

**AGENDA
CITY OF PATTERSON**



**CITY COUNCIL SPECIAL MEETING
July 19, 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, July 19, 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:

Conference with Legal Counsel – Existing Litigation (Gov. Code § 54956.9)
City of Patterson v. Patterson Hotel Associates, et al., Case No. 670042

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 July 14, 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: July 14, 2016

**AGENDA
CITY OF PATTERSON**



CITY COUNCIL REGULAR MEETING

July 19, 2016

7:00 p.m.

City Council Chambers

1 Plaza

Patterson, California

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

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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 Department Reports for the Month of June (Community Development, Public Works and Recreation & Community Services) [\(View Report\)](#)
- 5.3 Approve City Commission Reports for the Month of June 2016 (Parks, Recreation & Beautification Commission and Planning Commission) [\(View Report\)](#)
- 5.4 Approve Resolution No. 2016-64, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code as is Currently with Minor Changes/Amendments [\(View Report\)](#)
- 5.5 Approve Resolution No. 2016-65, Authorizing Staff to Apply for the Beverage Container Recycling Program Grant for FY 16/17 and FY 17/18 and Resolution No. 2016-66, Authorizing Submittal of Application for Payment Programs and Related Authorizations [\(View Report\)](#)
- 5.6 Approve Resolution No. 2016-67, Approving the Maintenance and Landscaping Agreement for Keystone Lot G (021-085-020); Authorizing the City Manager to Execute the Agreement; and Authorizing the City Clerk to Record the Agreement [\(View Report\)](#)
- 5.7 Approve Resolution No. 2016-68, Accepting the CDBG 4th Street Phase II Project as Complete, Authorizing Staff to File the Notice of Completion and Commence the One-Year Warranty Period [\(View Report\)](#)
- 5.8 Accept all Bids for the Ward Avenue Water Main Replacement Project, Award Construction to Knife River Construction and Authorize Staff to Execute the Contract and Approval of Budget Adjustment [\(View Report\)](#)

6. Presentations and Public Hearings

- 6.1 Presentation: School Awards - American Legion Post 168
Keith Hussar, Mayor Molina
- 6.2 Public Hearing: Adopt Resolution (No. 2016-69) Establishing West Patterson Business Park Reimbursement Fee [\(View Report\)](#)

Staff Report: Deputy City Attorney White
Mayor: Open/Close Public Hearing
Council: Motion to Adopt Resolution No. 2016-69

- 6.3 Public Hearing: Hold the Public Hearing, Take Public Comment, and Approve the Resolutions Ordering the Levy and Collection of Assessments for City’s Benefit Assessment Districts (BADs), Landscape Maintenance Districts (LMDs) and CSA No. 15 for Fiscal Year 2016/17 (Resolution Nos. 2016-70, 2016-71 and 2016-72) ([View Report](#))

Staff Report: Public Works Director Willett
Mayor: Open/Close Public Hearing
Council: Motion to Adopt Resolution Nos. 2016-70, 2016-71 and 2016-72

7. City Staff Reports

7.1 Planning Department

Continued Participation in the Stanislaus Urban County Community Development Block Grant (CDBG) Program for FY 2017-2020 (Resolution No. 2016-60) ([View Report](#))

7.2 Public Works Department

Adopt Resolution No. 2016-73, Modifying the Current Stage II Water Shortage to a Stage I Water Shortage and Direct the Implementation of Current State and Local Water Demand Reduction Measures and New Conservation Standard ([View Report](#))

8. Council Items

- 8.1 Motion to Appoint Fred Fowler to the Patterson Economic Strategic Commission for the Term of April 2016 to April 2018 (Mayor Pro Tem Novelli, Mayor Molina) ([View Report](#))

- 8.2 Designation of a Voting Delegate and Alternates to the League of California Cities Annual Conference, October 5-7, 2016, Long Beach ([View Report](#))

8.3 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)
- 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)

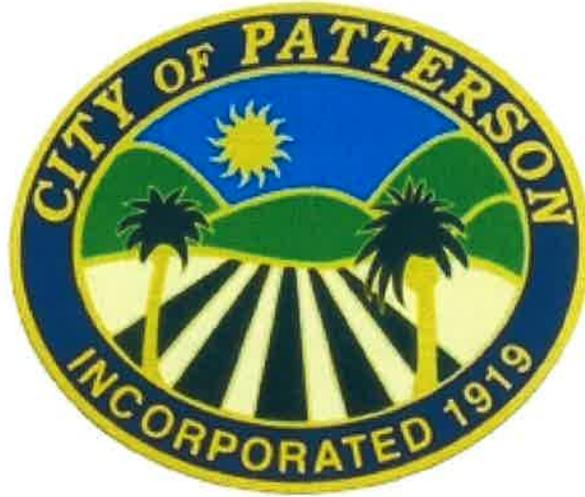
Councilmember McCord:

- Westside Health Care Task Force

Councilmember La Torre:

8.4 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*

MEETING DATE: July 19, 2016

ITEM NO: 5.2

SUBJECT: Approve City Department Reports for the Month of June 2016
(Community Development, Public Works and Recreation & Community Services)

RECOMMENDATION

Motion to approve the City Department Reports for the Month of June 2016 (Community Development, Public Works and Recreation & Community Services)



June 2016 Community Development Department Monthly Report

The following information is provided as an update regarding the Planning and Housing Division activities during the month of June and updates for previously approved projects.

Planning Commission Meetings

On June 9, 2016, the Planning Commission held a meeting to consider the following items:

1. Architectural & Site Plan Review #16-03, Conditional Use Permit #16-04, Lot Line Adjustment #16-01, Negative Declaration #16-01 – Les Schwab Tire Center, North of Sperry, approximately 750 feet east of Ward Avenue

Application for an architectural and site plan review and conditional use permit for the construction and operation of a service center for vehicle tires, wheels, shocks, brakes, batteries, and alignment, located on the north side of Sperry Avenue approximately 750 feet east of Ward Avenue. The building consists of a 12,000 square foot building, with approximately 4,400 sq. ft. allocated to retail and office uses, and the remainder allocated to eight service bays and storage. A 1,300 sq. ft. mezzanine is also included for storage. The project would be located on a 1.4 acre site with 50 parking spaces, including two accessible parking spaces. Access would be provided at a shared driveway to the west of the project site. The project is located in a Planned Development zone with a General Commercial General Plan designation. A draft negative declaration will be considered noting that the project will not have a significant impact on the environment under the California Environmental Quality Act. A lot line adjustment associated with this project will also be considered, which would move a line between APN 048-047-021 (a 17.05 acre lot and APN 048-047-023 (a 2.52 acre lot) to create a 1.56 acre lot to accommodate the project and an 18.01 acre lot. The Planning Commission approved this item with a 3-0 vote.

The next Planning Commission meeting is scheduled for July 28th at 7:00 PM.

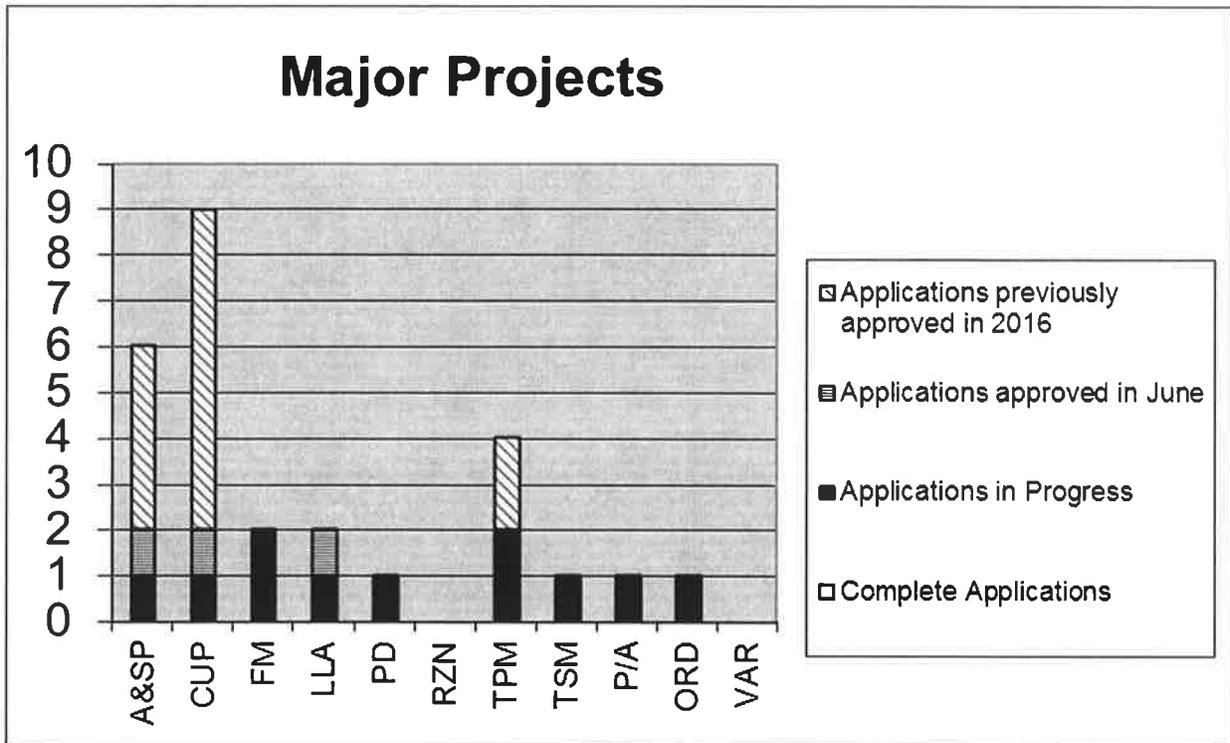
Housing Element Update

The Housing Element has been adopted and certified by the State Department of Housing and Community Development.

Master Plan Update

Staff continues to work with consultants on the on the Parks and Recreation, Storm Drain, Transportation, and Water Master Plans.

Status update for major projects approved during 2016



A&SP	Architectural & Site Plan Review	RZN	General Plan Amendment/Rezone
CUP	Conditional Use Permit	TPM	Tentative Parcel Maps
FM	Final Map	TSM	Vesting Tentative Maps
LLA	Lot Line Adjustment	P/A	Prezone/Annexation
PD	Planned Development	ORD	Zoning Ordinances/Amendments
		VAR	Variance

Architectural & Site Plan Reviews

- A&SP #15-03, CUP #15-06, Patterson Mobil, NE corner of Rogers Road and Annamarie Avenue – Approved
- A&SP #15-06, CUP #15-08, Patterson Gas, NE corner of Rogers Road and Speno Drive – Approved
- A&SP #16-01, CUP #16-02, TPM #16-01, Flying J Travel Center, NE corner of Sperry Avenue and Park Center Drive – Approved
- A&SP #16-02, Cuts Unlimited Roll Up Security Door, 40 S. 3rd Street - Approved

Conditional Use Permits

- CUP #16-01, Somos Un Mundo Daycare, 102 Jersey Lane – Approved
- CUP #16-03, Lucky Pan Brenda's Pupuseria, 401 N. 1st Street – Approved
- CUP #16-05, Taqueria Barajas, 101 E. Las Palmas Avenue – Approved
- CUP #16-06, Little Angels Dual Language Childcare, 250 E Street - Approved

Tentative Parcel Maps

- TPM #15-01, Arthur & Frances Filice, 261 Olive Avenue – Approved

Status update for projects approved in previous years

- Joe's Landscape and Concrete Supply – A&SP #14-02, SE corner of W. Las Palmas Ave and Hwy 33 – Received Temporary Occupancy
- Sealake Plastic Recycling – CUP #14-01, SE corner of 1st St. and Sperry Ave. - Approved
- Prime Shine Carwash - CUP #14-08, A&SP #14-04, LLA #14-02, North of Sperry, East of Ward – Preparing for construction
- Westridge Business Park Amendment PD 07-02, A&SP 10-01, and DA 10-02 – First phase, “Amazon.com,” Open for business
- Patterson Logistics Center – PD 09-02, VTPM 09-01, DA 09-01, ND 10-03, A&SP 12-05 – Approved
- The Villages of Patterson – PD 05-04, Pre-zone/Annexation 05-02, General Plan Amendment/ Rezone 05-01, TSM's 06-03 “A” & 06-04 “B” – Approved
- Ivy Terrace (formerly La Paloma Condos) AR 04-05 – Ivy Ave and Hwy 33 – Second phase work nearing completion
- C&M Transmissions CUP 09-04 – 319 S. 1st Street – Site work underway
- Recreation and Community Services Office, NW corner of Sperry and Ward Avenues – Complete
- Keystone Corporation Maintenance & Warehouse Building, A&SP #15-04- SW corner of Keystone Pacific Pkwy and Park Center Dr. – Construction underway
- Floragold Cell Tower, CUP #15-01, Variance #15-01, west of Baldwin Road, North of Keystone Pacific Parkway - Complete

Suspended:

- Arco/ AM/PM - CUP #11-02 – Applicant delay
- Ramos Medical Buildings – A&SP 08-02, TPM 08-04 – Ramos Medical Buildings, 1108 Ward Avenue – Applicant delay
- Patterson Business Park – PD 07-05 – 501 N. 1st Street & M Street – Applicant Delay
- Greenville LLC/BKE Investments, LLC – TPM 07-06 – 14601 N. 1st Street – Deferred by applicant
- Patterson Commons Townhomes – Applicant delay
- Magnolia Green Townhomes A&SP 07-01 – Applicant delay
- McShane Companies A&SP 07-04 (Phase 3) – Approved
- Patterson Housing PD 06-01 – Approved

Major Subdivisions

Wilding Ranch – Approximately 70 percent complete

Patterson Gardens – Approximately 85 percent complete

Housing Projects and Programs

- CDBG: 4th Street Infrastructure Project Phase II – work expected to be finalized in mid-May. Construction was delayed due to additional service connections needed beyond those originally anticipated.
- HOME : City Staff continues to work with First-time Homebuyer Applicants seeking loan approvals.

