

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

**April 3, 2012, 5:00 p.m.**

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Ives called the meeting to order at 5:00 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 5:15 p.m.
3. ITEMS FROM THE AUDIENCE – None
4. CLOSED SESSION -
  - A. Pending Litigation (Govt. Code section 54956.9(b))
    - Allgoewer v. City  
(3rd 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  
(3rd District Court of Appeal Case No. CO69741)
- Whitsitt v. City  
(U.S. District Court Case No. CIV S-10-0528 JAM DAD PS)

B. Labor Negotiations (Gov. Code, section 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

C. Real Property Negotiations (GOV. Code, section 54956.8)

Property Location: City-owned parcel located on Valpico Road east  
 of Tracy Boulevard (Assessor's Parcel Number  
 246-130-15)

Negotiator(s) for Andrew Malik, Director of Development and  
 Engineering Services; Kul Sharma, Assistant  
 Director of Development and Engineering  
 Services

Negotiating Parties: Representatives of Red Maple Village, L.P.

Under Negotiation: Price and terms of payment for the sale or lease  
 of the property.

5. MOTION TO RECESS TO CLOSED SESSION – Mayor Pro Tem Maciel motioned to recess the meeting to closed session at 5:00 p.m. Council Member Elliott seconded the motion. Voice vote found all in favor; passed and so ordered.
6. RECONVENE TO OPEN SESSION – Mayor Ives reconvened the meeting into open session at 5:57 p.m.

7. REPORT OF FINAL ACTION – In the matter of the City-owned parcel located on Valpico Road east of Tracy Boulevard (Assessor's Parcel Number 246-130-15), Council Member Abercrombie authorized the City to make an offer to sell the property to Red Maple Village, L.P. for the amount authorized in closed session. If this offer is accepted by Red Maple Village, L.P., the sale will become final upon the closing of escrow. Council Member Rickman 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 Rickman to adjourn. Voice vote found all in favor; passed and so ordered. Time: 5:58 p.m.

The agenda was posted at City Hall on March 29, 2012. The above are action minutes.

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Mayor Ives

ATTEST:

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City Clerk