

City of Patterson
City Council Special Meeting
April 7, 2015
Minutes
(Closed Session)

1. Call to Order

The special meeting of the City Council of the City of Patterson was called to order in the City Council Chambers at 6:06 p.m. by Mayor Molina.

Present: Councilmembers Farinha, Novelli, Lustgarten, McCord and Mayor Molina (5)

Staff: City Manager Irwin, City Attorney Hallinan and Deputy City Attorney White (3)

At this time, Mayor Molina announced the items listed to be discussed in Closed Session and opened the items to public comments.

The City Council will adjourn to Closed Session to address the following:

- Public Employment – City Manager Performance Evaluation (Pursuant to Government Code Section 54957)
- Public Employment – City Police Services (Pursuant to Government Code Section 54957)
- Conference with City Attorney, Anticipated Litigation pursuant to California Code Section 54956.9 (d) (2) (1 case)

2. Statements of Conflict - none.

3. Items from the Public – none.

4. Adjourn to Closed Session

There being no public comments, the Patterson City Council adjourned to Closed Session.

5. Report from Closed Session (if any)

At this time, City Attorney Hallinan reported that City Council gave direction to staff in regards to the first two Closed Session items. In regards to the third Closed Session item on the agenda, City Council directed the City Attorney to tell the investigator regarding the Senior Center Investigation to rap item up and have report to City Council by the May 5, 2015 City Council meeting.

6. Adjournment

There being no further business, the special meeting of the City Council of the City of Patterson of April 7, 2015 was adjourned at 7:19 p.m.

Approved by the Patterson City Council on May 19, 2015.

City of Patterson
City Council Regular Meeting
West Patterson Financing Authority Meeting
April 7, 2015
Minutes

1. Call to Order

The regular meeting of the City Council of the City of Patterson of April 7, 2015 was called to order in the City Council Chambers at 7:25 p.m. by Mayor Molina.

Present: Councilmembers Farinha, Novelli, Lustgarten, McCord and Mayor Molina (5)

Staff: City Manager Irwin, City Attorney Hallinan, Deputy City Attorney White, Human Resources Manager Tucci, City Planner Andrews, Associate Planner Rodriguez, Finance Director Moreno, Deputy Public Works Director Andrade, Public Works Administrative Manager Delgado, Capital Projects Manager Jorritsma, Recreation & Community Services Director Flanders, Fire Chief Hall, Police Chief Hughes and City Clerk Vela (14)

Excused: Public Works Director Willett (1)

2. Pledge of Allegiance

3. Statements of Conflict – none.

City Manager Irwin addressed an article in the Patterson Irrigator about the Apricot Fiesta and the City of Patterson.

4. Items from the Public

Bob Phibbs, Patterson Management & Mid-Management Employees Association Rep. – addressed the City Council introducing himself as the Associations Representative in regards to Agenda, Consent Calendar Item 5.6.

Frank Molina, Patterson – addressed the City Council on the item of a parking non-moving violation, getting a citation on February 3, 2015 for no registration. Mr. Molina stated he was contesting the ticket. Mr. Molina addressed the item that the citation was going to City of Inglewood, California and that someone in Wisconsin was to make the determination in regards to his ticket. Mr. Molina addressed his concerns that the system was flawed.

Mr. Molina to meet with Police Chief Hughes to address his concerns.

Jeff Essex, Patterson Apricot Fiesta, President – addressed the City Council thanking City Manager Irwin for addressing the Apricot Fiesta's concerns. Mr. Essex addressed the

following items; timing of the city's reservation documents received, the City waiving the \$5,000 last year and were told that they did not need to come back to the City Council for approval this year, and the fencing the beer area (beer garden). Mr. Essex stated fencing the area would cost the Fiesta money.

Richard Greer, General Chairperson, Patterson Apricot Fiesta – addressed the City Council stating he was ashamed of Councilmember communications tonight. Mr. Greer stated no other City Councilmember had joined the Fiesta Board other than David Keller and Annette Smith. Mr. Greer challenge the City Council to get involved. Mr. Greer asked for Staff to sit with the Fiesta Board and go through the City's reservation document. Mr. Greer addressed the need for communication.

Mike Anderson, Patterson – addressed the City Council on the following; theft going on in the City. ID theft done on a 24 hour basis. People in carts going through the garbage cans. Mr. Anderson recommended for someone to be placed on the books to address dumpster diving.

5. Consent Calendar

All items are approved by a single action. Any item may be removed from the Consent Calendar for separate discussion upon request from a member of the Public, Staff and/or Councilmember.

5.1 Motion to Waive Readings - All Readings of Ordinances and Resolutions, Except by Title are hereby waived.

5.2 Approve City Council Meeting Minutes of February 17, 2015 Special Emergency Meeting (Closed Session), February 17, 2015 (Closed Session & Open Session)

Councilmember Lustgarten addressed the Special Emergency Meeting of February 17, 2015.

