

City of Patterson
City Council Regular Meeting
West Patterson Financing Authority Meeting
June 2, 2015
6:30 p.m. (Closed Session)
7:00 p.m. (Open Session)
Minutes

1. Call to Order – Closed Session (6:30 p.m.)

The Closed Session meeting of the City Council of the City of Patterson was called to order in City Hall, City Council Chambers, Closed Session Meeting Room, 1 Plaza, Patterson at 6:31 p.m. by Mayor Molina

Present: Councilmembers Farinha, Novelli, Lustgarten and Mayor Molina (4)

Staff: City Manager Irwin and Deputy City Attorney White (2)

Excused: Councilmember McCord (1)

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

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

- a. Conference with City Attorney, Potential Litigation pursuant to California Government Code Section 54956.9 (c) (1 case)

2. Statements of Conflict – none.

3. Items from the Public – there were no public comments.

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)

There were no items to report out from Closed Session.

6. Adjournment

There being no further business, the Closed Session meeting of the City Council of the City of Patterson was adjourned at 7:26 p.m.

7. Call to Order – Open Session (7:00 p.m.)

The Regular (Open Session) Meeting of the City Council of the City of Patterson was called to order in City Hall, City Council Chambers, 1 Plaza, Patterson at 7:34 p.m. by Mayor Molina.

Present: Councilmembers Farinha, Novelli, Lustgarten and Mayor Molina (4)

Staff Present: City Manager Irwin, Deputy City Attorney White, Public Works Director Willett, Recreation & Community Services Director Flanders, City Planner Andrews, City Capital Project Manager Jorritsma, Fire Chief Hall, Deputy Sheriff Erik Peterson and City Clerk Vela (9)

Excused: Councilmember McCord, City Attorney Hallinan, Finance Director Moreno, Police Chief Dirkse (4)

8. Pledge of Allegiance

9. Statements of Conflict – none.

10. Items from the Public

Amy Hussar, Patterson – addressed the City Council for an update on the status of the annexed buildings (21 / 25 South Del Puerto) for a future agenda.

John Hussar, Northmead School 3rd Grader, Patterson – addressed the City Council on the need for more bike lanes and bike racks all over Patterson.

Jacob Hussar, Northmead School 2nd Grader, Patterson – addressed the City Council on the need for more bike lanes in Patterson similar to the City of Modesto.

Teresa Valentine, Executive Board Member, Patterson Apricot Fiesta – addressed the City Council thanking them, staff, police and fire for all their work in this year’s apricot fiesta events.

Ray Diaz, 15 S. 5th Street, Patterson – addressed the City Council about his problem with lots of cats in his yard. Mr. Diaz stated he had discussed issue with the Mayor, Animal Control, Police, Code Enforcement, Fire, City Manager, etc.

Stanislaus County Board of Supervisors, Supervisor Jim DeMartini (President, Westside Health Care Task Force) – addressed the City Council on Westside walks starting at the Hammon Senior Center.

11. 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.

11.1 Motion to Waive Readings - All Readings of Ordinances and Resolutions,

Except by Title are hereby waived.

- 11.2 Approve City Council Meeting Minutes of April 21, 2015 (Open Session) and May 5, 2015 (Closed Session)

Councilmember Lustgarten addressed the Open Session Minutes of April 21, 2015 asking for a notation to be placed on the minutes to read that Deputy City Attorney White stated there was no time for an RFP Process in regards to the item of how the new bond counsel was selected without Council approval.

- 11.3 Approve a Title Change from Current Title of One Senior Account Clerk Position to Recreation Administrative Supervisor.

- 11.4 Approve Street Closures for Patterson FDES Annual Festa Parade on June 13-14, 2015.

- 11.5 Approve Street Closures for Car Show – Adventure Christian Church, June 20, 2015.

Mayor Pro Tem Farinha moved to approve Consent Calendar Items 11.1 through 11.5.

The motion was seconded by Councilmember Novelli and approved by a 4-0 roll call vote.

12. Presentations and Public Hearings

- 12.1 Presentation:** Patterson Reapers “No Bullying Pledge” (Mayor Molina)

Mayor Molina asked to table this item to a subsequent City Council meeting.

