-Israeli government and then anti-Jew. If anyone is reading this and puts me in the pro-Israel camp because my name is Jewish, I am a Catholic of Jewish descent who thinks that Israel should not have been established but that since it is here, a two state solution is the only reasonable one.

Nancy Klein

**Benado, Tony**

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**From:** John Citron <jtcitron44@gmail.com>  
**Sent:** Tuesday, December 12, 2023 12:25 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Input regarding potential resolutions about the Israel-Hamas War

**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.

I am an Oakland resident urging you to reject attempts to adopt divisive resolutions about the Israel-Hamas War.

As antisemitism and Islamophobia continue to escalate in the Bay Area, the introduction of one-sided resolutions about the Israel-Hamas War will only further inflame tensions between already traumatized Muslim and Jewish communities and create a forum for hate.

As the whole country witnessed in Oakland and Richmond, the consideration of these divisive resolutions results in hours of public comment plagued by anti-Semitic jeering and hateful conspiracy theories, as well as general confusion and lack of decorum.

During this time of rising hate and antisemitism, I'm asking you to lead with empathy and ensure all local residents feel supported and welcomed. The ongoing war between Israel and Hamas has deeply impacted many members of our community. Many of us are in mourning. Inaccurate and one-sided resolutions will not solve the conflict or bring us any closer to peace. We must bring our community together – not pull ourselves apart.

If Berkeley must pass a resolution on world affairs, I hope that it will be Terry Taplin's measure that is not one-sided and clearly condemns Hamas as the instigator of this conflict.

Thanks for your compassion and understanding.

Sincerely,

John Citron, M.D.

**Benado, Tony**

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**From:** Benjamin Fleischman <bengyfleischman@gmail.com>  
**Sent:** Tuesday, December 12, 2023 12:54 PM  
**To:** All Council  
**Subject:** 1634 Derby- Berkeley is not the middle east!

**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.

Berkeley City Council,

Thank you for reading this constituent's opinion. I live at 1634 Derby st, and have been a Berkeley resident for 5 years. As a public school teacher in OUSD who works exclusively with immigrants and refugees, I know the importance of staying on message. What is most **effective**? What is most **relevant**? Berkeley city council has wisely stayed out of needlessly divide and irrelevant international issues like the war between Israel and Hamas. I applaud this decision not because I am a kippah wearing Jewish person who has been yelled at more than once by Berkeley residents (harassment that would only increase with the endorsement of the city council). I encourage the city council to STAY OUT of middle eastern politics because it is what would be best for ALL Berkeley residents.

Thank you,  
Ben

**Benado, Tony**

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**From:** David Kafton <david@kaftonrealestate.com>  
**Sent:** Tuesday, December 12, 2023 1:00 PM  
**To:** All Council  
**Cc:** David Kafton  
**Subject:** VOTE NO RESOLUTION ABOUT THE ISRAEL-HAMAS WAR

**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.

Dear Mayor & Council Members,

Greetings on this gorgeous fall day.

I hope you are doing very well.

Thank you very much for all you do to make Berkeley a better place.

This email concerns whether or not you should adopt a **resolution addressing the ISRAELI-HAMAS WAR**.

**I am opposed to adopting a resolution** by the Council. Instead, I think the Council should spend more time, energy, and other resources to successfully address never ending complex Berkeley issues such as crime, homelessness, education, affordable housing, paving roads, and bigotry.

**Should you decide to adopt a resolution will you please widely disseminate it at least two weeks in advance of your public vote?** In this way you can consider feedback from the public and make changes if you wish before your public vote.

Thanks a lot for your consideration of my requests.

All the best,

David

*David Kafton, Ph.D.*  
*Owner/Real Estate Broker*  
*Kafton Real Estate*  
[david@kaftonrealestate.com](mailto:david@kaftonrealestate.com)  
[davidkafton@gmail.com](mailto:davidkafton@gmail.com)  
[www.kaftonrealestate.com](http://www.kaftonrealestate.com)  
510.717.9265

**Benado, Tony**

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**From:** Steven Segal <outlook\_18344077EFC02A8B@outlook.com> on behalf of Steven Segal <spsegal@berkeley.edu>  
**Sent:** Tuesday, December 12, 2023 1:10 PM  
**To:** All Council  
**Subject:** Do NOT TO ACCEPT ANY LATE-COMING RESOLUTIONS

**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.

Please discontinue the practice of accepting late-coming resolutions. This practice seems to have become a tactic of special interests groups to by-pass public scrutiny of their political objectives—objectives that are most often not in the best interests of the city of Berkeley.

Sincerely,

Steven P Segal

733 Santa Barbara RD

Berkeley, CA 94707

50 years in residence.

Sent from [Mail](#) for Windows

**Benado, Tony**

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**From:** Jerry Berkman <jerry@berkeley.edu>  
**Sent:** Tuesday, December 12, 2023 1:51 PM  
**To:** All Council  
**Cc:** Netivotniks Current Events List  
**Subject:** Israel Hamas conflict

**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.

I've heard that the Israel-Hamas conflict may be discussed at the City Council Meeting tonight. Why? Does anyone really think the world cares what the residents of Berkeley think about this issue? Or even what the Berkeley City Council or Rent Board think?

The only purpose of such a discussion will be to stir up anger. Please vote against ANY and ALL resolutions concerning foreign countries and populations. Get back to what you were elected to do which is to solve problems in Berkeley.

- Jerry Berkman, 3136 Eton Avenue, Berkeley

**Benado, Tony**

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**From:** ditsa pines <ditsapines@gmail.com>  
**Sent:** Tuesday, December 12, 2023 1:22 PM  
**To:** All Council  
**Subject:** Foreign policy

**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.

Please refrain from foreign policy resolutions. As Berkeley citizens we look forward to a future of peace and prosperity.  
Happy holidays.

Sent from my iPhone



**Benado, Tony**

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**From:** Charles Koppelman <koppelm@well.com>  
**Sent:** Tuesday, December 12, 2023 1:14 PM  
**To:** All Council; Harrison, Kate; Berkeley Mayor's Office  
**Cc:** Deb Sibony  
**Subject:** Tonight's Meeting

**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.

Charles Koppelman and Deborah Sibony  
2419 Jefferson Avenue  
District 4

Dear City Council, Member Harrison, and Mayor Arreguín:

We are pleased the Council decided to remove from consideration the Ceasefire resolutions it had been considering at tonight's meeting.

We are a Jewish family which has lived in Berkeley for over 30 years. We attend Congregation Beth Israel.

Engagement by our elected representatives in discussing the Israel-Gaza war is inappropriate as it is a very complex and nuanced situation.

A one-sided resolution only serves to spread more hate, inflame tensions, and further divide our community.

Furthermore, it is a waste of valuable time and energy that could be focused on issues over which you have more control and impact.

We look forward to seeing positive, tangible local policies which affect us directly.

Best regards,

Charles and Deborah

**Benado, Tony**

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**From:** Saturn McCoy <saturnmccoy11@gmail.com>  
**Sent:** Tuesday, December 12, 2023 2:12 PM  
**To:** All Council  
**Subject:** Public comment

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

Hello,

My name is Saturn and I bike in Berkeley very often. I have deep community in Berkeley. I'm writing to ask you to pass a resolution for a ceasefire in Palestine. I recently saw a video of a person trapped in the rubble and only their arm was exposed. They were screaming. It felt deeply troubling and horrific to witness. My heart is breaking for Palestine. Over 18,000 people have been murdered. I feel it's my duty to speak up and talk to elected officials. Please represent us. Please hear us.

I am a high school teacher and I want my students to grow up in a world where we take a stand against genocide. I urge you to think about what side of history you're going to be on. It's clear who has more power in this situation. There have been war crimes committed by the Israeli government. The human rights advocates of the world are calling out. I'm calling out.

Please listen to Palestinian people. Please consider your power as an elected official. You have a responsibility to act in justice.

Thank you,

Saturn

--  
Saturn McCoy, MPH  
(they/them)  
High School Teacher  
(303)-947-6583

**Benado, Tony**

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**From:** Felisa Simon <felisa.simon@gmail.com>  
**Sent:** Tuesday, December 12, 2023 3:28 PM  
**To:** All Council  
**Cc:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Re: Tuesday's city council meeting. Re: Israel and Hamas conflict.

**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.

A quick follow up here.

My address is 1834 Blake St and I'm in district 3 in the city of Berkeley.

Thank you,  
 Felisa Simon

On Mon, Dec 11, 2023 at 1:47 PM Felisa Simon <felisa.simon@gmail.com> wrote:

Dear City Council,

I wanted to first thank the five council members who attended this past Saturday night's (12/9/2023) public gathering for Hanukkah, a first of its kind in our city. Your presence made it clear that you not only celebrate with us, but that you also celebrate and understand the unique and beautiful diversity of our city.

The event was attended by members of Congregation Beth Israel, Beth El, Netivot Shalom, Berkeley JCC, Berkeley Hillel, Chochmat Halev, and Urban Adamah. A group of people representing a very wide and diverse community of Jewish identity in Berkeley.

At this time I wanted to urge you to reject ANY resolution pertaining to the war between Israel and Hamas. Please stand firmly against the voices of division and hate that threaten our city, our streets, our communities, and our members.

I will not be attending the meeting in person because I am afraid. I am afraid of what I have seen at previous meetings not only in Berkeley, but also in our neighbor to the South, Oakland, or Richmond to the North, and other cities that have had very forceful people show up in support of Hamas. I am also worried for my children, who are Berkeley born and raised, if something happened to me while I was there speaking my truth, representing my community and exercising my constitutional rights. I live and work in Berkeley and have for more than 10 years. I.AM.AFRAID.

Especially at this time, I urge you to make clear to our entire city PRIOR to Tuesday's meeting, that you will not discuss matters pertaining to our local Jewish community, and that will have direct impact on Jews living in our city, during the holiday of Hanukkah, denying us the ability to celebrate our holiday in Berkeley in peace.

I urge all council members to pull their resolutions ahead of Tuesday's meetings and to inform the public as soon as possible: Resolutions impact Jews, Israelis, Muslims, and Palestinians living in our local communities the most, and members of these populations deserve to be in the room without impediments.

Finally, the rabbis, administrators, and educators of the organizations mentioned above, represent the largest segments of Berkeley's Jewish community. Please take the time to reach out to each of them collectively and individually. We, Jewish people, represent a significant constituency of this beloved city. Please put our interests and our communities' wellbeing at the forefront of any international initiative or resolution.

Better to focus on real, on the ground issues like the huge unhoused population in Berkeley or any number of issues we citizens encounter on a daily basis. My own young elementary age children ask me often, why do our local representatives talk about things so far away? Why not work on issues that they see, everywhere, in Berkeley? Is this why we pay taxes? How should I answer them?

Stand firm, and together with our mayor say NO to any resolution.

Sincerely,  
Felisa Simon

**Benado, Tony**

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**From:** Gabriela Kipnis <gabriela.kipnis@gmail.com>  
**Sent:** Tuesday, December 12, 2023 3:30 PM  
**To:** All Council  
**Subject:** No to Divisive Resolutions

**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.

Council:

We live in District 8 on Hillegass Ave. I'm a Berkeley native now raising kids here as second generation Berkeleyans. Having been in Berkeley for almost 40 years, I feel a deep connection to this city. But in recent weeks, I have also felt a deep sense of disconnection. We have been shocked and frightened by the amount of Jew hatred we have seen on display in our city, including in our schools and local government.

The pending resolutions pertaining to Israel and Hamas have no place in local politics and do nothing more than inflame tensions within our city, which are already frighteningly high. We urge you to please reject the resolutions.

Best,

Gabriela Kipnis

**Benado, Tony**

---

**From:** Chez miller <howie@chezmiller.com>  
**Sent:** Tuesday, December 12, 2023 3:43 PM  
**To:** All Council  
**Subject:** Unity And Community First

**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.

Dear Council,

I am writing to share my very strong commitment that the Berkeley City Council should not take a public position in the current Israel-Hamas conflict. The current conflict is part of a deeply painful, complicated situation that has truly global agitants and implications. The fact that this issue has been the subject of so much media, dialogue, negotiation, and analysis by experts in the field who clearly cannot reach consensus, means that any position taken by our humble City's institutions aligning with one side or the other would necessarily be reductionist, and ignore the truths of one side or the other.

Moreover, aligning, or even highlighting one side's position over the other will have an unnecessarily divisive impact on our diverse Berkeley Community. The City Council would necessarily decide which side it prefers to overlook, gaslight, and marginalize. Also, to make a public statement on this particular matter while historically overlooking other recent, horrific conflicts and situations around the world will make any position taken here by the Council that much more suspect and divisive.

In fact any statement on this subject presents a greater risk of fomenting social tension than providing a galvanizing front in that much of the language widely used by either side is most often interpreted by the other as inciteful and racist. Even a call for an unqualified ceasefire, as virtuous as that may sound, under these particular set of circumstances, prefers one side over the other.

Perhaps most importantly, the City government has as it primary objective, representing and promoting the safety and well-being of all of it's constituents. I expect the Berkeley City Council to hold this objective above all others. I expect it to ensure that no member of this community, Arab, Israeli, Jewish, or Palestinian feels marginalized, isolated, or unsafe.

The Berkeley City Council, and in fact all Berkeley City institutions should fight any urge to choose a side and instead remain silent.

Howard Miller  
539 Neilson Street  
Berkeley

**Benado, Tony**

---

**From:** Eli Dsko <elisakov2@gmail.com>  
**Sent:** Wednesday, December 13, 2023 10:42 AM  
**To:** All Council  
**Subject:** Thank You for not Supporting the Anti-Israel Resolution

**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.

Hi,

I'm a Berkeley resident who came to the council meeting last night. I didn't make it inside the building because the anti-israel protesters outside were speaking such hateful words that I felt unsafe, as a first-generation American from an Israeli family that came to America to escape the violence.

I strongly believe in a two-state solution and a lasting peace to the Israeli-palestinian conflict, and that isn't what the resolution was supporting. Condemning one-side but not the other will not result in a lasting peace.

Thank you for dropping the resolution.

**Benado, Tony**

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**From:** skdewitt@comcast.net  
**Sent:** Wednesday, December 13, 2023 10:59 AM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Thank You For Not Passing The Divisive Resolution

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.

**To our courageous mayor, Jesse Arreguin, and Berkeley city council members:**

**I wish to thank you for not passing the divisive resolution at the meeting of Dec. 12, 2023. This means a lot to me as I am a holocaust survivor.**

**Berkeley's Jewish community is full of gratitude for your courageous stand in the face of the extremely hostile pro-Palestinian speakers who threatened the council with political retaliation.**

**Sincerely,**

**Susanne (Sanne) DeWitt  
144 Fairlawn Drive,  
Berkeley, CA 94708**



**Benado, Tony**

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**From:** R <rbonem@gmail.com>  
**Sent:** Wednesday, December 13, 2023 11:11 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Last night's meeting: Thank you

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

Hello,

My name is Robert Bonem. I want to thank you for your courage and sensitivity in keeping divisive issues off the city agenda, and sticking to local issues.

I spoke towards the end of the meeting, saying I had been to Israel 20 times, and found that there was so much complexity, that I did not allow myself to have a visit until my 11th trip. For this reason alone, I felt it should be kept off the council agenda.

I would add that I have seen and experienced things during my trip that have shaped my viewpoint. For example, I did see how Palestinians use their kids to wage war. I would be happy to meet with you to talk about my experiences if you would like.

Thank you again,

Robert Bonem

**Benado, Tony**

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**From:** WILLIAM ROSEN <biogart@yahoo.com>  
**Sent:** Wednesday, December 13, 2023 11:31 AM  
**To:** Gerstein, Beth  
**Cc:** Kesarwani, Rashi; All Council  
**Subject:** Thank you

**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.

As someone who has lived in Berkeley for about 50 years and paid property taxes for about 40 of those years, I am extremely grateful to the City Council and the mayor for not giving in to the young activists who wanted Berkeley to pass a divisive resolution condemning Israel.

William Rosen

**Benado, Tony**

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**From:** Alan Kittner <alan.kittner@gmail.com>  
**Sent:** Wednesday, December 13, 2023 12:15 PM  
**To:** Alan Kittner  
**Subject:** Thank you: Withdrawal of Israel-Gaza resolutions

**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.

I appreciate how the City Council handled such a divisive issue.

While I am resident in District 8, all of your votes matter to me.

Personally, I would find it difficult to vote for a person, for any office that waded into a topic that is both outside it's purview and fails to respect the nuances of a complicated situation.

What's happening in Gaza is awful. War is terrible. But none of this would be happening if Hama hadn't attacked Israel nor used civilian locations to protect themselves and paint Israel as the responsible party.

ALAN KITTNER

**Benado, Tony**

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**From:** Chloe Novak <chlovak@gmail.com>  
**Sent:** Wednesday, December 13, 2023 12:21 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** From a Jewish Berkeley resident

**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.

Dear council members and Mayor,

I'm a Berkeley resident (District 5), born at Alta Bates hospital. I have Jewish family in Israel: two half siblings and their children, an aunt and uncle and 5 cousins, and my sister and her family who are dual citizens. I want to state clearly and unambiguously that the indiscriminate slaughter of Palestinian children does not make them, or me, safe. As a Jew and because I am Jewish, and as a human and because I am human: represent the humanity of your constituents by standing in solidarity with the global demand for a ceasefire in Gaza. Enough is enough. The single greatest threat to Jews here and abroad are the genocidal acts of a rogue state that has the audacity to invoke our faith and our persecution.

I have experienced very real antisemitism: when my family moved to North Carolina for work during my grade school years, I was relentlessly bullied for being a "Jewish witch" and eventually had to be homeschooled. My family's house was later spray painted with swastikas. As with the vast majority of antisemitic hate crime incidents in the US, these acts were perpetrated by white supremacists-- the very same groups who torment and kill Arab and Muslim Americans, like the three Palestinian students who were shot in Vermont two weeks ago. One of the greatest joys I've experienced as an adult back in Berkeley has been finding Jewish community again, and more so now than ever among the broad and diverse Jews standing together to demand an end to this senseless and depraved violence.

What makes me unsafe now is the absurd and utterly false conflation of my Jewish identity with Zionism and the Israeli government, and the exploitation of legitimate fear and pain to silence what should be the least controversial plea: stop killing children. What makes me unsafe is relentless harassment by Israel's defenders in Berkeley and beyond, who have called me a "terrorist," a "Shiksa c\*nt," a "Jihadist," a "traitor," a "fake Jew" -- all for nothing more than saying I'm a Jew who supports a ceasefire. I have been told "I hope you get raped by Hamas" more times than I can count-- a particularly cruel irony given that my dear Israeli friend was raped by IDF soldiers during her training. Sexual violence is never ok; threatening and leveraging it to justify further violence-- including sexual violence! -- is appalling and sickening.

I shouldn't be surprised by any of this. I was heavily indoctrinated by Israeli propaganda throughout my Jewish upbringing. At my Jewish summer camp, we sang the Israeli national anthem every morning and were taught that the founding of Israel was the miracle of "a land without a people for a people without a land." It was all incredibly confusing for me, even as someone with family in Israel. On my Birthright trip, someone mentioned "occupied territory" and was quickly corrected "there's no such thing as occupied territory, it is all Israel." There was no secrecy around the aim of the program: "See, don't you want to make Aliyah [emigrate to Israel] and have your Jewish babies here?" I did not learn about the Nakba until I was thirty years old.

What really makes me unsafe? Seeing my neighbors and my government turn a blind eye to genocide. Witnessing the dehumanization and demonization my Muslim and Palestinian friends and colleagues face \*daily\*. A Berkeley City College professor has been publicly insinuating that more than 75% of Gaza residents are not civilians. Imagine hearing that as a Palestinian student in Berkeley. Imagine realizing that "Berkeley Stands United Against Hate" doesn't actually

apply to you in a country that has committed billions of dollars to the destruction of your people.

Not in my name.

Sincerely,  
Chloe Novak

**Benado, Tony**

---

**From:** Gabriela Kipnis <gabriela.kipnis@gmail.com>  
**Sent:** Wednesday, December 13, 2023 12:18 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Re: No to Divisive Resolutions

**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.

Council and Mayor:

Thank you all for not adopting any divisive resolutions and focusing your efforts instead on local issues.

Best,  
Gabriela

On Tue, Dec 12, 2023 at 3:30 PM Gabriela Kipnis <[gabriela.kipnis@gmail.com](mailto:gabriela.kipnis@gmail.com)> wrote:  
Council:

We live in District 8 on Hillegass Ave. I'm a Berkeley native now raising kids here as second generation Berkeleyans. Having been in Berkeley for almost 40 years, I feel a deep connection to this city. But in recent weeks, I have also felt a deep sense of disconnection. We have been shocked and frightened by the amount of Jew hatred we have seen on display in our city, including in our schools and local government.

The pending resolutions pertaining to Israel and Hamas have no place in local politics and do nothing more than inflame tensions within our city, which are already frighteningly high. We urge you to please reject the resolutions.

Best,  
Gabriela Kipnis

**Benado, Tony**

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**From:** Stanley Wulf <stanleywulf12@gmail.com>  
**Sent:** Wednesday, December 13, 2023 12:30 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you

**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.

Dear Mayor Arreguin and Councilmembers,

Thank you for not adopting a divisive, one-sided resolution on Israel/Gaza, and for focusing on the critical issues that matter to all Berkeley residents. Your management of the meeting was admirable.

Dr Stanley Wulf MD  
District 6.

**Benado, Tony**

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**From:** Gabriella Rosen Kellerman's Inbox <grkellerman@gmail.com>  
**Sent:** Wednesday, December 13, 2023 12:31 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you

**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.

Dear Mayor and City Council Members,

I'm a resident of District 8. I was born and raised in District 6, where my parents still live, and I attend synagogue in District 4. I attended the city council meeting last night to show support and appreciation for you keeping the focus on Berkeley and not adopting divisive resolutions.

I feel tremendous empathy for and gratitude toward you. The vitriol and threats directed at you both collectively and individually last night was painful to witness. It was disrespectful, uncivil, and designed to trigger animosity. Unfortunately I do know what that feels like, as our family - a visibly Jewish, yarmulke-wearing family - is subjected to this toxicity as well. We've had slurs shouted and bottles thrown at us. My teenage son no longer feels comfortable wearing his yarmulke in public.

I appreciate that you are standing strong in the face of hordes of physically menacing protesters. A resolution from Berkeley will have no impact on geopolitics outside of our region. Moreover, a ceasefire is simply a way for Hamas to win. My cousin is a hostage in Gaza, an innocent young man kidnapped from a music festival. A ceasefire means his kidnappers - who are actively torturing him in Gaza - will continue to rule and terrorize innocent Gazans and Israelis alike.

Thank you again for not taking actions that will worsen antisemitism in our city. Our community is witnessing your fortitude with appreciation.

Sincerely,  
Gabriella Kellerman



**Benado, Tony**

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**From:** Jeff Stein <jstein@taylorengineers.com>  
**Sent:** Wednesday, December 13, 2023 12:42 PM  
**To:** All Council; Kesarwani, Rashi; Berkeley Mayor's Office  
**Subject:** Ceasefire Resolution

**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.

Dear Berkeley City Council,

Thank you for having the courage to carefully consider the context of the conflict in Israel and the ramifications locally of a resolution. The easy way out would certainly be to cave to the pressure, to the flawed comparisons to other conflicts, and to have the same knee jerk reaction to condemn Israel as so many have. The stories and images are certainly horrific. My heart breaks for the death and suffering of so many innocent civilians in Gaza. It is hard to imagine how Israel's current actions could lead to peace. But it is even harder to imagine Palestinians ever enjoying lasting peace while under the heel of the brutal Hamas dictatorship, whose stated mission is the destruction of the State of Israel.

Understanding history is key to finding a solution. There was a thriving Jewish State in Israel long before Islam or Palestinian society even existed. Sadly, the Jews of Israel were butchered and driven from their land by many conquerors including Greeks, Romans, Crusaders, Ottomans and Turks. Around 1900 Jews from Eastern Europe, who were suffering from mass rapes, kidnappings, and murders at the hands of the Cossacks, began to return to their homeland. At the time, Palestine was an inhospitable land and very sparsely populated by small groups of Arabs and Jews. The returning Jews were incredibly industrious, draining swamps, building irrigation systems and other infrastructure, and the desert began to bloom. Many Arabs from Egypt, Yemen, and elsewhere moved to Palestine to partake in this resurgence.

In the wake of the Holocaust, the UN granted the Jews in Palestine the right to self-determination. The surrounding Arab countries, who already controlled 99% of the Middle East, immediately attacked Israel from all sides, determined to drive the Jews from the last 1%. The Arabs in Palestine sided with their Arab brothers. Miraculously the Jews survived (only to be attacked again in 1956, 1967, 1973, etc). The Arab countries expelled all their Jews, who were gladly accepted by Israel. To improve its chances of survival, Israel tried to expel some of the Arabs within their midst to the neighboring countries from which many Arabs had just recently emigrated. The Arab countries would not allow them. Instead, they were herded into the West Bank and Gaza. Arab leaders could have solved the Arab-Israeli conflict long ago, by simply allowing their Arab brothers to return, but it has never served their interests to do so. Allowing the conflict to fester allows the Jews to serve as the scapegoats, a common enemy, and to distract the Arab people from their brutal and corrupt dictatorships. Egypt could end the suffering in Gaza today, but they still refuse to allow in any Palestinians.

Lack of courageous Arab leadership has plagued the peace process. One outlier who dared make peace was Anwar Sadat, who was quickly rewarded with 1/3 of all land owned by Israel, billions in US aid and Israeli commerce, and assassination by anti-peace fanatics. Despite the wars and thousands of terrorist attacks, courageous Israeli leaders, including Yitzhak Rabin and Ehud Barak, have repeatedly offered what were internationally agreed to be very generous terms for a two-state solution in the West Bank, Gaza and East Jerusalem. But there was no courage on the other side, certainly not from Yasir Arafat. Most Palestinians want peace and do not support terror, but violent, fanatic factions have seized control, squelched the majority, and fostered terrorism.

18 years ago, Israel withdrew from Gaza. There was no occupation. There was a ceasefire. Aid and resources poured into Gaza. Much of it came from Israel in the form of electricity, water, food, fuel, technology, and jobs in Gaza and Israel (despite near constant terrorism). Instead of using the resources to build a brighter future for Gazans, Hamas

funneled them into its war machine. Hamas has broken the ceasefire many times since 2005 with unprovoked attacks culminating with the horrific massacres of October 7<sup>th</sup>. Israelis feel they have no choice left but to free Palestine from Hamas and hope that someday a courageous Palestinian leader will be able to break the stranglehold of the fanatics and make peace.

Sincerely,

Jeff Stein

1625 Berkeley Way, Berkeley CA 94703

510-220-3932

**Benado, Tony**

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**From:** Birger Stamperdahl <bstamperdahl@outlook.com>  
**Sent:** Wednesday, December 13, 2023 12:42 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you!

**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.

Dear Berkeley City Council members,

I am sending a personal "Thank you!" for not issuing a resolution related to the conflict in Gaza. We are a Jewish family in District 2 that certainly wants peace in the Middle East and self-determination for Palestinians. I also do not believe the City Council should be issuing divisive foreign policy decrees. I'm so happy that Cheryl Davila is no longer our representative and that we have Terry Taplin. I have had the chance to be part of group discussions with him in the past and appreciate his good representation of our district.

I also recognize that you will continue to be pressured to hold separate meetings on this issue and to hear out the many perspectives of city residents. I hope the city council is able to maintain its current position on this issue. With that in mind, if for some reason the City Council does further entertain a Cease Fire Resolution, I would just like to say that any such resolution would need to include 1) a clear statement of Israel's right to exist, 2) condemnation of Hamas as terrorist organization, 3) condemnation of civilian torture and killing be it by terrorist incursions into homes or by military aerial bombings, and 4) a desire for the self-determination and security of all Palestinians as well as all people living in Israel.

Best regards,  
Birger Stamperdahl  
2334 Curtis Street

--  
Birger Stamperdahl  
(m) 510-520-5325  
(h) 510-982-5325

**Benado, Tony**

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**From:** Noga Alon <noga.h.alon@gmail.com>  
**Sent:** Wednesday, December 13, 2023 1:00 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Commending you for staying focused on local issues

**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.

Dear council members and mayor,

I would like to commend you for not picking a side on the Israel-Hamas war. I have been in attendance of some council meetings recently and they have been fraught with hate and violence from so-called peace activists who are calling on you to take a one-sided stance on a war many miles away and with historical complexity and cultural repercussions for your denizens here.

Thank you for standing strong against this pressure and staying focused on local issues. This is a stance that will serve us in the Berkeley community for years to come, whereas taking a one-sided stance is sure to cause a loss of faith in our local government by a community impacted by the conflict.

I appreciate what you do and please let me know how I can support you.

Best,  
Berkeley resident of district 1

**Benado, Tony**

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**From:** david@kaftonrealestate.com  
**Sent:** Wednesday, December 13, 2023 1:02 PM  
**To:** All Council  
**Cc:** david@kaftonrealestate.com  
**Subject:** NO RESOLUTION ABOUT ISRAEL-HAMAS SITUATION

**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.

Dear Mayor & City Council Members,

Greetings on this gorgeous fall day.

I hope you are doing very well.

I attended last night's City Council meeting via ZOOM.

Thank you very much for NOT considering a resolution about the ISRAEL-HAMAS SITUATION.

This was a very wise decision and the right thing to do.

I appreciate your withstanding the pressure of the those who want a resolution and of their choosing.

Thanks again.

David Kafton, Ph.D.

*David Kafton, Ph.D.*  
*Owner/Real Estate Broker*  
*Kafton Real Estate*  
[david@kaftonrealestate.com](mailto:david@kaftonrealestate.com)  
[davidkafton@gmail.com](mailto:davidkafton@gmail.com)  
[www.kaftonrealestate.com](http://www.kaftonrealestate.com)  
510.717.9265

**Benado, Tony**

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**From:** Judy Massarano <jmassarano@gmail.com>  
**Sent:** Wednesday, December 13, 2023 1:07 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you!

**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.

... for not adopting a divisive, one-sided resolution last night, and for focusing on the critical issues that matter to all Berkeley residents. WE APPRECIATE YOUR SUPPORT  
Judy Massarano

**Benado, Tony**

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**From:** William Guynn <wsguynn@gmail.com>  
**Sent:** Wednesday, December 13, 2023 1:28 PM  
**To:** All Council  
**Subject:** Thank You!

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.

We appreciate that our City Council declined to adopt a divisive one-sided resolution on the question of the Israel/Hamas conflict.  
Thank you for being clear-headed and resolute.

Stefanie Guynn  
William Guynn

**Benado, Tony**

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**From:** Susan Heitler <drheitler@gmail.com>  
**Sent:** Wednesday, December 13, 2023 2:06 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** With profound thank yous.

**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.

To all Berkeley Councilfolks and the mayor,

Words cannot express my appreciation for your decision last night to withdraw all Israel-Gaza resolutions in advance. You have restored my faith in the people of Berkeley, in our government, and in America.

While my husband and I live in Denver and Raanana, we have a son and daughter-in-law plus four grandchildren in Berkeley. I have been concerned about how they would fare with so much pro-Palestinian shouting there. Your decision last night has put me at ease.

Thank you!  
Susan Heitler, PhD

--  
**Susan Heitler, Ph.D.**, clinical psychologist  
1410 Grant St., Denver, CO 80203 720-394-8944  
and Raanana, Israel 053 866-4971  
**Email:** [drheitler@gmail.com](mailto:drheitler@gmail.com) **Books,** see [Amazon](#)  
**Websites:** [prescriptionswithoutpills.com](http://prescriptionswithoutpills.com), [therapyhelp.com](http://therapyhelp.com)  
**PsychologyToday Blog,** "[Resolution, Not Conflict](#)"  
**TEDX Talk:** [Lift Depression With These 3 Prescriptions-Without-Pills](#)



**Benado, Tony**

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**From:** Shoshana Gross <gross.shoshana@gmail.com>  
**Sent:** Wednesday, December 13, 2023 2:11 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you - Israel-Gaza resolution

**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.

Dear mayor and council members,

Thank you all for choosing not to adopt a divisive, one-sided resolution on this international issue related to the Israel-Hamas war, and for focusing on the critical issues that matter to all Berkeley residents.

Thank you!  
Shoshana Gross

**Benado, Tony**

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**From:** Rhoda Agin <rla@ragincomm.com>  
**Sent:** Wednesday, December 13, 2023 2:28 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you for responsible and concerned leadership.

**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.

Dear Mr. Mayor and the City Council,

Thank you for not adopting a divisive, one-sided resolution on this international issue, and for focusing on the critical issues that matter to all Berkeley residents.

I am appreciative that sound focused consideration won the evening.

Sincerely,  
 R. Agin  
 2552 Le Conte Ave.  
 Berkeley, Ca 94709

Rhoda L. Agin, Ph. D., CCC  
 Professor Emerita  
 California State University East Bay  
 Director of Communication Associates  
 San Francisco Bay Area and New York City  
 1322A Solano Avenue  
 Albany, California 94706  
 Ph: 510-528-4188  
 New York City: 212-537-0577  
[rla@ragincomm.com](mailto:rla@ragincomm.com)  
[rhoda.agin@csueastbay.edu](mailto:rhoda.agin@csueastbay.edu)  
 Please visit our website at:  
[www.ragincomm.com](http://www.ragincomm.com)

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**Benado, Tony**

---

**From:** ilona sturm <ilonasturm@yahoo.com>  
**Sent:** Wednesday, December 13, 2023 10:14 AM  
**To:** All Council  
**Subject:** We have your backs

**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.

Dear Councilmembers,

It was painful and shocking to hear you all threatened last night.

Please do not be intimidated. We are used to this and we will vote for you and support you as you support the Jewish community and protect us from further harm by these people.

Ilona Sturm  
Berkeley

**Benado, Tony**

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**From:** Leslie Valas <vffam5@gmail.com>  
**Sent:** Wednesday, December 13, 2023 6:33 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi  
**Subject:** thank you

**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.

Dear City Council and Mayor Arreguin,

Thank you for your continued support for NO RESOLUTION concerning the Israel Hamas war. As was evident last night, this issue is extremely polarizing to our community. Your support of no resolution will only help Berkeley be a city where antisemitism and islamophobia and hate towards any of our community will emphatically not be acceptable.

With gratitude,

Leslie Valas  
Voter, District 1

**Benado, Tony**

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**From:** Elana Auerbach <elanaarobyn@gmail.com>  
**Sent:** Tuesday, December 12, 2023 10:09 PM  
**To:** All Council; Bartlett, Ben; Harrison, Kate  
**Subject:** Please Read This ~ Thank you!

**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.

Dear Mayor and Council~

Please read this NY Times OpEd by executive leaders of human rights non governmental organizations.

We Are No Strangers to Human Suffering, but We've Seen Nothing Like the Siege of Gaza

"One of our colleagues in Gaza recently described their struggle to feed an orphaned infant who had been rescued from the rubble of an airstrike. The baby had not eaten for days after her mother's death. Colleagues could only scrounge up powdered milk — not formula, not breast milk, and not a nutritionally suitable infant food — to help stave off her starvation."

Don't miss this opportunity to have Berkeley stand for our city's values. Please call a special meeting to pass a ceasefire resolution.

