

MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
THURSDAY, SEPTEMBER 20, 2018
4:30 P.M.

Council Chambers – 2134 Martin Luther King, Jr. Way, Berkeley, CA

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – CHERYL DAVILA
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – LORI DROSTE

Preliminary Matters

Roll Call: 4:38 p.m.

Present: Davila, Hahn, Harrison, Maio, Wengraf, Arreguin

Absent: Bartlett, Droste, Worthington

Councilmember Worthington present at 4:39 p.m.

Public Comment - Limited to items on this agenda only – 9 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):

- a. Pope v. City of Berkeley, Alameda County Superior Court Case No. RG17855902

Action: M/S/C (Maio/Wengraf) to settle the case for \$97,000.

Vote: Ayes - Davila, Harrison, Hahn, Maio, Wengraf, Worthington, Arreguin; Noes – None; Abstain – None; Absent – Bartlett, Droste.

Councilmember Droste present at 5:16 p.m.

- b. CTIA v. City of Berkeley, In the United States Court of Appeals for the Ninth Circuit -- Appeal from the United States District Court (Case No. 3:15-cv-02529-EMC)

Action: M/S/C (Arreguin/Maio) to direct staff to not settle the case.

Vote: Ayes - Davila, Droste, Harrison, Hahn, Maio, Wengraf, Worthington, Arreguin; Noes – None; Abstain – None; Absent – Bartlett

OPEN SESSION:

City Council gave direction as follows:

- a. Pope v. City of Berkeley, Alameda County Superior Court Case No. RG17855902 – settlement of \$97,000.
- b. CTIA v. City of Berkeley, In the United States Court of Appeals for the Ninth Circuit -- Appeal from the United States District Court (Case No. 3:15-cv-02529-EMC) – Directed staff to not settle the case.

Adjournment

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

Vote: Ayes - Davila, Droste, Harrison, Hahn, Maio, Wengraf, Worthington, Arreguin; Noes – None; Abstain – None; Absent – Bartlett

Adjourned at 5:38 p.m.

This is to certify that the foregoing is a true and correct record of the special closed meeting of September 20, 2018 as approved by the Berkeley City Council.

April Richardson, Assistant City Clerk