

SUMMARY REPORT TO MANAGER
for City Council Meeting of June 13, 2005

SUBJECT: REQUEST FOR CLOSED SESSION OF THE CITY COUNCIL

RESOLUTION SUMMARY: This resolution will authorize the City Council to immediately adjourn to a closed session to discuss pending litigation, specifically Midland Cogeneration Venture vs. City of Midland, upon adoption of the resolution by at least four affirmative votes of the City Council.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution

COUNCIL ACTION:

1. 4/5 Roll Call vote required to approve resolution

James O. Branson, III
City Attorney
June 8, 2005



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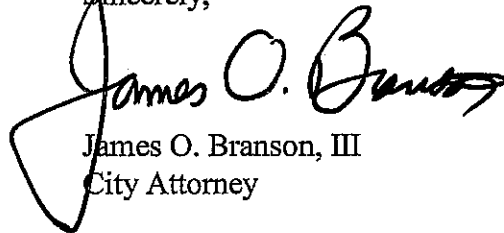
Honorable Mayor and City Council
City of Midland
Midland, Michigan

Dear Councilmen:

I hereby request a closed session pursuant to Section 8(e) of the Open Meetings Act, being Public Act 267 of 1976, for the purpose of discussing pending litigation, specifically Midland Cogeneration Venture vs. City of Midland.

Attached is a resolution authorizing the City Council to immediately adjourn to a closed session upon adoption of the resolution by at least four affirmative votes of the City Council. Please contact me if you have any questions.

Sincerely,



James O. Branson, III
City Attorney

JOB:ker

Attachment



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BY COUNCILMAN

RESOLVED, that in accord with Section 8(e) of Public Act 267 of the Public Acts of the State of Michigan of 1976, as amended, and upon adoption of this resolution by at least four affirmative votes of the City Council, the City Council shall immediately adjourn to a closed session to consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation, specifically Midland Cogeneration Venture vs. City of Midland which, if discussed at an open meeting, would have a detrimental financial effect on the litigating or settlement position of the public body.

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, June 13, 2005.

Selina Tisdale, City Clerk

t:06-13-05clsdsession