



MINUTES
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
NOVEMBER 14, 2007
6:00 P.M.
Meeting Room
Town Administrative Offices
91 Ashfield Road
Atherton, California
Special Meeting

The meeting was called to order by Mayor Alan Carlson at 6:05 p.m.

ROLL CALL

PRESENT: James R. Janz
Jerry Carlson
Charles E. Marsala
Alan B. Carlson
Kathy McKeithen

PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subsection (b) of Government Code Section 54956.9:
One (1) potential case
- B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9**
- Case # Civ 467582 in the Superior Court, State of California, County of San Mateo, entitled John P. Johns Petitioner, v. Town of Atherton et al Respondents

C. LIABILITY CLAIMS – pursuant to Government Code Section 54956.95

**Claimant: John P. Johns
Agency Claimed Against: Town of Atherton**

**Claimant: Dr. Frank L. Altick
Agency Claimed Against: Town of Atherton**

RECONVENE TO OPEN SESSION

Report of action taken.

City Attorney Marc Hynes reported out of Closed Session as follows:

With respect to Item A, Conference with Legal Counsel, Anticipated Litigations, one potential case, there was no reportable action taken.

With respect to Item B, Conference with Legal Counsel, Existing Litigation, Case # Civ 467582 in the Superior Court, State of California, County of San Mateo, entitled John P. Johns Petitioner, v. Town of Atherton et al Respondents, on a 3 to 1 vote of the City Council, with Council Member Marsala absent and Council Member McKeithen abstaining, the City Council approved retaining the firm of Stubbs and Leone to defend the action with Louis Leone acting as special counsel for the Town.

With respect to Item C, Liability Claims, there was no reportable action taken regarding Claimant John P. Johns. Claimant Dr. Frank L. Altick's claim was approved in the amount of \$6123.30.

ADJOURN

The meeting was adjourned by Mayor Alan Carlson at 7:00 p.m.

Respectfully submitted,

**Alan B. Carlson
Mayor**

**Minutes Prepared by:
Kathi Hamilton**