

**ANNOTATED AGENDA
BERKELEY CITY COUNCIL
SPECIAL MEETING**

TUESDAY, MARCH 26, 2024

4:00 P.M.

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY, CA 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – VACANT

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – VACANT
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. If you are feeling sick, please do not attend the meeting in person.

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL: <https://cityofberkeley-info.zoomgov.com/j/1613042201>. To request to speak, use the “raise hand” icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 304 2201**. 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 meeting will be recorded.*

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

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. “Disrupting” means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

Preliminary Matters

Roll Call: 4:30 p.m.

Present: Taplin, Bartlett, Hahn, Wengraf, Arreguin

Absent: Kesarwani, Humbert

Councilmember Kesarwani present at 5:28 p.m.

Councilmember Humbert present at 5:29 p.m.

Councilmember Humbert participated in the meeting remotely pursuant to the Brown Act, as amended by AB 2449.

Public Comment - Limited to items on this agenda only – 3 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. *Fisher et al. v. City of Berkeley*, United States District Court, Northern District of California; Case No. 3:23-cv-04280-TSH

Action: No reportable action taken.

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

- a. Significant exposure to litigation pursuant to Section 54956.9(d)(2) arising from paint installation at the intersection of Allston Way and Martin Luther King, Jr. Way: one potential case.

Action: No reportable action taken.

3. CONFERENCE WITH LABOR NEGOTIATORS; GOVERNMENT CODE SECTION 54957.6

Negotiators: Dee Williams-Ridley, City Manager, Anne Cardwell, Deputy City Manager, LaTanya Bellow, Deputy City Manager, Aram Kouyoumdjian, Human Resources Director, Jonathan Holtzman, Labor Negotiator, Dania Torres-Wong, Labor Negotiator, Burke Dunphy, Labor Negotiator

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

Action: No reportable action taken.

OPEN SESSION:

No reportable action taken.

Adjournment

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

Vote: All Ayes.

Adjourned at 6:48 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on March 26, 2024.

Mark Numainville, City Clerk

Communications

- None

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

- None

Supplemental Communications and Reports 3

Item #2a: Conference with Legal Counsel – Anticipated Litigation Pursuant To Government Code Section 54956.9(d)(2)

1. Leah Amzel
2. Barbara McVeigh
3. Leah Greenblat
4. Dianna Dar
5. Shrlee Lichtman
6. Miriam Ferris
7. Dorothea Dorenz
8. Ilana Pearlman (2)
9. Udi Shamay
10. Rachel Schiff
11. Leah Greenblat
12. Hillary Kilimnik
13. Andrew Murray, Interim Public Works Director (6)
14. Terry Fletcher
15. Jon Jackson
16. Glen Hauer
17. Pathma Venasithamby
18. Beverly Crawford

19. Susan Harman
20. David Spero
21. Marge Sussman
22. Helen Finkelstein
23. Kathryn Orsini
24. Sheila Jordan
25. Mary Ann Meany
26. Cielo Rios
27. Tom Luce
28. Seth Morrison
29. Vanessa Marrero
30. Jim Haber
31. Jerome Geffner
32. Marla Kamiya
33. Daphne Muse
34. The Wellstone Democratic Renewal Club
35. Kitty Kelly Epstein
36. Jack Kurzweil
37. Laurie Earp
38. MJ Baumann
39. Carol Sanders
40. Talia Glass
41. Gen Katz
42. Nicholas Glass
43. Tobey Wiebe
44. Laurie Earp
45. Katherine Falk
46. Lea Zalinskis
47. Martha Larsen
48. Candice Schott
49. Larry Hendel