DEPARTMENT OF PUBLIC WORKS
“Public Works – Improving Your Quality of Life”



MONTHLY STAFF REPORT
June 2016

Administration Division

- The Water Rate Study kick off meeting was held. The Master Plan is closer to completion and staff has started collecting some of the data. The consultant is continuing to work on the Capital Improvement Plan (CIP).
- Council has approved the required resolutions authorizing staff to submit an SRF (State Revolving Fund) loan application to the State. The loan will provide funding for the City’s share cost of the wastewater treatment facility expansion. The expansion will provide the additional capacity needed to accommodate current and future development as well as address some existing deficiencies required for the sewer system to be in compliance.

Staff has met in person with the State SRF Unit on 2/8/16 to present the project and has been working with the State to submit any additional information required for the loan. The loan application is currently under review and continues to work with the State on all the environmental documents.
- Staff has completed the public works portion of FY 2016/17 budget. Public Works is the largest department and therefore the budgeting process requires lots of staff time. Budget workshop and adoption of the new budget is scheduled for July 12th.
- Staff will begin working closely with the City’s Special Districts Consulting Firm, NBS, on the Assessment District budgets and Engineer’s Reports for FY 2016/17. Public Works currently administers 22 Benefit Assessment Districts (BADs); 12 Landscape Maintenance Districts (LMDs); 1 County Service Area (CSA); and 1 Community Facilities District (CFD). The Council has approved the Engineer’s Reports, resolutions, and has set the Public Hearing date for Tuesday, July 19th.

Personnel:

- The recruitment process for the Electrician position was completed.
- As part of the new budget FY 2016/17 process, staff will be evaluating personnel needs and ensure that the positions funded through the approved garbage and sewer rates are incorporated into the new budget. Additionally, staff will work on the new Water Rate Study and evaluate personnel needs for the next 10 years.

Recycling & Solid Waste Program

- The Solid Waste Division focused largely on improving services to residential customers. Unforeseen challenges and misunderstanding cause some customers to be frustrated with the service. Staff was able to meet with the Bertolotti Management team to resolve the issues.

- Violation of the NO PARKING ordinance in the alley way frustrated several of the business owners in the down town area. Staff addressed the issue with Code Enforcement and PD. PD committed to be on the look out for violators when they are in the area. Staff from the Streets Division replaced the faded NO PARKING signs with new ones, which might be a contributing factor to violators parking in the alley ways.



Faded sign on the left and the replaced new one on the right.

- Outreach efforts for Mandatory Commercial recycling continues as new businesses come into town. Staff assisted with many of the new businesses owners on the need to have recycling programs at their businesses.

Water Division & Water Conservation Program

Current Conservation Mandates

For the month of June, the city issued 42 water waste notices; zero penalties. Using the same comparison as the State Water Resource Control Board (June 2013 and excluding non-potable water); this month we saved 44.24 MG of potable water compared to the same month in 2013. That is a 31.21 percent reduction for the month of June.

SB407 Plumbing Retrofits

In addition to the High Efficiency Toilet Rebate Program, the city is still offering free water-conserving fixtures to help offset the costs of SB 407. With SB 407, California intends to increase water and energy conservation through measures triggered by many forms of construction or renovation. The law requires, on or before January 1, 2017, that all noncompliant plumbing fixtures in any single-family residential real property shall be replaced with water-conserving plumbing fixtures. The law also requires, on or before January 1, 2019, that all noncompliant plumbing fixtures in multifamily residential real property and commercial real property, be replaced with water-conserving plumbing fixtures. **SB 407 only applies to residential and commercial real property built before January 1, 1994.** There are approximately 2,300 buildings

in Patterson that meet these criteria. Public Works will have an outreach table every Wednesday until the end of August.

June 2016 Water Pumping Totals	
Well	Amount
2	21,309,000
4 NP	13,960
5	33,218,000
6	20,908,200
7	0
8	20,154,000
9	1,901,100
11	0
Keystone NP	3,691,800
TOTAL	101,196,060

MG

Number of Water Waste Complaints: 5

Number of Follow-ups: 5

Number of Warning/Violations: 42

Number of Penalties: 0

Water Service Connection Requests: 100

Water Service Disconnection Requests: 73

Number of Work Orders Received: 10

Water Samples:

- 20 Distribution System
- 7 Sources

Storm Water Pollution Prevention Program

- The City has partnered up with various other agencies/Cities to develop a Local Regional Monitoring Program with the assistance from a qualified stormwater consultant. However, there has been a delay with Attachment G. The State is anticipating the adoption to occur later this year. Once the Monitoring & Implementation Plan is completed, it must be submitted to the Central Valley Regional Water Quality Control Board (CVRWQCB) for approval. The City would be responsible for certifying/training personnel to take quarterly samples, send samples to a qualified laboratory, and have a consultant complete the reporting that is required. The consulting costs would be shared among all participants and the cost is estimated to be about 1/3 of the total for participating in the Delta RMP. Staff will continue to keep Council informed as this process evolves.
- On April 7, 2015, the State Water Board adopted an Amendment to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) to Control Trash and Part 1 Trash Provision of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries (ISWEBE Plan). Together, they are collectively referred to as 'the Trash Amendments'. The project objective for the Trash Amendments is to provide statewide consistency for the Water Boards' regulatory approach to protect aquatic life and public health beneficial uses, and reduce environmental issues associated with trash in state waters, while focusing limited resources on high trash generating areas. The City hosted a California

Stormwater Quality Association (CASQA) Webinar on Thursday, March 10th to learn about the new Trash Amendments that the State has adopted and that all the Stormwater Phase II MS4 Cities will have to comply with.

- Staff is wrapping up all of the Year 3 requirements during the next few weeks. The Year 3 Annual Report to the State is due on October 15, 2016.

Capital Improvement Program (CIP) Projects

- These are the main projects which Public Works and Engineering are focusing on. These project include:
 - Salado Creek Grate (staff is working with Engineering to design a storm drainage grate that is needed at Salado Creek).
 - Staff will not be proceeding with the museum renovation grant this year as the state has not yet moved forward with the 2015 grant awards. We anticipate submitting an application in 2017.
 - Staff will be working closely with Engineering to hire an architect to design plans for the additional building that will be built at the Corporation Yard. The additional building would be able to secure additional equipment/vehicles.
 - Staff is getting close to securing a site for a future potable well on the northeast part of town. An item will be on the Council's closed session agenda regarding the purchase and right-of-entry agreement.

Committees & Commission

Parks & Recreation and Beautification Commission:

- The commission will continue to work on reviewing playground equipment proposals from vendors for Garza Park improvements. Potential playground improvements for North Park were also discussed. Public Works Deputy Director Robert Andrade also reviewed the Brown Act regarding email communication. The next meeting is scheduled for July 20, 2016.

Safety (JEMSAC) Committee:

- This committee has changed their meeting date/time to the 2nd Thursday of every month. During this time, the Committee reviews the City's existing Safety Program and implements new safety policies and training to comply with all OSHA requirements and create a safe environment for employees and the public. The next meeting will be held on July 14th.

Traffic Safety Committee:

- The Traffic Committee met on May 16, 2016 to discuss safety concerns throughout the city. The committee addressed the concerns and is in the process of notifying residents.
- Traffic Speed Surveys will need to be collected by the Sheriff's Department and submitted to the City Manager and Engineering Department.
- Traffic concern for Apricot Valley School at Creekside Drive was re-submitted but is currently pending review with the City Manager.
- Request for 4-way stop at Shearwater Drive & James Burke was made. Item is with City Manager for consideration.

- The committee will have to discuss the possibility of relocating the signal light pole located on northwest corner of Sperry & Rogers. Damage continues to be done by large vehicles and relocating the pole will help address that.

Park & Field Reservations

Parks & City Hall Facility Reservations:

- Park Reservations = 7
- Field Reservations = 99

Encroachment Permits, Fire Hydrant Use Permits, Other Permits Issued by Public Works:

- Encroachment Permit = 4
- Fire Hydrant Use Permits = 0

Contracts & Agreements

- The lease agreement for the property owned by the City at Orange & First Street has been approved for an additional year (November 1, 2015 to October 31, 2016).
- A lease agreement for the property located by the Wastewater Treatment Facility has been approved with Schueber Farms a one-year term (January 1, 2016 to December 31, 2016).
- Staff has completed the RFP for Uniform Services the new five-year contract with Aramark Uniform Services starts on July 1, 2016 through June 30, 2021. Staff has been fitted and uniforms are on order.
- Staff has completed the Mowing Contract RFP and this service will now be done in-house. Staff is currently ordering all equipment and filling the positions that will perform the mowing services for the City.

Work Orders = 17 (Streets); 5 (Streetlights)
 0 (Garbage)
 3 (Collections)
 1 (Stormwater Compliance)

Seasonal Tasks:

- Alley maintenance.
- Repaired curb/gutters and sidewalks.
- Repaired potholes and cracks throughout the City.
- Inspected sanitary sewer lines throughout the downtown area.
- Continue to maintain storm drainage system.
- Apricot Fiesta preparation continued – cleaned out ditch along Hwy 33. Re-striping of the downtown area was performed by a contractor and staff repainted curb in the same area.

Urban Forestry & Building Maintenance Division

Work Orders = 67 (UF)
 6 (Building Maintenance)

Seasonal Tasks this Month:

- Focused on maintenance pruning and work order requests.

Parks & Landscape Maintenance Division

Work Orders = 17

Seasonal Tasks & Projects:

- Continued maintenance of all parks and easements.
- Completed monthly playground inspections.

Fleet Services Division

Number of PW equipment repaired/serviced: 45 PW's vehicles and 0 Fire Vehicles

Water Quality Control Facility (WQCF)

Work Orders Received: 0

MONTHLY FLOWS AND AVERAGES -May 2016

May 2016	INFLUENT	SPOD*	NPOD*	AIPS
TOTAL FLOW, MG/month	44.453	27.376	12.652	4.423
AVG FLOW, MGD	1.434	.883	.408	.143
HIGH FLOW, MGD	1.562	.999	.483	.226
LOW FLOW, MGD	1.364	.783	.326	.095
Total Capacity, MGD	2.25	1.25	.800	.200

* SPOD- South Plant Oxidation Ditch (new)

* NPOD- North Plant Oxidation Ditch (old)

AVERAGE LABORATORY RESULTS

May 2016 Avg.	BOD5	TSS	TDS	pH	EC	NO3-N	TKN	TN-N	Na	Cl
Influent	213	260	*	7.65	*	*	*	*	*	*
Effluent. SPOD	2.57	2.90	1200	7.89	1810	.05	1.20	1.30	260	240
Effluent NPOD	5.10	1.58	1300	7.92	1980	.18	3.15	4.40	270	280
Effluent AIPS	101	45	1300	8.09	2270	.47	35.67	42.50	270	300

* Not required

Alarms/Call-Outs:

Alarms = 68

Call-Outs = 0

Seasonal Tasks:

- AIPS currently under performance test.
- Yearly PM on equipment.
- North plant clarifier #1 back on line.
- Continue using animals for weed control.
- Process control under adjustment for hot weather.
- AIPS aerators #2 and #3 out for service.



Recreation & Community Services Department
Monthly Staff Report
June 2016
Juliene Flanders, Director

July is Parks & Recreation Month and we celebrate the value that Parks and Recreation adds to our Community. Well over 300 agencies throughout the State of California are currently using the Parks Make Life Better!® branding campaign. The campaign is designed to advance the message that Parks and Recreation are essential community services. So when people ask you what are the values of Parks and Recreation? Refer to any one of, or all of, the six core campaign messages below.

PARKS MAKE LIFE BETT MONTH OF JULY – offers Special discount tickets to Six Flags! Stop in to the Recreation office to pick up a voucher for \$33.81 each.

Parks & Recreation provide all communities:

- 1 access to the serenity and inspiration of nature
- 2 .outdoor space to play and exercise
3. Facilities for self-directed and organized recreation
4. Positive alternatives for youth which help lower crime and mischief
5. Activities that facilitate social connections, human development, therapy, the arts, and lifelong learning



Summer is here and the Recreation Department has a wide range of Community Programs for all ages that support our goals of Community Health and Wellness – Live Active!!!

Summer Aquatics

Summer programs are going strong and the Patterson Aquatic Center is open with programs during the week from 7:00 am – 8:00 pm. With over 32 swim lesson classes offered daily, we have taught approximately 300 youth in swim lesson. 30 Seniors are participating regularly in Shallow and Deep Water Aerobics, 10 lap swimmers and on average of 150 recreational swimmers per day.

The Patterson Aquatic Center season is in full swing. Currently our Aquatic Adventure Camp has 30 participants who are signed up to learn about what it means to be a life guard, water safety, and open water safety. They will enjoy a field trip at the end of their course to the San Luis Reservoir.

YAC Youth Action Commission

YAC members are meeting b-weekly in an attempt to map out the upcoming school year. They want to have a plan going into the year so they know what is coming next, and what needs to be worked on.



Patterson Teen Center

Busy with a variety of activities, the Teen Center will also be working with the Aquatic Adventure Camp and our Jr. Outdoor Academy, offering teens an opportunity to learn about the environment and conclude with a trip to Yosemite for overnight leadership and camping.

Mobile Recreation

Mobile Recreation provides recreational programs out to the community members at their local parks. The van has gone to the Sports Complex, Tilton Park and Garza Park and North Park.

Westside Walks:

We are once again participating in the Westside Healthcare Taskforce, Westside Walks. Every Wednesday we have staff at the PHS stadium that help participants to keep track of how many laps they walk. We also, have been doing raffle's and giveaways of department items (mini back packs or water bottles). Each Wednesday we have had between 15-20 participants come join us for Westside Walks.

Youth Sports

Patterson Jr. Giants!

We are getting ready to start the season. This year we have seen a huge increase in numbers. Right now we have 450 registered players, last year when we started the season we were at 181 players. The season is going strong we, are about half way through.



Summer Discovery Camp

We are in the middle of another fun year of camp. With weekly themes and field trips, kids get to go to the pool twice a week, weekly field trips, and games that have a little education in them to help avoid the summer learning loss. At this point we have had 280 participants attend camp so far this summer.



Adult Sports

Adult Softball

Adult Softball is going well this year with one men's league (5 teams) and one co-ed league (6 teams). The season is going well. Everyone seems to be enjoying it.

Open Stadium

For the month of June every Monday and Friday at the PHS stadium had community members walking the track, playing soccer or football and enjoy some family time. This is a free program that allows people of all ages an opportunity to exercise. The track will be closed in July for renovations.



