

**AGENDA**  
**Disaster Fire and Safety Commission**  
**January 27, 2021**  
**7:00 PM**

District 1 – Ruth Grimes

District 5 – Shirley Dean

District 2 – Weldon Bradstreet

District 6 – Robert Flasher

District 3 – Gradiva Couzin

District 7 – Robert Simmons

District 4 – Antoinette Stein

District 8 – Paul Degenkolb

Mayor’s Appointee- Jose Luis Bedolla

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

*Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the January 27, 2021 meeting of the Disaster, Fire and Safety Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.*

*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://zoom.us/j/94783105184>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen.*

*To join by phone: Dial 1-669-900-9128 and enter Meeting ID 947 8310 5184. 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 all other rules of procedure and decorum will apply for Commission meetings conducted by teleconference or videoconference*

**Preliminary Matters**

Call to Order

Approval of the Agenda

Public Comment on Non-Agenda Matters

1. Fire Department Staff Report

**Consent Items**

2. Approval of Draft Minutes of Meeting of December 2, 2020\*
3. Approval of Draft Minutes of Meeting of December 14, 2020\*

## **Action Items**

## **Discussion Items**

4. Commission Annual Workplan
5. Measure FF Budget Priorities (presentation from staff)
6. Staff Presentation on Prioritized Dispatch for Re-Imagining Public Safety
7. Forming a Working Group: ADU, Parking Ordinances, Safe Passages
8. Future Agenda Items

## **Adjournment**

Disaster & Fire Safety Commission  
Regular Meeting  
Wednesday December 2, 2020

Present: Annie Bailey, Ruth Grimes, Gradiva Couzin, Jose Luis Bedolla, Paul Degenkolb, Robert Flasher, Toby Simmons, Toni Stein,  
Absent: Shirley Dean  
Staff: Keith May, Khin Chin, Stacie Clarke, David Brannigan  
Public: 5 Attendees

**Preliminary Matters**

Call to Order

G. Couzin called meeting to order at 7:00pm

J. Bedolla arrived at 7:01p

Approval of the Agenda

Approved by Acclimation

Public Comment on Non-Agenda Items

Richard Thomason said he is a district 5 resident. Looking down into Cerrito Canyon and noticed a lot of vegetation that appears that it could be a fire fuel load hazard. He would like to learn more about what can be done about this possible hazard.

Chris Cullander said he's a district 8 resident and would like to hear updates on Zonehaven implementation, Grizzly Peak turnout patrols, and Cal Fire's very high fire severity zone and relation to fire insurance.

Toni Stein said that FEMA has a new comprehensive preparedness guide that might be of interest.

Jose Luis Bedolla said he is interested in how fire department services are being impacted by apparent increases in homeless populations.

Robert Flasher said that the Planning Commission has been working on limiting parking requirements for new developments. This presents a challenge for hills residents.

1. Fire Department Staff Report Including Measure GG Budget Update

Several significant fires over the last month including on a multi-agency response for a fire on University Ave that burned for almost 6 days, a fatality fire on 8<sup>th</sup> street, a fire on Delaware and on Etna.

Fire Chief David Brannigan and Stacie Clarke provided an update on the Measure GG budget and expenditures.

**Consent Items**

2. Approval of Draft Minutes of Meeting of October 28, 2020\*

Motion to approve minutes as submitted: Couzin

Second: Flasher

Vote: 8 Ayes: Couzin, Flasher, Stein, Degenkolb, Grimes, Bailey, Bedolla, Simmons; 0 Noes; 1 Absent: Dean, 0 Abstain.

**Action Items**

3. 2021 Commission Meeting Schedule

Motion to schedule the 2021 Regular Commission meetings on January 27, February 24, March 24, April 28, May 26, June 22, August 4, September 22, October 27, December 1: Couzin

Second: Stein

Vote: 8 Ayes: Couzin, Flasher, Stein, Degenkolb, Grimes, Bailey, Bedolla, Simmons; 0 Noes; 1 Absent: Dean, 0 Abstain.

