



Think Inside the Triangle™

NOTICE OF SPECIAL MEETING

Pursuant to Section 54956 of the Government Code of the State of California, a Special meeting of the **Tracy City Council** is hereby called for:

Date/Time: **Tuesday, April 16, 2024, 4:15 p.m.**
(or as soon thereafter as possible)

Location: **Tracy City Hall**
333 Civic Center Plaza, Tracy, CA.

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Tracy City Council on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

This meeting will be open to the public for in-person and remote participation pursuant to Government Code Section 54953(e)

For Remote Public Comment:

During the Items from the Audience, public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
 - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following **Event Number: 2551 997 5320** and **Event Password: TracyCC**
 - ***If you would like to participate in the public comment anonymously***, you may submit your comment via phone or in WebEx by typing “Anonymous” when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.
 - Join by phone by dialing +1-408-418-9388, enter 25519975320 #8722922# Press *3 to raise the hand icon to speak on an item

- *Protocols for commenting via WebEx:*
 - *If you wish to comment under “Items from the Audience/Public Comment” portion of the agenda:*
 - *Listen for the Mayor to open “Items from the Audience/Public Comment”, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
 - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
 - *Comments for the “Items from the Audience/Public Comment” will be accepted until the public comment period is closed.*

1. Call to Order
2. Actions, by Motion, of City Council pursuant to AB 2449, if any
3. Roll Call and Declaration of Conflicts
4. Items from the audience - *In accordance with Council Meeting Protocols and Rules of Procedure*, adopted by Resolution No. 2019-240, and last amended by Resolution No. 2021-049, a five-minute maximum time limit per speaker will apply to all individuals speaking during “Items from the Audience/Public Comment”. For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council.
5. Request to Conduct Closed Session
 - 5.A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 - i. Significant exposure to litigation pursuant to Gov. Code §54956.9, subd. (d)(2) and (e)(3): (One case).

Attachment A – Claim made available pursuant to (e)(3)
6. Reconvene to Open Session
7. Report of Final Action, if Any
8. Council Items and Comments
9. Adjournment

Posting Date: April 11, 2024

The City of Tracy is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled to participate in employment, programs and facilities. Persons requiring assistance or auxiliary aids in order to participate, should contact the City Manager’s Office at (209) 831-6000 at least 24 hours prior to the meeting.

From: Alice English <[REDACTED]>
Sent: Friday, March 29, 2024 5:05 PM
To: Bijal Patel <Bijal.Patel@cityoftracy.org>; Midori Lichtwardt <Midori.Lichtwardt@cityoftracy.org>
Cc: Eleassia Davis <eleassia.davis@cityoftracy.org>; Dan Evans <dan.evans@cityoftracy.com>; Mateo Bedolla <mateo.bedolla@cityoftracy.org>; Dan Arriola <Dan.Arriola@cityoftracy.org>
Subject: violation of my 1st Amendment rights. March 19, 2024.

You don't often get email from [REDACTED] [Learn why this is important](#)

Caution: This is an external email. Please take care when clicking links or opening attachments.

3/29/2024

City Attorney, Ms. Bijal Patel

City Manager, Ms. Midori Lichtwardt

Re: Formal Notice of Brown Act Violation/Cease and Desist

Ms. Patel, Ms. Lichtwardt- This letter is to serve as a formal complaint against Mayor Nancy Young. During the regular City Council meeting on March 19th, 2024, She committed multiple violations of the Ralph M. Brown Act (Brown Act), as well as the 1st Amendment of the US Constitution.

Historically, I and others have been targeted by Mayor Young. Actions have included interruptions and, In no case were threats, outbursts, yelling or any disruptive behavior occurring from the public speakers. It should also be noted that Mayor Young does **not apply** the speaking rules consistently.

The specific instance which is the basis of this letter occurred on March 19th. An agenda item during public comments, I was stopped from speaking by the Mayor and had my microphone cut as I was making a criticism about how she was running the meeting. She subsequently directed an **armed** police officer to escort me out of the public chambers. Under Government Code Sections 54954.3(a)-(c) of the Brown Act, a legislative body cannot prohibit public criticism of the body, including individual members of that body. Additionally, I was stopped by the Mayor from practicing my freedom of speech, which is a **violation of my 1st Amendment rights.**

She then further violated the Brown Act and my rights by demanding that I leave the chambers for the entire remainder of the meeting. Other than criticizing the Mayor for her behavior and handling of the meeting, I was not a disruptive speaker, nor threaten anyone and did not run over my time. Yet, Young refused to continue the meeting until I left the Council chambers. I felt violated by her actions.

The actions above establish clear violations by the Mayor of the Brown Act, code of conduct and its requirements. The City must take corrective actions within thirty days, to both comply with the Brown Act and restore public trust.

As required in Government Code section 54960.2, you have 30 days from receipt of this demand to provide an unconditional commitment to cease, desist from, and not repeat this action. Further, I demand, as a cure, that the Mayor publicly apologize to me for violating my rights and the Brown Act, At this time, I am left with no recourse, but to pursue judicial action.

Thank you,

Alice English, Tracy Resident

CC: California Attorney General- Rob Bonta

P.O. Box 944255

Sacramento, CA 94244-2550

San Juaquin County District Attorney

P.O. Box 990,

Stockton, CA 95201-0990

American Civil Liberties Union (ACLU)