Thank you~  
Elana Auerbach

**Benado, Tony**

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**From:** liron hakikian <lironhak@gmail.com>  
**Sent:** Tuesday, December 12, 2023 9:47 PM  
**To:** All Council  
**Subject:** Berkeley's city council meeting 12.12.23

**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.

Dear council members,

I want to reinforce your decision not to take a stance on the Israel and Hamas war. I believe municipal public figures should not focus on international issues involving countries thousands of miles away, especially on the Israeli-Palestinian conflict. This conflict is very complex and requires knowledge and a deep understanding of the region's history. Also, inflammatory resolutions only divide the community and contribute to increased incidents of antisemitism and Islamophobia

I watched today's council meeting and observed the pressure placed on you by those advocating for a ceasefire resolution. Interestingly, these individuals, who ostensibly oppose violence, seem to be supporting it when it targets Israeli citizens. If you end up meeting with them, I urge you to request proof for their accusations against Israel. There were numerous false accusations, such as the bombing of dozens of hospitals in Gaza, the premature babies allegedly left to die (who were actually moved to Egypt), and claims of Israel abusing Ethiopian women. In reality, Israel is a civilized country where 2 million Arabs live with full and equal rights, along with other residents, regardless of their ethnicity, sexual orientation, or background.

With much respect,  
Liron Ouziel

**Benado, Tony**

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**From:** Deborah Sosebee <deborah@sosefam.com>  
**Sent:** Tuesday, December 12, 2023 9:42 PM  
**To:** Berkeley Mayor's Office  
**Cc:** All Council  
**Subject:** Thank you for your leadership

**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.

Good evening Mayor Arreguin – I was in attendance at tonight’s City Council meeting and am writing to express my appreciation for your efforts to maintain order and civility in the face of anger and disrespect. I am sure that the current environment is not pleasant for you and I am grateful that you continue to hold the line on entertaining a resolution that at best sows divisiveness, and at worst, foments hate and violence. A cease fire will only allow Hamas – who has sworn to repeat their maniacal torture, rape and murder of Israeli civilians, and has repeatedly put their own beleaguered citizens in harm’s way – to regroup, reorganize and rearm. Israel did not choose this war, Israel did not violate the cease fire that existed on October 6<sup>th</sup>, and Israel was not the first to attack after the 10-day lull in fighting during which hostages were released and aid was brought into Gaza. Israel is fighting a defensive war not just for itself, but on behalf of the free world and the values that we all cherish. Thank you for holding the line on this important issue and for doing so with calm determination. Respectfully yours, Deborah Sosebee

**Benado, Tony**

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**From:** Miriam Ferris <miriamferris@gmail.com>  
**Sent:** Tuesday, December 12, 2023 9:34 PM  
**To:** All Council  
**Subject:** In favor of keeping politics on local issues and dealing with the homeless problem

**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.

Dear City Council,

The beauty of Berkeley is the way it makes all members of the community – ethnic, religious, and racial – feel welcome, as part of a single community.

We would hate to see geopolitics unnecessarily fragment our civic community and our unity as a city. The issues surrounding the war between Israel and Hamas have absolutely no bearing on local governance. We feel it is out of place for our city, or any city, to take a stance on issues so deeply felt by many in our city, yet so divergently felt.

A partisan proclamation making demands of Israel would deeply and needlessly alienate most Jews who live in the city. The Jewish Community has not sought the city's endorsement of Israel's legitimate goal of defeating Hamas after the horrors committed by the rape-torture-death squads on October 7th, who performed unspeakable acts of brutality against innocent babies, children, women, and men. Not to exclude kidnapping. Hamas specifically targeted the most vulnerable, Left-leaning kibbutzim who advocated for Palestinian welfare and peace and young people at the Nova Peace Festival. These horrors tear at the heart of every Jew.

Senator Chuck Schumer recently eloquently explained from the Senate Floor the feelings most Jews have to these events, particularly in light of our past similar experiences as victims of death squads and concentration camps.

Our own grandmother, grandfather and great-grandmothers were Holocaust survivors, most of their families wiped out by the Nazis. Contemplating what Hamas did on October 7th is for us not a matter of political or academic debate ... it is deeply personal. We know people whose family members were slaughtered by Hamas. We strongly feel that this cannot be allowed to happen again.

Many people in the Berkeley community, Jews and non-Jews, support Israel in this.

We understand that some members of our community may feel differently. As is their right. Some members of the City Government might have their own personal geopolitical views regarding this war, some supporting Israel's right of self-defense against Hamas, some preferring a permanent ceasefire that would leave Hamas in place. We imagine most residents of Berkeley believe Israel has the right to exist but there are no doubt some who feel it does not. No matter the views of any individual member of our community or any segment of our community, we urge the city not to issue a proclamation regarding this matter, as doing so would only divide our city.

The fact that this question is even coming up is disturbing on another level. There are many military and ethnic conflicts taking place globally at this very moment, and that have taken place in recent years, and in each and every of those instances the City of Berkeley has not been pressured, nor did it feel the need, to issue proclamations making policy pronouncements or supporting this or that side. The fact that only here, where Israel is involved, is this being contemplated is itself deeply troubling. Such targeting of Israel, and no other country, frankly, raises serious ethical questions.



Antisemitism has exploded in our country after October 7th. The FBI has declared this to be the case based on its own statistics. The Anti-Defamation League has also expressed alarm. Emotionally intense protests and statements against Israel and for Hamas have very easily, almost naturally, bled over into antisemitic harassment and attacks against Jews, Jewish establishments, and institutions. Including assaults in our city against Jewish individuals with potentially deadly or crippling consequences had they been successful. We believe Jews are feeling more unsafe now than they ever have in the United States. A city proclamation critical of Israel, making demands for a permanent ceasefire before Hamas is defeated, no matter how worded inevitably portraying Israel in a negative light, bears a significant risk of inflaming further harassment and hate crimes against members of our Jewish Community.

There is no need for this. The City of Berkeley does not conduct foreign policy for the United States of America. This responsibility rests with the State Department, the Department of Defense, the House and Senate and the White House. Honestly, our city should focus more on unifying our community, not dividing it. This is how we, and all Jewish residents, have always experienced our wonderful city, with our City Government leading by example, respecting everyone. Working together with all the members of our beautifully diverse community to achieve common goals. We urge you to remain true to this mission. To foster an atmosphere of peace, tolerance, and mutual respect for all segments of our community, as you have always done in the past.

Sincerely,

Miriam Ferris  
Chabad Berkeley

**Benado, Tony**

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**From:** Marin McCoy <marinmccoy11@gmail.com>  
**Sent:** Tuesday, December 12, 2023 9:06 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Call for a Ceasefire to End This Senseless Genocide

**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.

Dear Mayor and Council Members,

My family recently moved to Berkeley and I was able to attend my first City Council meeting tonight. There is vocal and unwavering support for a resolution to call for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments.

Several council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and

leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
[Your name]  
[zip code if comfortable]

**Benado, Tony**

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**From:** skdewitt@comcast.net  
**Sent:** Tuesday, December 12, 2023 8:44 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Berkeley City Council Cease Fire Resolution

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.

**To The Mayor of Berkeley and Members of the City Council:**

**NO CEASE FIRE UNTIL THE HOSTAGES ARE ALL RETURNED!**

The Palestinians could have had a state in 1948 but the combined armies of five Moslem countries declared war on Israel on the day after the UN partition vote. They lost the war.

My name is Susanne DeWitt. I am a longtime resident of Berkeley and a Holocaust survivor. My late husband, Hugh DeWitt, was awarded the second Berkeley Peace Prize in 1986 for his work on opposing atmospheric nuclear testing. I am a member of Berkeley's Jewish community.

I am speaking today in opposition to a proposed resolution which has been submitted to the City council.

Berkeley City Council members are elected to serve Berkeley residents. Their responsibility is to ensure the safety and well being of all of its residents, including Jews. Berkeley residents depend on the city government to provide facilities such as transportation, housing, education, libraries, parks and other municipal facilities. The City Council should concern itself with creating a welcoming atmosphere for its business community.

The City faces numerous problems such lack of low-cost housing, high crime, homelessness, poor transportation and wide spread drug use. The Council must attend to solving these serious problems and not by making foreign policy.

Berkeley is the site of one of the most prestigious universities in the world. The community is noted for being multicultural and highly creative. Don't ruin Berkeley's reputation by passing a frankly politically divisive resolution.

Submitted by Susanne DeWitt  
144 Fairlawn Drive,  
Berkeley, CA 94708

**Benado, Tony**

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**From:** Ly Tran <lytran36@gmail.com>  
**Sent:** Tuesday, December 12, 2023 8:15 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerpjng, Lars; Elgstrand, Stefan; joshua\_esquivel@padilla.senate.gov; marvin\_figueroa@butler.senate.gov; bradley.bottoms@mail.house.gov; Xochilt\_Andrade@butler.senate.gov; jrg@mail.house.gov  
**Subject:** PERMANENT CEASEFIRE IN GAZA NOW

**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.

I am writing to you as a concerned constituent from California, zip code 94530. With the recent end of the temporary ceasefire in Gaza, the need for a permanent resolution is more urgent than ever. I urge you to advocate for a permanent ceasefire and an end to the ongoing siege on Gaza. The safety and well-being of millions, including children, are at critical risk.

This communication is an urgent call for the U.S. to play a proactive and meaningful role in transforming this fragile situation into a lasting peace. Only a permanent solution can ensure the stability and safety of all parties involved.

My vote in upcoming elections will depend on your stance and actions on this vital issue. Your support for a permanent ceasefire and an end to the occupation is imperative.

I am advocating for the following legislation and expect you to vote for and co-sponsor these bills, now or when matching legislation reaches your office.

- H.Res. 786 by Rep. Cori Bush
- H.Res. 388 by Rep. Rashida Tlaib
- H.R. 3103 by Rep. Betty McCollum

Additionally, I urge you to consider the global call for a permanent ceasefire, as evidenced by these open letters signed by individuals and organizations worldwide:

- Plan International Open Letter for a Ceasefire, signed by 500 orgs and representatives from 60 countries—<https://plan-international.org/news/2023/10/20/open-call-for-ceasefire-in-gaza/>
- An Open Letter from Congressional Staff—<https://www.documentcloud.org/documents/24041700-hill-staff-ceasefire-open-letter>
- Philanthropy Open Letter for Humanity and Justice—<https://funders4ceasefire.org/index>
- An Open Letter From 750 North American Rabbis and Cantors Responding to the Crisis in Israel and Gaza—<https://truah.org/an-open-letter-from-north-american-rabbis-and-cantors-responding-to-the-crisis-in-israel-and-gaza/>
- Artists 4 Ceasefire:—<https://www.artists4ceasefire.org/>

Your actions in Congress are crucial in shaping a sustainable future for all people in the region. I implore you to use your position to advocate for a lasting peace, including a permanent ceasefire and an end to the siege on Gaza.

Thank you for your attention to this critical matter. I look forward to your response and to witnessing your decisive actions in support of a lasting peace in Gaza.

**Benado, Tony**

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**From:** Melodee <me.edith@gmail.com>  
**Sent:** Tuesday, December 12, 2023 7:55 PM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Mayor Jesse Arreguín and Members of the Berkeley City Council,

As a Berkeley resident in the Elmwood, and as a Jewish woman, I wanted to thank you, from the bottom of my heart, for your exemplary leadership at tonight's meeting and at so many of these difficult meetings of late. Many of the Jewish people that I know in this city have not felt safe in attending these meetings in person, but we are watching and are so appreciative of your continued support and courage in making sure that all of us -- Jews, Palestinians, and our collective allies -- are safe in Berkeley. Thank you again.

With gratitude,  
Melodee Au

**Benado, Tony**

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**From:** Antoinette Siguenza <antoinettesiguenza@gmail.com>  
**Sent:** Tuesday, December 12, 2023 7:32 PM  
**To:** All Council  
**Subject:** Public Comment - Resolution for Cease Fire | District 1 Rashi Kesarwani

**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.

Hi,

I live in District 1 in Berkeley. Please join the growing number of cities in the US calling for a ceasefire. I need to use my voice to ask you to represent me and the people who spoke tonight urging the council to use your power and voice to pass a Resolution for a ceasefire and join Richmond and Oakland.

Think global, act local.

Palestine is a humanitarian issue. Palestine is a climate issue. War activity pollutes, deforests & destroys land, life and creates increased levels of CO2 and methane and degrades the soil.

I know that public comment has had its time limited so that Berkeley can attend to Berkeley business, so please consider working with the community on a Resolution, as did Richmond and Oakland. They've been able to get back to business after passing it. Please consider.

Thank you, Antoinette Siguenza  
1888 Berkeley Way  
Berkeley CA

**Benado, Tony**

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**From:** david sochowitzky <dnsoch@yahoo.com>  
**Sent:** Tuesday, December 12, 2023 7:32 PM  
**To:** All Council  
**Subject:** Resolution relating to Israel and Gaza

**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.

To members of the city council:

I am writing to support CM Hahn's request that the council not issue a resolution concerning this tragic situation in the Middle East.

The situation is so complex and reactions of citizens so varied and strongly held, that I am convinced that no matter what the council might choose to say, the only possible impact of a resolution would be to increase argument and division among citizens of Berkeley rather than bring us together. A previous email from CM Hahn, in which she described the dangerous chaos that arose during and after a discussion of such a resolution indicates the potential harm of actually issuing one.

So please, do not consider issuing a resolution that can only make matters worse.

David Sochowitzky



**Benado, Tony**

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**From:** Coco Kennedy <kennedycoco3@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:23 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** City council mayor guilty of unjust treatment of constituents and complicit in genocide of tens of thousands in gaza.t

**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.

Dear Mayor and Council Members,

We want you to call an urgent time sensitive meeting pass the people's resolution , to meet with palestinian members of the berkeley community . At least meet us halfway and pass ben Bartletts with no amendments

I am a district 2 consituent and I am writing to urge you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments.

Several council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,

[Your name]

[zip code if comfortable]

**Benado, Tony**

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**From:** Alex Gumbs <alexandriagumbs@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:28 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Ceasefire Resolution

**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.

Dear Mayor and Council Members,

I am a resident of Berkeley and I am writing to demand that you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. You must pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments.

How can you purport to represent the people, to care for people, and do anything but pass a resolution? People are buried under rubble as I write this email and you are in a unique position to do something about it. Yet you languish. I pray that you find courage. I pray that you choose humanity over personal gain. I pray that you turn inward and find something other than a hollow shell. Please act now.

Sincerely,  
Alex

**Benado, Tony**

---

**From:** Amy Cummings <amycummings@ucla.edu>  
**Sent:** Tuesday, December 12, 2023 6:24 PM  
**To:** All Council

**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.

hi council,

i would like to see you adopt the peoples berkeley ceasefire resolution. otherwise, adopt council member ben bartlett's ceasefire resolution with no amendments. a ceasefire resolution is an urgent time critical matter. every minute and hour that passes more palestinians are brutally massacred in gaza by israel, fully supported by the united states. as a berkeley resident in council district 3, i am proud that ben bartlett did a decent ceasefire resolution. i will not be supporting any council members for any future campaigns, whether for berkeley city council or california state races, either monetarily or with my volunteer efforts or with my vote, unless you make immediate moves on passing a resolution in support of an immediate and permanent ceasefire in gaza. in fact i will mobilize my entire network against you to ensure you do not succeed if you continue to let down your constituents who have been consistently pressuring you to do this for two months alresdy.

thank you!

**Benado, Tony**

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**From:** Jules <juliettezamoyski@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:24 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerpung, Lars; Elgstrand, Stefan  
**Subject:** THIS IS ON YOUR HANDS

**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.

Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is action directly against your constituents' interests.

**WE WILL REMEMBER THIS COME TIME FOR RE-ELECTION**

**Benado, Tony**

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**From:** cierra cardenas <ccierracardenas@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:21 PM  
**To:** Wolan, Aleksandra; Bartlett, Ben; Gerstein, Beth; Naso, Christopher; All Council; Aguilar-Canabal, Diego; Pugh, Eliza; Panzer, Eric; Russell, Gordon; Wilson, Genevieve; Chang, James; McCormick, Jacquelyn; Harrison, Kate; McWhorter, Laurie; Skjerping, Lars; Berkeley Mayor's Office; Humbert, Mark; Hernandez Story, Ruben; Kesarwani, Rashi; Robinson, Rigel; Greenberg, Sam; Cerami, Sara; Elgstrand, Stefan; Hahn, Sophie; Wengraf, Susan; Posner, Tina; Taplin, Terry  
**Subject:** CEASEFIRE

**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.

Dear Mayor and Council Members,

I am an individual person, backed by millions more and I am writing to urge you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments.

Several council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

C

**Benado, Tony**

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**From:** sylvia <lsr2@pm.me>  
**Sent:** Tuesday, December 12, 2023 6:18 PM  
**To:** All Council  
**Subject:** Pass ceasefire resolution

**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.

Pass the People's Ceasefire Resolution - no amendments!



**Benado, Tony**

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**From:** Jennifer Fechner <oosmama@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:17 PM  
**To:** All Council  
**Subject:** The People's resolution for Ceasefire in Gaza

**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.

Ceasefire  
Sent from my iPhone

**Benado, Tony**

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**From:** Anna Henry <aphenry27@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:14 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Locked out of City Council

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

Hello,

I am a Berkeley resident who is currently locked out of the City Council meeting alongside hundreds of others. Please explain why this body has prevented its citizens from engaging in our democratic process. This is unacceptable.

Warm regards,  
Anna Henry  
94703

**Benado, Tony**

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**From:** Jude Berman <judeberman@yahoo.com>  
**Sent:** Tuesday, December 12, 2023 6:04 PM  
**To:** All Council  
**Subject:** Please

**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.

Please focus on governance of the City of Berkeley, and not on international affairs!

And to the extent that this crisis has come into our community--and it has--the best way to contribute to a solution would be to combat antisemitism and Islamophobia as it is manifesting locally. This, and not a ceasefire, is within your purview. Please take action before the escalating tensions lead to injury, harm or death right here in Berkeley!

*Jude Berman*

landline: 510-549-2362

[Author website](#)

[Jude's art blog](#)

**Benado, Tony**

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**From:** Robert Stamper <rolstam@sbcglobal.net>  
**Sent:** Tuesday, December 12, 2023 5:34 PM  
**To:** All Council  
**Subject:** Tonight's meeting

**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.

Dear Council members

I am a 50+ year resident of Berkeley living in thousand Oaks area. Thank you so much for allowing debate on this difficult and contentious subject.

I have some points that I ask you to remember in your deliberations:

1. Truth is not measured by noise or numbers
2. Berkeley's major business is Berkeley!
3. Some True Facts:

Jews have lived in the land for over 3,000 years continuously. While the land of Israel has been ruled (in reverse order) by England, Turkey, the Omiads, the Romans, the Greeks, the Egyptians, The ASsyrians, the Israeli's, the Canaanites and the Jebusites, The Jews are the longest surviving indigenous population.

Israel was constituted as a sovereign country by majority vote of the UN General Assembly in 1948

Israel has offered statehood to the Palestinians 3 times and all three times that offer was spurned because it was not everything they wanted.

Israel has not occupied Gaza for almost 20 years.

The attack on Oct 7 was entirely unilaterally Hamas. There was no military, civilian or other encroachment on Gaza.

The Hamas charter calls for the extinction of the Jewish people and the erasure of the State of Israel.

The Palestinian people have legitimate beef's. Do any of them justify the murder and butchery of babies and non-combatant families, the rape of women, taking of women and children hostage. These brutalities are not lies or made up. They have been confirmed by outside doctors from Switzerland, Norway and the US.

The brave, resistance warriors of Hamas did not attack any military facilities only unarmed families on farms and teenagers at a music festival. They practiced how to call out families in Hebrew to their slaughter. They hide in hospitals, schools, Mosques.

Hamas has a donated budget of between 3 and 5 billion dollars a year. What have they done with it? They have purchased and made tens of thousands of rockets that they have rained indiscriminately on the State of Israel for the past 20 years. There are no bomb shelters for the civilian Palestinians (even though Hamas knew Israel would have to retaliate). They made hundreds of miles of bomb-proof shelters but offered none to the Palestinian population. What investments have they made in Palestinian infrastructure to enable the citizens to thrive? None!!

Hamas is not the victim here. The Israeli's and the non-combatant Palestinians are the real victims.

The sad thing is that Hamas leaders have publicly stated they will do it again and again.

A vote that helps Hamas is a vote for deliberate, planned, brutal, rape and murder of civilians.

Thank you for your time in reading this.

Robert L. Stamper, MD

**Benado, Tony**

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**From:** Sofia Pavlova <sofiarighttoknow@gmail.com>  
**Sent:** Tuesday, December 12, 2023 4:58 PM  
**To:** All Council  
**Subject:** Ceasefire resolution - save the children

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

Hello,

We need an urgent special meeting to adopt a Ceasefire resolution immediately. The items on the city agenda are not more important than standing up for innocent kids being murdered in Gaza. This city is supposed to be progressive, but it is the Governments of Richmond and Oakland that put us to shame. No Ceasefire resolution means that bombing and war are the answer. Do you think more bombing is the solution?

Call the special meeting. Your constituents are embarrassed.

Sofia Pavlova  
505 Cragmont Ave  
Sent from my iPhone

**Benado, Tony**

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**From:** Hagar scher <hagaroosh@hotmail.com>  
**Sent:** Tuesday, December 12, 2023 4:57 PM  
**To:** All Council  
**Cc:** Harrison, Kate; Owen Levin  
**Subject:** Take a stand for shared humanity

**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.

Dear City Council, dear council member Harrison:

We are writing to you as concerned, grieving Berkeley residents and as the parents of two sons who have come up through the BUSD system.

We are writing, first and foremost, to express our gratitude to the Mayor and Council for their strength and commitment in keeping the Israel-Hamas war out of Berkeley politics.

Like many in your city, our family has been directly impacted by the tragic events of October 7<sup>th</sup> and beyond—members of our extended family were murdered and abducted from Kibbutz Kfar Aza, and many of our friends and family are displaced from their homes with no end in sight. The brutal terrorist attacks have traumatized an entire country. At the same time, we witness in horror the war in Gaza, which—like all wars—takes an unfathomable toll on innocent civilians.

Our hearts break at all the violence unfolding throughout the Middle East. And they break at the deep divisions and frightening vitriol they have unleashed here in the U.S.

As we saw down the way in Oakland, the push for resolutions on the Israel-Hamas war quickly devolve into disturbing, divisive spectacles where community members vent anger and frustration (at best), and conspiracy theories and hateful rhetoric at worst. This does nothing to help Palestinians or Israelis, who must find a way forward out of this nightmarish cycle of violence. And it does nothing to help our city, deepening divides while distracting City Council from the many issues our city is grappling with: housing instability, crime, inequities, and real and documented instances of antisemitism in our public schools.

Respectfully,  
Hagar Scher  
District 4 resident

**Benado, Tony**

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**From:** Riley Abeles <rileyabeles@gmail.com>  
**Sent:** Tuesday, December 12, 2023 4:11 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Demand for change

**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.

Dear Mayor and Council Members,

I am a graduate student in Berkeley and grew up in the area, and I am writing to urge you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments. I am Jewish and grew up in many spaces which encouraged Zionism. I have broken away from these groups as an adult because I do not believe the state of Israel has the right to harm and kill others and wipe out entire families and their homes for the sake of their country. I do not believe any country has the right to that and I hope you will support this with your actions.

Several council members have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history. The council ought to follow other cities that have shown leadership in calling for ceasefire.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Riley A.  
94706



**Benado, Tony**

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**From:** Amy Cummings <amycummings@ucla.edu>  
**Sent:** Tuesday, December 12, 2023 6:17 PM  
**To:** All Council  
**Subject:** hi, i'm just wondering why y'all aren't letting folks enter the city council meeting?

**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.

there are many pro-ceasefire resolution folks standing outside the gates where you are not letting us in. i just want to know why? why are we being prevented from interacting with our council members? why won't you let us come in? i was very excited to see that there were some ceasefire resolutions put forward, and then disappointed to see their text and see that they were drafted without the consultation of palestinian community leaders and members. and then they were withdrawn. what is the explanation for this, berkeley city council?

**Benado, Tony**

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**From:** Miriam Barrere <barrerem@gmail.com>  
**Sent:** Wednesday, December 13, 2023 4:14 PM  
**To:** All Council  
**Subject:** Thank you

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

Hello council,

While I was not able to attend the recent city council meeting at which a proposed resolution on the war in Israel and Gaza was discussed, I applaud you and the council for not taking a stand on this divisive, international issue.

Thank you,

Miriam Barrere

Address 1365 Francisco St., Berkeley 94702

**Benado, Tony**

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**From:** Elissa Kittner <elissakittner@gmail.com>  
**Sent:** Wednesday, December 13, 2023 4:13 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank you

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

Hello Mayor and City Council Members,

I am writing to thank you for adopting a divisive, one-sided resolution on this international issue, and for focusing on the critical issues that matter to all Berkeley residents. Include your address or district.

With gratitude,

Elissa Kittner  
3014 Hillegass Ave., Berkeley, CA 94705  
510.708.3090

**Benado, Tony**

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**From:** Dan Fendel <dfendel@sfsu.edu>  
**Sent:** Wednesday, December 13, 2023 4:00 PM  
**To:** Berkeley Mayor's Office; All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Thank you

**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.

I want to thank the Berkeley City Council for being a voice of sanity in the crazy Bay Area in your rejection of all resolutions about the middle east.

**Benado, Tony**

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**From:** Desmid Lyon <desmid@gmail.com>  
**Sent:** Wednesday, December 13, 2023 3:14 PM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; All Council  
**Subject:** Thank you for your courage last night (District 1 resident)

**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.

Dear Mayor Arreguin, my Council Member Rashi Kesarwani, and the whole Council,

I am so sorry for all the abuse you sustained at the meeting last night. The patience and grace you displayed were a respectful contrast to the interruptions and name-calling you endured.

I've lived in District 1 for 46 years. I'm a first-generation American, child of German Jews made stateless by Hitler's regime. I want to thank you for your tireless work on behalf of all of us, and for focusing on Berkeley issues that impact all residents. Thank you for not passing divisive resolutions that make no difference internationally and that only serve to increase division locally and to increase the likelihood of hate attacks on Berkeley residents like my family and friends. I appreciate your focus on critical City needs, like housing and pedestrian safety, and ensuring that Berkeley remains United Against Hate.

Thank you, and may you have peaceful and restorative holidays,  
Desmid  
(District 1)

--  
Desmid Lyon  
1808 Sacramento St  
Berkeley, CA. 94702  
[desmid@gmail.com](mailto:desmid@gmail.com)

**Benado, Tony**

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**From:** Kinneret Katz <kinnereteskatz@hotmail.com>  
**Sent:** Wednesday, December 13, 2023 3:06 PM  
**Subject:** Thank you

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

Hello,

Thank you so much for not adopting a divisive, one-sided resolution on this international issue, and for focusing on the critical issues that matter to all Berkeley residents. As a resident of 2091 California Street, it means the world to me.

Best,  
Kinneret Katz

**Benado, Tony**

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**From:** Eids TV <luvmetal@gmail.com>  
**Sent:** Wednesday, December 13, 2023 4:15 PM  
**To:** Taplin, Terry; Kesarwani, Rashi; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Manager, C; City Attorney's Office; OED (Office of Economic Development); City Clerk; Auditor  
**Subject:** Fwd: Berkeley Mayor & Council Member.

**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.

Let me put some light on last night discussion at Berkeley City Council meeting'

- 1- Two out of five pregnancies end up in spontaneous abortion, which we call misscaraige.....Should we blame God for that.
- 2-The word Semitic refers to a group of languages that includes Arabic, Hebrew, Aramaic, and Amharic.....Semitic does not refer to a particular religion, race or even ethnicity.
- 3-In the past Semitic nations, called the Sham refers to the region of the Middle East north west of Egypt that includes Syria and Palestine....A person from this these countries is called Shamy.....Semitic
- 4-The fact is thousands of innocent Palestinians including women and children are indiscriminately cruelly killed, without any regard to their humanity by Israelis massive bombing, their bodies are torn apart, shredded, and incinerated for nothing of their own faults, that is bloody wrong, barbaric, and evil. """"I would be just as angry if these innocent civilians were Israeli,Jewish, Hindu, Buhdist, etc, they are just innocent babies and human beings.
- 5-This whole horrible bloody mess was created by the British using their divide and rule policy to control the World, not only in Palestine,but in all over the World, including India where over 44 million people were murdered in civil wars, that split india into 3 countries, India for Hindus, Pakistan, and Bangladesh for muslims.....Even though the two groups lived in harmony prior to the British invasion for thousands of years....
- 6-Please read about how England used the opium war to control and destroy China for decades.
- 7- Sadly yes, for decades Israel has sterilized Ethiopian Jewish women without their knowledge by the Israeli health department by injecting these women with the anti-pregnancy serum, disguised as flu shots.....Ethiopian Jews suffer from great discrimination as well in jobs, social structure, and their babies are cared for in bare large warehouses ...Ethiopian Jews go back to the ancient time of Judaism,.... Ethiopian Jews are the descendants of **King Solomon and Queen Sheba**.
- .8-Both Palestinians and Israeli share many cultural customs, including food, music, etc, the division is done bad actors on both sides, the like of Natanyahu, Hamas top guys, who exploit the division and conflict for their own selfish interest, as many of you know, that Natanyahu was in deep hot water, accused of corruption, and many other crimes.....Hundreds of thousands Israelis held demonstrations against Natanyhu, just weeks before the awful barbaric incident of October 7....Why did Natanyahu ignore the warning from his own intelligence, and the Egyptian intelligence as well.....Why he ignored all the warning, please let me know
- 9-Education about all the facts related to the Palestine Israeli conflict, is our best tool to fight hate crimes, anti semitism, and Islamophobia and violence.
- 10-The only winner.in this Israel-Palestinian conflict is the American Military vIndustrial complex who cashing billions dollars everyday for shedding the blood of both Palestinins and Israelis....Let us all pray, do our best to put an end to this cruel bloody genocide NOW.....Amen

pray  
for  
peace



## Ethiopian women in Israel 'given contraceptive without consent for decades







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**Benado, Tony**

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**From:** D Dorenz <ddorenz@gmail.com>  
**Sent:** Wednesday, December 13, 2023 4:54 PM  
**To:** Berkeley Mayor's Office; All Council  
**Cc:** Temple Beth Israel Rabbi Yonatan Cohen; Itamar Landau; Rachel Factor; Faith Meltzer; Sanne DeWitt; Rob Bonem  
**Subject:** Thank you Mayor Arreguin and the City Council members

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.

Dear Mayor Arreguin and the Berkeley City Council,  
 Thank you for standing strong against the flood of comments, shouts, chants, interruptions, and derailing of the City Council agenda Last night.

I attended as part of Rabbi Cohen's group that opposed the cease fire. I care about all the lives lost, but I see a war that could end in another Holocaust if Hamas and its patron, Iran, along with its proxies Hezbollah, Syria, Iraq and the Houthis that are inflicting a 3 or 4 front war on Israel in an attempt to destroy it, are allowed to continue not only to rule and influence Gaza, but to carry out Iran's agenda: the destruction of Israel. The removal of any western influence in the Middle East, is another important goal they have and of which President Biden is cognizant.

Those who chose to define antisemitism for us, are mistaken. When someone is anti-Zionist they are clearly saying that Israel has no right to exist. They think they can define the oldest hate in the world that keeps morphing each generation. The destruction of Israel is the latest version of this hate. While no one among these people who swamped the City Council meeting room condemn Russia for killing over 100,000 Ukrainians, they are quick to condemn Israel. They are saying that Israel has no right to defend itself and they are saying that Hamas should be allowed to continue to rule Gaza with an iron fist while it steals the aid the US, Egypt, and the UN sends to Gaza. In Israeli media I read that when the food aid packages were unwrapped for inspection, the Israelis found guns and that Hamas is stealing all the food aid, fuel and medicine.

Thank you again for actually being "the radicals" among the other City Councils who have themselves originated very one-sided, extreme left resolutions that leave the United States' only ally in the middle east without any support. You should know that many, if not most of those people don't even live in Berkeley. I know this because I have attended the Richmond, the Oakland, the Berkeley City Council meetings, and also the BUSD meeting along with Rabbi Cohen, where Jewish parents were hoping to increase protection for Jewish students on the BUSD campuses. I see the same faces at these events over and over again.

So don't worry about the next election. Although these people have threatened not to vote for you, they don't even vote in Berkeley.

Take care,  
 Thanks so much.  
 Dorothea Dorenz  
 1200 Neilson ST B  
 Berkeley, Ca. 94706

--  
 Dorothea Dorenz

**Benado, Tony**

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**From:** Deborah Shaw <deborah.shaw2020@gmail.com>  
**Sent:** Wednesday, December 13, 2023 5:06 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Tuesday's City Council Meeting

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.

Dear Mayor and members of the Berkeley City Council,

This is to thank you for not adopting a divisive, one-sided resolution on the international issue of war in Gaza, and for focusing on the critical issues that matter to all Berkeley residents.

I watched the proceedings Tuesday night on Zoom and was greatly disturbed by the extreme lack of civility repeatedly displayed at the meeting and the high level of animosity directed toward all of you.

It was hard to watch, and I'm sure it was much harder for you to sit through. For all the threats against your positions, know that there are many others of us who will vigorously support you.

With appreciation,

Deborah Shaw  
2120 Eunice Street  
Berkeley 94709

**Benado, Tony**

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**From:** Aliza Craimer Elias <acraimer@gmail.com>  
**Sent:** Wednesday, December 13, 2023 5:30 PM  
**To:** Kesarwani, Rashi  
**Cc:** Berkeley Mayor's Office; All Council  
**Subject:** Thank you for your dedication and decency

**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.

Dear Councilmember Kesarwani, Mayor Arreguin, and other council members,

I live with my family in District 1. Last night I sat in dread while my husband and many friends from the Jewish community attended your meeting. I worried the whole time for their safety. A friend who arrived on her own said it was scary getting into the room and she was shaking for much of the meeting because of the menacing behavior and words of the anti-Israel crowd.

My husband shared updates and videos with me as the meeting progressed and I was afraid for him and these friends because of the aggression and hostility from the other people in the room. Some yelled towards our group that they were the "pro genocide people". I saw clips of community members speaking and being rudely interrupted while they spoke and jeered and interrupted our community members the second the buzzer rang. By contrast, our community sat quietly and respectfully while they spoke and even when the buzzer rang and they kept talking.

It felt shameful watching the constant disruptions and incivility that prevented the Council from doing its business.

I am grateful to Mayor Arreguin and the council for not caving to the bullying and harassment you all have experienced as a group and individually to weigh in on this horrible situation. There are strong emotions that many of us but that should never result in bullying, uncivil behavior to one another. Basic decency is not too much to ask of all Berkeley inhabitants. Thank you to Mayor Arreguin for continuing to call for the disrupters to be quiet and let our community have their turn to talk.

My husband spoke last night and said what I feel which is that passing a resolution on the war between Israel and Hamas will have zero impact on the parties abroad and will only worsen hostility towards the Jewish community here in Berkeley. We are already subjected to vicious antisemitic verbal attacks and vandalism. As visibly identifiable Jews, we walk in fear and I dread the day someone yells at us as they did our friend, Mikelle, who shared the awful things that were yelled at her family on their way to synagogue. Our sense of safety has been really shaken and it is a terrible feeling as parents to worry what our children may hear horrid things like that we are Nazis, and be afraid walking around Berkeley.

Please stay strong and do what you have been doing and what is the mandate of municipal government -- focusing on essential city business that serves the city and brings people together, united against hate.

I'd like to humbly ask that you consider cutting the mic when time is up. It feels sad that the anti-Israel people as a whole don't behave with basic courtesy when members of our community speak and wrap remarks, but it also feels really wrong that they consistently take and receive more time. Perhaps having the mic cut off will level the playing field so all voices have the same opportunities to comment. It shouldn't come to this, but alas we seem to be at a place where many people aren't showing basic decency and civility to their fellow citizens. As my husband was leaving the meeting last night someone screamed at him that he was a "white colonialist". Fortunately he made it home deeply unsettled by the experience of the meeting but physically unscathed.

