

## 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:

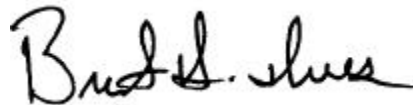
**Date/Time:** **Tuesday, January 17, 2012, 5:30 p.m.**  
(or as soon thereafter as possible)

**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: January 12, 2012**



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

**THROUGH:** City Clerk

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

**DATE:** January 11, 2012

**RE:** Request to Conduct a Closed Session Regarding the Matters Listed Below -  
Special City Council Meeting on January 17, 2012  
(Estimated Time – 90 Minutes)

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

- *Allgoewer v. City*  
(3<sup>rd</sup> District Court of Appeal Case No. CO67636)
- *Allred & McFarland v. City*  
(San Joaquin Superior Court Case No. 39-2009-00215510-CU-WT-STK)
- *Anderson v. City*  
(San Joaquin Superior Court Case Nos. 39-2009-00223976-CU-WM-STK and  
39-2011-00268360-CU-WT-STK)
- *Bosch v. City*  
(San Joaquin Superior Court Case No. 39-2010-00252419-CU-OE-S)
- *City of Tracy v. California State Water Resources Control Board*  
(Sacramento County Superior Court Case No. 34-2009-80000392)
- *Denman v. City*  
(United States District Court Case No. 2:11-CV-00310-GEB-JFM)
- *Environmental Law Foundation, et al. v. California Regional Water Quality Control Board, Central Valley Region (City of Tracy)*  
(Sacramento County Superior Court Case No. 34-2009-00047273)
- *Espinoza v. City*  
(San Joaquin Superior Court Case No. 39-2011-00259854-CU-MC-STK)

- *Gomez v. City*  
(San Joaquin Superior Court Case No. 39-2011-00265024)
- *Munoz v. City*  
(San Joaquin Superior Court Case No. 39-2008-00198928)
- *TRAQC v. City*  
(3<sup>rd</sup> District Court of Appeal Case No. CO69741)

B. Labor Negotiations (Gov. Code, § 54957.6)

- Employee Organizations:

Tracy Firefighters' Association  
Teamsters Local 439, IBT  
Tracy Mid-Managers' Bargaining Unit  
Confidential Management Unit  
Technical and Support Services Unit

City's designated representatives: R. Leon Churchill Jr., City Manager; Maria Olvera, Director of Human Resources; and Jack Hughes, Liebert Cassidy Whitmore.