

BERKELEY CITY COUNCIL SPECIAL MEETING MINUTES

TUESDAY, MAY 5, 2020

3:00 P.M.

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – CHERYL DAVILA
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/82901927929>. 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: 829 0192 7929. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

To submit an e-mail comment during the meeting to be read aloud during public comment, email clerk@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.

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.

Preliminary Matters

Roll Call: 3:02 p.m.

Present: Davila, Harrison, Hahn, Wengraf, Droste, Arreguin

Absent: Kesarwani, Bartlett, Robinson

Councilmember Bartlett present at 3:08 p.m.

Public Comment - Limited to items on this agenda only – 0 speakers

CLOSED SESSION:

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

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

Significant exposure to litigation – one case: Scott Donahue – Deaccession of Berkeley Big People

Action: M/S/C (Wengraf/Hahn) to provide direction to approve a monetary settlement of \$25,000 in a potential lawsuit stemming from the deaccession of the Berkeley Big People.

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

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

City of Berkeley v. Regents of the University of California, Alameda Superior Court Case No. RG19023058

Action: No reportable action taken.

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

Property addresses:

MLK Junior Services Center 1730 Oregon Street; Willard Pool 2701 Telegraph Avenue; West Campus Pool 2100 Browning Street; King Pool 1700 Hopkins Street

Measure Y Parks - King Park, 1700 Hopkins Avenue; Thousand Oaks Park, 1780 Tacoma Ave at Ensenada Ave; Leconte School, 2241 Russell Street (play/open space area in back of school); Malcolm X School, 1731 Prince Street (play area/open space in back of school); Rosa Parks School, 920 Allston Way (play area/open space in back of school); John Muir School, 2995 Claremont Avenue (play area/open space in back of school); Washington School, 2300 Martin Luther King Jr. Way (play area/open space in back of school)

Agency Negotiators: Dee Williams-Ridley, City Manager, David White, Deputy City Manager, Scott Ferris, Director of Parks, Recreation and Waterfront

Negotiating parties: City of Berkeley, 2180 Milvia Street, Berkeley, CA
Property Owner – Berkeley Unified School District, 2020 Bonar Street, Berkeley, CA

Under negotiation: Price and terms

Action: No reportable action taken.

OPEN SESSION:

The City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to approve a monetary settlement of \$25,000 in a potential lawsuit stemming from the deaccession of the Berkeley Big People.

Adjournment

Action: M/S/C (Wengraf/Davila) to adjourn the meeting.

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

Adjourned at 5:47 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on May 5, 2020.


Mark Numainville
City Clerk