4. Referral from City Council: Amending Chapter 19.34 of the Berkeley Municipal Code to Expand Automatic Gas Shut-Off Valve Requirements in Multifamily, Condominium and Commercial Buildings Undergoing Renovations and to All Existing Buildings Prior to Execution of a Contract for Sale or Close of Escrow\*

Motion to recommend that the Berkeley Municipal Code (BMC) 19.34.040 be modified in accordance with the Referral, with the following changes:

Do not allow excess flow valves to substitute for motion-activated shut-off valves as a way to comply with this ordinance.

Clarify requirements for excess flow valves and motion activated (seismic) valves:  
Flasher

Second: Degenkolb

Vote: 8 Ayes: Couzin, Flasher, Stein, Degenkolb, Grimes, Bailey, Bedolla, Simmons; 0  
Noes; 1 Absent: Dean, 0 Abstain.

5. Recognition for Pam Grossman for Her Contributions to Disaster Preparedness

Motion to send a certificate of recognition to Pam Grossman for her service towards  
disaster preparedness: Couzin

Second: Flasher

Vote: 8 Ayes: Couzin, Flasher, Stein, Degenkolb, Grimes, Bailey, Bedolla, Simmons; 0  
Noes; 1 Absent: Dean, 0 Abstain.

**Discussion Items**

6. Discussion of the City's Wildfire Evacuation Plan, Pre-Evacuation Decisions, and Public  
Communications

J. Bedolla left the meeting at 8:58p

7. Public Safety Power Outages

8. Future Agenda Items

**Adjournment**

Adjourn

Motion to adjourn: Couzin

Second: Flasher

Vote: 8 Ayes: Couzin, Flasher, Stein, Degenkolb, Grimes, Bailey, Bedolla, Simmons; 0  
Noes; 1 Absent: Dean, 0 Abstain.

Adjourned at 9:02p

Disaster & Fire Safety Commission  
Special Meeting  
Wednesday December 14, 2020

Present: Weldon Bradstreet, Gradiva Couzin, Jose Luis Bedolla, Robert Flasher, Shirley Dean  
Absent: Toby Simmons, Toni Stein, Paul Degenkolb, Ruth Grimes  
Staff: Khin Chin  
Public: 2 Attendees

**Preliminary Matters**

Call to Order

G. Couzin called meeting to order at 7:07pm

**Action Items**

1. ADU Urgency Ordinance: Recommendation to extend ordinance which will expire at end of December

Motion to send a memorandum to City Council regarding the ADU ordinance: Dean

Second: Couzin

Vote: 5 Ayes: Couzin, Dean, Flasher, Bradstreet, Bedolla, 0 Noes; 4 Absent: Stein, Degenkolb, Grimes, Simmons, 0 Abstain.

2. Changes to Residential Off-Street Parking Requirements: Scheduled for discussion by Council December 15th

Motion to send a memorandum to City Council regarding Changes to Off-Street Parking Regulations: Dean

Second: Couzin

Vote: 6 Ayes: Couzin, Dean, Flasher, Bradstreet, Bedolla, Degenkolb, 0 Noes; 3 Absent: Stein, Grimes, Simmons, 0 Abstain.

P. Degenkolb arrived at 7:26pm

**Adjournment**

Adjourn

Motion to adjourn: Bedolla

Second: Couzin

Vote: 6 Ayes: Couzin, Dean, Flasher, Bradstreet, Bedolla, Degenkolb, 0 Noes; 3 Absent: Stein, Grimes, Simmons, 0 Abstain.

Adjourned at 7:30p

DRAFT

# Berkeley Disaster and Fire Safety Commission WORK PLAN – 2021

## Mission Statement

The Disaster and Fire Safety Commission serves as the public oversight group for Berkeley’s Measure GG and Measure FF funds, charged with reviewing the budget on a regular basis to ensure that the funds are spent in accordance with the intent of the voter approved measure, recommending the appropriate annual increase to the tax rate, and recommending new programs and positions requiring Measure GG and Measure FF funding.

