

**LODI CITY COUNCIL
ADJOURNED SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 19, 2004**

Adjourned from Tuesday, May 18, 2004

A. CALL TO ORDER / ROLL CALL

The Adjourned Special City Council meeting of May 19, 2004 (*adjourned from Tuesday, May 18, 2004*), was called to order by Mayor Hansen at 1:24 a.m., Thursday, May 20, 2004.

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

VOTE TO ADJOURN MEETING

The City Council, on motion of Mayor Pro Tempore Beckman, Hansen second, unanimously continued the meeting (Items B-1 and C (a) through (f)) to May 21, 2004, at 7:00 a.m.

B. REGULAR CALENDAR

B-1 “Approve Special Allocation for expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation (\$313,529.16)” was ***continued to May 21, 2004, at 7:00 a.m.***

C. CLOSED SESSION

The following Closed Session items were ***continued to May 21, 2004, at 7:00 a.m.***

- a) 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) 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
- c) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- e) Actual Litigation: Government Code §54956.9(a); one case; *City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association*, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM
- f) Public Employment: Government Code §54957 – to consider the appointment or employment of an independent contractor serving in the capacity of a public officer or employee

D. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION – N/A

E. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 1:25 a.m., Thursday, May 20, 2004, to Friday, May 21, 2004, at 7:00 a.m.

ATTEST:

Susan J. Blackston
City Clerk