

**ANNOTATED  
BERKELEY CITY COUNCIL  
SPECIAL MEETING**

**MONDAY, SEPTEMBER 18, 2023**

**4:30 P.M.**

REDWOOD ROOM – 2180 MILVIA STREET, BERKELEY, CA 94704

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 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN

DISTRICT 6 – SUSAN WENGRAF

DISTRICT 7 – RIGEL ROBINSON

DISTRICT 8 – MARK HUMBERT

*This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. 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/1610332476>. 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 **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 033 2476**. 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 and all rules of procedure and decorum apply for in-person attendees and those participating by teleconference or videoconference.*

*To submit a written communication for the City Council's consideration and inclusion in the public record, email [council@berkeleyca.gov](mailto: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 this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda.*

## Preliminary Matters

**Roll Call:** 4:40 p.m.

**Present:** Taplin, Hahn, Wengraf, Robinson, Humbert, Arreguin

**Absent:** Kesarwani, Bartlett, Harrison

**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 – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):

- a. *Workers Compensation Appeals Board Case Numbers: ADJ15348795 and ADJ15456130*

**Action:** M/S/C (Arreguin/Robinson) to authorize the City Manager to settle by Stipulated Award with future medical care, as to workers' compensation matters WCAB Case Numbers: ADJ15348795 and ADJ15456130.

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

- b. *Workers Compensation Claim #BER2200121*

**Action:** M/S/C (Arreguin/Humbert) to authorize the City Manager to settle by Compromise and Release, or in the alternative settlement by Stipulated Award with future medical care, as to workers' compensation matter WC Claim #: BER2200121.

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

- c. *Rena Fisher, Kathi Pugh, and Helen Walsh v. City of Berkeley*

**Action:** No reportable action taken.

- d. *Harrison v. Martinez et al. Alameda County Superior Court Case No. 22CV09169*

**Action:** M/S/C (Arreguin/Robinson) to authorize the City Attorney to settle the case in the amount of \$40,000.

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

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

Property Address: 921-927 Parker Street, Berkeley, California  
Agency Negotiators: Dee Williams- Ridley, City Manager; David Sprague, Berkeley Fire Chief; Dionne Early, Public Works Real Property  
Negotiating parties: City of Berkeley and Keegan & Coppin Company Inc., on behalf of 921 Parker Street Partners, LLC  
Property Owner: 921 Parker Street Partners, LLC  
Under negotiation: Price and terms

**Action:** No reportable action taken.

## OPEN SESSION:

City Council met in closed session on September 18, 2023, Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a settlement by Stipulated Award with future medical care, as to workers' compensation matters WCAB Case Numbers ADJ15348795 and ADJ15456130.

City Council met in closed session on September 18, 2023, Pursuant to Government Code Section 54956.9(d)(2) and provided direction to outside counsel and approved a settlement by Compromise and Release, or in the alternative settlement by Stipulated Award with future medical care, as to workers' compensation matter WC Claim number BER2200121.

The Council convened in closed session on September 18, 2023 and approved a settlement in the matter of Harrison v. Martinez et al, Alameda County Superior Court Case No. 22CV019169, in the amount of \$40,000 in exchange for a release of all claims against the City.

## Adjournment

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

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

Adjourned at 6:47 p.m.

I hereby certify that the foregoing is a true and correct record of the closed session meeting held on September 18, 2023.

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Mark Numainville, City Clerk