Senior Programs

Senior Center Board of Directors

The Senior Board meets to discuss programs, issues and general program planning for Hammon Senior Center. The meeting was held June 21, 2016

Senior Lunch Program

A nutritionally balanced lunch is provided 5 days a week to senior community members.

Activities Committee

The committee met June 13 and 27 they discussed future activities, events, and trips that they want to plan for our seniors.

Commodities: June 2nd commodities distributed boxes of food and met the needs of our seniors and low income community members. The Commodity Supplemental Food Program works to improve the health of

low-income elderly persons at least 60 years of age and low income families by supplementing their diets with nutritious USDA Foods.

June Highlights included:

- 46 Exercise Classes were taught including walking group, Golden Exercise, Young at Heart, and Line Dancing, Fitness with Lucy.
- Movie Days on Monday's
- Meals were provided for 22 days in the month of June
- Commodities Food give a way
- HICAP
- Craft Groups
- Comedy Show
- We had a Multicultural potluck
- They played a game of Pictionary
- We had beginning computer classes
- We took a trip to Santa Cruz
- The seniors were offered a Water Color class for no cost.
- Healthy hearts Presentation from Sutter Health Gould
- The seniors had Mens BBQ for Father's Day
- We had our first Computer class Graduation



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

MEETING DATE: July 19, 2016

ITEM NO: 5,3

SUBJECT: Approve City Commission Reports for the Month of June 2016 (Parks, Recreation & Beautification Commission and Planning Commission)

RECOMMENDATION

Motion to approve City Commission Reports for the Month of June 2016 (Parks, Recreation & Beautification Commission and Planning Commission)



June 2016 Parks, Recreation & Beautification Commission Monthly Report

The following information is provided as an update regarding the Parks, Recreation & Beautification Commission meeting activities during the month of June and updates for previously approved projects.

Parks, Recreation & Beautification Commission meetings are held on the 3rd Wednesday of every month at 5:00 pm in the City Hall Council Chambers

5-Member Commission

Chair	Rob Cozart	Term: May 2016-2018
Co-Chair	Chinyere Jack	Term: May 2015-2017
Commissioner	Vivian Ratliff	Term: May 2015-2017
Commissioner	Kelvin Love	Term: May 2015-2017
Commissioner	Elias Funez	Term: May 2016-2018

Parks & Recreation Commission Meeting:

On June 15, 2016, the Parks, Recreation & Beautification Commission Mtg. discussed the agenda items listed below.

1. Review Old Sports Park Plans

Plans have been misplaced in the move from Hammon Senior Center to new recreation office.

2. General Policies & Procedures

Deputy Director Robert Andrade went over the Parks, Recreation & Beautification Commission procedures.

3. Brown Act Policies

Deputy Director Robert Andrade went over the Brown Act Policies with the commissioners.

Agendas & Minutes can be located on the city website under the agenda center.
The next regular meeting will be scheduled for July 20, 2016



June 2016 Planning Commission Monthly Report

The following information is provided as an update regarding Planning Commission activities during the month of June.

Planning Commission Meetings

On June 9, 2016, the Planning Commission held a meeting to consider the following items:

1. Architectural & Site Plan Review #16-03, Conditional Use Permit #16-04, Lot Line Adjustment #16-01, Negative Declaration #16-01 – Les Schwab Tire Center, North of Sperry, approximately 750 feet east of Ward Avenue

Application for an architectural and site plan review and conditional use permit for the construction and operation of a service center for vehicle tires, wheels, shocks, brakes, batteries, and alignment, located on the north side of Sperry Avenue approximately 750 feet east of Ward Avenue. The building consists of a 12,000 square foot building, with approximately 4,400 sq. ft. allocated to retail and office uses, and the remainder allocated to eight service bays and storage. A 1,300 sq. ft. mezzanine is also included for storage. The project would be located on a 1.4 acre site with 50 parking spaces, including two accessible parking spaces. Access would be provided at a shared driveway to the west of the project site. The project is located in a Planned Development zone with a General Commercial General Plan designation. A draft negative declaration will be considered noting that the project will not have a significant impact on the environment under the California Environmental Quality Act. A lot line adjustment associated with this project will also be considered, which would move a line between APN 048-047-021 (a 17.05 acre lot and APN 048-047-023 (a 2.52 acre lot) to create a 1.56 acre lot to accommodate the project and an 18.01 acre lot. The Planning Commission approved this item with a 3-0 vote.

The next Planning Commission meeting is scheduled for July 28th at 7:00 PM.



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager 

BY: Maricela Vela, City Clerk

MEETING DATE: July 19, 2016

ITEM NO: 5.4

SUBJECT: Approve Resolution No. 2016-64, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code As In Effect With Minor Changes/Amendments.

Discussion:

The State Political Reform Act requires every local government agency review its Conflict of Interest Code biennially to determine if it is accurate or if the code needs amending. The City originally adopted the Conflict of Interest Code on July 17, 2012 with no amendments (as stated on the attached 2014 Local Agency Biennial Notice) As the City of Patterson has made minor changes/amendments to its designated positions and disclosure categories, staff is recommending that City Council approve the updated code as presented with the minor changes/amendments as stated and as required by State Law.

Cost: None.

Budget Impact: None.

Recommendation:

Approve Resolution No. 2016-64, A Resolution of the City Council of the City of Patterson, Adopting the City of Patterson's Conflict of Interest Code As In Effect With Minor Changes/Amendments.

RESOLUTION NO. 2016-64

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
ADOPTING THE CITY OF PATTERSON'S CONFLICT OF INTEREST CODE
AS IS CURRENTLY IN EFFECT WITH MINOR CHANGES/AMENDMENTS**

WHEREAS, the State Political Reform Act requires that the City's Conflict of Interest Code be reviewed biennially to determine if it is accurate or alternatively if the code needs amending; and

WHEREAS, the City's current and in effect Conflict of Interest Code was last reviewed and adopted on July 17, 2012; and

WHEREAS, the City of Patterson has had new minor changes to its Code; to its designated positions and disclosure categories; and

WHEREAS, staff is recommending that City Council approve the City of Patterson's Conflict of Interest Code (attached) that is currently in effect with minor changes/amendments as stated; and

WHEREAS, the City Council has reviewed and hereby approves the City of Patterson's Conflict of Interest Code (attached) that is currently in effect with minor changes/amendments as stated.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Patterson as required by State Law does hereby adopt the City of Patterson's Conflict of Interest Code as is, currently in effect with minor changes/amendments, a copy of which is attached hereto and by reference incorporated herein.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 19th day of July 2016, by _____, who moved 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
City of Patterson

ATTEST:

Maricela L. Vela, City Clerk
City of Patterson

I hereby certify that the foregoing 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 19th day of July 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

**CONFLICT OF INTEREST CODE FOR
THE CITY OF PATTERSON**

Section 1. Conflict of Interest Code - Adopted

The Political Reform Act, Government Code Section 81000, et. seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 Cal Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal Code of Regs. Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference, and along with the attached appendix's in which members and employees are designated and disclosure categories are set forth constitutes the Conflict of Interest Code of the City of Patterson, which is considered the agency within the purview of this code. *The Conflict of Interest Code of the City of Patterson so adopted amends and replaces any Conflict of Interest Code of the City of Patterson previously in effect to conform to this newly adopted code.*

Section 2. Conflict of Interest Code – Statements

Designated employees shall file statements of economic interest with the City Clerk, who shall be and perform the duties of filing officer for the City of Patterson.

Section 3. Savings Clause

Any change provided for in this conflict of interest code shall not affect or excuse any offense or act committed or done or omission or any penalty or forfeiture incurred or accruing under any other conflict of interest code; nor shall it affect any prosecution, suit, or proceedings pending or any judgment rendered in connection with any other conflict of interest code.

APPENDIX OF DESIGNATED POSITIONS

As of July 19, 2016

Designated Positions

Assigned Disclosure Categories

City Staff

City Manager 1 through 25

~~Assistant City Manager 1 through 25~~

- The Assistant City Manager position was eliminated.

~~Human Resources Manager/Assistant City Manager
Assistant to the City Manager 1 through 25~~

- The Human Resources Manager/Assistant City Manager Assistant to the City Manager position was eliminated.

Human Resources Director	1 through 25
• The Human Resources Director position has been added.	
City Clerk	1 through 25
Community Development Director	1 through 25
City Planner	1 through 25
• The City Planner position has been added.	
Public Works Director	1 through 25
Deputy Public Works Director	1 through 25
Public Works Capital Projects Manager	1 through 25
<u>Capital Projects Manager</u>	1 through 25
• The Public Works Capital Projects Manager position was re-named: Capital Projects Manager	
Parks & Recreation Director	1 through 25
<u>Recreation & Community Services Director</u>	1 through 25
• The Parks & Recreation Director position was re-named: Recreation & Community Services Director	
Building Inspections (Contract Manager/Owner)	1 through 25
Building Official	1 through 25
Finance Director	1 through 25
Assistant Finance Director	1 through 25
Fire Chief	1 through 25
Police Chief	1 through 25
City Engineer(s)	1 through 25
City Attorney	1 through 25
Special Counsel	1 through 25
• The Special Counsel position has been added.	
City Treasurer	1 through 25

Auditors (Contract Manager/Owner)	1 through 25
Information Technology (Contract Manager/Owner)	1 through 25
Grant Writers (Contract Manager/Owner or In-House)	1 through 25

- The City Grant Writers position has been added.

Consultants *	1 through 25
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Consultants *

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The City Manager or his designee may determine in writing that a particular consultant, although a “designated position” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of the disclosure requirements. The City Manager or his designee’s determination is a public record and shall be retained for public inspection in the same manner and location as the conflict of interest code.

Council, Commissions, Committees and Boards

City Council Members	1 through 25
Planning Commission Members	1 through 25
Economic Strategic Commission Members	1 through 25
Parks & Recreation Commission Members	1 through 25
Beautification Committee Members	1 through 25
<u>Parks, Recreation & Beautification Commission</u>	1 through 25

- The Parks & Recreation Commission and the Beautification Committee was combined as one Commission and re-named: Parks, Recreation & Beautification Commission

Senior Center Board of Directors Members	1 through 25
Turlock Mosquito Abatement District Member	1 through 25

APPENDIX OF DISCLOSURE CATEGORIES

List of Disclosure Categories
Specification Sheet
Reportable Investments, Interest in Real Property and Income

Disclosure Category

1. All investments and business positions in business entities, sources of income and interests in real property.
2. Investments and business positions in business entities, and all sources of income.
3. Interests in real property.
4. Investments and business positions in business entities, and sources of income from entities providing supplies, services, equipment or machinery of the type used by the designated employee's unit.
5. Investments and business positions in, and income from entities which are book outlets, vendors or providers of business services.
6. Investments and business positions in business entities and come from sources engaged in construction, building, or material supply.
7. Investments and business positions in business entities and income from sources which supply or manufacture solar energy systems.
8. Investments and business positions in business entities and income from sources engaged in construction or development.
9. Investments and business positions in business entities and income from sources which provide transportation services subject to the review or approval of the Public Works Department and all interest in real property.
10. Investments and business position in, and income from sources engaged in the construction of public works projects.
11. Investments and business positions in business entities and income from construction companies involved in progress payments.
12. Investments and business positions in, and income from construction firms involved in construction projects subject to acceptance by the City Council.
13. Investments and business positions in business entities and income from business entities of the type to provide bids, supplies, vehicles and equipment.
14. Investments and business position in, and income from entities which provide training, services or facilities of the type utilized by the City.
15. Investments and business positions in business entities and sources of income which provide services and supplies of the type used in emergency services coordination and training activities.
16. Investments and business positions in, and income from Union Pension Funds that may be affected by the outcome of negotiations involving monetary settlements and employer-employee memorandum.
17. Investments and business positions in, and income from entities providing medical services or facilities of the type used by the City.

18. Investments and business positions in, and income from business entities engaged in providing eye examinations and eye glasses, including but not limited to opticians, ophthalmologists, etc.
19. Investments and business positions in and income from business entities supplying or manufacturing electronic equipment, supplies or services of the type utilized by the employee's unit.
20. Investments and business positions in, and income from business entities providing supplies, services, equipment or machinery of the type used by the City or County.
21. Investments and business positions in, and income from employment agencies or entities which provide employment or pre-employment services. Services include, but are not limited to, testing, training, consulting, job classification studies and salary surveys.
22. Investments and business positions in, and income from, business entities which are of the type to provide any of the various types of employee insurance coverage and/or actuarial services.
23. Investments and business positions in business entities, and income from sources which supply and manufacture firefighting equipment and supplies.
24. Investments and business position in business entities and come from sources which provide, supply manufacture or service computer hardware or software of the type utilized by the City of County.
25. Investments and business position in business position in business entities, and come from sources which are of the type to have done business with County government in the previous two years; income from individuals who are County employees, as well as all interest in real property.

2014 Local Agency Biennial Notice

Name of Agency: City of Patterson
Mailing Address: P.O. Box 667, Patterson, CA 95363
Contact Person: Maricela Vela, City Clerk Phone No: (209) 895-8014
E-Mail: cityclerk@ci.patterson.ca.us

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

An amendment is required. The following amendments are necessary:

(Mark all that apply.)

