

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

June 7, 2011, 6:00 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Ives called the meeting to order at 6:00 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Abercrombie, Elliott, Rickman, Mayor Pro Tem Maciel and Mayor Ives present.
3. ITEMS FROM THE AUDIENCE - None
4. CLOSED SESSION –
 - I. Real Property Negotiations (Govt. Code section 54956.8)

Property Location: APN # 213-070-68 (generally in area of north side of Grant Line Road between MacArthur Drive and Chrisman Road)

Negotiator(s) for the City/Agency: Andrew Malik, Director of Development and Engineering Services; Kul Sharma, Assistant Director of Development and Engineering Services

Negotiating Parties: Velma C. Pimental or representative

Under Negotiation: Price and terms of payment for the purchase of the property
 - II. Pending Litigation (Gov. Code, section 54956.9(b))
 - *Anderson v. City of Tracy, et al.*
(Sand Joaquin County Superior Court Case No. 39-2009-00223976-CU-WM-STK)
 - *Denman v. City of Tracy, et al.*
(United States District Court Case No. 2:11-CV-00310-GEB-JFM)
5. MOTION TO RECESS TO CLOSED SESSION – Council Member Abercrombie motioned to recess the meeting to closed session at 6:00 p.m. Mayor Pro Tem Maciel seconded the motion. Voice vote found all in favor; passed and so ordered.

Dan Sodergren, City Attorney, announced Al Nero, Fire Chief, would join the Closed Session for the Real Property negotiations.
6. RECONVENE TO OPEN SESSION – Mayor Ives reconvened the meeting into open session at 6:40 p.m.
7. REPORT OF FINAL ACTION – In the matter of *Denman v. City of Tracy, et al.* (United States District Court Case No. 2:11-CV-00310-GEB-JFM), it was moved by Council Member Abercrombie to authorize the City to defend the individually named employee,

subject to a reservation of rights. Mayor Pro Tem Maciel seconded the motion. Voice vote found all in favor; passed and so ordered.

8. ADJOURNMENT – Council Member Abercrombie moved to adjourn the meeting. Mayor Pro Tem Maciel seconded the motion. Voice vote found all in favor; passed and so ordered. Time: 6:41 p.m.

The agenda was posted at City Hall on June 2, 2011. The above are summary minutes.

Mayor

ATTEST:

City Clerk