The Commission also focuses on ways to increase community safety and resilience, working on education, community disaster preparedness, and other strategies as appropriate, and making recommendations to the City Council for adoption and implementation.

Lastly, The Commission reviews and makes recommendations on items referred by the City Council or other Commissions.

## Summary of 2021 Work Plan Activities

	Topic	Resources	Activities	Outputs	Outcomes
1	Fire safety & community resilience in the face of a wildland-urban interface fire	Staff time, venue	Research, staff reports and information gathering	Recommendations on alerting, parking restrictions, evacuation planning, vegetation management, structure hardening and other topics to improve wildfire safety	Fire prevention and pre-planning to save lives, reduce economic loss and mitigate spread through fuel management.
2	Improve community resilience throughout Berkeley with a whole community approach	Community members’ time (volunteer), Commissioner time, and staff time.	Organize and participate in a working group for community based disaster response	Recommendations to City Council to improve community resilience throughout Berkeley. May include Measure GF/FF fund expenditures.	Measurable improvement in community preparedness, especially previously underserved communities & neighborhoods
3	Ensure that Measure GG and Measure FF Funds are spent appropriately	Commissioner time, staff time	Measure GG and FF spending report is reviewed by the	Recommendations to City Council to ensure funds are spent in accordance with the measure.	Fire stations remain open & disaster preparedness is improved by using Measure



			Commission every quarter		GG and FF funds as intended.
4	Help other city entities incorporate a disaster and fire safety perspective into decisions	Commissioner time, staff time.	Respond to referrals seeking input on matters relating to disaster and fire safety.	Recommendations or other documentation to City Council and other Commissions that send referrals.	Incorporates disaster preparedness into City decisions, leading to a safer and more resilient city.

## Work Plan Details

### 1. FIRE SAFETY AND COMMUNITY RESILIENCE IN THE FACE OF A WILDLAND-URBAN INTERFACE FIRE

#### Resources

Specific resources include staff time to properly notice meetings and council submissions prepared by the Disaster Fire Safety Commission. A venue and staff time may be needed for community meetings.

#### Program Activities

##### COMMUNITY EMERGENCY ALERTING AND EVACUATION

- This Commission has recommended that the city install sirens as a component of the suite of available alerting tools. We will continue to follow up on the progress of this recommendation through the budgeting process.
- Review and provide feedback and recommendations on the city's draft evacuation plan.
- Review and provide feedback and recommendations on the city's emergency alerting protocol.
- Commissioners will attend community events and integrate community feedback and concerns into alerting and evacuation recommendations. Observe and/or participate in any evacuation drills that the City or community groups run in 2021.
- Integrate the needs and contributions of seniors and people with mobility challenges or other access and functional needs in all of our emergency alerting and evacuation recommendations.

##### SAFE PASSAGES – ACCESS & EGRESS ON NARROW STREETS

- *To give this topic the focused attention it deserves, I would propose to make this a subcommittee once we are allowed to. See proposed bullet point below-gc*
- *If allowed by Council, the Commission will create a Subcommittee to focus on questions related to access & egress on narrow streets.*
- The Commission will review and provide recommendations on access and egress needs in a WUI fire, specifically the "Safe Passages" program that is part of the City's Wildfire Safety Plan
- Review and provide feedback on parking plans, including changes in rules for on-street and off-street marking

- Review and provide feedback on ordinances relevant to increasing population density in the hills, including but not limited to rules regarding ADU construction
- Designate a member of the Disaster and Fire Safety Commission to attend Planning Commission meetings and City Council meetings where parking changes or other changes that will impact fire and evacuation safety are discussed. *[do we have a volunteer to do this? We should remove this bullet point if not. -gc]*

