

ANNOTATED AGENDA BERKELEY CITY COUNCIL SPECIAL MEETING

MONDAY, JUNE 27, 2022

4:30 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 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 URL <https://us02web.zoom.us/j/83638169990>. 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: **836 3816 9990**. 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: 4:30 p.m.

Present: Bartlett, Hahn, Harrison, Robinson, Taplin, Wengraf, Arreguin

Absent: Droste, Kesarwani

Councilmember Kesarwani present at 4:34 p.m.

Public Comment - Limited to items on this agenda only - None

CLOSED SESSION:

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

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

- a. *Franklin v. City of Berkeley*, United States District Court – Northern District of California, Case No. 3:20-cv-04090-LB

Action: M/S/C (Wengraf/Taplin) to approve the settlement of the lawsuit of Franklin v. City of Berkeley, et al., USDC No. 3:20-cv-0904, for \$65,000.

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

- b. *Deal v. City of Berkeley*, Alameda County Superior Court Case No. RG21110607

Action: No reportable action taken.

- c. *Emery v. City of Berkeley*, Alameda County Superior Court Case No. RG19047377

Action: M/S/C (Arreguin/Harrison) to approve the settlement of the lawsuit of Emery v. City of Berkeley, Alameda County Superior Court Case No. RG19047377 for \$50,000.

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

- d. *Druschel et al. v. City of Berkeley, Graham Chrisholm*, Alameda County Superior Court Case No. Case No. RG20073792

Action: M/S/C (Hahn/Wengraf) to approve the settlement of the lawsuit of Druschel et al. v. City of Berkeley, Graham Chrisholm, Alameda County Superior Court Case No. Case No. RG20073792 for \$30,000.

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

- e. *Dominguez, et al. v. City of Berkeley, et al.*, United States District Court – Northern District of California Case No. 3:21-cv-08599-SI

Action: M/S/C (Arreguin/Robinson) to approve the settlement of the lawsuit of *Dominguez, et al. v. City of Berkeley, et al.*, United States District Court – Northern District of California Case No. 3:21-cv-08599.

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

- f. *Secure Justice v. City of Berkeley*, Alameda County Superior Court Case No. 21CV003630

Action: No reportable action taken.

Councilmember Wengraf absent 7:15 p.m. – 7:31 p.m.

OPEN SESSION:

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

The City Council met in closed session and authorized the City Attorney to settle the following lawsuits:

- Franklin v. City of Berkeley, et al., USDC No. 3:20-cv-04090, for \$65,000.
- Emery v. City of Berkeley, Alameda County Superior Court Case No. RG19047377 for \$50,000.
- Druschel et al. v. City of Berkeley, Graham Chrisholm, Alameda County Superior Court Case No. Case No. RG20073792 for \$30,000.
- Dominguez, et al. v. City of Berkeley, et al., United States District Court – Northern District of California Case No. 3:21-cv-08599.

Adjournment

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

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

Adjourned at 7:31 p.m.

I hereby certify that the forgoing is a true and correct record of the special closed meeting of June 27, 2022 as approved by the Berkeley City Council.

Rose Thomsen, Deputy City Clerk