

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES**

TUESDAY, FEBRUARY 16, 2021

4:00 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.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx>.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/87054545221>. 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: **870 5454 5221**. 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: 4:03 p.m.

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

Absent: Bartlett, Droste, Harrison

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

CLOSED SESSION:

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

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

- a. WCAB Case Number: #ADJ224992.

Action: M/S/C (Hahn/Robinson) to provide direction to outside counsel and approve a stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and release, with a release of future medical care, as to workers' compensation matter WCAB Case Number: #ADJ224992.

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

- b. WCAB Case Numbers: #ADJ11556675 and ADJ10831595.

Action: M/S/C (Hahn/Robinson) to provide direction to outside counsel and approve a settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and release, with a release of future medical care, as to workers' compensation matter WCAB Case Numbers: #ADJ11556675 and ADJ10831595.

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

- c. WCAB Case Number: #ADJ11121846.

Action: M/S/C (Hahn/Wengraf) to provide direction to outside counsel and approve a settlement of permanent disability with an award of lifetime future medical care, as to workers' compensation matter WCAB Case Number: #ADJ11121846.

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

OPEN SESSION:

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

City Council gave direction as follows:

- a. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a stipulated settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and Release, with a release of future medical care, as to a workers' compensation matter WCAB Case Number: #ADJ224992.

- b. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved settlement of permanent disability with an Award of lifetime future medical care, or in the alternative, by Compromise and Release with a release of future medical care, as to a workers' compensation matter WCAB Case Numbers: #ADJ11556675 and ADJ10831595.
- c. City Council met in closed session Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved settlement of permanent disability with an Award of lifetime future medical care, as to a workers' compensation matter WCAB Case Number: #ADJ11121846.

Adjournment

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

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

Adjourned at 4:31 p.m.

This is to certify that the foregoing is a true and correct record of the closed session meeting on February 16, 2021.

April Richardson, Assistant City Clerk