

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

March 6, 2012, 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 Elliott, Rickman, Mayor Pro Tem Maciel and Mayor Ives present; Council Member Abercrombie absent. Council Member Abercrombie arrived at 6:20 p.m.
3. ITEMS FROM THE AUDIENCE – None
4. CLOSED SESSION -
 - A. Anticipated Litigation (Govt. Code section 54956.9(b))
 - December 29, 2011 letter from Lance Rogers, Esq. threatening litigation
 - B. Pending Litigation (Govt. Code section 54956.9(b))
 - *Whitsitt v. City of Tracy, et al.*
(U.S. District Court Case No. CIV S-10-0528 JAM DAD PS)
 - *TRAQC v. City*
(3rd District Court of Appeal Case No. CO69741)
 - C. Labor Negotiations (Gov. Code, section 54957.6)
 - Employee Organization: Tracy Firefighters' Association

City's designated representatives: R. Leon Churchill Jr., City Manager
5. MOTION TO RECESS TO CLOSED SESSION – Mayor Pro Tem Maciel motioned to recess the meeting to closed session at 6:00 p.m. Council Member Elliott seconded the motion. Voice vote found all in favor; passed and so ordered.

City Attorney Sodergren announced that Jack Hughes, Liebert Cassidy Whitmore, would join the labor negotiations as a negotiator for the City.
6. RECONVENE TO OPEN SESSION – Mayor Pro Tem Maciel reconvened the meeting into open session at 6:56 p.m.

7. REPORT OF FINAL ACTION – In the matter of Whitsitt v. City of Tracy, et al., United States District Court Case No. CIV S-10-0528 JAM DAD Ps, Council Member Abercrombie moved to authorize the City to defend the individually named employee, subject to a reservation of rights. Council Member Elliott seconded the motion. Voice vote found all in favor; passed and so ordered.
8. ADJOURNMENT – It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adjourn. Voice vote found all in favor; passed and so ordered. Time: 6:57 p.m.

The agenda was posted at City Hall on March 1, 2012. The above are action minutes.

Mayor Ives

ATTEST:

City Clerk