Deputy City Attorney White addressed Councilmember Lustgarten's concerns regarding the February 17, 2015 Emergency meeting and why the meeting was called an emergency meeting.

Councilmember Lustgarten stated for the records that she was not notified until about 4 p.m. on the day of the Special Emergency Meeting, February 17, 2015.

5.3 Approve the Resolutions Declaring the City Council's Intention to Initiate Proceedings for the Annual Levy of Assessments and Ordering the Preparation of Engineer's Reports for the Landscape Maintenance Districts (LMD's) and County Service Area (CSA) No. 15 for FY 2015/16 (Resolution Nos. 2015-07 & 2015-08)

In regards to Consent Calendar Item 5.4, Councilmember Lustgarten requested to receive Engineer's reports in advance before Thursday, agenda delivery day.

5.4 Approve Resolution No. 2015-09, Rejecting the Claim of Kathy E. Tucker in an Unknown Amount for Alleged Damages.

- 5.5 Approve Resolution No. 2015-10, Rejecting the Claim of Deryl Ratliff in an Amount of \$360 for Alleged Damages.
- 5.6 Approve Resolution No. 2015-11, A Resolution of the City Council of the City of Patterson Formally Acknowledging the Patterson Management and Mid-Management Employees Association as the Exclusively Recognized Employee Organization for a Designated Appropriate Unit.
- 5.7 Consideration of Resolution No. 2015-06, A Resolution of Concurrence and Support for the Approval of the Fiscal Year 2015-2020 Regional Consolidated Plan (Con Plan); the Fiscal Year 2015-2016 Annual Action Plan (AAP); and the Fiscal Year 2015-2020 Regional Analysis of Impediments (AL to Fair Housing Circle).

Mayor Pro Tem Farinha moved to approve Consent Calendar Items 5.1 through 5.7. The motion was seconded by Councilmember Lustgarten and unanimously approved by a 5-0 roll call vote.

6. Presentations and Public Hearings

- 6.1 Presentation:**
 - a. National Library Week Proclamation
“April 12 - 18, 2015” (Mayor Molina)

Mayor Pro Tem Farinha presented a Proclamation to the Patterson Branch Librarian Wayne Philbrook.

- b. National Autism Awareness Month Proclamation
“April 2015” (Mayor Molina)

Mayor Molina read National Autism Awareness Month Proclamation – to be presented to Deidra Williams.

The City Council was in consensus to adjourn to the West Patterson Financing Authority before the Public Hearing of the Public Safety Master Plan.

- 6.2 Public Hearing:** Provide Direction Regarding the Public Safety Master Plan

City Planner Andrews reviewed his staff report.

Brian Miller with Land Logistics reviewed his staff report.

Bruce Playle with Indigo reviewed his staff report – power point presentation.

City Council addressed the following:

- New proposed Site of Fire Station I – across railroad tracks.
- Buildout of all other fire stations first before decommissioning Fire Station I.
- Fire Station I located in central Patterson by schools.
- K-9 Facilities included – yes – in Public Safety Facility.
- Drastic different between Fire & Police Impact Fees – Fire fees much higher.
- Calculation/mythology how impact fees were done.
- Location of Fire Stations.

- When Nexus Study was coming to Council for review.
- Prefers 1.8 instead of 1.5 Sheriff Deputies per 1,000 in population.
- Public Safety is No. 1 – would like to see item moved up (priority).
- Look at location/area of New Corp Yard.
- Move other master plans forward/faster.
- Public/Private Partnerships.
- Fire and Police Chiefs to guide City Council on how to plan for the future.

At 8:20 p.m. the Patterson City Council adjourned to the West Patterson Financing Authority.

7. ADJOURN TO THE WEST PATTERSON FINANCING AUTHORITY

a. Call to Order

At 8:20 p.m. Chair Molina called the meeting to order.

b. Roll Call

Secretary Vela called roll call.

All (5) Members Present: Farinha, Novelli, Lustgarten, McCord and Chair Molina (5)

- c. Staff Report:** Resolutions to Amend and Restate the Rate and Method of Apportionment of Special Tax and Eligible Facilities, to Annex Additional Territory, and to Authorize the Levy of Special Taxes Therein for Community Facilities District No. 2005-1 (West Patterson Business Park)

Deputy City Attorney White reviewed his staff report.
Jones Hall, City Bond Counsel reviewed his staff report.

The City Council addressed the following:

- Exhibit “A” missing would like the complete amended tax rate schedule.
- Include list of Facilities.
- Update Exhibit “B”
- Initiating the process, rates not being set tonight.