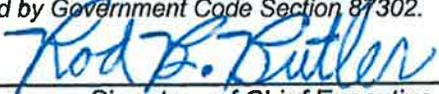
- Include new positions (including consultants) that must be designated
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that no longer make or participate in making governmental decisions
- Other (describe) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

July 15, 2014

Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

Care of City Clerk
City of Patterson City Council
P.O. Box 667
Patterson, CA 95363

PLEASE DO NOT RETURN THIS FORM TO THE FPPC

RESOLUTION NO. 2012-41

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
ADOPTING THE CITY OF PATTERSON'S CONFLICT OF INTEREST CODE
AS IS CURRENTLY IN EFFECT WITH MINOR AMENDMENTS**

WHEREAS, the State Political Reform Act requires that the City's Conflict of Interest Code be reviewed biennially to determine if it is accurate or alternatively if the code needs amending; and

WHEREAS, the City's current and in effect Conflict of Interest Code was last reviewed and adopted on September 7, 2010; and

WHEREAS, the City of Patterson has had new minor changes to its Code; to its designated positions and disclosure categories; and

WHEREAS, staff is recommending that City Council approve the City of Patterson's Conflict of Interest Code (attached) that is currently in effect with minor changes/amendments as stated; and

WHEREAS, the City Council has reviewed and hereby approves the City of Patterson's Conflict of Interest Code (attached) that is currently in effect with minor changes/amendments as stated.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Patterson as required by State Law does hereby adopt the City of Patterson's Conflict of Interest Code as is, currently in effect with minor changes/amendments, a copy of which is attached hereto and by reference incorporated herein.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 17th day of July 2012, by Mayor Molina, who moved its adoption, which motion was duly seconded by Councilmember Farinha, and the resolution adopted by the following vote:

AYES: Councilmembers Novelli, Smith, Farinha and Mayor Molina
NOES: None
EXCUSED: Councilmember Buehner

APPROVED:



Luis I. Molina, Mayor
City of Patterson

ATTEST:



Maricela L. Vela, City Clerk
City of Patterson

I hereby certify that the foregoing 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 17th day of July 2012, 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

**CONFLICT OF INTEREST CODE FOR
THE CITY OF PATTERSON**

Section 1. Conflict of Interest Code - Adopted

The Political Reform Act, Government Code Section 81000, et. seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 Cal Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal Code of Regs. Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference, and along with the attached appendix's in which members and employees are designated and disclosure categories are set forth constitutes the Conflict of Interest Code of the City of Patterson, which is considered the agency within the purview of this code. *The Conflict of Interest Code of the City of Patterson so adopted amends and replaces any Conflict of Interest Code of the City of Patterson previously in effect to conform to this newly adopted code.*

Section 2. Conflict of Interest Code – Statements

Designated employees shall file statements of economic interest with the City Clerk, who shall be and perform the duties of filing officer for the City of Patterson.

Section 3. Savings Clause

Any change provided for in this conflict of interest code shall not affect or excuse any offense or act committed or done or omission or any penalty or forfeiture incurred or accruing under any other conflict of interest code; nor shall it affect any prosecution, suit, or proceedings pending or any judgment rendered in connection with any other conflict of interest code.

APPENDIX OF DESIGNATED POSITIONS

As of July 17, 2012

Designated Positions

Assigned Disclosure Categories

City Staff

City Manager 1 through 25

~~Assistant City Manager 1 through 25~~

Human Resources Manager/~~Assistant City Manager~~
Assistant to the City Manager 1 through 25

- The Assistant City Manager became the Human Resources Manager/Assistant to the City Manager.

City Clerk 1 through 25

Community Development Director 1 through 25

City Planner	1 through 25
• The City Planner position has been added.	
Public Works Director	1 through 25
Deputy Public Works Director	1 through 25
Public Works Capital Projects Manager	1 through 25
• The Public Works Capital Projects Manager position has been added.	
Parks & Recreation Director	
Recreation & Community Services Director	1 through 25
• The Parks & Recreation Director became the Recreation & Community Services Director.	
Building Inspections (Contract Manager/Owner)	1 through 25
Building Official	1 through 25
Finance Director	1 through 25
Assistant Finance Director	1 through 25
Fire Chief	1 through 25
Police Chief	1 through 25
City Engineers	1 through 25
City Attorney	1 through 25
Special Counsel	1 through 25
• The Special Counsel position has been added.	
City Treasurer	1 through 25
Auditors (Contract Manager/Owner)	1 through 25
Information Technology (Contract Manager/Owner)	1 through 25
Grant Writers (Contract Manager/Owner or In-House)	1 through 25
• The City Grant Writers position has been added.	
Consultants *	1 through 25

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The City Manager or his designee may determine in writing that a particular consultant, although a “designated position” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of the disclosure requirements. The City Manager or his designee’s determination is a public record and shall be retained for public inspection in the same manner and location as the conflict of interest code.

Council, Commissions, Committees and Boards

City Council Members	1 through 25
Planning Commission Members	1 through 25
Economic Strategic Commission Members	1 through 25
Parks & Recreation Commission Members	1 through 25
Beautification Committee Members	1 through 25
Senior Center Board of Directors Members	1 through 25
Turlock Mosquito Abatement District Member	1 through 25

APPENDIX OF DISCLOSURE CATEGORIES

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Specification Sheet
Reportable Investments, Interest in Real Property and Income

Disclosure Category

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2. Investments and business positions in business entities, and all sources of income.
3. Interests in real property.
4. Investments and business positions in business entities, and sources of income from entities providing supplies, services, equipment or machinery of the type used by the designated employee’s unit.
5. Investments and business positions in, and income from entities which are book outlets, vendors or providers of business services.
6. Investments and business positions in business entities and come from sources engaged in construction, building, or material supply.

7. Investments and business positions in business entities and income from sources which supply or manufacture solar energy systems.
8. Investments and business positions in business entities and income from sources engaged in construction or development.
9. Investments and business positions in business entities and income from sources which provide transportation services subject to the review or approval of the Public Works Department and all interest in real property.
10. Investments and business position in, and income from sources engaged in the construction of public works projects.
11. Investments and business positions in business entities and income from construction companies involved in progress payments.
12. Investments and business positions in, and income from construction firms involved in construction projects subject to acceptance by the City Council.
13. Investments and business positions in business entities and income from business entities of the type to provide bids, supplies, vehicles and equipment.
14. Investments and business position in, and income from entities which provide training, services or facilities of the type utilized by the City.
15. Investments and business positions in business entities and sources of income which provide services and supplies of the type used in emergency services coordination and training activities.
16. Investments and business positions in, and income from Union Pension Funds that may be affected by the outcome of negotiations involving monetary settlements and employer-employee memorandum.
17. Investments and business positions in, and income from entities providing medical services or facilities of the type used by the City.
18. Investments and business positions in, and income from business entities engaged in providing eye examinations and eye glasses, including but not limited to opticians, ophthalmologists, etc.
19. Investments and business positions in and income from business entities supplying or manufacturing electronic equipment, supplies or services of the type utilized by the employee's unit.
20. Investments and business positions in, and income from business entities providing supplies, services, equipment or machinery of the type used by the City or County.
21. Investments and business positions in, and income from employment agencies or entities which provide employment or pre-employment services. Services include, but are not limited to, testing, training, consulting, job classification studies and salary surveys.
22. Investments and business positions in, and income from, business entities which are of the type to provide any of the various types of employee insurance coverage and/or actuarial services.

23. Investments and business positions in business entities, and income from sources which supply and manufacture firefighting equipment and supplies.
24. Investments and business position in business entities and come from sources which provide, supply manufacture or service computer hardware or software of the type utilized by the City of County.
25. Investments and business position in business position in business entities, and come from sources which are of the type to have done business with County government in the previous two years; income from individuals who are County employees, as well as all interest in real property.



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager 

BY: Mike Willett, Director of Public Works

MEETING DATE: July 19, 2016

ITEM NO: 5.5

SUBJECT: Approve Resolution No. 2016-65, Authorizing Staff to Apply for the Beverage Container Recycling Program Grant for FY 16/17 and FY 17/18 and Resolution No. 2016-66, Authorizing Submittal of Application for Payment Programs and Related Authorizations

RECOMMENDATION

Approve Resolution No. 2016-65, Authorizing Staff to Apply for the Beverage Container Recycling Program Grant for FY 16/17 and FY 17/18 and Resolution No. 2016-66, Authorizing Submittal of Application for Payment Programs and Related Authorizations.

BACKGROUND

Public Resources Code, Division 12.1, Chapter 7, Section 14581(a)(4) authorizes the Department of Resources Recycling and Recovery (CalRecycle) to issue up to \$1,500,000 annually in the form of grants for beverage container recycling programs. The availability of grant funding for communities will provide opportunities for CalRecycle to address recycling challenges, aid in increasing beverage container collection, and reduce beverage container litter in the waste stream. Eligible applicants for this grant program include California cities, counties, other local government entities, joint powers authorities, special districts, public colleges and universities, public K-12 school districts, nonprofit organizations and qualifying Indian tribes. CalRecycle is seeking projects that implement new or enhance existing programs to provide convenient beverage container recycling opportunities in various locations statewide.

ANALYSIS

With the availability of this funding opportunity from the State's Department of Resources Recycling and Recovery (CalRecycle), staff has analyzed the possibility of City of Patterson once again, leading the entire Stanislaus County in its recycling efforts by implementing a recycling program specifically targeted at the collection and recycling of

beverage containers throughout the City. Staff has identified four (4) City parks, major special events such as the annual Apricot Fiesta, the down town business area, the commercial business park and the school district as target areas in which to focus its recycling efforts.

Through this grant opportunity, staff is going to focus on the collection of all types of recyclable beverage containers through the use of specified bins and kiosks that are going to be marked clearly for that purpose. The partnership and outreach work with the school district is one that staff hopes will help perpetuate and increase knowledge and understanding of the need to recycle beverage containers. Young scholars of the Patterson Unified School District have demonstrated over the past partnerships, public celebration and presentations that they too have vested interest in managing the quality of the environment they live in. Partnerships with local businesses, multi-family residential housing and the growing commercial and industrial business park will be fostered to assure that this program accomplishes the State's goal of minimizing greenhouse gas emission (GHG) and the diversion of recyclable waste from the landfill.

Specific staff will be hired through the grant funds and tasked with managing and operating the program as well as educating the community on the purpose of recycling beverage containers.

FISCAL IMPACT

There is no direct fiscal impact to the City. The grant does not ask for any match and staff is looking to request \$100,000.00 for the implementation of the program to cover FY 16-17 and FY 17-18. The funds are specified by the State for use for 1) Personnel, 2) Equipment, 3) Education, and 4) Administrative costs. The budget breakdown is as follows:

PERSONNEL	BUDGET	
List Consultant, Title, Total Hours and Rate of Pay		
\$14.79/Hour x 1,404 Hours/Year (27 Hrs/52 Week)	\$	20,765.16
\$14.79/Hour x 1,404 Hours/Year (27 Hrs/52 Week)	\$	20,765.16
Subtotal	\$	41,530.32
EQUIPMENT		
Bigfoot-300 Electric Utility Vehicle	\$	17,285.90
50 gallon MegaBin (30 X \$75)	\$	2,250.00
Hex station 3-Bin Recycling and Trash Station (4x\$298.20)	\$	1,192.80
Event Recycling Kiosk (5X\$238)	\$	1,190.00
Gloves, Boots, Safety Equipment	\$	3,000.00
Subtotal	\$	24,918.70
EDUCATION		
Education/Outreach/Promotion		
School Assemblies and Presentations	\$	3,000.00
Digital Outdoor Marquee	\$	4,500.00
Flyers, Posters, Brochures, Printing, Mailing	\$	5,000.00
T.V. and Radio promotional adds	\$	3,000.00
Subtotal	\$	15,500.00

ADMINISTRATIVE	
Operating Expenses	
Supplies - Receptacle Liners	\$ 3,050.98
Maintenance and repair of equipment	\$ 5,000.00
Staff training and travel	\$ 5,000.00
Copy paper, printing, mailing	\$ 5,000.00
Subtotal	\$ 18,050.98
Total Budgeted Expenses	\$ 100,000.00

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RESOLUTION NO. 2016-65

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
AUTHORIZING THE SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE
GRANTS FOR WHICH THE CITY OF PATTERSON IS ELIGIBLE**

WHEREAS, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California's (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Patterson authorizes the submittal of application(s) to CalRecycle for Beverage Container Recycling Grant Program; and

BE IT FURTHER RESOLVED that the City Manager, or his/her designee is hereby authorized and empowered to execute in the name of the City of Patterson all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 19th day of July 2016, by _____, who moved 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

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I hereby certify that the foregoing 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, Sate of California, at a regular meeting held on the 19th day of July 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

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RESOLUTION NO. 2016-66

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
AUTHORIZING THE SUBMITTAL OF APPLICATION FOR PAYMENT PROGRAMS
AND RELATED AUTHORIZATIONS**

WHEREAS, pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS, CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, BE IT RESOLVED that the City of Patterson is authorized to submit an application to CalRecycle for any and all payment programs offered; and

BE IT FURTHER RESOLVED that the City Manager, or his/her designee, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED that this authorization is effective until rescinded by the Signature Authority or this governing body.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 19th day of July 2016, by _____, who moved 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

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2 I hereby certify that the foregoing is a full, correct and true copy of a resolution
3 passed by the City Council of the City of Patterson, a Municipal Corporation of the County
4 of Stanislaus, Sate of California, at a regular meeting held on the 19th day of July 2016,
5 and I further certify that said resolution is in full force and effect and has never been
6 rescinded or modified.

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8 **DATED:**

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City Clerk of the City of Patterson
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CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager 

BY: Mike Willett, Director of Public Works

MEETING DATE: July 19, 2016

ITEM NO: 5.6

SUBJECT: Approve Resolution No. 2016-67, Approving the Maintenance and Landscaping Agreement for Keystone Lot G (021-085-020).; Authorizing the City Manager to Execute the Agreement; and Authorizing the City Clerk to Record the Agreement

RECOMMENDATION

Approve Resolution No. 2016-67, Approving the Maintenance and Landscaping Agreement for Keystone Lot G (APN: 021-085-020); Authorizing the City Manager to Execute the Agreement; and Authorizing the City Clerk to Record the Agreement.

BACKGROUND

As you are aware the Public Works Department is responsible for making sure that all public improvements are installed per City standards and for the maintenance of the improvements once they are completed and accepted by the City.

One of the Conditions of Approval for Keystone Lot G was for the developer(s) to install public improvements which included landscaping and drainage improvements. In addition to installing these improvements, the Developer(s) and/or property owner, Patterson Joint Unified School District (PJUSD) also must enter into an agreement with the City to ensure that all landscaping and all on-site improvements that were installed will be maintained.

Typically project applicants are required to form a Landscape Maintenance District (LMD) to fund maintenance of any landscaping that is installed in the public right-of-way such as Street Trees, landscape easements, basins/parks, etc. In this case the all landscaping and stormwater treatment control devices (interceptor) will be maintained by the private owner. Therefore it was agreed that the applicant and the City would execute an agreement whereby the applicant agreed to maintain the landscaping and other on-site improvements.

