

MINUTES
BERKELEY CITY COUNCIL SPECIAL CLOSED MEETING
TUESDAY, MAY 17, 2005

Preliminary Matters

Roll Call: 9:08 p.m.

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

Absent: None.

Public Comment: Becky O'Malley and Wendy Alfsen.

Closed Session

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

City of Berkeley v. University of California; Regents of the University of California
 (Alameda County Case No. RG 05199505)

2. CONFERENCE WITH LEGAL COUNSEL-- ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (b) and (c)

Threatened litigation – two cases:

1. The City Council will discuss with its attorneys a threat of litigation by UC should it adopt a sewer rate schedule that include impose a sewer fee on UC for sewer services UC receives from the City of Berkeley.
2. The City Council will discuss with its attorneys litigation which may be filed by UC should the City demand that UC collect and remit to the City the parking space rental tax imposed by BMC Chapter 7.48 on spaces in UC operated garages.

Closed Session

Initiation of litigation—two cases

1. The Berkeley City Council will consider whether to initiate litigation to compel the Regents of the University of California and/or the University of California, Berkeley Campus, to collect and remit to the City the parking space rental tax imposed by BMC Chapter 7.48.
2. The Berkeley City Council will consider whether to initiate litigation to determine the extent to which the Regents of the University of California and/or the University of California, Berkeley Campus are obligated to pay the sewer rates and clean storm water charges adopted by the City.

Report from Closed Session: Moved, seconded, carried (Worthington/Anderson) a motion requesting the University of California to make the UCLRDP settlement agreement public prior to its final adoption by Council.

Supplemental Reports and Communications #1

UC Berkeley Long Range Development Plan

1. Andy Katz, Chair, Northern Alameda County Sierra Club

Adjournment

Adjourned at 10:33 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of May 17, 2005 as approved by the Berkeley City Council.

Sara T. Cox, City Clerk

MINUTES

BERKELEY CITY COUNCIL SPECIAL MEETING

FRIDAY, JULY 1, 2005

6th Floor Conference Room, 2180 Milvia Street
Teleconference Location – 1636 Channing Way, Berkeley, CA

Preliminary Matters

Roll Call: 11:00 a.m.

Present: Councilmembers Anderson, Capitelli, Spring, Worthington, and Mayor Bates.

Absent: Councilmembers Maio, Moore, Olds, and Wozniak.

City Manager Comments: None.

Public Comment: No speakers.

Consent Calendar

Action: Moved, seconded, carried (Capitelli/Worthington) to adopt Consent Calendar in one motion except as indicated:

1. Assessment: Street Lighting for FY 2006 (*To be delivered*)

From: City Manager

Recommendation: Approve the Engineer's report, dated June 2005, on the levy of an assessment for FY 2005-2006 for the Street Lighting Assessment District No. 1982-1 and adopt a Resolution of intention setting a public hearing on July 19, 2005.

Financial Implications: See report.

Contact: Rene Cardinaux, Public Works, 981-6300

Action: Approved Engineer's report and adopted Resolution No. 62,980–N.S. setting a public hearing for July 19, 2005.

Communications

None.

Adjournment

Adjourned at 11:03 a.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special meeting of July 1, 2005 as approved by the Berkeley City Council.

Sara T. Cox, City Clerk