- 12.2 Presentation:** Receive Presentation by Stanislaus Regional Transit (StaRT) for FY 2015/16 Transit Services Improvements Update.

Public Works Director Willett reviewed his staff report.

Transit Manager Eunice Lovely with Stanislaus County reviewed her report – power point presentation.

At 8:10 p.m. Mayor Molina opened the item to public comments. There were no public comments.

- 12.3 Presentation/ Action Item:** Adopt Resolution No. 2015-24, Consenting to the Inclusion

of Properties within the City's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewal Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto.

City Manager Irwin reviewed his report.

John Law with California HERO Program reviewed his report.

At 8:14 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Mayor Molina moved to adopt Resolution No. 2015-24. The motion was seconded by Mayor Pro Tem Farinha and approved by a 4-0 roll call vote.

12.4 Public Hearing: Adopt Resolution # 2015-26 Recommending Approval of Tentative Cancellation of Williamson Act Contract #72-783 on APN 021-026-030.

City Planner Andrews reviewed his staff report – power point presentation.

At 8:20 p.m. Mayor Molina opened the Public Hearing to public comments.

Ron West, 720 N. 3rd Street, Patterson – addressed the City Council speaking in general about the history on the parcel. Mr. West spoke in support of the cancellation of the Williamson Act Contract for this item.

At 8:24 p.m. there being no further public comments, Mayor Molina closed the Public Hearing.

Mayor Pro Tem Farinha moved to approve Resolution No. 2015-26. The motion was seconded by Councilmember Lustgarten and approved by a 4-0 roll call vote.

12.5 Public Hearing: (Continued Public Hearing from May 5, 2015)

Consider Adoption of the Public Safety Master Plan

City Planner Andrews reviewed his staff report.

At 8:25 p.m. Mayor Molina opened the Public Hearing to public comments. There were no public comments.

Mayor Molina moved to adopt the Public Safety Master Plan. The motion
was seconded by Councilmember Novelli and approved by a 4-0 roll call vote.

**12.6 Public Comment/
Action Item:** Authorize Staff to abate Public Nuisance, by removing

Weeds, Dirt, Rubbish, and/or Rank Growth pursuant to the provisions of Ordinance No. 243 and Ordinance No. 704, as defined in Chapter 6.16 of the Patterson Municipal Code - Property Maintenance; Authorize Staff to begin bid process (Resolution No. 2015-27) Clean - Up Process.

Fire Chief Hall reviewed his staff report.

At 8:26 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Councilmember Lustgarten moved to approve Resolution No. 2015-27. The motion was seconded by Mayor Pro Tem Farinha and approved by a 4-0 roll call vote.

At 8:23 p.m. the Patterson City Council adjourned to the West Patterson Financing Authority.

13. ADJOURN TO THE WEST PATTERSON FINANCING AUTHORITY

a. Call to Order

At 8:23 p.m. the meeting was called to order by Chair Molina.

b. Roll Call

Secretary Vela called roll call.

All (4) Member Present: Members Farinha, Novelli, Lustgarten and Chair Molina

Excused: Member McCord (1)

c. Public Hearing: Resolutions to (1) Form West Patterson Financing Authority Community Facilities District No. 2015-1 (“CFD 2015-1”), (2) Incur Bonded Indebtedness for CFD 2015-1, (3) Call Special Landowner Election and (4) Declare Results of Special Election; Introduce for First Reading an Ordinance of the Board of Directors of West Patterson Financing Authority to Levy Special Tax.

West Patterson Financing Authority

Resolution No. 2015-03, Resolution of Formation of Community Facilities District and Future Annexation Area.

Resolution No. 2015-04, Resolution Determining Necessity to Incur Bonded Indebtedness.

Resolution No. 2015-05, Resolution Calling Special

Landowner Election.

Resolution No. 2015-6, Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien.

Ordinance No. 776, An Ordinance of the Board of Directors of the West Patterson Financing Authority Levying Special Tax Within Community Facilities District No. 2015-1 (Arambel-KDN)

At this time, Chair Molina stated the following opening remarks:

“This is the time and place for the public hearing for Community Facilities District No. 2015-1 (Arambel-KND). The hearing is to inquire into the formation of the District, the formation of a Future Annexation Area and the levy of special taxes for municipal services in the District. Before I formally open the hearings, are there any property owners or registered voters in the District who wish to file written protests? If so, they must be filed with the Board Secretary now.”

