

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:

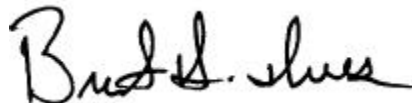
Date/Time: **Tuesday, May 1, 2012, 6:00 p.m.**
(or as soon thereafter as possible)

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: April 26, 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

TO: Honorable Mayor and City Council

THROUGH: City Clerk

FROM: Daniel G. Sodergren, City Attorney

DATE: April 25, 2012

RE: Request to Conduct a Closed Session Regarding the Matters Listed Below -
Special City Council Meeting on May 1, 2012
(Estimated Time – One Hour)

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

- *Mitchell Large v. City of Tracy*
Workers' Compensation Case Nos.: (1) FR090116; and (2) FR090349
- *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, § 54957.6)

- Employee Organizations:

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

City's designated representative: R. Leon Churchill Jr., City Manager

- Unrepresented Employees:

Department Heads

City's designated representative: R. Leon Churchill Jr., City Manager

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

- Property Location: APN Nos. 250-010-05, 250-010-08, and 250-010-09
- Negotiator(s) for City: Zabih Zaca, Senior Civil Engineer

- | | |
|-------------------------|--|
| Negotiating Parties: | Representatives of Union Pacific Railroad |
| Under Negotiation: | Price and terms of payment for the purchase of the property or a part of the property. |
| • Property Location: | APN Nos. 250-020-12 and 250-060-16 |
| Negotiator(s) for City: | Zabih Zaca, Senior Civil Engineer |
| Negotiating Parties: | Representatives of West Side Irrigation District |
| Under Negotiation: | Price and terms of payment for the purchase of the property or a part of the property. |
| • Property Location: | APN Nos. 250-060-24 |
| Negotiator(s) for City: | Zabih Zaca, Senior Civil Engineer |
| Negotiating Parties: | Representatives of Mark III Developer |
| Under Negotiation: | Price and terms of payment for the purchase of the property or a part of the property. |