

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

September 6, 2016, 6:35 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Maciel called the meeting to order at 6:39 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Mitracos, Vargas, Young, Mayor Pro Tem Rickman and Mayor Maciel present.
3. ITEMS FROM THE AUDIENCE –There were none.
4. CLOSED SESSION

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

Pending litigation pursuant to paragraph (1) of subdivision (d) of Government Code section 54956.9. One case. This is based on the complaint filed on April 7, 2015 in the United States District Court, Eastern District of California, 2:15-CV-007751-WBS-KJN, titled Espinoza v. City of Tracy, et al.

Real Property Negotiations (Gov. Code, § 54956.8)

Property acquisition for the widening of MacArthur Drive.

Property Locations: APN: 252-020-04  
25820 S. MacArthur Dr., Tracy, CA

Negotiators for the City: Stephanie Garrabrant-Sierra, Assistant City Manager  
Andrew Malik, Development Services Director  
Robert Armijo, City Engineer  
Zabih Zaca, Senior Civil Engineer

Negotiating Parties: Martha J. Gelsomini

Under Negotiation: Price and terms of payment for the purchase of the property.

Real Property Negotiations (Gov. Code, § 54956.8)

Property acquisition for intersection Improvements at Eleventh Street and MacArthur (west intersection)

Property Location: APN: 235-190-11  
516 E. Eleventh Street, Tracy, CA

Negotiators for the City: Kul Sharma, Utilities Director  
Ripon Bhatia, Senior Civil Engineer  
Stephanie Garrabrant-Sierra, Assistant City Manager  
Todd A. Amspoker, Price, Postal and Parma LLP

Negotiating Parties: Robert Bogetti & Albert Bogetti, Robert Mehlhaff

Under Negotiation: Price and terms of payment for the purchase of the property.

5. MOTION TO RECESS TO CLOSED SESSION – Mayor Pro Tem Rickman motioned to recess the meeting to closed session at 6:39 p.m. Council Member Vargas seconded the motion. Voice vote found all in favor; passed and so ordered.
6. RECONVENE TO OPEN SESSION – Mayor Maciel reconvened the meeting into open session at 7:04 p.m.
7. REPORT OF FINAL ACTION

**ACTION** Motion was made by Mayor Pro Tem Rickman, and seconded by Council Member Mitracos to authorize the City to defend individually named and served employees in the matter of Espinoza v. City of Tracy, et al, filed in the United States District Court, subject to a reservation of rights. The motion passed unanimously.

8. ADJOURNMENT – Mayor Pro Tem Rickman motioned to adjourn the meeting Council Member Vargas seconded the motion. Voice vote found all in favor; passed and so ordered. Time 7:05 p.m.

The agenda was posted at City Hall on August 30, 2016. The above are action minutes.

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Mayor

ATTEST:

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City Clerk