

CITY COUNCIL MEETING

NOVEMBER 16, 1983

*cc 40*  
*cc 30*

*P 64*

COUNCIL APPROVES TENDERING OF DEFENSE TO COUNTY RE S.P. ET AL VS. BOARD OF EQUALIZATION, STATE OF CALIF. Following introduction of the matter and discussion, Council on motion of Council Member Reid, Snider second, approved the tendering of defense to the County in the matter of Southern Pacific Transportation Company, et al, vs. Board of Equalization of the State of California, et al, San Francisco Superior Court No. 810433.



OFFICE OF THE  
**COUNTY COUNSEL**

COUNTY OF SAN JOAQUIN  
COURTHOUSE, ROOM 711  
222 EAST WEBER AVENUE  
STOCKTON, CALIFORNIA 95202  
TELEPHONE 944-3881 (AREA CODE 509)

November 1, 1983

TERRENCE R. DERMODY  
DEPUTY COUNTY COUNSEL  
PATRICIA M. FREDERICK  
DEPUTY COUNTY COUNSEL  
GEORGE H. CUNNINGHAM  
DEPUTY COUNTY COUNSEL  
REBECCA DAVIS FELIX  
DEPUTY COUNTY COUNSEL  
FRANK V. BRUNO, JR.  
DEPUTY COUNTY COUNSEL  
DAVID T. HAYDEN  
DEPUTY COUNTY COUNSEL  
GILBERTO GUTIERREZ  
DEPUTY COUNTY COUNSEL  
SANDRA MICHAEL AFFONSO  
DEPUTY COUNTY COUNSEL

GERALD A. SHERWIN  
COUNTY COUNSEL  
PATRICK M. CURRAN  
CHIEF DEPUTY COUNTY COUNSEL  
MICHAEL MCGREW  
CHIEF DEPUTY COUNTY COUNSEL

Ronald M. Stein, Esq.  
City Attorney  
City of Lodi  
221 West Pine Street  
Lodi, CA. 95240

Gerald A. Sperry, Esq.  
City Attorney  
City of Stockton  
City Hall  
Stockton, CA. 95202

William D. Coats, Esq.  
City Attorney  
City of Tracy  
P. O. Box 1129  
Tracy, CA. 95376

John D. Brinton, Esq.  
City Attorney  
City of Manteca  
P. O. Box 906  
Manteca, CA. 95336

Re: Southern Pacific Transportation Company, et al., vs.  
Board of Equalization of the State of California, et al.  
San Francisco Superior Court No. 810433

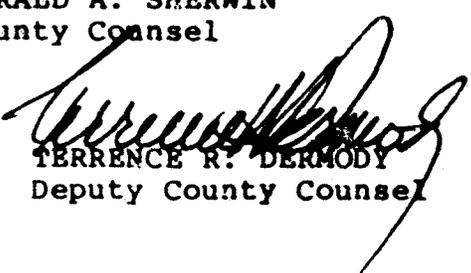
Gentlemen:

As you may be aware, Southern Pacific and other railroads have once again sued the State of California and all of the counties and cities therein alleging discriminatory treatment of its taxable rail property. The City of Ripon has already been served; the County has accepted Ripon's tender of defense and has filed an answer on its behalf. The County has now been personally served and will file an answer to the complaint within the next two weeks. If you wish the County to file an answer on behalf of your city, please formally tender defense to the County by a letter to me and advise me whether or not your city has been personally served with a copy of the summons and complaint. If your city has not yet been served, please advise me immediately when such service takes place.

Very truly yours,

GERALD A. SHERWIN  
County Counsel

By

  
TERRENCE R. DERMODY  
Deputy County Counsel

1:TRD:kcr  
("TENDER")

cc: Rolla L. Garretson, Jr., Esq.  
City Attorney, City of Ripon

CITY COUNCIL

EVELYN M. OLSON, Mayor  
JOHN R. (Randy) SNIDER  
Mayor Pro Tempore  
ROBERT G. MURPHY  
JAMES W. PINKERTON, Jr.  
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
POST OFFICE BOX 320  
LODI, CALIFORNIA 95241  
(209) 334-5634

F 11/16  
HENRY A. GLAVES, Jr.  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RONALD M. STEIN  
City Attorney

November 17, 1983

Mr. Terrence R. Dermody  
Deputy County Counsel  
County of San Joaquin  
Courthouse, Room 711  
222 East Weber Avenue  
Stockton, CA

Dear Mr. Dermody:

Please be advised that the Lodi City Council, in action taken at our regular meeting held November 16, 1983, approved tendering defense to the County of San Joaquin in the matter of the Southern Pacific Transportation Company, et al, vs. Board of Equalization of the State of California, et al. San Francisco Superior Court No. 810433. Please be advised that the City of Lodi was served in this matter on August 22, 1983.

Should you have any questions regarding the matter or the actions taken by the City Council please do not hesitate to call this office.

Very truly yours,

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR:jj