

PROCLAMATION CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

MONDAY, SEPTEMBER 16, 2013 5:30 P.M.

2180 Milvia Street, 1st Floor, Cypress Room

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

Public Comment - Limited to items on this agenda only

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(a):
 - a. City of Berkeley v. Kenneth Sarachan and Laurie Brown; ACSC RG12 614265
- 2. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a):
 - a. <u>Helix Electric Inc. v. Arntz Builders; The American Insurance Company; City of Berkeley</u> ACSC No. 2002 061480
 - b. <u>Bay Systems Integrators, Inc. v. Helix Electric, Inc., City, American Ins. Co.;</u> ACSC No. RG 03 089440
 - c. Arntz Builders v. City of Berkeley, Library Project Manager; ACSC No. BG 03 095394
 - d. Arntz Builders v. City of Berkeley, WestAmerica Bank; ACSC No. RG08 422279

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: The Old Berkeley Animal Shelter and land located at 2013 2nd Street, Berkeley, CA

Property Owner: City of Berkeley

Agency negotiator: William Rogers, Deputy City Manager

Negotiating parties: Tri Commercial Real Estate (representing City of Berkeley) and Spirit Living

Group

Under negotiation: Instruction to negotiator concerning price.

OPEN SESSION:

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

Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 12th day of September, 2013.

Jon Date

Tom Bates, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:

Mark Numainville, CMC, City Clerk

Mand Spring

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend the public comment portion of this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, 981-6900.

NOTICE CONCERNING YOUR LEGAL RIGHTS: If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6 and Government Code Section 65009(c)(1)(E), no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed and served on the City more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

Agendas and agenda reports may be accessed via the Internet at http://www.ci.berkeley.ca.us/citycouncil and may be read at reference desks at the following locations:

City Clerk Department Libraries:

2180 Milvia Street Main - 2090 Kittredge Street

Tel: 510-981-6900 Claremont Branch – 2940 Benvenue TDD: 510-981-6903

Fax: 510-981-6901 North Branch – 1170 The Alameda

Email: clerk@ci.berkeley.ca.us

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346(V) or 981-7075 (TDD) at least three business days before the meeting date.

Please refrain from wearing scented products to this meeting.