By signing this agreement, the owner(s) and/or developer agree that all landscape and any off-site improvement for example, the interceptor, is maintained appropriately as well as ensure that the site is in compliance with all stormwater regulations.

ANALYSIS

Attached for your review and approval is the Maintenance and Landscaping Agreement that was prepared for this project. The Developer(s) has reviewed and signed off on the agreement. However, before staff can sign off and record this agreement Council must approve a resolution. Attached for your approval is the resolution needed to complete this process.

FISCAL IMPACT

Any costs associated with this item are paid by the developer.

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RESOLUTION NO. 2016-67

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
APPROVING THE LANDSCAPE AND MAINTENANCE AGREEMENT WITH
PATTERSON JOINT UNIFIED SCHOOL DISTRICT; AUTHORIZE THE CITY
MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT; AND AUTHORIZE
THE CITY CLERK TO RECORD THE AGREEMENT**

WHEREAS, the City Council of the City of Patterson adopted a Resolution Approving the Application to develop 4,000+ square foot building which would be a Patterson Joint Unified School District (PJUSD) building located within the Keystone Business Park on the corner of Keystone Pacific Parkway and Park Center Drive; and

WHEREAS, the Project is located at the address commonly known as 2280 Keystone Pacific Parkway, Patterson, California, Stanislaus County Assessor's Parcel Number 021-085-020; and

WHEREAS, as a condition of approval of the project, the developer installed, constructed, and agreed to perpetually maintain and repair an interceptor and adequate landscaping on the property (the "Onsite Improvements"), as shown in more detail in Exhibit "A"; and

WHEREAS, The City's approval of the Project was conditioned upon Developer satisfying certain conditions, which included the obligation to construct and dedicate to City certain offsite improvements near the Subject Property (the "Offsite Works"), as shown described in the approved project plans and Conditions of Approval #15-04; and

WHEREAS, as a condition of approval, Developer shall maintain the landscaping for the Offsite Improvements at the location shown in Exhibit A ("Offsite Improvements"); and

WHEREAS, the City and Developer desire to enter into this Agreement to clearly define the responsibilities for both Parties with respect to the Onsite Improvements and

1 the Offsite Improvements installed as part of the Project (collectively, the "Project
2 Maintenance").

3 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of
4 Patterson that it hereby accepts the Landscape Maintenance Agreement, authorizes the
5 City Manager or his Designee to execute the "Landscape Maintenance Agreement", and
6 directs the City Clerk of the City of Patterson to record the "Landscape Maintenance
7 Agreement".

8 The foregoing resolution was passed by the City Council at a regular meeting
9 held on the 19th day of July 2016, by _____ who moved its adoption,
10 which motion was duly seconded, and the resolution adopted by the following roll call
11 vote:

12 AYES:

13 NOES:

14 EXCUSED:

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16 APPROVED:

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19 _____
20 Luis I. Molina, Mayor of the City of Patterson

21 ATTEST:

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24 _____
25 Maricela L. Vela, City Clerk of the City of Patterson

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I hereby certify that the foregoing 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 19th day of July 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

WHEN RECORDED RETURN TO:

Maricela Vela
City Clerk's Office
1 Plaza, 2nd Floor
Patterson, CA 95363
(209) 895-8014

LANDSCAPE MAINTENANCE AGREEMENT

**Keystone Business Park – Lot G
(APN#: 021-085-020)**

THIS AGREEMENT is entered into this 23rd day of June, 2016 by and between the City of Patterson, a municipal corporation, herein referred to as the "City" and Patterson Unified School District, herein referred to as "PUSD".

This agreement is hereby entered by the City of Patterson and PUSD to clearly define the responsibilities for both PUSD and the City with respect to the ownership and maintenance of the landscaping and stormwater treatment control devices within the project commonly known as Keystone Lot G (the "Project"). This agreement is necessary because Keystone Lot G is a privately owned development.

NOW, THEREFORE, IT IS EXPRESSLY AGREED AND UNDERSTOOD that the responsibilities of PUSD and the City are as follows:

CITY OF PATTERSON RESPONSIBILITIES & RIGHTS:

1. The City shall own, maintain, repair and replace as necessary the water meters and the water meter boxes.
2. The City shall have the right to enter into the common area of the Project at any time during an emergency situation and to rectify the emergency as needed. Keystone Pacific will provide access to the water meter and water boxes for meter reading and maintenance purposes by the City.
3. The backflow devices installed on any water meters by the Project's developer shall be tested annually by the City or another approved vendor and the cost thereof will be billed to Keystone Pacific.
4. The City shall own and maintain all water, sewer, and storm drain lines within the public right-of-way.

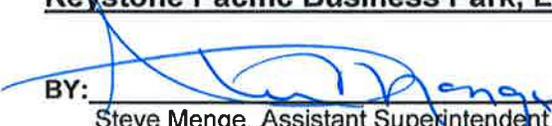
PUSD RESPONSIBILITIES & RIGHTS:

1. PUSD will provide the City with copies of all ongoing maintenance records for the storm treatment control measure device(s) located within the Keystone Lot G property.

2. PUSD will be responsible for obtaining a permit and approval from the City prior to any future water, sewer, and storm connections.
3. PUSD will be responsible for regular, routine maintenance of all storm drainage and stormwater treatment control devices, water lines, sanitary sewer lines, and grease interceptors within the common area of the Project in-lieu of joining a Landscape Maintenance District (LMD) or Benefit Assessment District (BAD) for this parcel.
4. PUSD will be responsible for all trees and landscaping on the Project, and along the sidewalks and public rights-of way (Keystone Pacific Parkway) adjacent to the Project. Trees shall be planted and maintained in accordance with the City's Street Tree Plan and Approved Tree List.
5. PUSD will own and maintain all landscaping and stormwater treatment control device(s) including the interceptor(s) that were installed on private property and will be responsible for ensuring compliance with the AB1881 and stormwater requirements. Any changes to the landscaping and irrigation system must be submitted to the City for review/approval. In addition an AB1881 Audit and Certification must be submitted to the City if any changes have been made to the landscaping & irrigation system that were originally installed as part of the Project. Refer to Exhibit "A" for the Project area.
6. This agreement shall be recorded and shall apply to all future owners of any parcels within the Project area. Any subsequent transferee of the property or any part thereof, by acceptance of delivery of a deed and or to conveyance of the said property shall be deemed to have consented to and become bound by these terms.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed as of the date first hereinabove mentioned.

Keystone Pacific Business Park, LLC:

BY:  DATE: 6/28/16
 Steve Menge, Assistant Superintendent

CITY OF PATTERSON:

BY: _____ DATE: _____
 Ken Irwin, City Manager

BY: _____ DATE: _____
 Tom Hallinan, City Attorney

EXHIBIT "A"

Landscape & Stormwater Treatment Control Device(s) Maintenance Agreement
Keystone Pacific Business Park, LLC (Keystone – Lot G Project)
APN#: 021-085-020 (Keystone Pacific Parkway & Park Center Drive)





CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Tiffany Rodriguez, Capital Projects Manager, Engineering, Building and Capital Projects

MEETING DATE: July 19, 2016

ITEM NO: 5.7

SUBJECT: Approve Resolution No. 2016-68, Accepting the CDBG 4th Street Phase II Project as Complete, Authorizing Staff to File the Notice of Completion and Commence the One-Year Warranty Period

RECOMMENDATION

Approve Resolution No. 2016-68, Accepting the CDBG 4th Street Phase II Project as Complete, Authorizing Staff to File the Notice of Completion and Commence the One-Year Warranty Period.

BACKGROUND

The Downtown Infrastructure Project – CDBG 4th Street Project Phase II was the next project that was completed within the City's CDBG target area. Previous CDBG projects replaced sewer lines in the target areas, water services in the S. 3rd Street alley, and replaced water mains along with segments of the roadway on S. 3rd Street. This project was the second of two projects dealing with S. 4th Street and the S. Fourth Street alley. During the first project a new water main was installed at S. 4th Street, from Sperry Avenue to C Street. This project installed a new water main at the alley between S. 3rd and S. 4th Street. The new main will allow for better water pressures and system reliability within our CDBG target area. With this project the City installed the last length of water main on D Street.

The total cost for construction was \$331,742.80.

The City received a request from the Contractor, Mozingo Construction, Inc., to be placed on the City Council agenda for project acceptance of the CDBG 4th Street Phase II Project. City personnel including members of Engineering and Public Works, as well as the Contractor, have conducted a final inspection and the project is ready for Council acceptance.

ANALYSIS

Once the project is accepted by the City Council as complete, the One-Year Warranty Period will begin and the Notice of Completion will be recorded.

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECORDED AT REQUEST OF:

City of Patterson

WHEN RECORDED RETURN TO:

Maricela Vela
City Clerk's Office
P.O. Box 667
1 Plaza
Patterson, CA 95363
(209) 895-8014

Space above this Line for Recorder's Use

**CITY OF PATTERSON
NOTICE OF COMPLETION**

(Resolution No. 2016-68)

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Patterson, a Municipal Corporation in the County of Stanislaus, State of California, the City Council accepted "*CDBG 4th Street Phase II Project*" as complete. The project as a whole was completed by the contractor "*Mozingo Construction, Inc.*" and accepted as complete by the City of Patterson City Council at a regular meeting held on the 19th day of July, 2016.

CITY OF PATTERSON

BY: _____
Maricela L. Vela, City Clerk

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RESOLUTION NO. 2016-68

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON,
ACCEPTING THE CDBG 4TH STREET PHASE II PROJECT AS COMPLETE,
AUTHORIZING STAFF TO FILE THE NOTICE OF COMPLETION**

WHEREAS, the Contractor, "Mozingo Construction, Inc." has completed all work for the CDBG 4th Street Phase II Project in accordance with the contract requirements and plans and specifications; and

WHEREAS, the City has inspected the work and recommends that the project be accepted as complete.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Patterson that it hereby accepts the project as complete, directs the City Clerk of the City of Patterson to file the Notice of Completion on behalf of the City of Patterson and release the Final Retention Payment for the project.

The foregoing resolution was passed by the City Council at a regular meeting held on the 19th day of July, 2016, _____, who moved 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

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ATTEST:

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

I hereby certify that the foregoing 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 19th day of July 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: Tiffany Rodriguez, Capital Projects Manager

MEETING DATE: July 19, 2016

ITEM NO: 5.8

SUBJECT: Accept all bids for the Ward Avenue Water Main Replacement Project, Award Construction to Knife River Construction and Authorize Staff to Execute the Contract and Approval of Budget Adjustment.

RECOMMENDATION

Accept all bids for the Ward Avenue Water Main Replacement Project and Award Construction to Knife River Construction, Authorize Staff to Execute the Contract and Approval of Budget Adjustment.

BACKGROUND

The existing water main on Ward Avenue was installed over 30-years ago, using asbestos cement pipe and is in poor condition, as well as the service laterals along Ward Avenue, that serve the fronting residential properties. The service laterals leak frequently and require regular maintenance from city water division. This project was brought to the forefront by the impending Ward Avenue Overlay Project. Ward Avenue is scheduled for an asphalt overlay from M Street to Bear Hollow Drive, due to the current condition of the pavement. Heavy construction equipment over the existing asbestos cement water main and laterals can be problematic and likely to cause additional leaks throughout the water system within the project's overlay limits. Any repairs to the water main or laterals after the completion of the overlay would require cutting into the new road, therefore the water main and laterals will need to be replaced prior to the start of the overlay project. This will ensure reliable water service to affected residents and help to preserve the life of the newly constructed road.

ANALYSIS

In general, the Work consists of constructing new 8-inch and 10-inch water main, valves, water service lines, connecting to existing water main, and abandonment of the existing asbestos cement water main.

FISCAL IMPACT

On July 6, 2016, we opened 2 bids for this project. They were as follows:

Knife River Construction	\$354,159.00
Rolfe Construction	\$379,610.00

After reviewing the bid documents, Knife River Construction was deemed the lowest responsible bidder.

This project is funded from the City Water Capital Fund:

\$354,159.00	Construction Funding (Water Capital Funds 611)
\$35,415.90	Contingency @ 10% (Water Capital Funds 611)
\$46,040.67	Construction Engineering @ 13% (Water Capital Funds 611)

\$ 435,615.57 Total Construction Costs

During the design phase, staff and GDR Engineering (design engineer) found that project costs would be higher from what was previously planned prior to commencement of design. The lowest bid however was lower than the estimated cost in the engineer's estimate. The estimated cost was \$373,669. See the attached Opinion of Probable Construction Cost. This increase in cost is due to upsizing the existing 8" water main to a 10" to better accommodate current and future use. The location of the new water line will also require a higher class pipe than anticipated. However, this project is needed to ensure the reliability of our water system, so we are asking to adjust the budget accordingly:

\$300,000.00 Current Budget – Ward Avenue Water Main Replacement
(Water Capital Funds 611)

\$135,315.57 (up to) Budget Adjustment: allocate additional funds within same account
(Water Capital Funds 611)



City of Patterson
Tiffany Rodriguez
1 Plaza
Patterson, CA 95363

July 7, 2016

Regarding: Patterson – Ward Avenue Water Main Replacement Project

Dear Tiffany,

Please consider this letter our recommendation to the City of Patterson Council to accept DSS Company, dba Knife River Construction base bid of \$354,159.00 for the City of Patterson – Ward Avenue Water Main Replacement Project.

We have reviewed the bids and have found Knife River Construction bid to be the lowest responsible bid which complies to the requirements set forth in the project specifications. Forms required to be submitted with this bid are listed below and were supplied with their bid.

Bid Forms Provided:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Bidders Proposal | <input checked="" type="checkbox"/> Public Contract Code Section 10232 |
| <input checked="" type="checkbox"/> List of Subcontractors | <input checked="" type="checkbox"/> Workers Compensation Certificate |
| <input checked="" type="checkbox"/> Material Suppliers Information | <input checked="" type="checkbox"/> Labor and other Code Requirements Certificate |
| <input checked="" type="checkbox"/> Preliminary Construction Schedule | <input checked="" type="checkbox"/> Addenda |
| <input checked="" type="checkbox"/> Non-collusion Affidavit | <input checked="" type="checkbox"/> Bidder's Bond |
| <input checked="" type="checkbox"/> Public Contract Code Section 10162 | |

We have reviewed the forms submitted by the contractor and found that they comply with the project requirements.

Thank you for the opportunity to provide this letter of recommendation. We are available for questions regarding this recommendation at your request.

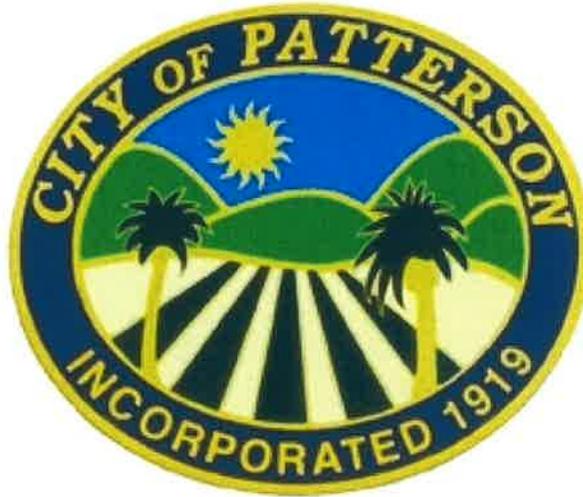
Respectfully Yours,

Richard Ringler, PE
GDR Engineering, Inc

**OPINION OF PROBABLE CONSTRUCTION COST
 BID LIST ITEMS
 (NOT TO BE USED FOR BIDDING PURPOSES)
 WARD AVENUE WATER MAIN REPLACEMENT
 PATTERSON, CA**

DATE: JUNE 20, 2016

NO.	ITEM	UNIT OF MEASURE	ESTIMATED QUANTITY	UNIT PRICE (IN FIGURES)	ITEM TOTAL (IN FIGURES)
1	CONSTRUCTION AREA SIGNS	LS	1	\$2,000	\$2,000
2	TRAFFIC CONTROL	LS	1	\$25,000	\$25,000
3	CLEARING AND GRUBBING	LS	1	\$4,000	\$4,000
4	ABANDON EXISTING WATER MAIN	LF	2,420	\$15	\$36,300
5	REMOVE EXISTING MAIN INTERSECTION TEE'S	EA	7	\$500	\$3,500
6	REMOVE AND RELOCATE EXISTING VALVE BOX	EA	14	\$800	\$11,200
7	REMOVE AND REPLACE MONUMENT WELL	EA	1	\$700	\$700
8	1" WATER SERVICE LINE W/ CONNECT TO EXISTING METER	EA	12	\$1,300	\$15,600
9	3" WATER SERVICE LINE	EA	1	\$1,800	\$1,800
10	6" WATER MAIN (CLASS 305)	LF	16	\$55	\$880
11	8" WATER MAIN	LF	714	\$63	\$44,982
12	10" WATER MAIN	LF	1,058	\$75.00	\$79,350
13	10" WATER MAIN (CLASS 305)	LF	600	\$80.00	\$48,000
14	6" GATE VALVE	EA	1	\$1,200	\$1,200
15	8" GATE VALVE	EA	10	\$1,640	\$16,400
16	10" GATE VALVE	EA	11	\$1,900	\$20,900
17	CONNECT TO EXISTING WATER MAIN	EA	8	\$1,500	\$12,000
18	RELOCATED EXISTING FIRE HYDRANT	EA	1	\$4,000	\$4,000
19	SIDEWALK	SF	420	\$5	\$2,100
20	TRENCH PATCH	SF	8,256	\$5	\$43,757
Subtotal Construction Cost					\$373,669
10% Contingencies					\$37,367
TOTAL					\$411,036



6. PRESENTATIONS AND PUBLIC HEARINGS



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager 

BY: Douglas L. White, Deputy City Attorney

MEETING DATE: July 19, 2016

ITEM NO: 6.2

SUBJECT: Adopt Resolution (No. 2016-69) Establishing West Patterson Business Park Reimbursement Fee

RECOMMENDATION

Adopt Resolution (No. 2016-69) Establishing Fee Reimbursements in Connection with West Patterson Business Park Entitlements

BACKGROUND

In 2006, the City of Patterson (“City”) and Keystone Pacific Business Park (“Keystone”) entered into a development agreement, in which the City agreed to collect fees from properties within the West Patterson Business Park Master Plan (“Master Plan”) to reimburse Keystone for advance planning, environmental review and similar costs incurred in preparing the Master Plan, as authorized under California law. The development agreement also stated that Keystone would construct infrastructure to be utilized by future development within the Master Plan area, and that Keystone would be entitled to reimbursement for constructing the oversized improvements, as authorized under the Subdivision Map Act (Gov. Code § 66410 *et seq.*).

The extent and amount of the reimbursement obligation was under dispute for some time. The City and Keystone eventually reached a settlement agreement in 2014. The settlement agreement included provisions for the City to collect reimbursements totaling \$364,000 from the remaining undeveloped properties within the Master Plan.

In May 2015, the City adopted Ordinance No. 773, to add Patterson Municipal Code (“P.M.C.”) § 18.14.130, authorizing the City Council to adopt a resolution imposing reimbursements obligations on benefiting landowners within specific plan and master plan areas. The proposed

Resolution would establish a reimbursement fee on properties within the Master Plan in accordance with Ordinance No. 773, the City's agreement with Keystone and California law.

ANALYSIS

California law authorizes the City Council to impose fees on benefitting properties for the purpose of reimbursing developers who incurred significant expenses obtaining entitlements for a specific plan or master development plan. The City Council may impose a reimbursement fee as a condition of approval for future development projects, as long as a reasonable relationship exists between the fee and the type of development on which the fee is imposed.

The Master Plan benefits landowners who seek to develop property within the plan area, which is primarily zoned for industrial business park uses. The proposed Resolution therefore requires landowners in the plan area to provide reimbursement to the City when a landowner seeks to develop his or her property. The reimbursement fee will be paid to the City and will pass through to Keystone. The City is authorized to charge an additional administrative fee of 5%.

The settlement agreement between the City and Keystone incorporated many of the elements that were codified by the City in 2015, when the City Council adopted Ordinance No. 773:

- City staff required Keystone to provide proof of its actual entitlement costs for West Patterson Business Park, verified by invoices and proof of payment;
- The City's attorney fees are reimbursable to Keystone, for costs that were directly related to the City's legal review of the Master Plan;
- Consultant and engineering costs related to the Master Plan were deemed reimbursable;
- Costs incurred in connection with the preparation of tentative maps covering the Master Plan area were deemed reimbursable.

The City considered the following costs not reimbursable:

- Keystone's attorney fees and costs;
- Consultant fees that were not directly related to environmental review under CEQA or filing tentative maps under the Subdivision Map Act;
- Fees and expenses related to market studies; and
- All costs related to parcel maps and final subdivision maps, since these do not benefit all landowners within the Master Plan.

With the adoption of Ordinance No. 773, the City Council is authorized to adopt the Resolution to establish a reimbursement fee, on a pro rata basis according to the gross acreage of each property in comparison to the total reimbursement fee.

The Resolution provides the following:

- 1) Imposes a reimbursement fee of \$364,000, allocated proportionally at the rate of approximately \$895/acre, to remaining undeveloped land in the Master Plan area.
- 2) Lists the undeveloped parcels that benefit from the Master Plan entitlements, and upon which the reimbursement fees will be assessed; and

- 3) Provides that the reimbursement fee must be collected as a condition to issuing building permits.

FISCAL IMPACT

Adoption of the Resolution does not alter the City's obligations under its agreement with Keystone, and therefore will not have any additional impact on the City's general fund. The Resolution provides an administrative fee of 5% to help offset staff costs of administering the fee reimbursement program.

ENVIRONMENTAL REVIEW

The Resolution is not a project under CEQA, as the adoption of a reimbursement fee will not have a direct or indirect impact on the environment. The reimbursement fee has no physical effect on the existing development entitlements within the Master Plan area.

ALTERNATIVE ACTIONS

The City Council's options include:

1. Adopt the Resolution;
2. Continue consideration of the Resolution with instructions to staff to change or revise the Resolution;
3. Motion to deny to Resolution.

RECOMMENDATION

Staff recommends that the City Council adopt the Resolution, as this obligation is required under the City's settlement agreement with Keystone and its development agreement with Keystone.

ATTACHMENTS

Resolution (with Exhibits A and B)

RESOLUTION NO. 2016-69

**A RESOLUTION OF THE CITY OF PATTERSON CITY COUNCIL
ADOPTING REIMBURSEMENT FEES RELATED TO THE WEST PATTERSON
BUSINESS PARK MASTER PLAN**

WHEREAS, the City Council of the City of Patterson adopted Ordinance No. 773, authorizing the City to collect fees from benefiting landowners for the purpose of reimbursing developers for the actual costs incurred in processing and entitling specific plans and master plans; and

WHEREAS, landowners of undeveloped property within the West Patterson Business Park Master Plan ("Master Plan") benefit from the entitlements and master planning efforts undertaken by Keystone Pacific Business Park LLC and its related entities ("Keystone"); and

WHEREAS, the provisions for establishing a reimbursement fee related to the Master Plan are now codified in Patterson Municipal Code § 18.14.130; and

WHEREAS, the City is required to collect reimbursements from neighboring properties that benefit from the Master Plan entitlements, which were originally funded by Keystone, as specified in the development agreement between the City and Keystone, and in accordance with California law and the Patterson Municipal Code; and

WHEREAS, a dispute arose as to the extent of Keystone's reimbursement for Master Plan entitlement expenses and, in 2014, the City entered into a settlement agreement with Keystone to resolve this dispute; and

WHEREAS, Keystone believed it was owed approximately \$2,800,000 in Master Plan reimbursements, but after extensive discussions with the City and an exhaustive review of the records of each party, Keystone and the City agreed that the total reimbursement fee should be reduced to a maximum reimbursement of \$1,300,000; and

WHEREAS, the settlement agreement provided that the City would take responsibility for paying Keystone up to \$936,000, as reimbursement to Keystone for its entitlement costs, subject to deductions and offsets for Keystone's general plan fees and future entitlement processing costs; and

WHEREAS, the settlement agreement provided that the remaining undeveloped properties within the Master Plan shall be responsible for reimbursing Keystone up to \$364,000 for Keystone's Master Plan entitlement costs, in accordance with California law and the Patterson Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED that the CITY COUNCIL hereby:

1. Approves a total of \$364,000 to be paid by benefiting property owners within the Master Plan, as illustrated in the map attached and incorporated hereto as **Exhibit A**, and the parcel list attached and incorporated hereto as **Exhibit B**, to reimburse Keystone for costs incurred in entitling the Master Plan, pursuant to P.M.C. § 18.14.130;
2. Apportions the total landowner reimbursement of \$364,000 among each owner of remaining undeveloped property within the Master Plan according to **Exhibit B** hereto;
3. Directs the City Manager or his appointee to impose the fees apportioned to each property owner in **Exhibit B** as a condition to issuing a building permit for each benefiting property;
4. Directs the City Manager and Finance Director to forward such fees to Keystone within 90 days that such fees are collected.
5. Authorizes the Finance Director to collect an additional five percent (5%) in addition to such fees, to administer the collection of such fees and the reimbursement of such fees to Keystone.

The foregoing resolution of the City Council of the City of Patterson was passed by the City Council at a regular meeting held on the 19th day of July 2016, by _____, who moved its adoption, which motion was duly seconded by _____, and the resolution adopted by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Luis I. Molina, Mayor, City of Patterson

ATTEST:

Maricela L. Vela, City Clerk, City of Patterson

I hereby certify that the foregoing 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 19th day of July 2016, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

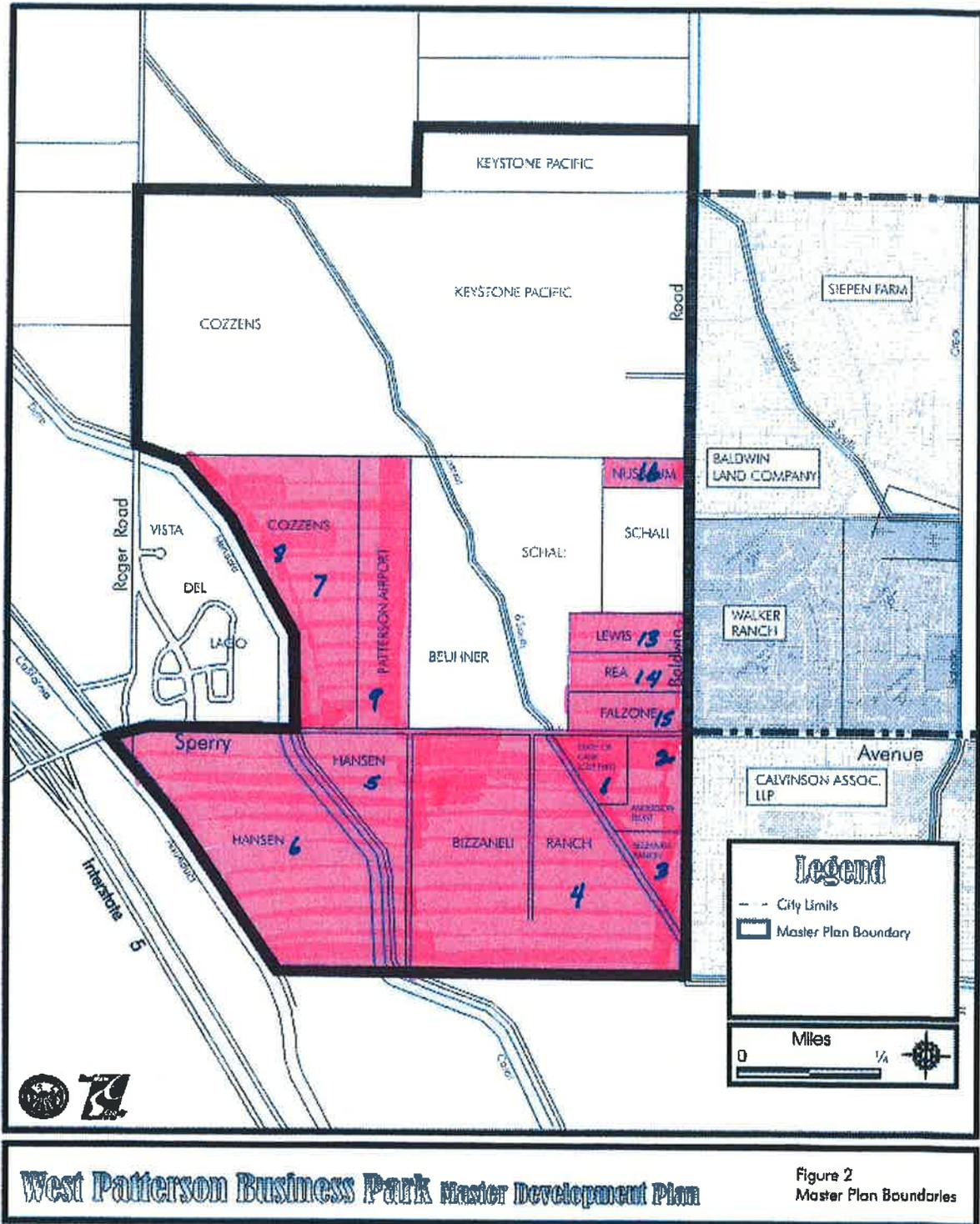
DATED:

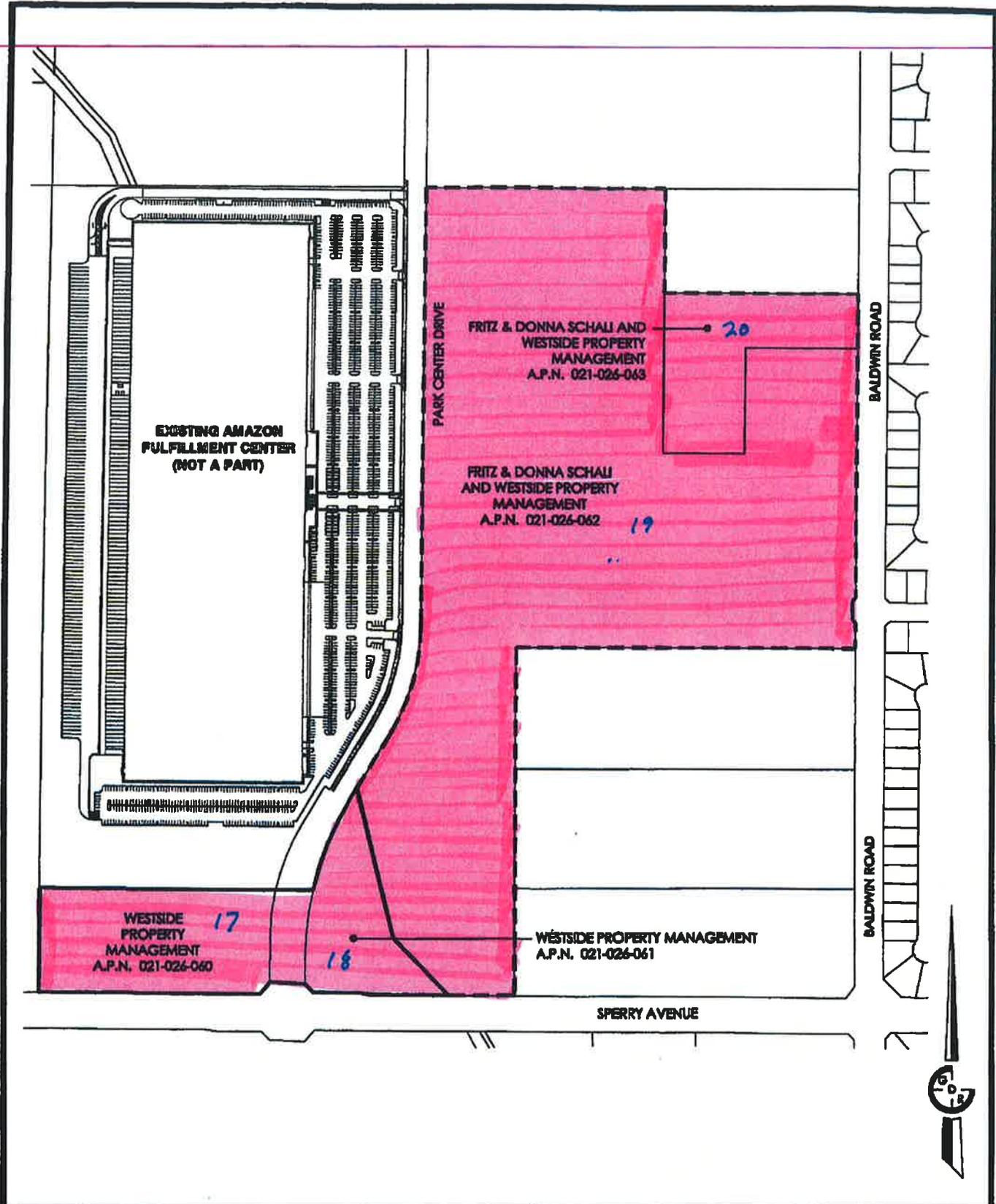
City Clerk of the City of Patterson

Exhibit A

Map of Properties Subject to West Patterson Business Park Reimbursement Fee

Figure 2: West Patterson Business Park Master Development Plan Boundaries





GDR ENGINEERING, Inc.
 ENGINEERING/SURVEYING/PLANNING
 3025 MITCHELL ROAD, SUITE 0 GERMEN, GA 30307
 TELEPHONE: (208) 636-3390 FAX: (208) 636-7370
 E-MAIL: gdr@gdrengg.com

**LOCATION MAP FOR
 WESTSIDE PROPERTY MANAGEMENT PROPERTY &
 FRITZ AND DONNA SCHALI AND WESTSIDE
 PROPERTY MANAGEMENT PROPERTY**

Date: 10/21/2014	Scale: 1" = 400'
Drawn: J. Jantz	Job. No.: 12048
Checked: M. Garcia	

EXHIBIT B

Apportionment of Reimbursement Costs

The attached page shows a listing of all undeveloped parcels in the Master Plan area as of the date this Resolution was adopted. The properties listed shall be subject to the reimbursement fee. Fees must be paid as a condition to the issuance of a building permit for each property. In addition to the amounts provided in the attached page, the final reimbursement amount may include an additional City administrative fee of 5%

Parcel Ref.	APN	Record Owner	Address	Gross Acres	Percentage	Apportionment
1	021-091-002	State of California	2006 Sperry Ave, Patterson CA 95363	7.49	1.84%	\$6,796.60
2	021-091-001	Mission LSS	45661 Montclair Fremont, CA 94539	12.29	3.02%	\$10,992.80
3	021-091-003	David Bizzanelli	PO Box 250 Atwater, CA 95301	11.67	2.87%	\$10,446.00
4	021-091-004	David Bizzanelli	PO Box 250 Atwater, CA 95301	121.43	29.86%	\$108,690.40
5	021-091-014	Steven D Hansen, et al	720 Collyer Drive Redding, CA 96003	18.42	4.53%	\$16,489.00
6	021-091-012	Steven D Hansen, et al	720 Collyer Drive Redding, CA 96003	59.98	14.75%	\$53,690.00
7	021-026-043	Buzz Oates Enterprises II	960 Fulton Ave Ste. 100 Sacramento, CA 95825	50.10	12.32%	\$44,844.80
8	021-026-045	Buzz Oates Enterprises II	960 Fulton Ave Ste. 100 Sacramento, CA 95825	1.69	.42%	\$1,528.00
9	021-026-017	Buzz Oates Enterprises II	960 Fulton Ave Ste. 100 Sacramento, CA 95825	29.73	7.31%	\$26,608.00
13	021-026-026	Charles Chicorp, et al	1638 Olive Avenue Patterson, CA 95363	9.57	2.35%	\$8,554.00
14	021-026-025	Walter Rea	4004 Copper Penny Ct. Modesto, CA 95355	9.57	2.35%	8,554.00
15	021-026-024	Jon Maring	15619 Baldwin Rd. Patterson, CA 95363	8.67	2.13%	\$7,753.20
16	021-026-030	Lorenzo & Edna Arriola	15443 Baldwin Rd. Patterson, CA 95363	4.82	1.19%	\$4,331.00
17	021-026-060	Westside Property Management	503 S 2nd St Patterson, CA 95363	5.62	1.38%	\$5,023.00
18	021-026-061	Westside Property Management	503 S 2nd St Patterson, CA 95363	3.24	.8%	\$2,912.00
19	021-026-062	Westside Property Management	503 S 2nd St Patterson, CA 95363	47.83	11.76%	\$42,806.40
20	021-026-063	Westside Property Management	503 S 2nd St Patterson, CA 95363	4.61	1.13%	\$4,113.00
			Totals	406.73	100%	\$364,132.40



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 *MW*

MEETING DATE: July 19, 2016

ITEM NO: 10.3

SUBJECT: Hold the Public Hearing, Take Public Comment, and Approve the Resolutions Ordering the Levy and Collection of Assessments for the City's Benefit Assessment Districts (BADs), Landscape Maintenance Districts (LMDs), and CSA No. 15 for Fiscal Year 2016/17

RECOMMENDATION

Hold the Public Hearing, take public comment, and approve the resolutions ordering the levy and collection of assessments for the City's Benefit Assessment Districts (BADs), Landscape Maintenance Districts (LMDs), and CSA No. 15 for Fiscal Year 2016/17.

BACKGROUND

Attached are the resolutions ordering the levy and collection of assessments for the following City Benefit Assessment Districts (BADs), the Landscape Maintenance Districts (LMDs), and CSA No.15.

BADs:

- 1) Country Hollow Estates
- 2) Golden Estates
- 3) Kinshire Estates
- 4) Patterson Estates I
- 5) Patterson Estates III
- 6) Patterson Estates IV
- 7) Shirepark Estates
- 8) Springshire Estates
- 9) Walnut Square Estates
- 10) Weber Estates
- 11) Yorkshire I Estates
- 12) Yorkshire II Estates

- 13)Heartland Ranch
- 14)Mirragio
- 15)Sutter Pointe
- 16)Walker Ranch
- 17)Patterson Gardens
- 18)Patterson Gardens Lot E
- 19)Patterson Gardens Annexation #1
- 20)Keystone Pacific Business Park
- 21)Keystone Pacific Business Park Annexation #1
- 22)Mahaffey Plaza

LMDs:

- 1) County Hollow Estates District
- 2) Kinshire Estates District
- 3) Patterson Estates I,III,IV District
- 4) Shirepark Estates District
- 5) Walnut Square Estates District
- 6) Heartland Ranch Landscape Maintenance District
- 7) Heartland Ranch Overlay Landscape Maintenance District
- 8) Mirragio Landscape Maintenance District
- 9) Sutter Pointe Landscape Maintenance District
- 10)Walker Ranch Landscape Maintenance District
- 11)Patterson Gardens Landscape Maintenance District
- 12)Keystone Pacific Business Park Landscape Maintenance District

County Service Area(s):

- 1) CSA No. 15 (Villa Del Lago)

The Engineer's reports were approved by the City Council on June 21, 2016 and the Public Hearing is scheduled for tonight, **Tuesday, July 19, 2016 at 7:00 p.m.**

Therefore, this item is a Public Hearing and the Mayor will open the Public Hearing and public comments will be taken. Once the Public Hearing is closed, the attached resolution(s) will be considered and once approved by the City Council, the levy documents will be submitted to the County.

ANALYSIS

The reason for the assessments is to generate the revenue necessary to operate and maintain the facilities in each district.

FISCAL IMPACT

All costs associated with preparing the Engineer's Reports, the annual levy and collection of assessments, consultant expenses, and advertising are charged to the respective Districts. Annually these districts transfer funds to the Sewer Fund and General Fund to offset staff time, labor, equipment, and maintenance performed for these districts.

RESOLUTION NO. 2016-70

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA,
ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY'S
BENEFIT ASSESSMENT DISTRICTS, FISCAL YEAR 2016/17**

WHEREAS, the *City Council of the City of Patterson* ("City Council") pursuant to the terms of the *Benefit Assessment Act of 1982, Title 5 Division 2, of the California Government Code (commencing with Section 54703)* ("Act"), previously formed the special maintenance assessment districts known and designated as follows:

*Country Hollow Estates Benefit Assessment District
Golden Estates Benefit Assessment District
Kinshire Estates Benefit Assessment District
Patterson Estates I Benefit Assessment District
Patterson Estates III Benefit Assessment District
Patterson Estates IV Benefit Assessment District
Shirepark Estates Benefit Assessment District
Springshire Estates Benefit Assessment District
Walnut Square Benefit Assessment District
Weber Estates Benefit Assessment District
Yorkshire I Estates Benefit Assessment District
Yorkshire II Estates Benefit Assessment District
Heartland Ranch Benefit Assessment District
Miraggio Benefit Assessment District
Sutter Point Benefit Assessment District
Walker Ranch Benefit Assessment District
Patterson Gardens Benefit Assessment District
Keystone Pacific Business Park Benefit Assessment District
Mahaffey Plaza Benefit Assessment District*

(the "Benefit Assessment Districts"); and,

WHEREAS, the City Council wishes to levy and collect assessments in order to finance the maintenance and operation of authorized services within the Benefit Assessment Districts for Fiscal Year 2016/17; and

WHEREAS, NBS Government Finance Group, DBA NBS, has prepared, and filed with the City Clerk, a report concerning the assessments within the Benefit Assessment Districts for Fiscal Year 2016/17. Reference is made to such report, which presents, for each district, the plans and specifications for the maintenance and operation of authorized services, an estimate of the costs of the maintenance and operation of the authorized services, and an assessment of the estimated costs of the maintenance and operation of the authorized services; and,

WHEREAS, the Fiscal Year 2016/17 assessments are not proposed to increase above the amount previously approved by affected property owners (as "increased assessment" is defined in Section 54954.6 of the California Government Code); and,

WHEREAS, the assessments are not based upon the assessed value of property within the Benefit Assessment Districts, but are based upon the special benefit received from the maintenance and operation of the authorized services therein; and,

WHEREAS, the assessments are in compliance with all laws pertaining to assessments levied pursuant to the Act, and the assessments are in compliance with the provisions of Proposition 218.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the assessments for the City's Benefit Assessment Districts, Fiscal Year 2016/17, and considered all oral and written statements, protests and communications made or filed by interested persons.
2. Based upon its review (and amendments, as applicable) of the Annual Report, which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The land within the Benefit Assessment Districts will receive special benefit from the maintenance and operation of the authorized services therein.
 - b. The Benefit Assessment Districts include all of the lands receiving such special benefit.
 - c. The net amounts to be assessed upon the lands within the Benefit Assessment Districts are apportioned by a formula which fairly distributes the net amount among all assessable parcels in proportion to the estimated benefits to be received by each such parcel from the maintenance and operation of the authorized services therein.
3. The assessments for Fiscal Year 2016/17, as detailed within the Annual Report, are hereby confirmed as filed.
4. The adoption of this Resolution constitutes the levy of assessments for the Benefit Assessment Districts for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.
5. The City Council hereby orders NBS to submit the assessments to the Stanislaus County Auditor's Office for placement on the Fiscal Year 2016/17 secured property tax roll.

