

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

February 1, 2022, 6:30 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Young called the meeting to order at 6:31 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Arriola, Davis, and Mayor Young present.

Mayor Pro Tem Vargas arrived at 6:33 p.m.

Council Member Bedolla arrived at 6:35 p.m.

3. ITEMS FROM THE AUDIENCE – None.
4. Request to Conduct Closed Session

A. Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9(d)(1))

- i. Case Title: MARY MITRACOS, v. CITY OF TRACY, and SURLAND COMMUNITIES, LLC, CASE NO. C093383; COURT OF APPEAL, STATE OF CALIFORNIA THIRD APPELLATE DISTRICT

Council Member Davis announced she will be recusing herself from item 4.A pending determination from the FPPC.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Arriola to recess to closed session. Roll call found all in favor; passed and so ordered. Time: 6:34 p.m.

5. Mayor Young reconvened the meeting to open session at 7:17 p.m.
6. REPORT OF FINAL ACTION – There was no reportable action.
7. COUNCIL ITEMS AND COMMENTS – Mayor Pro Tem Vargas referred to a Council request made in February 2019 by Council Member Ransom to bring back discussion on MOU's and JPA's. Although staff reported to Council in a memo in April 2020, Mayor Pro Tem Vargas wanted to remind staff that it was a discussion item and requested support to discuss setting policies to have equitable representation with how MOU's and JPA's are being negotiated regarding governance, terms and conditions. Typically, the Council authorizes the Mayor or City Manager to sign an agreement but there is no bringing it back to Council to say this is what we understand. Mayor Young supported looking into the request.

Mayor Pro Tem Vargas requested a closed session to discuss the impact of Transparent Tracy and the City employees working environment including their health and wellness. Mayor Pro Tem Vargas stated a while back Council Member Davis had mentioned that she was the creator or has Transparent Tracy management of the page.

Council Member Davis responded to Mayor Pro Tem Vargas's comment stating that is incorrect, she is not the manager of Transparent Tracy, has nothing to do with Transparent Tracy, and Mayor Pro Tem Vargas may be referring to Tracy Triangle News Share.

Mayor Pro Tem Vargas responded she wanted to ask if Council Member Davis had any ownership of the Transparent Tracy page, and Council Member Davis responded she did not. Mayor Pro Tem Vargas requested to discuss the impact of Transparent Tracy on the City employees, the work environment and health and wellness and how those articles are impacting or preventing the good work to transpire.

Greg Rubens, Interim City Attorney stated he would be glad to talk with Mayor Pro Tem Vargas about what she has in mind, but what is being described is not a closed session item.

Mayor Young stated there will be an opportunity during a break in between meetings for Mayor Pro Tem Vargas to talk with counsel to understand how to frame her request in a way that it can be done.

Mayor Pro Tem Vargas stated it should be known who is involved and manages Transparent Tracy. Transparency is not there when you are not giving your name when you are putting articles that are not factual in the media.

Council Member Davis stated she has nothing to do with Transparent Tracy and did not appreciate Mayor Pro Tem Vargas putting her name with that publicly and added Mayor Pro Tem Vargas could have approached her about Transparent Tracy.

Mayor Pro Tem Vargas responded that she had approached Council Member Davis.

Council Member Davis responded that Mayor Pro Tem Vargas had not approached her about Transparent Tracy but had approached her regarding a post on Tracy Triangle News Share which she does own. Council Member Davis added she has nothing to hide from anyone, and reiterated she has nothing to do with Transparent Tracy.

Mr. Rubens stated Council items is for brief discussions for an agenda setting and we need to get back to those types of items.

Mayor Pro Tem Vargas responded she is trying to get clarification and know who is Transparent Tracy.

8. ADJOURNMENT- Time: 7:26 p.m.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adjourn.

The agenda was posted at City Hall on January 27, 2022. The above are action minutes.

ATTEST:

Mayor

City Clerk