

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL
SPECIAL MEETING**

FRIDAY, FEBRUARY 18, 2022

9:00 A.M.

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 – LORI DROSTE

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

Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this <https://us02web.zoom.us/j/84490821888> . 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** or **1-877-853-5257 (Toll Free)**; enter Meeting ID: **844 9082 1888**. 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 teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@cityofberkeley.info.

Preliminary Matters

Roll Call: 9:05 a.m.

Present: Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

Absent: Bartlett

Councilmember Bartlett present at 11:26 a.m.

Public Comment on Closed Session Item – 2 speakers.

Action: M/S/C (Arreguin/Robinson) to adopt a temporary rule limiting public comment time to one minute per speaker for Item 1.

Vote: Ayes – Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin; Noes – None; Abstain – None; Absent – Bartlett

OPEN SESSION:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):

- a. Supreme Court Case No. S273160: Authorize Amicus Curiae Support of Petition for Review in *Save Berkeley's Neighborhoods v. The Regents of the University of California (American Campus Communities)*

Action: 27 speakers. M/S/C (Arreguin/Robinson) to authorize the City Attorney to file an Amicus Curiae Support of Petition for Review in *Save Berkeley's Neighborhoods v. The Regents of the University of California (American Campus Communities)*.

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

CLOSED SESSION:

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

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):

- a. Supreme Court Case No. S273160: Authorize Amicus Curiae Support of Petition for Review in *Save Berkeley's Neighborhoods v. The Regents of the University of California (American Campus Communities)*

Action: Item moved to Open Session for public comment, discussion, and action.

3. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Don Ellison, Interim Human Resources Director.

Employee Organizations: Berkeley Fire Fighters Association Local 1227, Berkeley Fire Fighters Association, Local 1227 I.A.F.F. / Berkeley Chief Fire Officers Association; International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, SEIU 1021 Maintenance and Clerical, Public Employees Union Local 1, Unrepresented Employees, Berkeley Police Association.

Action: No reportable action taken.

OPEN SESSION:

No reportable action taken on closed session item.

Adjournment

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

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

Councilmember Harrison absent at 11:58 a.m.

Councilmember Hahn absent at 12:14 p.m.

Councilmember Kesarwani absent at 12:15 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on February 18, 2022.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #1: Conference With Legal Counsel – Existing Litigation Pursuant To Government Code Section 54956.9(d)(1)

1. Pat Kennedy
2. Denise Grab
3. Lee Bishop
4. Belinda Appleyard
5. Micki Boden
6. Patrick Traugher
7. Phil Levin
8. David and Miriam Wilson
9. Max Ghenis

Supplemental Communications and Reports 3

Item #1: Conference With Legal Counsel – Existing Litigation Pursuant To Government Code Section 54956.9(d)(1)

10. Andrew Gilbert
11. Rachel Doughty
12. Steve Solnit
13. Aimee Baldwin
14. Margot Smith (2)
15. Doris Nassiry
16. Emily McAfee
17. Michelle Pasternack
18. Joe Liesner
19. Carolyn McNiven
20. Alok Narahari
21. Donald Goldmacher
22. Catherine Lazio
23. Greg Magnofna
24. Erika Shore
25. Zelda Bronstein
26. Karen Sharpe
27. Becky Waring
28. Ben Gould
29. Clayton Chan
30. Janice Schroeder
31. Carla Woodworth
32. Elana Auerbach

33. Carolyn Jones
34. Deborah Thompson
35. Chimey Lee
36. Pamela Michaud
37. Louise Kimball
38. Marc Hedlund
39. Elaine Lee
40. Ken Berland
41. Vanessa Bohm
42. Sabina McMurtry
43. Jean Mudge
44. Bernard Marszalek
45. Marissa Moss
46. Lauren Parsons
47. Mary Louise Zernicke