

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

August 16, 2022, 6:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy, CA.

1. Mayor Young called the meeting to order at 6:02 p.m.
2. Roll call found Council Member Davis, Mayor Pro Tem Vargas and Mayor Young present. Council Members Arriola and Bedolla were absent from roll call.
3. ITEMS FROM THE AUDIENCE – There was no public comment.
4. Request to Conduct Closed Session
 - A. Conference with Legal Counsel – Anticipated Litigation (Gov. Code § 54956.9)
 - i. Significant exposure to litigation pursuant to § 54956.9, subd. (e)(3). (Three cases).
 - B. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1))
 - i. Case Title: *MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC*, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT
 - ii. Case Title: *City of Tracy v. Ronnoco Properties of Tracy II, L.P.*, et al., San Joaquin Superior Court Case No. STK-CV-UED-2020-0010706.

There was no public comment.

Council Member Davis recused herself from participating in Agenda Item 4.B.

Council Member Bedolla arrived at 6:05 p.m.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to recess to closed session. Roll call found Council Members Bedolla, Davis, Mayor Pro Tem Vargas, and Mayor Young in favor; passed and so ordered. Council Member Arriola absent from roll call.

Council Member Arriola joined the closed session at 6:05 p.m.

5. Reconvened to Open Session – Time: 7:07 p.m.
6. Report of Final Action – City Attorney Bijal Patel reported on the following final actions:

City Council unanimously approved the settlement for the eminent domain Case Title – City of Tracy v. Ronnoco Properties of Tracy II, L.P et al. San Joaquin Superior Court Case No. STK-CV-UED-2020-0010706 for City’s appraised value of the subject property

of \$1,036,000 plus statutory costs of \$465.75 and interest of \$2,301.32 as of August 16, 2022 accruing at a rate of \$18.59 each day until the payment is transmitted.

The City Council with respect to Government Torte Claim by the Estate of Felipe De Jesus Barrera Lugo his claim to accept a leave to present a late claim for damages, the City Council unanimously rejected the leave for the late claim and the claim itself.

In addition, the City Council, with respect to the claim by Erika Guadalupe Ramos with respect to her application for leave to present a late claim, the City Council unanimously rejected the leave for the late claim as well as rejecting the late claim.

With respect to a claim for minor Felipe De Jesus Barrera Ramos and his application to present a late claim, the City Council accepted the leave for presenting a late claim and rejected the late claim.

7. Council Items and Comments – None

8. Adjournment – Time: 7:10 p.m.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adjourn. Roll call found all in favor; passed and so ordered.

ATTEST:

Mayor

City Clerk