At 8:45 p.m. Chair Molina opened the item to public comments.

Joe Hollowell, Patterson – addressed the City Council speaking in support of moving forward (initiating proceedings) for the CFD financing. Mr. Hollowell stated that CFD Members would have time at the May 19th Public Hearing to make final reviews/approval. Mr. Hollowell stated his support to start the process tonight (initiating proceedings). Mr. Hollowell addressed the tax rate listed on the analysis section included was the same as the 2015/2016 tax rate per acre.

At 8:54 p.m. there being no further public comments, Chair Molina closed the item from further public comments.

Member Lustgarten moved to continue item to April 21, 2015 agenda. The motion was seconded by Member Farinha.

Discussion on the motion -

Member McCord addressed the item of what would be the impact of delaying this item to next meeting. Member McCord asked about any costs differentials if any taxes are lost/increase because of this delay.

Bond Counsel David Fama addressed Member McCords questions.

Hollowell, Patterson – addressed the WPFAs Members stating the delay would not affect the rate. Mr. Hollowell stated he supported the WPFAs Board’s decision. Mr. Hollowell addressed Member Lustgarten’s comments made earlier about paying their fair share.

Member Lustgarten addressed Mr. Hollowell’s concerns.

The motion was unanimously approved by all the (5) WPFAs Members by a 5-0 roll call vote.

West Patterson Financing Authority

Resolution No. 2015-01, A Resolution of Consideration to Amend the Restate the Rate and Method of Apportionment of Special Tax and Authorized Facilities for Community Facilities District No. 2005-1 (West Patterson Business Park)

Resolution No. 2015-02, A Resolution of Intention to Annex Territory to Community Facilities District and to Authorize the Levy of Special Taxes Therein, Community Facilities District No. 2005-1 (West Patterson Business Park) Annexation No. 3.

d. Adjourn

There being no further business, the West Patterson Financing Authority meeting was adjourned at 9:10 p.m.

8. Council Items

8.1 City Council Reports

Mayor Molina:

- StanCOG (Councilmember McCord Alternate) – meeting on April 16, 2015, educational presentation potential ½ cents sales tax, south county corridor, attending in the near future CalCOG Board meeting. Central Valley COG’s lobbied legislature at Sacramento in March “One Valley One

Voice”

- Stanislaus County Mayors Dinner – meeting in Modesto, April 8, 2015.
- Patterson/West Stanislaus Fire Services Committee – meeting April 16, 2015 at Harvest Hall, Modesto.
(Councilmember Farinha 1st Alternate, Councilmember Novelli 2nd Alternate)
- Stanislaus County Disaster Council (Councilmember McCord Alternate) – nothing to report.

Mayor Pro Tem Farinha – nothing to report on items.

- San Joaquin Air Pollution Control District – Valley-wide Special City Selection Committee (Councilmember Novelli Alternate)
- Stanislaus County Hazardous Waste Advisory Committee (Councilmember McCord Alternate)

Councilmember Novelli:

- Patterson Representative – League of California Cities (LOCC) (Councilmember Lustgarten Alternate) – attending LOCC conference in June.

Councilmember Lustgarten:

- Stanislaus County Economic Development & Workforce “Alliance” – meeting this month.
(Councilmember Novelli Alternate)
- Economic Development Action Committee (EDAC) – meeting this month.
(Councilmember Novelli Alternate)

Councilmember McCord:

- Westside Health Care Task Force – (Councilmember Lustgarten Alternate) - attending meeting at the end of this month.

8.2 Other Matters

Councilmember Lustgarten addressed the following:

- Walk a Mile in Her Shoes “Westside Warriors” need of volunteers (men) to join.
- Lost friends to cancer, encourage the community to participate in the “Relay for Life event, May 2-3, 2015 at the Patterson High School Football Stadium.
- Patterson Volunteer Fire Dept. – selling shirts, need for community support. \$20 per shirt. Contact Councilmember Lustgarten, Patterson Fire Dept. or City Clerk to purchase.
- Still looking for comments to the sunshine ordinance, contact City Staff – City Manager and/or City Clerk.

Mayor Molina addressed the item of actively recruiting members to fill seats in the various city commissions, committees and boards. Will make contact with City Manager/City Clerk to discuss recruitment and set interviews.

Councilmember Novelli addressed the following:

- Patterson High School 100th graduating class of 2015 – congratulations.

- Recreation & Community Services Department – public encouraged to check out the department for coming summer events, swim lessons, activity guide going out soon to Patterson residents. Recreation & Community Services Department looking for businesses to donate funding for kids for programs. Kids in need of funding for recreation programs are encouraged to check out Recreation & Community Services Department.

9. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of April 7, 2015 was adjourned at 10:45 p.m.

Approved by the Patterson City Council on May 19, 2015.