Thank you for your time and consideration,

Aliza Elias  
District 1

**Benado, Tony**

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**From:** Joanne Donsky <donsky@sbcglobal.net>  
**Sent:** Wednesday, December 13, 2023 7:01 PM  
**To:** Berkeley Mayor's Office; All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Thank you for rejecting calls for a resolution on the Israel/Hamas war

**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.

Dear Mayor and Council Members,

Thank you for rejecting calls for a resolution re: the Hamas/Israel war.

You demonstrated that you are more interested in the important city issues you have to deal with. Local resolutions regarding the war between Israel and Hamas, on the other hand, do not benefit the local community. Rather, they only serve to raise tensions in by providing a forum for antisemitism and animosity against the Jewish and Israeli communities.

Many thanks for recognizing that this is not in the best interest of anyone in the community.

Sincerely,

Joanne Donsky

**Benado, Tony**

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**From:** Yafit Shriki Magidash <yafitshm0@gmail.com>  
**Sent:** Wednesday, December 13, 2023 8:46 PM  
**To:** Bartlett, Ben; All Council; Harrison, Kate; Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie  
**Subject:** Thank you!

**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.

~ Dear council members and mayor,

My name is Yafit Shriki and I am an Israeli American that works at the JCC in Berkeley for 8 years now.

I would like to commend you for not picking a side on the Israel-Hamas war. I have been in attendance of some council meetings recently and they have been fraught with hate and violence from so-called peace activists who are calling on you to take a one-sided stance on a war many miles away and with historical complexity and cultural repercussions for your denizens here. Thank you for standing strong against this pressure and staying focused on local issues. This is a stance that will serve us in the Berkeley community for years to come, whereas taking a one-sided stance is sure to cause a loss of faith in our local government by a community impacted by the conflict. I appreciate what you do and please let me know how I can support you.

May the light of Chanukah will bring peace and light to all

Yafit

Yafit Shriki- Magidash  
[yafitshm0@gmail.com](mailto:yafitshm0@gmail.com)  
(510-9445759)



**Benado, Tony**

**From:** Paul Lee <beistorage17@yahoo.com>  
**Sent:** Thursday, December 14, 2023 7:49 AM  
**To:** Paul Lee  
**Subject:** Berkeley Scholar Paul Lee Explains What Malcolm X REALLY Believed About Palestine [Please Share - Thanx!]

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

<https://twitter.com/scholarpauldlee/status/1735324202947973574>


Berkeley Scholar Paul Lee Explains What Malcolm X REALLY Believed About Palestine



 **Berkeley Scholar Paul Lee Explains What Malcolm X REALLY Believed About ...**

Remarks prepared for the Berkeley City Council, Nov. 28, 2023, but delivered at "Yalla Berkeley, All Out for Palestine!" Strawberry Creek Park, Berkeley, Calif., Dec. 12. My videos debunking an AI-generated fake Malcolm X speech on Palestine are

here:  • [The Viral Malcolm X "Speech" on Pales...](#)  • [Watch the REAL Malcolm X Link the Afr...](#) The fake

was played at the Oakland City Council:  / [1729315625330495690](#) . Here are the introductory remarks I didn't have time to read: "My dear friend Negeene Mosaed kindly asked me to deliver some remarks on Malcolm X's real, as opposed to made up, views on Palestine and the Zionist colonial settler regime, as he described Israel. I wrote them to deliver at the Berkeley City Council on Nov. 28, but I ended up not doing so because I wasn't feeling well that nite. "However, even if I'd been feeling better, I probably wouldn't have been able to deliver my remarks because the Berkeley city manager, the mayor and the city council engaged in yet another one of their cowardly, possibly illegal subterfuges. "They again conspired to avoid engaging in an open public discussion of a demand by a significant element of their constituents for their city to call for a ceasefire in the latest iteration of Zionist Israel's 75-year-old war against the Palestinian people. "But before I read those remarks, I wanted to say something to our Palestinian sisters and brothers. Because of my parents' divorce, I was blessed to grow up here in Berkeley, where my Dad lived, and Detroit, where my Mom lived. As some of you know, Detroit is near Dearborn, which, along with Hamtramck, has the largest population of Arabs and Muslims outside of the Arab and Muslim worlds in the East. "So I grew up with Palestinians and I was aware early on of the special bond between our peoples, which makes sense. They were forced from their historic lands and our ancestors were stolen from ours. They're scattered to the four winds in a global diaspora, where they're often seen and treated as strangers. Worse, their lives are not as valued as the people who they live amongst. That, of course, is our experience, too. "Finally, for 75 years, they've yearned for national restoration and self-determination, the right to return to their ancestral lands and the God-given right to chart their

own course in this world. "While most African Americans no longer desire to return to the shores from which our ancestors were ripped five centuries ago, we, too, deeply crave the right to live our lives according to our own lights instead of having our destinies dwarfed, distorted and thwarted by those who are arrogant enough to consider themselves our superiors. "The most striking example of our affinity, which most 'white' people know nothing about, occurred when I was a student at Howard University in Washington, D.C. On June 30, 1982, I went to Cramton Auditorium to hear Ahmed Sékou Touré, the president of the West African nation of Guinea, who was then a hero of many Africa-conscious Western 'black' people. "Before he spoke, a number of dignitaries were recognized. Among them was Zehdi Terzi, the United Nations observer of the Palestine Liberation Organization, or PLO, which, at that time, was nothing like the tamed, collaborationist group that it has become as the lead group in the Palestinian Authority in the West Bank. Instead, it was looked upon as a militant national liberation movement. "Most of the students were familiar with Terzi because, in 1979, a meeting between him and Andrew Young, a former aide of Dr. Martin Luther King, Jr., who was then the first 'black' U.S. ambassador to the UN, compelled Young to resign his position. "Still, I wasn't prepared for his reception. As soon as the moderator identified Terzi's organization, some 1,500 'black' students, as a body, began chanting, clapping and stomping, 'PLO! PLO! PLO!' Their demonstration of support literally shook Cramton Auditorium. "Startled, I focused on Terzi to see what his reaction was. A grin spread across his handsome face and he beamed. It was apparent that he was already familiar with this response from African Americans. More than anything else, this taught me that Palestinians and African Americans are not only allies and comrades, but, more fundamentally, we're family. However, sadly, as our people say, 'not all kinfolk are skinfolk.' For example, African American politicians who are having their pockets filled with Zionist money are NOT your family. "Black' politicians who usually act like cardboard cutouts, but have suddenly become eloquent in defense of not discussing, much less voting on, a ceasefire resolution because their speeches, news releases and even their Tweets are being drafted by their Zionists paymasters are NOT your family. "As 'black' folks say, 'Don't get confused.' But most of us ARE your family and I'm honored to have been given this opportunity to tell you so."

**NOTE:** If you do not require it for your reference, kindly **DELETE** my original letter from the **BOTTOM** of your reply. Thanx!

**Benado, Tony**

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**From:** marc sapir <marcsapir@gmail.com>  
**Sent:** Thursday, December 14, 2023 9:28 AM  
**To:** All Council  
**Cc:** San Francisco Chronicle News; nytnews@nytimes.com; Washington Post News  
**Subject:** \*\*IMMEDIATE RELEASE\*\* Ceasefire resolution adopted by City of Davis

**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.

## PRESS RELEASE

### Davis City Council unanimously calls for an immediate ceasefire in Gaza

Contact: Yolo for Palestinian Justice [Yolo4PalestinianJustice@gmail.com](mailto:Yolo4PalestinianJustice@gmail.com)

(December 13 2023, Davis) On December 12, the Davis City Council unanimously adopted a resolution calling for an immediate ceasefire in Gaza, joining the growing majority of people in the US and worldwide who demand that the bombing in Gaza must stop and that Palestinian and Israeli life must be protected. The resolution will add to the growing pressure on US Congress and the Biden administration to use its political, financial and military leverage to pressure Israel to end the horrifying civilian casualties in Gaza.

The resolution also calls for immediate diplomatic efforts to achieve a just and lasting peace and resolution of the decades long conflict; the unconditional release of all hostages - including both Israeli and Palestinian hostages - the immediate delivery of humanitarian aid, food, water, electricity, and medical supplies to Gaza; and that all parties adhere to international law. It also committed to sharing the City Council's demands with the community's state and federal representatives who have yet to call for a ceasefire (Cecilia Aguiar-Curry, State Senator Bill Dodd, Governor of California Gavin Newsom, US Representative Mike Thompson, US Senator Laphonza Butler, US Senator Alex Padilla, US President Joe Biden, and US Vice President Kamala Harris).

Prior to the meeting, on December 9, the City Council had published a draft resolution that many residents felt was inadequate, leading to a wave of public comments calling for it to be strengthened. Immediately before the City Council meeting, members of the Davis Jewish community hosted a Hanukkah menorah lighting outside of the chambers supporting a permanent and immediate ceasefire. The subsequent council discussion on the resolution lasted to nearly midnight with 450 public comments, emails and call ins, overwhelmingly in support of an immediate and permanent ceasefire. Community members from diverse religious and ethnic backgrounds, and all walks of life - including students, elders, faith leaders, medical professionals, lawyers, professors and a former city mayor - addressed the council. University of California Davis (UCD) Professor Emerita Suad Joseph concluded the round of public comment asking the City Council to "think of your children, think of your grandchildren. What will they say about the moral position that you take [tonight]?"

In response, the council members agreed unanimously to strengthen the resolution with a specific call for an immediate ceasefire. Vice Chair Josh Chapman noted his sadness at the pain and grief the crisis caused many residents of Davis with differing views on how it could be resolved, but stated that he did not believe such difficulty means the City should put its head in the sand and not declare its position. City Councilmember Donna Neville advocated for a demand for a ceasefire saying, "This is a humanitarian issue, it is about the need to stop the

violence and work towards a lasting and peaceful solution in the region. We have the moral imagination to make that happen.”

Responding to the City’s resolution, Palestinian American and Davis resident Deema Tamimi said: “I am so proud of Davis. The people of this city came out and showed their commitment for peace and love with a resounding call for a ceasefire. People were heard, no matter where they stood on the issue, and for me and for others, the ability to voice our opinions and tell our stories freely was a step towards healing. It gives me hope that there is a possibility for peace in Israel and Palestine. Violence is not the path. I am hopeful more and more cities will pass Ceasefire resolutions to ensure that our state and federal government know that the people want an end to this violence. If our state and federal leaders can't heed the call from the UN and human rights organizations, then it is our job at the local level to pressure them.”

UCD Jewish Studies Professor Seth Sanders shared, “According to the scripture we read at the beginning of Hanukkah, when asked what the Menorah means, the angel says “Not by might, nor by power, but by My spirit.” Tonight we found that the Davis community is on the same page here, sharing the same commitment to the supreme value we term in Hebrew pikuach nefesh, protecting human life. So many members of the Jewish community turned out last night in solidarity with our beloved neighbors to call for an immediate ceasefire, mourn the dead in Israel and Palestine, and work for a lasting and just peace for all.”

One UCD graduate student added “More and more cities and communities across California, the US, and the world are calling for a ceasefire, reflecting the anger and grief felt by people of conscience everywhere over Israel's ongoing genocide in Gaza, that is being carried out with US funding, arms, diplomatic cover, and unconditional support by the Biden administration. At least 60% of the US public support a ceasefire. Yet our voices are not heard or reflected by our politicians, including Congressman Mike Thompson and Senators Alex Padilla and Laphonza Butler. We urge them to join the call for a ceasefire.”

Prior to the effort to have the City of Davis adopt a ceasefire resolution, a group of Yolo County residents had come together to press their local congressman, Mike Thompson, to support the congressional call for a ceasefire (H.Res. 786). Constituents have been holding weekly vigils outside his Woodland office and had met with the Congressman in person at his Napa office in November. They shared stories of personal losses and expressed humanitarian arguments with the Congressman. He agreed with the need to protect civilian life, but has so far refused to call for a ceasefire or offer any concrete steps he would take to protect Palestinian lives.

Annie Temple, a longtime Jewish resident of Davis said, “I feel proud of Davis and the Jewish community today. We stood on the right side of history, just as we did being the first city to call for the end to the South African Apartheid regime in 1978. This is a call to our state and national leaders that the tide of public opinion in the US has turned and it is time their policies and actions reflected it –we need a ceasefire and we need it now.”

## Notes

1. The final wording of the agreed resolution can be found here <https://documents.cityofdavis.org/Media/Default/Documents/PDF/CityCouncil/CouncilMeetings/Agendas/2023/2023-12-12/04-Peace-In-Israel-and-Gaza-Resolution-REVISED.pdf>
2. The call for a ceasefire resolution was first put on the agenda of the city at their meeting on December 5, when City Mayor Will Arnold agreed to draft a ‘ceasefire resolution’. The resolution was drafted and circulated publicly on December 8 but didn’t use the language of a ceasefire.

## City Council

City and Regional Council of the City of Davis, California  
Davis, CA

3. A full video of the 12/12/23 City of Davis Council meeting is available at the following link or through the City of Davis council video archives page directly [City Council](#)

**Benado, Tony**

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**From:** liron hakikian <lironhak@gmail.com>  
**Sent:** Thursday, December 14, 2023 10:07 AM  
**To:** All Council  
**Subject:** Berkeley city council

**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.

Dear Mayor and city council members,

I want to reinforce your decision not to take a stance on the Israel and Hamas war. I believe municipal public figures should not focus on international issues involving countries thousands of miles away, especially on the Israeli-Palestinian conflict. This conflict is very complex and requires knowledge and a deep understanding of the region's history. Also, inflammatory resolutions only divide the community and contribute to increased incidents of antisemitism and Islamophobia

I watched today's council meeting and observed the pressure placed on you by those advocating for a ceasefire resolution. Interestingly, these individuals, who ostensibly oppose violence, seem to be supporting it when it targets Israeli citizens. If you end up meeting with them, I urge you to request proof for their accusations against Israel. There were numerous false accusations, such as the bombing of dozens of hospitals in Gaza, the premature babies allegedly left to die (who were actually moved to Egypt), and claims of Israel abusing Ethiopian women. In reality, Israel is a civilized country where 2 million Arabs live with full and equal rights, along with other residents, regardless of their ethnicity, sexual orientation, or background.

With much respect,  
Liron Ouziel

**Benado, Tony**

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**From:** Jay Park <jacobpark1080@gmail.com>  
**Sent:** Monday, December 4, 2023 9:14 AM  
**To:** All Council  
**Subject:** Thank you

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.

Dear Berkeley City Council,

In response to Susan Wengraf's suggestion, and Mayor Jesse Arreguin's statement regarding the war in Gaza, thank you for keeping the city council focused on the business of running the city. The care and openness that the council operates with speaks enough to what the views are towards the situation abroad and the civilians caught up in all of it. We don't need resolutions condoning one side or another. These attitudes go without saying.

I am sorry to hear about how hard the past few weeks have been on the council due to disruptions. I hope that things will quiet down so that you all can feel productive and at peace, especially settling in to the holidays and the end of the year.

Thank you again for your direction and hard work, Jacob

**Benado, Tony**

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**From:** Stephanie Green <slgberkeley@yahoo.com>  
**Sent:** Monday, December 4, 2023 9:12 AM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Council Members,

This is a letter I sent to our Mayor and to Councilwoman Hahn, after their statements opposing resolutions. You may or may not agree with them, but, I thank you collectively, and request your help now and in the future to make Berkeley a safe place for everyone, and for the record, this is my sentiment and request to all of you who serve our community, and may I take this opportunity to thank you for your tireless service.

Thank you for your courageous statement opposing resolutions, taking a stand on the war in Gaza.

I am a Berkeley native, and I spent many years living in Jerusalem, where our six children were born, and who are American citizens, as well. I returned to Berkeley some years ago to care for my aging Mom, and I worked for years at Berkeley City College, placing students in internships.

I now work at an after school program at the JCC.

We are orthodox Jews, and I find I no longer feel safe wearing a head scarf, and my husband doesn't feel safe wearing a yarmulke. Instead, we wear either ski or baseball caps. I had to get rid of the Shalom doormat at our front door, for fear of violence, but I will not take down our mezuzahs. I go to work and return home, spending as little time as possible in public areas.

I recently sent a notice I saw at a bus stop , written in Arabic, to the BPD, as it was a hate message, meant for the eyes of only those who understood the language. BPD responded, and it is on their radar.

This is unacceptable. My father, who ran emergency services at the then, Herrick Memorial Hospital, and was on staff at four other area hospitals, led the fight for his colleagues of color to be on staff at those institutions, something that was not the case in the mid 50's, when our family came here from Chicago.

I was 2 then, but I grew up in Berkeley schools and graduated from Berkeley High. I danced to music in the park on Sundays, and I was an active, comfortable child of the 60's Berkeley community, and I never felt unsafe.



Life here has changed radically, and I applaud your leadership and strength of character, standing firmly, in the face of great pressure. We are behind you, and the Jewish community is grateful to you for your leadership and for your clear moral compass.

Sincerely,  
Stephanie Green and family

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**Benado, Tony**

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**From:** Helane Zeiger <yoyolady75@gmail.com>  
**Sent:** Monday, December 4, 2023 8:59 AM  
**To:** All Council  
**Subject:** Support for Mayor Arreguin's Message on the Israel/Gaza Conflict

**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.

Dear Mayor, As constituents in Susan Wengraf's 6th district in Berkeley we fully support and appreciate your statement in which you commit to keeping Berkeley a safe haven for all of us. Thank you for your fair and thoughtful approach as we all suffer through the Israel/Gaza conflict. Helane and Ron Zeiger

**Benado, Tony**

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**From:** Nicole Chabot <nicolechabot@gmail.com>  
**Sent:** Monday, December 4, 2023 8:20 AM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Thank you for your stance and your work

**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.

Dear Mayor and Council,

I wanted to express my appreciation for the Mayor's statement on November 28 regarding the conflict in Israel and Gaza, and to the entire Council's stance to resist an imbalanced resolution at this time. Thank you for standing strong in your commitment to respect all parties, demonstrating a commitment against hate of all kinds, and pushing for peace and a long-term resolution. I am saddened by our neighboring cities who expediently bowed to pressure, and have further respect for you, our city leadership, for the more balanced, courageous, and honest path you are taking thus far.

Thank you for your work,  
Nicole Chabot  
1022 Shattuck Ave, Berkeley, CA 94707

**Benado, Tony**

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**From:** Judith Tabb <judith@tabbfamily.net>  
**Sent:** Monday, December 4, 2023 8:14 AM  
**To:** All Council  
**Subject:** Regarding the mayor's and City Council's actions

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.

To all,

I am appreciative of the balanced statement by the mayor and the thoughtful handling of the conflict in the Middle East by the City Council. I know it is an extremely challenging time. It has been so painful to see the decisiveness and hateful rhetoric that is fomenting and a relief to hear a response that acknowledges a very complex situation.

Thank you,

Judith Tabb

District 6

Sent from my iPhone

**Benado, Tony**

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**From:** Stefano Schiavon <schiavon@berkeley.edu>  
**Sent:** Monday, December 4, 2023 8:12 AM  
**To:** All Council  
**Cc:** Wengraf, Susan  
**Subject:** Appreciation for the City of Berkeley's Balanced Approach to the Hamas-Israel Conflict

**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.

Dear Mayor Arreguín and Members of the City Council,

I am writing to express my sincere appreciation for the thoughtful and balanced position the City of Berkeley has taken regarding the Hamas-Israel conflict. It is heartening to see our local leadership address such complex international issues with a nuanced perspective.

Your commitment to maintaining a balanced stance not only reflects the diversity of our community but also plays a crucial role in fostering unity. In times of global tension, it is reassuring to know that our city's leadership recognizes the importance of a measured approach that considers the perspectives of all community members.

By championing inclusivity and understanding, the City of Berkeley is contributing to the cohesion of our community. I agree that these "resolutions will not end the violence abroad, but they do fan the flames of hatred here at home".

Best,  
Stefano Schiavon  
1311 Glendale Avenue

**Benado, Tony**

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**From:** John Rosenberg <johngrosenberg@gmail.com>  
**Sent:** Monday, December 4, 2023 8:05 AM  
**To:** All Council; Diane Gerstler  
**Subject:** Thank you Mayor Arreguin and City Council members!

**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.

In these challenging times, we want to thank Mayor Arreguin and the Berkeley city council for withstanding pressures to engage in divisive conflicts and instead focus on doing the work you were elected to do.

John Rosenberg and Diane Gerstler  
2893 Buena Vista Way, Berkeley, CA 94708

**Benado, Tony**

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**From:** Jil Geller <jtgeller@gmail.com>  
**Sent:** Monday, December 4, 2023 7:40 AM  
**To:** All Council  
**Subject:** Thank you for your efforts and leadership in this time

**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.

Dear Councilmembers and Mayor Arreguin,

Councilmember Wengraf's December 3 newsletter to us in District 6 described the unprecedented level of hateful rhetoric and vitriol you have been subjected to since October 7, and what it takes for you to conduct city business in this atmosphere.

Ms. Wengraf also shared the Mayor's statement relating to the war in Gaza, showing compassion for all, and explaining the focus on keeping our community safe, and a safe haven for all.

Your efforts make me feel that Berkeley truly is my home. I greatly appreciate that the City of Berkeley has not issued a resolution that takes a side or assigns blame in the Israel-Gaza war, for all the reasons Ms. Wengraf outlined in her newsletter, and Mayor Arreguin wrote in his statement. I know that if I feel unsafe, I can reach out to Ms. Wengraf and the City Government to address my concerns.

In fact, soon after the beginning of the war I contacted Ms. Wengraf with concerns about a possible hate crime. Her response was swift and direct. I cannot say enough about how your response, Ms. Wengraf, reassured me in these frightful times.

With great appreciation for your ongoing efforts against antisemitism and Islamophobia,

Jil Geller  
1173 Glen Ave.  
Berkeley, CA

**Benado, Tony**

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**From:** LAURENE McCLAIN <lwmc@pacbell.net>  
**Sent:** Monday, December 4, 2023 7:26 AM  
**To:** All Council  
**Subject:** Support for Berkeley mayor and council

**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.

Thank you, Berkeley Mayor and Council for taking a different approach from Richmond and Oakland. I support every word of the Mayor's statement.

Laurene Wu McClain  
Sent from my iPhone



**Benado, Tony**

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**From:** Tami Rowen <tamiserene@gmail.com>  
**Sent:** Monday, December 4, 2023 7:20 AM  
**To:** All Council  
**Subject:** Thank you for no gaza resolution

**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.

We need to focus on this city, all the resolutions have been one sided and ignore the complex reality of the conflict

**Benado, Tony**

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**From:** Andrea Cohen <arc371@gmail.com>  
**Sent:** Monday, December 4, 2023 6:44 AM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Mayor Arreguin and City Counsel,

Thank you for your efforts to try to focus on city business, keep everyone safe and do the work that you were elected to do.

The war has brought out the worst in some of us. Thank you for remaining caring and also sensible.

Andrea Cohen  
46 Senior Ave

**Benado, Tony**

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**From:** Michael TenBrink <michael.tenbrink@gmail.com>  
**Sent:** Monday, December 4, 2023 6:04 AM  
**To:** All Council  
**Cc:** Wengraf, Susan  
**Subject:** In support of Berkeley City Council

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

Hello,

I was very disturbed to learn from Councilmember Susan Wengraf's email newsletter of the very inappropriate and unacceptable pressure the Berkeley City Council has been receiving, as relates to the war in Gaza. I support the statement Mayor Arreguin released about the conflict, and I support the Council's efforts to focus on the city's actual business.

I am sorry you have been on the receiving end of some of this vitriol. You deserve better.

Michael

**Benado, Tony**

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**From:** Andrew Hanauer <andrew.hanauer@gmail.com>  
**Sent:** Monday, December 4, 2023 5:25 AM  
**To:** All Council  
**Subject:** Thank you!

**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.

I no longer live in Berkeley but was born and raised there, and appreciate how you are trying to do your job - make Berkeley an awesome place to live - and navigate all the pressure you must be facing related to the war in the middle east.

I'm sure you're getting lots of hate mail, so wanted to make sure you heard some praise, too!

Respectfully,  
Andy Hanauer

**Benado, Tony**

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**From:** John & Leah Rosenthal <johnleahrosenthal@gmail.com>  
**Sent:** Sunday, December 3, 2023 11:26 PM  
**To:** All Council  
**Subject:** Thank You Mayor Jesse

**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.

Dear Berkeley Mayor and the City Council,

As homeowners, parents, and working people, we wish to express support of our Mayor's informative and balanced, wise and humanistic perspective on keeping Berkeley safe during turbulent times, and attending to the business of running our town. Please continue to do the work you were elected to do. The City needs focused professional care and attention to the infrastructure, schools, public places and place of worship, city streets, parks, and quality of life for all its citizens.

Sincerely,

Leah & John Rosenthal

**Benado, Tony**

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**From:** patrice@pcsyas.com  
**Sent:** Sunday, December 3, 2023 10:51 PM  
**To:** All Council  
**Cc:** Patrice Ignelzi  
**Subject:** Thank you, City Council

**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.

Dear Berkeley City Council Members,

I want to thank the Council for retaining your focus on work that needs doing here at home. In particular, I applaud the Mayor's stance against resolutions that point fingers of blame in the Middle East and provoke both anti-semitism and Islamophobia. I appreciate your continued steadfastness with regard to the horrible situation in Israel and Gaza. I respect your commitment to continuing the Council meetings in another room rather than succumbing to disruptive forces in the audience.

Thank you also for fighting for continuation of bus service in the hills, especially along Grizzly Peak.

*Patrice* 

*Patrice Ignelzi*

510-526-3123

[patrice@pcsyas.com](mailto:patrice@pcsyas.com)

*Wonder needs no ornaments, only an invitation.*

*--Anne Boyer, poet*

**Benado, Tony**

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**From:** Donna DeDiemar <dediemar@sbcglobal.net>  
**Sent:** Sunday, December 3, 2023 10:43 PM  
**To:** All Council  
**Subject:** In Appreciation of your Focus on City Business

**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.

Mr. Mayor and Council Members,

I wish to heed CM Wengraf's call to endorse your approach to the difficulties of dealing with the current unrest regarding the Middle East conflict. There can be no doubt that the situation is gut wrenching, but that taking a position on it would required a level of time and expertise that in all likelihood you don't possess. Keeping focused on the considerable needs of the city is definitely the wiser course of action, particularly since that is where your work can have an impact.

Thank you all.  
Donna DeDiemar

**Benado, Tony**

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**From:** Jim Jones <cpng@sonic.net>  
**Sent:** Sunday, December 3, 2023 10:39 PM  
**To:** All Council  
**Subject:** Thank You

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.

Dear Mayor Arreguin and All Council Members,

I am writing to express my sincere and deep appreciation for your efforts both in expressing compassion and in enduring the protests and pressure from people concerning the Middle East conflict. We know the conflict is offensive in many ways and that you can be criticized by all opposing points of view. Please maintain your rational, even-handed, tolerant, and indeed welcoming approach to your work.

~ Jim Jones  
1554 Campus Drive



**Benado, Tony**

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**From:** Ben Ringler <ben.s.ringler@gmail.com>  
**Sent:** Sunday, December 3, 2023 10:32 PM  
**To:** All Council  
**Cc:** Wengraf, Susan; Jenny Overman  
**Subject:** Thank you

**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.

Dear Mayor Arreguin & Staff,

I wanted to to thank you for your (measured) statement and efforts with regards to the Middle East war and rising hate at home.

At a time where there is local mass hysteria and even certain leaders are swayed by extreme and one sided views (I.e. Oakland and Richmond), it is quite refreshing to hear more empathic words for all of humanity rather than only one side of the aggrieved!

Thank you so much and please stay steady in these quite tumultuous storms.

Take care,  
Ben Ringler

Sent by my iPhone.

Ben Ringler, LMFT  
(510) 848-8899  
[www.BenRingler.com](http://www.BenRingler.com)

**Benado, Tony**

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**From:** Alan Shindel <retinol13@yahoo.com>  
**Sent:** Sunday, December 3, 2023 10:23 PM  
**To:** All Council  
**Subject:** Resolutions

**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.

Dear Berkeley city council,

Thank you for remaining focused on the tasks at hand and avoiding meaningless resolutions and declarations about the war in israel and gaza.

The mayor's statement was balanced and focused on actually caring about people, not preconceived notions about which side must automatically be right no matter the facts at hand for each circumstance.

Keep up the good work and know that people of good will are with you, no matter how loud and disruptive the virtue signaling far left might become

Alan

Sent from my iPhone

**Benado, Tony**

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**From:** Karen Weinstein <karenweinstein.berkeley@gmail.com>  
**Sent:** Sunday, December 3, 2023 10:10 PM  
**To:** All Council  
**Subject:** Thank you

**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.

Thank you Mayor Arreguin and City Council members for your efforts at managing the Israeli/Palestinian conflict With common sense and courage. The resolutions in Oakland and Richmond have increased division, anger and unfortunately hatred. Thank you for your efforts at keeping our citizens safe.

Karen

Sent from my iPhone

**Benado, Tony**

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**From:** David Ritvo <david.z.ritvo.md@gmail.com>  
**Sent:** Sunday, December 3, 2023 9:51 PM  
**To:** All Council  
**Subject:** thank you

**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.

in these challenging times, i want to thank mayor arreguin and the berkeley city council for withstanding pressures to engage in divisive conflicts and instead focus on doing the work you were elected to do.

david ritvo  
471 vassar ave.

--  
David Z. Ritvo, M.D.  
Child, Adolescent & Adult Psychiatry and Psychoanalysis  
925-944-1002

**Benado, Tony**

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**From:** rachel bradley <rachelbradleywood@hotmail.com>  
**Sent:** Sunday, December 3, 2023 9:49 PM  
**To:** All Council  
**Subject:** Your work in this difficult time

**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.

I have received Susan Wengraf's newsletter describing the difficult situation during recent council meetings, and want to thank you for continuing to work under these adverse conditions. The mayor's statement as quoted by Wengraf seems balanced and sensible.

Thank you for your efforts to continue to take care of city business.

Sincerely,

Rachel Bradley

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**Benado, Tony**

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**From:** dashaka@gmail.com  
**Sent:** Sunday, December 3, 2023 9:48 PM  
**To:** All Council  
**Subject:** Appreciation of efforts

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.

Dear Councilmember Susan Wengraf,

I truly appreciate the Mayor and the Council's effort to concentrate on city business and safety instead of issuing misinformed and misguided antisemitic resolutions. As a Berkeley resident, I am grateful for this.

Best regards,  
Darya Kavitskaya

**Benado, Tony**

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**From:** Denise Resnikoff <desnikoff@gmail.com>  
**Sent:** Sunday, December 3, 2023 11:09 AM  
**To:** All Council  
**Subject:** much relieved

**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.

Dear Mayor Arreguin and City Council members,

I've been a resident of Berkeley for 45 years. I'm so grateful for your courageous stand regarding the pro-Palestine resolution. I was moved to read Mayor Arreguin's words about how the resolution would not help bring peace to the region and would divide us further here in Berkeley. The complexity of the conflict in Israel-Palestine is heartbreaking.

I am heartened to know that our city council will keep its attention focused on the many issues we have to deal with here in Berkeley. As a Berkeley resident I feel more confident, more safe, and more "at home" walking around the streets of Berkeley with the council's actions on this issue.

Thank you for your serious, sensible and wise leadership.

Best regards,  
Denise Resnikoff  
1406 McGee Ave

**Benado, Tony**

---

**From:** J Lewis <jmlewis1@gmail.com>  
**Sent:** Friday, December 1, 2023 12:01 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Thank you from a new homeowner in Berkeley

**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.

Dear Mayor Arreguin and City Council members,

We are new homeowners in Berkeley, and we want to express our support and admiration for the courageous stand you have taken regarding the pro-Palestine resolution. I was moved to read Mayor Arreguin's words that "these resolutions will not end the violence abroad, but they do fan the flames of hatred here at home." Facile, flashy resolutions do not match the complexity of the heartbreaking conflict in Israel-Palestine, and I am heartened to know that our city council will keep its attention focused on the many issues we have to deal with here in Berkeley.

As a Berkeley resident, I feel more confident, more safe, and more "at home" walking around the streets of Berkeley with the council's actions on this issue.

I want to convey my deepest gratitude for your leadership.

Best,

Jennifer Lewis  
1156 Walnut



**Benado, Tony**

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**From:** Rebekah Stern <rabbistern@bethelberkeley.org>  
**Sent:** Wednesday, December 6, 2023 11:11 AM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Cc:** Stuart.kelman@gmail.com; shellydorph@gmail.com; Meira Wolkenfeld; Ira Rosenberg; ajernigan@gmail.com; revniels@pm.me; revmjudson@gmail.com; Rabbi Chai Levy; Janelitman@gmail.com; Cantor Elaya Jenkins-Adelberg; zturner@calnewman.org; rabbi@cbiberkeley.org; rabbi.diane18@gmail.com; smlack71@gmail.com; jenchapman.acc@gmail.com; Nmejr66@yahoo.com; Mzinkow@berkeleyhillel.com; Rabbi Yoel Kahn  
**Subject:** A Time for Community-Building - Not Statements

**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.

Dear Mayor Arreguin and Members of the Council,

We, the undersigned multi-faith clergy leaders in the City of Berkeley, appreciate your leadership thus far, in not creating a statement of any kind in connection with the war in Israel and Gaza. As you, Mayor Arreguin, noted in your recent message on the subject, in recent weeks, statements like these, made by local governments, have, in large part, served to sow further distrust, division, and hurt among the residents of communities in which these statements have been passed.

As professor, psychologist, philosopher and poet Dr. Bayo Akomolafe recently wrote, "We need a politics of tenderness more than ever. Not tenderness as capitulation to particular conclusions that have already been made. Not tenderness as 'if you don't see the world as I do, there's something wrong with you.' But tenderness as the nurturing of grace that allows something different, something even beautiful, to be born in the midst of the fires."

In this spirit, we ask you to partner with us - and with any other communal leaders you might think to convene - to create and nurture intentional spaces in which the people of our city can come together to share our stories, to witness one another and be witnessed in our pain and our fear. This is the time for leadership in building community and we look forward to sharing in this critical work with you all in this difficult time.

With appreciation,

Rabbi Rebekah Stern, Senior Rabbi, Congregation Beth El  
 The Rev. Phil Brochard, Rector, All Souls Episcopal Parish  
 Revs. Anthony & Dorisalene Hughes, Senior Pastor & Co-Pastor, St. Paul AME Church  
 Rabbi Stuart Kelman, Founding Rabbi, Congregation Netivot Shalom  
 Rabbi Sheldon Dorph, Educational Consultant and Member, Congregation Netivot Shalom  
 Rabbanit Meira Wolkenfeld, Director of Education & Community Engagement, Congregation Beth Israel  
 Rabbi Ira Rosenberg, Director of Congregational Learning, Congregation Beth El  
 Rev. Angela Jernigan, Family Spirit Center (Director), and Young Lives Matter (Chaplain)  
 Rev. Niels Teunis  
 The Rev. Marguerite Judson, Assisting Priest, All Souls Episcopal Parish  
 Rabbi Chai Levy, Rabbi, Congregation Netivot Shalom  
 Rabbi Jane Rachel Litman, hospice chaplain, Vitas Healthcare  
 Cantor Elaya Jenkins-Adelberg, Cantor, Congregation Beth El  
 Mr. Zachary C. Turner CSP, Catholic Seminarian, Newman Hall-Holy Spirit Parish  
 Rabbi Yonatan Cohen, Rabbi, Congregation Beth Israel

Rabbi Diane Elliot, Spiritual Director, Wholly Present  
Susan Black Member of Strawberry Creek Monthly Meeting (Quaker)  
Rev. Jen Chapman, Pastor, Arlington Community Church United Church of Christ  
Rabbi Yoel Kahn, Rabbi Emeritus, Congregation Beth El

Rev. Michael Lemaire, Assisting Priest, All Souls Episcopal Parish  
Rabbi Maya Zinkow, Senior Jewish Educator, UC Berkeley Hillel

## **Rabbi Rebekah Stern (she/her)**

### **Congregation Beth El**

**Member of the Union for Reform Judaism**

1301 Oxford Street, Berkeley, CA 94709

Tel: [510-848-3988](tel:510-848-3988) | Fax: [510-848-2707](tel:510-848-2707)

email: [rabbistern@bethelberkeley.org](mailto:rabbistern@bethelberkeley.org)

Visit us at [www.bethelberkeley.org](http://www.bethelberkeley.org)

"Honoring Tradition, Celebrating Diversity, and Building a Jewish Future"

**Benado, Tony**

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**From:** Cassidy Kelly <him@cassidykelly.com>  
**Sent:** Wednesday, December 6, 2023 11:01 AM  
**To:** All Council  
**Subject:** thank you for not succumbing to pressure from Gaza protestors

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.

