

**MINUTES OF THE CITY COUNCIL
SPECIAL MEETING
Wednesday, August 26, 2009**

CALL TO ORDER/ROLL CALL

Mayor Hume called the Special City Council meeting of August 26, 2009 to order at 5:00 p.m.

Present: Mayor Hume, Vice Mayor Scherman, Council Members Davis and Detrick

Absent: Council Member Cooper

CLOSED SESSION

There were no public requests to speak.

The City Clerk announced the following closed session items prior to Council adjourning to closed session at 5:01 p.m.:

A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code §54956.9(a):

One (1) Matter:

1. Regarding the Bankruptcy of General Growth Properties, Inc.
United States Bankruptcy Court
Southern District of New York
Case No. 09-11977(ALG)

B) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

Agency Designated Representative: Laura Gill, City Manager

Employee Organization: Elk Grove Police Officers' Association

C) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b):

Two (2) Matters

D) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code §54956.9(c):

Five (5) Matters

E) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code § 54957

Title: City Manager

Title: City Attorney

The City Council reconvened at 6:37 p.m. with Council Member Cooper absent. In reference to Item 2E, Mayor Hume reported that interviews were conducted and the management team has had an opportunity to consider better practices.

Council Member Detrick thanked the 47 employees who participated in the interviews. He noted that policies and procedures had been overlooked for some time and would now be put in place in an effort to ensure a productive work environment for employees.

Mayor Hume announced that the Special meeting would resume following the conclusion of tonight's Regular meeting. The City Council adjourned the Special meeting at 6:38 p.m.

The City Council convened into closed session at 11:08 p.m. and reconvened at 12:08 a.m. with Council Member Cooper absent. Mayor Hume announced the following reportable actions in reference to Item 2D:

Motion #1: M/S Detrick/Scherman to authorize the City Attorney to initiate litigation against Sycamore Ventures to collect unpaid fees due to the City in the amount of \$33,999.74. The fees are the result of costs incurred by the City in processing the development application for the project known as Waterman Plaza Subdivision and Brownwood Estates. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Cooper)***

Motion #2: M/S Detrick/Scherman to authorize the City Attorney to initiate litigation against Parkland Homes and Geonerco Management, Inc. to collect unpaid fees due to the City in the amount of \$28,941.75. The fees are the result of costs incurred by the City for processing the development application for the project known as Diamante. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Cooper)***

ADJOURNMENT

With no additional business to conduct, the August 26, 2009 Special City Council meeting was adjourned at 12:09 a.m. on August 27, 2009.


SUSAN J. BLACKSTON,
CITY CLERK

ATTEST:



PATRICK HUME, MAYOR