

MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
TUESDAY, OCTOBER 8, 2013
5:00 P.M.

2180 Milvia Street, 1st Floor, Cypress Room
Teleconference Location – 1901 Alcatraz Avenue, Berkeley, CA 94703

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – DARRYL MOORE
DISTRICT 3 – MAX ANDERSON
DISTRICT 4 – JESSE ARREGUIN

DISTRICT 5 – LAURIE CAPITELLI
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – GORDON WOZNIAK

Preliminary Matters

Roll Call: 5:04 p.m.

Present: Councilmembers Anderson, Capitelli, Maio, Moore, Wengraf, Worthington, Wozniak and Mayor Bates.

Absent: Councilmembers Arreguin and Wengraf.

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):

Pending litigation – two cases

- a. A. ALI ESLAMI v. CITY OF BERKELEY, et al. (ACSC Case No. RG12 628979)

Action: M/S/C (Bates/Wozniak) to approve a settlement agreement in Eslami v. City of Berkeley.

Vote: Ayes – Maio, Moore, Anderson, Capitelli, Wozniak, Bates; Noes – None; Abstain – None; Absent – Arreguin, Wengraf, Worthington.

Councilmember Worthington absent 5:14 p.m. – 6:40 p.m.

- b. UNITED STATES OF AMERICA, et al. v. EAST BAY MUNICIPAL UTILITY DISTRICT;
(**Lead Case:** USDC No. C-09-0186RS)
UNITED STATES OF AMERICA, et al. v. CITY OF ALAMEDA, CITY OF BERKELEY, CITY OF EMERYVILLE, CITY OF OAKLAND, CITY OF PIEDMONT, STEGE SANITARY DISTRICT
(**Consolidated Case:** USDC C-09-5684RS)

Action: No reportable action taken.

OPEN SESSION:

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

Adjournment

Adjourned at 6:40 p.m.

Councilmember Moore absent 6:24 p.m. – 6:40 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of October 8, 2013.

Mark Numainville, CMC, City Clerk