

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

April 29, 2025, 7:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy, CA.

1. Mayor Arriola called the meeting to order at 7:07 p.m.
2. There were no actions taken pursuant to AB 2449.

Andrew Shen, Interim City Attorney asked the following:

Council Member Bedolla has requested to participate in this meeting by teleconference without posting the agenda at his remote location using the Brown Act's "Just Cause" exception.

Council Member Bedolla, I understand that you have a contagious illness that prevents you from attending in person – is that correct? Council Member Bedolla confirmed.

Councilmember Bedolla, are there any individuals 18 years of age or older at your location? Council Member Bedolla confirmed that there was no one present.

I would also like the record to reflect that a majority of the Council is present in person in the City Hall chambers, which is open to the public.

Council Member Bedolla, please remember you must participate through audio and video technology and stay "on screen" during the meeting.

Council Members, please note that all votes taken during Councilmember Bedolla's remote attendance must be taken by roll call vote.

3. Roll Call and Declaration of Conflicts – Council Members Bedolla, Evans, Nygard, Mayor Pro Tem Abercrombie, and Mayor Arriola present.
4. ITEMS FROM THE AUDIENCE – There were no items of the audience.
5. Request to Conduct Closed Session:

5.A Personnel Matter (Gov. Code § 54957)

Public Employee Appointment and Employment

Position Title: City Attorney

5.B CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Gov. Code Section 54956.9(d)(1))

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation. Case Name: City of Tracy v. Kaur, et al., San Joaquin Superior Court, Case No. STK-CV-UED-2023-0002974

5.C CONFERENCE WITH LEGAL COUNSEL —EXISTING LITIGATION (Gov. Code Section 54956.9, (d)(1))

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation. Case Name: City of Tracy v. Surland Communities, LLC, San Joaquin County Superior Court, Case No. STK-CV-UBC-2024-0002338

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Nygard to recess to closed session at: 7:11 p.m. for items 5.A and 5.B. Item 5.C has been withdrawn at this time. Roll call found Council Members Evans, Nygard, Mayor Pro Tem Abercrombie, and Mayor Arriola, all in favor; passed and so ordered. Council Member Bedolla was absent from roll call.

6. Reconvene to Open Session – Time: 9:05 p.m.

7. Report of Final Action – No reportable action on Item 5.A. For Item 5.B Council has unanimously approved a settlement amount of \$105,000 in the matter of City of Tracy v. Kaur.

8. Council Items and Comments – There were no public comments.

9. Adjournment: Time: 9:13 p.m.

ACTION: Motion was made by Mayor Pro Tem Abercrombie and seconded by Council Member Evans to adjourn. Roll call found all in favor; passed and so ordered

The above agenda was posted at the Tracy City Hall on April 24, 2025. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk