

**AGENDA
CITY OF PATTERSON**



**CITY COUNCIL SPECIAL MEETING
March 1, 2016
6:00 p.m.**

(Closed Session)

**City Council Chambers
1 Plaza
Patterson, California**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (209) 895-8014. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

The agenda and supporting public documents are available for viewing in City Hall, Administration Department, 1 Plaza, 2nd Floor, Patterson, California. The agenda and supporting public documents are also available online on our City web site www.ci.patterson.ca.us listed under Popular Links "Agenda Center" and listed under the "Upcoming Events Calendar" under the date of the meeting or please call or email the City Clerk at (209) 895-8014 or cityclerk@ci.patterson.ca.us

If you wish to be notified of future meetings, please subscribe to "Notify Me" listed under Popular Links on our City of Patterson web site www.ci.patterson.ca.us

NOTICE IS HEREBY GIVEN that the City Council for the City of Patterson, California will hold a Special Closed Session Meeting on Tuesday, March 1, 2016 at 6:00 p.m. or shortly thereafter in the City Council Chambers, located at 1 Plaza, Patterson, California.

1. Call to Order

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

- a. Conference with Labor Negotiator per Government Code Section 54957.6. Agency Negotiator: Ken Irwin, City Manager. Employee Organization: International Association of Fire Fighters, Local 4577 Patterson Firefighters Association.

- b. Public Employment - City Manager Performance Evaluation (Pursuant to Government Code Section 54957)
- c. Conference with Legal Counsel, Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subsection (d) of California Government Code Section 54956.9 (1 case)

2. Statements of Conflict

3. Items from the Public

Pursuant to Government Code Section 54954.3(a), members of the public wishing to address the City Council may do so at the beginning of the meeting, and such comments shall be limited to the closed section meeting topic.

Any member of the audience desiring to address the Council regarding a matter on the agenda, please raise your hand or step to the podium at the time the item is announced by the Mayor. The public wishing to address the Council on items that do not appear on the agenda may do so; however, Council will take no action other than referring the item to staff for study and analysis and shall place item on a future agenda (Resolution 92-25)

In order that all interested parties have an opportunity to speak, any person addressing the Council will be limited to a maximum of five (5) minutes unless the Mayor grants a longer period of time (Resolution 92-25)

4. Adjourn to Closed Session

5. Report from Closed Session (if any)

6. Adjournment

DECLARATION OF POSTING

I, Maricela Vela, City Clerk of the City of Patterson, California do hereby declare that the foregoing notice was posted on the Bulletin Board at City Hall, 1 Plaza, Patterson, California on February 25, 2016.

The Agenda is also posted for public view on the Bulletin Boards of the Hammon Senior Center, 1033 W. Las Palmas, Patterson, the Patterson Branch Library, 46 N, Salado Avenue, Patterson, and the City of Patterson City Web Site www.ci.patterson.ca.us

Maricela Vela, City Clerk, City of Patterson
Direct No. (209) 895-8014
Email cityclerk@ci.patterson.ca.us

Date Posted: February 25, 2016

**AGENDA
CITY OF PATTERSON**



**CITY COUNCIL REGULAR MEETING
March 1, 2016
7:00 p.m.**

**City Council Chambers
1 Plaza
Patterson, California**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (209) 895-8014. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

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If you wish to be notified of future meetings, please subscribe to "Notify Me" listed under Popular Links on our City of Patterson web site www.ci.patterson.ca.us

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Statements of Conflict**
- 4. Items from the Public**

Any member of the audience desiring to address the Council regarding a matter on the agenda, please raise your hand or step to the podium at the time the item is announced by the Mayor. The public wishing to address the Council on items that do not appear on the agenda may do so; however, Council will take no action other than referring the item to staff for study and analysis and shall place item on a future agenda (Resolution 92-25)

In order that all interested parties have an opportunity to speak, any person addressing the Council will be limited to a maximum of five (5) minutes unless the Mayor grants a longer period of time (Resolution 92-25)

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 2, 2016 and February 16, 2016 ([View Report](#))
- 5.3 Approve Resolution No. 2016-21, Proclaiming Arbor Week during March 7-14, 2016 in the City of Patterson ([View Report](#))
- 5.4 Approve Street Closure for the Patterson Apricot Fiesta, Scheduled for June 2 – June 5, 2016 ([View Report](#))
- 5.5 Approve Street Closure for the Sacred Heart Church, Live Stations of the Cross, on March 25, 2016 ([View Report](#))
- 5.6 Adopt a Section 115 Employee Benefit Trust for Retiree Health Reimbursements (Resolution No. 2016-20) ([View Report](#))

6. Presentations and Public Hearings

- 6.1 **Public Hearing:** Motion to Approve First Reading and Introduction of Ordinance No. 792, Amending Chapters 1.36 and 1.44 of the Patterson Municipal Code to Establish Procedures for Issuing Administrative Citations ([View Report](#))

Ordinance No. 792, An Ordinance of the City Council of the City of Patterson Amending Chapters 1.36 and 1.44 of the Patterson Municipal Code to establish Procedures for Issuing Administrative Citations.

Staff Report: City Attorney Hallinan, Chief of Police Dirkse

Mayor: Open/Close Public Hearing

Council: Read Ordinance No. 792, Title Only As Listed Above

Council: Motion to Approve First Reading and Introduction of Ordinance No. 792, Reading by Title Only, Waiving Further Reading

- 6.2 **Public Hearing:** Motion to Approve First Reading and Introduction of Ordinance No. 793 to Add Chapter 10.42 to City of Patterson Municipal Code Regarding Funeral Procession Escorts ([View Report](#))

Patterson Municipal Code Regarding Funeral Procession Escorts.

Staff Report: City Attorney Hallinan,
Police Chief Dirkse

Mayor: Open/Close Public Hearing

Council: Read Ordinance No. 793, Title Only As Listed Above

Council: Motion to Approve First Reading and Introduction of Ordinance No. 793, Reading by Title Only, Waiving Further Reading

7. City Staff Reports

7.1 City Attorney

- a. Approve Resolution No. 2016-22 Adopting Line Drawing Criteria for Council Districts and Discussion of Project Schedule ([View Report](#))

Staff Report: City Attorney Hallinan

- b. Consideration of Ordinance No. 789, Amending Chapter 2.08 of the Patterson Municipal Code regarding rules and regulations for the City of Patterson's City Council Meetings ([View Report](#))

Ordinance No. 789, Amending Chapter 2.08 of the Patterson Municipal Code regarding rules and regulations for the City of Patterson's City Council Meetings.

Staff Report: City Attorney Hallinan

Council: Read Ordinance No. 789, Title Only As Listed Above

Council: Motion to Approve First Reading and Introduction of Ordinance No. 789, Reading by Title Only, Waiving Further Reading

7.2 Ordinances (Second Reading and Adoption)

- a. Ordinance No. 790, An Ordinance of the City Council of the City of Patterson Approving a Second Amendment to the First Amended and Restated Development Agreement by and Between the City of Patterson, Keystone Pacific Business Park West, LLC ([View Report](#))

Council: Read Ordinance No. 790, Title Only As Listed Above

Council: Motion to Approve Second Reading of Ordinance No. 790, Reading by Title Only, Waiving Further Reading

Council: Motion to Adopt Ordinance Nos. 790, Reading by Title Only, Waiving Further Reading

- b. Ordinance No. 791, An Ordinance of the City Council of the City of

Patterson Adding Chapter 1.26 Filing Methods of Campaign Disclosure Statements of the Patterson Municipal Code ([View Report](#))

Council: **Read Ordinance No. 791, Title Only As Listed Above**

Council: **Motion to Approve Second Reading of Ordinance No. 791, Reading by Title Only, Waiving Further Reading**

Council: **Motion to Adopt Ordinance No. 791, Reading by Title Only, Waiving Further Reading**

8. Council Items

- 8.1 Approve the Appointment/Reappointment of three (3) Members to the Patterson Hammon Senior Center Board of Directors (Councilmember Farinha, Mayor Molina) ([View Report](#))

Select Two (2) Members for Terms of January 2016 to January 2018.
Select One (1) Member for Term of January 2015 to January 2017.

- Dolores Raymundo
- Nive Nua
- Alfred Parham
- Pat Maisetti

8.2 City Council Reports

Mayor Molina:

- StanCOG (Councilmember McCord Alternate)
- Stanislaus County Mayors Dinner
- Patterson/West Stanislaus Fire Services Committee
(Councilmember Farinha 1st Alternate, Councilmember Novelli 2nd Alternate)
- Stanislaus County Disaster Council (Councilmember McCord Alternate)

Mayor Pro Tem Novelli:

- Patterson Representative – League of California Cities (LOCC)
(Councilmember Lustgarten Alternate)
- Stanislaus County Economic Development & Workforce “Alliance”
(Councilmember Novelli Alternate)
- Economic Development Action Committee (EDAC)
(Councilmember Novelli Alternate)

Councilmember Farinha:

- 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 McCord:

- Westside Health Care Task Force

Councilmember Lustgarten:

8.3 Other Matters

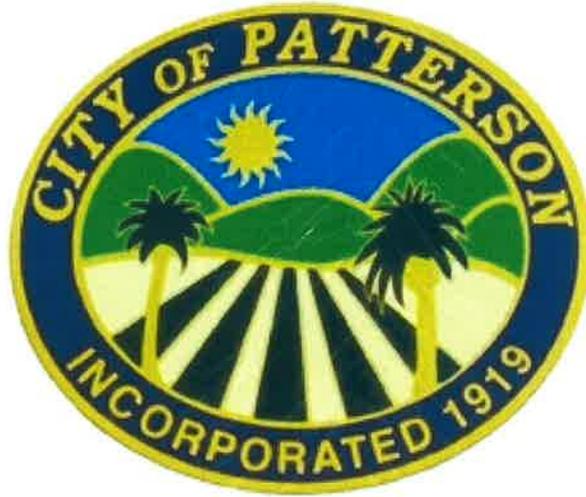
Councilmember McCord:

- Westside Health Care Task Force

Councilmember Lustgarten:

8.3 Other Matters

9. Adjournment



5. CONSENT CALENDAR



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Maricela Vela, City Clerk

MEETING DATE: March 1, 2016

ITEM NO: 5.2

SUBJECT: Approve City Council Meeting Minutes of February 2, 2016 and February 16, 2016.

RECOMMENDATION

Motion to approve the City Council Meeting Minutes of February 2, 2016 and February 16, 2016.

City of Patterson
City Council Special Meeting
February 2, 2016
Minutes
(Closed Session)

1. Call to Order

The special meeting of the City Council of the City of Patterson was called to order in City Hall, City Council Chambers, 1 Plaza, Patterson at 6:05 p.m. by Mayor Molina.

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

Staff: City Manager Irwin, City Attorney Hallinan, Deputy City Attorney White, AIMS Claims Adjuster Robert Smoke (4)

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:

- a. Conference with Legal Counsel, Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subsection (d) of California Government Code Section 54956.9 (3 cases)
- b. Public Employment – City Manager Performance Evaluation (Pursuant to Government Code Section 54957)
- c. Conference with Legal Counsel, Existing Litigation Pursuant to Subdivision (d) of Paragraph (1) of California Government Code Section 54956.9. Name of Case: City of Patterson v. Sheree Lustgarten, Case No. 2015853.

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 at 6:06 p.m.

5. Report from Closed Session (if any)

At 7:32 p.m. the Patterson City Council came out of Closed Session.

Mayor Molina reported that City Council provided direction to staff.

There were no other items reported out from Closed Session.

6. Adjournment

There being no further business, the special (Closed Session) meeting of the City Council of the City of Patterson of February 2, 2016 was adjourned at 7:35 p.m.

Maricela Vela, City Clerk of the City of Patterson

City of Patterson
City Council Regular Meeting
February 2, 2016
Minutes

1. Call to Order

The regular meeting of the City Council of the City of Patterson was called to order in City Hall, City Council Chambers, 1 Plaza, Patterson at 7:35 p.m. by Mayor Molina.

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

Staff: City Manager Irwin, City Attorney Hallinan, Public Works Director Willett, City Planner Andrews, Recreation & Community Services Director Flanders, Interim Fire Chief Gregory, Police Chief Dirkse, Finance Director Ryan, Deputy Public Works Director Andrade, Interim Human Resources Smith, Public Works Management Analyst Basalusalu, City Accountant Callum, City Engineer Ulloa and City Clerk Vela (14)

Excused: Public Works Director Willett (1)

2. Pledge of Allegiance

3. Statements of Conflict

Councilmember Novelli stated she had a Conflict of Interest with Consent Calendar Item 5.3 and therefore would not be discussing or voting on the item.

Councilmember Lustgarten stated she had a Conflict of Interest with Consent Calendar Item 5.9 and therefore would not be discussing or voting on the item.

4. Items from the Public

Armin Arrambide, Patterson (Representing the Knights of Columbus) – addressed the City Council on the item of funeral processions. Mr. Arrambide requested to work something out soon with the City in regards to funeral processions. Mr. Arrambide addressed the item of training and getting the CERT people involved.

Pastor Benefield, Patterson – addressed the City Council speaking in supports of the City having a funeral procession ordinance. Pastor Benefield stated this would be very helpful to the family.

Peter LaTorre, Patterson – addressed the City Council speaking in support of the City having a funeral procession ordinance. Mr. LaTorre stated it would make a big different to get people across to Hwy 33 safely.

Mark Kuhn, Patterson (Hillview Funeral Chapel) – addressed the City Council speaking in support of the City having a funeral procession ordinance.

Elias Funez, Patterson – addressed the City Council for an update regarding the recent shootings in Patterson.

Police Chief Dirkse updated the public and council on the recent shootings in Patterson.

Daniel Cruz, Patterson – addressed the City Council asking questions about the recent shootings in Patterson. Mr. Cruz asked if the City was going to get their own police department. Mr. Cruz stated the need for more police officers.

Police Chief Dirkse addressed Mr. Cruz's questions/concerns.

Councilmember Novelli addressed AB109. Councilmember Novelli suggesting for the public to write letters to the legislature for change.

Armin Arrambide, Patterson – addressed the City Council on the item of talking to people on the streets, work with them on what is needed in Patterson. Mr. Arrambide stated it was up to the citizens to help their community.

Bill Oxenrider, 852 Orkney Drive, Patterson – addressed the City Council about the recent shootings in Patterson. Mr. Oxenrider suggested for Police Chief Dirkse to update the public in general when these types of things happened.

Police Chief Dirkse addressed the Patterson Police Department, police officers staffing and social media.

Amanda Hillsdale, Patterson Neighborhood Watch – addressed the City Council and Police Chief Dirkse on the item of the City contracting with the Stanislaus County Sheriff's Department v. the City having their own Patterson Police Department.

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 December 1, 2015, December 15, 2015 and January 19, 2016.

Elias Funez, Patterson – addressed the City Council on the minutes of December 15, 2015 requesting to correct the minutes by striking out/removing (deleting) the last sentence of his statement under Item No. 4, Items from the Public. The City Council was in consensus. The City Clerk to correct the minutes as stated.

Councilmember Lustgarten addressed her concerns about the City Council's report out from Closed Session with regards to the City of Patterson v. Sheree Lustgarten, Case No. 2015853:

City Council Closed Session meeting of December 1, 2015, Item No. 1. d.
City Council Closed Session meeting of January 19, 2016, Item No. 1. e.

Councilmember Lustgarten addressed the City Sunshine Ordinance she brought to City Council recently for review.

City Attorney Hallinan addressed Councilmember Lustgarten's Sunshine Ordinance. Councilmember Lustgarten to forward her original Sunshine Ordinance to City Manager Irwin.

Staff to forward any notes (minutes) and any comments received from Council, Staff and public in regards to the Sunshine Ordinance to the City Council and the City Manager for review.

The City Council was in consensus to schedule a workshop to review the proposed Sunshine Ordinance. City Council, Staff and the public to review the Sunshine Ordinance and forward their comments to the City Manager and/or City Clerk.

The setting of a date/time to hold a workshop to review a City Sunshine Ordinance to be place on the agenda for City Council to schedule.

- 5.3 Approval of the Patterson Management and Mid-Management Employee Association (PMMEA) Memorandum of Understanding (MOU) and Budget Amendment to the Fiscal Year 2015-16 Adopted Budget for the General and Other Funds (Resolution No. 2016-07)
- 5.4 Approve Resolution No. 2016-08, A Budget Amendment to the City of Patterson's Adopted Budget for Fiscal Year 2015/16 General Fund for the City's Recreational Youth Soccer Program.
- 5.5 Consider and Approve the Patterson Youth Softball and Baseball Association Co-Sponsored Agreement for the 2016 Season.
- 5.6 Approve Resolution No. 2016-09, Accepting the Two 10' Storm Drain Easements from Keystone Pacific Business Park, LLC.
- 5.7 Approve Resolution No. 2016-10, Rejecting the Claim of America Lee in an Amount of \$5,577.49 for Alleged Damages.
- 5.8 Approve Resolution No. 2016-11, Rejecting the Claim of Erma England in an Amount of \$130 for Alleged Damages.
- 5.9 Approve Resolution No. 2016-12, Rejecting the Claim of Cynthia Rae Homen in an Unknown Amount for Alleged Damages.

Councilmember Lustgarten moved to approve Consent Calendar Items 5.1 through 5.9, omitting Item No. 5.3. The motion was seconded by Councilmember Farinha and approved by a 5-0 roll call vote.

Councilmember Lustgarten moved to approve Consent Calendar Item 5.1 through 5.9, omitting Item No. 5.9. The motion was seconded by Councilmember Farinha and approved by a 5-0 roll call vote.

6. Presentations and Public Hearings

- 6.1 Presentation: Introduction of New City Employees
(City Manager Irwin)

City Manager Irwin introduced the following:

Saadiah Ryan-Awahid – City’s New Finance Director.
Daniel Rodriguez – Fire Department Paramedic Firefighter.
Steven Kuchac – Fire Department Paramedic Firefighter.

- 6.2 Presentation: Proclamation – Javier Gonzalez - Retirement
(Mayor Molina)

Mayor Molina presented Javier Gonzalez with a proclamation honoring him on his retirement and dedicated 28 years of service to the City of Patterson.

- 6.3 Public Hearing: Approve the 2015-2023 HCD Draft City of Patterson
Housing Element.

City Planner Andrews reviewed his staff report.
Ted Holzem, Senior Planner with Mintier Harnish reviewed his staff report.

At 8:44 p.m. Mayor Molina opened the Public Hearing to public comments.

Elias Funez, Patterson – addressed the City Council asking questions about (NIMBY) Not In My Back Yard and if an extra provision was added to the 2015-2013 HCD Draft City of Patterson Housing Element.

Mayor Molina moved to approve the 2015-2023 HCD Draft City of Patterson Housing Element. The motion was seconded by Councilmember McCord and unanimously approved by a 5-0 roll call vote.

- 6.4 Public Comment/
Action Item: Authorize Mistletoe Abatement; Authorize Staff to Enter
into a Small Value Contract with the Contractor Selected to
Abate the Mistletoe; and Authorize Staff to Bill the
Property Owners (Resolution No. 2016-13)

Deputy Public Works Director Andrade reviewed his staff report.

At 8:50 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Councilmember Lustgarten moved to approve Resolution No. 2016-13. The motion was seconded by Councilmember McCord and unanimously approved by a 5-0 roll call vote.

7. City Staff Reports

City Attorney

Consideration of Ordinance No. 789, Amending Chapter 2.08 of the Patterson Municipal Code regarding Rules and Regulations for the City of Patterson's City Council Meetings.

Ordinance No. 789, An Ordinance of the City Council of the City of Patterson, Revising Chapter 2.08 City Council Meetings of Title 2 of the Patterson Municipal Code.

City Attorney Hallinan reviewed his staff report.

Councilmember McCord stated he could not attend the 2nd and 4th Wednesday of each month.

Mayor Molina stated he could not attend the 3rd Wednesday of each month due to StanCOG meetings on the 3rd Wednesday of each month at 6 p.m. (Mayor Molina being the City's Representative on StanCOG, Councilmember McCord being the Alternate)

At 8:58 p.m. Mayor Molina opened the item to public comments.

Chinyere Jack, Patterson – addressed the City Council asking questions about reschedule the meetings and the reasons why the City Council was changing the current City Council meetings schedule.

Elias Funez, Patterson – addressed the City Council suggesting that closed session start an extra ½ hour early, so that it doesn't go into the regular open session agenda.

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

Mayor Pro Tem Farinha Read Ordinance No. 789, reading by title only.

Mayor Pro Tem Farinha motioned to approve First Reading and Introduction of Ordinance No. 789, with the change that City Council meetings take place on the ***first and third Wednesday of each month***, reading by title only, waiving further reading.

(There was no second to Mayor Pro Tem Farinha's motion)

Councilmember Novelli asked for discussion on the motion.

City Council clarified that there was a motion on the table by Councilmember Lustgarten, seconded by Councilmember Novelli before Mayor Pro Tem Farinha's motion.

Councilmember Lustgarten motioned to table item to the next City Council meeting. The motion was seconded by Councilmember Novelli. Mayor Pro Tem Farinha asked for discussion on the motion.

Councilmember Novelli stated she needed more time to review all options. Mayor Molina addressed his concerns with regards to the City Council not having a representative on StanCOG.

Councilmember Lustgarten motioned to postpone the item to the next City Council meeting of February 16, 2016. The motion was seconded by Councilmember Novelli and approved by a 4-1 roll call vote. Mayor Pro Tem Farinha voted no.

8. Council Items

- 8.1 Approve the Appointment/Reappointment of three (3) City Representatives to Patterson's Parks, Recreation & Beautification Commission (Terms of May 2015 - May 2017) (Mayor Molina, Councilmember McCord)

Councilmember Lustgarten motion to approve reappointing Vivian Ratliff and appointing Kelvin Love and Chinyere Jack as the City's representatives to the Patterson Parks, Recreation & Beautification Commission (Terms of Office May 2015 – May 2017). The motion was seconded by Mayor Pro Tem Farinha and unanimously approved by a 5-0 roll call vote.

Mayor Molina reported that Elias Funez and Rob Cozart where appointment as the School representatives by the School Board of Trustees on February 1, 2016 (Terms of Office May 2016 – May 2018).

At 9:18 p.m. Mayor Molina opened the item to public comments. There were no public comments.

- 8.2 Selection of Mayor Pro Tem for 2016 (Mayor Molina)

The City Council was in consensus to select Councilmember Novelli as the City's Mayor Pro Tem for 2016.

- 8.3 City Council Reports

Mayor Molina:

- StanCOG (Councilmember McCord Alternate) – meeting scheduled for Feb. 17, 2016 at 6 p.m. 1111 I Street, 3rd Floor, Modesto.
- Stanislaus County Mayors Dinner – meeting scheduled for Feb. 10, 2016 in the City of Hughson.
- 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:

- Patterson Representative – League of California Cities (LOCC) – addressed the Marijuana Ordinance, City Attorney Hallinan updated the Council and Public.
- Stanislaus County Economic Development & Workforce “Alliance” (Councilmember Novelli Alternate) – nothing to report.
- Economic Development Action Committee (EDAC) – nothing to report. (Councilmember Novelli Alternate)

Councilmember Lustgarten – nothing to report.

Councilmember McCord – nothing to report on item.

- Westside Health Care Task Force

8.4 Other Matters

Mayor Molina addressed his last State of the City Address scheduled for Monday, February 29, 2016 in City Hall, City Council Chambers or Hammon Senior Center. Time and location of meeting to be announced at the next regular city council meeting of February 16, 2016.

Councilmember Novelli thanked City staff for all their work with the public with this weather, the flooding, the sandbags, keeping the streets safe, etc.

9. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of February 2, 2016 was adjourned at 9:24 p.m.

Maricela Vela, City Clerk of the City of Patterson

City of Patterson
City Council Special Meeting
February 16, 2016
Minutes
(Closed Session)

1. Call to Order

The special (Closed Session) meeting of the City Council of the City of Patterson was called to order in the City Council Chambers, 1 Plaza, Patterson at 6:06 p.m. by Mayor Molina.

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

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

Excused: Councilmember Farinha (1)

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:

- a. Conference with Legal Counsel, Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subsection (d) of California Government Code Section 54956.9 (2 cases)
- b. Conference with Legal Counsel, Existing Litigation Pursuant to Subdivision (d) of Paragraph (1) of California Government Code Section 54956.9. Name of Case: City of Patterson v. Sheree Lustgarten, Case No. 2015853.

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)

Deputy City Attorney White reported the following from Closed Session: Mayor and Councilmembers by unanimous vote and in light of Judge Freeland's order today extending the restraining order against Councilmember Lustgarten for two years and her recent admission to multiple past criminal convictions, the City Council unanimously reiterates its call that Councilmember Lustgarten resign her position of Councilmember for the City of Patterson immediately. Also by unanimous vote, the City Council has directed staff to provide the Patterson

Irrigator and Modesto Bee with an explanation of why the City Council has sought and prevail in legal actions against Ms. Lustgarten. That's the report from closed session.

6. Adjournment

There being no further business, the special (Closed Session) meeting of the City Council of the City of Patterson of February 16, 2016 was adjourned at 7:03 p.m.

Maricela Vela, City Clerk of the City of Patterson

City of Patterson
City Council Regular Meeting
February 16, 2016
Minutes

1. Call to Order

The regular meeting of the City Council of the City of Patterson was called to order in City Hall, City Council Chambers, 1 Plaza, Patterson at 7:04 p.m. by Mayor Molina.

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

Staff: City Manager Irwin, Deputy City Attorney White, Interim Human Resources Manager Smith, Deputy Public Works Director Andrade, Public Works Administrative Manager Delgado, Public Works Management Basalusalu, City Engineer Ulloa, Interim Fire Chief Gregory, City Planner Andrews, Finance Director Ryan, Recreation & Community Services Director Flanders, Police Chief Dirkse and City Clerk Vela (13)

Excused: Councilmember Farinha, City Attorney Hallinan, Public Works Director Willett (3)

2. Pledge of Allegiance

3. Statements of Conflict – none.

4. Items from the Public

Auria Newton, Anjalese Arrango, Ana Andrade, Deja Nair and Erica Ayala – representing “Invest in Me” - addressed the City Council on the item of an Inaugural Empowerment Conference, Saturday, February 27, 2016 from 8 a.m. to 2:30 p.m. at the Hammon Senior Center, conference is free and open to 7th - 12th grade students and Westside youths.

Donna Miller, Patterson, present on behalf of the Sacred Heart Parish Counsel – addressed the City Council on the issue of lighting in Patterson around Sacred Heart Church being very bad. Staff to address issue with Sacred Heart Parish Business Manager Tammy Ulibarri.

Mary-Michal Rawling, Director of Government Affairs, Golden Valley Health Centers – addressed the City Council inviting them to an Open House Patterson Dental Center, Thursday, March 3, 2016 from 5 - 6:30 p.m. at 200 “C” Street, Patterson.

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 Department Reports for the Month of January 2016 (Community Development, Fire, Public Works and Recreation & Community Services)
- 5.3 Approve City Commission Reports for the Month of January 2016 (Parks, Recreation & Beautification Commission and Planning Commission)
- 5.4 Approve Resolution No. 2016-13, Accepting the Orange Avenue Sewer Lift Station Replacement Project as Complete, Authorizing Staff to File the Notice of Completion and Commence the One-Year Warranty Period.
- 5.5 Approve Resolution No. 2016-14, Accepting the 640 sq. ft. Utility Access and Maintenance Easement from Stateside Equipment Leasing.
- 5.6 Accept all Bids for the Downtown Infrastructure Project – CDBG 4th Street Phase II Project and Award Construction to Mazingo Construction and Authorize Staff to Execute the Contract and all other Documents.

City Manager Irwin and City Engineer Ulloa addressed Consent Calendar Item 5.6.

- 5.7 Approve CalPERS Employer Contribution Resolution No. 2016-02.
- 5.8 Approve Resolution (No. 2016-16) Authorizing Staff to Apply for the Land And Water Conservation Fund Grant-In-Aid.
- 5.9 Approve Resolution (**No. 2016-17**) A Resolution of the City Council of the City of Patterson Identifying and Dedicating Pledged Revenues and Funds to Payment of Clean Water State Revolving Fund (SRF) Financing. Approve Resolution (**No. 2016-18**) A Resolution of the City Council of the City of Patterson Authorizing the Reimbursement of Funds Requested from the State Water Resources Control Board under the Clean Water State Revolving Fund (SRF)
- 5.10 Motion to approve Resolution No. 2016-19, A Resolution Approving Amendment to the Joint Powers Agreement of the Stanislaus Council of Governments.

Councilmember McCord moved to approve Consent Calendar Items 5.1 through 5.9. The motion was seconded by Mayor Pro Tem Novelli and approved by a 4-0 roll call vote.

Councilmember McCord moved to approve Consent Calendar Item 5.10. The motion was seconded by Mayor Pro Tem Novelli and approved by a 3-0 roll call vote. Councilmember Lustgarten abstained.

6. Presentations and Public Hearings

6.1 Presentation: StanCOG Presentation – Transportation Expenditure Plan for Stanislaus Region.

- Rosa De León Park, StanCOG Executive Director
- Kendall Flint, StanCOG Director of Communications

StanCOG Executive Director Rosa De Leon Park reviewed her report – power point presentation.

At 7:30 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Jacob Hussar, 2nd Grader, Patterson – addressed the City Council on the item of the need for more bike lanes on M Street.

At 7:33 p.m. there being no further public comments, Mayor Molina closed the item from further public comments.

6.2 Presentation: 2015 Legislative Update (Churchwell White LLP)

Legislative Advocate Celia Mata with Churchwell White LLP reviewed her report – power point presentation.

Deputy City Attorney White reported that a no cost to the City proposal to Lobby Legislature on behalf of the City of Patterson would be brought to the City Council in the near future for their review/approval.

The City Council addressed the item of Redevelopment through Bonding – item to be place on a near future City Council meeting for review.

6.3 Public Hearing: Second Amendment to the First Amended and Restated Development Agreement between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC.

Ordinance No. 790, An Ordinance of the City Council of the City of Patterson Approving a Second Amendment to the First Amended and Restated Development Agreement by and between the City of Patterson, Keystone Pacific Business Park West, LLC.

Mayor Molina Read Ordinance No. 790, reading by title only, waiving further reading.

City Planner Andrews reviewed his staff report.

At 7:53 p.m. Mayor Molina opened the Public Hearing to public comments.

Keith Schneider, Keystone Corporation – addressed the City Council speaking in support of the proposed Ordinance No. 790, Second Amendment to the First Amended and Restated Development Agreement by and between the City of Patterson, Keystone Pacific Business Park West, LLC.

Deputy City Attorney White reviewed his report.

At 7:58 p.m. there being no further public comments, Mayor Molina closed the Public Hearing.

Mayor Pro Tem Novelli moved to approve First Reading and Introduction of Ordinance No. 790, reading by title only, waiving further reading. The motion was seconded by Councilmember Lustgarten and approved by a 4-0 roll call vote.

7. **City Staff Reports**

City Manager

Approve First Reading and Introduction of Ordinance No. 791, Relating the Approval of Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements, as Allowed and Authorized by Government Code Section 84615

Ordinance No. 791, An Ordinance of the City Council of the City of Patterson Adding Chapter 1.26 Filing Methods of Campaign Disclosure Statements of the Patterson Municipal Code.

City Manager Irwin reviewed his staff report.

At 8:00 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Councilmember Lustgarten Read Ordinance No. 791, reading by title only, waiving further reading.

Councilmember Lustgarten moved to approve First Reading and Introduction of Ordinance No. 791, reading by title only, waiving further reading. The motion was seconded by Mayor Pro Tem Novelli and approved by a 4-0 roll call vote.

8. **Council Items**

8.1 City Council Reports

Mayor Molina:

- StanCOG (Councilmember McCord Alternate) – meeting scheduled for Feb. 17, 2016 at 1111 I Street, 3rd Floor, Modesto.
- Stanislaus County Mayors Dinner – meeting scheduled for March 9, 2016 in the City of Oakdale.
- 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 Novelli:

- Patterson Representative – League of California Cities (LOCC) – addressed Redevelopment Bonds.
- Stanislaus County Economic Development & Workforce “Alliance” (Councilmember Novelli Alternate) – nothing to report.
- Economic Development Action Committee (EDAC) (Councilmember Novelli Alternate) – nothing to report.

Councilmember 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 McCord – nothing to report.

- Westside Health Care Task Force

Councilmember Lustgarten:

8.2 Other Matters

Councilmember Lustgarten addressed the Patterson Police Department Facebook Page – new trainings in a partnership.

Mayor Pro Tem Novelli addressed the passing away of Paul Spencer this week.

Mayor Molina addressed his last Mayor’s State of the City Address, scheduled for Monday, February 29, 2016 at 6:30 p.m. at the Hammon Senior Center.

9. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of February 16, 2016 was adjourned at 8:05 p.m.

Maricela Vela, City Clerk of the City of Patterson



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Mike Willett, Director of Public Works

MEETING DATE: March 1, 2016

ITEM NO: 5.3

SUBJECT: Approve Resolution No. 2016-21 Proclaiming Arbor Week during March 7-14, 2016 in the City of Patterson

RECOMMENDATION

Approve Resolution No. 2016-21 Proclaiming Arbor Week during March 7-14, 2016 in the City of Patterson.

BACKGROUND

The City of Patterson and many other communities in California are working together to promote and support the importance of California Arbor Week. The City of Patterson understands the importance of trees and its goal to preserve as many trees as possible to obtain the benefits they supply such as reduced energy costs, increased property values, aesthetics, and clean air.

Currently, the City has an Urban Forestry Division and Parks Division whose primary responsibility is to maintain and preserve over 12,800 street and park trees. However, it is important that the City expands its efforts to the community through education and public outreach.

ANALYSIS

The first step in this effort to recognize the statewide campaign instituted by California ReLeaf. California ReLeaf works statewide to promote alliances among community-based groups, individuals, industry, and government agencies, encouraging each to contribute to the livability of our cities and the protection of our environment by planting and caring for trees. Since 1992, California ReLeaf has distributed over \$3 million to nonprofit and community-based groups throughout the state for the planting and care of trees on public property, education and outreach projects, and volunteer development programs.

Every year from March 7-14, Californians celebrate Arbor Week by planting and maintaining trees within their communities. This year the Mayor will be proclaiming Arbor Week on behalf of the city and a commitment to having a week-long celebration involving educational tree

planting events. This year's main event has been scheduled for March 9, 2016 at Floragold Park (Shearwater/American Eagle) from 1:30-3:30pm. There will be food, activity stations, prizes, and free giveaways. There will also be educational plantings earlier in the week. Dates and locations are below:

- Monday, March 7, 2016- Northmead Elementary School
- Tuesday, March 8, 2016-Walnut Grove Elementary
- Wednesday, March 9, 2016-Floragold Park from 1:30-3:30pm. Floragold Park is on the corner of Shearwater and American Eagle.

We are hoping to engage as many students and community members as possible. Previous celebrations have involved groups such as the Girl and Boy Scouts of America, the Youth Action Commission, CAL FIRE, the Patterson Joint Unified School District and their after school programs, and the Beautification and Parks and Recreation Committees.

This event could not have been possible without the grant funding from the CAL FIRE Green House Gas Reduction Fund (GGRF).

FISCAL IMPACT

Funds for this event will be obtained from the CAL FIRE GGRF and the various budgets approved for public education.

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RESOLUTION NO. 2016-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
PROCLAIMING ARBOR WEEK DURING MARCH 7 – 14, 2016 IN
THE CITY OF PATTERSON**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Patterson as follows:

WHEREAS, Arbor Day is celebrated nationally to encourage Americans to maintain and replenish our country's vast forests, orchards, and woodlands; and

WHEREAS, In California, we also observe Arbor Day starting on the birthday of Luther Burbank, a famed California horticulturalist whose life's labor produced hundreds of plants and trees that have contributed to the natural splendor and food production in our state; and

WHEREAS, California Arbor Week has the involvement of the City of Patterson; and

WHEREAS, the City of Patterson is improving our community by planting trees and working to improve the quality of life in Patterson; and

WHEREAS, Trees are a valuable economic asset in our cities that help maintain or increase property values and attract business and new residents in urban areas; and

WHEREAS, Trees play an important role in energy conservation by modifying temperature extremes with shade and humidity, and are particularly important in reducing the amount of energy consumed in heating and cooling buildings and homes; and

WHEREAS, Trees planted in urban areas play a significant role in meeting the state's greenhouse gas emission reduction targets by sequestering carbon as well as reducing energy consumption; and

WHEREAS, Trees directly contribute to improving California's air quality by reducing air pollution by removing airborne particulates from the atmosphere and helping to purify the air; and

WHEREAS, Trees play a significant role in protecting and purifying California's limited water resources by reducing surface runoff, contributing to storm water management activity and protecting urban water resources; and

WHEREAS, Trees provide essential habitat for much of California's wildlife, including many listed, threatened, and endangered species; and

WHEREAS, Trees enhance the aesthetic quality of life in urban communities by providing a natural buffer for surface noise and natural recreational resource for California's children and at-risk youth;



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Juliene Flanders, Director of Recreation & Community Services

MEETING DATE: March 1, 2016

ITEM NO: 5.4

SUBJECT: Approve Street Closure for the Patterson Apricot Fiesta, Scheduled for June 2 – June 5, 2016.

RECOMMENDATION

Approve Street Closure for the Patterson Apricot Fiesta, scheduled for June 2 – June 5, 2016

BACKGROUND

The Apricot Fiesta is requesting street closures and for its annual Downtown Event

The request for street closures is as follows:

EVENT

South Salado – Center Circle – Hwy 33	6/2/16	8:00 am – 6/5/16	8:30 pm
East Las Palmas – Center Circle – Hwy 33	6/3/16	8:00 am – 6/5/16	8:30 pm
All Streets from Center Circle to Alley	6/3/16	8:00 am – 6/5/16	8:30 pm
All Streets from the Center Circle – El Circulo	6/3/16	12:00 noon – 6/5/16	8:30 pm

Street affected are:

- West Las Palmas Avenue
- East Las Palmas Avenue – Between North & South Park
- South 3rd Street
- North 3rd Street
- South Del Puerto
- North Del Puerto
- North Salado

ANALYSIS

Patterson Apricot Fiesta has complied with submitting the following information:

- Letter of Intent to Provide Event
- Completed Application
- Contact Public Works for all park reservation

Items Pending:

- Event Insurance and Additionally Insured Endorsement
- Contact Patterson Police Department to make arrangements for staffing, Alcohol Permit, ABC License, Amplified Sound Permit. 209-892-5071.
- Contact the Fire Department to review all needed requirements for Tents, vendors and Fireworks.
- Contact the Finance Department to discuss Business license and vendor information.
- Work with City to schedule a shakedown meeting in April for all City Departments and Apricot Fiesta Board to meet and review event.

FISCAL IMPACT

The total cost of \$25,594.82, for the Street Closure portion of the event, will be an In-Kind contribution, from the City of Patterson to the Apricot Street Fair event: transferred from Apricot Fiesta Event fund Account – 100-120-6607

Labor:

Number of Staff to Set up/Close Circle = 4	
4 Employees @ 4 Hours Total	\$ 560.88
Number of Staff to Work Each Day of Event:	
Friday Night – 6 Employees @ 54 Hours Total	\$4,456.62
Saturday – 12 Employees @ 97 Hours Total	\$8,005.41
Sunday – 10 Employees @ 85 Hours Total	\$7,015.05
Labor Total	\$20,037.96

Equipment:

Arrow Signal Board (3 Days)	
\$75/per day	\$225.00
¾ Ton Truck (4 Trucks)	
160 Hours x \$12.32/hour	\$1,971.20
Street Sweeper	
\$95.00/Hr	
Friday Night – 2 hours	\$ 190.00
Saturday – 4 hours	\$ 380.00
Sunday Night – 2 hours	<u>\$ 190.00</u>
	\$ 760.00
Equipment Total =	\$ 2,956.20

Labor	\$20,037.96
Equipment	\$2,956.20
Sub Total	\$22,994.16
11% Administrative Fee	\$ 2,529.35

Encroachment Permit	\$ 71.31
Total	= \$25,594.82

APPLICANT INFORMATION

Instructions: Please carefully read "Submitting Your Special Event Permit Application", page 3 before completing this application.

Name of Applicant/Responsible Party (Must match the signature on page 17) Marilyn Hoobler

Street Address 26 South 3rd Street Apt/Unit/Suite Suite "G"

City Patterson State CA Zip Code 95363

Email Address patterson-apricot-fiesta@hotmail.com

Daytime Phone (209) 892-3118 Cell Phone (209) 535-1616 Fax (209) 892-3388

Name of Event Organizer/Producer (if different from Applicant) SHINE

Street Address _____ Apt/Unit/Suite _____

City _____ State _____ Zip Code _____

Email Address _____

Daytime Phone _____ Cell Phone _____ Fax _____

Sponsoring Organization/Company Patterson Apricot Fiesta, Inc.

Contact Name Marilyn Hoobler Contact Phone (209) 535-1616

Street Address 26 South 3rd Street Apt/Unit/Suite Suite "G"

City Patterson State CA Zip Code 95363

Is the mentioned organization a nonprofit agency? No Yes

If yes, please provide Employer Identification Number #94-2164727

Event Contact for Public Information

Name Marilyn Hoobler Phone (209) 892-3118

Email Address patterson-apricot-fiesta@hotmail.com

Website www.apricotfiesta.com

On-site Contact Name Richard Greer On-site Cell Number #1925-683-7125

EVENT DETAILS

Event Name Patterson Apricot Fiesta, Inc.

Event Location¹ Center Circle Plaza to El Circulo

¹**Additional Documentation Required:** Please attach a copy of your overall event layout as well as any fenced areas. If requesting a street closure for your event, parade, run, walk, select an approved street closure layout. Refer to Addendums J, K, L, M and N. Maps must include location of stages; bleachers; portable restroom facilities; alcohol dispensing areas; fencing line; entrances, exits and emergency exits; first aid; vendors; inflatables; rides; tents, canopies, booths or other temporary structures; and waste and recycling receptacles/dumpsters. For events with street closures, the site map and/or route map must include surrounding street names; directional arrows; twenty (20) foot emergency fire lane; street closure points; barriers/barricades; signs; start and finish area; water or first aid stations; and band/DJ locations.

Select an approved street closure layout:

- Plaza Circle #1 - Addendum J
- Plaza Circle #2 - Addendum K
- Plaza Circle #3 - Addendum L
- Parade Route #1 - Addendum M
- Parade Route #2 - Addendum N

Start Area West Las Palmas 1st 9th St. Finish Area "K" Street and North 3rd Street

Event Date(s): 6/3/16 to 6/5/16 Event Hours (include registration time): 5:00 pm to 5:00 pm

Step-off Time (applicable only for events with a route): 10:00 am to 11:30 am * Depends on Entry numbers.

Set-up Date(s): 6/2/16 to 6/3/16 Set-up Times: 8:00 am to 5:00 pm

Tear Down Date(s): 6/5/16 to --- Tear Down Times: 5:00 pm to 11:00 pm on 6/5/16

Number of Participants (units and floats for parades): 70-80 Number of Spectators: 5,000 Approx.

Total Anticipated Attendance: 30,000

- Type of Event (check all that apply):
- Run/Walk
 - Park Festival
 - Certified Farmers Market
 - Concert
 - Street Festival/Block Party
 - Parade/Procession
 - Protest/Rally/Demonstration
 - Fundraiser
 - Fireworks/Pyrotechnics
 - Open to the Public
 - Private Event (not open to the public)
 - Other _____

Has this event been produced before? No Yes

Is this an annual event? No Yes

Previous name(s), date(s) and location(s) of event: 2016 will be the 46th Annual Event!

Will there be an admission or entry fee? No Yes Fee per adult: N/A Fee per Child: N/A

Who will benefit from the proceeds? Community at large, Service groups, Scholarships, local school groups, and others. "PRIDE"!

Event Description (Provide a detailed description of your event. Attach additional pages or materials as needed.)

Please see 2015 Schedule of Events Flyer for details.
* See Attached
2016 should not vary a great deal.

PARK USE

The City of Patterson offers several public parks as a venue for your event. Please refer to Addendum A for Park information. Contact the Public Works Dept. at (209)895-8060 for park availability and reservation information.

If interested in reserving a park, please select from the following list of parks:

North Park South Park Sports Complex Garza Park

STREET CLOSURE INFORMATION

There are three (3) types of street closures: 1) hard street closures, 2) rolling street closures and 3) lane closures. If your event includes a street closure, you will need to submit a Traffic Control Plan (TCP). The City's Public Works Department will determine whether a professional TCP is required based on the location and type of street closure, if the event will generate additional traffic or if existing traffic will be severely interrupted. The Public Works Department must approve the TCP before Special Event Permits can be issued. Applicant is responsible for providing and properly placing the necessary traffic control equipment such as barriers/barricades, cones, delineators, and advisory and detour signage to implement the TCP.

Street Closure points must be manned at all times. In some events, Police Department officers may be required to facilitate the closure. The number of officers will depend on the location, type and nature of the closure. Applicant is responsible for hiring the officers and securing a separate contract for their services. In some cases, adult volunteers may be stationed at each closure point during the duration of the street closure (including set-up and tear down times). Use of volunteers, if necessary and/or acceptable, will be determined by the Police Department. For additional information relating to street, and road closures for any event, please contact the Public Works Department.

Event will occupy: one lane two lanes half of street full street

Closure type: Rolling Street Closure (street opens to normal traffic after participants pass)
 Hard street closure (street closed for an extended period of time and/or event equipment will be placed in street for the duration of the event; no vehicle access)

Name of street(s) to be closed:

(Attach additional pages as needed; or for moving events such as parades, runs, walks, marches, etc. indicate "see route" and attach the approved map.) * All streets with-in El Circulo to the Center Circle →

S. Salado	Center Circle	Hwy. 33	8:00 a.m. 6/3/16	8:30 p.m. 6/5/16
Street Name	between	and	Start time	End time
E. Las Palmas	Center Circle	Hwy. 33	8:00 a.m. 6/3/16	8:30 p.m. 6/5/16
Street Name	between	and	Start time	End time
All streets from the	Center Circle	to the alley way	8:00 a.m. 6/3/16	8:30 p.m. 6/5/16
Street Name	between	of each and	Start time	End time
All streets from the Center Circle out to El Circulo			12 noon	6/3/16 - 8:30 p.m. 6/5/16

REGIONAL TRANSIT

Any proposed route along or crossing rail tracks must not impede train movements. Trains must be allowed to proceed without interruption. California Northern Railroad will provide input whether or not any proposed route affecting their right of way can be accommodated. If your route impacts Regional Transit or to request a list of service times, please contact California Northern Railroad at (530)668-9490.

Keeping bus detours to a minimum is appreciated. When detours are required, lead time for notifying Stanislaus Regional Transit's bus ridership is required. If your route impacts bus stops, please contact Stanislaus Regional Transit at (800)262-1516.

PARKING PLAN

When planning your event it is important to consider the impact your event will have on parking in the area. In some cases, a parking management plan will be required if the venue cannot accommodate the number of anticipated attendees. If a parking management plan is required, you will be required to identify public parking lots that will be utilized, a shuttle plan, the use of carpools, public transportation, ADA accessible parking provisions and/or special parking requests.

Applicant will post "No Parking/Tow Away" signs 72 hours in advance of the event.

Applications must be submitted at least 10 business days prior to the effective date.

Parking restrictions requested:

- Center Circle to Hwy. 33 on South Salado beginning at 8:00 am - 6/2/16 to 8:30 p.m. on 6/5/16.
- Center Circle out to El Circulo, parking will not be permitted from Friday June 3RD to Sunday June 5TH.

ACCESSIBILITY

As an event organizer, you are required to comply with all Federal, State, County and City ADA laws applicable to your event per the Americans with Disabilities Act. All event venues, structures and activities shall be accessible to persons with disabilities. If a portion of your event cannot be made accessible, an alternate area must be provided with the same activities that are in the inaccessible area. This area must include signage indicating that it is an ADA accessible area.

You need to consider the following access as you plan your event: first aid, information center, parking, clear paths of travel (to and from, and inside the event), restrooms (see "Restrooms" for requirements), seating, signage, drinking fountains, phones, transportation and access to vendors. If all areas are not accessible, directional signage or a map or program must be provided to attendees indicating the location of accessible restrooms, parking, drinking fountains, phones, etc.

Compliance with the Americans with Disabilities Act and any and all amendments to the act shall be the sole responsibility of the applicant. The applicant agrees to defend and hold the City harmless from any expense or liability arising from the applicant's non-compliance. For more information about the Americans with Disabilities Act and compliance at events, please visit www.ada.gov.

ALCOHOL MANAGEMENT PLAN - Continued

Are you requesting permission to serve alcohol at your event?² No Yes

²**Additional Permits Required:** To begin the permit process, please complete the Patterson Police Department's One Day Alcohol Beverage Permit Request (see Addendum C). Once that permit has been obtained, you may apply for an ABC license. To qualify for a Special Daily License, you must be an existing non-profit organization, including a charitable, civic, cultural, fraternal, patriotic, political, religious, social or amateur sports organization. Commercial enterprises and caterers are subject to different requirements. Please contact ABC at (916) 227-2002 for permit information. If you are a non-profit (501) organization you must also have a valid "Tax Exempt" status with the Franchise Tax Board to qualify for a special daily alcohol license. Exempt status can be verified at <https://webapp.ftb.ca.gov/eletter/?Submit=Check+Status>.

Will the alcohol be sold to the attendees? No Yes

Type of alcohol (check all that apply): Beer Wine Distilled Spirits

Explain your sales plan (ticket system, cash at service area, etc.):

We will be selling drink tokens at one designated ticket booth.

Explain your method(s) of serving:

* Upon purchasing, (I.D.'s checked), the purchaser will have a wrist band applied. They will then take their token to the serving area where they are checked for a wrist band prior to being served.

Explain who will serve the alcohol (professional bartenders, volunteers, etc.):

We have a professional bartender service. "DB MHC"

Is the event open to all ages? No Yes

Explain how IDs will be checked, wristbands applied and how you will monitor for underage drinking:

* See Above
We will be applying wrist bands to those who have been checked with I.D.'s and then bands applied.

Do you have an alcohol sponsor? No Yes If yes, explain:

Delta Sierra Beverage, Inc.
Modesto, CA

MEDICAL PLAN

Have you made provisions for on-site medical services? No Yes

If yes, please describe your medical plan:

The Del Puerto Health Care District will have a booth in the South Park area with Nurses and Paramedics manning the booth through out the event.

AMPLIFIED SOUND/ENTERTAINMENT RELATED ACTIVITIES

The City of Patterson defines "amplified sound" as speech, music or other sound projected or transmitted by electronic equipment including amplifiers, loud speakers, microphones, or similar devices or combinations of devices which are powered by electricity, battery or combustible fuel and which are intended to increase the volume, range, distance or intensity of speech, music or other sound.

- No Person shall use amplified sound, including sound checks, before 9am or after 10pm Sunday through Thursday and before 9am or after 11pm on Friday, Saturday and the day prior to a Federal, State or City designated holiday, unless prior authorization is received and permission is included in your Special Event Permit.
- No person shall use amplified sound exceeding a noise level of either 98 dBA at a distance of 150 feet from a noise source or sources, 80 dBA when measured from the nearest residential property, or 24 dBA above ambient noise levels, whichever noise level is lower.

In some cases, a pre-established amplified sound range will be set for you based on the venue or history of your event. The City may also require that you hire a City Event attendant (see Addendum B for fee) to visit your event to set the amplified sound range and remain on-site to monitor the approved range.

Will your event include amplified sound? No Yes

What times are you requesting amplified sound? Start: Sat. Following the Parade End: Sunday 5:00 P.M.

Will sound checks be conducted prior to the start time? No Yes If yes, what time: 30 mins prior

Describe the sound equipment that will be used at the event:

PA system with Speakers.

Are there any musical entertainment features related to your event?³ No Yes

³ Additional Documentation Required: Please attach a performance schedule including all performers/bands/DJs, types of music and performance schedule. This will be provided once contracts are signed.

Does the entertainment include the use of fireworks, rockets, lasers or other pyrotechnics?⁵ No Yes

If yes, explain:

We will once again have the fireworks show on Saturday evening at dusk (dark).

⁴ Additional Documentation Required: The license holder must submit a letter of intent and shoot schedule. Please contact the Patterson Fire Department at (209) 895-8130. We will make sure that the pyrotechnic company receives the Fire Dept. contact information as in the past.

Does the entertainment include any inflatables? No Yes If yes, explain:

There will be with-in the North Park Childrens area.

AMPLIFIED SOUND/ENTERTAINMENT RELATED ACTIVITIES - Continued

Does the entertainment include carnival rides?⁵ No Yes If yes, explain:

There will be 2-3 rides for small children and (1) Adult Ride in the North Park area.

⁵ Additional Documentation Required: The carnival company must submit a letter of intent with a site plan to the Patterson Fire Department. Please contact Fire Prevention at (209)895-8130 or specialevents@ci.patterson.ca.us for more information.

Does the entertainment include animals? (petting zoo, pony rides, etc.) No Yes If yes, explain:

Petting Zoo and Pony Rides, and Horses in the Parade.

Does the entertainment include vehicles? (car show, displays, etc.) No Yes If yes, explain:
or TIBA

Not at this time. In the future may have a car show. May have an antique tractor show, as in 2015 on North Salado.

FENCING

Fenced area refers to any event or area within the event that is closed off by temporary fencing. The Patterson Fire Department will review your site map and set an occupancy load for the fenced area. When developing your fence plan, please keep in mind the following rules:

- In addition to the main entrance, at least two (2) exits shall be provided when the venue accommodates fewer than 1,000 attendees; at least three (3) exits for 1,000 to 3,000 attendees; and at least four (4) exits when the venue accommodates more than 3,000 attendees.
- Exits shall be equally spaced along the perimeter of the fence and shall be spaced so that no exit is greater than a distance of 400 feet of travel from the next exit.
- Exit width shall be understood to be a panel's width of temporary fencing, to provide an opening of no less than 48 inches.
- Each exit shall have a security guard or volunteer assigned to it.
- Each emergency exit shall be indicated by a sign with a white background and contrasting red letters; sign shall measure 18 x 24 inches; sign lettering shall measure 12 inches in height; and signs shall be placed at the top center of the exit panel.
- In some cases, a Fire Department inspection may be required (for a fee) to set the occupancy load and check access and exits. For questions about fencing or to make arrangements for an inspection, please contact Fire Prevention at (209) 895-8130 or specialevents@ci.patterson.ca.us for more information.

TENTS/CANOPIES/TEMPORARY STRUCTURES - CONTINUED

Seating:

- Chair rows must be no longer than 15 seats and have 18 inches of clearance front to back.
- Aisles must be at least 44 inches wide.

Exits:

- Exits must be evenly spaced at least every 100 feet around the perimeter. Exits, aisles, and pathways shall not be blocked or obstructed at any time.
- Illuminated exit signs must be hung when the occupancy exceeds 50 attendees.

* Will your event include tents or canopies? No Yes If yes, indicate on the site map and

Center Circle Stage Canopy 20' x 24' Queen Pageant Tent 16' x 10'
Arm Wrestling Stage Canopy 8' x 20' Changing Tent (Behind Main Stage)
Fiesta Booth Tents 16' x 10' AND 10' x 10'
Lions Club BBQ ~ Sunday Breakfast Tent TRIST Size.

Number of tents/canopies

5-6

Tent/canopy size(s) (if you have multiple tents/canopies with varying sizes, indicate the number with the corresponding size):

Food Vendors and Craft Fair Vendors generally bring their own booths to the event. Booths are a 12' x 12' space each.

STAGES/PLATFORMS

Will your event include the installation of stages or platforms? (if yes, please indicate on site map)

No Yes

How many stages?

2

What are the dimensions?

* See Above

VENDORS

The City of Patterson defines "vendor" as an organization or business that sells or advertises products and/or services to event attendees. "There are two (2) categories of vendors: for-profit and non-profit." Generally there are two (2) categories of vendors: 1) food/beverage, 2) merchandise information. Event organizers must pay a Vendor Participation Fee, based on the number of for-profit vendors expected to participate in the event. Please refer to Addendum B - Fee Schedule Finance Department Fees.

Does your event include food vendors?⁶ No Yes ^{Approx.} How many?

⁶ Additional Documentation Required: A County of Stanislaus, Environmental Resources Health Permit is required to sell or serve food to the general public in the City of Patterson. Please contact the Stanislaus County at (209)525-6700 or visit www.stancounty.org for permit information.

Will any of the food vendors be cooking or heating food on-site?⁷ No Yes How many?
(approx.)

⁷ Additional Documentation Required: Please read the Patterson Fire Department's Hot Food Vendor Requirements (Addendum E). This document must be distributed to each of your hot food vendors. Each vendor must read, sign and display this document on-site. A Patterson Fire Department Inspection may be required (for a fee).

x We provide the rules/regulations from the Pat. Fire Dept. to all vendors.
What methods will be used (check all that apply)? gas electric charcoal other
Propane

What is your plan for disposing of grease, charcoal and/or waste water?

Each vendor is responsible for removing their own waste. The Apricot Fiesta will provide a gray water holding tank for vendor use on site.

Does your event have merchandise vendors? No Yes How many?

Does your event include information vendors? No Yes ²⁰/ How many?

Will any items or services sold at your event present any unique liability issues? (massage, tattooing/piercing, etc.)

No Yes **If yes, explain:**

CERTIFIED FARMERS MARKET

A certified farmers market⁸ is an event where agricultural products are sold by producers directly to consumers or to individuals, organizations or entities that subsequently sell or distribute the products directly to end users. A certified farmers market may be operated on public property with a Special Event Permit.

⁸ Additional Documentation Required: A Stanislaus County, Environmental Resources Health Permit is required. Please contact Stanislaus County at (209)525-6700 or visit www.stancounty.com for permit information.

ENCROACHMENT REQUIREMENTS & CONDITIONS

The purpose of an encroachment permit is to enable the City to monitor activities performed within City rights-of-way and to ensure the safety of the public. A request for a road closure and and/or road detours also requires an Encroachment Permit as well as Encroachment on City owned property/facilities. Please refer to Addendum B - Fee Schedule, Public Works Fees.

An Encroachment permit assures that the encroachment area will be safe for the public and that it is in accordance with the requirements of the City of Patterson Municipal Code, Satisfies all Conditions of Approval, and that it complies with all regulatory compliance requirements (Local, State, Federal), for example SWPPP, FOG, Water Conservation and Recycling.

As part of this Special Events Packet, the event holder will be required to submit Liability Insurance in the amount of \$2 million and an Endorsement naming the City of Patterson as additionally insured. This is also a requirement for Encroachment on public right-of-way. By signing on the Special Events Application the Event Holder/Applicant agrees to the following terms and conditions for Encroachment:

1. Any damage to public or private property or any damage to facilities in the public right-of-way is the responsibility of the event Holder/Applicant who agrees to all/any liability(ies) resulting from the approved event.
2. If the event results in significant impact to existing homes or businesses, the event Holder/Applicant is required to provide written notification at least 48 hour advance notice to all affected property/business owners. If the event has an impact to the Public Transportation Facilities located within close proximity of the event, the event Holder/Applicant is responsible to coordinate with the City of Patterson and/or Stanislaus County Transit to provide adequate services during the event and to post notification on the shelters at least 48 hours in advance of the event.
3. The event Holder/Applicant is responsible for coordinating inspections with Public Works by calling (209)895-8064. A pre-event inspection is required prior to the start of the event and a post-event inspection at the end of the event.
4. The event Holder/Applicant will pay the Encroachment fee in addition to any Park, Special Events Fees, and/or other services charged for this event.

Are you requesting a road closure or encroachment on City owned property? No Yes

If yes, explain

We are requesting that the downtown area from El Circulo into the Center Circle (Museum Bldg.) be closed off beginning on Thursday June 2nd with the Center Circle stage on South Salado. Street closures listed on page 6 of this application to follow, and continue until 6/5/16 at 8:30 P.M.

MARKETING/ADVERTISING/PROMOTIONS

Please ensure that you have conditional approval before you begin to market, advertise or promote your event. Acceptance of the Special Event Permit Application is not a guarantee of the date or location nor automatic approval of your event. Once you have conditional approval you may proceed to market, advertise or promote your event at your own risk. However, if the permit is not granted and the event is therefore cancelled, you may not hold the City of Patterson responsible or liable for any of the costs incurred from your marketing, advertising or promotions.

Please explain how you will market, advertise or promote this event or invite attendees to the event (include event website and social networking sites if applicable; attach additional pages as needed):

Posters www.apricotfiesta.com
Flyers Local Patterson Irrigator Newspaper & 2015 sample attached

Do you plan to include radio or television promotions? No Yes *If yes, explain:*

Do you expect a live broadcast or feed from the event? No Yes *If yes, explain:*

Do you expect media coverage? No Yes *If yes, explain:*

On occasion local radio and/or T.V. program stations, i.e. "Good Day Sacramento" have shown up.

Do you plan to place signs or hang banners on City property?⁹ No Yes *If yes, explain:*

P.R. banner, same as 2015 was placed across East Las Palmas @ Hwy 33, between the North and South Parks.

⁹ **Additional Permit Required:** If you wish to place a banner, please call the Community Development Dept. at (209) 895-8020 or e-mail planning@ci.patterson.ca.us for permit information.

INSURANCE

Applicant and/or the sponsoring organization shall defend, indemnify, and hold harmless the City of Patterson, its officials, agents, employees and volunteers from and against all actions, losses, damages, liability, costs and expenses of every type and description, including, but not limited to, attorney's fee, to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the applicant, sponsoring organization, or its officers, agents, employees or volunteers directly or indirectly arising from the exercise of the authority under the Special Event Permit. Verification of insurance must be submitted at least 10 days prior to your event. You must submit two (2) documents to satisfy insurance requirements

- 1. Certificate of Insurance** in the amount of \$2 million worth of General Liability coverage must be submitted for the event date and any set-up and/or tear down dates.
 - The standard proof of insurance is the ACORD certificate form.
 - The name of the insured, the insurance carrier, the policy number, coverage limits, and effective and expiration dates for the coverage must be stated on the certificate of insurance.
 - Certificate holder must be listed on the certificate as City of Patterson, Special Event Services, 1033 W. Las Palmas Ave., Patterson, CA 95363.
 - Insurance certificates must be signed by an authorized representative of the insurance carrier. Electronic signatures are acceptable.
- 2. Additional Endorsement** is required to reflect that the insurance policy has been amended to include the City of Patterson as insured.
 - The Additional Endorsement must reference the policy number as it appears on the certificate.
 - "The City of Patterson, it's officials, agents, employees and volunteers" must be named as additionally insured on the Additional Endorsement.

Your permit will not be issued until both the Certificate of Insurance and Additional Endorsement have been received.

If you do not have insurance, contact HUB International Insurance for Special Event coverage. For more information contact (925) 609-6500 or visit www.eventinsure.com, e-mail: specialevent@hubinternational.com

SIGNATURE

I have read the rules and regulations contained in this document and agree to abide by these rules and regulations. I am duly authorized by the Organization to submit this application on its behalf and agree to be financially responsible for any fees and costs that may be incurred by or on behalf of the event in the City of Patterson. I certify that the information that I have provided on this application is true and accurate to the best of my knowledge. If the event details change, I agree to submit a revised application or provide additional information in writing at least 30 days prior to the event.

Name (please print) Patterson Apricot Fiesta, Inc.
Signature Marilyn G. Hoobler Marilyn G Hoobler
Date Jan. 12, 2016 Drivers License Number¹¹ E0537686

¹¹**Additional Documentation Required:** Please attach a current copy of your Drivers License or California ID to complete application.

FORM OF PAYMENT

A non-refundable application fee of \$50 is due at the time you submit your application. Permit fees are due sixty (60) days in advance of your event. Applications submitted within sixty (60) days of an event require a \$50 non-refundable late processing fee in addition to the \$50 application fee and payment in full. Checks must be made payable to "City of Patterson" and will not be accepted less than thirty (30) days prior to the event.

Please indicate the type(s) of payment method you wish to use:

- Cash - must be presented to clerk
- Personal/Business Check - attach or present to clerk
- Money Order/Cashiers Check - attach or present to clerk
- Visa/ MasterCard / American Express - must be presented to clerk

Phone: (209) 892-3118 ^{office} Name: Patterson Apriest Fiesta, Inc.
(209) 535-1616 call Marilyn Hoobler

Refund Policy

Any refunds due will be processed and mailed within 21 business days of the event or cancellation. Payments made by cash, check or credit card will be refunded with a check.

CHECKLIST

Thank you for submitting the Special Event Permit Application. Before you submit your application to the City of Patterson, Special Event Services, please make sure you have completed the following step:

- Signed AND dated your application
- Attached your event site map (and route map if applicable)
- Included \$50 non-refundable application fee (if you are submitting less than 60 days prior to the event date, please include a \$50 late processing fee for a total of \$100)
- Attached a copy of your current Drivers License or California ID

Submit your completed application to:

By mail:

City of Patterson, Special Event Services
1033 W. Las Palmas Ave.
Patterson, CA 95363

Or by: Fax: (209)895-8189

Or by: Email: specialevents@ci.patterson.ca.us

Questions?
Please call
Special Event Services
at (209)895-8080

Best wishes for a successful event!

Addendum D - PFD TENT PERMIT - *Continued*

Flammable and Combustible Liquids

- Flammable liquid filled equipment shall not be used in temporary membrane structures, tents, or canopies.
- Flammable and combustible liquids shall be stored outside and in an approved manner no less than 50 feet from temporary membrane structures, tents, or canopies.
- Refueling shall be performed in an approved location not less than 20 feet from temporary membrane structures, tents, or canopies.

Fireworks, open flames and devices capable of igniting combustible material shall not be used adjacent to temporary membrane structures, tents or canopies unless otherwise approved.

Why is the Fire Department so concerned with tents?
 Due to the tragic history of tent fires and the loss of life, tents are heavily regulated.

Who do I call if I have any questions?
 Please contact Fire Prevention Division at (209) 895-8130.

Sources of Ignition

Smoking is prohibited in tents, canopies, and temporary membrane structures and in adjacent areas where combustible materials are stored or used. "No Smoking" signs shall be conspicuously posted.

TENT PERMIT APPLICATION		
Location of tent: Please see page #13 of this application.		
Date of Set-up: June 2, 2016	Date of take down: June 5, 2016	
Event Date(s): June 3, 4, 5, 2016	Start Time: Official start time 5:00 p.m. 6/3/16	
Event Sponsor: Patterson Apricot Fiesta, Inc. / City of Patterson		
Sponsor Address: P.O. Box 442, 26 South 3rd St., Suite "G"		
City: Patterson	State: CA	Zip: 95363
Sponsor Contact: Richard Greer <small>General Chairman</small>	Phone: # 1-925-683-7725	
Rental Company: Events Extreme		
Address: 21 North El Circulo		
City: Patterson	State: CA	Zip: 95363
Rental Contact: Nancy Castano	Phone: (209) 895-4449 office (209) 814-2668 (Nancy's)	
Brief Description of Event: Local town celebration which promotes the Apricot Industry and the City of Patterson		
Estimated Attendance: 25,000 - 30,000	Applicant Signature: <i>[Signature]</i>	Date: 1/12/16
Tent Permit Fees are \$111.00. A check made payable to the City of Patterson Fire Department shall be submitted with this application.		
*Permits that require after hours inspection will be billed by invoice for the inspection. Normal inspection hours are Monday - Friday 8:00am - 5:00pm		

Addendum F - NOTIFICATION OF UPCOMING SPECIAL EVENT

Organizer(s) Information

Sponsoring Organization Patterson Apricot Fiesta, Inc.
 Event Contact Marilyn G. Hoobler Phone Number (209) 842-3118 office
(209) 535-1616 cell
 Event Web-site www.apricotfiesta.com Expected Attendance 25,000 - 30,000

Event Information

Type of Event - (check all that apply) Run/Walk Street Festival/Block Party Parade Procession
 Park Festival Concert Private Party Fundraiser Other: _____

Event Name Apricot Fiesta
 Event Date(s) June 3, 4th 5, 2016
 Event Location Center Circle Plaza

Event Hours Start: 6/3 5:00 pm End: 6/5 5:00 pm

Set-up Date: 6/27th am Time: 7:00 - 8:00 am *Stay - South Entrance Trade Circle are moved in.*

Break Down Date: 6/5 5:00 pm *13 regions* Time: 8:30 pm - 9:00 pm *Ends*

** Barricades need to be moved in place at the center circle to keep vendors from entering the Center Circle area.*

Name of Street(s) to be Closed: SAFETY PRECAUTION!

All streets off of the Center Circle Plaza out to El Cereulo.

<u>West Las Palmas</u>	Between	<u>South 9TH</u>	And	<u>Center Circle</u>
<u>East Las Palmas</u>	Between	<u>North Park</u>	And	<u>South Park</u>
<u>South 3RD Street</u>	Between	<u>Center Circle Plaza</u>	And	<u>El Cereulo</u>
<u>South Del Puerto</u>	Between	<u>Center Circle Plaza</u>	And	<u>El Cereulo</u>
<u>North Del Puerto</u>	Between	<u>Center Circle Plaza</u>	And	<u>El Cereulo</u>
<u>North Del Puerto</u>	Between	<u>Center Circle Plaza</u>	And	<u>El Cereulo</u>
<u>North 3RD Street</u>	Between	<u>Center Circle Plaza</u>	And	<u>El Cereulo</u>

Overall Event Description

** Please see Parade Route Map for Street Closures*

The purpose of the Patterson Apricot Fiesta, Inc. is to provide an annual celebration to promote the Apricot Industry and promote the City of Patterson! This event also brings the many facets of our town together to help develop a strong, healthy community!

Addendum G - NOTIFICATION CERTIFICATION

Sponsoring Organization Patterson Apricot Fiesta, Inc.

Event Name Apricot Fiesta

Event Date 6/3/16 ~ 6/5/16

Event Location Center Circle Plaza Area - from El Ceruleo inward

Signature of Sponsor or Authorized Representative to the Museum Bldg Circle.

I certify that the entities listed below have been notified about my upcoming event.

Name (printed) Marilyn G. Hoobler Signature Marilyn G. Hoobler

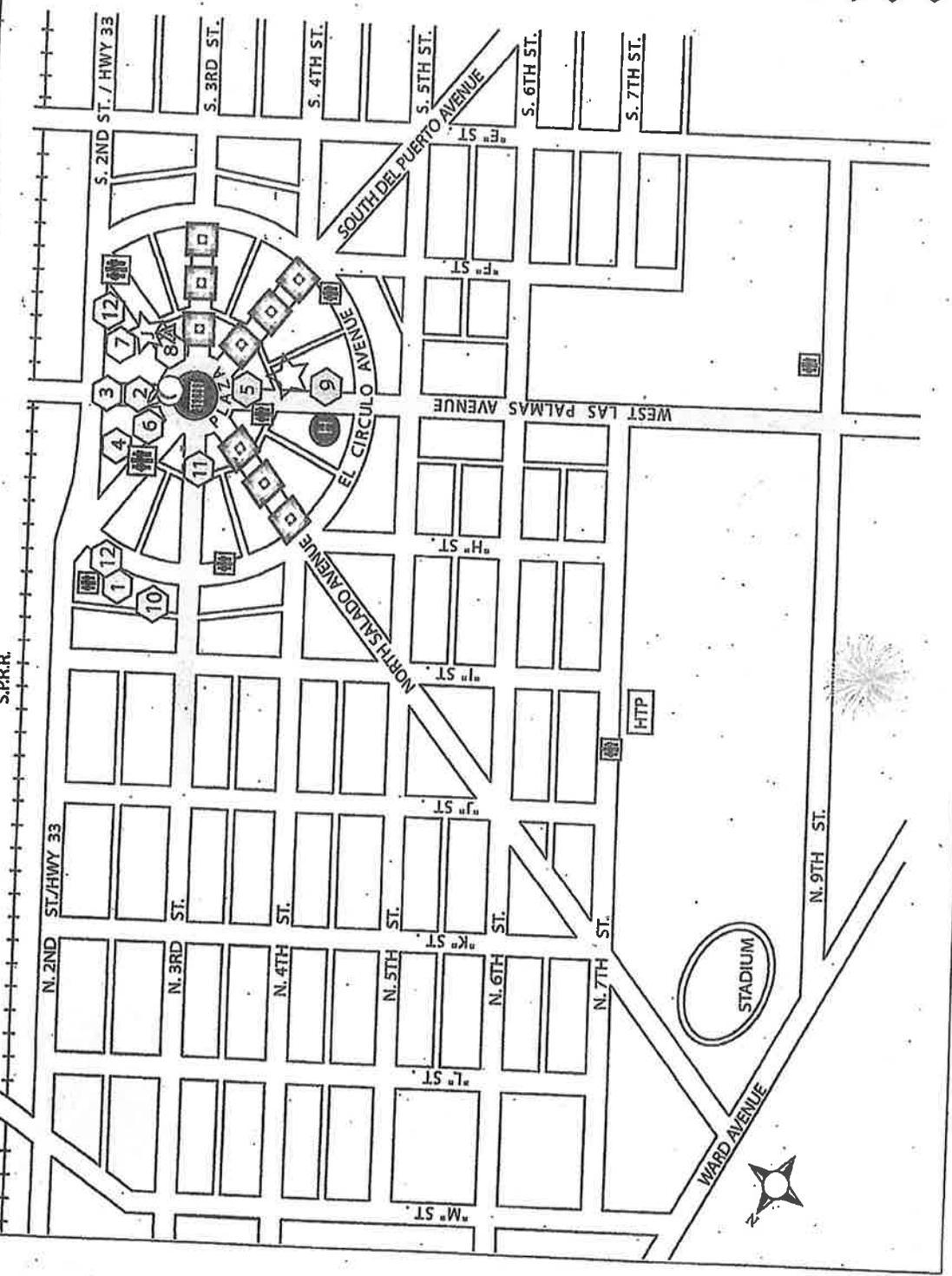
* We hand deliver the letter from the City of Patterson to all Businesses within the El Ceruleo area the week prior to the event.

Name/Business	Location/Address	Phone #	Method of Notification (check one)
			<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Posted
			<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Posted
			<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Posted
			<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Posted
			<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Posted
			<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Posted

S.P.R.R.

- Parade Route
- Apricot Food Booths
- Restrooms
- Historical Display
- Parade Announcers
- Judges Stand
- Handicap seating for parade
- Craft / Vendor Booths
- Horse Trailer Parking
- Fiesta Booth
- Handicap Parking
- Beer Booth Area
- Arm Wrestling / *Strong &*
- Children's Area
- Free Speech
- Lions BBQ/Breakfast
- Food Court/First Aid
- Circle Stage
- Firemen's Demonstration
- Baking Contest
- Teen Zone/Kid's Zone
- Lion's Club Shuttle from Handicapped
- Parking to Downtown

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12



STADIUM



Street Closures

Thursday Stage

XXX

→ 8:00 A.M. Circle to parking lot.

2016

Friday Streets

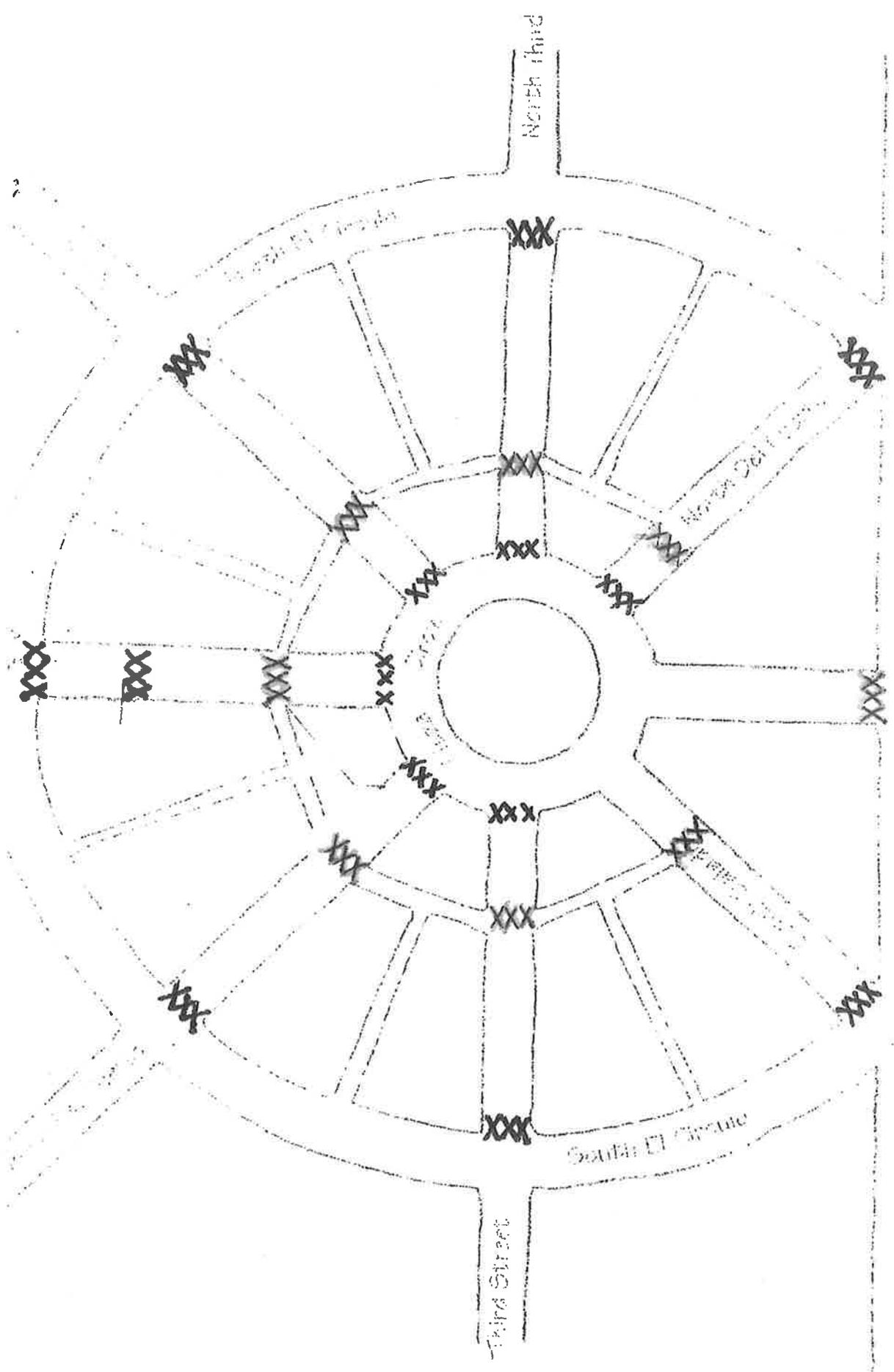
XXX

→ 7:00 A.M. Circle to alley-ways

Sunday Streets

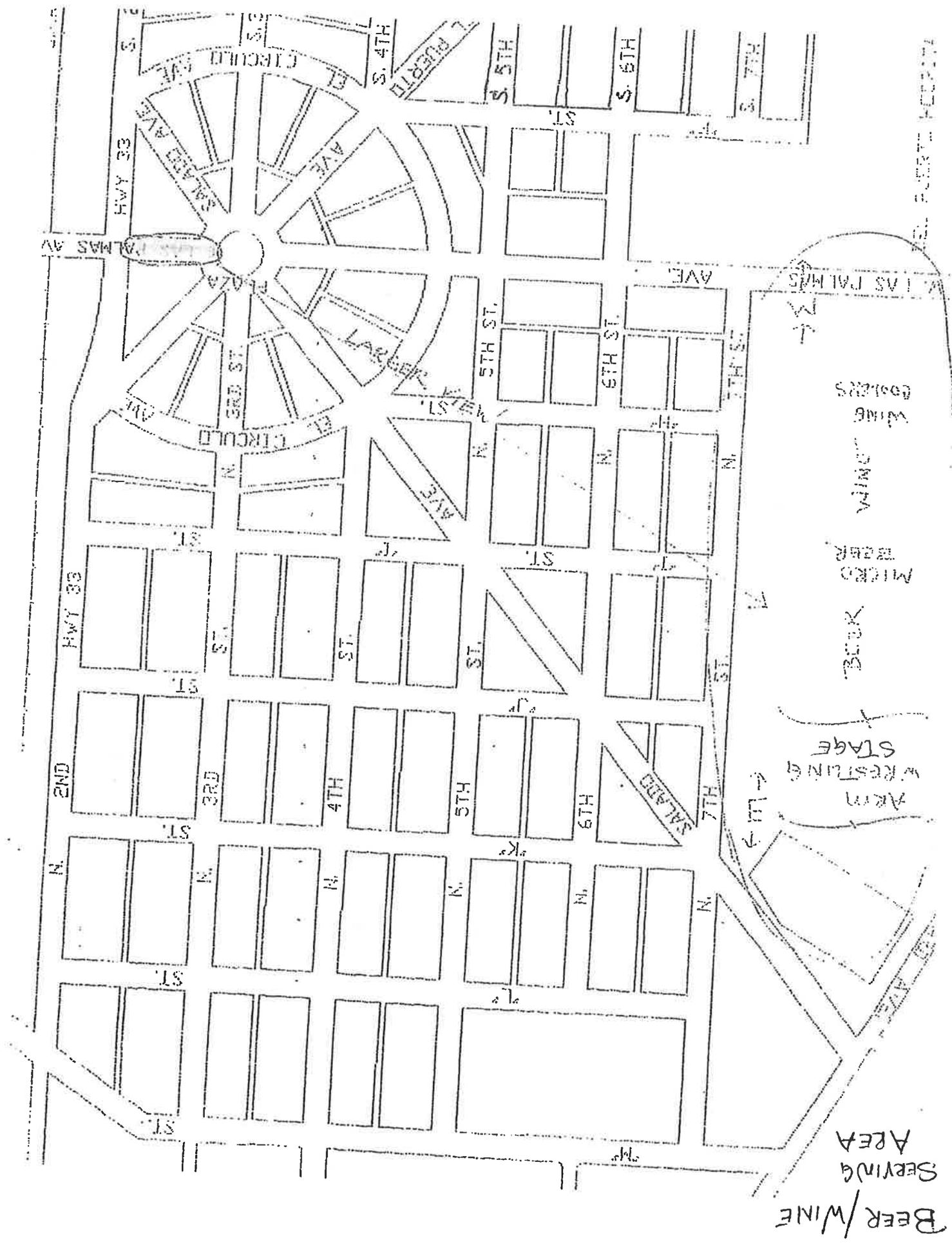
XXX

→ 12 noon - 61 Circle to
5:00 PM. - 5:30 PM. Center Circle



EQ

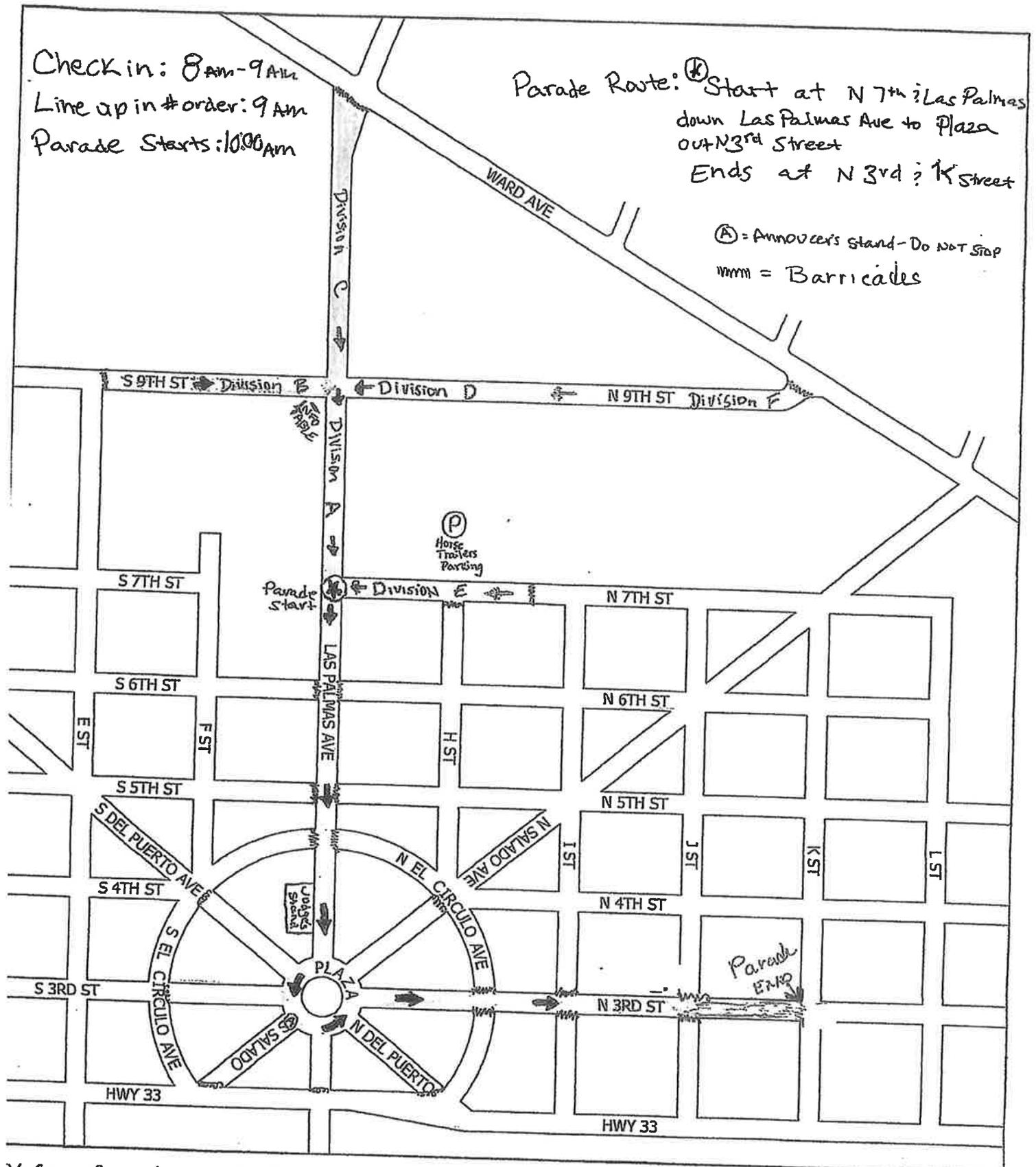
AMH



Check in: 8 AM - 9 AM
 Line up in # order: 9 AM
 Parade Starts: 10:00 AM

Parade Route: Ⓚ Start at N 7th & Las Palmas
 down Las Palmas Ave to Plaza
 out N 3rd Street
 Ends at N 3rd & K Street

Ⓐ = Announcer's stand - Do NOT stop
 mmm = Barricades

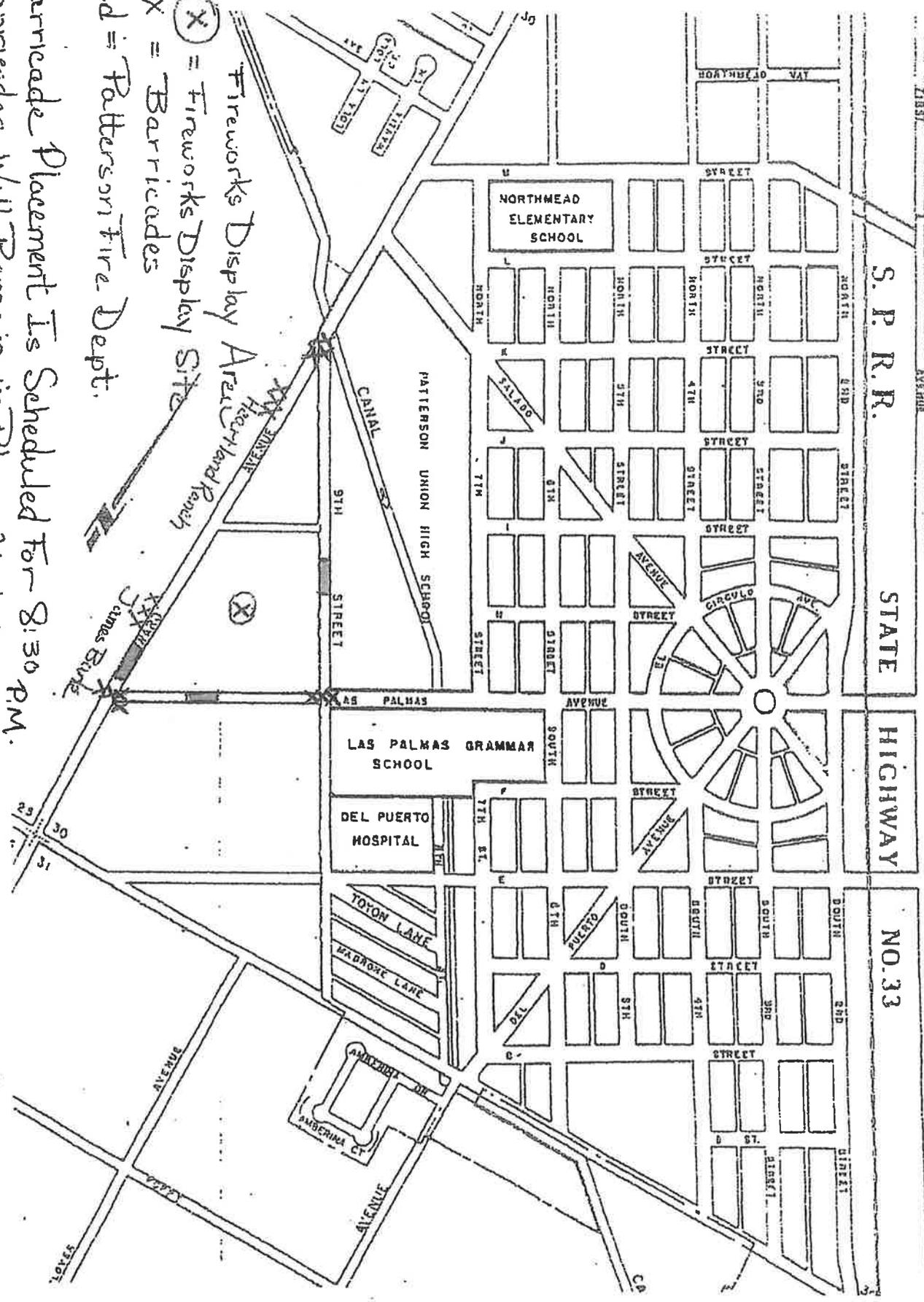


* One of our biggest Complaints is spacing. Please help us to make a great parade by maintaining equal spaces between entries. 50 feet.

⚡ Be Safe. NO Throwing of candy/objects we got to keep the kids safe. Also be very careful with live animals/horses.

2016

Fireworks Display Map

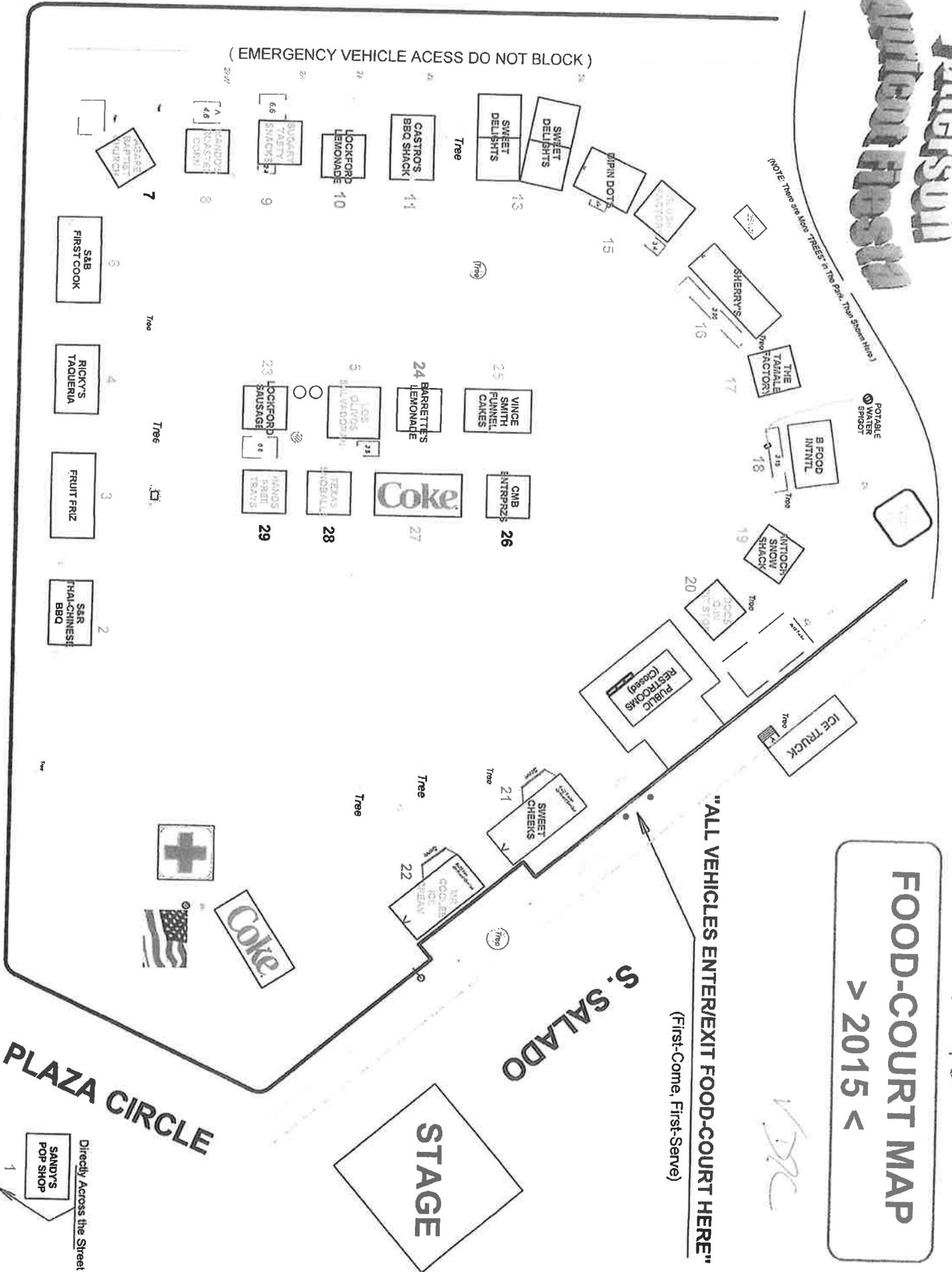


(X) = Fireworks Display Site
 XXX = Barricades
 Red = Patterson Fire Dept.

Barricade Placement Is Scheduled For 8:30 P.M.
 Barricades Will Remain in Place Until 10:00 P.M.
 Fireworks Contact Person: John Schali (209) 595 - 0873

Palmer's World Apricot Fiesta

HIGHWAY 33



FOOD-COURT MAP
> 2015 <

SAMPLE

"ALL VEHICLES ENTER/EXIT FOOD-COURT HERE!"
(First-Come, First-Serve)

S. SALADO

STAGE

PLAZA CIRCLE

Directly Across the Street
SANDY'S POP SHOP

CREATED FOR APRICOT FIESTA
By: PROGRESSIVE ELECTRIC Palmer's, 2015 DJC

LAS PALMAS

(THIS STREET IS CLOSED FRIDAY MORNING 11)

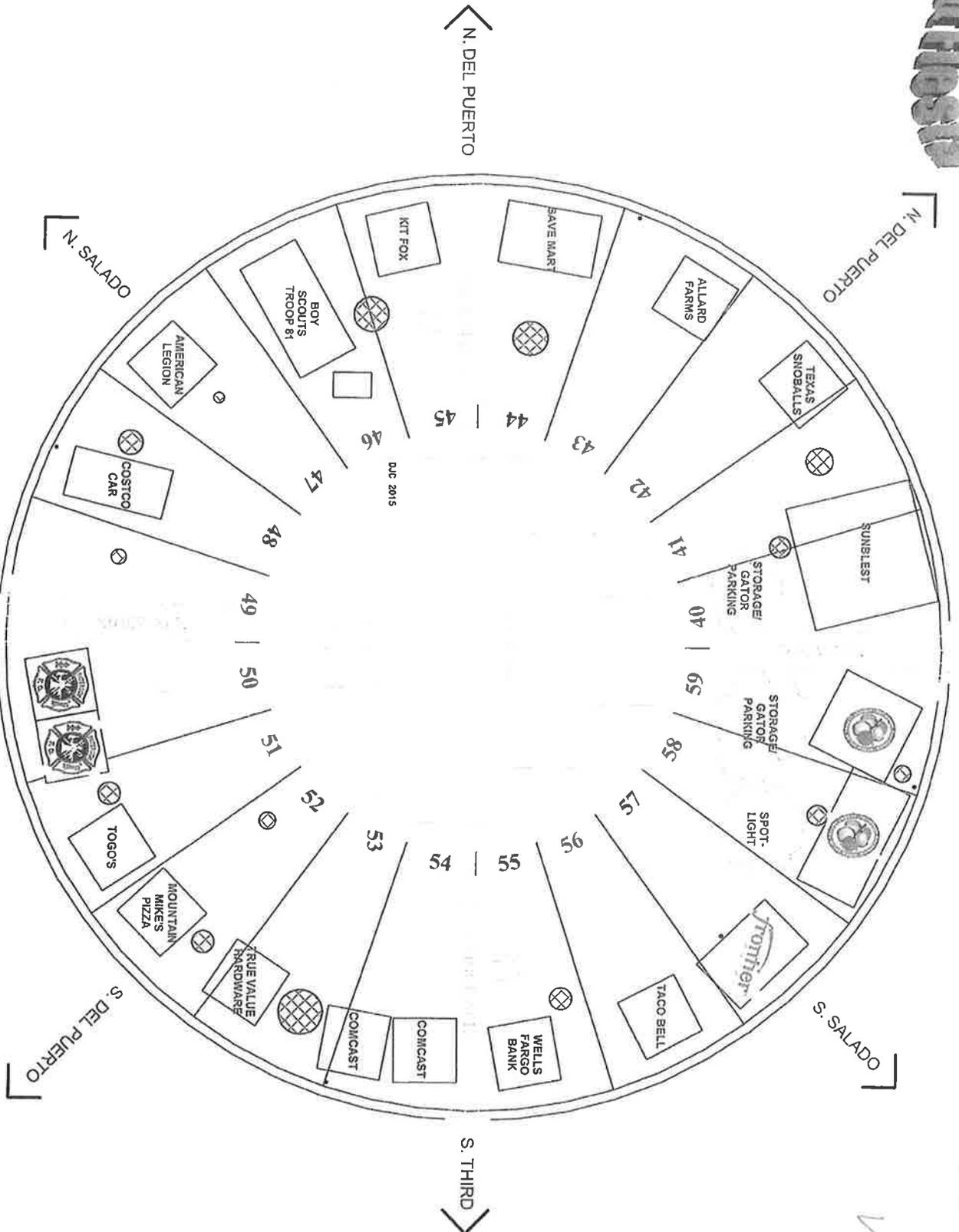
Center Circle

SAMPLE

HIGHWAY 33
W. LAS PALMAS

CENTER CIRCLE MAP > 2015 <

Handwritten signature

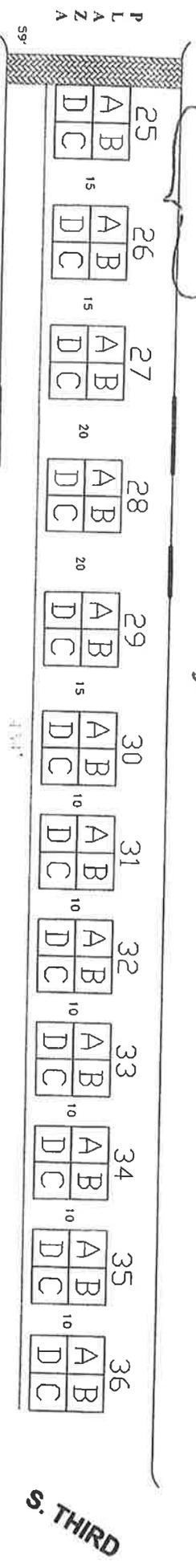


W. LAS PALMAS

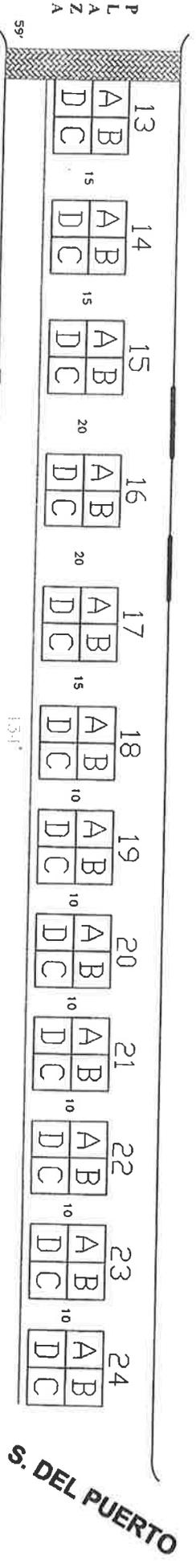
Craft / Comm. Fair

SAMPLE

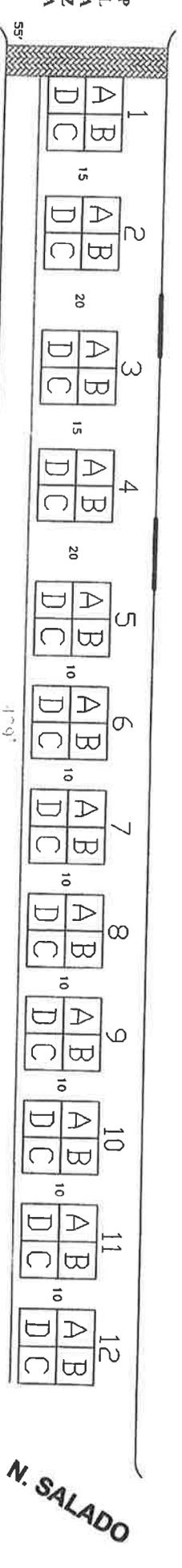
Canopy for Sponsor on Street (TBH)?



tri counties bank
(LANDMARK REF)



Note: All Booths are Drawn 12' x 12'



DESIGNED FOR PATTERSON ARCHITECT FERIA
BY: NIKHIL SETHI INC. APR 2013 D/C



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Juliene Flanders, Director of Recreation & Community Services

MEETING DATE: March 1, 2016

ITEM NO: 5.5

SUBJECT: Approve Street Closure for the Sacred Heart Church, Live Stations of the Cross, on March 25, 2016.

RECOMMENDATION

Approve Street Closure for the Sacred Heart Church, Live Stations of the Cross, on March 25, 2016. From 1:00 pm – 3:00 pm

BACKGROUND

Attached is the Letter and application requesting the City Council to approve parade route and police escorts for a rolling street closure for the Live Stations of the Cross, walk. Attached is a map of the parade route. Rolling Street closures will be required by Police Staff during the time of the Parade, approximately 1:00 pm – 2:30pm

STREETS TO BE CLOSED

N. 6th Street between, Ward Ave and Sacred Heart School
M street, between 6th street and 5th street
N. 5th street, between M St and L Street

ANALYSIS

The Event Coordinator has complied with submitting the following information:

- Letter of Request
- Special Event Application
- Site Street Closure Map
- Event Insurance – pending
- Encroachment Permit – Pending

FISCAL IMPACT

Limited cost for Public Works staff and equipment

Labor:

Number of Staff to Set up/Close Route = 2

2 Employees @ .5 Hours = \$ 140.22

(\$140.22/per hour)

Equipment:

$\frac{3}{4}$ Ton Truck - 2 Trucks x .5 Hours = \$ 12.32

(\$12.32/hour)

Labor = \$ 140.22

Equipment = \$ 12.32

Sub-total = \$ 152.54

Total Due = \$ 169.31 (Includes 11% Administrative Fee)

This quote covers a rolling street closure for the parade route.

EVENT DETAILS

Event Name Live Stations of the Cross

Event Location¹ _____

¹**Additional Documentation Required:** Please attach a copy of your overall event layout as well as any fenced areas. If requesting a street closure for your event, parade, run, walk, select an approved street closure layout. Refer to Addendums J, K, L, M and N. Maps must include location of stages; bleachers; portable restroom facilities; alcohol dispensing areas; fencing line; entrances, exits and emergency exits; first aid; vendors; inflatables; rides; tents, canopies, booths or other temporary structures; and waste and recycling receptacles/dumpsters. For events with street closures, the site map and/or route map must include surrounding street names; directional arrows; twenty (20) foot emergency fire lane; street closure points; barriers/barricades; signs; start and finish area; water or first aid stations; and band/DJ locations.

Select an approved street closure layout:

- Plaza Circle #1 - Addendum J
- Plaza Circle #2 - Addendum K
- Plaza Circle #3 - Addendum L
- Parade Route #1 - Addendum M
- Parade Route #2 - Addendum N

Start Area Bonaventure Hall Finish Area Sacred Heart Church

Event Date(s): 03/25/16 to 3/25/16 Event Hours (include registration time): 1:00 pm to 2:30 pm

Step-off Time (applicable only for events with a route): _____ to _____

Set-up Date(s): 3/25/16 to 3/25/16 Set-up Times: 1:00 pm to 2:30 pm

Tear Down Date(s): 3/25/16 to 3/25/16 Tear Down Times: _____ to _____

Number of Participants (units and floats for parades): _____ Number of Spectators: _____

Total Anticipated Attendance: 250

Type of Event (check all that apply): Run/Walk Park Festival Certified Farmers Market

Concert Street Festival/Block Party Parade /Procession Protest/Rally/Demonstration

Fundraiser Fireworks/Pyrotechnics

Open to the Public Private Event (not open to the public)

Other _____

Has this event been produced before? No Yes

Is this an annual event? No Yes

Previous name(s), date(s) and location(s) of event: Live Stations of the Cross

Will there be an admission or entry fee? No Yes Fee per adult: _____ Fee per Child: _____

Who will benefit from the proceeds? N/A

Event Description (Provide a detailed description of your event. Attach additional pages or materials as needed.)

Original

APPLICANT INFORMATION

Instructions: Please carefully read "Submitting Your Special Event Permit Application", page 3 before completing this application.

Name of Applicant/Responsible Party (Must match the signature on page 17) Lizeth Llamas

Street Address PO Box 993 Apt/Unit/Suite

City Patterson State CA Zip Code 95363

Email Address Lizeth11b@yahoo.com

Daytime Phone (209)342-8869 Cell Phone (209)342-8869 Fax

Name of Event Organizer/Producer (if different from Applicant) Live Stations of the Cross

Street Address Apt/Unit/Suite

City Patterson State CA Zip Code 95363

Email Address Lizeth11b@yahoo.com

Daytime Phone (209)342-8869 Cell Phone Fax

Sponsoring Organization/Company Sacred Heart Church

Contact Name Lizeth Llamas Contact Phone (209)342-8869

Street Address 529 I Street Apt/Unit/Suite

City Patterson State CA Zip Code 95363

Is the mentioned organization a nonprofit agency? [] No [x] Yes

If yes, please provide Employer Identification Number

Event Contact for Public Information

Name Lizeth Llamas Phone (209)342-8869

Email Address Lizeth11b@yahoo.com

Website

On-site Contact Name On-site Cell Number

PARK USE

The City of Patterson offers several public parks as a venue for your event. Please refer to Addendum A for Park information. Contact the Public Works Dept. at (209)895-8060 for park availability and reservation information.

If interested in reserving a park, please select from the following list of parks:

North Park South Park Sports Complex Garza Park

STREET CLOSURE INFORMATION

There are three (3) types of street closures: 1) hard street closures, 2) rolling street closures and 3) lane closures. If your event includes a street closure, you will need to submit a Traffic Control Plan (TCP). The City's Public Works Department will determine whether a professional TCP is required based on the location and type of street closure, if the event will generate additional traffic or if existing traffic will be severely interrupted. The Public Works Department must approve the TCP before Special Event Permits can be issued. Applicant is responsible for providing and properly placing the necessary traffic control equipment such as barriers/barricades, cones, delineators, and advisory and detour signage to implement the TCP.

Street Closure points must be manned at all times. In some events, Police Department officers may be required to facilitate the closure. The number of officers will depend on the location, type and nature of the closure. Applicant is responsible for hiring the officers and securing a separate contract for their services. In some cases, adult volunteers may be stationed at each closure point during the duration of the street closure (including set-up and tear down times). Use of volunteers, if necessary and/or acceptable, will be determined by the Police Department. For additional information relating to street, and road closures for any event, please contact the **Public Works Department**.

Event will occupy: one lane two lanes half of street full street

Closure type: Rolling Street Closure (street opens to normal traffic after participants pass)
 Hard street closure (street closed for an extended period of time and/or event equipment will be placed in street for the duration of the event; no vehicle access)

Name of street(s) to be closed:

(Attach additional pages as needed; or for moving events such as parades, runs, walks, marches, etc. indicate "see route" and attach the approved map.)

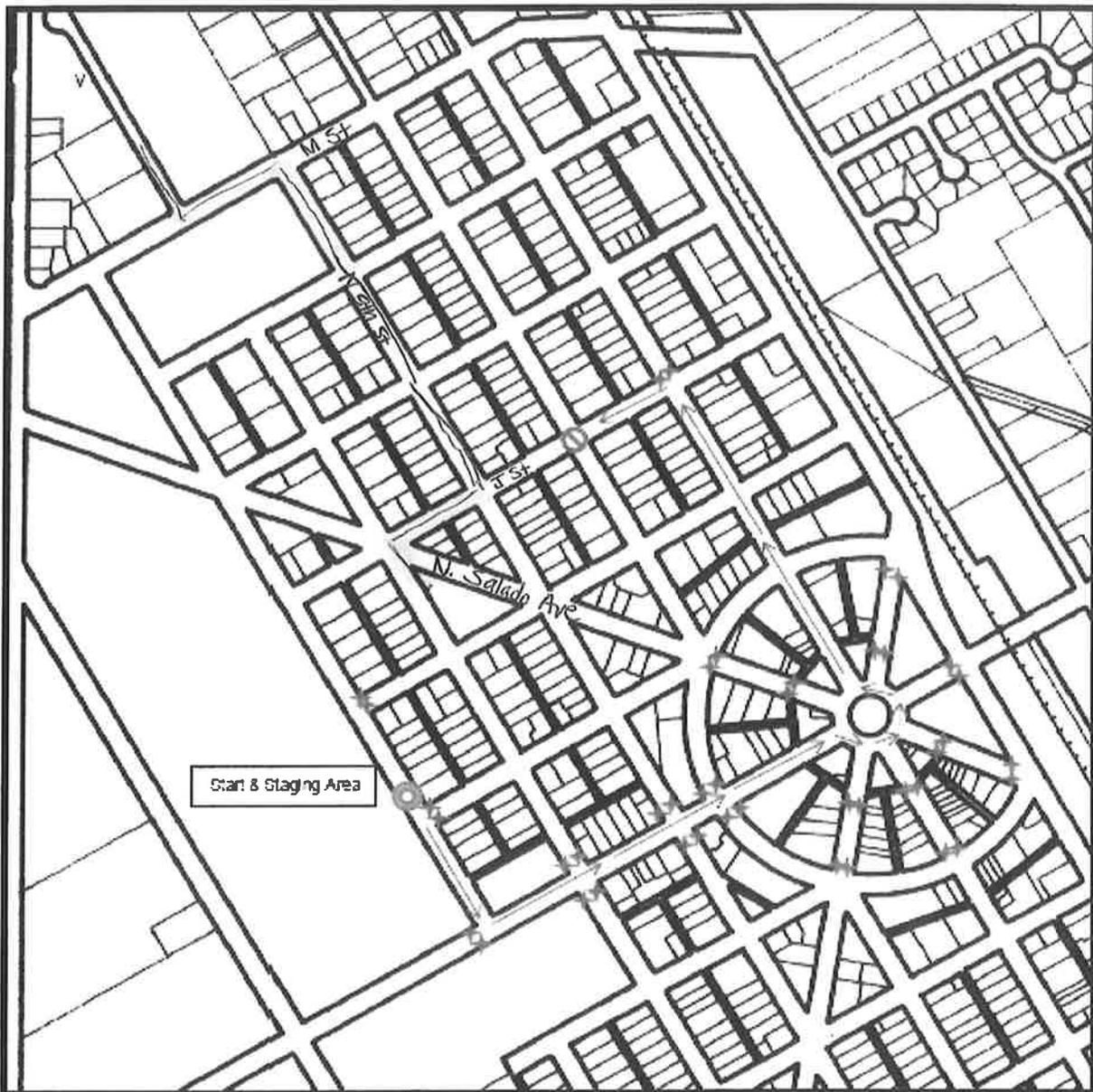
N. 6 th St	Ward Ave	Sacred Heart	1:30 pm	1:35 pm
Street Name	between	and School	Start time	End time
M St	6 th St	5 th St	1:35 pm	1:45 pm
Street Name	between	and	Start time	End time
N. 5 th St	M St	L St	1:45 pm	1:55 pm
Street Name	between	and	Start time	End time

REGIONAL TRANSIT

Any proposed route along or crossing rail tracks must not impede train movements. Trains must be allowed to proceed without interruption. California Northern Railroad will provide input whether or not any proposed route affecting their right of way can be accommodated. If your route impacts Regional Transit or to request a list of service times, please contact California Northern Railroad at (530)668-9490.

Keeping bus detours to a minimum is appreciated. When detours are required, lead time for notifying Stanislaus Regional Transit's bus ridership is required. If your route impacts bus stops, please contact Stanislaus Regional Transit at (800)262-1516.

Parade Route # 1



★	Barricade
→	Parade Route
⊙	Start of Route (Staging)
⊙	End of Route

ALCOHOL MANAGEMENT PLAN - Continued

Are you requesting permission to serve alcohol at your event?²

No Yes

²**Additional Permits Required:** To begin the permit process, please complete the Patterson Police Department's One Day Alcohol Beverage Permit Request (see Addendum C). Once that permit has been obtained, you may apply for an ABC license. To qualify for a Special Daily License, you must be an existing non-profit organization, including a charitable, civic, cultural, fraternal, patriotic, political, religious, social or amateur sports organization. Commercial enterprises and caterers are subject to different requirements. Please contact ABC at (916) 227-2002 for permit information. If you are a non-profit (501) organization you must also have a valid "Tax Exempt" status with the Franchise Tax Board to qualify for a special daily alcohol license. Exempt status can be verified at <https://webapp.ftb.ca.gov/eletter/?Submit=Check+Status>.

Will the alcohol be sold to the attendees? No Yes

Type of alcohol (check all that apply): Beer Wine Distilled Spirits

Explain your sales plan (ticket system, cash at service area, etc.):

N/A

Explain your method(s) of serving:

N/A

Explain who will serve the alcohol (professional bartenders, volunteers, etc.):

N/A

Is the event open to all ages? No Yes

Explain how IDs will be checked, wristbands applied and how you will monitor for underage drinking:

N/A

Do you have an alcohol sponsor? No Yes If yes, explain:

N/A

MEDICAL PLAN

Have you made provisions for on-site medical services? No Yes

If yes, please describe your medical plan:

AMPLIFIED SOUND/ENTERTAINMENT RELATED ACTIVITIES

The City of Patterson defines "amplified sound" as speech, music or other sound projected or transmitted by electronic equipment including amplifiers, loud speakers, microphones, or similar devices or combinations of devices which are powered by electricity, battery or combustible fuel and which are intended to increase the volume, range, distance or intensity of speech, music or other sound.

- No Person shall use amplified sound, including sound checks, before 9am or after 10pm Sunday through Thursday and before 9am or after 11pm on Friday, Saturday and the day prior to a Federal, State or City designated holiday, unless prior authorization is received and permission is included in your Special Event Permit.
- No person shall use amplified sound exceeding a noise level of either 98 dBA at a distance of 150 feet from a noise source or sources, 80 dBA when measured from the nearest residential property, or 24 dBA above ambient noise levels, whichever noise level is lower.

In some cases, a pre-established amplified sound range will be set for you based on the venue or history of your event. The City may also require that you hire a City Event attendant (see Addendum B for fee) to visit your event to set the amplified sound range and remain on-site to monitor the approved range.

Will your event include amplified sound? No Yes

What times are you requesting amplified sound? Start: End:

Will sound checks be conducted prior to the start time? No Yes If yes, what time:

Describe the sound equipment that will be used at the event:

Are there any musical entertainment features related to your event?³ No Yes

³ Additional Documentation Required: Please attach a performance schedule including all performers/bands/DJs, types of music and performance schedule.

Does the entertainment include the use of fireworks, rockets, lasers or other pyrotechnics?⁵ No Yes

If yes, explain:

⁴ Additional Documentation Required: The license holder must submit a letter of intent and shoot schedule. Please contact the Patterson Fire Department at (209) 895-8130.

Does the entertainment include any inflatables? No Yes If yes, explain:

AMPLIFIED SOUND/ENTERTAINMENT RELATED ACTIVITIES - *Continued*

Does the entertainment include carnival rides?⁵ No Yes If yes, explain:

N/A

⁵ **Additional Documentation Required:** The carnival company must submit a letter of intent with a site plan to the Patterson Fire Department. Please contact Fire Prevention at (209)895-8130 or specialevents@ci.patterson.ca.us for more information.

Does the entertainment include animals? (petting zoo, pony rides, etc.) No Yes If yes, explain:

N/A

Does the entertainment include vehicles? (car show, displays, etc.) No Yes If yes, explain:

N/A

FENCING

Fenced area refers to any event or area within the event that is closed off by temporary fencing. The Patterson Fire Department will review your site map and set an occupancy load for the fenced area. When developing your fence plan, please keep in mind the following rules:

- In addition to the main entrance, at least two (2) exits shall be provided when the venue accommodates fewer than 1,000 attendees; at least three (3) exits for 1,000 to 3,000 attendees; and at least four (4) exits when the venue accommodates more than 3,000 attendees.
- Exits shall be equally spaced along the perimeter of the fence and shall be spaced so that no exit is greater than a distance of 400 feet of travel from the next exit.
- Exit width shall be understood to be a panel's width of temporary fencing, to provide an opening of no less than 48 inches.
- Each exit shall have a security guard or volunteer assigned to it.
- Each emergency exit shall be indicated by a sign with a white background and contrasting red letters; sign shall measure 18 x 24 inches; sign lettering shall measure 12 inches in height; and signs shall be placed at the top center of the exit panel.
- In some cases, a Fire Department inspection may be required (for a fee) to set the occupancy load and check access and exits. For questions about fencing or to make arrangements for an inspection, please contact Fire Prevention at (209) 895-8130 or specialevents@ci.patterson.ca.us for more information.

TENTS/CANOPIES/TEMPORARY STRUCTURES - CONTINUED

Seating:

- Chair rows must be no longer than 15 seats and have 18 inches of clearance front to back.
- Aisles must be at least 44 inches wide.

Exits:

- Exits must be evenly spaced at least every 100 feet around the perimeter. Exits, aisles, and pathways shall not be blocked or obstructed at any time.
- Illuminated exit signs must be hung when the occupancy exceeds 50 attendees.

Will your event include tents or canopies? No Yes If yes, indicate on the site map and

N/A

Number of tents/canopies

Tent/canopy size(s) (if you have multiple tents/canopies with varying sizes, indicate the number with the corresponding size):

N/A

STAGES/PLATFORMS

Will your event include the installation of stages or platforms? (if yes, please indicate on site map)

No Yes

How many stages?

What are the dimensions?

VENDORS

The City of Patterson defines "vendor" as an organization or business that sells or advertises products and/or services to event attendees. "There are two (2) categories of vendors: for-profit and non-profit." Generally there are two (2) categories of vendors: 1) food/beverage, 2) merchandise information. Event organizers must pay a Vendor Participation Fee, based on the number of for-profit vendors expected to participate in the event. Please refer to Addendum B - Fee Schedule Finance Department Fees.

Does your event include food vendors?⁶ No Yes How many?

⁶ **Additional Documentation Required:** A County of Stanislaus, Environmental Resources Health Permit is required to sell or serve food to the general public in the City of Patterson. Please contact the Stanislaus County at (209)525-6700 or visit www.stancounty.org for permit information.

Will any of the food vendors be cooking or heating food on-site?⁷ No Yes How many?

⁷ **Additional Documentation Required:** Please read the Patterson Fire Department's Hot Food Vendor Requirements (Addendum E). This document must be distributed to each of your hot food vendors. Each vendor must read, sign and display this document on-site. A Patterson Fire Department Inspection may be required (for a fee).

What methods will be used (check all that apply)? gas electric charcoal other

What is your plan for disposing of grease, charcoal and/or waste water?

N/A

Does your event have merchandise vendors? No Yes How many?

Does your event include information vendors? No Yes How many?

Will any items or services sold at your event present any unique liability issues? (massage, tattooing/piercing, etc.)

No Yes **If yes, explain:**

N/A

CERTIFIED FARMERS MARKET

A certified farmers market⁸ is an event where agricultural products are sold by producers directly to consumers or to individuals, organizations or entities that subsequently sell or distribute the products directly to end users. A certified farmers market may be operated on public property with a Special Event Permit.

⁸ **Additional Documentation Required:** A Stanislaus County, Environmental Resources Health Permit is required. Please contact Stanislaus County at (209)525-6700 or visit www.stancounty.com for permit information.

ENCROACHMENT REQUIREMENTS & CONDITIONS

The purpose of an encroachment permit is to enable the City to monitor activities performed within City rights-of-way and to ensure the safety of the public. A request for a road closure and and/or road detours also requires an Encroachment Permit as well as Encroachment on City owned property/facilities. Please refer to Addendum B - Fee Schedule, Public Works Fees.

An Encroachment permit assures that the encroachment area will be safe for the public and that it is in accordance with the requirements of the City of Patterson Municipal Code, Satisfies all Conditions of Approval, and that it complies with all regulatory compliance requirements (Local, State, Federal), for example SWPPP, FOG, Water Conservation and Recycling.

As part of this Special Events Packet, the event holder will be required to submit Liability Insurance in the amount of \$2 million and an Endorsement naming the City of Patterson as additionally insured. This is also a requirement for Encroachment on public right-of-way. By signing on the Special Events Application the Event Holder/Applicant agrees to the following terms and conditions for Encroachment:

1. Any damage to public or private property or any damage to facilities in the public right-of-way is the responsibility of the event Holder/Applicant who agrees to all/any liability(ies) resulting from the approved event.
2. If the event results in significant impact to existing homes or businesses, the event Holder/Applicant is required to provide written notification at least 48 hour advance notice to all affected property/business owners. If the event has an impact to the Public Transportation Facilities located within close proximity of the event, the event Holder/Applicant is responsible to coordinate with the City of Patterson and/or Stanislaus County Transit to provide adequate services during the event and to post notification on the shelters at least 48 hours in advance of the event.
3. The event Holder/Applicant is responsible for coordinating inspections with Public Works by calling (209)895-8064. A pre-event inspection is required prior to the start of the event and a post-event inspection at the end of the event.
4. The event Holder/Applicant will pay the Encroachment fee in addition to any Park, Special Events Fees, and/or other services charged for this event.

Are you requesting a road closure or encroachment on City owned property? No

Yes

If yes, explain

MARKETING/ADVERTISING/PROMOTIONS

Please ensure that you have conditional approval before you begin to market, advertise or promote your event. Acceptance of the Special Event Permit Application is not a guarantee of the date or location nor automatic approval of your event. Once you have conditional approval you may proceed to market, advertise or promote your event at your own risk. However, if the permit is not granted and the event is therefore cancelled, you may not hold the City of Patterson responsible or liable for any of the costs incurred from your marketing, advertising or promotions.