To the Berkeley City Council and Mayor,

I appreciate your resistance to the pressure to weigh in on the situation in Gaza. I agree that the resolutions made by neighboring cities are not helpful at all in bringing a peaceful resolution to the conflict. Please continue to focus on city business and stand strong against those trying to strongarm you away from that mission.

Cassidy Kelly  
670 Spruce St.

**Benado, Tony**

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**From:** Robsun Coaching <robsuncoaching@gmail.com>  
**Sent:** Wednesday, December 6, 2023 9:15 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Israel

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

Hello. I know that this issue has come up and I want to thank you for not being sidetracked from city business for this issue. I also want to ask that you continue to do so.

I was once very critical of Israel, but after 20 visits to the country, my views have changed. Israel is the only country in the Middle East which is a democracy. True, there are problems. Also true, in many ways, Israel is doing the best it can.

Israel has been attacked for years from Gaza. Now Israel underwent a horrifying terrorist act, including the taking of hostages, all of which was against international law. This issue has still not been resolved, and no one has proposed a possible solution. So Israel is now hunting down the terrorists, and trying to release the hostages. Those who are interested in ceasefire should start with a call to release the hostages.

Thank you for all you do.

Robert Bonem

**Benado, Tony**

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**From:** Hagar scher <hagaroosh@hotmail.com>  
**Sent:** Tuesday, December 5, 2023 9:46 PM  
**To:** All Council  
**Subject:** Thank you for representing ALL Berkeley residents

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

Hello to my city council.

I am sending you a note of appreciation for taking a stand for community and for inclusivity by not getting swept up in the calls to "take a side" in the tragic chain of events unfolding in Israel and Gaza.

As an Israeli immigrant and the mother of two BUSD students, I applaud you for remaining steadfast and trying to diffuse some of the explosive divisiveness of the moment. No one should feel unwelcome in their town, regardless of their national origin, ethnicity, religion, or race. And certainly our children deserve to see leadership that is not predicated on binary thinking that paints some as "good" and others as "bad."

Again, I know it can't be easy, but your public stance, and the mayor's, are very much appreciated.

With respect,  
Hagar Scher

**Benado, Tony**

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**From:** Itamar Landau <itamar.landau@gmail.com>  
**Sent:** Tuesday, December 5, 2023 8:48 PM  
**To:** All Council  
**Subject:** Thank you for standing for unity and against simplistic sloganeering

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

Hello, my name is Itamar Landau, and I'm a Berkeley resident and graduate of Cal (2007). I'm writing to thank you for your continued resistance to weighing in on the Israel-Gaza war. The entire war is a tragedy and people are understandably emotional and looking for any way possible to stop the suffering. However, the simplistic slogan of "ceasefire now" reflects a misunderstanding of the war, and putting it into action will just guarantee more war and destruction in the future, and would only strengthen global powers that oppose democracy, and oppose the US and the Western world. The City Council is acting wisely and humbly by continuing to focus on the practical work of governing our city.

Thank you,  
Itamar Landau

**Benado, Tony**

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**From:** Brian Rosenberg <rosenberg.b@icloud.com>  
**Sent:** Tuesday, December 5, 2023 4:59 PM  
**To:** All Council  
**Cc:** Wengraf, Susan  
**Subject:** thank you for your efforts to remain balanced and focused on city business

**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.

To whom this may concern,

I wish I had more words today, but for what it's worth:

I read a copy of Mayor Arreguin's statement about the Israel/Palestine issue (per Susan Wengraf's email to her constituents), and I appreciate your rational, fair, and kind approach. I especially appreciate your trying as much as possible to stay out of the fray on international issues like this. I believe adopting a resolution or putting out a statement, in this case, would do more harm than good. You are taking the path of responsibility. Thank you for that!

Sincerely,

Brian Rosenberg  
2241 Glen Ave  
Berkeley 94709

**Benado, Tony**

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**From:** Rachel Gita Schiff <rachelgita@gmail.com>  
**Sent:** Tuesday, December 5, 2023 3:16 PM  
**To:** All Council  
**Subject:** Thanking Mayor for protecting Berkeleyans

**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.

Dear Mayor Arreguin,

Thank you for your thoughtful response on rejecting the middle east resolution on 11/28. Thank you for supporting and protecting the citizens of Berkeley and not giving in to hate. I ask that you continue to protect Berkeley citizens at tonight's meeting as well by rejecting calls to pass any measure on Israel or Palestine.

I do strongly believe that nothing good will come out of passing such a statement that is clearly coming from a place of hatred, and refuses to condemn the Hamas massacre and abductions. Our city council needs to focus on the many issues in our city it actually can and should be addressing.

Sincerely,  
Rachel



**Benado, Tony**

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**From:** Dmitriy Ryaboy <dvryaboy@gmail.com>  
**Sent:** Tuesday, December 5, 2023 1:08 PM  
**To:** All Council  
**Subject:** Thank you for continuing to stand up to bullying

**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.

Dear Mayor Arreguín and the Berkeley City Council,

I am writing as a Berkeley resident and a UC Berkeley alumnus to thank you for your continued refusal to issue a resolution or statement concerning events in the Middle East.

As Mayor Arrgeuin has said, such resolutions do not affect international policy, and only serve to send a divisive and hateful message to the people living here in the Bay Area.

The fact that the agitators are sending this message to their Jewish neighbors has already been heard and well understood.

The city council putting its weight and legitimacy behind it would only exacerbate the growing divisions and tensions within our city.

Do not let them bully you into making statements that do nothing but alienate the city's Jewish residents.

Sincerely,  
Dmitriy Ryaboy

**Benado, Tony**

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**From:** Ariel Lev <arilev@me.com>  
**Sent:** Tuesday, December 5, 2023 11:11 AM  
**To:** All Council  
**Subject:** Support for not issuing a resolution on the Middle East conflict

**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.

To Whom It May Concern,

I'd like to voice my appreciation for the Mayor and City Council's refusal to issue a resolution about the Middle East conflict. Even the best intentioned call for peace and/or the protection of life will have **no** practical impact on the situation in the Middle East and, as the mayor has rightfully stated, will only serve to enflame tensions here in Berkeley.

It's about time we step back from resolutions that make one small voter(?) bloc or another here in Berkeley feel good about themselves but make no actual impact on situations far away and outside of the control of the Mayor and City Council. I'd much rather see the Mayor and City Council focus on the business of running the city. Paving our streets will be a great start to getting back to basics and making Berkeley a great place to live!

Regards,

Ariel Lev  
1259 Queens Road, Berkeley

**Benado, Tony**

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**From:** Noga Ravid <noga.ravid@gmail.com>  
**Sent:** Monday, December 4, 2023 9:25 PM  
**To:** All Council  
**Subject:** Expressing thanks

**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.

Dear Mayor Arreguín and Councilmembers,

I reside in District 6. I am reaching out to express my thanks for your focus on local and city affairs during this period of conflict in Gaza and Israel. I personally do not believe that a city resolution dealing with the Israel-Hamas conflict is productive in serving the City of Berkeley's pressing local needs. As the mother of two young children, I also hope that Berkeley can always be a diverse city that is safe and welcoming for all its residents. I deeply appreciate your efforts to maintain a safe, civil, and inclusive environment for all in Berkeley.

With thanks,  
Noga Ravid

**Benado, Tony**

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**From:** Isaac Turiel <ituriel65@gmail.com>  
**Sent:** Monday, December 4, 2023 7:59 PM  
**To:** All Council  
**Subject:** Council priorities

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.

I appreciate that you are focusing on issues that we expect should be Council priorities rather than matters outside your elected responsibilities.

Thank you

Sent from my iPhone

**Benado, Tony**

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**From:** Margery Eriksson <mferiksson@icloud.com>  
**Sent:** Monday, December 4, 2023 7:50 PM  
**To:** All Council  
**Subject:** We appreciate you!

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.

Thank you for concentrating on Berkeley business and its problems, during this difficult time in the Middle East.

The mayor's recent comment and kind regards for both sides of this horrible conflict are also much appreciated!

Yours,  
Margery Eriksson and  
Dr. James Nelson  
55 Poppy Lane

Sent from my iPhone

**Benado, Tony**

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**From:** Judd Goodman <juddgoodman@gmail.com>  
**Sent:** Monday, December 4, 2023 6:19 PM  
**To:** All Council  
**Subject:** Thank You

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.

*Berkeley Mayor and City Council,*

*Thank you for your efforts to try to focus on city business, keep everyone safe and do the work that you were elected to do. A city resolution on the war in Israel would only divide the community further and alienate many.*

*Best,  
Judd*

**Benado, Tony**

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**From:** Gary Grimm <gjaygrimm@hotmail.com>  
**Sent:** Monday, December 4, 2023 5:51 PM  
**To:** All Council  
**Subject:** Focus on City Business

**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.

I strongly support the Mayor's and City Council's position of focusing on city business. If it is necessary to do so in more secure settings so as to avoid the disruptive and disturbing interference with that effort, I support that as well.

Gary Grimm  
2390 Vine St.  
Berkeley 94708

**Benado, Tony**

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**From:** Sandra Curtis <sancurtis24@gmail.com>  
**Sent:** Monday, December 4, 2023 4:46 PM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Berkeley City Councilmembers,

I want to express my appreciation for your efforts to remain focused on city business, keeping our community safe and doing the work that we elected you to do during this difficult time in Israel and Gaza.

The anger and vitriol unleashed at the meetings and directed individually and collectively at you are deeply disturbing.

Thank you for your ongoing, dedicated and compassionate service to our City.

Sandy Curtis  
Zero Waste Commissioner  
1020 Lassen St, Berkeley, CA 94707  
510-816-8012



**Benado, Tony**

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**From:** Colleen Busch <colleenmortonbusch@gmail.com> on behalf of Colleen Busch <colleen@mobu.org>  
**Sent:** Monday, December 4, 2023 4:39 PM  
**To:** All Council  
**Subject:** appreciation

**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.

Dear City Councilmembers,

I'm a resident in Susan Wengraf's district. Just wanted to voice my support for the Council's efforts to concentrate on city business in the face of calls to pass Resolutions related to the Middle East conflict—a heartbreaking situation, indeed, but not a matter for Council to address. It's regrettable that the Council has experienced disruptions and insults by those calling for these Resolutions, and commendable that you've resisted pressure to weigh in on matters far away, while staying committed to keeping Berkeley safe for all.

Colleen Busch

**Benado, Tony**

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**From:** Jean Weininger <jeanweininger@sbcglobal.net>  
**Sent:** Monday, December 4, 2023 4:29 PM  
**To:** All Council  
**Subject:** Thank you, Mayor Arreguin

**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.

I'm a longtime Berkeley resident and I appreciate your statement regarding an Israel-Gaza resolution, and those Council members who support the statement. Such a resolution, no matter how it's worded, would not be effective in ending the suffering in the Middle East, and would only cause distress to Berkeley residents of various political stripes. I hope Council business can be resumed in a civil fashion, without disruption.

Thanks for your courage,

Jean Weininger  
1949 Hopkins St.

**Benado, Tony**

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**From:** Judd & Sherry Smith <js1589@berkeley.edu>  
**Sent:** Monday, December 4, 2023 4:04 PM  
**To:** All Council  
**Subject:** thank you for rational statement on the war in Gaza

**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.

Thank you, Mayor Arreguin and the Berkeley Council, for sticking to City business.

Your approach is deeply appreciated.

Sherry Smith  
District 6

**Benado, Tony**

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**From:** Lauren Kubiak <laurenkubiak@gmail.com>  
**Sent:** Monday, December 4, 2023 3:14 PM  
**To:** All Council  
**Subject:** Thank you for your thoughtful consideration of the conflict

**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.

Dear Berkeley City Council and Mayor Arreguin,

Thank you for your thoughtful consideration of how Berkeley should comment on the conflict in the Middle East, and your determination to not issue an untrue or divisive statement. It's unclear how Berkeley issuing a statement could help resolve the conflict more quickly, but I agree that it does risk further dividing the community. Further, the work that Berkeley voters have elected the mayor and city council to do is run the city effectively, not opine on conflicts that elected officials have neither the jurisdiction nor expertise to weigh in on. The issue is so divisive that any statement issued would not fully and accurately represent the views of Berkeley residents, but would be a misuse of city funds and resources. I'm disappointed to see that the Rent Board has dedicated city taxpayer resources to this issue, funds that could be much better spent helping members of the community or addressing the housing shortage and cost of living.

Thank you,  
Lauren

**Benado, Tony**

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**From:** Gretchen Brandt <gbrandt87@gmail.com>  
**Sent:** Monday, December 4, 2023 3:15 PM  
**To:** All Council  
**Subject:** Message of Support

**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.

*Dear Mayor and Members of the Council,*

*I'm sorry that you have been subject to such negative behavior in response to something very unfortunate. I agree with what Susan wrote here:*

*"I want everyone, regardless of religious, ethnic, racial, or gender identity to feel safe and welcome here."*

*I applaud your decision and your courage. Sending well-wishing.*

*-Gretchen Brandt*

**Benado, Tony**

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**From:** Mona Bernstein <monacbernstein@gmail.com>  
**Sent:** Monday, December 4, 2023 1:29 PM  
**To:** All Council  
**Subject:** Gratitude for focusing on business

**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.

Dear City Council members-

I would like to express my appreciation and gratitude to the City Council for focusing on Berkeley's business and the pressing needs of our community, with a commitment to keep everyone safe. The very challenging war in Israel/Palestine/Gaza is enormously complicated and I feel local governments should not be weighing in, but supporting a balanced approach to the pressure to make a statement. Thank you for your focus on community safety and hopes for a peaceful solution to end the suffering of innocent civilians that could not come too soon.

Mona Bernstein  
1323 Oxford St.

**Benado, Tony**

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**From:** Emily Fox <emilypatriciafox@gmail.com>  
**Sent:** Monday, December 4, 2023 12:57 PM  
**To:** All Council  
**Subject:** email of appreciation

**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.

Dear City Councilmembers,

I sincerely appreciate the message sent out by Mayor Arreguín regarding the conflict in the Middle East. I am supportive of the council continuing to resist taking sides in this issue and creating a safe haven for all Jewish and Muslim people in Berkeley. Thank you also, for continuing to direct your attention to city business.

Regards,  
Emily Fox  
1431 Arch St  
Berkeley

**Benado, Tony**

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**From:** Lisa Miller <lisa@classroommatters.com>  
**Sent:** Monday, December 4, 2023 12:29 PM  
**To:** All Council  
**Subject:** Thank you!

**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.

Dear Mayor Arreguin and the Berkeley City Council,

Thank you very much for your balanced statements regarding the situation in the Middle East. I share your goal of wanting Berkeley to be an inclusive, safe, and welcoming environment for all.

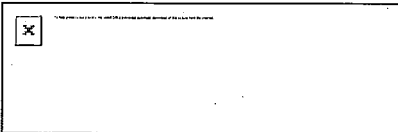
In my personal and professional life, I have had numerous conversations with other Berkeley folks who are also relieved and grateful that you have not adopted language like the cities of Richmond and Oakland. Many of us believe it is possible to stand for peace and condemn violence and prejudice without vilifying one group or another.

I am sure the pressure to pick a side is great! I hope that you will continue to pick the side of peace and shared humanity.

With gratitude,

Lisa Miller  
 She/her  
 Co-Director  
 Classroom Matters

2436 Sacramento Street  
 Berkeley, CA 94702  
 510.540.8646  
[Not Your Grandmother's Pearls](#)  
[We Wrote the Book on Executive Function](#)  
[www.classroommatters.com](http://www.classroommatters.com)



I live and work on unceded Ohlone land. I pay a voluntary land tax as one way to be a good guest and support Indigenous life. Learn more [here](#).



**Benado, Tony**

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**From:** phyllis steiber <phyllis.steiber@gmail.com>  
**Sent:** Monday, December 4, 2023 11:22 AM  
**To:** All Council  
**Subject:** Middle East Conflict

**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.

A the behest of my city council representative, Susan Wengraf, I want to express my support and appreciation for the position the Council, refusing to adopt resolutions siding with either the Palestinians or Israeli's. Our steadfast hope for a peaceful resolution from both sides in this complex situation, is the only sane statement from this city of diverse opinions.

Thank you for doing all you can to maintain safety and focus your attention on local issues.

Sincerely,  
Phyllis Steiber

**Benado, Tony**

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**From:** Norman Postone <npstone@gmail.com>  
**Sent:** Monday, December 4, 2023 10:15 AM  
**To:** All Council  
**Subject:** Appreciation

**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.

Dear city council and mayor,

I want to express how grateful I am that you have resisted the incredible pressure to pass a resolution concerning the Israel\_Hamas war. I believe that the meetings in Oakland and Richmond only fan the flames of hatred and do nothing to bring peace in this terrible situation. I particularly am heartened by Mayor Jesse's strong and clear message. Your stance ,I believe, calms things, so that we can all react in our own ways to the current crises and allow you to focus on the many issues confronting us here in Berkeley.

With gratitude  
Norman Postone

**Benado, Tony**

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**From:** lola vollen <lvollen@gmail.com>  
**Sent:** Monday, December 4, 2023 9:59 AM  
**To:** All Council  
**Subject:** Agreement with the Mayors Comments on the War between Israel and Gaza

**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.

I agree with the Mayor's statement on the conflict. Let's promote a safe city for all here in Berkeley.

Sent from my iPad

**Benado, Tony**

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**From:** Jay Park <jacobpark1080@gmail.com>  
**Sent:** Monday, December 4, 2023 9:14 AM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Berkeley City Council,

In response to Susan Wengraf's suggestion, and Mayor Jesse Arreguin's statement regarding the war in Gaza, thank you for keeping the city council focused on the business of running the city. The care and openness that the council operates with speaks enough to what the views are towards the situation abroad and the civilians caught up in all of it. We don't need resolutions condoning one side or another. These attitudes go without saying.

I am sorry to hear about how hard the past few weeks have been on the council due to disruptions. I hope that things will quiet down so that you all can feel productive and at peace, especially settling in to the holidays and the end of the year.

Thank you again for your direction and hard work, Jacob

**Benado, Tony**

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**From:** Fran Haselsteiner <franhaselsteiner@gmail.com>  
**Sent:** Wednesday, December 6, 2023 3:10 PM  
**To:** All Council  
**Subject:** Thank you for your steadfastness

**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.

I want to thank the mayor and council for their steadfast position against signing the resolution under duress and without a democratic process. Thanks especially to Sophie for her letter. I am proud to spend my life here in Berkeley.

**Benado, Tony**

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**From:** bgilbertca@aol.com  
**Sent:** Tuesday, November 28, 2023 8:12 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Mayor Doing Good Job Under Tremendous Stress

**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.

***Mayor Arreguin, you are doing a valiant job under tremendous pressure from a group determined to monopolize the public space.***

***Even though I often disagree with your policies I have always respected your leadership skills.***

***Sincerely, Barbara Gilbert***

***Barbara Gilbert  
Vincente Avenue  
Berkeley, CA 94707-1520***

***Phone: 510-559-8216  
E-mail: bgilbertca@aol.com***

**Benado, Tony**

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**From:** Todd Andrew <toddandrew@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:22 PM  
**To:** bgilbertca@aol.com  
**Cc:** All Council; Berkeley Mayor's Office  
**Subject:** Re: [Better Berkeley]- Mayor Doing Good Job Under Tremendous Stress

**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.

Nice note. I agree with all aspects.

On Tue, Nov 28, 2023 at 8:12 PM bgilbertca via BetterBerkeley <betterberkeley@googlegroups.com> wrote:

***Mayor Arreguin, you are doing a valiant job under tremendous pressure from a group determined to monopolize the public space.***

***Even though I often disagree with your policies I have always respected your leadership skills.***

***Sincerely, Barbara Gilbert***

***Barbara Gilbert  
Vincente Avenue  
Berkeley, CA 94707-1520***

***Phone: 510-559-8216  
E-mail: [bgilbertca@aol.com](mailto:bgilbertca@aol.com)***

--  
You received this message because you are subscribed to the Google Groups "BetterBerkeley" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [betterberkeley+unsubscribe@googlegroups.com](mailto:betterberkeley+unsubscribe@googlegroups.com).

To view this discussion on the web visit

<https://groups.google.com/d/msgid/betterberkeley/1885291522.9458393.1701231117636%40mail.yahoo.com>.

**Benado, Tony**

---

**From:** Stephen Woodrow <srwoodrow@gmail.com>  
**Sent:** Wednesday, November 29, 2023 2:54 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Thank you for persevering at the November 28 council meeting

**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.

Mr Mayor and Council Members,

Thank you for persevering to complete city business last night in spite of the numerous attempts to disrupt the meeting. I appreciate you availing yourselves of remedies to avoid disruption under the Brown Act and carrying on through the disruption, while also endeavoring to accept germane comments and feedback from the public.

Thanks for having the courage and determination to focus on the business of the City of Berkeley.

Stephen Woodrow  
D5/94707



**Benado, Tony**

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**From:** Raphael Goldman <raphegoldman@yahoo.com>  
**Sent:** Wednesday, November 29, 2023 3:43 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Thank you for declining to issue a resolution about the Israel-Hamás War

**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.

I am a resident of Berkeley's District 1. I am writing to thank Mayor Arreguin and the members of the City Council who have resisted calls for the Council to issue a resolution about the Israel-Hamas war. As Mayor Arreguin put it, such a resolution would "not end the violence abroad" but would "fan the flames of hatred here at home." I and many, many members of this community appreciate your rational approach to the issue. We will remember.

Best,  
Raphael Goldman

**Benado, Tony**

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**From:** Emily Brod <emily.brod@pm.me>  
**Sent:** Wednesday, December 6, 2023 5:37 PM  
**To:** All Council; Berkeley Mayor's Office; Hahn, Sophie  
**Cc:** Nick Brod  
**Subject:** Thank you for your support

**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.

Dear Mayor Arreguin, Councilmember Hahn, and the Berkeley City Council, We are writing a quick note to say thank you for your continued support of the Jewish community in Berkeley and for refusing to take a position on foreign policy matters that would only succeed in dividing our community. This is absolutely the right position to take and we will not attend the council meeting tonight or in the near future given the hostile nature of the supporters of a resolution. Again, thank you for your commitment to unity and safety in Berkeley.

Sincerely,  
Nick and Emily Brod

1086 Spruce St  
Berkeley, CA 94707

**Benado, Tony**

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**From:** Andrew Bestwick <bestwick@gmail.com>  
**Sent:** Thursday, December 7, 2023 6:54 AM  
**To:** All Council  
**Subject:** Thank you for focusing on our city

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.

Dear Mayor Arreguín and Councilmembers,

Thank you for your continued resistance against calls for the City of Berkeley to pass a resolution on the war in Gaza and Israel. These symbolic measures are divisive and distracting. It should be possible for our citizens to hold a range of opinions on this complicated conflict abroad while we all work together at home to build the best possible city. I am very grateful that you have stood firm in focusing on our important local issues and tuned out the calls to make a simplistic, one-sided statement that is well outside the scope of our city government.

Thanks,  
Andrew Bestwick  
District 6 homeowner

**Benado, Tony**

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**From:** Megan Hall <mhall45@gmail.com>  
**Sent:** Thursday, December 7, 2023 7:29 AM  
**To:** All Council  
**Subject:** support for city council and mayor

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.

Greetings Mayor Arreguin and Berkeley City Council,

I support your efforts to not take a stand on a war occurring on another continent. That would be an inappropriate use of your time and roles in elected positions. I appreciate your work and efforts to focus on city of Berkeley business.

Peace to you and all the citizens of Berkeley,

Megan Hall  
768 Keeler Ave, Berkeley, CA 94708  
[mhall45@gmail.com](mailto:mhall45@gmail.com)

**Benado, Tony**

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**From:** Eric Friedman <eric@spottedsnake.net>  
**Sent:** Thursday, December 7, 2023 7:30 AM  
**To:** All Council  
**Subject:** Thank you

**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.

I'm writing to thank the Mayor and CM Hahn for their leadership in resisting the introduction of divisive issues into the Council's agenda. I would encourage you to go further than CM Hahn's view on foreign affairs and disavow them entirely — whether it's Kriss Worthington's campaign against eating dogs in Vietnam or the latest topic, these are well outside your scope. Our city has so many pressing priorities and we must work to preserve focus. I'm told that CM Taplin took that stance pretty decisively although I haven't seen anything in writing.

Lastly, I wanted to call your attention to this opinion essay by Professor Hassner from UCB Political Science, which appeared in the WSJ on Tuesday. The tl;dr is that **a significant % of the people yelling at you have no idea what they are talking about and that, given the missing information, their opinions may change.**

I hope you'll take this as a reminder that volume is not a proxy for wisdom.

Eric

From Which River to Which Sea?  
 College students don't know, yet they agree with the slogan.

By Ron E. Hassner  
 December 5, 2023, 2:16 pm EST

When college students who sympathize with Palestinians chant "From the river to the sea," do they know what they're talking about? I hired a survey firm to poll 250 students from a variety of backgrounds across the U.S. Most said they supported the chant, some enthusiastically so (32.8%) and others to a lesser extent (53.2%). But only 47% of the students who embrace the slogan were able to name the river and the sea. Some of the alternative answers were the Nile and the Euphrates, the Caribbean, the Dead Sea (which is a lake) and the Atlantic. Less than a quarter of these students knew who Yasser Arafat was (12 of them, or more than 10%, thought he was the first prime minister of Israel). Asked in what decade Israelis and Palestinians had signed the Oslo Accords, more than a quarter of the chant's supporters claimed that no such peace agreements had ever been signed. There's no shame in being ignorant, unless one is screaming for the extermination of millions.

Would learning basic political facts about the conflict moderate students' opinions? A Latino engineering student from a southern university reported "definitely" supporting "from the river to the sea" because "Palestinians and Israelis should live in two separate countries, side by side." Shown on a map of the region that a Palestinian state would stretch from the Jordan River to the Mediterranean Sea, leaving no room for Israel, he downgraded his enthusiasm for the mantra to "probably not." Of the 80 students who saw the map, 75% similarly changed their view.

An art student from a liberal arts college in New England "probably" supported the slogan because "Palestinians and Israelis should live together in one state." But when informed of recent polls in which most Palestinians and Israelis rejected the one-state solution, this student lost his enthusiasm. So did 41% of students in that group.

A third group of students claimed the chant called for a Palestine to replace Israel. Sixty percent of those students reduced their support for the slogan when they learned it would entail the subjugation, expulsion or annihilation of seven million Jewish and two million Arab Israelis. Yet another 14% of students reconsidered their stance when they read that many American Jews considered the chant to be threatening, even racist. (This argument had a weaker effect on students who self-identified as progressive, despite their alleged sensitivity to offensive speech.)

In all, after learning a handful of basic facts about the Middle East, 67.8% of students went from supporting “from the river to sea” to rejecting the mantra. These students had never seen a map of the Mideast and knew little about the region’s geography, history or demography. Those who hope to encourage extremism depend on the political ignorance of their audiences. It is time for good teachers to join the fray and combat bias with education.

Mr. Hassner is a professor of political science at the University of California, Berkeley.

**Benado, Tony**

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**From:** Ayelet Waldman <ayeletwaldman@gmail.com>  
**Sent:** Thursday, December 7, 2023 10:32 AM  
**To:** All Council  
**Subject:** THANK YOU

**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.

Thank you so much for not succumbing to pressure and making any statement about Israel/Palestine. There's no reason in the world that a local city council needs to make a statement about an international issue. The horror in Oakland teaches us the perils of that.

Ayelet Waldman

**Benado, Tony**

---

**From:** Peggy Orenstein <pjorenstein@gmail.com>  
**Sent:** Thursday, December 7, 2023 9:43 AM  
**To:** All Council  
**Subject:** thank you

**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.

I am a Jew who is outraged by Israeli aggression/ongoing occupation *and* by Hamas' barbarism toward Israelis as well as its own people *and* by the growing global expressions of antisemitism and Islamophobia. I want to express my support and gratitude for Mayor Arreguin's "statement about statements" (in itself a bizarre concept) and the the Council's stance. You are modeling values of humanitarianism and de-escalation, the possibility of bridge-building across differences: truly the best of Berkeley.

I appreciate that you have prioritized care and your responsibility for the safety of our community. And I am deeply sorry for the hatred you have had to field as a result, I can only imagine how sickening that must be.

I no longer have children in BUSD, but I hope the schools are proceeding with equal pro-active thoughtfulness.

Thank you.

-Peggy Orenstein

P.S. I write as a private citizen. My profession does not allow me to express public opinions, but I really wanted you to feel supported when you are forced to deal with abusive email. I may not be quoted in a public forum. Thanks.



**Benado, Tony**

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**From:** Michael Bauce <michaelmacro@gmail.com>  
**Sent:** Thursday, December 14, 2023 11:21 AM  
**To:** All Council  
**Subject:** Cease-Fire

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.

It boggles the mind to think that anyone would stand in the way of a cease-fire, no matter your politics.

Whether any of you think it makes no difference, is of no difference either. What's important is that Berkeley stands on the side of PEACE!

Best,

Michael Bauce  
[macroflavor.com](http://macroflavor.com)

**Benado, Tony**

---

**From:** Melissa Chapman <melissa.chapman@jcceastbay.org>  
**Sent:** Thursday, December 14, 2023 10:50 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** THANK YOU

**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.

Council Members and Mayor Arreguín-

I cannot thank you enough for your steadfast support in keeping Berkeley focused on local matters. The Jewish Community needs this type of support more than ever, and your tenacity will send a strong message to other bodies that might be considering resolutions that will only cause fear and divisiveness.

In community and strength,  
 Melissa Chapman

--

**Melissa Chapman**

Chief Executive Officer, JCC East Bay

510-848-0237, ext. 111

[jcceastbay.org](http://jcceastbay.org) | [Give Today!](#)

*The JCC East Bay stands for equal rights and safety for people of all backgrounds and faiths. We welcome and support our diverse Jewish community, people of all religions, nationalities, and socioeconomic backgrounds, communities of color, people with disabilities, and the LGBTQ+ community.*



**Benado, Tony**

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**From:** Marvin L. Engel <engelml@yahoo.com>  
**Sent:** Sunday, December 17, 2023 11:02 PM  
**To:** Berkeley Mayor's Office  
**Subject:** A BIG THANK YOU

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.

Thank you and the council member for not allowing any resolutions to be passed regarding the tragic events in the middle east. Berkeley should try to unite ALL its citizens and concern itself with local issues e.g. crime schools, traffic street repair etc- and leave international problems to the Federal govt

thank you

Marvin L Engel MD

**Benado, Tony**

---

**From:** Gabrielle Hazan <gabriellehazan@icloud.com>  
**Sent:** Sunday, December 17, 2023 8:57 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Vote NO on November 28th

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

**#EndJewHatred**

**Benado, Tony**

---

**From:** Jaclyn Phi <blue8moment@gmail.com>  
**Sent:** Sunday, December 17, 2023 8:08 PM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Subject:** Ceasefire NOW: Berkeley Community Stands with Gaza

**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.

Dear Councilmembers,

I am writing to call upon the longstanding spirit of activism and social justice that breathes in the heart of Berkeley, urging you to draft and pass a formal resolution in solidarity with Palestinians in Gaza, who are being subject to ethnic cleansing and genocide by the Israeli state backed by the United States. This resolution should:

- 1- Demand an immediate CEASEFIRE.
- 2- Demand immediate safe passage for substantial humanitarian aid to Gazans who have little to no food, water, fuel or medical supplies to save the almost 20,000 Palestinians injured (at the time of this writing);
- 3- Call for an immediate end to all existing and any future U.S. military aid and support to Israel; US taxpayer dollars that go to Israel in the form of \$3.8 billion in military "aid" per year are being used to further harm and kill Palestinians.
- 4 - Call for an end to Israeli apartheid, the siege, the occupation and blockade of Palestinian land by Israeli military forces; and the systematic harassment of the Palestinian people, including stealing of land, burning of farms, and regular arrests of ordinary civilians.
- 5 - Call for the immediate release of the approximately 3000 Palestinians who have been arrested in Israel (about 1500 people), including in Jerusalem, and the West Bank (another 1500 people) since Oct. 7th and the approximately 220 Israeli hostages held by Hamas.

Already, over 8000 Palestinians have been killed by Israeli airstrikes, with more than half of these being women and children. The numbers of displaced Palestinians with no homes to return to, could be as high as half a million people.

Berkeley, with its illustrious legacy of pioneering social justice movements, holds a responsibility to be at the vanguard of national calls for justice. Berkeley has been the crucible where powerful movements were forged; from the Free Speech Movement of the 1960s, to being one of the first cities in the US to divest from companies doing business with the apartheid regime in South Africa. These histories reflect our enduring

commitment to global justice and liberation, and advocacy for the voiceless and oppressed.

On Tuesday, October 24, our neighbors at the Richmond City Council exemplified moral leadership by passing a resolution standing against genocide in Gaza, making it the first U.S. city to stand on the right side of history on this critical issue. Inspired by their boldness, it is imperative that Berkeley continues its anti-apartheid and anti settler colonialism legacy by standing against the shadows of genocidal apartheid regimes.

Thank you for your attention and commitment to making a difference.

Sincerely,  
Jackie

Sent from my iPhone

**Benado, Tony**

---

**From:** Art Braufman <abraufman@lmi.net>  
**Sent:** Sunday, December 17, 2023 8:17 AM  
**To:** All Council  
**Subject:** Thank you for Not passing a Cease Fire vote on Hamas -Israel War

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.

Dear Council Members,

We greatly appreciate your Not passing a vote on this war. Considering the pressure on you to get involved and take a position like so many communities, your courage to avoid splitting our community even more was wise.

Thank you,

Arthur and Sheila Braufman



Virus-free. [www.avast.com](http://www.avast.com)



**Benado, Tony**

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**From:** Luqman Yusuf Saib <luqmansaib@berkeley.edu>  
**Sent:** Sunday, December 17, 2023 7:43 AM  
**Subject:** Support a Permanent Ceasefire in Gaza

**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.

Dear Berkeley City Council Members,

My name is Luqman Saib, and I am a student at UC Berkeley. I am writing to urge you to call for an immediate and permanent ceasefire in the city of Gaza.

The people of Gaza are facing a massive campaign of ethnic cleansing and genocide by the apartheid state of Israel, with more than 20,000 Palestinians killed by Israeli bombardment of Gaza in the past two months. Nearly half of them were children. According to Catherine Russell, the executive director of UNICEF, more than 420 children are killed in the Gaza Strip every day.

Do not turn away and claim that Israel has the right to defend itself. The right to defend oneself is not equivalent to the right to kill 8,000 children in just two months. Nothing will ever justify genocide. I urge you to pass a resolution that calls for a permanent ceasefire, in the name of human rights and human dignity.

