



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$15,561.48).

MEETING DATE: July 5, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$9,014.50, and various other cases being held by Outside Counsel in the amount of \$6,546.98.

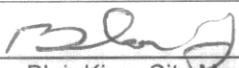
BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; and Kronick, Moskovitz, Tiedemann & Girard for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices 183453.7323

Invoice No.	Date	Description	Amount
Withheld	Amounts	from Previous Invoices	
94738	03/01/06		\$1,367.00
94732	03/01/06		650.00
93892	02/06/06		2,115.00
93280	01/06/06		1,175.00
92663	12/05/06		235.00
6200	4/30/2006	Peter Krasnoff/WEST	<u>1,037.50</u>
Total			\$6,579.50

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Invoice No.	Date	Description	Total		
			Amount	100351.732	183453.732
225700	05/25/06	General advice	603.07	603.07	
225700	05/25/06	ClaimsbyEnvironmentalConst	38.00		38.00
225700	05/25/06	Lodi First v. City of Lodi	1,859.90	1,859.90	
225700	05/25/06	Citizens for Open Govt.v.Col	494.20	494.20	
225700	05/25/06	AT&T v. City of Lodi	3,589.81	3,589.81	
225700	05/25/06	Water Supply Issues	2,397.00		2,397.00
Total			8,981.98	6,546.98	2,435.00

APPROVED: 
Blair King, City Manager

FISCAL IMPACT: Expenses in the amount of \$2354.10 will be paid out of the General Fund and billed to Walmart for City's defense of the Lodi First and Citizens for Open Government litigation. The remaining expenses will be paid out of the Water Fund.

FUNDING AVAILABLE: Water Fund \$9,014.50
General Fund \$6,546.98

Approved: Ruby R. Paiste
Ruby Paiste, Interim Finance Director

Approved: [Signature]
For: Stephen Schwabauer, City Attorney
JRL