Please explain how you will market, advertise or promote this event or invite attendees to the event (include event website and social networking sites if applicable; attach additional pages as needed):

Do you plan to include radio or television promotions? No Yes *If yes, explain:*

N/A

Do you expect a live broadcast or feed from the event? No Yes *If yes, explain:*

N/A

Do you expect media coverage? No Yes *If yes, explain:*

N/A

Do you plan to place signs or hang banners on City property?⁹ No Yes *If yes, explain:*

N/A

⁹ **Additional Permit Required:** If you wish to place a banner, please call the Community Development Dept. at (209) 895-8020 or e-mail planning@ci.patterson.ca.us for permit information.

INSURANCE

Applicant and/or the sponsoring organization shall defend, indemnify, and hold harmless the City of Patterson, its officials, agents, employees and volunteers from and against all actions, losses, damages, liability, costs and expenses of every type and description, including, but not limited to, attorney's fee, to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the applicant, sponsoring organization, or its officers, agents, employees or volunteers directly or indirectly arising from the exercise of the authority under the Special Event Permit. Verification of insurance must be submitted at least 10 days prior to your event. You must submit two (2) documents to satisfy insurance requirements

- 1. Certificate of Insurance** in the amount of \$2 million worth of General Liability coverage must be submitted for the event date and any set-up and/or tear down dates.
 - The standard proof of insurance is the ACORD certificate form.
 - The name of the insured, the insurance carrier, the policy number, coverage limits, and effective and expiration dates for the coverage must be stated on the certificate of insurance.
 - Certificate holder must be listed on the certificate as City of Patterson, Special Event Services, 1033 W. Las Palmas Ave., Patterson, CA 95363.
 - Insurance certificates must be signed by an authorized representative of the insurance carrier. Electronic signatures are acceptable.
- 2. Additional Endorsement** is required to reflect that the insurance policy has been amended to include the City of Patterson as insured.
 - The Additional Endorsement must reference the policy number as it appears on the certificate.
 - "The City of Patterson, its officials, agents, employees and volunteers" must be named as additionally insured on the Additional Endorsement.

Your permit will not be issued until both the Certificate of Insurance and Additional Endorsement have been received.

If you do not have insurance, contact HUB International Insurance for Special Event coverage. For more information contact (925) 609-6500 or visit www.eventinsure.com, e-mail: specialevent@hubinternational.com

SIGNATURE

I have read the rules and regulations contained in this document and agree to abide by these rules and regulations. I am duly authorized by the Organization to submit this application on its behalf and agree to be financially responsible for any fees and costs that may be incurred by or on behalf of the event in the City of Patterson. I certify that the information that I have provided on this application is true and accurate to the best of my knowledge. If the event details change, I agree to submit a revised application or provide additional information in writing at least 30 days prior to the event.

Name (please print) Lizeth Llamas

Signature Lizeth Llamas

Date _____

Drivers License Number¹¹ _____

¹¹**Additional Documentation Required:** Please attach a current copy of your Drivers License or California ID to complete application.

FORM OF PAYMENT

A non-refundable application fee of \$50 is due at the time you submit your application. Permit fees are due sixty (60) days in advance of your event. Applications submitted within sixty (60) days of an event require a \$50 non-refundable late processing fee in addition to the \$50 application fee and payment in full. Checks must be made payable to "City of Patterson" and will not be accepted less than thirty (30) days prior to the event.

Please indicate the type(s) of payment method you wish to use:

- Cash - must be presented to clerk
- Personal/Business Check - attach or present to clerk
- Money Order/Cashiers Check - attach or present to clerk
- Visa/ MasterCard / American Express - must be presented to clerk

Phone: _____ Name: _____

Refund Policy

Any refunds due will be processed and mailed within 21 business days of the event or cancellation. Payments made by cash, check or credit card will be refunded with a check.

CHECKLIST

Thank you for submitting the Special Event Permit Application. Before you submit your application to the City of Patterson, Special Event Services, please make sure you have completed the following step:

- Signed AND dated your application
- Attached your event site map (and route map if applicable)
- Included \$50 non-refundable application fee (if you are submitting less than 60 days prior to the event date, please include a \$50 late processing fee for a total of \$100)
- Attached a copy of your current Drivers License or California ID

Submit your completed application to:

By mail:

City of Patterson, Special Event Services
1033 W. Las Palmas Ave.
Patterson, CA 95363

Or by: Fax: (209)895-8189

Or by: Email: specialevents@ci.patterson.ca.us

Questions?

Please call
Special Event Services
at (209)895-8080

Best wishes for a successful event!



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Kenneth R. Irwin, City Manager *K.R.I.*

BY: Di Smith, Interim Human Resources Manager

MEETING DATE: March 1, 2016

ITEM NO: 5.6

SUBJECT: Adopt a Section 115 Employee Benefit Trust for Retiree Health Reimbursements (Resolution No. 2016-20)

RECOMMENDATION

Adopt a Resolution to establish a Section 115 Employee Benefit Trust for Retiree Health Reimbursements (Resolution NO. 2016-20)

BACKGROUND

On October 6, 2015 and February 2, 2016, the City Council approved Memorandums of Understanding (MOU's) with two (2) represented bargaining groups AFSCME and PMMEA. Both of the labor agreements call for reductions to the City's existing Other Post-Employment Benefits (OPEB) for new retirees retiring after December 31, 2015 (AFSMCE) and January 1, 2016 (PMMEA).

To administer the City's retirement medical benefit plans, the City is required to contribute the PEMHCA Established Minimum Employer Rate to CalPERS and reimburse the retiree directly any amount above the PEMCHA minimum amount.

ANALYSIS

In order to administer the changes agreed to in the new MOU's, the City will adopt Resolution 2016-02 Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants on February 16, 2016. The other requirement is the establishment of a section 115 Employee Benefit Trust for Retirement

The Employee groups representatives and with legal review, has selected the Health Reimbursement Arrangement offered through and administered by Mid-America Administrative & Retirement Solutions, Inc. The Plan and Plan administration best provides for the interests of the employer and employees.

Mid-America will reimburse retirees directly, in accordance with applicable Memorandum of Understanding and/or pursuant to City Rule, for CalPERS health premiums deducted from their retirement checks. Contributions by the Employer into the trust based Health Reimbursement Arrangement are discretionary and can be made in any amount at any time.

FISCAL IMPACT

The City currently funding the benefits on a pay-as-you-go basis and budget is established in account XXX-XXX-6123.

Under the adoption of Section 115 Employee Benefit Trust, the City will establish an interest bearing annuity investment account with Mid-America ("Fixed Interest Account"). Contributions from the City will be deposited into the Fixed Interest Account.

An administrative fee of \$7.00 per retiree per month or minimum \$75 per month will be paid to Mid-America for administration of the plan effective March 1, 2016. To date the City has 8 retired staff. The administrative fee has an insignificant budgetary impact.

RESOLUTION NO. 2016-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
TO ADOPT A SECTION 115 EMPLOYEE BENEFIT TRUST FOR
RETIREE HEALTH REIMBURSEMENTS**

WHEREAS, on October 6, 2015, and February 2, 2016, the Council adopted Memorandum of Understanding for AFSCME and PMMEA that established the requirement of a Section 115 compliant plan for the reimbursement of retiree medical expenses.

WHEREAS, Government Code Section 53216 authorizes a governmental or public agency or Employer to establish and make contributions to retirement plans; and

WHEREAS, the Employer desires to fund the HRA through the investments earned from an interest bearing account.

WHEREAS, the Employer desires to provide certain retirement benefits to its retirees under a Health reimbursement arrangement ("HRA") which will reimburse retirees for the difference between the PERS required monthly minimum and the amount which the City has agreed to pay toward the retirees' medical premiums.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Patterson hereby establishes an HRA benefit for its retired employees, effective March 1, 2016.

RESOLVED FURTHER, that the eligibility requirement for employees to participate in the HRA shall be as follows:

Employee must be a retiree from the City of Patterson

RESOLVED FURTHER, that the Council hereby adopts that certain plan known as the Health Reimbursement Arrangement Section 115 Employee Benefit Trust Adoption Agreement for City of Patterson, effective March 1, 2016, through Mid-America.

RESOLVED FURTHER, that the Employer shall make all contributions to the HRA to fund said reimbursement benefits.

RESOLVED FURTHER, that for the purposes of the limitations on contributions and benefits under the HRA, as prescribed by section 415 of the internal Revenue Code of 1986, as amended, the "limitation year" shall be as defined under the terms and provisions of the HRA.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on 1st day of March 2016, by _____, who move its adoption, which motion was duly seconded by _____, and the resolution adopted by the following roll call vote:

AYES:

NOES:

EXCUSED:

APPROVED:

Luis I. Molina, Mayor of the City of Patterson

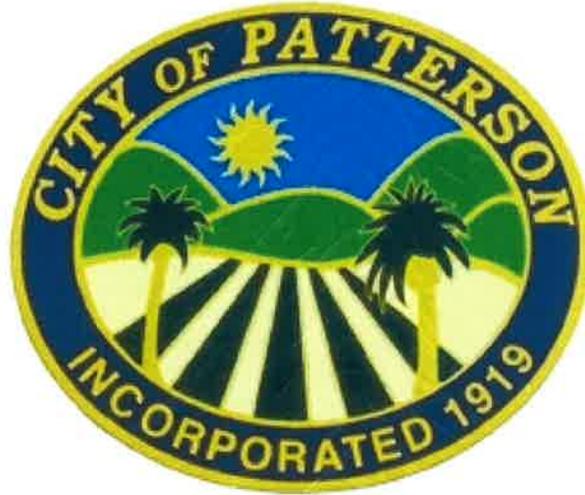
ATTEST:

Maricela L. Vela, City Clerk of the City of Patterson

I hereby certify that the foregoing is full, correct and true copy of the resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 1st day of March 2016, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

City Clerk of the City of Patterson



6. PRESENTATIONS AND PUBLIC HEARINGS



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *K.I.*

BY: Tom Hallinan, City Attorney
Jeff Dirkse, Police Chief

MEETING DATE: March 1, 2016

ITEM NO: 6.1

SUBJECT: Motion to Approve First Reading and Introduction of Ordinance No. 792, Amending Chapters 1.36 and 1.44 of the Patterson Municipal Code to Establish Procedures for Issuing Administrative Citations.

RECOMMENDATION

Motion to introduce for first reading, Ordinance 792, amending chapters 1.36 and 1.44 of the Patterson Municipal Code (“P.M.C.”) to establish a clear procedure for enforcing code violations by issuing administrative citations.

BACKGROUND

Civil actions and criminal prosecutions can be costly and time consuming methods for enforcing violations of a municipal code. As an alternative, Government Code sections 36901 and 53069.4 allow cities to enforce municipal laws by issuing administrative citations for violations of the city’s code. This mechanism allows cities to develop an efficient internal process for assessing fines and correcting violations. A city’s administrative procedure can operate more quickly and informally than a normal court proceeding while still offering the involved parties due process safeguards.

Currently, P.M.C. chapter 1.36: “Administrative Remedies and Enforcement Hearings” and chapter 1.44 “Administrative Citations” provide basic guidelines for an administrative citation process. However, the City of Patterson (the “City”) does not have a working procedure in place and improvements should be made to the P.M.C. to make the process clearer.

ANALYSIS

The suggested revisions to the current P.M.C. have been developed by analyzing similar code sections in other California cities. The proposed ordinance (“Ordinance”) has a fee schedule stating the specific amount that can be charged for a violation unless a greater amount is designated for a specific violation elsewhere in the code. A fee schedule provides the public with notice of the potential penalties for code violations, further ensuring that due process requirements are met. This also increases the City’s authority to impose such fines. The suggested revision includes an exception when a different fee amount is stated in the code for a specific violation but provides a default if a fee is not listed. This gives the City flexibility to charge higher fines for more serious violations.

The Ordinance also adds the additional step of providing a notice of violation to the responsible party before issuing an administrative citation for certain violations. This measure increases due process by giving the responsible party additional notice of the violation and an opportunity to correct the violation before the citation is issued. By allowing the responsible party to correct the violation prior to imposing the penalty, the City can increase compliance with the code without going through the entire administrative citation process. This addition also has exceptions; enforcement officers will still be able to issue citations without a notice of violation if the offense is not related to real property and if the violation is an immediate threat to public safety or occurs in the immediate vicinity of a sign stating the rule that is being violated or in the presence of the enforcement officer. These exceptions give law enforcement and City staff the flexibility to issue administrative citations in situations where notice would not result in a correction of the violation.

The Ordinance grants the City the authority to assess a late fee of fifty percent (50%) of the total fine if the fine is not paid within thirty (30) days of the final order. The threat of a late fee will encourage responsible parties to pay fines in a timely manner, reducing the City’s need to pursue other enforcement measures.

The Ordinance also requires persons requesting a hearing of an administrative citation to deposit the full amount of the fine prior to receiving a hearing date. This provision ensures the prompt and direct payment of a fine if the City prevails at the hearing. To avoid a claim that this requirement unfairly limits hearings on the basis of ability to pay, the ordinance provides an exception when the person can demonstrate financial hardship.

The Ordinance adds provisions to allow the City to choose to pursue legal costs and attorney’s fees related to any action the City is required to take related to enforcement of an administrative judgment or recovery of an administrative fine. Allowing the City to recover legal expenses will ensure that the City will not be restricted from enforcing its laws due to financial considerations.

Overall the ordinance changes the existing chapters of the P.M.C. to make the administrative citation procedure clearer, modern, and straightforward, so the City police and officials may utilize this administrative citation procedure to actively enforce the P.M.C. as an alternative to existing public safety options.

FISCAL IMPACT

By developing a more streamlined system for issuing administrative citations, the City will be able to collect fines more efficiently. This should result in an increase in revenues from fines. There may be an increase in staff time to monitor the issuance of notices of violation which could result in increased costs to the City. However, as the administrative enforcement process becomes streamlined, the additional time required for this step should be minimal.

Additionally, the City may be required to appoint independent hearing officers for appeals of administrative citations. This could result in an increased cost to the City. However, the P.M.C. already provides and state law dictates that individuals be afforded the right to appeal an administrative citation. Accordingly, the suggested code revisions are not directly related to the cost of employing a hearing officer.

Finally, the ordinance enables the City to recover legal costs and attorney's fees related to any enforcement action. Over time the City's ability to pursue enforcement actions without incurring legal costs should save the City money. Therefore, the fiscal impact of these revisions, if any, should be an increase in revenue from fine collection and attorney's fees.

ALTERNATIVE ACTIONS

For the public hearing, the City Council's options regarding Ordinance No. 792 include:

1. Motion to introduce Ordinance No. 792 for a first reading;
2. Continue introduction of Ordinance No. 792 for a first reading to the next regular City Council meeting with changes or revisions as provided by the City Council;
3. Reject the introduction of Ordinance No. 792 for first reading.

RECOMMENDED ACTION

Based on the information contained herein, staff recommends that the City Council adopt a motion to introduce Ordinance No. 792, for first reading amending chapters 1.36 and 1.44 of Title 1 of the P.M.C. to establish a clear procedure for enforcing code violations by issuing administrative citations.

ATTACHMENTS

Ordinance No. 792

ORDINANCE NO. 792

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON, AMENDING CHAPTERS 1.44 AND 1.36 OF TITLE 1 OF THE PATTERSON MUNICIPAL CODE

WHEREAS, Government Code sections 36901 and 53069.4 authorize cities to provide an administrative enforcement mechanism for violations of the city's municipal code as an alternative to state civil and criminal remedies; and

WHEREAS, the city council finds that implementing an alternative enforcement mechanism for municipal code violations allows the city to efficiently enforce the laws of the city which are in place to ensure the health, safety, and welfare of the public; and

WHEREAS, under the authority provided by Government Code sections 36901 and 53069.4, the city council desires to streamline an alternative enforcement mechanism to allow municipal code violations to be processed through the issuance of an administrative citation; and

WHEREAS, under the authority provided by Government Code section 38771 *et seq.* and Civil Code sections 3479 and 3480, the city council desires to prohibit the occurrence of municipal code violations throughout the city and to provide a procedure whereby the city's staff may enforce the city's code.

THE CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1.44.010 of Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.44.010 Declaration of purpose.

- A. The council finds that there is a need for an alternative method of enforcement for minor violations of this code and applicable state codes. The council further finds that an administrative citation program is an appropriate alternative method of enforcement for violations as authorized by Government Code section 53069.4.
- B. The procedures established in this chapter shall be in addition to other legal remedies established by law which may be pursued to address violations of this code or applicable state codes.
- C. The council hereby finds and determines that the enforcement of the code and other ordinances adopted by the city is a matter of local concern and serves an important public purpose.
- D. Use of this chapter for the enforcement of code provisions shall be at the sole discretion of the city, its officers, agents and employees.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.015 which shall read as follows:

1.44.015 Definitions.

“Code” shall mean the Patterson Municipal Code.

“Correction period” shall mean the period of time designated in the notice of violation within which a responsible party may correct or abate the violation.

“Days” shall mean calendar days.

“Enforcement officer” shall mean any officer or employee authorized by ordinance or resolution of the council to enforce the code, or his or her designee.

“Hearing officer” shall mean any person appointed by the city manager to preside at administrative hearings pursuant to Chapter 1.36.020 of the code.

“Responsible party” shall mean any individual, owner, or occupant of real property, or owner or authorized agent of any business, company, or entity, or the parent or legal guardian of any person under the age of eighteen years, who causes or maintains or allows to continue, by his or her action or failure to act, a violation of the code.

Section 1.44.020 of Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.44.020 Authority.

Any person violating any provision of this code or applicable state law may be issued an administrative citation by an enforcement officer as provided in this chapter. A violation of this code includes, but is not limited to, a violation of the code, a violation of any uniform code adopted by the council, a violation of any uncodified city ordinance, or failure to comply with any condition imposed by any entitlement, permit, or license issued or approved under this code.

- A. Each and every day a violation of the code or applicable state code exists constitutes a separate and distinct offense.
- B. A civil penalty shall be assessed by means of an administrative citation issued by the enforcement officer which shall be payable directly to the city and deposited in the code enforcement fund established pursuant to section 1.32.110 of this title.
- C. A civil penalty assessed by means of an administrative citation shall be collected in accordance with the procedures specified in this chapter.

Chapter 1.444 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.025 Fine Schedule which shall read as follows:

1.44.025 Fine Schedule.

Unless otherwise provided in the code, the fine amount for each violation shall be:

- A. A fine not to exceed \$100.00 for the first violation;
- B. A fine not to exceed \$200.00 for the second violation of the same code provision, or condition of a permit, license, or entitlement within the same calendar year of the first violation;
- C. A fine not to exceed \$500.00 for each additional violation of the same code provision, or condition of a permit, license, or entitlement within the same calendar year of the first and second violation.

Section 1.44.030 of Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.44.030 Procedures.

Upon discovering any violation of this code or applicable state codes, the enforcement officer may issue an administrative citation to a responsible person in the manner prescribed in this chapter.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add Section 1.44.032 Notice of Violation which shall read as follows:

1.44.032 Notice of Violation.

When a violation is determined to exist or be recurring, the enforcement officer may serve the responsible party with a notice of violation in a manner permitted under section 1.32.090 to give the responsible party the opportunity to correct the violation before an administrative citation is issued. The notice of violation shall contain:

- A. The conditions constituting the violation;
- B. References to the code sections violated and describe how the sections are violated;
- C. All actions required to correct the violations, if any;
- D. A specified time period from the date of service of the notice of violation within which the violation must be corrected or abated;

- E. A statement requiring the responsible person to immediately correct the violations and an explanation of the consequences for failure to correct the violations;
- F. The penalty amount imposed for the violation;
- G. Explanation of how the penalty shall be paid, the time period by which it shall be paid, and the consequences for failure to pay the penalty;
- H. A statement of the fine that will be levied if the violation is not corrected;
- I. A statement that the responsible party may submit in writing to the enforcement officer any information relating to a determination of the existence of a violation;
- J. Identify all rights of appeal; and
- K. Contain the signature of the enforcement officer and the signature of the responsible person if they can be located, as outlined in this chapter.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.035 which shall read as follows:

1.44.035 Correction or Abatement of Violation.

The notice of violation shall provide a responsible party a reasonable period of time from the date of service to correct the violation, except that if the violation creates an immediate danger to the health or safety of persons or property, the notice of violation may require that the violation be corrected immediately. If the enforcement officer determines that a good faith effort is being made to correct or abate the violation, he or she may grant an additional period of time to complete the correction. If the violation cannot be completely corrected, the violation must be abated in the manner described in the notice of violation. Nothing in this chapter limits the city's authority to perform summary abatements when necessary.

When the enforcement officer determines that the violation has been corrected or satisfactorily abated, the enforcement officer shall provide the responsible party with a letter acknowledging that the correction has occurred. If the violation is corrected or satisfactorily abated within the correction period, no administrative citation shall be issued.

Section 1.44.040 of Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.44.040 Administrative Citation.

For a one time code violation that cannot be corrected, no notice of violation is necessary. Instead an administrative citation may be issued to impose an immediate fine. If a notice of violation is issued and the violation is not corrected on the date the compliance deadline expires, the enforcement officer may issue an administrative citation. The administrative citation shall refer to the date and location of the violation and the approximate time the violation occurred, and shall include:

- A. A description of the conditions or incident causing the violation;
- B. The name and address of the responsible party and, if applicable, the physical address or description of the location where the violation exists or occurred;
- C. Reference to the code sections violated;
- D. When applicable, the date the notice of violation was served on the responsible party and the specified time period for correction of the violation;
- E. When applicable, a statement that the violation has not been corrected within the correction period;
- F. The amount of the penalty imposed for the violation;
- G. An explanation of how the penalty shall be paid, the time period by which it shall be paid, and the consequences of failure to pay the penalty;
- H. A statement of any late penalty that will be assessed if the fine is not paid on time;
- I. A statement that the responsible party may submit in writing to the enforcement officer any information relating to a determination of the existence of a violation;
- J. A statement of the right to a hearing; and
- K. The signature of the enforcement officer and the signature of the responsible person if they can be located, as outlined in this chapter.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.042 Service under this Chapter which shall read as follows:

1.44.042 Service under this Chapter.

- A. Service under this chapter shall be performed in a manner prescribed in section 1.32.090 of the code.
- B. If an enforcement officer physically issues an administrative citation to a responsible party at the time of the incident resulting in the violation, the physical issuance of the administrative citation shall be sufficient service.
- C. If the responsible person is a business, the enforcement officer shall attempt to locate the business owner or responsible person and issue the business owner or responsible person an administrative citation. If the enforcement officer cannot locate the business owner or responsible person, and can only locate the manager of the business, the administrative citation may be given to the manager of the business. A copy of the administrative citation shall be mailed to the business owner or responsible person as prescribed in section 1.32.090 of this title. The mailing of the administrative citation shall include a request for the business owner or responsible person to sign and return the copy of the administrative citation. Failure of the business owner or responsible party to sign and return the administrative citation shall not affect the validity of any proceeding.
- D. Once the responsible person is located, the enforcement officer shall attempt to obtain the signature of that person on the administrative citation. If the responsible person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the administrative citation and subsequent proceedings.
- E. If the violation relates to property and no one can be located on the property, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy subsequently mailed to the responsible person as prescribed in section 1.32.090 of this title and shall include a request for the business owner or responsible person to sign and return the copy of the administrative citation. If the responsible person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the administrative citation and subsequent proceedings.
- F. Failure of any person with an interest in the property to receive notice of an administrative citation shall not affect the validity of any proceeding taken under this chapter.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.045 Direct Citation which shall read as follows:

1.44.045 Direct Citation.

An enforcement officer may issue an administrative citation without first issuing a notice of violation if:

- A. The enforcement officer personally observes an action by the responsible party that constitutes a violation; or
- B. The violation does not pertain to building, plumbing, electrical, or other similar zoning issues and creates an immediate danger to health or safety; or
- C. The violation occurred within the immediate vicinity of a posted notice of the requirements of the code provision being violated.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.047 Duty to Cooperate which shall read as follows:

1.44.047 Duty to Cooperate.

Any person who does not possess photo identification, refuses to identify himself or herself to an enforcement officer or who gives a false identity or address to an enforcement officer, shall be guilty of a misdemeanor.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add Section 1.44.049 Satisfaction of Administrative Citation which shall read as follows:

1.44.049 Satisfaction of Administrative Citation.

- A. If the payment of a fine is not received by the city within thirty (30) days of service of the administrative citation, then the city may assess a late fee in the amount of fifty percent (50%) the total amount of the fine.
- B. Payment of the fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action by the city.
- C. If the responsible party fails to correct the violation, subsequent administrative citations may be issued for maintaining, continuing, or repeating the same or similar violation or allowing the same or similar violation to be maintained, continued, or repeated.
- D. The city may collect any past due administrative citation fines and late payment charges by the use of small claims court or through any other permissible available legal means and may collect all costs and attorney fees pursuant to code section 1.44.080.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.070 Parental Responsibility which shall read as follows:

1.44.070 Parental Responsibility.

Any parent or legal guardian having care, custody, control, or charge of a minor child shall be responsible for paying any fines or fees resulting from a violation of the code pursuant to Welfare and Institutions Code sections 730.5 and 730.6.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.080 Attorney's Fees which shall read as follows:

1.44.080 Attorney's Fees.

In addition to the cost of enforcement and incidental expenses incurred as a result of the enforcement proceeding, pursuant to section 3877.5 of the Government Code, in any proceeding brought to enforce any administrative citation order or recover any fine, the prevailing party shall be entitled to recover attorney's fees, provided that, pursuant to section 38773.5, attorney's fees shall only be available in those proceedings in which the city has provided notice at the commencement of such proceedings that it intends to seek and recover attorney's fees.

Chapter 1.44 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.44.090 Severability which shall read as follows:

1.44.090 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The council declares that it would have adopted such section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 1.36.010 of Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.36.010 Administrative remedies.

- A. The council finds that there is a need for a variety of administrative remedies to enforce violations of this code and applicable state codes. The procedures established by these remedies are in addition to any other legal remedy established by law which may be pursued to address municipal code and applicable state code violations.
- B. Whenever the enforcement officer determines that a violation of this code or applicable state code exists, the enforcement officer may pursue any of the administrative remedies enumerated in this title.

- C. Unless otherwise noted in this chapter, terms and titles shall have the same meaning as defined in Chapter 1.44 of the code.

Section 1.36.020 of Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.36.020 Administrative enforcement hearings.

- A. The council finds that there is a need to establish uniform procedures for administrative enforcement hearings conducted pursuant to this code. It is the purpose and intent of this council to afford due process of law to any person who is directly affected by an administrative action. Due process of law includes adequate notice, an opportunity to participate in the administrative hearing and an adequate explanation of the reasons justifying the administrative action. These procedures are also intended to establish a forum to effectively, expeditiously and fairly resolve issues raised in any administrative enforcement hearing. Any person charged with an administrative violation who has been served with a notice of violation or administrative citation and who wishes to contest the violation or penalty may request a hearing.
- B. The city manager is authorized to develop policies and procedures relating to the qualification, disqualification and appointment of enforcement hearing officers, hearing officer powers, hearing procedures, scope of the hearing, and other matters relating to administrative enforcement hearings. Any person designated to serve as an enforcement hearing officer is subject to disqualification for bias, prejudice, interest or for any other reason for which a judge may be disqualified in a court of law.
- C. The council or city manager shall appoint independent hearing officers for administrative enforcement hearings or contract with an organization that provides independent hearing officers.
- D. Written notice of the time and place of the hearing shall be served at least ten (10) calendar days prior to the date of the hearing to the responsible person. The format and contents of the hearing notice shall be in accordance with the rules and policies developed by the city manager. The notice of hearing shall be served by any of the methods of service listed in section 1.32.090 of this title.
- E. The hearing officer may continue a hearing based on good cause shown by one of the parties to the hearing or if the hearing officer independently determines that due process has not been adequately afforded. The hearing officer has continuing jurisdiction over the subject matter of an administrative enforcement hearing for the purposes of granting a continuance, ensuring compliance with an administrative enforcement order, modifying an administrative enforcement order, or where extraordinary circumstances exist, granting a new hearing. The hearing officer has the authority to require a responsible person to post a code enforcement bond to ensure compliance with an administrative enforcement order.

F. Administrative enforcement hearings are intended to be informal in nature. Formal rules of evidence and discovery do not apply. The city bears the burden of proof to establish the existence of a violation of this code or applicable state code. In the case of an abatement hearing, the city bears the burden of proof to establish the existence of a public nuisance. The standard of proof to be used by the hearing officer in deciding the issues at an administrative hearing is by a preponderance of the evidence. Each party shall have the opportunity to present evidence in support of his or her case.

- (1) No hearing to appeal an administrative citation shall be held unless and until a request for hearing form has been completed and filed with a deposit of the citation fine, unless a hardship form has been filed and approved.
- (2) The person requesting the hearing shall be notified of the time and place of the hearing at least ten (10) days prior to the hearing via first class mail to the address stated on the hearing request form.
- (3) The hearing officer shall only consider evidence that is relevant to whether the violation(s) occurred and whether the responsible party caused or maintained the violation of the code.
- (4) The responsible party contesting the administrative citation shall be given the opportunity to testify and present witnesses and evidence concerning the administrative citation, and to cross-examine witnesses and question evidence.

G. Any party whose property or actions are the subject of an administrative enforcement hearing and who fails to appear at the hearing is deemed to waive the right to the hearing and the adjudication of the issues related to the hearing, provided that proper notice of the hearing was provided.

Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.36.025 which will read as follows:

1.36.025 Advanced Hearing Deposit.

If a person requests a hearing under this chapter regarding an administrative citation fine, the person must also pay a deposit to the city for the amount of the fine upon filing the hearing request with the city. If the person has a financial hardship, he or she may file a financial hardship form to avoid paying the deposit to the city. The advanced hearing deposit requirement will only be waived if city approves a timely submitted financial hardship form. Approving a financial hardship in lieu of a fine deposit in no way abrogates the city's right to collect the fine once an administrative enforcement order has been issued.

Section 1.36.030 of Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.36.030 Administrative enforcement order.

The decision of the hearing officer shall be entitled "administrative enforcement order." Within ten (10) days of the hearing, the hearing officer will serve an administrative enforcement order, briefly stating the reasons for the decision. The administrative enforcement order shall become final on the date of service of the order, and shall be served on all parties by any one of the methods listed in section 1.32.090 of this Chapter. Once the administrative enforcement order becomes final, the time in which judicial review of the order must be sought shall be governed by the Code of Civil Procedure section 1094.6.

Section 1.36.040 of Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.36.040 Judicial review.

It is unlawful for a party to an administrative enforcement hearing who has been served with a copy of the final administrative enforcement order pursuant to section 1.32.090 of the code, to fail to comply with the order. Any person aggrieved by an administrative enforcement order may obtain review of the administrative decision in the appropriate court in accordance with the timelines and provisions set forth in Government Code section 53069.4.