Sincerely,

Luqman Saib

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

**#EndJewHatred**

**Benado, Tony**

---

**From:** Rebecca Perlman <rsperlman@googlemail.com>  
**Sent:** Saturday, December 16, 2023 5:44 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Vote NO on November 28th

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

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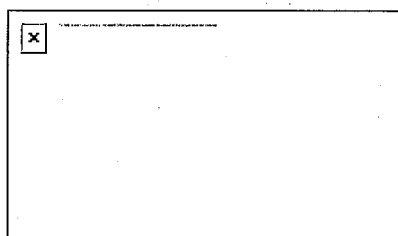
Sincerely,

**#EndJewHatred**

**Benado, Tony**

**From:** Peter Bruce DuMont <president@staralliance.org>  
**Sent:** Saturday, December 16, 2023 10:56 AM  
**To:** Anna Koskinaris; Ernie Siravo; W. Scott Haine; Megan C Timberlake; Maya Tamata; Jaya Ram Tamata; George Troy, SAFA Treasurer; Yalem Lakew; Yvonne Jett; WORLD RAINFOREST FUND; Dawn Bravo; Ylond Miles-Davis; Gil Chandler  
**Cc:** info@emersoncollective.com; Da Vid; Richard Register; Ken Hantman; 2peterclark@gmail.com; Jefferson Scher; John and Linda Gage; Craig Newmark; Marcia Quarle; fasikamebrate@yahoo.com; All Council; UALBoard@united.com  
**Subject:** Important ideas re the Middle East crisis: in the agenda, herein • STAR ALLIANCE EXECUTIVE COUNCIL • Reminder, link, & Agenda • 1PM Zoom Meeting  
**Attachments:** VIP's • NASA WILLIAM SHATNER • GATEWAY POSTER AUGMENTED w. 1972 APOLLO 17 PARTING QUOTE, & VIP STAR TREK ACTOR'S AUTOGRAPH • 2023-11-26• .jpeg

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**STAR ALLIANCE™**  
 FOUNDATION FOR UNIVERSAL VALUES  
 Inviting everyone to be a STAR CITIZEN™ for *Our Highest Civic Ideals™*

2951 Derby Street, Suite 119 • Berkeley • California 94705  
 • Since 1985 • +1-510-540-8887 • M: +1-510-220-7464  
 • [www.STARALLIANCE.org](http://www.STARALLIANCE.org) •

*Dear Core Team & Friends:*

*Happy Holidays!*

Whether or not you attend today's meeting, I think you will find a close reading, especially of the latter part of the agenda below concerning the Middle East crisis and the world, well worth your time and attention.

Please consider a vital, end-of-year gift and/or a monthly, concrete commitment to your original STAR ALLIANCE, c/o our website (or volunteer work) to support our vital cause, and please refer friends, family, and other networks as feasible.

*Only effective teamwork can make this dream work* in our limited lifetimes!

In the age of galloping tech, Nuclear Weapons, and Climate Change, can any one of us really *afford* to be indifferent to legitimate needs — and not to be intelligently strategic in our choices for support?

Values — once inculcated and/or adjusted; fine-tuned; upgraded and reinforced — influence all subsequent choices!

Therefore, investing in education and inspiration for *universal values* is arguably the most comprehensive, efficient, and effective charitable contribution one could ever make!

STAR ALLIANCE needs your help, STAR CITIZEN, and broader community assistance, just as you need ours! Please do not take our important work for granted. [And please read below.]

#### TOPICS FOR 2023-12-16:

- Marking the 75th Anniversary of *The United Nations Declaration of Human Rights*  
✧ ✧ Credit BBC ✧ ✧ (Ref: BBC: “ unexpected elements” show, 2023-12-14.)
- Review and approve new boilerplate on outgoing emails.
- Review "augmented" NASA poster autographed by "Star Trek" actor William Shatner [See attached. Note: No specific endorsement of the SA organization or principles, by NASA or Mr. Shatner, should be imputed yet, pending further communication/s.]
- Review draft outreach letter to Dr. Daniel Kraft, who mentioned both Apollo 17 and Mr. Shatner on *Technation* with Moira Gunn this week.
- Review Affiliate Workshop offering site:  
<https://www.eventaffiliates.com/affiliateworkshop>
- Financial and work-load realities for our organization. Brainstorming to achieve fairness, balance, and proportion in our own affairs, *TOGETHER*, according to Jane Newhall's cited formula: [2 out of 3 required of all key people]: *Wealth, Wisdom, or Work!* • *Time, Talent, or Treasure!*
- California Forever: Review their website, and discuss input opportunities such as • STAR ALLIANCE values in the local education system • MIU • IIBHB's Hydrogrameen ideas & projects • + a designated *Ring of All Nations* facility or tie-in
- Breakthrough idea/s re the Middle East, with general applications: Consider: "Hamas" is not Israel's main or only enemy. Rather, THE ULTIMATE ENEMY/IES

OF ALL are extreme violations of ANY of the great Highest Civic Ideals, including FAIRNESS. The Israeli state and global culture (which as classes have extremely high marks for practical intelligence per capita population!) — have to be smart enough to acknowledge & confront *this* reality in their policies. Another principle frequently violated by many actors is INCLUSION. It seems that only the full global community can provide the most objective and practical facilitation: for at least partially “backing up the clock” and redefining FAIR territorial boundaries; thereafter helping defend both Israel AND Palestine from threat of harm. All of this seems ultimately necessary.

- The current crisis could be a great stimulus to leverage a productive UPGRADE to the current, outmoded structural flaws of the United Nations. We, the People of the World need Israeli support and participation, rather than just resistance and criticism of the present U.N.. [Reference again: Article 109 of the U.N. Charter, a mechanism to call, in effect, a Global Constitutional Convention.]
- Detailed recent history & elaborated “train of thought” re the above: Realizing that it is not most accurately and precisely “*Hamas*,” by name alone, that is an “enemy.” Rather, it is the unwise *devotion* of historical *Hamas* fighters & supporters to violent means and ends regarding Israel. If THAT flaw can CHANGE, enmity can be dissolved, effectively and *permanently*. Devotion to violence on both sides must be replaced with devotion to something better: *The Highest Civic Ideals*, and policies consistent with our pure principles. In addition, and to get there: A daily proven practical technique for generalized transcendence will facilitate vastly ([www.TM.org](http://www.TM.org).) EDUCATION is required for both PRINCIPLES and TECHNIQUE. Mutual / reciprocal / and facilitated *communication* and *cooperation* are required in both categories.
- Finally: We have a great model for structural political evolution in our own U.S. history. When the weak Articles of Confederation were replaced by the U.S. Constitution! Just as the U.S. Federal Government has, ever since, protected each state of the Union from violent conflict with its bordering neighbors, so this practical ideal for peace must now be undertaken and achieved at the global level — the sooner the better! Widely adopting the *Highest Civic Ideals* as a baseline of agreed principles will be a great facilitator and accelerator for this challenging but urgently-necessary evolutionary process. — PBD

Here is the link for today's 1PM Executive Council meeting.

Meeting ID: 915 1455 0466

Passcode: 530280

*Sincerely,*

***Peter Bruce DuMont***

President-in-Service • Since 1985

• The Original STAR ALLIANCE™ invites everyone to become a *Star Citizen*™ — through education and commitment to our greatest guiding "stars," all our *Highest Civic Ideals*™.

These are a constellation of principles — *Universal Values* — that we declare, promote, and aspire to practice all together with other *Star Citizens* everywhere, toward holistic mutual good will, honesty, integrity, and lasting, positive relationships at every level of civilized society.



**Benado, Tony**

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**From:** Chris Koenig <christopher.allen.koenig@gmail.com>  
**Sent:** Friday, December 15, 2023 12:08 PM  
**Subject:** Berkeley City Council: Pass a Ceasefire Resolution!

**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.

Hi,

My name is Chris and I am a Berkeley resident in District 1.

I am once again writing to demand that Berkeley City Council pass a ceasefire resolution calling for 1) a total and permanent ceasefire, 2) FULL humanitarian aid allowed to enter Gaza, 3) an end to Israel's siege on Gaza and violence in the West Bank, and 4) no more weapons or funding to the Israeli military.

Just yesterday, **the United Nations World Food Programme reported that HALF of Gaza's population of 2.3 million people are starving** due to the Israeli Army's total siege of Gaza.

The genocide in Gaza is directly connected to Berkeley because (1) Berkeley tax dollars are paying for the bombs and military equipment that the US government provides to the Israeli army to make this genocide possible, (2) Palestinian community members in Berkeley have lost and continue to lose family, friends, and others in Palestine who are killed by the bombs and military equipment our tax dollars are paying for, and (3) the dehumanization of Palestinians that this genocide requires is harming Palestinian folks in Berkeley, as well as the broader Arab and Muslim communities.

The people of Berkeley and the United States overwhelmingly support a ceasefire. It is your responsibility as a member of the city council to pass a ceasefire resolution as soon as possible.

Best,  
Chris

**Benado, Tony**

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**From:** Summer Brenner <summerbrenner@gmail.com>  
**Sent:** Friday, December 15, 2023 9:36 AM  
**To:** City Clerk  
**Subject:** What a shameful situation...

**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.

When the continuing death of thousands of innocent civilians should be controversial

When we are witnessing vengeance with no consideration of LIFE

When despite the heinous crimes of October 7th, there is no room for compassion for others in your heart

When even 1000s of Israelis are protesting this slaughter, knowing both that it is wrong and that it will not make them safe

When Israelis and countless Jews around the world can protest, but you cannot.

Summer Brenner  
Jewish American  
Berkeley resident 40+ years

**Benado, Tony**

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**From:** Ly Tran <lytran36@gmail.com>  
**Sent:** Friday, December 15, 2023 7:45 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** CEASEFIRE NOW, SUPPORT RESOLUTION 786 TODAY

**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.

LIFT THE SIEGE  
 END THE OCCUPATION  
 FREE PALESTINE

I am writing to you as a concerned constituent from California, zip code 94530. With the recent end of the temporary ceasefire in Gaza, the need for a permanent resolution is more urgent than ever. I urge you to advocate for a permanent ceasefire and an end to the ongoing siege on Gaza. The safety and well-being of millions, including children, are at critical risk.

This communication is an urgent call for the U.S. to play a proactive and meaningful role in transforming this fragile situation into a lasting peace. Only a permanent solution can ensure the stability and safety of all parties involved.

My vote in upcoming elections will depend on your stance and actions on this vital issue. Your support for a permanent ceasefire and an end to the occupation is imperative.

I am advocating for the following legislation and expect you to vote for and co-sponsor these bills, now or when matching legislation reaches your office.

- H.Res. 786 by Rep. Cori Bush
- H.Res. 388 by Rep. Rashida Tlaib
- H.R. 3103 by Rep. Betty McCollum

Additionally, I urge you to consider the global call for a permanent ceasefire, as evidenced by these open letters signed by individuals and organizations worldwide:

- Plan International Open Letter for a Ceasefire, signed by 500 orgs and representatives from 60 countries—<https://plan-international.org/news/2023/10/20/open-call-for-ceasefire-in-gaza/>
- An Open Letter from Congressional Staff—<https://www.documentcloud.org/documents/24041700-hill-staff-ceasefire-open-letter>
- Philanthropy Open Letter for Humanity and Justice—<https://funders4ceasefire.org/index>
- An Open Letter From 750 North American Rabbis and Cantors Responding to the Crisis in Israel and Gaza—<https://truah.org/an-open-letter-from-north-american-rabbis-and-cantors-responding-to-the-crisis-in-israel-and-gaza/>
- Artists 4 Ceasefire:—<https://www.artists4ceasefire.org/>

Your actions in Congress are crucial in shaping a sustainable future for all people in the region. I implore you to use your position to advocate for a lasting peace, including a permanent ceasefire and an end to the siege on Gaza.

Thank you for your attention to this critical matter. I look forward to your response and to witnessing your decisive actions in support of a lasting peace in Gaza.

**Benado, Tony**

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**From:** Liberty Schubert <leschubert@ucdavis.edu>  
**Sent:** Thursday, December 14, 2023 10:40 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** Thank You and Happy Holidays

**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.

Dear Mayor and Council,

I wanted to extend my thanks to all of you for not adopting a divisive, one-sided resolution on the Hamas- Israel war. Not even a month after Oakland City Council passed such a resolution the Lake Merritt Menorah, which has stood each Hanukkah for 18 years, was viciously vandalized. For me, and for many others these events are clearly linked. Thank you for not passing such a resolution and keeping Berkeley safe for all.

I also want to express my admiration and deep appreciation that you have held strong in face of a bullying mob. I was there on Tuesday night and heard how they spoke to you and saw how they behaved. I am so sorry you have to deal with that.

I hope that your winter recess will be filled with nothing but rest and light, enjoyed in the presence of those nearest and dearest to you.

Happy Holidays and Happy New Year!

-Liberty Schubert

District 4

**Benado, Tony**

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**From:** Noga Leah Ravid <noga.ravid@gmail.com>  
**Sent:** Thursday, December 14, 2023 4:48 PM  
**To:** All Council  
**Subject:** Thank you

**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.

Dear Councilmembers,

I reside in District 6 and attended the City Council meeting on 12/12 via Zoom. I would like again to thank the Council for focusing on our city's pressing local needs and not adopting a resolution on the Israel-Hamas conflict at this time.

Attending to local aspects of government does not negate the immense suffering felt by our fellow humans across Gaza, Israel, the West Bank, and beyond. I believe the issuance of a resolution on this conflict is outside the scope of city government and distracts from work that is so important to all our residents here, including the most vulnerable among us. I also believe that any resolution, without city-wide consensus, has the potential to be divisive and harmful without meaningfully furthering prospects of peace.

Dwellers of our city can hold a wide variety of opinions on this matter while still holding each other with civility and respect, and there are many venues for expressing these opinions and concerns in relevant spaces, e.g. with state and federal representatives.

I also appreciate the respect with which the Council and Mayor Arreguín treated all speakers.

Many thanks,  
Noga Ravid

**Benado, Tony**

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**From:** Barryett Enge <benge@sonic.net>  
**Sent:** Thursday, December 14, 2023 4:35 PM  
**To:** All Council  
**Subject:** Refusal to call for CEASEFIRE in GAZA

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.

Mayor and Council Members,

Why are you unwilling to call for a ceasefire in Gaza. Do you approve of the killing of more than 18,000 Palestinians? Do you approve of the killing of more than 7700 Palestinian children? Have you not read or watched the news/ 1.9 million people are now gathered in a small corner of southern Gaza, forced from their homes by the constant bombing and destruction of their homes in all parts of Gaza. People sheltering in a hospital have just been executed.

No group of people should have to endure this atrocity. What is your reason for refusing to call for a ceasefire? The moral, humane action is to demand a ceasefire.

Your inactions are shameful,

Ms. Barryett Enge

**Benado, Tony**

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**From:** leah amzel <amzel.leah@gmail.com>  
**Sent:** Thursday, December 14, 2023 4:08 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Hahn, Sophie; Wengraf, Susan; Humbert, Mark; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Robinson, Rigel  
**Subject:** a heartfelt thank you

**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.

Thank you for not adopting a divisive, one-sided resolution on the war in the middle east, and for focusing on the critical issues that matter to all Berkeley residents. Thank you for leading the way again, and being an example to the broader community.

Best,

Leah Amzel  
1328 Carlotta Ave  
Berkeley 94703

**Benado, Tony**

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**From:** Talia Dixon <taliakdixon@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:22 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Dear Mayor and City Council Members of Berkeley

**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.

Dear Mayor and Council Members,

I am a graduate student and resident of Berkeley, and I am writing to urge you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments. We want you to schedule a special meeting with members of the Palestinian community in Berkeley to determine the resolution that aligns most with their priorities.

Several council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.



The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Talia Dixon  
94708

**Benado, Tony**

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**From:** Ilana Pearlman <irpearlman@gmail.com>  
**Sent:** Wednesday, December 6, 2023 11:58 AM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Subject:** Unite Against Hate: Keep Berkeley Safe for ALL!  
**Attachments:** Ezra\_Coffee.jpg; Ezra\_Jerusalem.jpg; Ezra\_BarMitzvah.jpg

**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.

Dear Berkeley City Council,

I thank you again for doing your best to contain a persistently hostile environment at the city council meeting last night. It pains me to continue seeing my elected officials harassed, called names, and bullied. Rest assured, the majority of Berkeley does *not* feel this way, but our voices are being drowned in a sea of hate.

I spoke briefly in person last night, amidst boos, on behalf of my son and other Jews in Berkeley, for whom the bullying, name-calling, and property theft during meetings jeopardizes their physical and emotional safety. Many of us, still mourning the deaths of friends and family in an ongoing war, cannot hold the weight of grieving *and* being attacked in our Berkeley community simultaneously. It is too much.

One of the most ironic moments occurred during my speech, in which protestors yelled "white supremacist" at me when I shared that my Jewish kids feel unsafe in BUSD, for they made a very un-Berkeley assumption that my kids (and Jews, for that matter) are all white. So what does it feel like to be a Black Jewish kid in Berkeley right now? My son initially shrugged and told me he felt "ok, I guess" at Berkeley High, despite the rising incidents of antisemitism, because "well, I'm Black...so nobody thinks I'm Jewish..." While using one marginalized status to protect another is too much to unpack in one e-mail, my son has more recently begun intentionally censoring himself to avoid harassment (including leaving his Jewish heritage out of his ancestry project for his ethnic studies class)...students who *did* share their Jewish identities in their projects were harassed and their assignments were vandalized with "Free Palestine!" written all over them.

**\*\*Action Item\*\***

I am asking this council to focus its energy on its **LOCAL Jewish and Palestinian residents with family in Israel/Gaza** instead of drafting a resolution on the war. I ask this council to instead organize an apolitical "solidarity in grief" round table discussion and meal, catered by our local Palestinian and Jewish restaurants. An invitational unity event, an event truly "United Against Hate" is what Berkeley *really* needs right now, as drafting a resolution would say that this council condones hate speech, harassment, and theft as an acceptable way to bully elected officials into adopting hateful groupthink. Cowring to bullying will further divide the Berkeley community, making *all* residents unsafe. Furthermore, it will embolden groups to continue using harassment as an effective tool to attack the city council during every future controversial issue. Stand strong, stand in peace, and keep this hate out of Berkeley. Thank You!

In Community,  
 Ilana Pearlman

P.S. Our family has lived in Israel for centuries, pre-1948. I have included pictures of myself and oldest son, Ezra, praying at the Western Wall (the sole remnant of our desecrated temple) in Jerusalem as a toddler, making Bedouin coffee with our friends on the Gaza border, and in present day in his full Bar Mitzvah attire. One of our core Jewish values, "Tikkun Olam, תיקון עולם" translates our commitment to "repairing of the world." Peace is possible.

--  
**Ilana Pearlman, CNM, WHNP**

Certified Nurse Midwife

Sutter East Bay Medical Group / Alta Bates Summit Medical Center

[irpearlman@gmail.com](mailto:irpearlman@gmail.com)

650.208.3413

**Benado, Tony**

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**From:** Kim's Yahoo <btownma@yahoo.com>  
**Sent:** Wednesday, November 29, 2023 11:12 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Say NO to international geopolitical agenda items

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned Jewish American.

I am imploring you all to please do better than some other local governments and keep international affairs OUTSIDE our local government. Richmond, Oakland etc have brought vitriol and fearmongering into their communities further widening the chasm of divisiveness amongst its residents, and as a result, making an undesirable spectacle of themselves on a national stage. I can speak for many Jewish Bay Area residents who will now avoid spending money at all costs in those cities.

Please do the right thing and stick to the job of city councils, focusing on the numerous local issues.

Sincerely,

Kim Friedman

**Benado, Tony**

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**From:** Mikelle Emanuel-Shoham <mikelleemanuel@gmail.com>  
**Sent:** Tuesday, November 28, 2023 10:12 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi  
**Cc:** Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Re: No to a Resolution !!

**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.

Dear Mayor Arreguin, Ms. Kesarwani and Members of the Berkeley City Council,

I just wanted to thank you on behalf of myself and my entire family, including my children, husband, siblings and my mother for your strength and bravery today at the council meeting while we watched in disgust and disbelief at the behavior of the crowd. Please know that it was recommended by our community leaders that it might be best to not attend in Person, most likely due to the hostile energy predicted. I'm sure there were different opinions, but I believe that they were correct, because it could have lead to more anger and violence.

We were all watching on zoom and your acts tonight have not gone without our extreme gratitude.

Today, I felt the Berkeley pride that I felt in my teens.

Berkeley is about civility, communication and inclusion, not violence. Your example showed that you embody Berkeley values.

In partnership,  
 Mikelle Emanuel Shoham  
 District 1

On Mon, Nov 27, 2023 at 11:22 PM Mikelle Emanuel-Shoham <mikelleemanuel@gmail.com> wrote:

Dear Mayor Arreguin, Ms. Kesarwani and Members of the Berkeley City Council,

I am a Berkeley native and graduate of King Middle School and Berkeley High, I am a homeowner in District 1, I am a nurse at Alta Bates and I am a dual American- Israeli citizen along with my husband and two children. I am writing because I have heard that you have received requests to form a resolution for the current Israel - Hamas war.

I am pleading with you that you do not let what has happened in Richmond and now Oakland happen to Berkeley. The loud so-called anti Zionist Jewish groups that have aggressively spoken out at the Richmond and Oakland meetings and that are likely bombarding you with emails, are also those that have broken the law by breaking into the federal building and stopping traffic on the bay bridge. They DO NOT speak for the majority of the Jews in Berkeley, the Bay area or the United States. A professional poll of Bay Area Jews conducted in 2022 found that: "The vast majority of survey participants (89%) agree that Israel has the right to exist as a Jewish and democratic state—a basic marker of Zionism" (p. 15). Unfortunately, due to the aggressive nature and outburst at these meetings, many jewish people feel legitimately scared for their safety and do not speak up at community meetings..

I ask that the City Council not make resolutions about matters that will not have any impact on the area of conflict itself, but will have a strong impact on Berkeley and its residents, and will cause the thriving Jewish community who has always been a partner and advocate for other minority groups to feel more broken than

we already do, in this painful time. We will continue to see a rise in Anti Semitism and Islamophobia and more division amongst the communities.

If you feel a need to make a statement or a resolution, I only ask that you acknowledge the pain of both the Israeli - Jews, and the Palestinians and strongly condemn the atrocious terrorist attacks by Hammas, a terrorist group, on the Israeli people, the continuous rockets and threats that are being sent into Israel daily. A ceasefire can only come when all of the hostages are free and Hammas is disarmed for good. Otherwise this will surely happen again and next time even worse, as stated by Hamas leaders. There will be no lasting peace between the two nations as long as there is Hammas who seeks to destroy Israel and the Jewish people at any price, the price of Israeli and palestinian lives.

Thank you,  
Mikelle Emanuel Shoham

**Benado, Tony**

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**From:** Madi Pignetti <madipignetti@gmail.com>  
**Sent:** Tuesday, November 28, 2023 12:23 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Ceasefire Resolution (Urgent)

**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.

Dear Council Members,

I am once again reaching out to ask you to pass a formal resolution in solidarity with Palestine and Gaza. Our neighbors in Oakland and Richmond have both passed them, and I would love for Berkeley to be on the same side of history.

Since I last wrote, over 7,000 *more* Palestinians have been brutally murdered by Israel, many of them being women and children.

I am a Berkeley resident and home owner, and am calling on my city council to do what's right.

Some of my comrades have even drafted a ceasefire resolution for you, which they've shared in other emails.

Thank you for listening + for your work in representing the Berkeley community.

Sincerely,  
Madeline Pignetti  
94703

**Benado, Tony**

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**From:** Yoni Brenner <yonibrenner@gmail.com>  
**Sent:** Tuesday, November 28, 2023 10:22 AM  
**To:** Bartlett, Ben; All Council; Harrison, Kate; Berkeley Mayor's Office; Humbert, Mark; Kesarwani, Rashi; Robinson, Rigel; Hahn, Sophie; Wengraf, Susan; Taplin, Terry  
**Subject:** No Cease Fire Stance

**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.

Dear Councilmembers--

I am a resident of Berkeley with three young children. I moved here so we could raise our kids in an inclusive, progressive, tolerant and liberal environment.

My heart breaks for all of the pain and suffering in Gaza, the West Bank, and in Israel. War is terrible, and social media it feels vital and ever-present. I understand that many of my neighbors want to do something about it. But passing resolutions in our city council will not save innocent lives, rescue hostages or end this war. But it will cause real harm to the already fraying fabric of our diverse community.

A month ago I never imagined that my lifelong commitment to a vibrant, tolerant, liberal-democratic Israel--my mother's home--would cause me to be banned from one of my favorite restaurants in Berkeley, would lead to confrontations with masked protesters with no personal connection to Palestine or Israel on campus and at the north Berkeley BART, would make us reconsider whether our children will be safe from implicit and explicit anti-semitism in BUSD. I'm shattered to see how seamlessly and casually Anti-Israel rhetoric crosses into Anti-Jewish feeling at protests and in schools.

I realize that those agitating for the council to "take a side" are loud and they are passionate. But please, please listen to your constituents who are busy working and putting our kids to sleep and cannot attend council meetings. We may not be able to match the volume of the "Pro-Palestine" faction but we are no less passionate, and we are tremendously worried about deepening the divisions in our home. And please remember that just as Anti-Palestine rhetoric easily bleeds into Islamophobia, Anti-Israel rhetoric bleeds into anti-semitism. Both must be recognized as harmful.

Again, a resolution will not help those who are suffering. But it will exacerbate the wounds here in Berkeley, which I fear are becoming too deep and too painful to ever completely heal.

Apologies for the long message. Thank you for reading, thank you for your work during this complex and difficult moment.

Yoni Brenner



**Benado, Tony**

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**From:** Chris Koenig <christopher.allen.koenig@gmail.com>  
**Sent:** Thursday, December 14, 2023 12:41 PM  
**Subject:** Berkeley City Council MUST Pass a Ceasefire Resolution!

**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.

Hi,

My name is Chris and I am a Berkeley resident in District 1.

I am once again writing to demand that Berkeley City Council pass a ceasefire resolution calling for 1) a total and permanent ceasefire, 2) FULL humanitarian aid allowed to enter Gaza, 3) an end to Israel's siege on Gaza and violence in the West Bank, and 4) no more weapons or funding to the Israeli military.

20,000 Palestinians have been killed including 10,000 children and 50,000 more have been injured. 85% of Gazans - 2 MILLION people - have been displaced from their homes and are living in tents or worse as winter descends and rain floods the streets. The UN, WHO, and human rights organizations are warning that Gazans are at dire risk of dying of starvation, thirst, and disease because of the Israeli total siege on food, water, medical aid, fuel, and electricity in the Gaza strip. Recently we have seen the Israeli army mass kidnap Palestinian civilians, strip them to their underwear, and march them to massive ditches in Gaza where they are forced to the ground for photoshoots. This is sexual abuse and humiliation as a tactic of war, which is a war crime.

The genocide in Gaza is DIRECTLY connected to Berkeley because (1) Berkeley taxpayer dollars are literally paying for the bombs and military equipment that the US government provides to the Israeli army to perpetrate this genocide and (2) the dehumanization of Palestinians that this genocide requires is harming folks in our Berkeley community and in the United States more broadly.

**The BARE MINIMUM we can do as a Berkeley community is to pass a ceasefire resolution. We have a moral and political responsibility to do so.**

Frankly, what more is it going to take for you to pass a ceasefire resolution? 20,000 Palestinian children murdered? 50,000? 100,000? How far are you willing to let this genocide progress before you call for its end? For shame.

Do your job,  
Chris

## Benado, Tony

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**From:** Chris Koenig <christopher.allen.koenig@gmail.com>  
**Sent:** Wednesday, December 13, 2023 2:26 PM  
**Subject:** URGENT: Pass a Ceasefire Resolution to Stop the Genocide

**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.

Hi,

My name is Chris and I am a Berkeley resident in District 1. I am writing to urge you in the strongest possible terms to vote YES on Council Member Ben Bartlett's resolution for a ceasefire.

Since October 7, Israel has killed 10,000 Palestinian children. **That's the equivalent of killing every child here in Berkeley between the ages of 5 and 17**, according to the [NY Times](#).

This is genocide, plain and simple. And the only reason it's possible is because of the dehumanization of Palestinians in Gaza and around the world. Our United States government is actively perpetuating this dehumanization of Palestinians; that's the only way they can justify providing Israel with billions of dollars and tens of thousands of bombs to carry out its genocide against the Palestinian people.

As a Berkeley community, we must come together to categorically reject the dehumanization of Palestinians. **The most immediate, concrete, and effective way we can affirm the humanity of the Palestinians in our community and around the world is by passing a ceasefire resolution.** This will make our community safer and stronger by making it clear who we are and what we value: the life, liberty, freedom, and humanity of all people, Palestinian, Jewish, and otherwise.

**This is not a divisive issue.** Polls show that at least 66% of Americans want a ceasefire including 80% do Democrats, 57% of Independents, and 56% of Republicans. That poll was from 2 months ago, so the numbers are surely higher now after infinitely more carnage. In addition, Berkeley has a rich history of anti-war activism, so the public here likely has even stronger support for a ceasefire. It is not divisive to call for an end to the senseless slaughter of tens of thousands of civilians and their means of life.

Additionally, we who have been showing up at Berkeley City Council meetings represent a diverse multi-racial, cross-class coalition of Berkeley residents of all faiths, genders, sexualities, and abilities. Across our unique identities and experiences of the world, it's crystal clear to all of us that we have a moral and political responsibility to play our part in ending the genocide and dehumanization of Palestinians. The most obvious and immediate step we can take is passing a ceasefire resolution.

Please do the right thing, stand on the right side of history, and do your job to represent the desires of the people who elected you. Call a special meeting to pass a ceasefire resolution as soon as possible.

Best,  
Chris

**Benado, Tony**

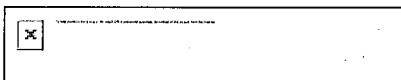
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**From:** Sommer Iqbal <sommer\_iqbal@berkeley.edu>  
**Sent:** Tuesday, December 12, 2023 11:21 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Urgent: Pass a Resolution for Ceasefire

**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.

Dear Mayor and City Council Members, I hope this email finds you well. As a Berkeley resident (94704), a grad student at the Goldman School of Public Policy, and a Muslim, I write to you with utmost urgency regarding a resolution for a ceasefire. I am dismayed that the council members have decided to pull support for a ceasefire resolution. Over 20,000 Palestinians, including countless innocent children and women, have tragically lost their lives. This devastating loss of life demands immediate attention and action from our esteemed Council. As representatives of our community, it is your responsibility to prioritize the well-being and safety of all individuals, regardless of their nationality or religion. Furthermore, I cannot help but express my disappointment in the delayed consideration of this resolution. Witnessing the apparent hypocrisy in the Council's commitment to justice and human rights is disheartening. I urge you to hold yourselves accountable for the delay and demonstrate your dedication to upholding the values that Berkeley stands for: **How many more Palestinians must die and suffer before this body says enough is enough?** Please listen to your constituents and pass a ceasefire resolution. Let us unite in solidarity and make a meaningful impact by advocating for liberation and justice. Sincerely, Sommer Iqbal

--  
**Sommer Iqbal (she/her)**  
 MPP Candidate, 2024  
 University of California, Berkeley  
<https://linkedin.com/in/sommeriqbal>



**Benado, Tony**

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**From:** Kuhwryna sando <kuwryna24@gmail.com>  
**Sent:** Monday, December 11, 2023 9:15 PM  
**To:** All Council  
**Subject:** Subject: Urgent Call for a Ceasefire Resolution: No More Delay, No More Hypocrisy

**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.

Dear Members of the Berkeley City Council, I hope this email finds you well. As a concerned student at the University of California, Berkeley, I write to you today with a sense of deep dismay and urgency regarding the prolonged delay in considering council member Ben Bartlett's crucial resolution for a ceasefire – a resolution that requires your immediate attention and a resounding vote in favor, without any additional amendments. It is disheartening to witness the lack of prompt action and accountability on such a critical matter. Over 20,000 Palestinians, including countless innocent children and women, have already lost their lives. Each passing day without a decisive resolution prolongs their suffering and intensifies the emotional anguish felt by those who stand in solidarity with them. This is not a matter that can be brushed aside or diluted with unnecessary amendments. The urgency lies in the fact that human lives are at stake, and they cannot afford any further delays. The Council has a moral obligation to act swiftly and decisively in this dire situation. I implore you to reflect upon the apparent hypocrisy that arises from procrastination. The world looks to Berkeley as a beacon of progressivism, justice, and human rights. However, the prolonged delay in considering this resolution contradicts these values and undermines our reputation as a city committed to principles of equality and fairness. Personally, this issue holds immense importance to me. Ceasefire and freedom for Palestine are not just mere words, but a desperate plea for justice and an end to the suffering of an oppressed people. It is crucial that you understand the gravity of this matter, and the consequences of your decisions, as they have far-reaching implications for the lives of thousands. Therefore, I urgently urge you to vote YES on council member Ben Bartlett's resolution for a ceasefire, without any additional amendments. Let us demonstrate our commitment to peace, justice, and human rights through prompt action and fulfill our responsibility as representatives of the people. Thank you for your attention to this matter, and I trust that you will make the right decision in the best interest of humanity.

Sincerely,

Karina  
University of California,  
Berkeley Student

**Benado, Tony**

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**From:** Bay Area Educators for Palestine <bayarea.educators4palestine@gmail.com>  
**Sent:** Monday, November 27, 2023 9:50 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** URGENT: In support of a ceasefire resolution

**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.

Dear Berkeley Mayor and City council,

We are a collective of teachers in the Bay Area who are working hard to support teachers as they struggle to meet the moment. Many might question the practicality of a resolution that calls for our federal government's action on an international issue, but as educators, we can see clear as day that this issue impacts everyone here in the United States.

1) Our students are watching a genocide, as described by the United Nations and international human rights groups, on social media. Our young people need support and guidance, and they often turn to their teachers to help them process difficult and complex topics. However, educators around the country are being muzzled. We are experiencing extreme censorship and intimidation. Two teachers in LA have already been put on leave for teaching their students about Palestine and reading a simple story called "Sitti's Bird" and discussing what humans need to be able to live. Teachers here in the Bay Area have been doxxed, and their private social media posts are being used in complaints with the school district. The JCRC is putting political pressure on elected officials in school districts to prevent districts from being able to simply teach about the history of Palestine and Israel.

2) Teachers are trained professionals. We are trained in critical media literacy, in critical thinking, and we know how to teach delicate issues (generally). This particular issue is only made complex because of the intense backlash that educators are receiving for simply talking about the issue of Palestine and especially for expressing any support for the Palestinian people. The Bay Area has a long history of taking the lead on progressive movements, especially anti-war movements, and our educators are on the fore-front of support children as they navigate such a complex world. We deserve to be able to do work without fear.

3) The US plays a unique role in the Israel-Palestine issue. Our country's leadership and policies directly enable the widespread oppression of the Palestinian people. Rather than investing in public education, our government spends \$3.8 billion per year to support Israel's military occupation of the Palestinians. Educators in this country are underpaid and mistreated. We often spend our own money to buy supplies for our classrooms and we have to beg for funding using online fundraisers. Educators are doing what we can to teach children as whole human beings, and in the process, we are asked to fill many gaps that exist in public schools due to a severe lack of funding.

The strongest possible resolution would address the role of the United States and would demand the following:

- 1) An immediate and permanent ceasefire
- 2) Immediate and massive humanitarian aid to the Palestinian people
- 3) An immediate end to settler violence in the West Bank
- 4) Condemnation of antisemitism, islamaphobia, racism, xenophobia and all forms of hateful, identity based rhetoric and actions

- 5) Condemnation of the widespread attacks, intimidation, and threats in the US against pro-Palestinian voices, including public officials and the general labor force
- 6) Berkeley's full divestment from Israel for as long as it breaks international law
- 7) An immediate halt to US military aid to Israel and redirect funds to the needs of US citizens and residents, including public education, affordable housing, medical care, and more
- 8) Support for a ceasefire by state and federal officials
- 9) Diplomatic resolutions that address the root of the violence in Israel and Palestine, which is the unlawful occupation and systematic oppression of Palestinians

The question of Palestine is nothing new, and all elected officials have the moral responsibility to stand up for what is right. In taking this stand, you provide another layer of protection to Americans here who have been courageously fighting for Palestinian freedom. You provide support to educators across the Bay Area who can look to local leadership as they do the very tough work of engaging our young people in difficult but necessary work.

***In power and solidarity,  
Bay Area Educators 4 Palestine***

**Benado, Tony**

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**From:** Sally Nelson <sallynels7@gmail.com>  
**Sent:** Monday, November 27, 2023 10:07 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Please pass a Ceasefire Resolution for the Israel-Hamas conflict.

**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.

Dear Mayor Arreguin and Members of Berkeley's City Council,

For Berkeley to be recognized as a peace-loving community, City Council must pass a Ceasefire Resolution for the Israel-Hamas conflict. Any funds that are sent to Israel must be directed to providing humanitarian aid to the Palestinians, who have been treated so abysmally.

Many Israelis want peace, dignity, and respect for the Palestinian people: safety, and the basic necessities: food, shelter, healthcare, and more. So do we.

Let us join the growing number of American cities and towns, which are also voting for a Ceasefire Resolution.

Thank you,  
~ Sally

**Benado, Tony**

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**From:** Isaac Kaplan <ilkaplan@pacbell.net>  
**Sent:** Tuesday, November 28, 2023 12:03 AM  
**To:** All Council  
**Cc:** City Clerk; Wengraf, Susan  
**Subject:** City comments on the Mideast

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.

Dear City Council,

I am writing to add my request to the many others you must be getting about whether to address the conflict between Israel and Gaza.

It is my belief that the city of Berkeley, which has a long history of taking stands on international issues, would serve its citizens best by withholding comment at this time. As a Jew, I am finding increasing signs of blatant anti-Jewish sentiment in the surrounding cities of Oakland and Richmond, which are trying to pass as support for Palestine or support for a ceasefire. There are restaurants and other businesses that, by professing support for the Palestinian cause, end up discriminating against Jews, or, at a minimum, forcing Jews to declare themselves as either supporting or opposing the situation in the Mideast.

The rent board and the Unified School District are creating anti-Jewish atmospheres from the top levels. When the City adds its imprimatur to this, things will only get worse.

As proof of my impression might I point out that I now have to pass a security gauntlet to enter my synagogue. I am confident that no mosques or churches are being targeted in the same way.

To put it simply, I am becoming afraid to be identified as Jewish, particularly in neighborhoods surrounding Cal.

I would love to hear the city council support the cause of tolerance and understanding, beginning here at home, rather than issuing statements which will likely inflame feelings of hatred or victimization.

Respectfully ,



Isaac Kaplan  
District 6

**Benado, Tony**

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**From:** cheesecakechk@yahoo.com  
**Sent:** Tuesday, November 28, 2023 8:12 AM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Join the City of Oakland and Richmond with a Ceasefire resolution

**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.

Dear Council Members,

I am here as a Healthcare worker who serves in the city of Berkeley and loves many aspects of the city and its people.

As a parent and a Sunday school teacher, I am writing to ask you to stand with the children for a Ceasefire.

We, your constituents, have prepared a Resolution on your behalf - please see below. For the children I urge you to pass this Resolution.

Sincerely,  
 [Tammy Hardin]  
 [94564]

A Resolution of the City Council of the City of Berkeley, California Affirming the City's Support and Solidarity with the Palestinian People of Gaza and in line with Rep. Cori Bush's Congressional Resolution Calling for An Immediate De-Escalation and Cease-Fire in Israel and Occupied Palestine

WHEREAS, Israel's conflation of anti-Semitism with anti-Zionism and solidarity with Palestinians is recognized by legal scholars and human rights organizations, including Israel's B'Tselem, as a political tool to silence critics of Israel. It also creates fear among Jews, who are rightly alarmed by anti-Semitic words and actions due to the horrors of pogroms and the Holocaust in Europe; and

WHEREAS, 1,200 Israelis have been killed by Hamas on October 7th and nearly 13,000 Palestinians have been killed by the state of Israel in this escalated conflict, including over 5,500 children (as of 11/19/2023) - the death toll increasing each day and includes Americans who have been killed; and

WHEREAS, All human life is precious, and the targeting of civilians, no matter their faith or ethnicity, is a violation of international humanitarian law; and

WHEREAS, We mourn the loss of all civilian lives lost on both sides from October 7, 2023, to the present and also throughout the decades of displacement, occupation, oppression, and blockade endured in Gaza, East Jerusalem, and the West Bank; and

WHEREAS, In violation of international law, Israel has maintained 16 years of complete sea, air, and land siege on goods and travel, which had already created 42% unemployment, 84% reliance on international humanitarian aid, 41% undernourishment, 60% anemia among children, and innumerable deaths from curable diseases;

WHEREAS, Israel's past bombings of Gaza, the main ones in 2009, 2012, and 2014 had already curtailed the ability to make a living by destroying agricultural plots, orchards, and chicken coops, destroyed the infrastructure, including

desalination and wastewater treatment plants. And any attempts to rebuild it had been stifled by Israel limiting access to electricity and fuel to no more than four continued hours per day; and

WHEREAS, Prior to the current crisis, only 1% of Gazans had access to safe drinking water, leaving the population – half of whom are children –vulnerable to waterborne diseases, infections, and dehydration.

WHEREAS, The World Health Organization states that in an emergency, every person needs between 7.5 to 20 liters of clean water, Gazans have now access to only 3 liters, and some people have been drinking highly saline and contaminated seawater, which has already resulted in cases of chickenpox, scabies, and diarrhea and could easily lead to the spread of cholera; and

WHEREAS, There is a consensus among the human rights organizations and the UN that Israel has turned the Gaza Strip, which is one of the most densely populated places on Earth, into “the world’s largest open-air prison”, even prior to this conflict; and

WHEREAS, Israel’s actions had already endangered the health of Gazans and the environment, by causing sewage and solid waste to pile up on the streets and over 130,000 cubic meters of wastewater to be discharged daily into the Mediterranean Sea; and

WHEREAS, Hundreds of thousands of lives are in imminent danger if a ceasefire is not achieved humanitarian aid is not delivered immediately; and

WHEREAS, The humanitarian pauses and safe havens have been violated by Israeli; and

WHEREAS, Collective punishment is considered a war crime under international law, and refers to a form of sanction imposed on persons or a group of persons in response to a crime committed by one of them or a member of the group; and

WHEREAS, Israel’s indiscriminate bombings of Gaza are a form of collective punishment, recognized as a war crime (Common Article 33 of the Fourth Geneva Convention and Article 4 of the Additional Protocol II) and also a violation of International Humanitarian Law, which requires observance of the principles of distinction (attacking only military targets) and proportionality (the anticipated military gains outweigh harm to civilians); and

WHEREAS, Israel’s shutting off all access to electricity, drinking water, food, and humanitarian aid is a form of collective punishment and constitutes a war crime under international law; and

WHEREAS, Ethnic cleansing refers to the creation of an ethnically homogenous geographic area through the elimination of unwanted ethnic groups by deportation, forcible displacement, or genocide; and

WHEREAS, Israel has engaged in an ethnic cleansing campaign by explicitly requiring two million Palestinians to leave Gaza immediately or risk being bombed in their homes and has intensified its unprovoked killing and forced displacement of Palestinians in the West Bank to uninhabitable areas; and

WHEREAS, Israel has violated international law by not ending its military occupation of East Jerusalem, the West Bank, and Gaza, which began in 1967; and

WHEREAS, The International Humanitarian Law holds an occupying force responsible for the safety and well-being of the inhabitants of the land it occupies, Israel has been settling the foreign nationals of Jewish descent on the occupied land, driving away Palestinians from their land through acts of terror, confining them to small incongruent areas, demolishing their homes, businesses, and orchards, etc.; and

WHEREAS, The U.S. government holds immense diplomatic power to save Palestinian and Israeli lives but has refused to take serious action to do so; and

WHEREAS, The state of Israel would not be able to maintain its military occupation of East Jerusalem, the West Bank, and Gaza without enormous military aid provided by the United States every year, thereby also depriving Americans of money for their own urgent needs; and

WHEREAS, The 14.3 billion requested from the Biden Administration in October 2023 in addition to the 3.8 billion in military aid provided annually by the United States to Israel is derived from American taxpayer money. However, a Reuters poll released on November 15, 2023, states that 68% of Americans agreed that "Israel should call a ceasefire and try to negotiate" demonstrating the majority of Americans do not support the continued military aid; and

NOW, THEREFORE, BE IT RESOLVED, That the City of Berkeley

- 1) Urges the Biden Administration to immediately call for and facilitate de-escalation and a ceasefire to urgently end the current violence; and
- 2) Calls upon the Biden administration to promptly send and facilitate the entry of humanitarian assistance to Gaza; and
- 3) Calls for the end of the Israeli siege on Gaza, the end of the blockade in Gaza, and the occupation of the West Bank; and
- 4) Demands that the Biden administration to immediately end all existing and future military aid to Israel in order to fund urgent needs in the United States such as homelessness, food insecurity, and education; and
- 5) Calls upon the immediate release of all the Palestinians who have been arrested in Israel, Jerusalem, and the West Bank since October 7, 2023; and
- 6) Calls upon the immediate release of the approximately 220 Israeli hostages held by Hamas.

BE IT FURTHER RESOLVED, That the City of Berkeley advocates for the dignity and safety of residents in every community, regardless of what crimes its leadership may commit, and that peaceful diplomacy is the only way to achieve this safety and dignity.

BE IT FURTHER RESOLVED, The City of Berkeley stands in solidarity with the Palestinian people of Gaza, who are currently facing ethnic cleansing and collective punishment by the state of Israel; and

BE IT FURTHER RESOLVED, That the City of Berkeley vows to combat antisemitism, islamophobia, and ethnonationalism in all its forms; and

BE IT FURTHER RESOLVED, that the City of Berkeley rejects Israel's conflation of anti-Zionism and solidarity with Palestinian people with anti-Semitism for political gains; and

BE IT FURTHER RESOLVED, that the City of Berkeley endorses the Congressional Resolution submitted by Representatives Cori Bush (MO-01), Rashida Tlaib (MI-12), André Carson (IN-07), Summer Lee (PA-12), and Delia C. Ramirez (IL-03), alongside Representatives Jamaal Bowman (NY-16), Bonnie Watson Coleman (NJ-12), Jesús "Chuy" García (IL-04), Jonathan Jackson (IL-01), Alexandria Ocasio-Cortez (NY-14), Ilhan Omar (MN-05), Ayanna Pressley (MA-07), and Nydia Velázquez (NY-07) and urges our Congressional Representative, Rep. Barbara Lee, and California's Congressional delegation to vote in support of the resolution.

BE IT FURTHER RESOLVED, that the City Council directs the City Manager or his designee to immediately distribute this Resolution upon its adoption to the offices of Senator Alex Padilla (CA), Senator Laphonza R. Butler (CA), Representatives Barbara Lee (CA-13), Robert Garcia (CA-42), Cori Bush (MO-01), Rashida Tlaib (MI-12), André Carson (IN-07), Summer Lee (PA-12), and Delia C. Ramirez (IL-03), alongside Representatives Jamaal Bowman (NY-16), Bonnie Watson Coleman (NJ-12), Jesús "Chuy" García (IL-04), Jonathan Jackson (IL-01), Alexandria Ocasio-Cortez (NY-14), Ilhan Omar (MN05), Ayanna Pressley (MA-07), and Nydia Velázquez (NY-07).

FINALLY, BE IT RESOLVED, That upon passage a copy of this Resolution be sent to the Office of U.S. President Joe Biden, the Office of U.S. Representative Barbara Lee, the Office of U.S. Senator Alex Padilla, and the Office of U.S. Senator Laphonza R. Butler.

Sent from Yahoo Mail on Android

**Benado, Tony**

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**From:** James Tabor <jamestabor@mac.com>  
**Sent:** Tuesday, November 28, 2023 8:27 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Please Consider...

**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.

Dear Berkeley City Council:

I am not Jewish, though that is not really an issue here. It is a moral one. I am writing concerning the Resolution on the "Resolution for Ceasefire and Solidarity with Palestine" and urge you to vote NO.

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

This resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

Prof. James D. Tabor

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*The best-laid schemes o' mice an' men gang aft a-gley*  
 מהמלים בקשר את המלים ועל סמך המלים

Retired Prof. of Religious Studies/Christian Origins  
The University of North Carolina at Charlotte

About Dr. James D. Tabor: <https://jamestabor.com/about-dr-tabor/>

**Benado, Tony**

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**From:** Shanna Baron <shannabaron1@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:37 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** NO to ceasefire

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.



This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

#EndJewHatred

Shanna L. Baron

**Benado, Tony**

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**From:** Tal Garner <talgarner@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:44 AM  
**Subject:** PLEASE READ: Antisemitic Resolution Being Presented to You Today. Do the RIGHT Thing, Even If It's Hard.

**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.

Hi Berkeley City Council Members,

My name is Tal Garner. I am a proud Jewish Berkeley resident and have always prided myself on coming from a city that's so inclusive and diverse. I'm sending this email again because I really need you to see it, and I'm not sure how many people read my last one due to the Thanksgiving holiday.

My life has not been the same since October 7. Every day has been a reminder of the hatred toward Jews and toward Israel, and that people will believe anything as long as it's against Jewish people. It is shocking, sickening and sad. I am also half Israeli. I do not agree with the Israeli government, have attended many protests against Netanyahu, and would like to point out that *Israeli people do not equate the government*. Just as you would not want to be murdered for being American during Trump's term, I do not think there should be any justification for Israelis being murdered under Netanyahu's leadership. It is awful that so many people cannot understand that there must be a distinct separation made.

**When Richmond (and now Alameda County, and the city of Oakland) passed their Pro-Palestine resolution, MANY Jewish people felt unsupported and invisible due to the resolution using antisemitic remarks at a time where we are already scared to be who we are.** These resolutions passed in other cities ignored the attack of October 7, and only focused on 'Freedom for Palestine', with no regard to the hostages still being kept in Gaza (now, over one month later) and with no regard to the slaughtering of innocent civilians in Israel. Even yesterday, at the Oakland city meeting, ONE council member asked for amendments to be added acknowledging the attack on Israel and he was rejected. Then, he begged for the word 'coexist' to be added, and people boo'ed him, saying they don't want Israel to exist. It is CLEAR that these resolutions are one-sided.

While a resolution calling for peace would and should be supported, resolutions that call for an immediate ceasefire with NO mention of **all** the hostages being released as a part of that ceasefire, and with NO mention of the October 7 attack on Israel, is only beneficial to Palestinian people. Of course, for people who want to ignore the root cause of this war, this is great. For those of us who are waiting and praying each day for the children in Israel to be given back to their families, it is extremely heartbreaking and disappointing that somehow the hostages are forgotten - perhaps because they were taken from Israel? It seems like nobody cares.

**I am begging you to stand up against anti semitism. If you ever wondered how people could sit back during the Holocaust, I am letting you know that what you are doing now is what you would have done then.** Would you have stood up against anti semitism, or stood with the Nazis with the excuse that they were fighting for their freedom? It is the same thing, it's just that we are now in 2023 instead of 1938. Hating Jews is a tale as old as time, and I urge Berkeley not to support it.

On November 28, there will be a Berkeley city council meeting in which many Pro Palestine people are asking to pass their resolution for 'Ceasefire and Solidarity with Palestine'. They use words such as "Israel's occupation" (*Israel pulled ALL troops out of Gaza in 2005, so I'm curious what occupation they're referring to?*) and using the term genocide, which is one-sided, unfair seeing as death is unfortunately inevitable during a time of war and still ignores the genocide against Israelis on October 7. Why is the attack of Oct 7 not mentioned once? Why are Pro Palestine people not acknowledging

that Palestinian lives would be better off without Hamas as their government? Why is this resolution not for peace, but rather only for standing with Palestine? If you cannot see that it is clearly only benefitting one group of people and supporting hatred toward the other, it seems our education system hasn't done its job and needs a closer look.

Hundreds of Israeli families live and work in Berkeley. We acknowledge and mourn the loss of Palestinian lives, however have yet to see Pro-Palestine rallies acknowledge and mourn our people who have been killed and are being held captive. When these resolutions are passed, they are not doing anything but dividing the community further. We are already scared to wear our star of David necklaces out in public, synagogues are in constant discussion of how to protect our members, and I was actually hushed in a store the other day for speaking Hebrew. This should not be acceptable.

**If Berkeley wants to stand against hate, and REALLY stand against hate, I am asking you, again, not to pass a resolution that will only give one side the power and support to continue antisemitic behavior.** These types of resolutions are not inclusive, but rather one-sided. While the resolution is disguised as being for 'solidarity with Palestine,' the timing in which they bring it to you is pretty obviously anti Israel, we can all agree, right? And **while some may say that Israel deserved it for their "occupation", I personally do NOT think there is anything freedom-fighting about raping women, beheading children, and kidnapping innocent civilians who lived and worked peacefully close to the Gaza border.** I also do not celebrate the murder of any innocent life, whether they are Palestinian or Jewish.

**Please do the right thing and do not pass a one-sided resolution.** A ceasefire MUST include all hostages being brought back to their families alive. A ceasefire MUST be for both sides to stop the fighting, which would mean Hamas needs to stop sending thousands of rockets to Israel each day. Side note: Hamas has already violated the ceasefire agreement multiple times. And so, of course, a ceasefire MUST mean the terrorist organization is gotten rid of, for any hope of peace.

Thank you for listening and I hope to see you stick up for what is right,

Tal Garner

(510) 367-7278

**Benado, Tony**

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**From:** jason spangenthal <jason.spangenthal@gmail.com>  
**Sent:** Tuesday, November 28, 2023 9:43 AM  
**To:** All Council; boardofed@berkeley.net  
**Subject:** Note on upcoming city council meeting

**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.

Dear Mayor Arreguin, Ms. Hahn and council members,

I'm a Berkeley resident of 3 years (district 5), and a Bay Area resident of over 15 years. My kids are both very happy to be in a public BUSD elementary.

I have been so proud how both you and our school board have handled this conflict so far- and I am so sorry that your meetings and work have been disrupted repeatedly over these last few weeks. I did virtually attend the meeting a couple of weeks ago.

**I am writing to share my very strong commitment that the Berkeley City Council should not take a public position in the current Israel-Hamas conflict.** The current conflict is part of a deeply painful, complicated situation that has truly global agitants and implications. The fact that this issue has been the subject of so much media, dialogue, negotiation, and analysis by experts in the field who clearly cannot reach a consensus, means that any position taken by our humble City's institutions aligning with one side or the other would necessarily be reductionist and ignore people's truths.

Moreover, aligning, or even highlighting one side's position over the other will have an unnecessarily divisive impact on our diverse Berkeley Community. The City Council would effectively choose a side to overlook, gaslight, and marginalize. Also, to make a public statement on this particular matter while overlooking other recent, horrific conflicts and situations around the world will make any position taken here by the Council that much more suspect and divisive.

In fact, any statement on this subject presents a greater risk of fomenting social tension than providing a galvanizing front in that much of the language used by either side is interpreted by the other as inciteful and racist. Even a call for an unqualified ceasefire, under these particular circumstances, denies the complexity of the situation.

Perhaps most importantly, the City government has as its primary objective, representing and promoting the safety and well-being of **all** of its constituents. I expect the Berkeley City Council to hold this objective above all others. I expect it to ensure that no member of this community, Arab, Israeli, Jewish, or Palestinian feels marginalized, isolated, or unsafe.

The Berkeley City Council, and in fact all Berkeley City institutions should fight any urge to choose a side, or in fact, make any statement- as I think all statements bring both 'sides' further from peace, both here and abroad.

Thank you for all of your hard work for our city, thank you for upholding a space where we can work toward a better neighborhood, city and world without sowing seeds of hate or division towards anyone in our community.

Thank you,  
 Jason Spangenthal

**Benado, Tony**

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**From:** Marcelo Vaz <marcelobvaz@gmail.com>  
**Sent:** Tuesday, November 28, 2023 5:39 PM  
**To:** All Council  
**Subject:** Pass A Permanent Ceasefire in Palestine Resolution

**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.

Berkeley City Council members,

My name is Marcelo Vaz. I am Berkeley native, born at Alta Bates, and grew up with the values of social justice that are part of the fabric of the Berkeley I know. I am Jewish American, and I am sickened and outraged by Israel's actions in massacring and slaughtering Palestinians, children. I urge you with all my heart to follow in Richmond and Oakland's footsteps to pass a resolution demanding an immediate ceasefire in Palestine. It should go even a step further in putting an end to all aid going to Israel with tax payer money. US legal code 2304 states, "...no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights." The world recognizes that Israel is engaging in consistent patterns of gross violations of human rights, so how can we continue to provide aid? The US government is breaking its own law. Further, when polls show that most Americans want a ceasefire, and our elected representatives do not act on our behalf, how can we claim in any way that we are a democracy. I implore you to pass a ceasefire resolution and to fight to end aid to genocide.

Peace and love,  
Marcelo Vaz  
94709

**Benado, Tony**

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**From:** Michael Solorio <msolorio312@gmail.com>  
**Sent:** Tuesday, November 28, 2023 6:16 PM  
**To:** All Council  
**Subject:** Ceasefire Resolution

**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.

Hi,

My name is Mike and my family has lived in District 6 for the past 30 years.

I'm here to please ask you to have a special meeting to discuss a ceasefire resolution for the city. We should join Oakland and the other cities that are taking a stand.

It breaks my heart that amidst genocide, as individuals and as just one city there is not much that we can do, but this is one of the few things that we actually can do. So please take a stand, for us and for the people of Palestine.

Thank you,

Michael Solorio

**Benado, Tony**

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**From:** Michelle Lessans <michelle.lessans@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:07 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** Resolution for Ceasefire

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

Hello Councilmembers,

I hope that this season has given you moments of ease and reflection. I'm writing to urge you as my representatives as a Berkeley Resident to push for a resolution demanding ceasefire in Palestine. Our two surrounding cities have done so, and it hurts my heart to see a city with such a progressive history taking no stance on such matters. While I know some feel that this is "unproductive," it is times like these that we must use the power and privilege we have to speak out against atrocities such as this. While we are currently on a temporary pause, we are only days from the genocide in Gaza resuming. As a Jewish resident, I am continuously appalled by the use of my history and identity as an excuse for these crimes. Israel and the Zionist agenda do not represent Jewish identity, and it is actively harmful to the safety of Jews to pretend otherwise. Please represent the voices of your constituents.

Warmly,

Michelle Lessans

**Benado, Tony**

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**From:** Maryum Styles <yozamacs@icloud.com>  
**Sent:** Tuesday, November 28, 2023 11:49 PM  
**To:** All Council  
**Subject:** Resolution on agenda

**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.

Hi!

Please add the resolution for a ceasefire to the city council agenda. Also it was wrong for the city council to leave their meeting and not address the concerns of their populace. I hope they remember they are elected officials and can be voted out.

Thanks



**Benado, Tony**

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**From:** storiguy@aol.com  
**Sent:** Wednesday, November 29, 2023 8:37 AM  
**To:** All Council  
**Subject:** About the resolution in support of a Middle East Ceasefire and Solidarity with Palestine.

**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.

I'm Michael Steinberg, a long time Berkeley resident.

I write in opposition to the "Resolution for Ceasefire and Solidarity with Palestine.

I favor a ceasefire, I do not favor taking only one side in this terrible struggle.

Too often our politics and understanding of the world are limited by our simplistic and unconsciously prejudiced perspectives.

A resolution for Ceasefire is reasonable and fair.

A resolution of support of the people who attacked Israel on October 7th is neither reasonable nor fair, ignoring the latest nightmare that caused the current situation.

I don't know who is really innocent.

I do know that this resolution, which I seems to ignore the actual event that triggered the current nightmare, is not neither reasonable nor fair.

Anti-semitism is a way of thought that has been here since the Romans, and continues today.

It's one of the few things that seems to unite extremists of the Left and the Right.

I have no good answers to the fundamental issues of the Middle East.

I'm not sure anyone does.

I am sure it must be very reassuring to believe one knows who the "bad people" are.  
(The comfort of reassuring certainty in a complex and confusing world.)

Again, I'm all in favor of a ceasefire, but not in taking sides and ignoring facts.

Best from Mike S

**Benado, Tony**

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**From:** Moni Law <monilaw7@gmail.com>  
**Sent:** Thursday, November 30, 2023 7:53 AM  
**To:** All Council; City Clerk; Harrison, Kate; Berkeley Mayor's Office  
**Cc:** ABC7; Becky O'Malley; Berkeley Community Safety Coalition; BerkeleySpeaksNewspaper@gmail.com; Daily Cal; Kpfa News; Kpfc News; NBC 11; Ross Todd Kerr; The New York Times; boona cheema; info@cablackmedia.org; metro@sfchronicle.com  
**Subject:** Please show that Berkeley stands for peace in the Middle East

**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.

Dear Mayor and City Council:

Please... take action. Other cities, churches, Jewish organizations, and county organizations have sent proclamations and pleas for a bilateral and permanent Ceasefire between Israeli Defense Forces and Hamas.

I have friends living in Israel, and Palestinian American friends air lifted out of Gaza. I returned to my college town because we are a city with values that include compassion for our neighbors, local and global.

The entire world, including Berkeley, spoke up for people outside of our 150,000 population: we made proclamations against the Vietnam war, nuclear weapons escalation, US intervention in El Salvador, Apartheid in South Africa, against invading Iraq, Russian attacks on Ukraine. We speak up for innocent lives- many are being lost in Gaza and the world is speaking out for peace.

How and why does my city of Berkeley remain silent? Hamas must be held accountable for killing Israelis and kidnapping over 200 men, women and children, and the Israeli Defense Forces must be investigated by international law entities for excessively bombing the Gaza Strip including refugee camps, hospitals, schools and places of worship resulting in 15,000 Palestinians killed and 1.5 million displaced.

How is speaking up for peace and accountability 'sowing seeds of hate?'

1. Demand a permanent bilateral CEASEFIRE between Israel and Hamas.

2- Demand continued safe passage for substantial humanitarian aid to Gazans who have little to no food, water, fuel or medical supplies to save the thousands of Palestinians injured (at the time of this writing);

3- Call for an immediate end to all existing military aid used against civilians.

Berkeley residents are taxpayers for local and national needs- and you have the right and duty to say our dollars should go to Israel and Gaza in the form of food, emergency shelter, electricity, water and medicine.

4 - Support Palestinians basic human rights to food, water, shelter, medical and psychological care and means to support their farming or other means of economic survival. We should also send thoughts, prayers and support to Israeli families who lost 1,400 loved ones and over 150 hostages from various countries including the U.S. who are still held captive by Hamas.

Thank you.

Moni T. Law, J.D.

Chair, Berkeley Community Safety Coalition

**Benado, Tony**

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**From:** nora ultreya <noraultreya@gmail.com>  
**Sent:** Thursday, November 30, 2023 3:00 PM  
**To:** All Council  
**Subject:** Resolution for Ceasefire in Gaza

**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.

Dear Councilmembers: I am asking you to call a special meeting just for a Resolution for Ceasefire in Gaza. What is happening in Gaza now fits all the descriptions of a Genocide and war crimes. Israel's current government is using self defense as its justification for massive killings: 20,000 with nearly half being children. Surely the council does not want this to continue ? I see Seattle just passed a resolution today. Berkeley needs to be next. Thank You, Nora Shourd

**Benado, Tony**

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**From:** Esther Brass <estherbrass@gmail.com>  
**Sent:** Monday, November 27, 2023 6:41 PM  
**To:** All Council  
**Subject:** City of Berkeley resolution on Hamas-Israel war

**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.

Dear Mayor and Council-members,

I was concerned to read that a recent City of Berkeley council meeting was disrupted by a group of people pressuring you to make statements reflecting their view of the Israeli-Hamas war. I appreciate your carrying on the City Council meeting and business in spite of this disruption.

I understand that there is pressure on the City Council to pass a resolution about the Israel-Hamas war. I have mixed feelings about this, because the business of Berkeley is plenty to keep up with. The only justification I can think of for the City of Berkeley to work on a resolution about international affairs, that some of us in Berkeley care so much about, is if it serves to model mutual respect and empathy, thereby helping our community as well as making a statement.

I hope that a statement along the following lines could serve that purpose:

“Whereas the Palestinian people are indigenous to Palestine, and the Israeli/Jewish/Hebrew people are indigenous to the land of Israel, Whereas both peoples need and deserve a national homeland in which they are sovereign and that expresses their culture and history, Whereas on October 7, 2023 Hamas perpetrated a premeditated massacre of Israelis and Jews, and murdered and kidnapped people of all ages and many nationalities, and afterwards stated they plan to continue to do so again and again,

Whereas Hamas has siphoned off much needed resources from the Palestinian people, including food, water, fuel, building and electrical materials and funds,

We call upon Hamas to return all hostages and to lay down its arms, and for Israel then to end the war against Hamas. We hope that both peoples will soon have governments that are devoted to their best interests.

We also call upon the people of Berkeley to show respect and empathy for the aspirations of both the Israeli/Jewish and Palestinian people.”

I hope that a resolution of this nature could be constructive. It is very important that Berkeley not pass a resolution that is one-sided or denigrates either Israel or Palestine. We have seen words feed anti-Semitism and Islamophobia and violence against Jews and Palestinians in this country, including but not limited to the murders of eleven Jews at the Tree of Life synagogue, the murder of a six year old Palestinian-American boy by his family's landlord, and the very recent shooting of three young men of Palestinian descent in Vermont.

Let us not add to this toxicity.

Thank you for all your constructive efforts to serve Berkeley,

Respectfully,  
Esther Brass-Chorin

I live and work on unceded Ohlone land. I pay a voluntary land tax as one way to be a good guest and support Indigenous life. Learn more [here](#).

**Benado, Tony**

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**From:** Hillary Kilimnik <chasinghillary@gmail.com>  
**Sent:** Monday, November 27, 2023 8:03 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** No resolution, no statement on Israel/Hamas War Please

**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.

To the Mayor and all members of the Berkeley City Council,

I am a resident of Berkeley for over 17 years, a Berkeley homeowner, and a mother of three kids going through BUSD. I strongly urge all members of this council to **resist the pressure to adopt a statement or resolution regarding events in the Middle East.**

The people of Berkeley have a lot of diverse opinions about a lot of things, some of which are fiercely meaningful to them, and yet (mercifully) you do not adopt position statements on all of them. Because, simply, that is not your role as city council members. So it should be with this issue. The residents of the city did not elect you to opine, or to take precious time to develop statements, on conflicts in other countries - however close these events may be to members of this community. To wade into these charged waters will require much unnecessary exertion, and will risk rendering our community more fractured and less safe. And, to repeat: it's not your job. We need your hearts, minds and energies focused on Berkeley, to make decisions about local laws and policies for the city.

The council did not make a statement condemning the horrific terrorist attack by Hamas against Israeli civilians on October 7, and it is not appropriate now to weigh in on the war that is unfolding as a consequence of that attack, and the taking of hostages.

Please, the residents of this city depend on you to stick to your job and focus on the policies of Berkeley.

Sincerely,  
Hillary Kilimnik

**Benado, Tony**

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**From:** Roy Elis <royelis@gmail.com>  
**Sent:** Monday, November 27, 2023 10:24 PM  
**To:** All Council; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** Berkeley Mayor's Office  
**Subject:** please do not make a statement on the Israel-Gaza conflict

**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.

Dear Councilmembers and Mayor Arreguín,

I'm writing as a longtime Berkeley resident, homeowner, and parent of two BUSD students to ask that you do not take any position or make any substantive statement regarding the current conflict in Israel and Gaza.

For one, it's not your job. With all due respect, we elected you to run the city, not make statements or take stands on conflicts in far away countries. Not this conflict, nor the one in Ukraine, or anywhere else.

Second, although the Berkeley Council would have virtually no impact on the conflict itself, making a statement or taking a stand most certainly would divide, inflame, provoke and polarize your constituents here in Berkeley. Why would you do that? Have you noticed the rise in anti-Muslim and anti-Semitic incidents across the country? It would be, to put it mildly, irresponsible to fan the flames and make it more likely that we experience hateful incidents here in Berkeley.

I ask that you keep your energy focused on Berkeley -- on running the city -- and thank you for your service to our Berkeley community.

Best,  
Roy Elis



**Benado, Tony**

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**From:** Leor Beary <leorandshoshe@comcast.net>  
**Sent:** Monday, November 27, 2023 10:44 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Berkeley and the Middle East

**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.

Dear Rashi, Terry, Ben, Mark, Sophie, Jesse, Kate, Rigel and Susan,

I am a resident of Berkeley for 25 years, a Berkeley homeowner in District 5 and a mother of three children. My older two children are recent graduates of Berkeley High and my 3rd child is currently at King Middle School. I love Berkeley and everything that it represents. I am proud to tell others that I am a resident of Berkeley and I am grateful to have raised all three of my children here.

I strongly urge all members of this council to resist pressure to adopt a statement or relation regarding events in the Middle East. I spent a year living in Israel between high school and college volunteering in underprivileged villages and schools. I spent as much time as I could learning about the relationships between the many groups of people living in this land. My learning has continued to this day and I can tell you that the it is a very complicated part of the world. Everyone who lives there has a different opinion and everyone who doesn't live there has another different opinion. As I am sure you are all aware from your own personal experiences and the media, the current situation is deeply painful to many people on both sides.

Since October 7th each of my family members have felt our perspective communities dividing and taking sides. Our teachers, our friends, our professors, our colleagues, are taking strong stances for one side or the other and in doing so, creating painful divisions in our communities. Worse, is that we are all experiencing a rise in antisemitism. My daughter feels it at King Middle School. My son feels it at his NYC University. My daughter feels it in her Southern California College. We all feel the uptick in hateful acts as a direct result of the charged rhetoric surrounding the Middle East Conflict.

I urge the city council to either refrain from taking a position on this sensitive matter or to adopt a balanced and measured approach.

Thank you for considering my perspective. I trust that you will take into account the experiences of your Berkeley residents when making a decision.

Sincerely,  
Shoshana Beary

**Benado, Tony**

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**From:** Mark Brody <markbrody67@yahoo.com>  
**Sent:** Tuesday, November 28, 2023 5:36 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Who needs Jews?

**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.

Dear Berkeley City Council and respected government officials,

On behalf of anti-Semites everywhere, thank you for creating an atmosphere where Jew hatred can spread.

At least it appears that you are attempting to create a situation in which all minorities are protected as long as they are not Jewish.

Let's be on the side of those who throw queer people off of rooftops and use rape and baby killing as a weapon and will commit genocide against all Jews.

Of course the alternative is to not allow Jew hatred to flourish. Free speech can criticize some policy of Israel or want better treatment for the Palestinians. Chants that call for the ethnic cleansing of Jews is not exactly Free Speech, but you should definitely allow it if you don't care about Jews.

Just keep in mind that the hatred doesn't end with Jews. That is where it starts.

The link below is the Hamas charter. Supporting Palestine has nothing to do with helping the Palestinians. To avoid Islamophobia, we have the responsibility to believe what they tell us, even when they are telling us that their goal is to kill all of the Jews.

<https://embassies.gov.il/holysee/AboutIsrael/the-middle-east/Pages/The%20Hamas-Covenant.aspx#:~:text=The%20Hamas%20charter%20is%20the,18%20years%20of%20its%20existence.>

**Benado, Tony**

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**From:** Jennifer Splansky Juster <jennifer.splansky@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:11 AM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** No Resolution at Tuesday's Meeting

**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.

To All Members of the City of Berkeley City Council and Mayor Arreguin,

I am writing as a Berkeley homeowner in District 5 and mother of daughters attending Ruth Acty Elementary School to ask that you not take up the request to support any resolution on the war in Israel - Hamas. If you feel compelled to act: I implore you to please only support a resolution on the Israel-Hamas war if it is fair and balanced. To be fair and balanced I believe it would need to contain the following:

1. Both the Palestinian and Israeli-Jewish peoples are good and valuable.
2. Both peoples belong and deserve homelands.
3. Condemn any acts of terrorism, anti-semitism and Islamophobia
4. The only future worth advocating is a shared future
5. Refusal to make either the Palestinian or Israeli-Jewish peoples identical to their governments and policies

Any other stance which participates in the language of absolutism or holds up only one people's needs only adds fuel to the fire of extremism and violence. It divides us and pits us against each other. As a member of the Berkeley Jewish community, I can tell you that we are deeply scared of the rising anti-semitism in this time even here in Berkeley and Alameda County more broadly.

