

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, MARCH 9, 2004**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of March 9, 2004, was called to order by Mayor Hansen at 7:00 a.m.

Present: Council Members – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

Absent: Council Members – None

Also Present: City Manager Flynn, Interim City Attorney Schwabauer, and City Clerk Blackston

CITY COUNCIL CALENDAR UPDATE

City Clerk Blackston reviewed the weekly calendar (filed).

NOTE: The following items were discussed and acted upon out of order.

D. REGULAR CALENDAR

D-1 “Reschedule public hearing to consider adopting resolution adjusting water/wastewater and refuse rates from April 7, 2004, to a Special City Council meeting on Tuesday, April 27, 2004, at 7:00 p.m.”

Wally Sandelin, City Engineer, explained that the purpose for rescheduling the public hearing is to meet the procedural requirements of Proposition 218, which requires a 45 day advance notice to the public. In addition, this date will meet a funding deadline that the City is facing related to the White Slough program.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Beckman second, unanimously rescheduled the public hearing to consider adopting resolution adjusting water/wastewater and refuse rates to a Special City Council meeting on Tuesday, April 27, 2004, at 7:00 p.m.

B. CLOSED SESSION

At 7:05 a.m., Mayor Hansen adjourned the Special City Council meeting to a Closed Session to discuss the following items.

B-1 Actual Litigation: Government Code §54956.9(a); one case; *People of the State of California; and the City of Lodi, California v. M & P Investments, et al.*; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

B-2 Actual litigation: Government Code §54956.9(a); one case; *Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al.*, Superior Court, County of San Francisco, Case No. 323658

B-3 Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases

B-4 Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9, one case. Pursuant to Gov. Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed.

The Closed Session adjourned at 8:40 a.m.

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 8:40 a.m., Mayor Hansen reconvened the Special City Council meeting, and Interim City Attorney Schwabauer disclosed that there were no reportable actions taken during closed session.

Continued March 9, 2004

E. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:41 a.m.

ATTEST:

Susan J. Blackston
City Clerk