Section 1.36.060 of Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to read as follows:

1.36.060 Hearing Procedures.

- A. A person served with one of the following documents may file a request for a hearing within ten (10) calendar days from the service of notice:
 - 1. An administrative abatement notice issued pursuant to Chapter 1.52 of the code;
 - 2. An administrative citation issued pursuant to Chapter 1.44 of the code;
 - 3. A letter from the enforcement officer indicating intent to record a notice of violation pursuant to section 1.40.030 of the code.

- B. The hearing request shall be made in writing and filed with the city clerk. As soon as practicable after receiving the written notice of hearing, the city clerk shall request the council or city manager to appoint, or cause to be appointed, a hearing officer and schedule a date, time and place for an administrative enforcement hearing pursuant to the procedures and policies set forth in section 1.36.020. Failure to attend the administrative enforcement hearing by the persons appealing a notice of violation or administrative citation shall constitute a waiver of his or her rights to an administrative enforcement hearing and adjudication of the notice of violation or administrative citation or any portion of the notice of violation or administrative citation.

Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.36.070 Extension of Appeal Deadline which shall read as follows:

1.36.070 Extension of Appeal Deadline.

- A. In the event that a person files a financial hardship form, the person shall have an additional ten (10) calendar days from the date the city mails notice to the person of whether the advanced deposit waiver request has been accepted to file a hearing request form and, if required, provide an advanced deposit.

If the city denies the financial hardship waiver request, the person may file a written appeal of the denial with the council within ten (10) calendar days of the date notice was mailed that the advanced deposit waiver request has been denied. If a person files a timely appeal of a advanced deposit waiver request with the council, the council shall hear the request at its next regularly scheduled meeting. The person shall have five (5) calendar days from the date of the council's decision on their request to file his or her hearing request form and, if necessary, provide an advanced deposit.

- B. If the deadline for filing any request with the city under this chapter falls on a day that the city's offices are closed, then the deadline shall be extended to the first day that the city's offices are open after the initial deadline lapses.
- C. Requests and other documents filed with the city pursuant to this chapter shall be deemed filed on the day the document is personally delivered to the city or the date the document is postmarked after being deposited in the United States mail.

Chapter 1.36 of Title 1 of Patterson's Municipal Code shall be amended to add section 1.36.080 Severability which shall read as follows:

1.36.080 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article. The council declares that it would have adopted such section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 1st day of March, 2016, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading and adopted at a meeting of the City Council held on the 15th day of March, 2016, and after such reading, _____, who moved its adoption, seconded by _____, and said ordinance was thereupon adopted by the following roll call vote:

- AYES:
- NOES:
- EXCUSED:
- ABSTAINED:

APPROVED:

Luis I. Molina
Mayor of the City of Patterson

ATTEST:

Maricela L. Vela
City Clerk of the City of Patterson

**CITY OF PATTERSON POLICY REGARDING QUALIFICATIONS
AND APPOINTMENT OF HEARING OFFICERS**

Pursuant to Patterson Municipal Code (the “P.M.C.”) Section 1.36.020, the city council or the city manager (“City Officials”) are responsible for appointing independent hearing officers (“Hearing Officers”) for the City of Patterson (the “City”) to conduct administrative hearings. Under the P.M.C. the City Official is also responsible for developing procedures for the qualifications, disqualification and appointment of Hearing Officers. The policies related to the qualifications, disqualification, and appointment of Hearing Officers are as follows:

Qualifications:

- (1) A Hearing Officer shall be an impartial person who is an attorney who is licensed to practice law in the State of California.
- (2) A Hearing Officer shall have a minimum of twenty (20) hours of training related to administrative hearings with options of topics including but not limited to: (1) due process, (2) evaluation of evidence, (3) hearing procedures, (4) effective oral and written communication; and (5) interpretation of municipal and state laws. Up to twelve (12) hours of training may be substituted by twelve (12) hours of actual experience in conducting administrative hearings.
- (3) A Hearing Officer must have the ability to render fair and unbiased decisions.

Appointment Procedure:

Any individual interested in becoming a Hearing Officer for the City may submit an application with the City stating his or her qualifications. If the minimum qualifications are met, and the individual agrees to all of the terms and conditions of employment, the individual shall be added to the City’s list of Hearing Officers.

Additionally, the City may at any time enter into a contract with an organization that supplies Hearing Officers for the exclusive provision of Hearing Officers for its administrative hearings. If the City elects to enter into an exclusive contract with an organization that provides trained Hearing Officers, then the City will not be required to accept applications from individuals.

Reappointment:

Every two (2) years a Hearing Officer will be required to reapply with the City. The application must represent and warrant that the applicant is in good standing with the California bar and has not been convicted of a felony or misdemeanor involving moral turpitude. If the applicant is in good standing with the California bar, has not been convicted of a felony or misdemeanor of moral turpitude, and is not otherwise disqualified under these requirements, then the application will be granted and the Hearing Officer will be placed on the list for another two (2) years.

If the City contracts with an organization that provides Hearing Officer's, the terms of the contract shall include that the organization agrees to only provide Hearing Officer's that meet the City's qualifications. Additionally, the contract shall include that the City has a right to demand and the organization has an obligation to provide, proof that each of its Hearing Officer's meets the City's qualifications.

List of Hearing Officers:

The City shall maintain a list of qualified Hearing Officers. Once a person is determined to be qualified and added to the list as a Hearing Officer, that individual shall not be removed from the list unless and until:

- (1) The individual indicates they would like to be removed from the list;
- (2) The City is unable to contact the individual after at least three attempts are made for three separate hearings;
- (3) The City finds that the individual no longer meets the required qualifications to be a Hearing Officer;
- (4) The City finds that the individual has engaged in misconduct normally sufficient to justify termination of employment that is unrelated to the amount of administrative fines upheld or the decisions rendered by the person during administrative hearings.

If the City enters into an exclusive contract with an organization to supply Hearing Officers, then the organization shall have the responsibility of maintaining a list of eligible Hearing Officers and the City will not be required to maintain such a list.

Selection of a hearing officer for a hearing:

When the City Official, is informed that a hearing must be scheduled, he or she, or a person designated by him, will call a person on the Hearing Officer list on a rotating basis, starting with the name below the person who was scheduled for the last hearing. If a person cannot be reached or is unavailable for the hearing date, the next name shall be called until a Hearing Officer is found. The Hearing Officer last scheduled for a hearing shall not be called again unless or until everyone else on the list has been called and, either could not be reached, or found to be unavailable.

The selection of a Hearing Officer will in no way be affected by the outcome of hearings or the amount of fines upheld by a Hearing Officer.

If the City Official determines that a case requires expertise in a particular area, the City Manager may employ an ad hoc Hearing Officer or panel to hear the case provided that the employment is only for one hearing and future employment is not conditioned upon the outcome of the hearing.

At any time and for any reason the City Official can elect to contact an organization that provides trained Hearing Officers to supply Hearing Officers for a hearing. The City Officer may do this prior to calling any member on the Hearing Officer list, even if the organization has been selected to hear the last scheduled hearing. If the City has an exclusive contract with an organization for these services, then the organization will have the responsibility of objectively selecting a Hearing Officer to preside over any given administrative hearing and the City will not be involved in the selection.

Disqualification:

Any Hearing Officer may be disqualified from a hearing based on bias, prejudice, conflict of interest, or for any other reason for which a judge may be disqualified in a court of law. Each person on the list of Hearing Officers shall be informed of their duty to disqualify themselves as soon as they learn that they may have bias, conflict of interest or prejudice in a hearing outcome.

When a person receives notice of the date of an administrative hearing, the notice shall also contain the name of the selected Hearing Officer and shall state that the person has a right to challenge a Hearing Official by submitting a written petition prior to the hearing. If the City receives a petition, the City Official shall randomly select another Hearing Officer from the pool and inform the person of the new Hearing Officer.

If a person challenges the second Hearing Officer selection prior to the hearing, the City Official will evaluate the reasons given for the petition, make a determination of whether bias exists, and inform the person of his decision. The petition for a different Hearing Officer shall not extend the date of the hearing and a new Hearing Officer may be appointed the day of the hearing without notice.

A person may also lodge a petition for a new Hearing Officer at the beginning of the hearing. If such a petition is made, the Hearing Officer will make a determination as to whether disqualification is appropriate. If the Hearing Officer disqualifies himself or herself, the hearing will be continued to allow for the appointment of a new Hearing Officer. If the Hearing Officer determines that disqualification is not necessary, the petition will be recorded and the hearing will move forward. After the hearing, a person may appeal the Hearing Officer's determination to the city council by submitting a petition stating why the Hearing Officer should be disqualified. The city council shall hold a public hearing on the matter at the next regularly scheduled meeting and make a determination.

If city council finds that the Hearing Officer should have been disqualified, the person shall have the opportunity of another hearing before a different Hearing Officer. If the city council determines that there was no reason to disqualify the Hearing Officer, then the administrative order will be upheld unless overturned for other reasons.

CITY OF PATTERSON

Phone: (209) 895-8000
Fax: (209) 895-8019



PO BOX 667
PATTERSON, CA 95363
Web Page: www.ci.patterson.ca.us

REQUEST FOR HEARING ON ADMINISTRATIVE CITATION

Name: _____ Address: _____
Home Phone: (____) _____ Work Phone: (____) _____
Citation Number: _____ Date Issued: _____

Any appeal must be filed within ten calendar (10) days of the date the citation was issued. The time requirement for filing a request for hearing shall be deemed jurisdictional and may not be waived.

Reason for appeal (attach additional pages if necessary): _____

Requested action: _____

Do you or a witness need an interpreter?* Yes / No If yes, please explain: _____

Do you or a witness need reasonable accommodations?** Yes / No If yes, please explain: _____

Amount of administrative fine: \$ _____

Prepayment of the full amount of the fine is required to file this appeal. Payment may be made by of cashier's check, money order, or personal check payable to the City of Patterson. You may submit a "Financial Hardship Form: Advanced Hearing Deposit Waiver Request" along with this form to request a waiver of the advanced deposit requirement. However, if granted, the advanced hearing deposit waiver in no way waives the city's right to later collect any fine owed.

The city may issue a deposit waiver if the city is satisfied that you are unable to deposit the full amount of the fine prior to the hearing. If the city denies the request, a written determination will be provided. You have ten (10) calendar days from the date a decision is mailed to file a request for hearing with the required hearing deposit, or file a written appeal of the decision to the city council. If you appeal to city council, you have five (5) calendar days from the date of the city council decision to file a request for hearing with any hearing deposit required. Pursuant to Patterson Municipal Code section 1.36.070.

Any administrative citation fine that has been deposited **shall be refunded** if it is determined, after a hearing, that the person or entity charged with the violation was not responsible for the violation or that there was no violation as charged in the administrative citation.

I here request a hearing before a hearing officer on this citation.

Dated: _____

Signed: _____

Return this form to either of the following addresses:

**City of Patterson
c/o Citations
PO Box 667
Patterson, CA 95363**

**City of Patterson
City Hall
1 Plaza
Patterson, CA 95363**

Notice of the date and time of your hearing shall be mailed to you at least ten (10) days prior to the hearing.

* The hearing officer shall have the discretion to determine how the cost of providing an interpreter shall be allocated between the city and the party requesting the interpreter. In making such determination, the hearing officer shall give equitable consideration to all circumstances in the case, including the ability of the party needing the interpreter to pay for the service pursuant to the guidance provided in Government Code section 11435.25.

** The City of Patterson complies with the Americans with Disabilities Act.



Administrative Citation Hearing Information:

The City of Patterson administrative citation program, as created in the city's municipal code permits city staff and law enforcement to issue administrative citations in response to code violations. If you have received an administrative citation but are not responsible for the code violation, you may request an administrative hearing before an independent hearing officer. The city's policies and procedures for administrative hearings are provided in more detail in chapters 1.36 and 1.44 of the city's municipal code. You can access copies of the city's code online at: <http://codepublishing.com/ca/patterson/> or by visiting the city clerk's office at 1 Plaza, Patterson, California 95363 during regular business hours.

Filing a Request for Hearing:

You must file a request for a hearing on an administrative citation within ten (10) calendar days of the date the citation was issued. To file a request for a hearing, complete the attached form, with any additional information you wish to provide, and return the form to the city clerk's office with a deposit for the full amount of the fine in the form of: (1) a personal check; (2) credit card; (3) cashier's check; or (4) money order made payable to: City of Patterson. Please write the citation number on the memo line of your check or money order. **DO NOT SEND PAYMENT IN CASH.** A \$25.00 charge will be added for any returned checks.

To return this form and the required payment, either (1) mail all documents to: **City of Patterson, c/o Citations, PO Box 667, Patterson, CA 95363**; or (2) deliver all documents to **City Hall, 1 Plaza, Patterson, CA 95363** during normal business hours. To inquire about the city clerk's business hours, call (209) 895-8000. Requests will be deemed filed on the date they are personally delivered to, and received by, the city clerk's office or the date they are postmarked. In the event that the deadline to request a hearing falls on a date when the city's offices are closed for business, the deadline shall be extended to the next date that the city is open.

If you are unable to pay the deposit of the administrative fine at the time you wish to request a hearing, you may qualify for an advanced hearing deposit hardship waiver. To request an advanced hearing deposit hardship waiver, complete a financial hardship form and return it to the city with this hearing request. The city will evaluate the financial hardship form and mail or make available to you otherwise, a written decision to you regarding whether or not it is granting you an advanced hearing deposit waiver. You have ten (10) calendar days from the date a decision is mailed to file a request for hearing with the hearing deposit, if required, or file a written appeal of the decision to the city council. If you appeal to the city council, you have five (5) calendar days from the date of the city council decision to file a request for hearing with any hearing deposit required. P.M.C. section 1.36.070.

Written notice of the time and place of the hearing and the name of the hearing officer will be mailed to you at the address indicated on this form.

What to Expect at the Hearing:

The administrative hearing shall be conducted by a trained and independent hearing officer. The hearing shall be informal in nature. You will be required to take an oath and have the right to present testimony or evidence either written or verbal concerning the violation. You may bring witnesses to your hearing who can answer questions regarding the violation or your own culpability. You will also have the opportunity to cross examine any witnesses who are present at the hearing on behalf of the city. If you are a minor, you have a right to have a parent or guardian present at the hearing. You may also, but are not required to, be represented by an attorney at the hearing.

The hearing officer shall make findings based on the record of the hearing and all evidence received and testimony heard. The hearing officer shall make a written decision based on the findings and mail you the within ten (10) calendar days after the hearing. The decision of the hearing officer is final and conclusive, subject to review by the superior court in accordance with state law.

If the hearing officer dismisses the administrative citation the penalty and the deposit will be returned to you. If the hearing officer upholds the administrative citation the city shall retain the advanced deposit to satisfy the administrative fine and you will be required to correct any outstanding violation or face criminal prosecution or the imposition of additional administrative penalties. If the hearing officer upholds the administrative citation and you have not deposited the amount of the fine with the city due to an advanced hearing deposit waiver, the amount of the fine shall be due within twenty (20) days of the hearing officer's decision being mailed.

Should you have any questions regarding the administrative hearing procedure, you may contact the city clerk's office by calling (209) 895-8011 during normal business hours.

CITY OF PATTERSON

Phone: (209) 895-8000

Fax: (209) 895-8019



PO BOX 667

PATTERSON, CA 95363

Web Page: www.ci.patterson.ca.us

**CITY OF PATTERSON ADMINISTRATIVE CITATION
FINANCIAL HARDSHIP FORM: ADVANCED HEARING
DEPOSIT WAIVER REQUEST**

Name: _____ Address: _____

Home Phone: () _____ Work Phone: () _____ Amount of Fine \$ _____

Citation Number: _____ Date Issued: _____

If you intend to request a hearing to contest an administrative citation on the basis that no violation of the Patterson Municipal Code ("P.M.C.") occurred or that you are not the responsible party, you are required to deposit the full amount of the administrative citation fine at the time the request for the hearing is made pursuant to P.M.C. section 1.36.025. You may request a waiver of this deposit requirement by filing this form. The city may issue an advanced deposit hardship waiver if the city is satisfied that you are unable to deposit the full amount of the fine prior to the hearing. The city will mail, or make available to you otherwise, a written decision regarding whether it is granting your request. You have ten (10) calendar days from the date a decision is mailed to file a request for hearing with the hearing deposit, if required, or file a written appeal of the decision to the city council. If you appeal to the city council, you have five (5) calendar days from the date of the city council decision to file a request for hearing with any hearing deposit required. P.M.C. section 1.36.070.

REASON(S) FOR HARDSHIP WAIVER (attach additional pages if needed):

Please provide copies of documentation verifying sources of income. Documents may include Social Security, general assistance, Aid to Families with Dependent Children (AFDC), current paychecks, etc.

I declare, under penalty of perjury, that the foregoing statement and information provided by me is correct.

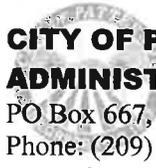
Signature (Contesting Party)

Date

You will be notified by first-class mail if the request has been approved or denied. Please mail or deliver this form with the attached documentation to either:

City of Patterson
c/o Citations
PO Box 667
Patterson, CA 95363

City of Patterson
City Hall
1 Plaza
Patterson, CA 95363



CITY OF PATTERSON
ADMINISTRATIVE CITATION

PO Box 667, Patterson, CA 95363
 Phone: (209) 895-8000 Fax (209) 895-8019
 www.ci.patterson.ca.us

ADMINISTRATIVE CITATION NO. _____

DATE ISSUED:		TIME:		AM	PM
LOCATION OF VIOLATION:					
RESPONSIBLE PARTY: (name-first, middle, last)					DOB
DRIVER LICENSE #:					
MAILING ADDRESS:					
CITY		STATE		ZIP CODE	
DESCRIPTION OF VEHICLE: (make, model, year, license plate #)					
<input type="checkbox"/> Property Owner <input type="checkbox"/> Occupant <input type="checkbox"/> Contractor <input type="checkbox"/> Individual <input type="checkbox"/> Business Owner <input type="checkbox"/> Other					
The violation(s) listed below exist or occurred at the location, date and time identified above.					
City of Patterson Code Section	Description of Violation	Notice of Violation /Warning Only*	Base Violation Fine Amount**		
		<input type="checkbox"/>			
		<input type="checkbox"/>			
		<input type="checkbox"/>			
*For Notice of Violation or WARNING: No fine applies if the violation(s) is corrected by the date described below. If you have any questions regarding how to correct the violation(s), contact the enforcement officer at (209) _____. Additional citations and fines may be issued for continuing or repeating the violations. A fine of \$ will be assessed if the violation(s) is not corrected by ___/___/___.				**Total Fines \$	
**The Base Violation Amount only lists the fine amount for a first offense. If the responsible party has committed the violation more than once, the total fine amount will be increased accordingly after a review of the party's record. If the City determines that a greater fine is due, it shall mail an amended citation with the new amount.					
IF THE RESPONSIBLE PARTY IS A MINOR COMPLETE 1-3:					
(1) NAME OF PARENT OR GUARDIAN:					
(2) PHONE NUMBER:					
(3) WAS THE PARENT CONTACTED?					
DESCRIPTION OF INCIDENT:					
<input type="checkbox"/> Prior Notice of Violation/WARNING was issued on ___/___/___. <input type="checkbox"/> Corrections were required before ___/___/___ but were not completed on time. Fines are now due.					
Enforcement Officer:		Issue Date:		Badge/ID No. (if applicable)	
		Photos: <input type="checkbox"/>			

NOTICE OF PUBLIC HEARING

CITY OF PATTERSON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON, AMENDING CHAPTERS 1.36 AND 1.44 OF TITLE 1 OF THE PATTERSON MUNICIPAL CODE

(TO ESTABLISH PROCEDURES FOR ISSUING ADMINISTRATIVE CITATIONS)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council of the City of Patterson (the "City") at its next regularly scheduled meeting on Tuesday, March 1, 2016 at 7:00 p.m. at Council Chambers: 1 Plaza, Patterson, California 95363 to consider the adoption of an ordinance (the "Ordinance") amending Chapter 1.36 and 1.44 of Title 1 of the Patterson Municipal Code (the "P.M.C.") to establish procedures for issuing administrative citations. If approved by a majority vote of the City Council, the Ordinance will become effective 30 days after adoption.

NOTICE IS ALSO HEREBY GIVEN that this document including the Ordinance is available for public review at the City of Patterson City Hall, City Clerk's Office during normal business hours, and on the City of Patterson web site www.ci.patterson.ca.us under Popular Links; Legal Notices & Public Hearings and Agenda Center, City Council Agenda of March 1, 2016. The City of Patterson City Hall is located at 1 Plaza, Patterson, California. All interested parties are invited to review these documents prior to the March 1, 2016 Public Hearing.

ALL INTERESTED PARTIES are invited to attend the hearing and express opinions or submit evidence for or against the proposed Ordinance as described above. At the above noted time and place, testimony from interested persons will be heard by the City Council and duly considered prior to taking action on the above proposed Ordinance. Any material submitted to the City Council for consideration (photographs, petitions, letters, etc.) will be retained by the City and cannot be returned. Upon request, the agenda and the documents in the hearing agenda packet can be made available to persons with a disability. In compliance with the Americans with Disabilities Act, the City of Patterson encourages those with disabilities to participate fully in the public hearing process. Any person requiring special assistance to participate in the meeting should call voice (209) 895-8014 or (209) 895-8010 at least forty-eight (48) hours prior to the meeting. If a challenge to the above proposed actions is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council.

FURTHER INFORMATION regarding the described above may be obtained at the City of Patterson City Hall, City Clerk's Office, 2nd Floor, or by calling (209) 895-8014 or by email cityclerk@ci.patterson.ca.us

BY ORDER OF THE CITY COUNCIL OF THE CITY OF PATTERSON.

DATES ADVERTISED: February 18, 2016
February 25, 2016

Maricela Vela, City Clerk
City of Patterson, City Hall, Administration Department
1 Plaza, 2nd Floor
Patterson, CA 95363
Direct No. 209-895-8014
Email: cityclerk@ci.patterson.ca.us
Web Site: www.ci.patterson.ca.us



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Tom Hallinan, City Attorney
Jeff Dirkse, Chief of Police

MEETING DATE: March 1, 2016

ITEM NO: 10.2

SUBJECT: Motion to Approve First Reading and Introduction of Ordinance No. 793 to Add Chapter 10.42 to City of Patterson Municipal Code Regarding Funeral Procession Escorts.

RECOMMENDATION

It is recommended that the City Council of the City of Patterson make a motion to introduce for first reading Ordinance No.793 adding Chapter 10.42 to Title 10 of the Patterson Municipal Code (“PMC”)

BACKGROUND

Currently, the City does not have a process for providing traffic control or escort services for funeral processions in the City. If a funeral procession escort is provided, it must come from the Stanislaus County Sheriff’s Department (“Sheriff’s Department”) which is under contract with the City to provide law enforcement services. A local private organization has expressed interest in providing funeral procession escort services to the City on a volunteer basis.

ANALYSIS

Chapter 10.42 establishes procedures for issuance of funeral procession escort permits in the City. Currently, the Sheriff’s Department provides an honor guard, drum and pipe corps for official funerals. However, there is no specific procedure to provide funeral escort services for funerals in Stanislaus County. This ordinance will create a process whereby private individuals or funeral service providers can apply for a permit to provide an escort to funeral processions in the City. The Sheriff’s Department will only be involved in reviewing permit applications, and will no longer provide funeral procession escort services. Under the proposed Chapter 10.42, individuals who are volunteering their time or providing their services for a fee can seek a permit from the City to provide funeral procession escort services.

California Vehicle Code Section 2817 makes it an infraction to disobey signals or directions from a uniformed police officer conducting a funeral escort. While funeral escorts are not required to be in uniform, they will be required to have insignia approved by the Chief of Police on their person while engaged in escorting funeral processions. It is legal to form and lead a funeral procession as long as all motorists involved obey the rules of the road. The proposed ordinance provides that a funeral procession may disregard stop lights and stop signs once the leader of the procession has legally entered the intersection when a permitted funeral procession escort is present in the intersection for the entire time the funeral procession is passing through that intersection.

Several California cities have similar ordinances that provide permitting procedures for private entity funeral procession escorts. Standard requirements include that permit applicants provide proof of instruction on traffic control techniques approved by the Chief of Police, the funeral escort service providers agree to indemnify the City, and that the funeral escort services permit applicants to have insurance for any incidents that occur as a result of the funeral escort procession. The proposed ordinance incorporates these requirements and others in conformity with the PMC.

A significant difference between the proposed ordinance and the regulations adopted by other cities is that most of the other cities define funeral escort as an individual who is either employed by a funeral service provider or a funeral procession escort providing service, thereby excluding volunteers. The proposed ordinance contains provisions allowing volunteers to obtain a funeral procession escort permit.

FISCAL IMPACT

The costs that will accompany this program are related to the implementation and administration of the permitting process. Since most of the permitting work is done by the City's police department, the fees required to receive a permit are left up to the Council to adopt by resolution. The City's police department can access the costs associated with the permitting process and fold that into the fees that are collected at the time an individual applies for a permit. The use of volunteers and private businesses to escort funeral processions also saves the police department from having to provide escorts from their forces when they are requested. This will result in a cost savings for the City.

ORDINANCE NO. 793

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
REVISING TITLE 10 OF THE PATTERSON MUNICIPAL CODE TO ADD
CHAPTER 10.42 FUNERAL PROCESSIONS**

WHEREAS, the City Council (“Council”) for the City of Patterson (“City”) recognizes that escorting funeral processions through the City provides respect and decorum for members of the community; and

WHEREAS, the Council is aware that the failure to provide traffic control and escort services for funeral processions has resulted in frustration for members of the community; and

WHEREAS, Vehicle Code Section 21100(e) allows individuals to regulate traffic where that individual has undergone instruction in traffic control procedures approved by local law enforcement; and

WHEREAS, Vehicle Code Section 2817 makes it an infraction to disobey signals or directions from a uniformed police officer conducting a funeral escort; and

WHEREAS, the Council finds that it is important to establish regulations and permitting requirements for individuals conducting traffic control while escorting a funeral procession within the City to protect the health, safety and welfare of the community.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PATTERSON,
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

Title 10 of the Patterson Municipal Code shall be amended to add Chapter 10.42 Funeral Processions, which shall read as follows:

10.42.010 Purpose.

Local authorities may adopt rules and regulations by ordinance or resolution to regulate traffic at such locations that may require traffic directions for orderly traffic flow. It is the purpose of this chapter to use the power, conferred on the city, pursuant to California Vehicle Code Section 21100(e), to appoint persons other than traffic officers to direct and regulate traffic for a funeral procession.

10.42.020 Funeral procession definition.

“Funeral procession” means a group of two (2) or more vehicles traveling in line from a funeral service whether that funeral service is held at a place of worship or another location, to a transportation facility, cemetery, or crematory.

“Permittee” means the person to whom a funeral escort permit is issued.

10.42.030 Permit required for private funeral escorts.

Motor vehicle funeral processions may be led or escorted by private escorts within the city in accordance with the requirements of this chapter. No person shall stop, obstruct, or otherwise direct traffic in intersections while leading or escorting a motor vehicle funeral procession without first obtaining a valid funeral escort permit pursuant to this chapter.

10.42.040 Rules governing funeral procedures.

- A. Each vehicle participating in a funeral procession shall be operated with its headlights and, if so equipped, its emergency flashers, turned on.
- B. No operator of any vehicle shall drive between the vehicles comprising a funeral procession, provided that vehicles comprising such procession are conspicuously so designated by having their headlights and, if so equipped, emergency flashers turned on.
- C. The directing of all vehicles and traffic on any street over which such funeral procession or parade wishes to pass shall be subject to rules and regulations promulgated by the police department.

10.42.050 Authorized traffic direction.

- A. Any person holding a valid funeral escort permit pursuant to this chapter and leading or otherwise escorting a motor vehicle funeral procession shall obey all traffic laws, including all speed laws, except that such person is authorized to stop cross traffic, to enable all vehicles in the funeral procession to proceed together as an unbroken chain, at an intersection controlled by:

1. Stop signs or yield signs, providing that the permittee remains in the intersection until all funeral procession vehicles have cleared the intersection; and
2. Signal lights, providing that the lead vehicle in the procession enters the intersection with a green light and the permittee remains in the intersection at all times when the light is not green until all funeral procession vehicles have cleared the intersection.

B. A permittee is authorized to direct traffic in the manner specified in this section only while using any equipment authorized by the chief of police for this purpose and while carrying a valid funeral escort permit on the permittee's person.

C. The chief of police may order the immediate suspension or revocation of a funeral escort permit if the permittee has not directed traffic in the manner specified in this section.

10.42.060 Official insignia.

The chief of police shall approve an official insignia and any equipment, which shall be used by all permittees while directing traffic in the manner specified in Section 10.42.050. The chief of police shall also approve vehicular equipment regulations including a color or insignia scheme.

10.42.070 Regulations.

A. The chief of police may prepare and issue written regulations for distribution to applicants and permittees regarding the implementation of the provisions of this chapter, including, but not limited to, the safe and lawful conduct of funeral escort services, and the maintenance of insignia, motor vehicles, and equipment used in escorting funeral processions.

B. Such regulations shall be binding upon applicants and permittees. Permittees shall comply with these written regulations as a term and condition of the permit.

10.42.080 Permit application procedures.

A. Applications for a funeral escort permit shall be filed with the chief of police on forms provided by the chief of police and shall contain or be accompanied by the following:

1. Name and address of applicant, and the applicant's funeral escort service employer if the applicant is employed by such a service;
2. Proof of liability insurance in compliance with this chapter;
3. Proof that the applicant holds a valid California driver's license that is properly endorsed for the type of vehicle the applicant intends to use while directing vehicular funeral processions;
4. Proof of satisfactory completion of a traffic safety program of instruction, as described in Section 10.42.180;

5. Proof that the vehicle to be used in the course of conducting escorts has been inspected by the police department to insure that it meets the equipment and safety requirements as set forth by the police department;
6. An indemnification and hold harmless agreement as set forth in Section 10.42.170 of this chapter signed by the applicant and if the applicant is employed by a funeral service escort provider, the applicant's funeral escort service employer;
7. Permit and insignia fees, as established by resolution of the city council;
8. Such other information as may be required by the chief of police.

B. If all the requirements for approval of a funeral escort permit are met, then the chief of police shall issue a permit within fourteen (14) days of submission of the completed application.

10.42.090 Nontransferability of permits and expiration.

Funeral escort permits shall be issued by the chief of police, or authorized designee, in the names of individual persons actually conducting such escorts and shall expire two (2) years from the date of issuance. Permits shall not be transferable or assignable.

10.42.100 Permit fee schedule

At the beginning of each fiscal year, the chief of police shall prepare a funeral escort permit fee schedule, to be approved by the city manager, which sets forth the charges for all city services required to be utilized in connection with any funeral escort permitting services.

10.42.110 Fee exemption for volunteers.

Funeral escort permit applicants who will provide funeral procession escort services on a volunteer basis are exempt from paying the permit and insignia fees, as established by resolution of the city council.

