

**September 17, 2019, 6:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

1. Mayor Rickman called the meeting to order at 6:00 p.m.
2. Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young, and Mayor Rickman present.
3. Items from the Audience – None
4. WORKSHOP TO DISCUSS AND PROVIDE DIRECTION REGARDING PROPOSED CITY OF TRACY CITY COUNCIL CODE OF CONDUCT

Council Member Vargas announced she will be leaving at approximately 6:15 p.m. to attend a previous scheduled engagement, but would return as soon as possible.

Jenny Haruyama, City Manager provided the staff report and presentation.

Council Member Vargas left the dais at 6:09 p.m.

Robert Tanner recommended adding to the Code of Conduct that Council Members who receive \$4,000 from developers should not be able to vote for the developer projects for 50% of their term.

Jan Couturier commended the City Manager for the proposed Code of Conduct guidelines.

Michael Maciel expressed support for the proposed Code of Conduct and referred to various sections of the Code of Conduct.

Roger Birdsall thanked the City Manager for the well prepared Code of Conduct guidelines.

Alice English agreed with Mr. Tanner's comments and suggested including nonprofits. Ms. English provided input on revisions to the Code of Conduct.

Council Member Arriola objected to Ms. English's characterizations of the conduct of the last meetings.

Council Member Ransom addressed Ms. English's comments regarding pocketing money on behalf of her employers.

Mayor Rickman responded to Mr. Maciel's comments stating he has not filed any FPPC complaints.

City Council reviewed the proposed Code of Conduct and suggested the following changes:

Chapter 1 – No changesChapter 2

Section 2.1.1 – use municipal *agency* or *entity* instead of Municipal Corporation

Section 2.2.1 – change electing *new* Mayor to electing *the* Mayor

Section 2.2.5 – conflict with Section 2.4.3 – language should be the *City Council appoints...* (replacing *Mayor with the approval of City Council*)

Section 2.3.1 – change *minute* action to *motion* action

Chapter 3

Sections 3.4.9.1 & 3.4.9.2 – add reference to definition of immediate family member and familial relationship -

Section 3.4.9.2 - *Martial* should be *marital*.

Section 3.4.9.4 – Add provisions apply to City, contract and *appointed employees*

Section 3.4.9.4 Subsection 4 – add language about all “state protected classes”

Section 3.6.1 – Request for censure should be submitted to *City Manager* instead of *City Clerk*. Staff to bring back language for Council consideration regarding the following:

- If ever a censure request has the approval of all four Council members which are not the subject of the request that it automatically be enforced
- Instead of being Mayor and a Council member, the Ad Hoc committee to consist of two members who voted in opposing manners and a neutral mediator
- Staff to bring back language for Council consideration regarding the following suggestion: If ever three Council members vote for an Ad Hoc committee resulting in the protocol being initiated which presents a neutral mediator and fails to find that there is insufficient evidence of such that the three Council members share the fee for neutral mediator from personal funds so that no taxpayer dollars are used.

Chapter 4 – No changesChapter 5 – No changesChapter 6

Section 6.2.1 – include language stating – *except if you are receiving benefits elsewhere.*

City Council Norms and Values

Section 7 – Communication – Change to *publicly share* to *share among other Council Members*

Section 13 – Use of Public Resources – *add for campaign election purposes*

Mayor Rickman responded to Mr. Maciel's comments from items from the audience.

Mayor Pro Tem Young commended City Council for reaching this point.

5. ADJOURNMENT – Time: 6:57 p.m.

**ACTION:** Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to adjourn. Roll call found Council Members Arriola, Ransom, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Member Vargas absent.

The above agenda was posted at the Tracy City Hall on September 12, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk