

City of Tracy  
333 Civic Center Plaza  
Tracy, CA 95376

CITY COUNCIL

MAIN 209.831.6000

FAX 209.831.6120

[www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

July 17, 2013

Presiding Judge David P. Warner  
Superior Court of California, County of San Joaquin  
222 E. Weber Ave., Room 303  
Stockton, CA 95202

RE: Grand Jury Report: 2012-2013 Case No. 0312 – Improving Disposal of City and County Surplus Public Assets

Honorable Judge Warner:

In accordance with California Penal Code Sections 933 and 933.05 the following responses are being submitted within 90 days of the request:

Grand Jury Findings

*Finding F7.1 The City of Tracy has no procedures manual or clearly defined procedures for the disposition of surplus vehicles and equipment. While no indications of any questionable actions were identified, the lack of clear and transparent procedures could raise concerns about the public's interest being protected.*

The City agrees with the finding.

*Finding F7.2 The agreement with the private auction firm contained limited protection for the City against claims or other possible legal actions resulting from the auction.*

The City agrees with the finding.

Grand Jury Recommendations

*Recommendation R7.1 That prior to December 1, 2013, the City adopt procedures related to the disposition of vehicles and equipment, including who is responsible for the disposal, when council approval is required, notification requirements and information made available to the public.*

The recommendation will be implemented by December 1, 2013.

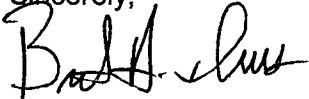
July 17, 2013

Page 2 of 2

*Recommendation R7.2 That the City Council direct the City Attorney to review the current agreement used for sale of surplus vehicles and equipment to ascertain its protection of City interests, or prepare a new sale agreement to be used by the City. The City Attorney's report to and action by the City Council is to occur prior to November 1, 2013.*

The recommendation will be implemented by November 1, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent H. Ives". The signature is written in a cursive style with a large initial "B".

Brent H. Ives, Mayor  
On Behalf of the Tracy City Council

cc: Members of the Tracy City Council  
Leon Churchill, City Manager  
Dan Sodergren, City Attorney  
Rod Buchanan, Interim Public Works Director