## REDUCE VEGETATION AND FIRE HARDEN<sup>1</sup> PROPERTIES

Scientists, State and local fire department officials, Wildfire responders, and forest management experts agree that the new California “norm” includes continued droughts and disastrous urban interface wildfires. Through studies and experience, there is agreement that individual property owners are essential component in the successful achievement of fire prevention goals that will increase life safety, reduce economic impact and preserve the environment. The Commission will take an active role to achieve these broad fire prevention goals through recommendations to the City Council in the following three areas:

- Policy declarations and advocacy in support of fire prevention activities at all levels of government;
- Public outreach regarding fire prevention planning, activities and responsibilities;
- Collection, analysis and distribution of financial information, including grants, fees, loans and insurance, related to fire prevention at both citywide and neighborhood levels.

### *Additional Items*

Commissioners working independently in other capacities (such as in neighborhood groups in the hills, or as volunteers) may develop ideas to improve WUI safety in those environments and bring these to the Commission for consideration throughout the year.

### **Outputs**

- Recommendations to City Council regarding parking restrictions on the hills, siren expenditures, vegetation management and other topics relevant to improving wildfire safety in the City.
- Feedback to city staff on the Draft Evacuation Plan and alerting tools and protocols.
- Recommendations to support testing and drills to ensure that both staff and residents are prepared to carry out emergency alerting and evacuations
- Support the City’s community outreach measures to improve vegetation management and slow the spread of a WUI fire in the hills.
- Seek any available data on use of the chipper program, and explore if changes to the program would increase adoption.
- Review and provide recommendations on new approaches to vegetation management, including employment of Youthworks (city youth jobs program) staff over the summer to reduce fire fuel in the hills.

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<sup>1</sup> To fire harden a property is to take steps that make the home and property more fire-resistant.

- Ensure that vegetation management is compliant with sustainable best practices.

### **Outcomes**

Prevent loss of life by improving the City's planning and available tools to create a safe and efficient evacuation of all endangered residents in the case of a major WUI fire. Improve and practice emergency alerting so that all residents are alerted adequately and in a timely manner of any life-threatening hazards such as an approaching fire. Reduce as much as is feasible, economic losses to property owners.

## **2. IMPROVE COMMUNITY RESILIENCE THROUGHOUT BERKELEY WITH A WHOLE COMMUNITY APPROACH**

### **Resources**

Resources include community members' time (volunteer), Commissioners' and staff time to participate in working group and/or subcommittee work, and staff time to present yearly Berkeley Ready presentations to Commission.

### **Program Activities**

Support accessible preparedness outreach and training, with a special focus on underserved and/or vulnerable members of our community, including residents of South and West Berkeley, seniors, persons with disabilities, families with children, Spanish-speakers, and renters. Consider ideas toward the goal of equitably and adequately serving all people who live, work, study or play in Berkeley.

#### *Community Based Disaster Response*

Commission member(s) will continue to explore ways to support community-based post-disaster response, creating an inclusive, broad-based response that better meets the post-disaster needs of all people in Berkeley:

- explore options to help give the community a better structure or pathway to participate in disaster response.
- explore ways to improve and support social cohesion throughout the city that will naturally increase post-disaster assistance, information-sharing, and shared resources among neighbors.

To stay apprised of CERT, Berkeley Ready, and other activities in the City, the Commission will host presentations at Commission meetings by the following groups:

- Berkeley Ready staff presentation(s)
- Berkeley Disaster Preparedness Neighborhood Network (BDPNN)
- Berkeley Mutual Aid (BMA)
- Berkeley Path Wanderers

#### *Community Fire Risk Reduction*

Work towards ensuring that all people residing in or visiting Berkeley are in dwellings that adequately protect them from fire danger and that residents' financial means are not associated with an increased fire danger:

