

February 8, 2024, 4:15 p.m.

City Hall, 333 Civic Center Plaza, Tracy

Web Site: www.cityoftracy.org

1. Mayor Young called the meeting to order at 4:15 p.m.
2. There were no actions taken pursuant to AB 2449.
3. Roll call found Council Members Arriola, Bedolla, Evans, Mayor Pro Tem Davis and Mayor Young present. There were no declarations of conflict by City Council.
4. ITEMS FROM THE AUDIENCE – There was no public comment.
5. DISCUSSION ITEMS
 - 5.A Consider and Determine, by Motion, Response to Notice of Brown Act Violation and Request to Cure or Correct from Steve Nicolaou dated January 11, 2023.

Bijal Patel, City Attorney stated due to any potential conflict of interest, the City Attorney's Office has engaged the law firm of Best, Best and Krieger (BBK) to serve as special counsel on this item. Attorney John Natalizio from BBK provided the staff report and responded to questions.

Council Member Bedolla indicated that there was a typo on page two, fourth paragraph where it states, "contact amendment" it should be corrected to say, "contract amendment".

Council Member Evans indicated that there was an additional typo also on page two on the fifth paragraph where it states, "the public was afforded and opportunity" "and" should be corrected to "an".

There was no public comment.

Mayor Young asked for clarification regarding the difference in wording between "technically and acknowledge" as it pertains to the letter. Mr Natalizio from BBK provided clarification. Council questions and comments continued.

Mayor Pro Tem Davis proposed that in section three it is clear that there is an acknowledgement of a violation but that in page two, there is no need for "even if there was a violation" given that it's been acknowledged.

Mr. Natalizio BBK Attorney, summarized that Council recommends the amendments to the letter as follows: the elimination of the phrase "even if there was a violation" from page two on the second to last paragraph and the correction of multiple typos.

ACTION: Motion was made by Mayor Pro Tem Davis and seconded by Council Member Evans to approve the letter as amended and authorize Best, Best and Krieger to send Mr. Nicolaou the letter on behalf of the City of Tracy by February 10, 2024. Roll call found Council Members Bedolla, Evans, Mayor Pro Tem Davis, and Mayor Young in favor; passed and so ordered. Council Member Arriola opposed.

6. COUNCIL ITEMS – There were no Council Items.

7. ADJOURNMENT – Time: 4:51 p.m.

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

The above agenda was posted at the Tracy City Hall on February 7, 2024. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk