MINUTES
BERKELEY CITY COUNCIL SPECIAL MEETING
MONDAY, MARCH 17, 2008
5:00 P.M.
2180 Milvia Street, 6th Floor, Redwood Conference Room
Teleconference Locations: 1636 Channing Way, Berkeley, CA

Preliminary Matters

Roll Call: 5:00 p.m.

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

Absent: None.

Public Comment: Limited to items on this agenda only – 1

CLOSED SESSIONS:
The City Council will convene in closed session to meet with its attorneys concerning the following:

1. CONFERENCE WITH LABOR NEGOTIATOR – GOVERNMENT CODE SECTION 54957.6:

   Negotiator: David W. Hodgkins, Director of Human Resources, Margarita Zamora, Senior Human Resources Analyst, Phil Kamlarz, City Manager, Lisa Caronna; Deputy City Manager, Christine Daniel, Deputy City Manager, Tracy Vesely, Budget Manager

   Employee Organizations: SEIU Local 1021 (Legacy SEIU Local 790, Legacy Local 535, and the Legacy Part-Time Recreation Leaders Association/SEIU Local 535), Public Employees’ Union Local 1, the International Brotherhood of Electrical Workers Local 1245 and Unrepresented Employees

   Action: M/S/C (Maio/Moore) give the City Manager discretion for use of money within city budget parameters for labor negotiations.

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

   U-HAUL COMPANY OF CALIFORNIA v. CITY OF BERKELEY, et al., Alameda County Superior Court Case No. RG07352204

   Action: No reportable action taken.
3. **CONFERENCE WITH LEGAL COUNSEL-- ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (c)**
   
   **Initiation of litigation-one case**
   
   The Berkeley City Council will consider whether to initiate litigation under the California Environmental Quality Act, the Endangered Species Act, the Migratory Bird Treaty Act, the Clean Water, and other laws, challenging the approval by the California Department of Food and Agriculture and the State of California to conduct aerial spraying to eradicate the Light Brown Apple Moth in Alameda County and the Bay Area.
   
   **Action:** No reportable action taken.

4. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957 – Title: City Manager**

   **Action:** Performance evaluation conducted.

**OPEN SESSION:**

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

**Adjournment – 6:00 p.m.**

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of March 17, 2008 as approved by the Berkeley City Council.

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Deanna Despain, Deputy City Clerk