

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:

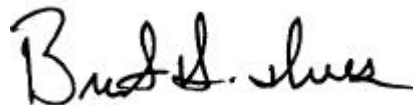
Date/Time: **Tuesday, March 5, 2013, 6:00 p.m.**
(or as soon thereafter as possible)

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: February 28, 2013



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: February 27, 2013

RE: Request to Conduct a Closed Session Regarding the Matters Listed Below -
Special City Council Meeting on March 5, 2013
(Estimated Time – One Hour)

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

- **Property Location:** City-owned Fuel Facility located at the Tracy Municipal Airport (5749 South Tracy Boulevard)
- Negotiator for the City:** Rod Buchanan, Interim Public Works Director
- Negotiating Parties:** Representatives of the Turlock Air Center, LLC dba Tracy Air Center
- Under Negotiation:** Price and terms of payment for the lease of the property

- **Property Location:** City of Tracy Northeast Industrial Grant Line Road Project (APN#s: 213-070-08; 213-070-48; 213-070-49; and 213-070-51)
- Negotiators for the City:** Andrew Malik, Director of Development and Engineering Services; Kul Sharma, Assistant Director of Development; Zabih Zaca, Senior Civil Engineer; and Associated Right of Way Services
- Negotiating Parties:** Maria O. Silva; Frank I. Silva; Mary L. Silva; Bernadine Silva; and Manual Silva

Under Negotiation: Price and terms of payment for the purchase
of the property or a part of the property

II. Initiation of Litigation (Gov. Code, § 54956.9(d)(4))

- One case

III. Pending Litigation (Gov. Code, § 54956.9(d)(1))

- *Horizon Planet v. City of Tracy, et al.*
(San Joaquin County Superior Court)
- *TRAQC v. City of Tracy, et al.*
(San Joaquin County Superior Court Case No. 39-2009-00201854-CU-
WM-STK; Court of Appeal Case No. C069741)