

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

April 23, 2024, 4:30 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy, CA.
and Mayor Young attended remotely at the following location:

Omni Atlanta Hotel at Centennial Park
190 Marietta St NW, Atlanta, GA 30303

and Council Member Bedolla attended remotely at the following location:

Hyatt House Tempe/Phoenix University
601 E. 6th Street, Tempe, AZ 85281

1. Mayor Pro Tem Davis called the meeting to order at 4:36 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. Council Member Bedolla and Mayor Young participated remotely. There was no declaration of conflicts 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 Formal Notice of Brown Act Violation/Cease and Desist from Alice English dated March 29, 2024

Bijal Patel, City Attorney introduced John Natalizio, BBK Law who provided the staff report.

Council questions followed.

A caller stated the word alleged is being used in the letter when the public witnessed it, and it was on video. Ms. English's right to speak was infringed upon, is not the first time but hopes it is the last time, and hopes Council does something as a group to make sure it doesn't happen and everyone should get treated the same.

Alice English stated it is not an allegation, everyone saw the combat. It was not just the Brown Act but also the Code of Conduct. Her First Amendment right was violated. Times are not consistent; some people speak longer and silences others when it is not to her convenience. Ms. English stated she had requested an apology from the Mayor for the residents of Tracy. Wants the public to know they can speak to Council and not be threatened. Spoke about the Mayor abusing power, First Amendment rights that are violated needing to be corrected as soon as possible and hoped it will be remedied and more action taken.

Todd Lieberg stated all Council volunteered and accepted a role on the dais and the pros and cons which sometimes is public criticism. To use official City proceedings to prohibit public discussion of non agendized and agendized items on the agenda is wrong. Robust debate is the foundation of this country and encouraged Council to cease and desist from this behavior.

Burnell Shull expressed her concerns regarding the whole episode and does not understand how we can have this discourse. We need to have different opinions and share the opinions. Biggest problem here is when people get up to speak they get cut off in the middle of a sentence. Does not know why all the negativity about Tracy is being expelled this year. Things do not get finished and everything is in chaos. People are scared to come and talk.

Conrad Levoit stated he had watched the meeting from home, shared concerns regarding being muted mid-sentence or topic and encouraged people to come to Council and voice their opinions and be heard. Feel pressured when speaking in allotted time. To have an officer enforce is an awkward position when people have rights. Thankful on how he presented himself, he did not throw someone out, but it could have been ugly. Need to work together.

Council comments followed.

ACTION: Motion was made by Council Member Evans and seconded by Council Member Arriola to adopt the letter and authorize the City Attorney to transmit the letter to Ms. English. Roll call found Council Members Arriola, Bedolla, Evans and Mayor Pro Tem Davis in favor; passed and so ordered. Mayor Young opposed.

6. Council Items and Comments – Council Member Bedolla stated he received a scholarship from the National Association of Latino Elected Officials to attend a policy institute on tackling the housing crisis and will be there through midday tomorrow and look forward to sharing information with the City Manager’s Office and Council.

7. Adjournment – Time: 5:12 p.m.

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

The above agenda was posted at the Tracy City Hall on April 18, 2024. The above are action minutes. A recording is available at the office of the City Clerk.

ATTEST:

Mayor

City Clerk