



**PROCLAMATION
CALLING A JOINT SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL, BOARD OF LIBRARY
TRUSTEES AND REDEVELOPMENT AGENCY**

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

MONDAY, SEPTEMBER 20, 2010

5:30 P.M.

2180 Milvia Street, 1st Floor, Cypress Room

AGENDA

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. Concerned Library Users, et al. v. City of Berkeley, et al. (ACSC No. RG 10533979)

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)(1):

Threatened litigation – one case

- a. The City Council will discuss with its attorneys the threat of litigation and settlement demand by David S. Greenseid, on behalf of PWS, Inc., the application of PWS, Inc. to establish a Laundromat at 3095 Telegraph Avenue, as set forth in letter dated June 7, 2010.

Initiation of litigation – two cases

- a. The Berkeley Redevelopment Agency Board will confer with its attorneys regarding the possibility of initiating eviction proceedings against John and Sherry Thompson, 1654 Fifth Street.
- b. The Berkeley City Council will confer with its attorneys regarding the possibility of filing a test claim with the Commission on State Mandates concerning whether and to what extent new storm water pollution control requirements issued to Berkeley and other Alameda County agencies by the Regional Water Quality Control Board constitute a new state mandate under Article XIIIB Section 6 of the California Constitution and Part 7 of Division 4 of Title 2 of the Government Code, and if so the amount of reimbursement.

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

- a. AC Transit District v. CalTrans (ACSC No. 810522-0)
- b. United States of America v. City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont, and Stege Sanitary District (U.S.D.C. Case No. C 09-5684 RS)
- c. Cecile Estrada v. City of Berkeley (ACSC No. RG 10494954)

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 16th day of September, 2010.



Tom Bates, Mayor/Chair – Berkeley Redevelopment Agency

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

ATTEST:



Deanna Despain, CMC, City Clerk

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

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 Deanna Despain, 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.*

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City Clerk Department
2180 Milvia Street
Tel: 510-981-6900
TDD: 510-981-6903
Fax: 510-981-6901
Email: clerk@ci.berkeley.ca.us

Libraries:
Main - 2090 Kittredge Street
Claremont Branch – 2940 Benvenue
West Branch – 1125 University
North Branch – 1170 The Alameda
South Branch – 1901 Russell

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.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.