

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

February 15, 2022, 6:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

1. Mayor Young called the joint meeting to order at 6:15 p.m.
2. Roll call found Council Members Arriola, Bedolla, Davis, and Mayor Young present. Mayor Pro Tem Vargas absent.

Roll call found Planning Commissioners Francis, Orcutt, Vice Chair Wood and Chairperson Hudson present. Commissioner Atwal absent at roll call. Commissioners Francis, Orcutt and Chair Hudson participated virtually.

3. ITEMS FROM THE AUDIENCE – None.
4. JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP TO DISCUSS THE ROLE OF THE PLANNING COMMISSION, PLANNING COMMISSION BYLAWS, PLANNING COMMISSION ACTIVITY DURING 2021, AND UPCOMING AGENDA ITEMS FOR 2022

Scott Claar, Senior Planner provided the staff report.

Robert Tanner suggested Council and Planning Commission create use permits that do not allow the concentration of cannabis retail stores in downtown areas, and shared concerns regarding the number of cannabis stores Council has approved for Tracy.

Council questions and comments followed.

Planning Commission comments followed.

Bill Dean, Interim Development Services Director stated he would respond to Council's requests by memorandum and provide information regarding the cannabis policy, applicant process, density limits downtown, and distance requirements.

Planning Commissioner Atwal joined the meeting at 6:51 p.m.

Council and Planning Commission comments continued.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Davis to accept the report on the role, bylaws and activity during 2021, and upcoming agenda items for 2022 for the Planning Commission. Roll call vote found Council Members Arriola, Bedolla, Davis, Mayor Young, Planning Commissioners Atwal, Orcutt, Vice Chair Wood and Chairperson Hudson all in favor; passed and so ordered. Mayor Pro Tem Vargas absent. Planning Commissioner Francis absent from roll call.

5. COUNCIL ITEMS AND COMMENTS – Council Member Davis addressed accusations made by Mayor Pro Tem Vargas during the February 1, 2022 Closed Session meeting under Council Items stating Mayor Pro Tem Vargas publicly accused her of being the owner and/or in some way affiliated with a blog or news organization “Transparent

Tracy". Council Member Davis stated the accusation is unfounded, has no basis and is 100% false, Mayor Pro Tem Vargas has served on City Council for nearly 8 years and is aware of the inappropriate nature of her public and unfounded accusation towards a Council colleague and the adverse impact this has on Council relationships and public trust. After conferring with the City Attorney, Council Member Davis added she has filed a formal complaint with the City Manager's office stating Mayor Pro Tem Vargas has violated Tracy City Council's Code of Conduct, among others, Section 3.3.1 and Section 3.3.2. In accordance with her rights under Tracy City Council Code of Conduct, Council Member Davis formally and publicly requested that the record reflect her formal complaint which has been submitted to the City Clerk. Council Member Davis also requested Mayor Pro Tem Vargas stop violating the Code of Conduct as it relates to publicly defaming her character and should violations continue, she will not hesitate to formerly invoke her right to pursue censure and any other legal channels available to stop the senseless, baseless and unfounded attack on her personal character.

Greg Rubens, Interim City Attorney clarified that Council Member Davis is bringing the issue to the attention of the City Council and has submitted a letter but is not requesting censure or asking any Council Member to schedule a procedure. Nothing is going to happen unless a further request is made by Council Member Davis.

Council Member Davis confirmed Mr. Rubens understanding is correct, this is to bring it to Council's and the public's attention of what the Code of Conduct says and remind Mayor Pro Tem Vargas that we do operate under a Code of Conduct and if those violations continue, she will invoke her right to censure her.

Mr. Rubens added there is a procedure in the Code of Conduct to start that but that is not being requested.

Council Member Bedolla congratulated Bob Browne for being with the Tracy Press since 1998 and being named Managing Editor.

6. ADJOURNMENT: Time: 7:15 p.m.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Bedolla to adjourn. Roll call vote found Council Members Arriola, Bedolla, Davis, Mayor Young, Planning Commissioner Francis and Vice Chair Wood in favor; passed and so ordered. Mayor Pro Tem Vargas absent, and Planning Commissioners Atwal, Orcutt and Chair Hudson absent from adjournment roll call.

The agenda was posted at City Hall on February 10, 2022. The above are action minutes.

ATTEST:

Mayor

City Clerk