

## NOTICE OF SPECIAL MEETING

Pursuant to Section 54956 of the Government Code of the State of California, a Special meeting of the **Tracy City Council** is hereby called for:

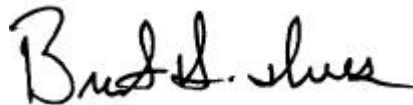
**Date/Time:** **Tuesday, November 16, 2010, 6:00 p.m.**  
(or as soon thereafter as possible)

**Location:** **City Council Chambers,  
333 Civic Center Plaza, Tracy**

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Tracy City Council on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

1. Call to Order
2. Roll Call
3. Items from the audience - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2008-140 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Council Member to sponsor the item for discussion at a future meeting.*
4. Request to Conduct Closed Session  
(See attached memorandum, which is incorporated herein and made a part hereof)
5. Motion to Recess to Closed Session
6. Reconvene to Open Session
7. Report of Final Action, if Any
8. Adjournment

**Posting Date: November 10, 2010**



Mayor

The City of Tracy is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled to participate in employment, programs and facilities. Persons requiring assistance or auxiliary aids in order to participate, should contact the City Manager's Office at (209) 831-6000 at least 24 hours prior to the meeting.

# MEMORANDUM



**CITY OF TRACY**  
**CITY ATTORNEY**

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**TO:** Honorable Mayor and City Council Members

**THROUGH:** City Clerk

**FROM:** Daniel G. Sodergren, City Attorney

**DATE:** November 10, 2010

**RE:** Request to Conduct a Closed Session Regarding the Matters Listed Below -  
Special City Council Meeting on November 16, 2010  
(Estimated Time – One Hour)

A. Personnel Matter (Gov. Code, § 54957)

- Public Employee Appointment, Employment, Evaluation of Performance, Discipline, or Dismissal  
Position Title(s): City Attorney

B. Real Property Negotiations (Gov. Code, § 54956.8)

- Property Location: City-owned Schulte Road Property (Two adjoining parcels located on the south side of West Schulte Road, approximately one mile west of Lammers Road; comprised of: APN #209-230-03; and APN #209-230-29)
- Negotiator(s) for the City: Leon Churchill, City Manager; and Andrew Malik, Director of Development and Engineering
- Negotiating Parties: Representatives of GWF Solar II LLC
- Under Negotiation: Price and terms of payment for the sale or lease of the property.

- Property Location: City-owned Holly Sugar Property (comprised of: APN #212-130-12; APN #212-130-13; APN #212-160-04; APN #212-160-05; APN #212-160-06; APN #212-160-07; APN #212-150-01; and APN #212-160-09 generally in area of 19500, 19582 & 19600 South Tracy Boulevard))
- Negotiator(s) for City: Leon Churchill, City Manager; Andrew Malik, Director of Development and Engineering Services; Rod Buchanan, Director of Parks and Community Services; Bill Sartor, Deputy City Attorney; and Kevin Tobeck, Director of Public Works
- Negotiating Parties: Representatives of San Joaquin County
- Under negotiation: Price and terms of payment for the sale or lease of the property.

C. Pending Litigation (Gov. Code, § 54956.9(b))

- Claim of Bryan Denman
- *Christopher Bosch v. City of Tracy, et al.*  
(San Joaquin County Superior Court Case No. 39-2010-00252419-CU-OE-STK)