- Explore options to ensure that renters who are concerned about the fire safety of their homes have a pathway to get their concerns addressed without putting their housing at risk
- Explore options to ensure that temporary rentals such as Airbnb and unpermitted and permitted second units and ADUs are fire safe
- Explore a non-punitive Community Risk Reduction approach towards fire prevention, including on-request in-home fire risk inspections and fire escape planning, that does not include a code enforcement component
- Seek and support community-based approaches to reducing fire risk in homeless encampments
- Explore fire-safe inspections of properties used for group living purposes, including student Co-ops, fraternities, sororities and other identified group living accommodations

*Additional Items*

Commissioners working independently in other capacities (such as with schools and businesses) may develop ideas to improve community resilience in those environments and bring these to the Commission for consideration throughout the year.

**Output(s)**

- Develop recommendation(s) to City Council to enhance Berkeley Ready, CERT and other city programs to support community resilience. Develop recommendations to fund or otherwise support activities of BDPNN, BMA, or other community groups.

**Outcomes**

Measurable improvement to Berkeley’s community preparedness. Measurement may be in number of people reached, or number of active volunteers, or new previously underserved populations reached.

**4. ENSURE THAT MEASURE GG AND MEASURE FF FUNDS ARE SPENT APPROPRIATELY**

**Resources**

Commissioners’ time and staff time to generate financial reports and present them to the Commission every quarter

**Program Activities**

- Staff to generate a Measure GG and Measure FF spending report every quarter
- Commission to review staff report every quarter
- Commission to provide recommendation on optional tax percentage increase

**Output(s)**

The Commission will create recommendations to Council if needed to ensure that Measure GG and FF funds are used to enhance the safety of the Berkeley community and remain within the definition, scope, and intentions of the original law.

**Outcomes**

With funds correctly allocated, the goal of Measures GG and FF is maintained: keeping all fire stations in the city open 24-7 as well as improving community resilience through programs such as Berkeley Ready.

## **5: HELP OTHER CITY ENTITIES INCORPORATE A DISASTER AND FIRE SAFETY PERSPECTIVE INTO DECISIONS**

### **Resources**

Commissioners' time for research and recommendation creation

### **Program Activities**

Respond to requests for input on matters relating to disaster and fire safety. Requests may come from City Council, City Staff, other Commissions, or the public.

- Examples of recent referrals:
  - City Council referral for feedback on requiring gas shut-off valves
  - Planning Commission request for feedback on ADU Emergency Ordinance
- Provide input into Council decisions when decisions will affect disaster resilience or fire safety in Berkeley

Recommendations may also be generated in absence of a referral, when the Commission determines that input into Council decisions is necessary to serve Berkeley's resilience in disaster and fire safety.

### **Output(s)**

Recommendations to City Council or communications with other city entities, often in response to referrals.

### **Outcomes**

City Council will incorporate disaster preparedness considerations into decisions, leading to a safer and more resilient city.

1/15/2021

To: Disaster and Fire Safety Commission

From: Gradiva Couzin, Chair, DFSC

RE: Forming a working group for ADU and Parking Ordinance recommendations

In the past year the DFSC has worked on several interrelated topics that impact access and egress in the Hills Fire Zones:

- ADU Ordinance
- Off-Street Parking Rules change
- Safe Passages program

Each of these, in different ways, have the potential to impact the community's ability to evacuate safely from a WUI fire in Berkeley.

I propose that the DFSC form a working group including 2-3 members of this commission and possibly others from outside the commission who are willing and able to dedicate the appropriate amount of time to develop recommendations for these items within 90 days.

This may result in separate recommendations, or a combined recommendation, as the working group determines. It would be good to hear updates from the Working Group at each of the Feb, March, and April DFSC commission meetings.

Here is a brief status on each of these topics, and the actions that I think are needed:

### ADU (Accessory Dwelling Unit) Ordinance

**Status: State law is less restrictive on ADU construction than our recommended rules. Previous Berkeley Urgency Ordinance is expired. I expect to receive a Council referral for new ordinance/actions soon.**

**Impact on Fire Safety: More ADU construction has potential to increase population density, number of cars on roads in evacuation, and fire fuel in Fire Zones.**

State of CA law effective 1/1/2020 limits the power of local jurisdictions to impose restrictions on the development of ADUs. In brief, the law does not allow cities to impose discretionary processes on ADU permit approvals.

