

**Unitarian Universalist Church of Berkeley Board of Trustees Meeting  
Thursday October 20, 2022**

**Meeting Conducted via Zoom Video Conference**

**Minutes – Approved**

**Please note this board meeting was not the regular monthly board meeting but was called to discuss the idea of postponing the 10/23/22 Congregational Meeting and vote on the Freestone resolution.**

**ATTENDEES**

Voting members: Michael Armstrong, Bill Brown, Pier Ho, Randall Hudson, Elaine Miller, Beth Pollard, Cordell Sloan,

Absent: Dave Roberts, Helen Tinsley-Jones

Ex officio members: Rev. Michelle Collins, Tess O’Riva (Executive Director), Selene Fabiano (Secretary), Lenore Ralston (Treasurer)

Visitors: Barbara & Patrick Cullinane, Don Klose, David Lingenfelter, Jane Lundin, Anita Mermel, Fran Moulton, Larry Nagel, Melinda Rosales, Roberta Shaw, Dick Sherman, Marta Tobey, Dave Wemmer, Grace Ulp

A quorum being present, the meeting was called to order by Beth Pollard, president, at 5:33 p.m. Reverend Michelle did a chalice lighting and reading.

**INFORMATION:**

**Minister’s Report:** Rev Michelle reported on communications with Sonoma County Planning Department regarding authorized uses of Freestone. A few weeks ago this issue was assigned to a Senior Planner. Rev. Michelle and several members of the Freestone Committee met with the senior planner last week and provided information about Freestone. On 10/18, the planner reported that the planning department wanted to take their questions to Sonoma County Legal Counsel to get their input. The expectation is that it will be at least a few weeks before the Planner can speak with County Legal Counsel. Since getting this input from Sonoma County is so important to help the congregation make a decision about Freestone, Rev. Michelle is recommending that UUCB temporarily postpone the vote on Freestone.

Board Members asked these questions/made these comments related to this issue:

1. **What question are we trying to get answered from Sonoma County Planning Department?** What UUCB is allowed to do at Freestone given the zoning and the fact that UUCB is a non-profit religious organization, not an individual owner.

2. **What if the legal counsel's response is not conclusive? What if it takes longer than 2 weeks? How long do we postpone the vote?**

Rev. Michelle responded by saying that this was a good question and that there aren't easy answers. She had been very firm on sticking with the timeline but is recommending that we temporarily postpone the vote given the importance of the guidance from Sonoma County.

Beth stated that she hopes that the vote will be held in the next few months, noting the mutual expectation with Rev Michelle to have a decision made regarding Freestone during her interim ministry at UUCB. A postponement of no more than 90 days was proposed by a board member.

3. **Are there any other tasks that need to be done while waiting for the response from Sonoma County?** Tess reported that she is speaking with the insurance company to find out what the effect on our insurance coverage would be if there is a liability issue at Freestone and UUCB is found to using the property outside the allowed uses (i.e. would this negate our insurance coverage)?

4. **Will there be more opportunities to watch the Tina Wallis interview?** The interview was seen as important and worth watching. Tess shared that Tina Wallis asked not to have the link to video shared and only agreed to being recorded if the interview was only shown at "watch parties" held by the church. Tess asked individuals who have not yet seen the video to let her know their preferred times if they still want to watch it.

5. **How is Sonoma County to work with?** Tess reported that she has had very good experiences with the Sonoma County Planning department, better than those with Code Enforcement.

5. **We won't get a definitive answer.** It was expressed that we may get an authoritative answer from Sonoma County Counsel but that it will not be a definitive answer. County counsel opinion can be overturned by law, future County decision makers, or be challenged in court.

## **LISTENING:**

### **Congregants who wish to speak to the Board**

Beth opened the floor for questions and comments from the Congregation regarding a temporary postponement of the vote on Freestone. The congregants who spoke included Patrick Cullinane, Don Klose, David Lingenfelter, Jane Lundin, Dave Wemmer  
Comments and questions on the following topics were made:

1. Most speakers expressed the opinion that postponing the vote on Freestone until we receive a response from Sonoma County re authorized uses of Freestone is wise. Another viewpoint was that a letter from county counsel may be of limited value as it would not be enough to protect UUCB from a litigious neighbor.
2. A question about why guidance from the Sonoma County Senior Planner wasn't sought out earlier was asked. A summary of the different professionals who have been consulted, the thought process that went into contacting these professionals, and the time it took to get responses was provided.
3. Concern about the possibility of UUCB's liability insurance for Freestone being invalidated if our uses of Freestone are not authorized. If the planned 10/23 vote was not postponed, an amendment would be put forward that would require ascertaining assurance that the Freestone liability insurance will be protected and our historical uses of Freestone are allowed, prior to moving forward with the actions outlined in the proposed motion for Freestone.
4. Diverse opinions re the interview with Tina Wallis. Some found it informative and were struck by how definite Attorney Wallis was about UUCB's historic and proposed uses of Freestone being unauthorized. There was also frustration that Attorney Wallis didn't explain the reasoning for her statements and frustration with the structure of the interview that was stipulated by Attorney Wallis, in that questions could only be posed through Rev. Michelle and not directly by congregants – such as for follow up inquiries.

**BOARD DISCUSSION/ACTION:**

On postponement of October 23<sup>rd</sup> Congregational Meeting until Sonoma County Planning Department provides written guidance on allowed uses for Freestone.

Randall made the following motion: That we postpone the 10/23/22 congregational meeting and vote and look to reschedule a congregational meeting and vote within 90 days.

Bill seconded.

All were in favor. There were no objections or abstentions.

**Adjourned 6:09**

Respectfully submitted,

Selene Fabiano, Secretary