

**BERKELEY CITY COUNCIL
SPECIAL MEETING MINUTES**

TUESDAY, SEPTEMBER 4, 2012

5:30 P.M.

2180 Milvia Street, 1st Floor, Cypress Room

Preliminary Matters

Roll Call: 5:30 p.m.

Present: Councilmembers Anderson, Capitelli, Moore, Wozniak and Mayor Bates.

Absent: Councilmembers Arreguin, Maio, Wengraf and Worthington.

Public Comment – 0 speakers.

CLOSED SESSION:

The City Council will convene in closed session to meet concerning the following:

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

Exposure to litigation – one case

- a. The City Council will discuss with its attorneys a landslide on private property at 1066 Grizzly Peak Boulevard and 1061 Miller Avenue, which the property owners may assert was caused by public improvements in the roadway, and have requested the City to repair.

Action: No reportable action taken.

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

- a. Terry Cochrell v. Berkeley Unified School District; City Of Berkeley
(United States District Court, Northern District of California Case No. C11-03395 SI)

Action: No reportable action taken.

OPEN SESSION:

No reportable action.

Adjourned at 5:58 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the special closed meeting of September 4, 2012.

Mark Numainville, CMC, Acting City Clerk