

From: David McCray [REDACTED]
Sent: Monday, August 7, 2023 3:25 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Fwd: council meeting 8-7-23
Sent from Marsha's iPhone

Begin forwarded message:

From: David Mccray <[REDACTED]>
Date: August 7, 2023 at 2:57:45 PM PDT
To: tracycitycouncil@cityoftracy.org
Subject: council meeting 8-7-23

Dear Mayor Young and Council Members Arriola, Bedolla, Davis and Evans,

I am writing regarding the actions of City Attorney Bijal Patel.

It has recently come to light, at least to the residents of Tracy, that City Attorney Patel had her license to practice law suspended by the State Bar of California. Yet it appears she continued to practice law as the attorney of record for the City of Tracy.

It is my understanding that City Attorney Patel failed to complete and/or notify the State Bar of continuing education and/or certification requirements despite ample notice to do so.

It is my understanding that her contract states her employment is terminated if she fails to abide by the terms of her contract by maintaining an active law license. Yet it appears she is still employed.

Why is her continued employment a subject for discussion? Shouldn't she have been terminated at the time she violated her contract on 7-1-23?

Three councilmembers advocated for changing the number of council votes required to dismiss the City Manager but not the other at-will employee, the City Attorney. Is it possible they knew at the time of the vote that city Attorney Patel's law license was at risk of suspension? Was it a coincidence or insurance that her employment would be subject to the same vote standard?

City Attorney Patel has deceived the City of Tracy. She has continued to give advice at City Council meetings. She has possibly put the city at risk if she signed official documents while suspended.

I have observed many city council meetings, either in person or online. I have listened to various council members talk about ethics, divisiveness, level accusations regarding the former city Manager and the need to censure Mayor Young.

It will be interesting to see if they will also apply those beliefs when determining if the City Attorney, with whom they have a friendly ally with regard to her support of their agenda, should be dismissed for violating her contract.

Marsha McCray

From: Michel Bazinet [REDACTED]
Sent: Monday, August 7, 2023 3:12 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Closed meeting 7-Aug - agenda item 4 - Items from the audience

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Recent news about the Tracy City Attorney, Bijal Patel, continuing to practice law without an active California State Bar Association license shows her willful disregard of the law she is sworn to uphold and further, demonstrates her high degree of incompetence to manage her professional responsibilities as well as her duties on behalf of the city of Tracy, the city council, Tracy residents and Tracy businesses.

Her employment contract stipulates that her employment agreement with the City terminates immediately if she "is found to have committed an act resulting in disbarment or suspension from the California State Bar Association." By continuing to practice law while her license was inactive, Ms Patel has opened herself to legal sanction from the State Bar which could include a prison term up to 6 months.

Bijal Patel's incompetence and brazen disregard of her obligations reflects badly on City staff and council. The City of Tracy has become the laughing stock of Northern California and her immediate dismissal is the first step to salvage our damaged reputation.

Michel Bazinet
Tracy resident of 23 years

From: Pat Howell [REDACTED]
Sent: Saturday, August 5, 2023 3:16 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: Dismissal of City Attorney

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I cannot say that I am surprised at the news regarding the illegal activity of our City Attorney. It is an embarrassment that has been spread all over the news media. She has shown no responsibility in dealing with Aquatic Center problem which has been referred to Arbitration Court. She did not deal with the Homeless Container Contractor who stiffed us. She worked diligently to get rid of our competent City Manager Mr. Rogers while on medical leave.. We were just lucky he didn't sue us only because the City paid him to go away and because he didn't want to work in unpleasant environment. We are now having to face the effects of her actions on the labor contracts with our employee groups. It is your responsibility to have the best legal assistance that you can find in order to do your jobs as council members and to protect our city from legal challenges. You need to move to remove this City Attorney as soon as possible.

Patricia Howell
[REDACTED]
Tracy 95376

From: [REDACTED]
Sent: Monday, August 7, 2023 4:13 PM
To: Public Comment <publiccomment@cityoftracy.org>
Subject: 8/7/23 Special Meeting Comments

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Mayor Young and Tracy City Council,

This is unprecedented!

Our City Attorney has practiced law for almost 27 years and as an "Officer of the Court" she knowingly failed to fulfill her obligation of 25 hours of MCLE within 3 years but the State Bar gave her almost 3-1/2 years and still she neglected her responsibility—this is not a simple administrative error!

She was sent numerous notifications from the State Bar.

And once her license was inactive, law requires her to serve notice to the highest authorized officer or employee of her license status which did not happen.

Furthermore, as of July 1st with an inactive license she continued to sign contracts and represent herself as the City Attorney at council meetings all while practicing law unlicensed and never notifying Council of her status! That is a flagrant of a violation of the law and I think that puts you in a pretty precarious situation.

Additionally, if she was paid for those unlawful services that would be wage fraud.

Her actions are dishonest, reckless and negligent. She fraudulently represented herself and our city.

I have to ask; is this the person you want representing us?

The contract between the City and Ms. Patel clearly states "The Agreement shall terminate immediately... if found to have committed an act resulting in disbarment or suspension from the CA State Bar Association."

When her license status became known last week, she should have been terminated immediately and not been allowed back in her office!

Sandi Taylor