**Specifically: As an example, I have encountered anti-semitic graffiti on my morning run 4 times in the last 6 weeks.**

I do not believe that any criticism of the State of Israel or its policies is anti-semitic. But it is clear to me that any resolution that chooses sides in a way that denies the legitimacy, humanity, or needs of either people falls into a dynamic that feeds anti-semitism or Islamophobia. Please don't do that.

Thank you,  
Jennifer Splansky Juster

**Benado, Tony**

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**From:** Rachel Factor <rjfactor@gmail.com>  
**Sent:** Tuesday, November 28, 2023 8:21 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** City Council should not issue any statement on Israel-Gaza war

**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.

Dear Mayor and City Council members,

My name is Rachel and have been a resident of Berkeley since 2016 with my husband and three children. We relocated to Berkeley to live in a city that prides itself on embracing all people and is home to an incredibly accepting and thriving Jewish community. Our kids have been so incredibly fortunate to grow up in Berkeley where they have felt safe to be Jewish without a moment of hesitation to wear Jewish stars and talk about their religion with friends and neighbors in our community.

We have been protecting them from the news about the 400% increase in antisemitic incidents in this country since Oct 7, the horrendous rhetoric in the local protests and on UCB campus so they are still not scared to be Jewish and my 12-year-old son is still not scared to roam freely with his friends wearing kippas at the parks in Berkeley after Shabbat services.

However, amid the rise in antisemitism since Oct 7, I'm not sure how long this window of freedom will be open, particularly if the City Council decides to make any kind of one-sided statement about the Israel/Gaza conflict as was the case in Oakland last night and in Richmond weeks ago that are being requested by the loudest voices, but not the vast majority of residents who just want the City to handle the numerous local issues (housing, state-of good repair, fire and life safety, etc.). While I've understood that Council is not considering a resolution like the other cities, statements can be just as divisive. These statements being requested will only incite more anti-Israel, antisemitic rhetoric and actions such as we're seeing at Berkeley High and King Middle School where at a walk out kids were shouting KKK and "F\*\*\* the Jews."

I highly urge you not to buckle to the pressure of folks that are showing up to meetings throwing money, screaming, making obscene one-sided comments and not letting Council conduct its business. I highly urge you not to make a statement on the current Israel-Hamas war.

Making any kind of statement on this conflict requires an incredibly in-depth knowledge of the middle east, the Jewish diaspora, the Holocaust, the programs and genocide committed on Jewish people throughout history. A statement would need to recognize the complexity and genesis of the conflict and how Palestinian terror organizations have been a huge obstacle to peace in the region. This isn't black and white - oppressed against oppressors, colonized against colonizers. And any statement that delves into these sorts of issues must also include clear unequivocal condemnation of antisemitism - note that the Jewish population in the US is 2.4% and it receives over 60% of the religious-based hate crime (<https://www.bbc.com/news/world-us-canada-67281042>). If not, this teaching will only foster less understanding and more hate for the generations to come.

I'd also like to point out that one of the groups with a very loud voice is Jewish Voice for Peace (JVP), while vocal in Berkeley, does not represent the vast majority of Bay Area Jews (or the Jewish diaspora for that matter). A professional poll of Bay Area Jews conducted in 2022 found that: "The vast majority of survey participants (89%) agree that Israel has the right to exist as a Jewish and democratic state —a basic marker of Zionism" (p. 15). This data makes clear how unrepresentative JVP, an avowed anti-Zionist organization, is when it comes to how most Jews feel about Israel. JVP provides convenient cover to groups and organizations that seek Israel's destruction because they hold up

their Jewishness. To be clear, there are always small fringes within any community that speak loudly and are at odds with the majority. The Council should not give any more deference to JVP's opinion on the Hamas-Israel war than they would Kanye West's opinion on the subject of Black Lives Matter. JVP and Kanye are both entitled to their perspectives, but that does not make them either representative or authoritative with regards to the perspectives of mainstream Jewish or African American communities.

We are at a critical juncture where our council member's decisions will influence whether our community becomes more divided, putting marginalized residents at increasing risk of hate crimes, or becomes more united. I appreciate that this council has not considered any resolutions on the Israel/Hamas war thus far, despite mounting pressure, and I urge you to continue to keep our community safe and productive by:

- 1) Continuing to focus on Berkeley-specific issues, not international issues.
- 2) Banning disruptive individuals from city council meetings.
- 3) Communicating with BUSD regarding the large increase in antisemitism our students are experiencing without consequences for perpetrators

Thank you for your time,

Rachel, District 5

**Benado, Tony**

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**From:** Jamie Epstein <epstein.jamie@gmail.com>  
**Sent:** Tuesday, November 28, 2023 9:30 AM  
**To:** All Council  
**Subject:** Please do not pass Berkeley for Palestine resolution

**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.

Dear Council,

As a Berkeley resident, I am writing to share my strong commitment that the Berkeley City Council should not take a public position in the current Israel-Hamas conflict. The current conflict is part of a deeply painful, complicated situation that cannot be reduced to supporting one side.

I believe this resolution would have an unnecessarily divide impact on our diverse Berkeley community and could add fuel to the fire of violence and rising anti-semitism. Thank you for your consideration,  
Jamie Epstein

**Benado, Tony**

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**From:** Sara Shendelman <songbirds22@me.com>  
**Sent:** Tuesday, November 28, 2023 11:59 AM  
**To:** All Council  
**Subject:** Palestinian resolution

**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.

> Do not pass this resolution for solidarity with Palestine. As an educator, I find the understanding of the history of this area to be sorely lacking. It is a complicated situation. I asked the noted UC professor George Lakoff, why so many people in Berkeley had the attitudes they did. He said it was because people in Berkeley have a knee-jerk reaction to assume that the underdog is right. He said in the Israel / Palestine conflict, Palestinians have been offered many situations that would dramatically improve their situation, and they have refused to enter into an agreement. But one must start somewhere.

>

> I pray for the healing of all of those on both sides, even as my children, Berkeley natives, run a kitchen to give free food to displaced families, and whoever needs it, at Citizens Kitchen in Tel Aviv. We must open our hearts to everyone, but we must not have a knee-jerk reaction that lacks understanding.

>

> Please do not vote for this resolution. It only helps divide everyone into camps that cannot come together and find a compassionate outcome.

>

> It will not help. It will only create more anger and divisiveness.

>

> Rabbi Sara Shendelman

>

> Berkeley, CA

>

>

> Sent from my iPhone



**Benado, Tony**

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**From:** Arbel R Shemesh <arbelshemesh@icloud.com>  
**Sent:** Tuesday, November 28, 2023 12:44 PM  
**To:** All Council  
**Subject:** Resolution

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

Hello,

I read a proposal for a resolution about the conflict between Israel and Hamas, I believe there will be a space for public comments in today's council meeting? This proposal is very one sided, supporting the Palestinian people and demonizing Israel. I would like to point out, that when seeking peace, you need to bring all the parties to the table, which means you need to make all sides feel safe at the table. Of course the resolution will have no effect on the Middle East itself, but as public servants do you not think you should serve and represent all the people in your city? Why inflame local population even more than it already is? For what purpose? Surely you cannot believe it will make our city more peaceful, From a concerned citizen.

Sent from my iPhone

**Benado, Tony**

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**From:** Wynd Kaufmyn <kaufmyn@aol.com>  
**Sent:** Tuesday, November 28, 2023 1:12 PM  
**To:** All Council  
**Subject:** Berkeley must take a stand for NEVER AGAIN

**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.

*"This has to stop. I think it is a good idea for us all to drop everything and devote our lives to making this stop. I don't think it's an extremist thing to do anymore. I still really want to dance around to Pat Benatar and have boyfriends and make comics for my coworkers. But I also want this to stop."*

These words were written by Rachel Corrie to her mother while she was in Gaza in 2003, 18 days before she was crushed to death by an Israeli bulldozer, protecting the home of a Palestinian pharmacist and his family.

Rachel's words are more true today than every before. What is happening right now in Gaza is a textbook case of Genocide.

Our city must do whatever it can. A resolution is only the first step. Please take it **now**.

Stand on the right side of history. Stand for the principle of "NEVER AGAIN."

Wynd Kaufmyn  
District 3

**Benado, Tony**

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**From:** Rebecca Soffer <rebeccaliora@gmail.com>  
**Sent:** Tuesday, November 28, 2023 1:49 PM  
**To:** All Council  
**Subject:** no on Berkeley for Palestine

**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.

To Whom it May Concern,

We are writing as longtime Berkeley residents and business owners. We would like to convey the brief message that taking sides on the Israel-Hamas war and pushing through the "Berkeley for Palestine" resolution is a mistake. The Israel-Hamas conflict is an incredibly nuanced and complex political situation with global players and global implications. The "Berkeley for Palestine" resolution is one sided and reductionistic.

The job of a city council is the protection of the rights of your citizens, ALL your citizens. We can speak for the Jewish community that Jews in Berkeley are experiencing discrimination. "Berkeley for Palestine" is fueling false pretenses about Israel and fueling antisemitism. It is your place to stand up to hatred and extremism. That is what we expect from our representatives. Do not vote "Berkeley for Palestine."

Thank you for your consideration,

Rebecca Soffer and Alberto Malvestio

**Benado, Tony**

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**From:** leah amzel <amzel.leah@gmail.com>  
**Sent:** Tuesday, November 28, 2023 2:05 PM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Please do not take a stand on the middle east conflict

**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.

Dear Mayor and Council Members,

I am a district 2 constituent, born and raised in Berkeley and now raising my own family here. I am pleading with you to not pass any statement or take a stand on one side of the Israel-Hamas conflict. Words will do nothing to directly affect the outcome of the conflict, but they will affect the Jewish families of Berkeley and particularly Jewish students in the public schools. Please do not add to the divisiveness that could have profound implications for our safety locally, as Jewish communities around the country and the world are feeling scared, intimidated and vulnerable with the rise in hate crimes and anti-semitism.

Thank you,

Leah Amzel

**Benado, Tony**

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**From:** ldp@igc.org  
**Sent:** Tuesday, November 28, 2023 3:10 PM  
**To:** All Council  
**Subject:** Cease Fire in Gaza resolution

**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.

Dear Mayor and Berkeley City Council Members:

Please vote for a long term Cease Fire in the Gaza Israel conflict.

Thank you,

Lindsay Vurek  
Resident in Elmwood -Rockridge, Berkeley

**Benado, Tony**

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**From:** Brett Mendel <brett.mendel@gmail.com>  
**Sent:** Tuesday, November 28, 2023 4:23 PM  
**To:** All Council; Hahn, Sophie  
**Subject:** No resolution on Israel

**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.

Dear Mayor Arreguin, Councilmember Hahn, and other members of the Berkeley City Council,

I urge you NOT to consider any resolution on Israel or the current war there, including any statement that seeks to placate everyone with a stake in this issue. No matter how "fair and balanced" it is, however noble your aim, you will satisfy no one at best and sow more division, anger, and aggression at worst.

I'm a resident of District 5 and the father of 2 students at Berkeley High School. For the first time in my 18 years living in Berkeley, I've found some of the anti-Israel rhetoric here very disturbing, including much misinformation and bias my sons have experienced at their school. Anything that the City Council as a body states publicly will only perpetuate this climate by further empowering the vociferous and strident views that feed this negative, highly charged atmosphere of accusation and retribution.

I am a Jewish American who firmly opposes the policies of Israeli right-wing hardliners. I have even participated in protests against Netanyahu. I'm pained by the death of thousands of Gazans in the current war and by the treatment of Palestinians more broadly. However, I also firmly and unequivocally believe in the right of Israel to exist, with all its flaws and indecencies. These two sets of beliefs can be held at the same time, but to hear the public discourse now you'd think the concept of Israel as an independent state should be questioned as a matter of principle. This question was concluded with the establishment of Israel in 1948. Millions of Jews were born and live there. They are not "going back." I cannot **overstate** how threatening and appalling this agenda of undermining Jewish statehood is to Jews in this country and around the world.

I'm not opposed to the City Council taking a stand on a political issue. I **would** question the timing and purpose of speaking on this one specific issue, **though**, especially if it fails to condemn the murderous rampage of Hamas, as other recent city resolutions **have done**. The generic condemnation of "antisemitism and Islamophobia" satisfies no one. Such statements are particularly toothless without reference to Oct. 7, the biggest single act of antisemitism against Jews since World War II. Rather, I fear any statement by the City Council will amplify the loudest and most divisive voices in our community, who spew distorted vitriol about Israel, its history, and its legitimate right to exist. Bowing to the demands of these voices will further alienate and endanger Jewish constituents, a minority that already feels unsafe and threatened by rising antisemitism, both subtle and overt, in our community.

Thank you,  
Brett Mendel

**Benado, Tony**

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**From:** Stacey Hara <staceyzolthara@gmail.com>  
**Sent:** Tuesday, November 28, 2023 3:26 PM  
**To:** All Council; Berkeley Mayor's Office  
**Subject:** I urge the city council to abstain from entering the debate on Israel-Hamas war

**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.

Dear Mayor Arreguin and City Council Members,

I am a resident of Berkeley District 5, and a mother of two BUSD students. I am the parent who organized over 1300 Jewish BUSD parents and concerned community members to urge the BUSD Board of Education to stand up against antisemitism in our schools.

I understand you are being pressured to take a stand on the Israel-Hamas war, and I write to urge the council to do the bravest thing possible: abstain from getting involved in a conflict over which you have no jurisdiction and focus on the myriad issues facing our city.

The situation in the middle east is tragic, but there is little precedent of or benefit to the city council entering into the fray. As far as I can tell, the city council has not weighed in on so many of the tragedies in far away foreign lands. Have you adopted a resolution on the Uyghur minorities in China? Or the genocide in Sudan? Or child marriage in India?

Deciding to weigh in on the complex issue of relations in the Middle East, would only fan the flames of discontent in our community and would not have any material impact on the war itself, and would add to the increasingly shocking antisemitic atmosphere in our city. Moreover, taking precious time and resources away from managing critical city business to pander to a small vocal faction which has adopted terrorist propaganda would not only be an affront the Jewish residents of Berkeley but would be an insult to all voters in this city which have entrusted you to spend their city management resources wisely

Berkeley residents deserve better. We deserve a city council that is laser focused on solving the issues in our community -- like rising homelessness, violence in our schools, rising shootings, police shortages, lack of affordable housing, traffic and road safety ... and more. Foreign affairs are, to be blunt, not your job.

I implore you to keep your eye on the ball and not allow terrorist propaganda groups to make a fool out of this institution and this city.

Sincerely,  
Stacey Hara  
867 Arlington Ave  
Berkeley

**Benado, Tony**

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**From:** L Stone <l.stone@outlook.com>  
**Sent:** Tuesday, November 28, 2023 8:11 PM  
**To:** All Council  
**Subject:** Thank you for not bringing up any resolutions relating to the Israeli-Hamas Conflict

**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.

Dear Mayor Arreguin and Council Members,

I've thanked a couple of you in the past and just want to make sure not to leave anyone out.

I am so grateful that the council has not allowed any resolutions to be brought up related to the Israeli-Hamas Conflict. This is an international issue with great complexity and no easy answers. Whatever you would say would certainly alienate many constituents. Some international issues unite us, like global warming. But this is not one of those issues.

My daughter attends Berkeley High School and we are aware of many antisemitic issues. I appreciate you not fanning the flames.

I look forward to a time soon when you will be able to conduct a council meeting dealing with our local issues without disruption.

Sincerely,

Laila Stone  
1326 Virginia Street  
District 1



**Benado, Tony**

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**From:** Deb K Fink <debkink@gmail.com>  
**Sent:** Tuesday, November 28, 2023 9:05 PM  
**To:** All Council  
**Subject:** Thank you!

**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.

Dear Mayor Arreguin and Berkeley City Council Members,

I am a Berkeley resident and BUSD parent and I'm writing to thank you for not giving in to the (intense and hostile) pressure you've been under to make a statement about the war between Israel and Hamas. In addition to having nothing to do with your vital work here in the city of Berkeley, taking sides in this age-old conflict will do nothing but create more conflict and division in our community. It will also inevitably lead to a rise in Antisemitism and Islamophobia, as we've seen around the country. I appreciate you keeping calm and clear in the face of such ugliness and I am sorry for the way you've been personally attacked. I watched the meeting online and was disgusted by the hateful behavior I saw. I didn't attend in person because the JCRC recommended we not do so and because, in all honesty, I was afraid to attend for my psychological well being. I find this kind of tension between neighbors deeply disturbing. And I'm sad that people are choosing to scream and fight and create more conflict instead of listening to one another and seek peace and understanding.

In any case, I want to thank you again for standing strong and calm in the face of these antics.

Also, I was told that the mayor put out a statement today but I was unable to find it. Can you please let me know how I can access it?

Many thanks,

Deb Fink

**Benado, Tony**

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**From:** Shani Stolero <shani@sandler.co.il>  
**Sent:** Tuesday, November 28, 2023 10:18 PM  
**To:** All Council  
**Subject:** Pro-Palestinian resolution

**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.

Dear Berkeley City Council and respected government officials,

I am writing to you as a citizen who is very concerned about the safety and wellbeing of all the residents in Berkeley.

Since the passing of the Richmond resolution, which used dehumanizing antisemitic tropes, I have seen an increase in Jew-hatred in the east bay, with my own eyes. Businesses have been vandalized, synagogues have had to pay for expensive extra security, and Jews have been denied service at restaurants. Personally, I have received explicitly antisemitic messages with no provocation except for my mere existence as a Jew. We need this to stop. Please focus on the myriad local issues in Berkeley, instead of shifting the focus to a complex international conflict that cannot and will not be solved by passing a one-sided resolution.

As the various announcements on the upcoming meeting - one titled: "Berkeley For Palestine" - and the comments during other cities' discussions on similar resolutions show, the call for a cease fire, is used as an opportunity to challenge the very existence of Israel.

Yesterday I listened to the public comments on Oakland's cease fire resolution. I sat and listened to more than four hours of anti-Israel rhetoric laced with lies, hate, bigotry, and plain ignorance.

Inflammatory terms such as genocide, apartheid, ethnic cleansing, colonialism, imperialism, and more, were repeated again and again, until accepted as truth.

There was nothing Israel wasn't blamed for, from homelessness, to the use of fossil fuel, to lack of asthma medicine in the pharmacy, and everything in between. It was pure Israel bashing. Just replace "Jews" for "Israel", and it reminds same hateful rhetoric eighty years ago.

And that is not such a far fetch association. Considering that there were, and presently there are, many conflicts throughout the world that claim lives of children many times over, and are much less complex than the Palestinians- Israel conflict, none eliciting such vehemence and hatred, none prompting resolution by this city council or others, one must asks whether the issue is really the cease fire in Gaza.

Which brings me to the specific allegations being hurled at Israel.

SOME FACTS ON APARTHEID, GENOCIDE, and ETHNIC CLEANSING:

When we speak of ethnic cleaning, from a population of almost a million Jews in 10 Muslim countries before 1948, the population today has declined to less than 15,000!

<https://sephardicu.com/history/jewish-population-in-10-islamic-countries/>

On the other hand, the Arab citizens and permanent residents in Israel make up just over 20% of the country's population.

Speaking of genocide: The growth rate of the Arab population in Israel is 2.2%, while the growth rate of the Jewish population in Israel is 1.8%. And in Gaza and the West Bank the population growth rate is among the

highest in the world: 3.4 percent in the West Bank and 4.0 percent in Gaza. <https://www.prb.org/resources/the-west-bank-and-gaza-a-population-profile/>

On the other hand, the Hamas charter calls for straight out genocide of all Jews: "The Day of Judgment will not come about until Moslems fight Jews and kill them. Then, the Jews will hide behind rocks and trees, and the rocks and trees will cry out: 'O Moslem, there is a Jew hiding behind me, come and kill him.'" (Article 7)

Speaking of Apartheid: as of 2020, Arabs made up 17% of Israel's doctors, 24% of the nurses, and 48% of the pharmacists. An Arab is sitting on the Supreme Court of Israel, and there are many other judges in lower courts.

On the other hand, a Palestinian wishing to have a business in Kuwait, must take as partner a Kuwaiti, who does nothing, except shares the profits.

(Read some more about the Palestinians' fate in Kuwait.

<http://www.aljazeeraah.info/Gulf%20War%20Complete/Chapter%2010,%20Palestinians%20in%20Kuwait,%20Terror%20and%20Ethnic%20Cleansing,%20By%20Hassan%20A%20EI-Najjar.htm>

Clearly, if Israel is attempting to commit ethnic cleaning, genocide, and apartheid, it does it very inefficiently.

Most of those who opposed the Oakland resolution simply asked that it would also include a denunciation of the Hamas and the atrocities it committed on 10/7. That was vehemently rejected by those supporting the resolution. If peace in the Middle East is what everyone wants, why this modification, which gives some context to Israel's recent activities in Gaza, would draw such a fierce resistance. Aren't Israeli kids' lives matter too?

If we don't recognize the problem with Hamas in terms of initiating the violence, how are we to obtain peace with a resolution calling for a cease fire, when there was a cease fire in effect when the Hamas attacked on 10/7?

Sadly and alarmingly, it should be noted that many of the Oakland speakers denied that there was a massacre on 10/7, altogether. Some said it was Israel who killed its own citizens. Some exalted the Hamas as a freedom fighter organization. Some booed when the atrocities of the Hamas were mentioned. Still others said that if there was any killing, it was justified.

And the feeling of Deja Vu grew stronger and stronger.

I expect Berkeley will be no different, in rhetoric and emotions.

There seems to be an anti-Israel hysteria sweeping the nation. No doubt you are pressured to join in. It will be easy to join in. But should you? What will be achieved except more divisiveness, more hate, polarization, and an invitation to more groups to demand that the city make its own complex international agenda, the city's agenda.

And there is the equally important question, where does the city council get this mandate to speak for the people in Berkeley when nobody elected the council members because of their stance on Middle East peace.

I call on the Berkeley City Council to not call on any resolution of this kind. We all saw the violence at the council meeting. You have the privilege and the responsibility to keep all Berkeley residents and visitors safe.

Sincerely,  
Shani Stolero

**Benado, Tony**

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**From:** David Davis <davisde@gmail.com>  
**Sent:** Wednesday, November 29, 2023 12:23 AM  
**To:** All Council  
**Cc:** Ayana Bracha Davis  
**Subject:** Palestine and Israel

**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.

Dear Mayor and City Council, I ask that you do not put forward any resolution for or against Israel and Palestine.

Berkeley has pressing issues that are local to the city - with safety of the residents being at the top of the list.

We need safe streets, safe students and more civility. I attended the meeting tonight briefly with my six-year-old daughter after we had finished swimming at West campus.

One issue that the city could consider is more privacy in the showers because my 6 year old daughter has to shower in the men's bathroom until the point where she feels comfortable to go by herself in the women's bathroom.

The beautiful new Ohlone Park needs bathrooms because the kids and adults have to pee in the bushes.

Attending the meeting tonight, one might think that the Palestinian cause is the most important issue facing the city, and I do not think it is.

It's fair to say that most people abhor war and violence and mourn the loss of innocent people.

At the end of the day, there is no such thing as a free Palestine, because Islamic governments tend not to believe in freedom. Correct me if I'm wrong but the Palestinian authority and Hamas have not held elections since they rose to power.

I ask that the council not be swayed by the vocal minority of activists who attend these recent meetings. By hoarding the time for an existential issue it is clear that they are not focused on the pressing issues faced by the residents of Berkeley.

Thank you for your work.

Sincerely,  
David

DAVID E. DAVIS  
Owner, Treehaven Investment Properties Inc  
[www.tipmgmt.com](http://www.tipmgmt.com)  
(510) 981-9604  
Licensed Real Estate Broker  
CA DRE#: 01943575

**Benado, Tony**

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**From:** Miriam Schultz <mnschultz@gmail.com>  
**Sent:** Monday, December 11, 2023 1:01 PM  
**To:** All Council  
**Subject:** Please keep the focus on Berkeley

**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.

Berkeley City council members,

A few weeks ago, it seemed the Berkeley city council would *not* capitulate to the very loud demands of activists, some of whom subscribe to revisionist versions of history, and others who unabashedly support a terrorist organization - and thereby, thankfully, *not* go the way of Richmond to the north, and Oakland to the south, both of whom decided it made sense to get into the business of adopting city council resolutions about international events, on a selective basis.

Now it seems possible the Berkeley city council *might* capitulate to this non-sensical demand to adopt some sort of resolution about the Israel/Hamas war.

My ask? Stop the madness.

Berkeley can be different. Berkeley can distinguish itself from surrounding cities **by adopting a policy of *not* adopting resolutions on world events on an arbitrary basis.**

Please, this is city governance.

You don't have to spend precious time and energy jumping through these contrived hoops. Just say no.

With respect,  
Mimi Schultz  
Berkeley resident

**Benado, Tony**

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**From:** helmi abdellatif <abdellatifhelmi438@gmail.com>  
**Sent:** Sunday, December 10, 2023 2:23 PM  
**To:** All Council  
**Subject:** Generated Email

**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.

**Subject:** Urgent Request for Immediate Action: Vote Yes on Gaza Ceasefire and Condemn Israeli Apartheid

Dear Berkeley City Council Members,

I hope this email finds you well. As a concerned student at the University of California, Berkeley, I am writing to urgently urge you to vote yes on a resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel. The prolonged delay in considering this crucial resolution is deeply dismaying and disheartening, especially when innocent lives hang in the balance.

To date, over 20,000 Palestinians, including a significant number of children and women, have tragically lost their lives. This devastating toll cannot be overlooked or dismissed. It is imperative that we take immediate action to address this humanitarian crisis and hold those responsible accountable.

I am frustrated by the lack of prompt action from the Council in considering this resolution, which raises concerns about the Council's commitment to justice and human rights. It is disheartening to witness the apparent hypocrisy in the delay and the failure to address this urgent matter.

Personally, this issue holds great significance to me. As a student, I believe it is our responsibility to stand up against injustice and use our voices to advocate for those who are oppressed. The gravity of this matter cannot be understated, and it is crucial that the Council understands the urgency and necessity of supporting a ceasefire in Gaza and condemning the actions of the Israeli apartheid state.

In conclusion, I implore you to prioritize human lives and act swiftly by voting yes on the resolution for a ceasefire in Gaza. It is time to condemn the actions of the Israeli apartheid state and stand in solidarity with the innocent Palestinians who continue to suffer. Please do not let this crucial opportunity for justice slip away.

Thank you for your attention to this matter, and I sincerely hope that you will consider the gravity of the situation and take immediate action.

Sincerely,

Helmi

Sent from my iPhone

**Benado, Tony**

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**From:** Kiara Bragg <kiara.bragg@icloud.com>  
**Sent:** Saturday, December 9, 2023 7:26 PM  
**To:** All Council  
**Subject:** Generated Email

**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.

**Subject:** Urgent Call for Action: Vote Yes on Ceasefire Resolution for Gaza

Dear Berkeley City Council Members,

I hope this email finds you well. As a concerned student at the University of California, Berkeley, I am writing to urgently urge you to vote yes on the resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel.

I am deeply dismayed by the prolonged delay in considering this crucial resolution. It is disheartening to witness the lack of prompt action, especially when over 20,000 Palestinians, many of whom are innocent children and women, have lost their lives.

I understand that the Council has numerous responsibilities and considerations, but it is essential to hold you accountable for the delayed consideration of this resolution. It is my hope that you will address this issue promptly and prioritize the urgency of the matter at hand.

I respectfully call your attention to what appears to be a hypocrisy in the Council's actions. As a governing body that champions equality and justice, it is vital to remain consistent and advocate for the rights and lives of all individuals, regardless of their nationality or ethnicity.

Personally, I care deeply about this issue because a ceasefire is urgently needed to prevent further loss of innocent lives. By passing this resolution, local governmental institutions can play a significant role in pushing for federal change. It is crucial to convey this perspective effectively, ensuring that the Council understands the gravity of the matter and the impact their decision can have.

In conclusion, I implore you to vote yes on the ceasefire resolution for Gaza and to condemn the actions of the apartheid state of Israel. Please take immediate action to address this pressing matter and demonstrate your commitment to justice, peace, and the lives of innocent civilians.



Thank you for your attention and consideration.

Sincerely,

Kiara Bragg  
University of California, Berkeley Student

Sent from my iPhone

**Benado, Tony**

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**From:** Jaiden Feldman <jaidfeldman@icloud.com>  
**Sent:** Saturday, December 9, 2023 8:50 PM  
**To:** All Council  
**Subject:** Generated Email

**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.

Dear Berkeley City Council,

I am writing to urgently urge you to vote yes on the resolution for a ceasefire in Gaza and to condemn the actions of the apartheid state of Israel. As a concerned Berkeley constituent and student at the University of California, I am deeply dismayed by the prolonged delay in considering this crucial resolution. It is disheartening to witness the lack of prompt action.

Over 20,000 Palestinians, including countless children and women, have lost their lives. The ongoing violence and suffering in Gaza cannot be ignored any longer. The Council's delayed consideration of this resolution sends a message of indifference, which is unacceptable given the gravity of the situation.

As a resident of Berkeley, I hold the Council accountable for their apparent hypocrisy in addressing urgent matters of human rights. It is essential that you prioritize the lives of innocent Palestinians and take a firm stance against the actions of the apartheid state of Israel.

Personally, this issue deeply affects me as I believe in the importance of justice, equality, and the protection of human rights. The ongoing violence and loss of innocent lives in Gaza goes against these fundamental values. I implore you to act swiftly and vote yes on the resolution for a ceasefire, while condemning the actions of the apartheid state of Israel.

Thank you for your attention to this matter. I trust that you will consider the urgency of the situation and make the right decision. The world is watching, and it is crucial that Berkeley takes a stand for justice and peace.

Sincerely,

Jaiden Feldman  
Berkeley Constituent

**Benado, Tony**

---

**From:** Daniel Milutin <danielmilutin@gmail.com>  
**Sent:** Saturday, December 9, 2023 7:18 PM  
**To:** Robinson, Rigel; All Council  
**Subject:** Urgent Call for Action: Ceasefire in Gaza and Condemnation of Israel's Apartheid Actions

**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.

Dear Berkeley City Council Members,

I am writing to you as a concerned resident of District 7 to urgently urge you to vote yes on the resolution for a ceasefire in Gaza and to openly condemn the actions of the apartheid state of Israel. The prolonged delay in considering this crucial resolution is deeply dismayed, and the lack of prompt action is disheartening to witness. Over 20,000 Palestinians, including countless innocent children and women, have tragically lost their lives in this ongoing conflict. This sobering reality demands immediate attention and a strong stance against the atrocities being committed. As a resident of Berkeley, I believe it is our duty to hold our elected officials accountable for their actions and decisions. Therefore, I respectfully call you out for the apparent hypocrisy in the delayed consideration of this resolution. It is essential that we address this issue swiftly and decisively, without further delay. Personally, this issue resonates deeply with me due to the profound human suffering and loss of innocent lives. I strongly believe that if we do not act now, we risk perpetuating the cycle of violence and injustice. It is crucial that you understand the gravity of this matter and its impact on the lives of Palestinians. I implore you to seize this opportunity to demonstrate Berkeley's commitment to justice, peace, and human rights by voting yes on the resolution for a ceasefire in Gaza and publicly condemning the actions of the apartheid state of Israel. Let us not be silent in the face of immense suffering and let our actions reflect our values. Thank you for your attention to this urgent matter. I trust that you will make the right choice and take swift action to address the needs and concerns of your constituents.

Sincerely,  
Daniel Milutin  
Berkeley Resident, District 7

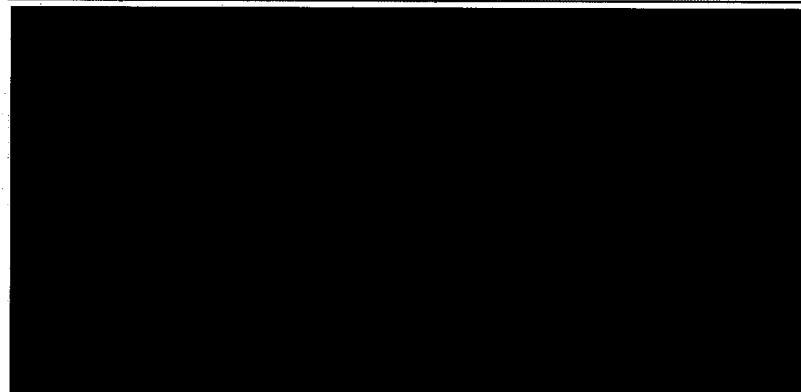
**Benado, Tony**

**From:** Paul Lee <beistorage17@yahoo.com>  
**Sent:** Thursday, December 14, 2023 7:49 AM  
**To:** Paul Lee  
**Subject:** Berkeley Scholar Paul Lee Explains What Malcolm X REALLY Believed About Palestine [Please Share - Thanx!]

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

<https://twitter.com/scholarpauldee/status/1735324202947973574>


Berkeley Scholar Paul Lee Explains What Malcolm X REALLY Believed About Palestine



**Berkeley Scholar Paul Lee Explains What Malcolm X REALLY Believed About ...**

Remarks prepared for the Berkeley City Council, Nov. 28, 2023, but delivered at "Yalla Berkeley, All Out for Palestine!" Strawberry Creek Park, Berkeley, Calif., Dec. 12. My videos debunking an AI-generated fake Malcolm X speech on Palestine are

here:  • [The Viral Malcolm X "Speech" on Pales...](#)  • [Watch the REAL Malcolm X Link the Afr...](#) The fake

was played at the Oakland City Council:  / [1729315625330495690](https://www.youtube.com/watch?v=1729315625330495690) . Here are the introductory remarks I didn't have time to read: "My dear friend Negeene Mosaed kindly asked me to deliver some remarks on Malcolm X's real, as opposed to made up, views on Palestine and the Zionist colonial settler regime, as he described Israel. I wrote them to deliver at the Berkeley City Council on Nov. 28, but I ended up not doing so because I wasn't feeling well that nite. "However, even if I'd been feeling better, I probably wouldn't have been able to deliver my remarks because the Berkeley city manager, the mayor and the city council engaged in yet another one of their cowardly, possibly illegal subterfuges. "They again conspired to avoid engaging in an open public discussion of a demand by a significant element of their constituents for their city to call for a ceasefire in the latest iteration of Zionist Israel's 75-year-old war against the Palestinian people. "But before I read those remarks, I wanted to say something to our Palestinian sisters and brothers. Because of my parents' divorce, I was blessed to grow up here in Berkeley, where my Dad lived, and Detroit, where my Mom lived. As some of you know, Detroit is near Dearborn, which, along with Hamtramck, has the largest population of Arabs and Muslims outside of the Arab and Muslim worlds in the East. "So I grew up with Palestinians and I was aware early on of the special bond between our peoples, which makes sense. They were forced from their historic lands and our ancestors were stolen from ours. They're scattered to the four winds in a global diaspora, where they're often seen and treated as strangers. Worse, their lives are not as valued as the people who they live amongst. That, of course, is our experience, too. "Finally, for 75 years, they've yearned for national restoration and self-determination, the right to return to their ancestral lands and the God-given right to chart their

**Benado, Tony**

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**From:** Khalid Kishawi <khalidnkishawi@gmail.com>  
**Sent:** Tuesday, November 28, 2023 9:28 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Consent calendar 9 and 10

**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.

Dear city council members,

I had my hand raised for 3 hours on the zoom call for this city council meeting tonight and at the end you said you called on everyone but I still was not called on so I would like to email my comment to you all.

