

**ANNOTATED  
BERKELEY CITY COUNCIL  
SPECIAL CLOSED MEETING**

**THURSDAY, MAY 20, 2021**

**1:00 P.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 Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this closed session meeting of the City Council 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://us02web.zoom.us/j/83208410242>. 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: **832 0841 0242**. 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](mailto:council@cityofberkeley.info).*

## Preliminary Matters

**Roll Call:** 1:37 p.m.

**Present:** Taplin, Bartlett, Harrison, Wengraf, Arreguin

**Absent:** Kesarwani, Hahn, Robinson, Droste

Councilmember Hahn present at 1:56 p.m.

Councilmember Robinson present at 1:56 p.m.

Councilmember Droste present at 2:19 p.m.

**Public Comment - Limited to items on this agenda only – 5 speakers**

## CLOSED SESSION:

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

### 1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) and 54956.9(d)(1)

a. *Ruegg & Ellsworth v. City of Berkeley (Alameda Superior Court Case No. RG 18930003)*

**Action:** M/S/C (Arreguin/Hahn) to direct the City Attorney to file a petition for review with the California Supreme Court with respect to the case of Ruegg & Ellsworth v. City of Berkeley, Alameda County Superior Court Case No. RG18930003; First District Court of Appeal Case No. A159218.

**Vote:** All Ayes.

### 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property address: 199 Seawall Drive, Berkeley, CA 94710  
Agency Negotiators: Dee Williams-Ridley, City Manager; Paul Buddenhagen, Deputy City Manager; Scott Ferris, Director, Parks Recreation and Waterfront; Christina Erickson, Deputy Director, Parks, Recreation, and Waterfront  
Negotiating parties: City of Berkeley and Innovation Properties Group (IPG)  
Property owner: City of Berkeley  
Under negotiation: Price and terms

**Action:** Item continued to June 3, 2021.

### 3. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Paul Buddenhagen, Deputy City Manager, David White, Deputy City Manager, LaTanya Bellow, Human Resources Director, Dania Torres-Wong, Chief Labor Negotiator, Burke Dunphy, Labor Negotiator, Jen Louis, Interim Chief of Police, Abe Roman, Interim Fire Chief.

Employee Organizations: International Brotherhood of Electrical Workers (IBEW), Local 1245, SEIU 1021 Community Services and Part-time Recreation Activity Leaders, Berkeley Fire Fighters Association Local 1227, Berkeley Police Association, Service Employees International Union, Local 1021 Maintenance and Clerical Chapters, Berkeley Fire Fighters

Association, Local 1227 I.A.F.F./Berkeley Chief Fire Officers Association, Public Employees Union Local 1.

**Action:** No reportable action taken.

## **OPEN SESSION:**

Public Reports of actions taken pursuant to Government Code section 54957.1.

The City Council met in closed session with respect to the case of Ruegg & Ellsworth v. City of Berkeley, Alameda County Superior Court Case No. RG18930003; First District Court of Appeal Case No. A159218 and directed the City Attorney to file a petition for review with the California Supreme Court.

## **Adjournment**

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

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

Adjourned at 3:58 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 20, 2021.

---

Mark Numainville  
City Clerk

## **Communications**

- None

## **Supplemental Communications and Reports 1**

- None

## **Supplemental Communications and Reports 2**

- None

## **Supplemental Communications and Reports 3**

**Item #1: Conference With Legal Counsel – Pending Litigation Pursuant to Government Code Sections 54956.9(a) and 54956.9(d)(1)**

1. Steve Bhaerman
2. Paula Buel
3. LeeAnn Dowd
4. Doran McGee

5. Lenore Goldman
6. Lynn Gottlieb
7. Katrina Wehrheim
8. Hagar Scher
9. Amy Pereira
10. Chris Walker
11. Laura Atkins
12. Barbara Atwell
13. Thomas Rothschild
14. Tracey Iglehart
15. Caroline Sandifer
16. Iris Starr
17. Sirpa Tuomainen
18. Sarah Bradley, on behalf of the Berkeley Farmhouse
19. Ingrid Hogle
20. JD Northrup
21. Miko Lee
22. Yael Platt
23. Adam Bradley
24. Lila Blanchard
25. Silvia Ahn
26. Lindsay Stratton
27. Laura Magnani
28. Barbara Barbour
29. Lauren Schiller
30. Rhea Borromeo
31. Fredrica Drotos
32. Elina Juvonen
33. Mark Jacobs and Daniel Barash
34. Terri Saul
35. Catherine de la Pena
36. Patrick
37. Lena Wolff
38. Charlene Abina
39. Austin Terry
40. Daniela Sea
41. Kent Lightfoot, on behalf of the Anthropology Department at Cal
42. Ryan Grant
43. Kelsey Reid
44. Summer Brenner
45. Michelle
46. Susan Nesbitt
47. Josh Costello
48. Elizabeth Dodge
49. Mary Lee Smith
50. Teacher Yari
51. Claire Patterson
52. Leah Redwood
53. Reba Connell
54. Jamie Randolph
55. Maria Dhuey

56. Tim Burton

57. Elisa Edwards and the 4<sup>th</sup> Grade Class at Berkwood Hedge School