“The hearing is now open. We will first have presentations by staff about the District and the Future Annexation Area. After that, we will receive comments and questions and any oral protests from any interested persons. When all comments have been received the hearing will be closed.”

At 8:29 p.m. Chair Molina opened the Public Hearing to public comments.

West Patterson Financing Authority Deputy Attorney White reviewed his staff report. Ken Dieker, Del Rio Advisors reviewed his staff report – power point presentation.

West Patterson Financing Authority Deputy Attorney White stated for the record that nothing discussed tonight goes toward restoration hardware.

Keith Schneider, Patterson (Keystone Corp.) – addressed the City Council stating he was not opposed to the formation of the CFD. Mr. Schneider reviewed his concerns with a two page power point presentation regarding; WPBP vs. Arambel BP, CFD Tax Rate Comparison 100 Acres, and Arambel Business Park, CFD Tax Rate Comparison 790 Acres.

Joe Hollowell, Patterson – addressed the City Council thanking Keystone Corp. for coming to Patterson. Mr. Hollowell addressed the history of Keystone Corp CFD Tax rate process. Mr. Hollowell addressed Mr. Schneider concerns.

At 9:10 p.m. there being no further public comments, Chair Molina closed the Public Hearing and stated the following:

“The hearing is closed. We may now consider and adopt “Resolution of Formation of Community Facilities District,” which will establish the District and the Future Annexation Area and “Resolution Calling Special Landowner Election for Community Facilities District,” which will call for the property owner vote to approve the special tax and the appropriations limit for the District.”

Member Novelli moved to adopt WPFA Resolution No. 2015-03. The motion was seconded by Member Farinha and approved by a 3-0 roll call vote. Member Lustgarten abstained.

Member Novelli moved to adopt WPFA Resolution No. 2015-04. The motion was seconded by Member Farinha and approved by a 3-0 roll call vote. Member Lustgarten abstained.

Member Novelli moved to adopt WPFA Resolution No. 2015-05. The motion was seconded by Member Farinha and approved by a 3-0 roll call vote. Member Lustgarten abstained.

At this time, Chair Molina stated “Will the Secretary please announce the result of the property owner vote.”

At this time, West Patterson Financing Authority Secretary Vela announced the results of the property owner vote being in favor of the Ballot Measure, and completed the Canvass and Statement of Result of Election, West Patterson Financing Authority, Community Facilities District no. 2015-1 (Arambel-KDN) (attached to Resolution No. 2015-06 as Exhibit A)

At this time, Chair Molina stated “The record shows that at least 2/3rds of the property owner votes are in favor of the levy of the special taxes and the establishment of the appropriations limit. We may now proceed with the final actions for the District: (i) consideration of a “Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien,” which will declare the results of the election and direct the Board Secretary to record the Notice of Special Tax Lien and (ii) introduction of an Ordinance levying the special taxes in the District. After its introduction, this Ordinance will be considered for adoption at our June 16, 2015 meeting”

Bond Attorney Dave Fama reviewed his report.

Member Novelli moved to adopt WPFA Resolution No. 2015-06. The motion was seconded by Member Farinha and approved by a 3-0 roll call vote. Member Lustgarten abstained.

Member Novelli Read WPFA Ordinance No. 776, reading by title only, waiving further reading.

Member Novelli moved to approve First Reading and Introduction of WFPA Ordinance No. 776, reading by title only, waiving further reading. The motion was seconded by member Farinha and approved by a 3-0 vote. Member Lustgarten abstained.

d. Staff Report: Resolution of Intention to Establish a West Patterson Financing Authority Community Facilities District No. 2015-2 (“CFD 2015-2”)

West Patterson Financing Authority

Establish Resolution No. 2015-07, Resolution of Intention to
for Community Facilities District and Future Annexation Area
Public Services.

WPFA Deputy Attorney White reviewed his staff report.

Member Lustgarten addressed the Arambel/KDN Development Agreement – the mistakes in the Development Agreements

At 9:33 p.m. Chair Molina opened the item to public comments.

Joe Hollowell, Patterson – addressed Member Lustgarten’s concerns about mistakes.