My name is Khalid and I am a district 3 constituent. I would like to oppose number 9 and 10. I am a tax paying resident in Berkeley which means I have donated hundreds of dollars to the police and as other callers said we are not being protected or kept safe. My tax dollars have bought the bombs that murdered over 12 of my family members in Gaza including 3 children named nabeel kenda and faras. Call for a ceasefire! Your silence is violent and the pressure you would be able to put on the federal government with your resolution, matters.

**Benado, Tony**

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**From:** Cheryl Davila <cheryldavilafmrd2councilmember@gmail.com>  
**Sent:** Thursday, December 21, 2023 2:54 AM  
**To:** Berkeley Mayor's Office; All Council  
**Subject:** Re: Berkeley Weekly Update - 12/19/23

**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.

Thank you for your email, **GENOCIDE MAYOR jesse!**

You & the council should be **ASHAMED! ZIONIST** are following the same path as the **NAZIs..** You have chosen genocide, chosen collective punishment, chosen oppression, chosen to not support your Palestinian constituents, chosen **RACISM**, chosen **APARTHEID**, chosen settler colonialism, have chose hatred, h

Imagine Cesar Chavez, do you think Cesar would support zionist, their rhetoric or apartheid?

You & the Berkeley City Council have **blood** on your hands, the **blood** of Palestinian children, women, men & " Israelis, too.

"What I do shows people what kind of person I am." Cesar Chavez

Happy genocide holiday season!

Praying for a better tomorrow, a zionist free council, a **FREE PALESTINE**, an **END** to Apartheid, an **END** to **OCCUPATION**, an **END** to **ALL** wars & **PEACE** throughout the world!

Thank you. Stay healthy, be safe.

Peace & Blessings,

Cheryl

**Cheryl Davila**

Former Councilmember  
 City of Berkeley

Founder

**Benado, Tony**

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**From:** Cheryl Davila <cheryldavilafmrd2councilmember@gmail.com>  
**Sent:** Sunday, December 31, 2023 7:48 PM  
**To:** All Council  
**Subject:** Happy New Year!

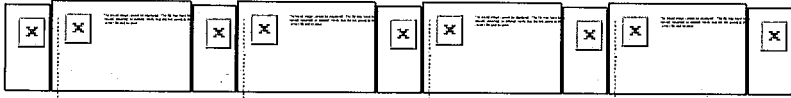
WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

**Happy GENOCIDE New Year!**

**Happy Kwanzaa** Genocide Zionist Berkeley City Council:

Hope you are enjoying this genocide holiday season!

SADLY, you have **BLOOD** on your hands! You're supporting GENOCIDE, white supremacy, racism, corporate greed, hatred, nazis and EVIL! Not sure how you can live with that but...that's on YOU! HEARTLESS!



Please **watch** the videos, **the very least you can do.**

Palestine delivers the greatest speech in modern history at the UN Security Council...[https://twitter.com/resist\\_05/status/1740908444838952986?s=42](https://twitter.com/resist_05/status/1740908444838952986?s=42)

<https://www.youtube.com/watch?v=ug0L5S2Qzww>

PALESTINE will be FREE and the world will know you were on the wrong side of herstory/ history.

Please I send this in hopes to WAKE your Zionists derrieres up....no hate just LOVE for humanity that includes you zionists.

Peace & Blessings,

Cheryl

**Cheryl Davila**

Former Councilmember  
City of Berkeley

Founder  
Climate Emergency Mobilization Task Force  
[CEMTF.org](http://CEMTF.org)

**Benado, Tony**

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**From:** Riti Dhesi <ndhesi@yahoo.com>  
**Sent:** Friday, December 22, 2023 7:16 AM  
**To:** All Council  
**Subject:** Gaza Ceasefire Resolution

**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.

Dear Berkeley City Council,

I would like to add my voice to the many who have already emailed or spoken - please pass a Permanent Ceasefire Resolution. Since when has Berkeley shied away from global issues - it hasn't until now. Why not propose a resolution similar to the one Dean Preston proposed in San Francisco calling for a sustained cease-fire, an influx of humanitarian aid, the release of all hostages, and the condemnation of antisemitism, Islamophobia, and anti-Palestinian hate. I'm wondering what is so controversial about calling for an end to violence?!

Just today the NYTs published that Israel has bombed locations they told Palestinians to move to. Entire families have been erased. Just like that. At what point does this end?

Sincerely,  
Nritkaar Dhesi



**Benado, Tony**

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**From:** Matt Meyer <president@berkeleyteachers.org>  
**Sent:** Wednesday, December 20, 2023 9:25 AM  
**To:** All Council  
**Subject:** Berkeley Federation of Teachers Statement Demands a Ceasefire

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

Hello Berkeley City Council,

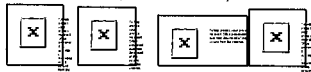
The Berkeley Federation of Teachers Executive Board has approved this statement to send to our elected officials.

The Berkeley Federation of Teachers denounces the violence inflicted upon both Palestinian and Israeli civilians. We condemn antisemitism, Islamophobia, anti-Arab hate and discrimination. We call for increased humanitarian aid to Gaza and the release of all hostages. Our commitment is to education and advocating for a just and lasting peace in the region, urging our government to redirect foreign aid towards that purpose. BFT strongly supports a permanent ceasefire in Gaza.

In Unity,

Matt Meyer

President, Berkeley Federation of Teachers (he/him)



**Benado, Tony**

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**From:** Chloe Novak <chlovak@gmail.com>  
**Sent:** Tuesday, December 26, 2023 9:11 PM  
**To:** Wolan, Aleksandra; Bartlett, Ben; Gerstein, Beth; Naso, Christopher; All Council; Aguilar-Canabal, Diego; Pugh, Eliza; Panzer, Eric; Russell, Gordon; Wilson, Genevieve; Chang, James; McCormick, Jacquelyn; Harrison, Kate; McWhorter, Laurie; Skjerping, Lars; Berkeley Mayor's Office; Humbert, Mark; Hernandez Story, Ruben; Kesarwani, Rashi; Robinson, Rigel; Greenberg, Sam; Cerami, Sara; Elgstrand, Stefan; Hahn, Sophie; Wengraf, Susan; Posner, Tina; Taplin, Terry  
**Subject:** Re: From a Jewish Berkeley resident

**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.

Dear council members and mayor,

Jewish Berkeley resident of District 5 once again asking you to please listen to your constituents and at least have the courtesy to read the long and heartfelt email I sent two weeks ago (below). I'm extremely disappointed that the local government officials I helped to elect are blatantly ignoring their constituents and evidently cowing to the pressure of hawkish, divisive, and well-funded organizations like the JCRC, which do NOT represent the views or demands of your Jewish Berkeley constituents like me. These folks are actively harassing and bullying Jews like me who dare to voice any criticism of the Israeli government, and seriously endangering the lives and livelihoods of Muslim and Arab community members by vicious, racist slander. Either you know this and are willingly complicit, or you are willfully ignorant.

This is shameful and appalling. The entire world is watching, and by reinforcing the outrageous false equivalence of Israel and Zionism with Judaism, you are putting Jews like me in danger.

I look forward to working to elect representatives who haven't their abandoned humanity.

Chloe Novak

On Wed, Dec 13, 2023 at 12:21 PM Chloe Novak <chlovak@gmail.com> wrote:

Dear council members and Mayor,

I'm a Berkeley resident (District 5), born at Alta Bates hospital. I have Jewish family in Israel: two half siblings and their children, an aunt and uncle and 5 cousins, and my sister and her family who are dual citizens. I want to state clearly and unambiguously that the indiscriminate slaughter of Palestinian children does not make them, or me, safe. As a Jew and because I am Jewish, and as a human and because I am human: represent the humanity of your constituents by standing in solidarity with the global demand for a ceasefire in Gaza. Enough is enough. The single greatest threat to Jews here and abroad are the genocidal acts of a rogue state that has the audacity to invoke our faith and our persecution.

I have experienced very real antisemitism: when my family moved to North Carolina for work during my grade school years, I was relentlessly bullied for being a "Jewish witch" and eventually had to be homeschooled. My family's house was later spray painted with swastikas. As with the vast majority of antisemitic hate crime incidents in the US, these acts were perpetrated by white supremacists-- the very same groups who torment and kill Arab and Muslim Americans, like the three Palestinian students who were shot in Vermont two weeks ago. One of the greatest joys I've experienced as an adult back in Berkeley has been finding Jewish community again, and more so now than ever among the broad and diverse Jews standing together to demand an end to this senseless and depraved violence.

What makes me unsafe now is the absurd and utterly false conflation of my Jewish identity with Zionism and the Israeli government, and the exploitation of legitimate fear and pain to silence what should be the least controversial plea: stop killing children. What makes me unsafe is relentless harassment by Israel's defenders in Berkeley and beyond, who have called me a "terrorist," a "Shiksa c\*nt," a "Jihadist," a "traitor," a "fake Jew" -- all for nothing more than saying I'm a Jew who supports a ceasefire. I have been told "I hope you get raped by Hamas" more times than I can count-- a particularly cruel irony given that my dear Israeli friend was raped by IDF soldiers during her training. Sexual violence is never ok; threatening and leveraging it to justify further violence-- including sexual violence! -- is appalling and sickening.

I shouldn't be surprised by any of this. I was heavily indoctrinated by Israeli propaganda throughout my Jewish upbringing. At my Jewish summer camp, we sang the Israeli national anthem every morning and were taught that the founding of Israel was the miracle of "a land without a people for a people without a land." It was all incredibly confusing for me, even as someone with family in Israel. On my Birthright trip, someone mentioned "occupied territory" and was quickly corrected "there's no such thing as occupied territory, it is all Israel." There was no secrecy around the aim of the program: "See, don't you want to make Aliyah [emigrate to Israel] and have your Jewish babies here?" I did not learn about the Nakba until I was thirty years old.

What really makes me unsafe? Seeing my neighbors and my government turn a blind eye to genocide. Witnessing the dehumanization and demonization my Muslim and Palestinian friends and colleagues face \*daily\*. A Berkeley City College professor has been publicly insinuating that more than 75% of Gaza residents are not civilians. Imagine hearing that as a Palestinian student in Berkeley. Imagine realizing that "Berkeley Stands United Against Hate" doesn't actually apply to you in a country that has committed billions of dollars to the destruction of your people.

Not in my name.

Sincerely,  
Chloe Novak

**Benado, Tony**

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**From:** Diana <nicca@igc.org>  
**Sent:** Sunday, December 31, 2023 6:29 AM  
**To:** All Council  
**Subject:** Please pass a ceasefire resolution!!

**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.

Please pass a ceasefire resolution!!

Thank you!!

Diana Bohn

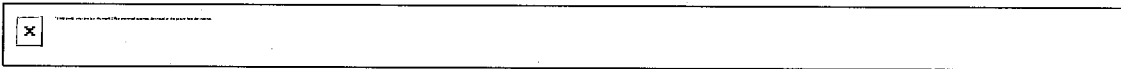
94707

**Benado, Tony**

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**From:** Diana <nicca@igc.org>  
**Sent:** Tuesday, January 2, 2024 4:07 PM  
**To:** All Council  
**Subject:** Albany & El Cerrito have called for Ceasefire. Berkeley should do so as well1

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Jewish Voice for Peace is a national, grassroots organization working towards Palestinian freedom and Judaism beyond Zionism. It's the largest such organization in the world.

[Become a member of JVP national here](#)

Jewish Voice for Peace Bay Area

P.O. Box 589, Berkeley CA 94701 USA

ph: (510) 265-0058

[hayarod@jvp.org](mailto:hayarod@jvp.org)



This email was sent to [nicca@igc.org](mailto:nicca@igc.org)

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Jewish Voice for Peace Bay Area · P.O. Box 589 · Berkeley, CA 94701 · USA

**Benado, Tony**

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**From:** Amy Cummings <amycummings@ucla.edu>  
**Sent:** Monday, January 1, 2024 6:26 AM  
**To:** All Council  
**Subject:** Ceasefire Resolution

**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.

Good morning Berkeley City Council,

I know you aren't going to see this for a bit because it's New Year's Day, but I wanted to write to you right away to tell you I have not forgotten about the people of Gaza.

Every hour that passes in occupied Palestine while the US thwarts global calls for ceasefire brings more death and destruction on Palestinians. Countless preventable injuries and casualties caused by greed, because the US refuses to prioritize human life over its military and capitalist interests with the state of Israel. Each passing day, people lose friends and loved ones who did not have to die. So many Berkeley residents came out to council meetings in the last 3 months to demand you pass a resolution in support of a Ceasefire. You did not respond to the demands of your constituents, refusing to show action on the issue and allowing a minority of community members to insist that we "focus on Berkeley." Well, Berkeley residents have had enough. I hope you all take a moment to truly imagine a scenario where each day your friends, family members, acquaintances, are being killed. Each day you don't know who will die, but someone will. One day it might be you, one day soon and you have no idea.

Berkeley residents are listening to the voices of Palestinians in Gaza who are living this reality right now. Our hearts are breaking day by day as we see these familiar faces mourn more loved ones daily. Many Berkeley community members have family and loved ones in Gaza themselves. The pain they feel must be indescribable. And the Berkeley city council cannot even show willingness to discuss a ceasefire resolution. I hope you spent this recess reflecting on who you are as leaders and realize how deeply you have let us down. I hope you have optimism that in 2024 you can, and will, do better by your constituents. I hope your heart swells with hope knowing that your actions matter; that each day the situation grows more urgent yet you can rise to the call with a simple resolution toward ceasefire at minimum, plus liberation beyond. Or, if these hopes haven't come true, I hope you are ready to apologize to your constituents, resign, and withdraw any further political aspirations you have in Berkeley or elsewhere. We will be waiting to see what you decide.

Amy Cummings  
94703

**Benado, Tony**

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**From:** russbumper <rustic65@gmail.com>  
**Sent:** Friday, December 29, 2023 8:24 AM  
**To:** All Council  
**Subject:** TIME FOR A CEASEFIRE FOR OCCUPIED PALESTINE48?FUCK YES!(no further message!)

**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.



**Benado, Tony**

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**From:** russbumper <rustic65@gmail.com>  
**Sent:** Saturday, December 30, 2023 11:48 AM  
**To:** All Council  
**Subject:** ONLY ZIONIST NAZIS OPPOSE CEASEFIRE IN GAZA!9no further message)

**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.

**Benado, Tony**

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**From:** herricklily@gmail.com  
**Sent:** Friday, December 15, 2023 5:45 PM  
**To:** Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; All Council  
**Subject:** Ceasefire NOW: Berkeley Community Stands with Gaza

**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.

Dear Councilmembers,

I am writing to call upon the longstanding spirit of activism and social justice that breathes in the heart of Berkeley, urging you to draft and pass a formal resolution in solidarity with Palestinians in Gaza, who are being subject to ethnic cleansing and genocide by the Israeli state backed by the United States. This resolution should:

- 1- Demand an immediate CEASEFIRE.
- 2- Demand immediate safe passage for substantial humanitarian aid to Gazans who have little to no food, water, fuel or medical supplies to save the almost 20,000 Palestinians injured (at the time of this writing);
- 3- Call for an immediate end to all existing and any future U.S. military aid and support to Israel; US taxpayer dollars that go to Israel in the form of \$3.8 billion in military "aid" per year are being used to further harm and kill Palestinians.
- 4 - Call for an end to Israeli apartheid, the siege, the occupation and blockade of Palestinian land by Israeli military forces; and the systematic harassment of the Palestinian people, including stealing of land, burning of farms, and regular arrests of ordinary civilians.
- 5 - Call for the immediate release of the approximately 3000 Palestinians who have been arrested in Israel (about 1500 people), including in Jerusalem, and the West Bank (another 1500 people) since Oct. 7th and the approximately 220 Israeli hostages held by Hamas.

Already, over 8000 Palestinians have been killed by Israeli airstrikes, with more than half of these being women and children. The numbers of displaced Palestinians with no homes to return to, could be as high as half a million people.

Berkeley, with its illustrious legacy of pioneering social justice movements, holds a responsibility to be at the vanguard of national calls for justice. Berkeley has been the crucible where powerful movements were forged; from the Free Speech Movement of the 1960s, to being one of the first cities in the US to divest from companies doing business with the apartheid regime in South Africa. These histories reflect our enduring

commitment to global justice and liberation, and advocacy for the voiceless and oppressed.

On Tuesday, October 24, our neighbors at the Richmond City Council exemplified moral leadership by passing a resolution standing against genocide in Gaza, making it the first U.S. city to stand on the right side of history on this critical issue. Inspired by their boldness, it is imperative that Berkeley continues its anti-apartheid and anti settler colonialism legacy by standing against the shadows of genocidal apartheid regimes.

Thank you for your attention and commitment to making a difference.

Sincerely,  
Lily Herrick

Sent from my iPhone

**Benado, Tony**

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**From:** Diana Choi <choidiana7@gmail.com>  
**Sent:** Tuesday, December 12, 2023 6:25 PM  
**To:** Wolan, Aleksandra; Bartlett, Ben; Gerstein, Beth; Naso, Christopher; All Council; Aguilar-Canabal, Diego; Pugh, Eliza; Panzer, Eric; Russell, Gordon; Wilson, Genevieve; Chang, James; McCormick, Jacquelyn; Harrison, Kate; McWhorter, Laurie; Skjerpung, Lars; Berkeley Mayor's Office; Humbert, Mark; Hernandez Story, Ruben; Kesarwani, Rashi; Robinson, Rigel; Greenberg, Sam; Cerami, Sara; Elgstrand, Stefan; Hahn, Sophie; Wengraf, Susan; Posner, Tina; Taplin, Terry  
**Subject:** Demand for the People's Ceasefire Resolution NOW

**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.

Dear Mayor and Council Members,

I am a longterm Berkeley resident and I am writing to urge you to pass a formal resolution that calls for an immediate and permanent ceasefire in Gaza. We want you to pass either the People's Resolution or Councilmember Ben Bartlett's resolution with NO amendments.

Several council members have revealed their allegiance to special interest groups, and have not shown good faith. Many of you have neglected to meet with the Berkeley community's diverse voices who have been demanding a ceasefire. Instead, you are advocating against a ceasefire resolution and running away from us during city council meetings. You need to listen to us, not ignore us.

Berkeley has historically been on the forefront of anti-war, civil rights and human rights movements. Berkeley bravely led the charge to divest from apartheid South Africa. Refusing to call for a ceasefire or trying to pass a resolution that is aligned with a genocidal government is a stain on Berkeley's progressive history.

Israel's bombardment of Gaza since October 7, 2023 has shocked the entire world, even though this is the 5th military assault on Gaza since 2008. The people in Gaza who are still alive have now 16 years under siege and survived 5 wars, and this one is the most extreme. Israeli's military has now killed over 18,000 Palestinians and over 8,000 of them are children. Israel has broken many international laws, including preventing the entry of food, water, fuel, and humanitarian aid into Gaza. Israel has also forced over 1.7 million people from their homes in an act of ethnic cleansing, as defined by the United Nations.

The dehumanization of Palestinians and extreme escalation in violence is no doubt the final stage of genocide. The United Nations and human rights organizations and leaders around the world have called for an immediate ceasefire and unrestricted humanitarian aid to the people of Gaza, citing numerous violations of international law. But our own national leaders have not, and are instead offering MORE unconditional military aid to Israel as it completely destroys Gaza.

We, your constituents, demand our local elected officials to exercise their power to influence our state representatives and senators to call for a permanent ceasefire. Our heads of state are ignoring our demands, so we need your help to amplify our voices. We cannot stay silent while our taxes fund the extermination of the Palestinians. This issue WILL determine elections next November, as the people will refuse to vote for anyone who stays silent when our government commits genocide.

We, the people of Berkeley, have sent you hundreds of emails with text of a resolution drafted by your constituents. The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 29, 2023: Oakland, CA; Richmond, CA; Providence, RI; Cudahy, CA; Seattle, WA; and Easton, PA.

We demand that the City of Berkeley follows suit.

Sincerely,  
Diana C  
94704

**Benado, Tony**

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**From:** Morgane Hanley <mhanley043@gmail.com>  
**Sent:** Wednesday, December 13, 2023 1:35 PM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Subject:** Urgent Appeal: Vote Yes on Council Member Bartlett's Resolution for Ceasefire Without Amendments

**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.

Dear Berkeley City Council,

I am writing to urgently implore you to vote yes on Council Member Ben Bartlett's resolution for a ceasefire without any additional amendments. As a student at the University of California, Berkeley, I am deeply dismayed by the prolonged delay in considering this crucial resolution. It is disheartening to witness the lack of prompt action.

The current situation in Palestine demands immediate attention. Over 20,000 Palestinians, including countless children and women, have already lost their lives. This horrifying loss of innocent lives cannot go unnoticed or unaddressed.

I urge the Council to hold itself accountable for the delayed consideration of this resolution. The apparent hypocrisy in prioritizing other matters while neglecting the urgent need for a ceasefire is deeply concerning. It is crucial for the Council to understand that their inaction perpetuates the suffering and loss being inflicted upon innocent lives.

Personally, I care deeply about this issue because I believe in the fundamental rights of all individuals to live in peace, safety, and dignity. The prolonged violence and destruction in Palestine go against these values, and it is our moral duty to do everything in our power to bring an end to this crisis.

I implore you to vote yes on Council Member Bartlett's resolution for a ceasefire without any additional amendments. The urgency of this matter cannot be stressed enough, and it is imperative that the Council takes immediate action to address the humanitarian crisis unfolding in Palestine.

Thank you for your attention and consideration.

Sincerely,

Thank you for your attention to this urgent matter, and I trust that you will consider the voices of those who seek peace and justice for all.

Sincerely,

Sadiya  
Bay Area Resident and Member of the Muslim Community

**Benado, Tony**

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**From:** Chloe Cruz <chloecruz@berkeley.edu>  
**Sent:** Wednesday, December 20, 2023 10:29 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark; Cerami, Sara; Gerstein, Beth; Aguilar-Canabal, Diego; Hernandez Story, Ruben; Chang, James; Posner, Tina; Naso, Christopher; Wolan, Aleksandra; Russell, Gordon; McWhorter, Laurie; Greenberg, Sam; Pugh, Eliza; Panzer, Eric; McCormick, Jacquelyn; Wilson, Genevieve; Skjerping, Lars; Elgstrand, Stefan  
**Subject:** Urgency Item: Resolution for Ceasefire and Solidarity with Palestine

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Dear Council Members,

I am a resident of the city of Berkeley and I am writing to call upon the longstanding spirit of activism and social justice that breathes in the heart of Berkeley, urging you to pass a formal resolution in solidarity with Palestinians in Gaza, who are being subject to ethnic cleansing and genocide by the Israeli state backed by the United States. Within the greater context of the decades-long Israeli military occupation of the Palestinian people, and immediately following the October 7, 2023 attack by Hamas, the Israeli government declared "war" on Hamas. The IDF began indiscriminately bombing the Gaza strip, a 25 by 5-mile space dubbed "an open-air prison" that has been under complete blockade by Israel and the densely populated home of over 2.2 million Palestinian civilians, the majority of whom are refugees and descendants of refugees displaced from their Palestinian villages by Israel, and of whom over 47.5% are minors. As a result, the Israeli government has now been rightly accused of numerous war crimes by human rights groups and leaders of nations around the world. You have heard from countless members of Berkeley via Public Comment and email calling upon you, as the people's representatives, to pass this Resolution.

We, your constituents, have prepared a Resolution on your behalf - please see below. We call upon the Berkeley City Council to review the Resolution, make edits that are consistent with the spirit of our request, place the Resolution on the agenda as a time critical and urgency item, and please pass this Resolution. It is understood that the next public meeting is scheduled for November 28, but we encourage the council to schedule a special meeting sooner to pass this Resolution since it is an URGENCY ITEM. We'd also like to note that there are no direct financial implications since this is a Resolution.

The following cities have also passed Resolutions for Ceasefire and Solidarity with Palestine as of November 16, 2023: Richmond, CA; Providence, RI; Cudahy, CA; and Easton, PA. We hope the City of Berkeley will follow suit in this moral leadership.

Thank you for your attention and commitment to doing what is right for our community and the world.

Sincerely,  
 Chloe Cruz  
 94720

A Resolution of the City Council of the City of Berkeley, California Affirming the City's Support and Solidarity with the Palestinian People of Gaza and in line with Rep. Cori Bush's Congressional Resolution Calling for An Immediate De-Escalation and Cease-Fire in Israel and Occupied Palestine

WHEREAS, Israel's conflation of anti-Semitism with anti-Zionism and solidarity with Palestinians is recognized by legal scholars and human rights organizations, including Israel's B'Tselem, as a political tool to silence



critics of Israel. It also creates fear among Jews, who are rightly alarmed by anti-Semitic words and actions due to the horrors of pogroms and the Holocaust in Europe; and

WHEREAS, 1,200 Israelis have been killed by Hamas on October 7th and nearly 13,000 Palestinians have been killed by the state of Israel in this escalated conflict, including over 5,500 children (as of 11/19/2023) - the death toll increasing each day and includes Americans who have been killed; and

WHEREAS, All human life is precious, and the targeting of civilians, no matter their faith or ethnicity, is a violation of international humanitarian law; and

WHEREAS, We mourn the loss of all civilian lives lost on both sides from October 7, 2023, to the present and also throughout the decades of displacement, occupation, oppression, and blockade endured in Gaza, East Jerusalem, and the West Bank; and

WHEREAS, In violation of international law, Israel has maintained 16 years of complete sea, air, and land siege on goods and travel, which had already created 42% unemployment, 84% reliance on international humanitarian aid, 41% undernourishment, 60% anemia among children, and innumerable deaths from curable diseases;

WHEREAS, Israel's past bombings of Gaza, the main ones in 2009, 2012, and 2014 had already curtailed the ability to make a living by destroying agricultural plots, orchards, and chicken coops, destroyed the infrastructure, including desalination and wastewater treatment plants. And any attempts to rebuild it had been stifled by Israel limiting access to electricity and fuel to no more than four continued hours per day; and

WHEREAS, Prior to the current crisis, only 1% of Gazans had access to safe drinking water, leaving the population – half of whom are children –vulnerable to waterborne diseases, infections, and dehydration.

WHEREAS, The World Health Organization states that in an emergency, every person needs between 7.5 to 20 liters of clean water, Gazans have now access to only 3 liters, and some people have been drinking highly saline and contaminated seawater, which has already resulted in cases of chickenpox, scabies, and diarrhea and could easily lead to the spread of cholera; and

WHEREAS, There is a consensus among the human rights organizations and the UN that Israel has turned the Gaza Strip, which is one of the most densely populated places on Earth, into “the world's largest open-air prison”, even prior to this conflict; and

WHEREAS, Israel's actions had already endangered the health of Gazans and the environment, by causing sewage and solid waste to pile up on the streets and over 130,000 cubic meters of wastewater to be discharged daily into the Mediterranean Sea; and

WHEREAS, Hundreds of thousands of lives are in imminent danger if a ceasefire is not achieved humanitarian aid is not delivered immediately; and

WHEREAS, The humanitarian pauses and safe havens have been violated by Israeli; and

WHEREAS, Collective punishment is considered a war crime under international law, and refers to a form of sanction imposed on persons or a group of persons in response to a crime committed by one of them or a member of the group; and

WHEREAS, Israel's indiscriminate bombings of Gaza are a form of collective punishment, recognized as a war crime (Common Article 33 of the Fourth Geneva Convention and Article 4 of the Additional Protocol II) and also a violation of International Humanitarian Law, which requires observance of the principles of distinction (attacking only military targets) and proportionality (the anticipated military gains outweigh harm to civilians); and

WHEREAS, Israel's shutting off all access to electricity, drinking water, food, and humanitarian aid is a form of

collective punishment and constitutes a war crime under international law; and

WHEREAS, Ethnic cleansing refers to the creation of an ethnically homogenous geographic area through the elimination of unwanted ethnic groups by deportation, forcible displacement, or genocide; and

WHEREAS, Israel has engaged in an ethnic cleansing campaign by explicitly requiring two million Palestinians to leave Gaza immediately or risk being bombed in their homes and has intensified its unprovoked killing and forced displacement of Palestinians in the West Bank to uninhabitable areas; and

WHEREAS, Israel has violated international law by not ending its military occupation of East Jerusalem, the West Bank, and Gaza, which began in 1967; and

WHEREAS, The International Humanitarian Law holds an occupying force responsible for the safety and well-being of the inhabitants of the land it occupies, Israel has been settling the foreign nationals of Jewish descent on the occupied land, driving away Palestinians from their land through acts of terror, confining them to small incongruent areas, demolishing their homes, businesses, and orchards, etc.; and

WHEREAS, The U.S. government holds immense diplomatic power to save Palestinian and Israeli lives but has refused to take serious action to do so; and

WHEREAS, The state of Israel would not be able to maintain its military occupation of East Jerusalem, the West Bank, and Gaza without enormous military aid provided by the United States every year, thereby also depriving Americans of money for their own urgent needs; and

WHEREAS, The 14.3 billion requested from the Biden Administration in October 2023 in addition to the 3.8 billion in military aid provided annually by the United States to Israel is derived from American taxpayer money. However, a Reuters poll released on November 15, 2023, states that 68% of Americans agreed that "Israel should call a ceasefire and try to negotiate" demonstrating the majority of Americans do not support the continued military aid; and

NOW, THEREFORE, BE IT RESOLVED, That the City of Berkeley

- 1) Urges the Biden Administration to immediately call for and facilitate de-escalation and a ceasefire to urgently end the current violence; and
- 2) Calls upon the Biden administration to promptly send and facilitate the entry of humanitarian assistance to Gaza; and
- 3) Calls for the end of the Israeli siege on Gaza, the end of the blockade in Gaza, and the occupation of the West Bank; and
- 4) Demands that the Biden administration to immediately end all existing and future military aid to Israel in order to fund urgent needs in the United States such as homelessness, food insecurity, and education; and
- 5) Calls upon the immediate release of all the Palestinians who have been arrested in Israel, Jerusalem, and the West Bank since October 7, 2023; and
- 6) Calls upon the immediate release of the approximately 220 Israeli hostages held by Hamas.

BE IT FURTHER RESOLVED, That the City of Berkeley advocates for the dignity and safety of residents in every community, regardless of what crimes its leadership may commit, and that peaceful diplomacy is the only way to achieve this safety and dignity.

BE IT FURTHER RESOLVED, The City of Berkeley stands in solidarity with the Palestinian people of Gaza, who are currently facing ethnic cleansing and collective punishment by the state of Israel; and

BE IT FURTHER RESOLVED, That the City of Berkeley vows to combat antisemitism, islamophobia, and ethnonationalism in all its forms; and

BE IT FURTHER RESOLVED, that the City of Berkeley rejects Israel's conflation of anti-Zionism and solidarity with Palestinian people with anti-Semitism for political gains; and

BE IT FURTHER RESOLVED, that the City of Berkeley endorses the Congressional Resolution submitted by Representatives Cori Bush (MO-01), Rashida Tlaib (MI-12), André Carson (IN-07), Summer Lee (PA-12), and Delia C. Ramirez (IL-03), alongside Representatives Jamaal Bowman (NY-16), Bonnie Watson Coleman (NJ-12), Jesús “Chuy” García (IL-04), Jonathan Jackson (IL-01), Alexandria Ocasio-Cortez (NY-14), Ilhan Omar (MN-05), Ayanna Pressley (MA-07), and Nydia Velázquez (NY-07) and urges our Congressional Representative, Rep. Barbara Lee, and California’s Congressional delegation to vote in support of the resolution.

BE IT FURTHER RESOLVED, that the City Council directs the City Manager or his designee to immediately distribute this Resolution upon its adoption to the offices of Senator Alex Padilla (CA), Senator Laphonza R. Butler (CA), Representatives Barbara Lee (CA-13), Robert Garcia (CA-42), Cori Bush (MO-01), Rashida Tlaib (MI-12), André Carson (IN-07), Summer Lee (PA-12), and Delia C. Ramirez (IL-03), alongside Representatives Jamaal Bowman (NY-16), Bonnie Watson Coleman (NJ-12), Jesús “Chuy” García (IL-04), Jonathan Jackson (IL-01), Alexandria Ocasio-Cortez (NY-14), Ilhan Omar (MN05), Ayanna Pressley (MA-07), and Nydia Velázquez (NY-07).

FINALLY, BE IT RESOLVED, That upon passage a copy of this Resolution be sent to the Office of U.S. President Joe Biden, the Office of U.S. Representative Barbara Lee, the Office of U.S. Senator Alex Padilla, and the Office of U.S. Senator Laphonza R. Butler.

**Benado, Tony**

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**From:** Rachel Herman <rachelherman1@me.com>  
**Sent:** Tuesday, December 19, 2023 9:16 AM  
**To:** All Council; Berkeley Mayor's Office; Kesarwani, Rashi; Taplin, Terry; Bartlett, Ben; Harrison, Kate; Hahn, Sophie; Wengraf, Susan; Robinson, Rigel; Humbert, Mark  
**Cc:** action@endjewhatred.com  
**Subject:** Vote NO on November 28th

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Dear Berkeley City Council and respected government officials,

I am writing to you as a concerned citizen and proud American that believes in the basic values of democracy whereby state and local governments have a constitutional duty to protect public safety.

THIS Tuesday, November 28, the Berkeley City Council will vote on whether to pass the resolution, named "Berkeley for Palestine" - which alludes to seek a victory against the "normalization of Israel's occupation and genocide."

The narrative Israel commits genocide is a false and anti-Semitic statement. Hamas fires deadly rockets from schools, hospitals, and densely populated areas knowing that Israel, like any democracy, would have to take whatever military action was necessary to stop the rockets. Hamas also knew the media would broadcast the dead Palestinian children, which Hamas uses as human shields, around the world to cause outrage directed at Israel for the cause of their deaths. President Biden, on behalf of The United States of America, unequivocally condemned the appalling assault against Israel by Hamas terrorists from Gaza on October 7.

Furthermore, despite Hamas' blatant disregard for the lives of the civilians around them, the Palestinian population has increased from 954,898 to 4,654,421 since 1967. This false, antisemitic rhetoric falls short of our American value system and has no place in bringing safety to citizens of the city of Berkeley.

On November 28, the Berkeley City Council is set to be presented with a vicious resolution that takes the position of solidarity with Hamas terrorists and characterizes Israel's attempts to rescue the hostages and liberate the Gazan people as a "genocide." This is a foul affront to the victims of the October 7th massacre. Furthermore, expressing ghastly support for Hamas, who openly murdered, raped, and kidnapped citizens from 25 countries, does not lead us to peace of any kind.

This type of resolution, which falsely claims to support the Palestinian people, achieves the opposite outcome because the BDS movement severely weakens the Palestinian economy and imposes hardships on the Palestinian people. In a 2016 article, Bassam Eid, human rights activist and commentator on Palestinian domestic affairs, explained that the objectives of BDS activists abroad would actually increase economic hardships for the Palestinians in Judea, Samaria and Gaza. BDS leader Omar Barghouti, has expressed support for terrorism, promoted anti-Semitic conspiracy theories and regularly demonizes Israel. He opposes the Jewish right to self-determination and Israel's existence, openly calling for its destruction as a Jewish State.

As Hamas and its supporters have waged a campaign to delude Americans into accepting their attempt to portray Israel as somehow uniquely "illegitimate" as a state, we call on the Berkeley City Council to vote NO on the November 28 resolution that is hateful and malicious, popularizing false claims that will only serve to inflame an already traumatic situation.

Sincerely,

Rachel Herman

#EndJewHatred