In December 2019, Berkeley City Council passed an Urgency ADU Ordinance amending Berkeley Municipal Code to comply with state law and establish interim limits on ADU development in Fire Zones on lots that front on a street with less than 26 feet of pavement width.

In July 2020 the DFSC sent a memo to the Planning Commission recommending that restrictions on ADUs in Fire Zones 2 and 3 and the Hillside overlay remain in effect, with some additions. In December 2020, the DFSC recommended to City Council that the Urgency ADU Ordinance be extended another 12 months.

The ADU Ordinance was not extended in December. It seems that the City's legal team believed that continuing the ADU Ordinance would be out of compliance with state law.

The Urgency ADU Ordinance is now expired and there is no local ordinance in place, which means that ADU development in Fire Zones is governed by less-restrictive CA law at this time. A pending referral from CM Wengraf and CM Hahn will seek DFSC's input on possible Berkeley ordinance amendments and implementation programs to address emergency access and egress.

**Working group action:** Within 90 days, generate a response to the Wengraf/Hahn DFSC referral regarding possible ADU restrictions and other actions to ensure access and egress in the hills. Meet with Planning Commission members or discuss with Councilmembers as appropriate. We have not received the referral yet but expect it soon.

### Off-Street Parking Rules Change

**Status: Proposed changes to off-street parking rules are being considered by City Council (special meeting 1/26)**

**Impact on Fire Safety: Less off-street parking may translate to more on-street parking; may have unintended consequences of people resisting on-street parking restrictions.**

In 12/2020, the Planning Department submitted to Council proposed changes to off-street parking in Berkeley. These changes include modification to off-street parking requirements in new construction. In brief, the changes will require fewer off-street parking spaces.

The parking proposal is complex and includes all of Berkeley, not just Fire Zones. The proposal does include options that modify the rules in Fire Zones.

On 12/14/20, the DFSC submitted a memo for Council expressing concern regarding the potential impact of these parking changes to emergency access and egress in the Hills, including in a wildfire evacuation.

On 1/26/21 Council will hold a special session to discuss the proposed changes. As of this writing I do not know the outcome of the special session.

**Working group action:** Follow up with Planning Department staff (specifically Alene Pearson, [apearson@cityofberkeley.info](mailto:apearson@cityofberkeley.info)) to learn about the status of the off-street parking rules change and how it addresses impact on evacuation routes. Unless our recommendation has already become a moot point, consider creating a follow-up recommendation within 3 months.

### Safe Passages Pilot Program

**Status: Currently On Hold/Stalled due to COVID focus**

**Impact on Fire Safety: Evacuation from hills could be slowed by parked vehicles or other obstacles, causing increased fatalities in a fast-moving wildfire. Responder access could also face obstacles in absence of a clear path, hindering emergency response and firefighting or evacuation efforts.**

In February, 2019 the Safe Passages program was introduced by the Fire Department as a way to develop parking restrictions and new road markings/signage to create no parking zones and clear corridors to allow emergency access and egress in Fire Zones 2 & 3. Some initial work was done on the program by the FD in 2019.

In 12/2019 the DFSC submitted a recommendation to City Council to “Immediately Fund and Implement the Safe Passages Program and Additional Actions to Ensure Emergency Equipment Access to All Parts of the City.”

Per my understanding, at this time the program is stalled due to staff focus on the COVID crisis.

**Working group action:** Consider a recommendation reminding Council of the importance and urgency of this project. Potentially recommend hiring dedicated staff and financing staff time for this project with Measure FF funding.

It may be appropriate to combine this recommendation with one of the above recommendations regarding ADUs and off-street parking.