10.42.120 Permit renewal procedures.

A permittee seeking renewal of his or her funeral escort permit shall meet all the requirements of this chapter applicable to first time applicant in order to obtain a renewal of the funeral escort permit.

10.42.130 Denial, suspension, or revocation of permit.

Funeral escort permits issued pursuant to this chapter may be denied, suspended, or revoked by the chief of police upon any of the following grounds:

- A. The application is incomplete or illegible;

- B. The applicant has knowingly made false statements on the application;
- C. The applicant has been convicted of a crime, and the time for appeal has elapsed, provided, however, that the permit may be denied upon this ground only if the crime is substantially related to the qualification, functions, or duties associated with the operating of motor vehicles or with leading or otherwise escorting a motor vehicle funeral procession;
- D. Failure to meet any of the requirements of this chapter;
- E. The applicant's unlawful or negligent operation of a motor vehicle during the three (3) years prior to the date of application;
- F. The applicant's unlawful or negligent direction of traffic while escorting a vehicular funeral procession or other motor vehicle procession.

10.42.140 Notice of decision to deny, suspend, or revoke permit.

- A. Upon determining the existence of any of the grounds for denial, suspension, or revocation in accordance with Section 10.42.130 of this chapter, the chief of police shall issue a notice of decision to deny, suspend, or revoke the permit. The notice of decision shall state the grounds and reasons upon which the denial, suspension, or revocation is based.
- B. The notice of decision shall be mailed to the applicant or permittee at the address stated on the application or permit. Alternatively, the notice of decision may be hand-delivered to the applicant or permittee or to the address given in the application or permit.
- C. The notice of decision shall advise that the denial, suspension, or revocation shall become final unless the applicant or permittee files a written request for hearing before the chief of police within the time period specified in Section 10.42.150 of this chapter.

10.42.150 Procedure for hearing before the chief of police.

The written request for a hearing before the chief of police must be received by the chief of police, or authorized designee, within ten (10) days of the date of mailing the notice of decision to deny, suspend, or revoke the permit. The chief of police, or authorized designee, shall schedule a hearing, which shall be held no later than thirty (30) days after receipt of a timely request for hearing. The notice of hearing shall be mailed to the applicant or permittee not later than ten (10) days prior to the scheduled date of the hearing. At the hearing before the chief of police, the applicant or permittee shall be given the opportunity to present witnesses and documentary evidence and to cross-examine witnesses. The hearing will be conducted informally, and the technical rules of evidence shall not apply. Any and all other evidence, which the chief of police deems reliable, relevant, and not unduly repetitious, may be considered. The applicant or permittee may be represented by another person.

10.42.160 Decision of the chief of police after hearing.

Within twenty (20) days after the hearing, the chief of police, or authorized designee, shall mail a written decision sustaining, reversing, or modifying his or her initial decision to the applicant or permittee at the address stated in the application or permit. The decision of the chief of police after the hearing shall be final.

10.42.170 Indemnification.

A. The funeral procession escort permittee on a form acceptable to and approved by the city attorney shall assume all risk associated with the activity of escorting funeral processions and agrees not to sue the city, its elected and appointed councils, boards, commissions, officers, officials, volunteers, agents, employees and representatives for loss or damages suffered by the funeral escort permittee, its agents or successors, arising out of or in connection with any funeral procession escort services conducted by the funeral procession escort permittee or claims by the funeral procession escort permittee or any other person or persons for personal injuries or property damage arising out of or incidental to the funeral procession escort services.

B. In the event that a person or entity brings a claim, action, or proceeding that arises from the funeral procession escort services or any work performed in conjunction with the funeral procession escort services, the funeral procession escort permittee will indemnify, defend and hold harmless the city, its elected and appointed councils, boards, commissions, officers, officials, volunteers, agents, employees and representatives from and against any and all claims, demands, costs, expenses of whatever nature, including court costs, attorney fees, and expenses of litigation awarded to the prevailing party or parties. The city may elect to tender its own defense to any action and receive reimbursement from the funeral procession escort permittee for any costs or expenses it accrues as a result of that defense.

10.42.180 Liability insurance.

A. Insurance shall be in amounts, form, and insurers acceptable to city attorney, but shall have the following minimum requirements

B. During the term of a permit issued pursuant to this chapter, the permittee or his or her funeral escort service employer, should permittee be employed by such a funeral service provider, shall maintain in full force and effect at the permittee's or his or her employer's own cost a comprehensive auto and general liability insurance policy:

1. In an amount not less than two million dollars (\$2,000,000.00) single limit per occurrence; and
2. Issued by an admitted insurer or insurers as defined by the California Insurance Code; and
3. Providing that this city, its officers, employees and agents are to be named as insureds under the policy; and

4. Covering all losses and damages as specified in Section 10.42.170 of this chapter; and
5. Stipulating that the policy will operate as primary insurance and that no other insurance effected by the city or other named insured will be called on to contribute to a loss covered thereunder; and
6. Providing that no cancellation, change in coverage or expiration by the insurance company or the insured shall occur during the term of the funeral escort service permit, without thirty (30) days written notice to the city prior to the effective date of such cancellation or change in coverage.

C. In the event of failure of any permittee to maintain in effect the required insurance policy or policies, the funeral escort permit shall be considered to be suspended as a matter of law from the date of cancellation or a lapse of the required insurance. The chief of police may reinstate the permit when the suspended permittee provides the city with proof of insurance as required by this section.

10.42.190 Traffic safety instruction program.

Each applicant for funeral escort permit shall submit to the chief of police evidence of satisfactory completion of an instructional program of traffic safety. Evidence of successful completion of an instructional program for traffic safety shall include, but not be limited to, instructional materials received by the applicant from the program, test scores, and grades received by the applicant. The chief of police shall review and approve each submitted instructional program if the chief of police reasonably believes that the program provides the applicant with sufficient training to safely direct traffic.

10.42.200 Private processions must obey traffic laws.

Persons participating in private funeral processions or other processions within the city without police escort must obey all state and city traffic laws, except as specifically authorized by this chapter.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 1st day of March, 2016, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading and adopted at a meeting of the City Council held on the 15th day of March, 2016, and after such reading, _____, who moved its adoption, seconded by _____, and said ordinance was thereupon adopted by the following roll call vote:

AYES:
NOES:
EXCUSED:

APPROVED:

Luis I. Molina
Mayor of the City of Patterson

ATTEST:

Maricela L. Vela
City Clerk of the City of Patterson



City of Patterson
City Hall
1 Plaza
P.O. Box 667
Patterson, CA 95363

FUNERAL ESCORT RELEASE OF LIABILITY AND HOLD HARMLESS AGREEMENT

THIS LIABILITY RELEASE AGREEMENT (the "Agreement") is entered into on this 1st day of March, 2016, by and between the City of Patterson (the "City") and _____ ("Funeral Escort"). From time to time hereafter, the parties to this Agreement may be collectively referred to as the "Parties" and individually as a "Party".

1. Funeral Escort Obligations. Funeral Escort shall comply with all applicable local, state and federal laws, codes and safety procedures and requirements during all funeral procession escorting services.

2. Release of Liability. Funeral Escort assumes all risk associated with the activity of escorting funeral processions and agrees not to sue the City, its elected and appointed councils, boards, commissions, officers, officials, volunteers, agents, employees and representatives ("City's Agents") for loss or damages suffered by the Funeral Escort, its agents or successors, arising out of or in connection with any funeral procession escort services conducted by the Funeral Escort or claims by the Funeral Escort or any other person or persons for personal injuries or property damage arising out of or incidental to the funeral procession escort services.

3. Waiver of Claims. The Parties, and each Party, hereby agrees that the release set forth in Section 2 of this Agreement is a full and final release of all claims related to the terms of this Agreement. The Parties, and each Party, hereto agrees and acknowledges that they may hereafter discover facts different from or in addition to those they now know or believe to be true with respect to the matters released herein, and the Parties, and each Party, agrees that all of the terms of this Agreement shall and will remain effective in all respects, regardless of such different or additional facts which may be learned. The Parties, and each Party, understands and acknowledges that section 1542 of the California Civil Code speaks in terms of general releases. To the extent section 1542 may be applicable to specific or special releases, the Parties, and each Party, hereby expressly waives any and all rights such Party may have under section 1542 and any similar law of any other competent jurisdiction. Civil Code section 1542 provides:

"1542. CERTAIN CLAIMS NOT AFFECTED BY GENERAL RELEASE. A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

The Parties specifically do not waive any continuing rights, duties or obligations unrelated to the subject of this Agreement, such as arising from a separate contract or agreement, and do not waive any claims arising from matters outside the scope of this Agreement, or other contract, relationship or obligation between the Parties.

4. Indemnity. In the event that a person or entity brings a claim, action, or proceeding that arises from the funeral procession escort services or any work performed in conjunction with the funeral procession escort services, the Funeral Escort will indemnify, defend and hold harmless the City, and City's Agents from and against any and all claims, demands, costs, expenses of whatever nature, including court costs, attorney fees, and expenses of litigation awarded to the prevailing party or parties. The City may elect to tender its own defense to any action and receive reimbursement from the Funeral Escort for any costs or expenses it accrues as a result of that defense.

5. Term. This Agreement shall continue in effect indefinitely, and may be revoked by Funeral Escort at any time upon the giving of ten (10) days written notice to the City Clerk.

6. Authority. The signatory below warrants and represents that it has the power and authority to bind Funeral Escort to the obligations herein and the names, titles and capacities herein stated on behalf of any entities, persons, states or firms represented or purported to be represented by such entities, persons, states or firms and that all former requirements necessary or required by the state or federal law in order to make the promises herein have been fully complied with.

THE SIGNATORY BELOW HAS CAREFULLY READ THIS WAIVER, RELEASE AND HOLD HARMLESS AGREEMENT AND FULLY UNDERSTANDS ITS CONTENTS. FUNERAL ESCORT VOLUNTARILY AGREES TO EACH OF THE TERMS AND PROVISIONS HEREIN AND SIGNS THIS WAIVER, RELEASE AND HOLD HARMLESS AGREEMENT OF ITS OWN FREE WILL.

(Print Name)

(Date)

(Signature)

(Title)



FUNERAL ESCORT PERMIT APPLICATION

City of Patterson
City Hall
1 Plaza
P.O. Box 667
Patterson, CA 95363

APPLICANT INFORMATION

Name		Date of Birth	
Home Address		Phone Number	
City, State		Zip Code	
CDL # and Class		Expiration	

FUNERAL ESCORT BUSINESS INFORMATION (if applicable)

Business Name		Phone Number	
Address			
City, State		Zip Code	

Number and type of funeral escort vehicles to be operated: _____

BACKGROUND QUESTIONS

If you answer "Yes" to any of the questions in this section, for each incident, give the date of occurrence, the reason or offense charged, and the outcome or offense for which you were convicted.

1. Has your driver's license ever been revoked or suspended? _____

2. Have you ever been cited for an accident while operating a motor vehicle? _____

3. Do you have any mental or physical incapacity or infirmity of which you are aware which would in any way interfere with your duties or responsibilities as a Funeral Escort Permittee?

4. Have you been convicted (including convictions by verdict, plea of guilty, or plea of nolo contendere) in the last five (5) years of any crime?

ADDITIONAL REQUIREMENTS

The following items must be turned in with the application:

1. A copy of applicant's liability insurance as required under Patterson Municipal Code Section 10.42.170.
2. A copy of a valid California driver's license that is properly endorsed for the type of vehicle the applicant intends to use while directing vehicular funeral processions.
3. Proof of satisfactory completion of a traffic safety program – evidence of curriculum including instruction materials, skills taught and practiced, or an instructional program of traffic safety.
4. Proof that the vehicle to be used in the course of conducting escorts has been inspected by the police department to insure that it meets the equipment and safety requirements as set forth by the police department.
5. An executed indemnity and hold harmless agreement as provided by the city.
6. Permit and insignia fees, if applicable.

I understand that verification of the accuracy of the above information will be conducted. I further understand and agree that the information is a matter of public record and may be made available to interested parties upon request. I hereby certify under penalty of perjury that the above information on this form or any attachment is true and correct.

Signature

Date

NOTICE OF PUBLIC HEARING

CITY OF PATTERSON

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
REVISING TITLE 10 OF THE PATTERSON MUNICIPAL CODE TO ADD
CHAPTER 10.42 FUNERAL PROCESSIONS**

(FUNERAL PROCESSION ESCORTS)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council of the City of Patterson (the “City”) at its next regularly scheduled meeting on Tuesday, March 1, 2016 at 7:00 p.m. at Council Chambers: 1 Plaza, Patterson, California 95363 to consider the adoption of an ordinance (the “Ordinance”) revising Title 10 of the Patterson Municipal Code to add Chapter 10.42 Funeral Processions (Funeral Procession Escorts). If approved by a majority vote of the City Council, the Ordinance will become effective 30 days after adoption.

NOTICE IS ALSO HEREBY GIVEN that this document including the Ordinance is available for public review at the City of Patterson City Hall, City Clerk’s Office during normal business hours, and on the City of Patterson web site www.ci.patterson.ca.us under Popular Links; Legal Notices & Public Hearings and Agenda Center, City Council Agenda of March 1, 2016. The City of Patterson City Hall is located at 1 Plaza, Patterson, California. All interested parties are invited to review these documents prior to the March 1, 2016 Public Hearing.

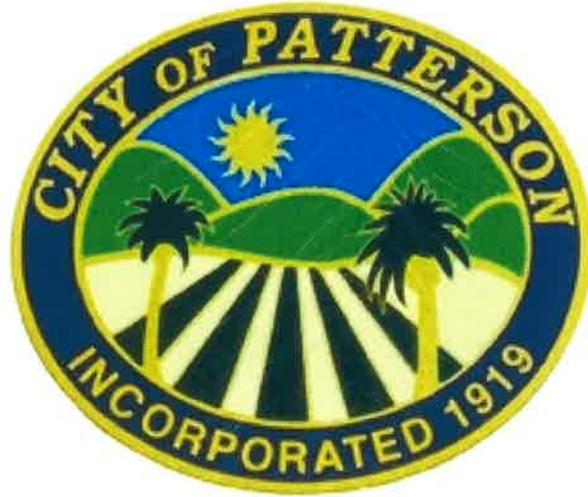
ALL INTERESTED PARTIES are invited to attend the hearing and express opinions or submit evidence for or against the proposed Ordinance as described above. At the above noted time and place, testimony from interested persons will be heard by the City Council and duly considered prior to taking action on the above proposed Ordinance. Any material submitted to the City Council for consideration (photographs, petitions, letters, etc.) will be retained by the City and cannot be returned. Upon request, the agenda and the documents in the hearing agenda packet can be made available to persons with a disability. In compliance with the Americans with Disabilities Act, the City of Patterson encourages those with disabilities to participate fully in the public hearing process. Any person requiring special assistance to participate in the meeting should call voice (209) 895-8014 or (209) 895-8010 at least forty-eight (48) hours prior to the meeting. If a challenge to the above proposed actions is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council.

FURTHER INFORMATION regarding the described above may be obtained at the City of Patterson City Hall, City Clerk’s Office, 2nd Floor, or by calling (209) 895-8014 or by email cityclerk@ci.patterson.ca.us

BY ORDER OF THE CITY COUNCIL OF THE CITY OF PATTERSON.

DATES ADVERTISED: February 18, 2016
February 25, 2016

Maricela Vela, City Clerk
City of Patterson, City Hall, Administration Department
1 Plaza, 2nd Floor
Patterson, CA 95363
Direct No. 209-895-8014
Email: cityclerk@ci.patterson.ca.us
Web Site: www.ci.patterson.ca.us



7. CITY STAFF REPORTS



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Douglas Johnson and Justin Levitt, National Demographics Corporation
Tom Hallinan, City Attorney

MEETING DATE: March 1, 2016

ITEM #: 7.1 a.

SUBJECT: Approve Resolution No. 2016-22 Adopting Line Drawing Criteria for Council Districts and Discussion of Project Schedule

RECOMMENDATION

Approve Resolution No. 2016-22 establishing the line drawing criteria for adjusting City Council district boundaries.

BACKGROUND

In 2013, the City of Patterson (“City”) received the letter from the Latino Community Roundtable of Stanislaus County contending that the City’s at-large electoral system is a violation of the California Voting Rights Act of 2001 and the Federal Voting Rights Act of 1965 and seeking an end to the at large local election system. In response to that letter and other input from the public, the Patterson City Council (“Council”) indicated that it would conduct a substantive analysis with public input regarding changing its election system from at-large to by-district elections. Given the litigation risk and associated financial impact on the City, the City Council has expressed its preference to use the ability to switch its election system by ordinance granted by California Election Code Section 34886, rather than putting the question on the ballot for a public vote.

The Council has directed City staff to contract with National Demographics Corporation (“NDC”) to assist the City with the development of draft and final election district maps. The next step in the process is to adopt criteria for drawing the districts. NDC has prepared criteria to fully comply with all legal requirements in order to provide official criteria for needed deviations for adjusting council district boundaries. The criteria combine the legal requirements for election districts and the “traditional redistricting principles” that state and federal courts have approved as valid justifications for potential small population differences among the districts.

Once the Council adopts the attached resolution, preparation of the draft plans will commence and be will be presented to the City Council and community for review at future City Council meetings.

ANALYSIS

Federal law requires that City Council election districts must contain essentially equal total populations, comply with the Federal Voting Rights Act, and avoid using race as a predominate factor in defining district borders. The Courts have also allowed small population deviations if such deviations are necessary to achieve what the U.S. Supreme Court has labeled “traditional redistricting principles.” However, federal courts have sometimes rejected justifications that appear to be developed to justify a plan after it is already drawn. To improve the legal standing of adopted election district maps, NDC recommends the official adoption of criteria prior to the drawing of initial draft maps.

The Resolution containing line drawing criteria for adjusting City Council District boundaries reflects both the legal requirements and the traditional redistricting principles, and over ninety percent of NDC client cities and school districts adopted this list of criteria as-is.

FISCAL IMPACT

There is no fiscal impact to approve the line drawing criteria for adjusting City Council District boundaries.

STEPS FOLLOWING APPROVAL

The Council may discuss the specific communities of interest (such as downtown or the area around a specific school or park) or types of communities (more general references such as senior-living communities; master-planned communities; or similar types of communities), that the Council wishes NDC to be aware of when drawing the initial draft maps.

NDC recommends the following schedule to complete this process:

- March 1: Council votes to begin process and adopts criteria
- Mid-March: NDC presents to Council initial draft plans for comment; first public hearing on proposed district boundaries
- Late March: Second public hearing on proposed district boundaries; Council direction on preferred plan
- April: Public hearing on proposed district boundaries; approval of resolution with final district boundaries; first reading of district election ordinance
- April: Second reading of district election ordinance and election resolution

The deadline to submit the certified maps and legal descriptions of the final district election boundaries is May 9, 2016.

ATTACHMENTS

Resolution Adopting Criteria for Adjusting Council District Boundaries

RESOLUTION NO. 2016-22

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON ADOPTING
LINE DRAWING CRITERIA FOR ADJUSTING COUNCIL DISTRICT BOUNDARIES
TO CHANGE ELECTION SYSTEM FROM “AT-LARGE” TO “BY-DISTRICT”
ELECTIONS**

WHEREAS, the City Council of the City of Patterson (“the City”) was elected under an “at large” election system whereby Councilmembers were elected by voters of the entire City; and

WHEREAS, the City Council is considering a change to “by district” elections whereby each Councilmember must reside within the designated district boundary and is elected only by voters of that district; and

WHEREAS, the Federal Voting Rights Act (42 U.S.C. Section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard practice or procedure in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each district be equal in population to ensure compliance with the “one person, one vote” rule; however, deviations less than five percent [5%] greater than or less than the ideal, for a total of ten percent [10%] deviation are presumptively constitutional under the equal protection clause where required to meet an official criteria; and

WHEREAS, the City Council has instructed its demographer and City Staff to develop draft maps that fully comply with legal requirements and to provide official criteria for any needed deviations.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of Patterson does hereby adopt the following criteria to guide the establishment of districts for council elections:

1. Each City Council District shall contain a nearly equal number of inhabitants; and
2. City Council District borders shall be drawn in a manner that complies with the Federal Voting Rights Act; and
3. City Council Districts shall consist of contiguous territory in as compact form as possible; and
4. City Council Districts shall respect communities of interest as much as possible; and
5. City Council District borders shall follow visible natural and man-made geographical and topographical features as much as possible; and

6. City Council District borders shall respect the previous choices of Patterson voters by avoiding the creation of head-to-head contests between Councilmembers previously elected by the voters of Patterson, insofar as this does not conflict with Federal or State Law.

PASSED AND ADOPTED by the Patterson City Council at a regular meeting thereof held on the 1st day of March, 2016, by the following roll call vote:

AYES:

NOES:

EXCUSED:

APPROVED:

Luis I. Molina
Mayor of the City of Patterson

ATTEST:

Maricela L. Vela,
City Clerk of the City of Patterson

I hereby certify that the forgoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 1st day of March, 2016, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

City Clerk of the City of Patterson



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager 

BY: Douglas L White, City Attorney

MEETING DATE: **March 1, 2016**

ITEM NO: 7.1 b.

SUBJECT: Consideration of Ordinance 789, Amending Chapter 2.08 of the Patterson Municipal Code regarding rules and regulations for the City of Patterson's City Council Meetings.

RECOMMENDATION

Motion to introduce for first reading, Ordinance No. 789 (the "Ordinance"), amending Chapter 2.08 of the Patterson Municipal Code ("P.M.C.") to update and streamline rules and regulations regarding the City of Patterson's ("City") city council ("City Council") meetings.

BACKGROUND/DISCUSSION ANALYSIS

The P.M.C. currently contains specific provisions governing City Council meetings including the days and times for regular meetings and closed sessions. Due to previous discussions with Council and staff, it was decided to bring this item to Council for a possible ordinance revision regarding changing the days our regular Council meetings as scheduled. For staff, this would allow an extra day after the weekend to provide Council additional information requested regarding agenda items.

Moreover, the current provisions do not provide the City Council with the necessary flexibility to adjust closed sessions causing scheduling conflicts and delaying the beginning of regular scheduled meetings.

The possible revisions contained in the Ordinance will change City Council meeting dates from the first and third Tuesdays of each month at seven p.m., to the second and fourth Wednesdays of each month at seven p.m, or alternatively, the first and third Wednesdays of each month at seven p.m. The proposed revisions will also give the City Council discretion to begin closed session meetings at either six p.m. or six thirty p.m. and continue closed session meetings to a later time or a different date, if a closed session runs into the beginning of an otherwise scheduled regular meeting at seven p.m. Finally, the proposed revisions will codify the City Council's ability to adjust its meeting dates, times and locations provided that proper notice under the Ralph M. Brown Act is provided to the public.

ALTERNATIVES/OPTIONS

The City Council's options regarding the Ordinance includes:

1. Motion to introduce the City Council's preferred Ordinance for first reading;
2. Continue introduction of the Ordinance for a first reading to the next regular City Council meeting with changes or revisions as provided by the City Council;
3. Reject the introduction of the Ordinance for first reading.

ENVIRONMENTAL

The Ordinance does not constitute a project under the California Environmental Quality Act, pursuant to Public Resources Code sections 21065, 21080.

SUBSEQUENT ACTION(S)

The Ordinance would take effect thirty (30) days after the second reading and adoption, and all City Council meetings thereafter will be subject to the new schedule.

FISCAL IMPACT

There is no fiscal impact to the City in adopting the Ordinance as the City already holds regular City Council meetings and the rules will remain largely the same. The revisions to the P.M.C. simply help streamline meetings, provide clarity for City officials, and aid in making City Council meetings more efficient.

ATTACHMENT:

Ordinances

ORDINANCE NO. 789

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
REVISING CHAPTER 2.08 CITY COUNCIL MEETINGS OF TITLE 2
OF THE PATTERSON MUNICIPAL CODE**

WHEREAS, the City of Patterson (the “City”) may make changes to the date and time of city council meetings when needed by adoption of an ordinance (Gov. Code, § 54954(a)); and

WHEREAS, the city council (“City Council”) currently meets the first and third Tuesday of each month at seven p.m., and meets for a closed session at six-thirty p.m., before the start of the regular meeting; and

WHEREAS, the City Council wishes to meet the first and third Wednesday of each month, and have the discretion to begin closed session at either six p.m. or six-thirty p.m. and if necessary hold closed session after the regular meeting; and

WHEREAS, the City wishes to establish a new and more defined approach to city council meetings to avoid conflicts with scheduling and encourage citizens to attend regular meetings; and

WHEREAS, the City Council finds it is in the best interest of the City and the public to help streamline meetings, provide clarity for City officials, and aid in making City Council meetings more efficient.

THE CITY COUNCIL OF THE CITY OF PATTERSON DOES ORDAIN AS FOLLOWS:

Section 2.08.010 Time shall be amended to read:

2.08.010 Time.

The time of the regular meeting of the City Council shall be on the first and third Wednesdays of each month at seven p.m.

The City Council may cancel, amend, alter, or adjust the date, time, or location of any City Council meeting provided sufficient notice of the meeting is given to the public in compliance with the Ralph M. Brown Act, as codified in Government Code section 54950, *et seq.*

A closed session meeting may be scheduled at six or six-thirty p.m., at the discretion of the City Council, prior to the regular meeting at seven p.m. The closed session meeting may be continued to a later time or date to ensure the regular meeting begins at seven p.m. The purpose of the closed session meeting will be to discuss agenda items with the City Council, as permitted under the Ralph M. Brown Act.

Section 2.08.020 Place shall be amended to read:

2.08.020 Place.

The place of meeting of the City Council shall be in the City Council chambers located at 1 Plaza, in the City of Patterson.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 1st day of March, 2016, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading and adopted at a meeting of the City Council held on the 15th day of March, 2016 and after such reading, _____, who moved its adoption, seconded by _____, and said ordinance was thereupon adopted by the following roll call vote:

AYES:
NOES:
EXCUSED:

APPROVED:

Luis I. Molina
Mayor of the City of Patterson

ATTEST:

Maricela L. Vela
City Clerk of the City of Patterson

ORDINANCE NO. 789

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
REVISING CHAPTER 2.08 CITY COUNCIL MEETINGS OF TITLE 2
OF THE PATTERSON MUNICIPAL CODE**

WHEREAS, the City of Patterson (the "City") may make changes to the date and time of city council meetings when needed by adoption of an ordinance (Gov. Code, § 54954(a)); and

WHEREAS, the city council ("City Council") currently meets the first and third Tuesday of each month at seven p.m., and meets for a closed session at six-thirty p.m., before the start of the regular meeting; and

WHEREAS, the City Council wishes to meet the second and fourth Wednesday of each month, and have the discretion to begin closed session at either six p.m. or six-thirty p.m. and if necessary hold closed session after the regular meeting; and

WHEREAS, the City Council wishes to establish a new and more defined approach to City Council meetings to avoid conflicts with scheduling and encourage citizens to attend regular meetings; and

WHEREAS, the City Council finds it is in the best interest of the City and the public to help streamline meetings, provide clarity for City officials, and aid in making City Council meetings more efficient.

THE CITY COUNCIL OF THE CITY OF PATTERSON DOES ORDAIN AS FOLLOWS:

Section 2.08.010 Time shall be amended to read:

2.08.010 Time.

The time of the regular meeting of the City Council shall be on the second and fourth Wednesdays of each month at seven p.m.

The City Council may cancel, amend, alter, or adjust the date, time, or location of any City Council meeting provided sufficient notice of the meeting is given to the public in compliance with the Ralph M. Brown Act, as codified in Government Code section 54950, *et seq.*

A closed session meeting may be scheduled at six or six-thirty p.m., at the discretion of the City Council, prior to the regular meeting at seven p.m. The closed session meeting may be continued to a later time or date to ensure the regular meeting begins at seven p.m. The purpose of the closed session meeting will be to discuss agenda items with the City Council, as permitted under the Ralph M. Brown Act.

Section 2.08.020 Place shall be amended to read:

2.08.020 Place.

The place of meeting of the City Council shall be in the City Council chambers located at 1 Plaza, in the City of Patterson.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 1st day of March, 2016, and given its first reading and introduction at said meeting. Said Ordinance was given a second reading and adopted at a meeting of the City Council held on the 15th day of March, 2016 and after such reading, _____, who moved its adoption, seconded by _____, and said ordinance was thereupon adopted by the following roll call vote:

AYES:
NOES:
EXCUSED:

APPROVED:

Luis I. Molina
Mayor of the City of Patterson

ATTEST:

Maricela L. Vela
City Clerk of the City of Patterson



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Joel Andrews, City Planner

MEETING DATE: March 1, 2016

ITEM NO: 7.2a.

