

**MINUTES**  
**BERKELEY CITY COUNCIL SPECIAL MEETING**  
**TUESDAY, MARCH 11, 2014**  
**5:30 P.M.**

**Council Chambers – 2134 Martin Luther King, Jr. Way**

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:** 5:32 p.m.

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

**Absent:** Councilmembers Anderson, Arreguin and Worthington.

Councilmember Arreguin present at 5:40 p.m. Councilmember Worthington present at 5:46 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 – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):**

##### **Pending litigation – two cases**

- a. 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.

Councilmember Worthington absent 6:10 p.m. – 6:38 p.m.

### **OPEN SESSION:**

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

## Adjournment

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

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

Adjourned at 6:38 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of March 11, 2014.

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Mark Numainville, CMC, City Clerk