

## RESOLUTION NO. 70,525-N.S.

### EQUITABLE SAFE STREETS AND CLIMATE JUSTICE RESOLUTION

WHEREAS, Berkeley's climate action plan calls for an 80% reduction in climate pollution by 2050, and private automobiles represent 59% of the City's climate pollution; and

WHEREAS, progress on Berkeley's climate action plan will depend in large part on reducing "vehicle miles traveled," or the amount people drive private cars within city limits; and

WHEREAS, Berkeley's bicycle plan proposed in 1971 called for a city-wide network of safe bicycle routes; and

WHEREAS, Berkeley adopted an action plan for Vision Zero in 2019; and

WHEREAS, Berkeley's existing policy on street engineering and safety calls for "Complete Streets" as defined by the National Association of City Transportation Officials (NACTO).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley that any and all funds that are to be used for the design of major roadway projects such as roadway reconstruction/repaving of more than one city block of city streets and related facilities shall be disbursed for projects that integrate Complete Streets (as defined by NACTO) and practical safety interventions designed to reduce automobile speed and protect the lives of people outside of automobiles;

BE IT FURTHER RESOLVED that the application of this policy shall not preclude residential streets from rehabilitation, repair, and/or repaving work on streets presently scheduled for repaving under the Council-approved Street Repair Plan nor any residential streets scheduled for repaving on any subsequent paving plan thereafter;

BE IT FURTHER RESOLVED that improvements applied under this policy shall be consistent with the existing Street Maintenance and Rehabilitation Policy in ensuring street trees are only removed as a last resort;

BE IT FURTHER RESOLVED that in all cases where Complete Streets cannot be fully implemented, or in cases where the MUTCD must be used in place of the NACTO Urban Streets Design Guide, City Staff shall use "engineering judgment" to prioritize the safety of vulnerable road users, and not rely solely on MUTCD "warrants" and other proscriptions;

BE IT FURTHER RESOLVED that pursuant to AB-43 (2021), no city official shall apply the "85th percentile" rule in the process of setting speed limits on city streets when there are provisions within State law that allow the setting of lower speed limits based on safety studies and other documented engineering findings by the Public Works Director, and

lower speeds are appropriate and are the safest option for all road users and that all criteria for setting lower local speed limits set forth in the California Vehicle Code, including Sections 22358.6 to 22358.9, shall be applied in setting speed limits.

The foregoing Resolution was adopted by the Berkeley City Council on September 13, 2022 by the following vote:

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

Noes: None.

Absent: None.

  
Jesse Arreguin, Mayor

Attest:   
Rose Thomsen, Deputy City Clerk