SUBJECT: Ordinances (Second Reading and Adoption)

Ordinance No. 790, An Ordinance of the City Council of the City of Patterson Approving a Second Amendment to the First Amended and Restated Development Agreement by and Between the City of Patterson, Keystone Pacific Business Park West, LLC

RECOMMENDATION

Council: Read Ordinance Title as Listed Above

Council: Motion to approve Second Reading of Ordinance No. 790, Reading by Title Only, Waiving Further Reading

Council: Motion to Adopt Ordinance No. 790, Reading by Title Only, Waiving Further Reading

ORDINANCE NO. 790

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PATTERSON
APPROVING A SECOND AMENDMENT TO THE FIRST AMENDED AND
RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF
PATTERSON, KEYSTONE PACIFIC BUSINESS PARK, LLC, AND KEYSTONE
BUSINESS PARK WEST, LLC,**

WHEREAS, in order to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs of development, the Legislature of the State of California adopted the Development Agreement Statute (Gov. Code § 65864 et seq.), and the City of Patterson (“City”) adopted Patterson Municipal Code § 18.20.070, authorizing any person or entity having a legal or equitable interest in real property to enter into a development agreement with the City establishing certain development rights in and obligations with respect to the property; and

WHEREAS, on or about April 15, 2003, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC (“Landowner”) and the County of Stanislaus (“County”) entered into a development agreement; and

WHEREAS, on January 3, 2006, upon annexation of the property, the City Council adopted Ordinance No. 670, approving an amended and restated development agreement, and on March 9, 2010, the City Council adopted Ordinance No. 710, approving a subsequent amendment to the development agreement; and

WHEREAS, City staff recently received a request to amend the development agreement, to remove the specific provisions for the development of Flex Parcels within Keystone Business Park (the “Amendment”); and

WHEREAS, the Planning Commission of the City of Patterson held a duly noticed public hearing on January 28, 2016, to consider the Amendment and make recommendations to the City Council; and

WHEREAS, the City Council finds that the Amendment is exempt from further CEQA analysis because the Amendment falls within the scope of the previously approved West Patterson Projects EIR (SCN #2001022031) and Revised Environmental Impact Report (SCH#2001032037), and under the general rule that CEQA only applies to projects that are reasonably foreseen to have a direct or indirect impact on the environment; no new or greater density is permitted and the proposed activity is within the intensity of use type analyzed by the previous studies; as a result, no new significant impacts would occur and no new mitigation is required; and

WHEREAS, based on its independent review and analysis, the staff analysis, oral and written testimony, the previously certified environmental review, and the Planning Commission's recommendation, the City Council finds, after due study, deliberation and public hearing that the Amendment:

- A. Is consistent with the objectives, policies, land uses, and programs specified in the City's general plan and the West Patterson Business Park Master Development Plan;
- B. Is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located;
- C. Is in conformity with the public convenience and general welfare and good land use practices;
- D. Will not be detrimental to the health, safety, and general welfare;
- E. Will not adversely affect the orderly development of property or the preservation of property values; and
- F. Will provide sufficient benefit to the city to justify entering into this agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PATTERSON ORDAINS AS FOLLOWS:

The City Council hereby approves the Second Amendment to the First Amended and Restated Development Agreement By and Between the City of Patterson, Keystone Pacific Business Park, LLC, and Keystone Business Park West, LLC, and instructs the City Manager to execute the Amendment along with the necessary technical revisions, if any, suggested by the City Attorney.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 16th day of February 2016, and given its first reading at said meeting. Said Ordinance was given a second reading at a meeting of the City Council held on the 1st day of March 2016, and after such reading, _____, who moved its adoption, seconded by _____, and said ordinance was thereupon adopted by the following roll call vote:

AYES:
NOES:
EXCUSED:

APPROVED:

Luis I. Molina
Mayor of the City of Patterson

ATTEST:

Maricela Vela
City Clerk of the City of Patterson

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

City Clerk
City of Patterson
P.O. Box 667
Patterson, CA 95363

Recording fees exempt pursuant to
Government Code §§ 6103, 27383

(Space Above For Recorder's Use Only)

APN: 021-085-013
021-085-015
021-085-017
021-085-020
021-088-015

SECOND AMENDMENT

TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT

BY AND BETWEEN THE CITY OF PATTERSON,

AND KEYSTONE PACIFIC BUSINESS PARK, LLC, AND

KEYSTONE BUSINESS PARK WEST, LLC

(Amendment to Recorded Document No. 2006-0084746-00)

Ordinance No. ___ Adopted on _____, 2016

SECOND AMENDMENT TO THE
FIRST AMENDED AND RESTATED
DEVELOPMENT AGREEMENT BY AND BETWEEN THE
CITY OF PATTERSON, KEYSTONE PACIFIC BUSINESS PARK, LLC, AND
KEYSTONE BUSINESS PARK WEST, LLC

This SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PATTERSON, KEYSTONE PACIFIC BUSINESS PARK, LLC, AND KEYSTONE BUSINESS PARK WEST, LLC ("Amendment") is made and entered into on _____, 2016, by and between the CITY OF PATTERSON, a California municipal corporation ("City"), and KEYSTONE PACIFIC BUSINESS PARK, LLC, a North Carolina limited liability company ("Landowner"), pursuant to Government Code section 65864 *et seq.* Landowner and City may herein be referred to individually as a "Party" and collectively as the "Parties." Keystone Business Park West, LLC no longer owns any legal or equitable interest in the property subject to this Amendment and is therefore not a party to this Amendment. There are no other parties to this Agreement.

This Agreement is entered into with reference to the following facts:

RECITALS

A. In order to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs of development, the Legislature of the State of California adopted Government Code section 65864 *et seq.* ("Development Agreement Statute"), and the City adopted Section 18.20.070 of the Patterson Municipal Code, authorizing the City and any person or entity having a legal or equitable interest in real property to enter into a development agreement establishing certain development rights in and obligations with respect to the property which is the subject of a development project application.

B. On or about April 15, 2003, Landowner and the County of Stanislaus ("County") entered into a development agreement (the "Original Agreement"). The subject property of the original Agreement involved approximately two hundred twenty four (224) acres of land.

C. On January 3, 2006, the City Council adopted Ordinance No. 670, approving an amended and restated development agreement (the "First Restated Agreement").

D. On March 9, 2010, the City Council adopted Ordinance No. 710, approving an amendment to the First Restated Agreement. The First Restated Agreement and amendment to the First Restated Agreement shall be collectively referred to herein as the "Development Agreement".

E. Since the execution of the Development Agreement, new parcels have been created, parcels have been sold by Landowner to new landowners and land users, and new parcels have been added to be included under the Development Agreement. The Parties do not

intend this Amendment to effect parcels that have been sold to third parties; the Development Agreement will still apply, as applicable, to those parcels. Consequently, the subject property of this Amendment shall be the parcels constituting approximately 51.25 acres of land remaining in the ownership of Landowner as of the date of execution of this Amendment. Such parcels are known as Stanislaus County APN 021-085-013, 021-085-015, 021-085-017, 021-085-020 and 021-088-015.

F. These subject properties are more particularly described in **Exhibit A** and shall be collectively referred to in this Amendment as the “Property.”

G. Pursuant to Government Code section 65865(a), and as of the date of execution of this Amendment, Landowner owns either fee title or a legal or equitable interest to the remaining undeveloped Property.

H. Landowner intends to continue development of the Property as a business park development (the “Project”) in accordance with this Amendment, the Development Entitlements, and the West Patterson Business Park Master Development, as it may be amended from time to time if such amendments are in accord with the First Restated Agreement, as amended.

I. Pursuant to Government Code sections 65867 and 65868, the Planning Commission of the City held a duly noticed and properly conducted public hearing on January 28, 2016, where it issued its recommendation to approve this Amendment to the City Council.

J. Pursuant to Government Code sections 65867 and 65868, the City Council of the City held a duly noticed and properly conducted public hearing on _____, 2016, regarding this Amendment. Pursuant to Government Code § 65867.5, the City Council found the provisions of this Amendment to be consistent with the City’s General Plan and the West Patterson Business Park Master Plan, and authorized execution of this Amendment.

K. Development of the Property in accordance with the conditions of the Development Entitlements and this Amendment will provide orderly growth and development of the area in accordance with the policies set forth in the City’s General Plan and the West Patterson Master Plan.

NOW, THEREFORE, in consideration of the promises, covenants, and provisions set forth herein, the Parties agree as follows:

AGREEMENT

1. Recitals and Exhibits. The above recitals and exhibits attached to this Amendment are incorporated by this reference and hereby made a part of this Amendment and the First Restated Agreement.

2. Effect of Agreement. Except as provided herein, the defined terms used in this Amendment shall have the same meaning as the terms have in the Development Agreement. Unless expressly amended by this Amendment, all other terms and provisions

of the Development Agreement shall remain in full force and effect. If any terms or provisions of this Amendment conflict with terms and provisions of the Development Agreement, the terms and provisions of this Amendment shall control.

3. Effective Date. This Amendment shall be effective (the “Effective Date”) only after (a) thirty (30) days have passed from the City Council’s adoption of the ordinance approving this Amendment; and (b) all parties have executed this Amendment. This Amendment shall be recorded in the County of Stanislaus within ten (10) days following the Effective Date.

4. Property Not Subject to Amendment. The Property shall be the only property subject to this Amendment. This Amendment shall in no way affect any parcel that has been sold to third parties and shall in no way affect land not defined within the Property.

5. Amendments.

- (a) Section 2.7 of the First Restated Agreement is hereby deleted.
- (b) Section 3.2 of the First Restated Agreement is hereby deleted.
- (c) Exhibit L to the First Restated Agreement is hereby deleted.
- (d) Section 9 to the First Restated Agreement is hereby deleted and replaced

as follows:

9. NOTICE

Except as otherwise specifically provided herein or required by law, all notices, requests, demands, and other communications required to or permitted to be given under the Agreement shall be in writing and shall be conclusively deemed to have been duly given (i) when hand delivered to the other Party; or (ii) three business days after the same have been deposited in a United States post office with first class or certified mail return receipt requested postage prepaid and addressed to the Parties as set forth below; or (iii) the next business day after same have been deposited with a national overnight delivery service reasonably approved by the Parties (Federal Express and DHL Worldwide Express being deemed approved by the Parties), postage prepaid, addressed to the Parties as set forth below with the next-business-day delivery guaranteed, provided that the sending Party receives a confirmation of delivery from the delivery service provider.

To City:

City of Patterson
P.O. Box 667
Patterson, CA 95363
Attn: City Manager

And with a copy to: Churchwell White LLP
1414 K Street, Third Floor
Sacramento, CA 95814
Attn: Douglas L. White, Esq.

To Landowner: Keystone Pacific Business Park, LLC
1700 Keystone Pacific Parkway, Suite C-3
Patterson, CA 95363
Attn: Keith Schneider

And with copies to: Keystone Corporation
5410 Trinity Road, Suite 215
Raleigh, NC 27607
Attn: J. Patrick Gavaghan

Burns, Day & Pressnell, P.A.
2626 Glenwood Avenue, Suite 560
Raleigh, NC 27608
Attn: James M. Day, Esq.

Petrulakis Law & Advocacy, APC
P.O. Box 92
Modesto, CA 95353-0092
Attn: George A. Petrulakis, Esq.

6. Processing Costs. Pursuant to Patterson Municipal Code section 18.14.020, Landowner shall pay all processing costs incurred by the City in connection with this Amendment prior to City's execution of this Amendment.

7. Third Party Legal Challenge. In the event that legal action or special proceedings are commenced by any person or entity challenging this Amendment, the Parties agree to cooperate with each other as set forth herein. City may elect to tender the defense of any lawsuit filed and related to this Amendment, with legal counsel satisfactory to City. Landowner will indemnify, hold City harmless from and defend City from all costs and expenses incurred in the defense of such lawsuit, including, but not limited to, damages, attorneys' fees and expenses of litigation awarded to the prevailing party or parties in such litigation. Landowner shall pay all litigation fees to City within thirty (30) days of receiving a written request and accounting of such fees and expenses from City. Unless prevented by law or court order, City shall continue to process any applications related to this Amendment and the Development Agreement, and any delay or failure to process such approvals or to take such other actions shall be considered a default by City of this Amendment and the Development Agreement.

8. Counterparts. This Amendment may be executed in several counterparts, each which shall be deemed an original, but which together shall constitute one and the same instrument.

9. Authority. The Parties and their signatories below warrant and represent that they have the power and authority to enter into this Amendment and the names, titles and capacities herein stated on behalf of any entities, persons, states or firms represented or purposed to be represented by such entities, persons, states or firms and that all former requirements necessary or required by state or federal law in order to enter into this Amendment have been fully complied with. Further, by entering into this Amendment, each Party represents that this Amendment has not caused any breach of the terms or conditions of any other contract or agreement to which such Party is obligated.

IN WITNESS WHEREOF, this Agreement by the Parties shall take effect upon the Effective Date provided above.

CITY:

CITY OF PATTERSON, A California
municipal corporation

By: _____
Ken Irwin, City Manager

LANDOWNER:

KEYSTONE PACIFIC BUSINESS PARK, LLC,
a North Carolina limited liability company

By: _____
J. Patrick Gavaghan, Manager

ATTEST:

By: _____
Marisela Vela, City Clerk

APPROVED AS TO FORM:

By: _____
Tom Hallinan, City Attorney

EXHIBIT A

Properties Subject to this Amendment

Stanislaus County APN's: 021-085-013
021-085-015
021-085-017
021-085-020
021-088-015



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Maricela Vela, City Clerk

MEETING DATE: March 1, 2016

ITEM NO: 7.2 b.

SUBJECT: Ordinances (Second Reading and Adoption)

Ordinance No. 791, An Ordinance of the City Council of the City of Patterson Adding Chapter 1.26 Filing Methods of Campaign Disclosure Statements of the Patterson Municipal Code

RECOMMENDATION

Council: Read Ordinance Title as Listed Above

Council: Motion to approve Second Reading of Ordinance No. 791,
Reading by Title Only, Waiving Further Reading

Council: Motion to Adopt Ordinance No. 791,
Reading by Title Only, Waiving Further Reading

ORDINANCE NO. 791

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PATTERSON ADDING CHAPTER 1.26 FILING METHODS OF
CAMPAIGN DISCLOSURE STATEMENTS OF THE PATTERSON
MUNICIPAL CODE**

The City Council of the City of Patterson does hereby ordain as follows:

WHEREAS, California Government Code Section 84615 provides that a legislative body of a local government agency may adopt an ordinance that requires an elected officer, candidate, committee, or other person required to file statements, reports or other documents required by Chapter 4 of the Political Reform Act, except those whose contributions and expenditure each total less than one thousand dollars (\$1,000) in a calendar year, to file such statements, reports, or other documents online or electronically with the City Clerk; and

WHEREAS the City Council expressly finds and determines that the City Clerk's web-based system contains multiple safeguards to protect the integrity and security of the data, and will operate securely and effectively and will not unduly burden filers; and

WHEREAS the software used by the City Clerk's electronic filing system has been certified by the Secretary of State and meets the requirements set by Government Code Section 84615; and

WHEREAS the City Clerk will operate the electronic filing system in compliance with the requirements of California Government Code Section 84615 and any other applicable laws.

THE CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1: Title 1, General Provisions, of the Patterson Municipal Code shall be amended to add Chapter 1.26, Filing Methods of Campaign Disclosure Statements, which shall read as follows:

Chapter 1.26 Filing Methods of Campaign Disclosure Statements

1.26.010 Electronic Filing of Campaign Statements.

A. Any elected officer, candidate, committee or other person required to file specified statements, reports, or other documents with the City Clerk as required by Chapter 4 (commencing with Section 84100) of Title 9 of the California Government Code, also known as the Political Reform Act, and that has received contributions or made expenditures of \$1,000 or more, may electronically file such statement using the City Clerk's online system according to procedures established by the City Clerk.

B. Any elected officer, candidate, committee or other person desiring to file specified statements, reports or other documents using the City Clerk's online system must first opt in through the registration procedures established by the City Clerk. To ensure reporting continuity, once a statement, report or other document is filed electronically on behalf of any elected officer, candidate, or committee, all future statements, reports and other documents on behalf of that officer, candidate or committee shall be filed electronically using the City Clerk's

online system. Once registered, an elected officer, candidate, committee or other person may choose to opt-out of the electronic filing system.

C. Any elected officer, candidate, committee or other person who has electronically filed a statement, report, or other document using the City Clerk's online system is not required to file a copy of that document in paper format with the City Clerk.

1.26.020 Paper Filing of Campaign Statements.

Any elected officer, candidate, committee or other person required to file specified statements, reports, or other documents with the City Clerk as set forth above, must file such statement in paper format if such elected officer, candidate, committee or other person has not opted to use the City Clerk's online system.

1.26.030 Filing of Other Election Statements, Reports or Documents.

In any instance in which an original statement, report, or other document must be filed with the Secretary of State or Stanislaus County Registrar of Voters, and a copy of that document is required to be filed with the City Clerk of the City of Patterson, the filer may file a copy with the City Clerk electronically or by paper format.

If the City Clerk's system is not capable of accepting a particular type of statement, report or other document, an elected officer, candidate, committee or other person shall file that document in paper format with the City Clerk.

Section 2: Except as expressly amended by the provisions of this ordinance, Chapter 1.26 of the City of Patterson Municipal Code shall remain in full force and effect.

Section 3: If any article, chapter, section, subsection, paragraph, clause or phrase of this Ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of this Ordinance. The City Council of the City of Patterson hereby declares that it would have enacted this Ordinance and each article, chapter, section, subsection, paragraph, clause or phrase hereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, clauses or phrases are declared to be invalid or unconstitutional.

This Ordinance shall be published by one insertion in The Patterson Irrigator, a newspaper of general circulation, printed and published in the City of Patterson, within fifteen (15) days after its final passage, and shall take effect and be in force thirty (30) days after its final passage.

Introduced at a regular meeting of the City Council of the City of Patterson, held on the 16th day of February 2016, and given its first reading at said meeting. Said Ordinance was given a second reading at a meeting of the City Council held on the 1st day of March 2016, and after such reading, who moved its adoption, seconded by _____ and said ordinance was thereupon adopted by the following vote:

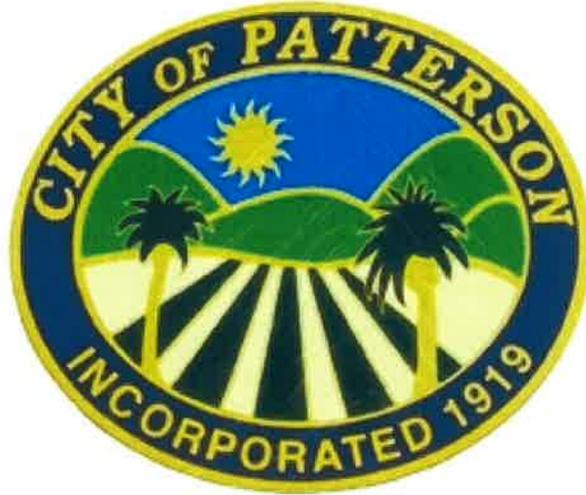
AYES:
NOES:
EXCUSED:

APPROVED:

Luis I. Molina, Mayor
City of Patterson

ATTEST:

Maricela Vela, City Clerk
City of Patterson



8. COUNCIL ITEMS



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Maricela Vela, City Clerk

MEETING DATE: March 1, 2016

ITEM NO: 8.1

SUBJECT: Approve the Appointment/Reappointment of three (3) Members to the Patterson Hammon Senior Center Board of Directors.

RECOMMENDATION

Motion to approve the Appointment/Reappointment of three (3) Members to the Patterson Hammon Senior Center Board of Directors:

Select Two (2) Members for Terms of January 2016 to January 2018.
Select One (1) Member for Term of January 2015 to January 2017.

- Dolores Raymundo
- Nive Nua
- Alfred Parham
- Pat Maisetti

FISCAL IMPACT

There is no fiscal impact.

Received 11/11/16
3:18PM



Commission/Committee/Board

Application for Appointment or Reappointment

(This is a Public Record Subject to Disclosure)

Name of Commission/Committee/Board HAMMON CENTER SR BOARD

Appointment Reappointment

Name of Applicant DOLores B RAYMUNDO

Residence Street Address _____ City PATTERSON Zip 95363

Mailing Address SAME AS ABOVE City _____ Zip _____

Phone (home) _____ (cell) 209-648-9551 (work) _____

Email Address _____ Length of time at residence 1 YR

Employer RETIRED (10 YRS IN PATTERSON)

Experience or Special Knowledge Pertaining to Area of Interest
CERTIFIED FOOD HANDLER - TASK FORCE - SR. CENTER
VOLUNTEER - ACTIVITY COMMITTEE - SR CENTER
VOLUNTEER - LOTTERIA - SPANISH - BINGO - TUESDAY
VOLUNTEER - FOOD SERVER WHEN NEEDED - SR. CENTER

Employment Experience
DATA CENTER & ASSEMBLY LINE - MEMOREX / UNISYS S.
WESTERN AIR LINES - DATA CENTER - L.A.
RECEPTIONIST - COMPAG - SANTA CLARA

Organization, Community and/or Public Service Experience (CATHOLIC ORGANIZATION)
FEEDING THE NEEDY & HOMELESS IN THE PARK.
CATHOLIC - EUCHARISTIC SERVER AT MASS.
HELPED w/ CHILDREN CATHETISM ON TUESDAY.

Education (high school, college, trade school or training)

Note: There is no specific educational requirement

HIGH SCHOOL - ST. RITA College P.I.
MG - LAW SCHOOL - P.I. (1ST YR LAW STUDENT)
HEARD College - DATA ENTRY

Do you have any financial or professional interest or association related to this position? Yes No
FOR PROFESSIONAL INTEREST

If yes, please explain. I WOULD LIKE TO SEE MORE OF MY
NATIONALITY TO JOIN THE SR. CENTER. I AM
INTERESTED IN THE SR WELFARES & WELLNESS.
improvements.

When are you available to attend this commission/committee/board regular and/or special meetings?

I AM AVAILABLE TO ATTEND WHENEVER
I AM NEEDED ANY TIME.

Please list three references with telephone numbers:

1. SHELLINI SINGH
2. DOROTHY CLAY
3. CATHY RINEAR

Phone 209-895-8182
Phone 1-510-326-3452
Phone 209-531-4300

A resume containing other pertinent information about yourself would be helpful to the City Council in evaluating your application (Optional).

APPLICATION CERTIFICATION: PLEASE READ BELOW BEFORE SIGNING.

I certify that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment/reappointment.

I hereby authorize representatives of the City of Patterson to contact organizations (including employers and schools) and individuals listed, for the purpose of establishing or verifying my qualifications and work history in connection with this application. I understand and acknowledge that such information will be used confidentially and for the purpose of appointment/reappointment decisions only.

I understand and hereby accept that if the City Council of the City of Patterson appoints/reappoints me to a City of Patterson Commission/Committee/Board, I will serve without pay and will be subject to the filings of the Fair Political Practices Commission (**Statement of Economic Interest, Form 700**). I hereby further understand and accept that per City Ordinance No. 718, if I am appointed/reappointed, I will be required to pass a Department of Justice (DOJ) fingerprint (background) test.

Date JAN. 11, 2016 Signature Babes B. Raymond

File this application with: The City Clerk of the City of Patterson
P.O. Box 667
1 Plaza, 2nd Floor
Patterson, CA 95363

Web Site www.ci.patterson.ca.us Email cityclerk@ci.patterson.ca.us
Direct No. (209) 895-8014

(The City Clerk's Office will keep your application on file for one (1) year from the date stamped received)



Commission/Committee/Board

Application for Appointment or Reappointment

(This is a Public Record Subject to Disclosure)

JAN 4 2016

Name of Commission/Committee/Board Senior Citizen

Appointment Reappointment

Name of Applicant Nive Nua

Residence Street Address _____ City Patterson Zip 95363

Mailing Address _____ City _____ Zip _____

Phone (home) (909) 894-7194 (cell) _____ (work) _____

Email Address _____ Length of time at residence 6 years

Employer N/A

Experience or Special Knowledge Pertaining to Area of Interest

As of now I am volunteer at the Haman Senior Center. I am also a leader of the womens ministry at the 1st Samoan A.O.C.

Employment Experience

I also worked with the Samoan Civic Organization for 3 years. Help seniors with needs and activities.

Organization, Community and/or Public Service Experience

I've worked with Samoan Civic, also with many churches. And Im still working with a church being able to go out to help the community.

Education (high school, college, trade school or training)

Note: There is no specific educational requirement.

Lelehuia Highschool in Hawaii I graduated 12th grade.

Do you have any financial or professional interest or association related to this position? Yes No

If yes, please explain. _____

When are you available to attend this commission/committee/board regular and/or special meetings?

I am available any time for meetings

Please list three references with telephone numbers:

1. Pastor Hercules Lofa
2. Rita Tasi
3. ~~Ernest~~ Violet Manai

Phone (562) - 314 - 8145
Phone (408) 627 - 0060
Phone (408) 300 - 2329

A resume containing other pertinent information about yourself would be helpful to the City Council in evaluating your application (Optional).

APPLICATION CERTIFICATION: PLEASE READ BELOW BEFORE SIGNING.

I certify that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment/reappointment.

I hereby authorize representatives of the City of Patterson to contact organizations (including employers and schools) and individuals listed, for the purpose of establishing or verifying my qualifications and work history in connection with this application. I understand and acknowledge that such information will be used confidentially and for the purpose of appointment/reappointment decisions only.

I understand and hereby accept that if the City Council of the City of Patterson appoints/reappoints me to a City of Patterson Commission/Committee/Board, I will serve without pay and will be subject to the filings of the Fair Political Practices Commission (**Statement of Economic Interest, Form 700**). I hereby further understand and accept that per City Ordinance No. 718, if I am appointed/reappointed, I will be required to pass a Department of Justice (DOJ) fingerprint (background) test.

Date 1/4/2016 Signature 

File this application with: The City Clerk of the City of Patterson
P.O. Box 667
1 Plaza, 2nd Floor
Patterson, CA 95363

Web Site www.ci.patterson.ca.us Email cityclerk@ci.patterson.ca.us
Direct No. (209) 895-8014

(The City Clerk's Office will keep your application on file for one (1) year from the date stamped received)



Commission/Committee/Board
Application for
APPOINTMENT OR REAPPOINTMENT

(This is a Public Record Subject to Disclosure)

RECEIVED
JAN 5 2016
CITY OF PATTERSON

Name of Commission/Committee/Board Hammann Senior Board

Appointment Reappointment Name of Applicant Alfred C. Parham

Residence Street Address _____ City Patterson Zip 95363

Mailing Address _____ City _____ Zip _____

Phone (home) 510-499-0904 (cell) _____ (work) _____

Email Address Alfred.Parham@Sbcglobal.net Length of time at residence 5 yrs

Employer Retired

Experience or Special Knowledge Pertaining to Area of Interest
Employment Experience

Organization and Community/Public Service/Experience

Education (high school, college, trade school or training)
Note: There is no specific educational requirement

Do you have any financial or professional interest or association related to this position?
 Yes X No If yes, please explain.

Please list three references with telephone numbers:

1. PAT MESSALI Phone 209 837-4355
2. ANDREA DOUGLASS Phone 209 277-5728
3. LENA SUMANT Phone 209 892-5398

A resume containing other pertinent information about yourself would be helpful to the City Council in evaluating your application (Optional).

APPLICATION CERTIFICATION: PLEASE READ BELOW BEFORE SIGNING.

I certify that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment/reappointment.

I hereby authorize representatives of the City of Patterson to contact organizations (including employers and schools) and individuals listed, for the purpose of establishing or verifying my qualifications and work history in connection with this application. I understand and acknowledge that such information will be used confidentially and for the purpose of appointment/reappointment decisions only.

I understand and hereby accept that if the City Council of the City of Patterson appoints/reappoints me to a City of Patterson Commission/Committee/Board, I will serve without pay and will be subject to the filings of the Fair Political Practices Commission (*Statement of Economic Interest, Form 700*). I hereby further understand and accept that per City Ordinance No. 718, if I am appointed/reappointed, I will be required to pass a Department of Justice (DOJ) fingerprint (background) test.

Date 12-21-15 Signature Alfred O. Parham

File this application with: The City Clerk of the City of Patterson
 P.O. Box 667
 1 Plaza, 2nd Floor
 Patterson, CA 95363

Web Site www.ci.patterson.ca.us Email cityclerk@ci.patterson.ca.us
Direct No. (209) 895-8014

(The City Clerk's Office will keep your application on file for one (1) year from the date stamped received)

COMMISSION/COMMITTEE/BOARD

APPLICATION FOR

APPOINTMENT/REAPPOINTMENT

Experience or Special Knowledge Pertaining to Area of Interest

- I. Recreation Department, City of Oakland
- II. City of Oakland, Director, City Wide Youth Employment Project (NYC)
- III. Executive Director, East Oakland Youth Development Center (EOYDC) (private sector funded)

Employment Experience

1962 – 1979 Municipal Government/Private Sector

1. City of Oakland
2. City of Richmond
3. City of Berkeley
4. University of California, Extension Department - (Job Corp Staff Trainer)
5. Community Non-Profit Agency Director, Contra Costa County - (South Side Community Center, Richmond Ca.)

1979 – 2004 Entrepreneurship

Owner/Partner:

1. A&B Liquor & Convenience Mart
2. A&B Associates/Consulting
3. East Bay Media Productions, Producer/Host "Pathways" (weekly cable television talk show)
4. City Ice Beverage Company
5. Protein Technology Solutions
6. The Shiloh Group

Organization and Community/Public Service/Experience

- Neighborhood Organizer, West Oakland, during formative Era of "The War on Poverty"
- President – American Cancer Society , Alameda County
- President – California State Package Store and Tavern Owners Association (CAL-PAC)
- President – Cal-Pac State Scholarship Fund Inc.
- Charter Member - Brookins African Methodist Episcopal Church (Oakland)
- Faith Network of the East Bay, Inc.
- HAMMON SENIOR BOARD

- Hammond Senior Center

Education

Professional History, Characterized by graduate level studies, Masters in Public Administration, (MPA) Cal-State University Hayward California - 1972.

San Francisco State University, Bachelor in Arts, (BA) Social Work - 1962

City College San Francisco, Associate in Arts, (AA) Criminology - 1956

The above, combined with years of comprehensive executive level experience in the areas of Public Policy, Administrative Management, Public Affairs, Small Business Development, Intergovernmental Relations, Private Industry Coordination and a stint in the United States Marine Corp

Hammon Senior Center Board of Directors

Monday, February 29, 2016

Interview Panel

City Council Members: Mayor Luis Molina & Councilmember Farinha

	CANDIDATE
	Pat Maisetti



Commission/Committee/Board
Application for
APPOINTMENT OR REAPPOINTMENT

DEC 06 2015
S.M.

(This is a Public Record Subject to Disclosure)

Name of Commission/Committee/Board Hammond Senior Board
Appointment Reappointment Name of Applicant PAT D. MAISETTI
Residence Street Address _____ City Patterson Zip 95363
Mailing Address Same City _____ Zip _____
Phone (home) _____ (cell) 209-480-4684 (work) _____
Email Address _____ Length of time at residence 34 yrs
Employer _____ family owned 1926

Experience or Special Knowledge Pertaining to Area of Interest

Employment Experience

Mayor of Patterson for 10 years - Scroptimist 56 years -
Served on over 50 Board and Commissions over
50 years - Own - Stanislaus Credit Control Service
and still have shares since 1957. Real estate - owner
and have Pigs Raising on Ranch past Two years -

Organization and Community/Public Service/Experience

Answer above

Education (high school, college, trade school or training)

Note: There is no specific educational requirement

Modesto Hi - MJC - grad -
1953 1958

Do you have any financial or professional interest or association related to this position?

_____ Yes No If yes, please explain.

Please list three references with telephone numbers:

1. Zoppa, Arradondo Phone 209-837-4355
2. David & Elaine Delash Phone 209-243-9116
3. Ron Swift Phone 209-892-6355

A resume containing other pertinent information about yourself would be helpful to the City Council in evaluating your application (Optional).

APPLICATION CERTIFICATION: PLEASE READ BELOW BEFORE SIGNING.

I certify that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief. I understand that statements made are subject to verification and that any misrepresentation, fraud, or omission of material facts may result in denial of appointment/reappointment.

I hereby authorize representatives of the City of Patterson to contact organizations (including employers and schools) and individuals listed, for the purpose of establishing or verifying my qualifications and work history in connection with this application. I understand and acknowledge that such information will be used confidentially and for the purpose of appointment/reappointment decisions only.

I understand and hereby accept that if the City Council of the City of Patterson appoints/reappoints me to a City of Patterson Commission/Committee/Board, I will serve without pay and will be subject to the filings of the Fair Political Practices Commission (*Statement of Economic Interest, Form 700*). I

hereby further understand and accept that per City Ordinance No. 718, if I am appointed/reappointed, I will be required to pass a Department of Justice (DOJ) fingerprint (background) test.

Date 12-5-15

Signature 

File this application with:

The City Clerk of the City of Patterson
P.O. Box 667
1 Plaza, 2nd Floor
Patterson, CA 95363

Web Site www.ci.patterson.ca.us Email cityclerk@ci.patterson.ca.us
Direct No. (209) 895-8014

(The City Clerk's Office will keep your application on file for one (1) year from the date stamped received)