Mr. Hollowell stated the mistakes were addressed (corrected). Mr. Hollowell stated his support for moving forward in regards to this item.

At 9:38 p.m. there being no further public comments, Chair Molina closed the item from further public comments.

David Freudenberger with Goodwin consulting group reviewed his report.
WPFA Deputy Attorney White reviewed his report.
Bond Counsel Dave Fama reviewed his report.

Member Novelli moved to adopt WPFA Resolution No. 2015-07 with a correction to the Public Hearing date set to be changed from July 21, 2015 to July 7, 2015. The motion was seconded by Member Farinha and approved by a 3-1 roll call vote. Member Lustgarten voted no.

e. Adjourn

There being no further business, the West Patterson Financing Authority meeting of June 2, 2015 was adjourned at 9:55 p.m.

14. Staff and Committee Reports

Community Development Department

Accept the Downtown Visioning Report and Provide Direction to Staff.

City Planner Andrews reviewed his staff report.

Doug Nelson with RHAA reviewed his report – power point presentation.
Steve Cancian with RHAA reviewed his report – power point presentation.
Steve Spickard with RHAA reviewed his report – power point presentation.

The City Council addressed the following:

- Contact the 150 stakeholders – prioritization of what the group discussed.
- Sponsors – sponsor a spoke in the wheel (Historical building being the center of

- the wheel).
- Talk to Grant Writer about item.
 - Review what the City can do.
 - Review additional lighting in the downtown.

At 10:48 p.m. Mayor Molina open the item to public comments.

Amy Hussar, Patterson – addressed the City Council asking for the City to look at the old gateways into Patterson. Mrs. Hussar addressed the item of the City to look at diversity – need for more diversity in Patterson. Mrs. Hussar suggested for the City to also discuss item with potential business owners and Stanislaus County Alliance. Mrs. Hussar addressed the City Council about the center building and its maintenance issues. Mrs. Hussar stated her support to start maintenance with the center building.

At 10:55 p.m. there being no further public comments, Mayor Molina closed the item from further public comments.

15. Council Items

15.1 City Council Reports

Mayor Molina:

- StanCOG (Councilmember McCord Alternate) – special meeting June 3, 2015 at 6 p.m. in the county offices. June 17, 2015 at 6 p.m. Regular Meeting scheduled at 6 p.m. in the County Offices.
- Stanislaus County Mayors Dinner – meeting June 10, 2015 in Riverbank.
- Patterson/West Stanislaus Fire Services Committee – nothing to report. (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 – nothing to report on items.

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

Councilmember Lustgarten:

- Stanislaus County Economic Development & Workforce “Alliance” (Councilmember Novelli Alternate) – meeting cancelled, will be rescheduled.
- Economic Development Action Committee (EDAC) – nothing to report. (Councilmember Novelli Alternate)

Westside Healthcare Task Force held a meeting, walks starting. Next meeting to be held at the end of the month.

Councilmember McCord – nothing to report.

- Westside Health Care Task Force

(Councilmember Lustgarten Alternate)

15.2 Other Matters

Councilmember Novelli addressed the following:

- Congratulated all the graduates this year.
- School district “United Pin”
- This year’s Apricot Fiesta, thanked Police, Fire and Staff for a successful event.
- 5th Anniversary Safety Fair coming Sat. Aug. 15, 2015 in downtown Patterson, working closely with the School District on the event.

Councilmember Lustgarten addressed the following:

- Congratulate all the students who graduated.
- Great Apricot Fiesta weekend.
- Shout out to Adam Gray AB1242 on water for County and surrounding areas.
- Patterson Police Services has their own Facebook page.
- Detective Peterson - Neighborhood watch programs are starting.

Mayor Pro Tem Farinha addressed the following:

- Congratulations to this year’s graduates.
- Patterson Apricot Fiesta event.

Mayor Molina addressed the following:

- United Patterson “Lapel Pin”, hats and T-shirts available.
- Child Safety Fair – Staff to order Banner for City Council.
- Happy Apricot Fiesta event this year.
- Suggestion for everyone to support other activities in the downtown.

16. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of June 2, 2015 was adjourned at 11:08 p.m.

Approved by the Patterson City Council on July 7, 2015.