



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – Special Meeting

Date: March 28, 2023
Time: 7:00 a.m.

For information regarding this Agenda please contact:

Olivia Nashed
City Clerk
Telephone: (209) 333-6702

Notice Regarding Public Comments

Public Comment may be submitted in the following ways:

- In-person
- Email – councilcomments@lodi.gov
 - Received no later than 5:00 p.m. the day before the meeting
- Mail – City Clerk's Office, P.O. Box 3006, Lodi, CA 95241
- Hand delivered to: City Clerk's Office, 221 W. Pine Street, Lodi, CA 95240
 - Received no later than 5:00 p.m. the day before the meeting

Public comment received via email, mail, or hand delivery will be provided to the City Council and included in the official minutes of the meeting, but will not be read aloud at the meeting.

A. Call to Order / Roll Call

B. Announcement of Closed Session

- a) Threatened and Anticipated Litigation: Government Code §54956.9(b) (One Case). Conference with Legal Counsel Regarding Potential Lawsuit/Application for Temporary Restraining Order and Claims by Shakir Khan Against the City of Lodi Based on His Resignation as a City of Lodi Council Member and City Council's Actions to Appoint a Successor to the District 4 Vacancy (see attached email from attorney N. Allen Sawyer, pursuant to Fowler v. City of Lafayette) (CA)

C. Adjourn to Closed Session

D. Return to Open Session / Disclosure of Action

E. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 24 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Olivia Nashed
City Clerk

All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk, located at 221 W. Pine Street, Lodi, and are available for public inspection. Agendas and staff reports are also posted on the City's website at www.lodi.gov. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 72 hours prior to the meeting date. Language interpreter requests must be received at least 72 hours in advance of the meeting to help ensure availability. Contact Olivia Nashed at (209) 333-6702. Solicitudes de interpretación de idiomas deben ser recibidas por lo menos con 72 horas de anticipación a la reunión para ayudar a asegurar la disponibilidad. Llame a Olivia Nashed (209) 333-6702.

Meetings of the Lodi City Council are telecast on SJTV, Channel 26. The City of Lodi provides live and archived webcasts of regular City Council meetings. The webcasts can be found on the City's website at www.lodi.gov by clicking the meeting webcasts link. Members of the public may view and listen to the open session of this teleconference meeting at www.facebook.com/CityofLodi/.

From: Law Offices of Allen Sawyer <allen@allensawyer.com>
Date: March 23, 2023 at 1:40:25 PM PDT
To: Janice Magdich <jmagdich@lodi.gov>
Cc: Law Office <mike@allensawyer.com>
Subject: TRO: Khan

Hello Ms. Magdich,

I intend on filing an application for an ex parte TRO in the Eastern District of California this week to stop the filling of Mr. Khan's District Council seat in Lodi.

I am again asking if the City of Lodi will refrain from filling Mr. Khan's Council seat?

Likewise, I am asking if the City of Lodi will allow Mr. Khan to continue to perform his functions as a duly elected Council member?

Absent an agreement in the affirmative to both questions listed above, a temporary restraining order is necessary to preserve my client's and voters' Constitutional Rights.

Please advise as to your availability next week for a hearing and I will do my level best to accommodate your schedule. Obviously, a hearing needs to occur at least a day before the scheduled Lodi City Council self created decision date of March 29, 2023.

Thank you for your prompt attention to this matter.

Regards,

Allen Sawyer

ROSENFELD &
SAWYER

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