

**MINUTES  
BERKELEY CITY COUNCIL  
SPECIAL MEETING MINUTES**

**TUESDAY, SEPTEMBER 24, 2019**

**5:30 P.M.**

**School District Board Room – 1231 Addison Street, Berkeley, CA**

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

**Preliminary Matters**

**Roll Call:** 5:48 p.m.

**Present:** Kesarwani, Davila, Bartlett, Harrison, Hahn, Wengraf

**Absent:** Robinson, Droste, Arreguin

Councilmember Droste present at 5:52 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 – PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTIONS 54956.9(a) AND 54956.9(d)(1)**

Claim by David Dhaliwal, Austine Warren, and Gary Fong No. 0109BC2019-0001

**Action:** M/S/C (Hahn\Harrison) On Claim No. 0109BC2019-000 by Dhaliwal, Warren, and Fong, Council authorized the City Manager to accept a drainage easement on private property in exchange for rebuilding a drainpipe with existing Engineering Division funds on the property that runs from the City's roadway to a creek.

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

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

Taehee Park v. City of Berkeley, Alameda County Superior Court No. RG 17 852489

**Action:** M/S/C (Bartlett\Hahn) to authorize the City Attorney to settle Park v. City of Berkeley (RG 17 852489) for \$110,000.

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

## OPEN SESSION:

The City Council met in closed session and authorized the City Attorney to settle Park v. City of Berkeley (RG 17 852489) for \$110,000.

On Claim No. 0109BC2019-000 by Dhaliwal, Warren, and Fong, Council authorized the City Manager to accept a drainage easement on private property in exchange for rebuilding a drainpipe with existing Engineering Division funds on the property that runs from the City's roadway to a creek.

## Adjournment

**Action:** M/S/C (Droste\Davila) to adjourn the meeting.

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

Adjourned at 6:02 p.m.

I hereby certify that the foregoing is a true and correct record of the special closed meeting of September 24, 2019 as approved by the Berkeley City Council.

  
Mark Numalville, City Clerk