

**REVISED**

**AGENDA**

**BERKELEY CITY COUNCIL SPECIAL CLOSED MEETING**

**TUESDAY, JUNE 22, 2004 – 4:00 P.M.**

**6<sup>TH</sup> FLOOR CONFERENCE ROOM, 2180 MILVIA STREET**

**Teleconference Location – 1636 Channing Way, Berkeley, CA**

*The City Council may take action related to any subject listed on the Agenda.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953, Teleconferencing. Any member of the public may attend this meeting at location.*

*Questions regarding this matter may be addressed to Sherry M. Kelly, City Clerk, 981-6900.*

**Preliminary Matters**

**Roll Call**

**Public Comment:** *(A total of 20 minutes is scheduled. Each speaker is limited to a maximum of 2 minutes).*

**Closed Session**

**1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a):**

**a. PUBLIC LIABILITY LITIGATION**

Rollie French v. Arntz Builders, City of Berkeley, et al.

(Alameda County Superior Court No.2002-043461 consolidated with:

Helix Electric v. Arntz Builders, et al.

(Alameda County Superior Court No. 2002-061480);

Thyssenkrupp Elevator Corp. v. Arntz Builders, et al.

(Alameda County Superior Court No.2002-071479);

F.W. Spencer & Son, Inc. v. Arntz Builders, et al.

(Alameda County Superior Court No. RG03082302);

Bay Systems Integrators, Inc. v. Helix Electric, Inc., et al.

(Alameda County Superior Court No. RG03089440); and

Arntz Builders, Inc. v. City of Berkeley, et al.

(Alameda County Superior Court No. RG 03095394).

**Closed Session**

**2. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:**

**a. City Negotiators**

1. Phil Kamlarz, City Manager
2. Lisa Caronna, Deputy City Manager
3. Tracy Vesely, Budget Director
4. Nicki Spillane, Acting Human Resources Director
5. David Hodgkins, Acting Deputy Human Resources Director
6. Margarita Zamora, Senior Human Resources Analyst

**b. Unions**

1. SEIU Local 790, SEIU Local 535, Local One, Part-Time Recreation Leaders Association/SEIU Local 535, IBEW Local 1245
2. Berkeley Fire Fighters Association Local 1227 I.A.F.F.
3. Berkeley Police Association
4. All Unrepresented Employees

**3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

**a. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9**

Some Unions have threatened to file grievances or other legal actions challenging the City's right to implement the salary reduction provisions of the Memorandum Agreements. The City Council will be meeting with the City's attorneys to discuss the threatened litigation

**Adjournment**