RESOLUTION NO. 2016-70
PAGE NO. 3

The foregoing resolution was passed by the City Council at a regular meeting held on the 19th day of July, 2016, and the resolution was adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

Luis I. Molina, Mayor
City of Patterson

ATTEST:

Maricela Vela, City Clerk
City of Patterson

I, _____, City Clerk of the City of Patterson, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. 2016-70 is a full, correct, and true copy of a resolution passed by the City Council of said City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 19th day of July, 2016 and 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

RESOLUTION NO. 2016-71

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA,
ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY'S
LANDSCAPE MAINTENANCE DISTRICTS, FISCAL YEAR 2016/17**

WHEREAS, the *City Council of the City of Patterson* ("City Council") pursuant to the terms of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* ("Act"), previously formed the special maintenance assessment districts known and designated as follows:

*Country Hollow Estates Landscape Maintenance District
Kinshire Estates District Landscape Maintenance District
Patterson Estates I, III, and IV Landscape Maintenance District
Shirepark Estates Landscape Maintenance District
Walnut Square Landscape Maintenance District
Heartland Ranch Landscape Maintenance District
Heartland Ranch Overlay Zone 1 Landscape Maintenance District
Miraggio Landscape Maintenance District
Sutter Point Landscape Maintenance District
Walker Ranch Landscape Maintenance District
Patterson Gardens Landscape Maintenance District
Keystone Pacific Business Park Landscape Maintenance District*

(the "Landscape Maintenance Districts"); and,

WHEREAS, the City Council wishes to levy and collect assessments in order to provide for the costs and expenses necessary to pay for the maintenance of the improvements within the Landscape Maintenance Districts

WHEREAS, NBS Government Finance Group, DBA NBS, has prepared, and filed with the City Clerk, a report concerning the assessments within the Landscape Maintenance Districts for Fiscal Year 2016/17. Reference is made to such report, which presents, for each district, the plans and specifications for the improvements, an estimate of the costs of the improvements, and an assessment of the estimated costs of the improvements; and,

WHEREAS, the Fiscal Year 2016/17 assessments are not proposed to increase above the amount previously approved by affected property owners (as "increased assessment" is defined in Section 54954.6 of the California Government Code); and,

WHEREAS, the assessments are **not** based upon the assessed value of property within the Landscape Maintenance Districts, but are based upon the special benefit received from the improvements therein; and,

WHEREAS, the assessments are in compliance with all laws pertaining to assessments levied pursuant to the Act, and the assessments are in compliance with the provisions of Proposition 218.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding the assessments for the City's Landscape Maintenance Districts, Fiscal Year 2016/17, and considered all oral and written statements, protests and communications made or filed by interested persons.
2. Based upon its review (and amendments, as applicable) of the Annual Report, which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The land within the Landscape Maintenance Districts will receive special benefit from the maintenance and operation of the authorized services therein.
 - b. The Landscape Maintenance Districts include all of the lands receiving such special benefit.
 - c. The net amounts to be assessed upon the lands within the Landscape Maintenance Districts are apportioned by a formula which fairly distributes the net amount among all assessable parcels in proportion to the estimated benefits to be received by each such parcel from the maintenance and operation of the authorized services therein.
3. The assessments for Fiscal Year 2016/17, as detailed within the Annual Report, are hereby confirmed as filed.
4. The adoption of this Resolution constitutes the levy of assessments for the Landscape Maintenance Districts for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.
5. The City Council hereby orders NBS to submit the assessments to the Stanislaus County Auditor's Office for placement on the Fiscal Year 2016/17 secured property tax roll.

RESOLUTION NO. 2016-71
PAGE NO. 3

The foregoing resolution was passed by the City Council at a regular meeting held on the 19th day of July, 2016, and the resolution was adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

Luis I. Molina, Mayor
City of Patterson

ATTEST:

Maricela Vela, City Clerk
City of Patterson

I, _____, City Clerk of the City of Patterson, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. 2016-71 is a full, correct, and true copy of a resolution passed by the City Council of said City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 19th day of July, 2016 and 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

RESOLUTION NO. 2016-72

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON, CALIFORNIA, ORDERING
THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN COUNTY SERVICE AREA NO. 15**

WHEREAS, the City Council of the City of Patterson, California did, by previous Resolution, approve the Annual Engineer's Report (hereafter referred to as the "Report") as presented, which described the assessments against parcels of land within County Service Area No. 15 (hereinafter referred to as "CSA No. 15" or the "District"); and, for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017; to pay the costs and expenses of operations and maintenance within the District; and,

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council, a Report written pursuant to the terms of *Government Code* §25210.77(A) in connection with the proposed levy and collection upon eligible parcels of land within CSA No. 15, and the City Council did by previous Resolution approve such Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within CSA No. 15 for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017, to pay the costs and expenses of operations and maintenance within CSA No. 15; and,

WHEREAS, the assessment levies are not based upon the assessed value of the property within the District, but are based upon the special benefit received by the parcels within the District from the operations and maintenance; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of the District, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution Approving the Report prepared in connection therewith; the levy and collection of assessments, and considered all oral and written statements, protests and communications made or filed by interested persons.
2. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The land within the District will receive special benefit by the operations and maintenance within the boundaries of the District.
 - b. The District includes all of the lands receiving such special benefit.
 - c. The net amount to be assessed upon the lands within the District in accordance with the costs for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefit to be received by each parcel from the services.
3. The Report and assessment as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.
4. The City Council hereby orders the proposed operations and maintenance to be made, which are briefly described as follows: extended storm drainage to the Patterson Gateway development and maintenance of the traffic signals at the Sperry Road/Rogers Road intersection.

5. The operations and maintenance shall be performed pursuant to Resolution No. 2005-62 adopted on June 21, 2005 authorizing the City to take over administration of CSA No. 15. The County Auditor of the County of Stanislaus shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.
6. The City Treasurer shall deposit all money representing assessments collected by the City of Patterson for the District to the credit of a fund for CSA No. 15, and such money shall be expended only for the operations and maintenance of the District as described in item 4 above.
7. The adoption of this Resolution constitutes the levy of assessments for CSA No. 15 for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.
8. NBS is hereby authorized and directed to levy the Fiscal Year 2016/17 assessments as shown in the Report upon adoption of this Resolution.
9. A certified copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

The foregoing resolution was passed by the City Council at a regular meeting held on the 19th day of July, 2016, and the resolution adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

Luis I. Molina, Mayor
City of Patterson

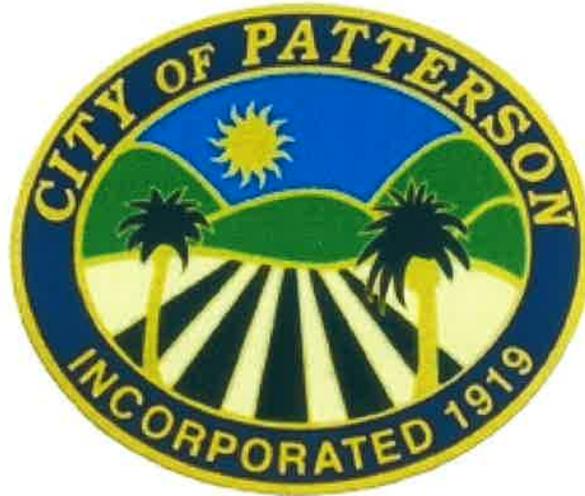
ATTEST:

Maricela Vela, City Clerk
City of Patterson

I, _____, City Clerk of the City of Patterson, County of Stanislaus, State of California do hereby certify that the foregoing Resolution No. 2016-72 is a full, correct, and true copy of a resolution passed by the City Council of said City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 19th day of July, 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



7. CITY STAFF REPORTS



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

BY: Teresa Rodriguez, Associate Planner

MEETING DATE: July 19, 2016

ITEM NO: 7.1

SUBJECT: Continued Participation in the Stanislaus Urban County Community Development Block Grant (CDBG) Program for FY 2017-2020 (Resolution No. 2016-60)

RECOMMENDATION

Staff recommends the City Council approve the continued participation in the Stanislaus Urban County Consortium.

BACKGROUND

This is a consent item affirming the City's continued participation in the Stanislaus Urban County Consortium for FY 2017-2020. Being in the consortium qualifies the City to receive CDBG entitlement funds. The current Urban County members are the cities of Ceres, Hughson, Newman, Oakdale, Waterford and Stanislaus County. The Cities of Modesto and Turlock are each, in their own right, entitlement jurisdictions and accordingly do not qualify to join the Urban County Consortium.

With CDBG allocations, the City has been earmarking those funds for infrastructure improvements within the City's low-income areas. CDBG has allowed the city to replace water and sewer main lines that would otherwise go unrepaired. Line replacement has taken place all along South 3rd Street, South 4th Street and with this fiscal year's funding the City will begin the replacement on water lines on 5th Street.

COST

N/A

BUDGET

CDBG Grant Money

ATTACHMENTS

1. Resolution #2016-60
2. FY 2017-2020 Cooperation Agreement
3. Memo Discussing Pros/Cons On Exiting Consortium
4. S.H.E. Competitive CDBG/HOME Allocations

RESOLUTION 2016-60

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
AFFIRMING THE CITY'S CONTINUED PARTICIPATION
IN THE STANISLAUS URBAN COUNTY CONSORTIUM FOR
CDBG & HOME GRANT PROGRAMS**

WHEREAS, the City of Patterson is eligible to receive CDBG funds as a member of the Stanislaus Urban County Consortium; and,

WHEREAS, income-eligible projects have thus far been available and have greatly benefited from the programs; and,

WHEREAS, the Consortium and the Programs it opens to the City fulfill a need for housing development assistance which was previously unavailable to the City; and,

WHEREAS, no other grant program of this type is available to the City; and,

WHEREAS, the Program benefits citizens of the City of Patterson in low and very low income categories in particular; and,

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

1. The City Council hereby approves the continued participation in the Stanislaus Urban County Consortium.
2. The City Council hereby authorizes the City Manager to enter into any required negotiations with any entity or agency, public or private, the purpose of which is to ensure the use of HUD CDBG and HOME grant money in compliance with HUD guidelines.

The forgoing resolution was introduced at a regular meeting of the City Council of the City of Patterson, held on the 19th day of July, 2016, by _____, who moved 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
City of Patterson

ATTEST:

Maricela L. Vela, City Clerk
City of Patterson

I hereby certify that the foregoing 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 19th day of July 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



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
1010 10TH Street, Suite 3400, Modesto, CA 95354
Phone: 209.525.6330 Fax: 209.525.5911

June 23, 2016

Ken Irwin
City Manager
P.O. Box 667
Patterson, CA 95363

**SUBJECT: PARTICIPATION IN THE STANISLAUS URBAN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

Dear Mr. Irwin:

Every three years, current participants as well as nonparticipating cities have an opportunity to enter into an agreement to become a part of a qualified urban county and be eligible to receive entitlement funds. The next three year program cycle for the Stanislaus Urban County ("Urban County") covers July 1, 2017 to June 30, 2020.

The current Urban County members are the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Waterford, and Stanislaus County. The cities of Modesto and Turlock are each, in their own right, entitlement jurisdictions and accordingly do not qualify to join the Urban County. The City of Riverbank is not a participant, but is qualified to join the Urban County.

You are invited to respond to this letter at your earliest convenience, but no later than July 8, 2016, and state your cities desire to continue, join, or request exclusion from the Urban County (Letter of Intent). The responses from all qualified jurisdictions will be forwarded to the U.S. Housing and Urban Development Department (HUD) field office and notice of qualification will be supplied in early October 2016.

For those wishing to participate, Cooperation Agreements covering the next three year program cycle have been enclosed for your review. Cooperative Agreements must be executed by your authorized governing body and returned to the Stanislaus County Planning Department no later than July 14, 2016, along with a formal resolution, allowing time for signatures by our authorized governing board.

Thank you for your attention to this matter. Please contact me if you have any questions regarding this request.

Sincerely,

Angela Freitas
Director

Enclosures: Four (4) Cooperation Agreements to be signed and returned by 7/15/16

cc: Teresa Rodriguez via email

COOPERATION AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 2016, by and between the CITY OF PATTERSON, hereinafter referred to as "City", and COUNTY OF STANISLAUS, hereinafter referred to as "County."

WITNESSETH

WHEREAS, the City is a duly constituted municipal corporation under the laws of the State of California, and is empowered thereby to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, the County is a duly constituted subdivision of the State of California, and is also empowered by State law to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, California Government Code Section 6502 authorizes two or more public agencies to jointly exercise any power common to both; and

WHEREAS, the COUNTY and participating cities, including the City, form the Stanislaus Urban County ("Urban County") for purposes of receiving entitlement funds from the Department of Housing and Urban Development ("HUD"); and

WHEREAS, it is mutually desired by the parties hereto to enter into a Cooperation Agreement, in accord with the Housing and Community Development Act of 1974 ("HCDA"), as amended, and applicable Federal rules and regulations adopted pursuant thereto; whereby the parties shall jointly undertake community development and housing assistance activities, including the Community Development Block Grant Entitlement ("CDBG"), Emergency Solutions Grants ("ESG"), and the HOME Investment Partnerships ("HOME") Programs funded by HUD.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The parties hereto agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, pursuant to the Housing and Community Development Act of 1974 ("HCDA"), as amended, and the HOME Investment Partnerships Act, as amended. This agreement shall become effective October 1, 2017, and be in effect until terminated, but termination may not occur before September 30, 2020. This agreement shall remain in effect until the CDBG, ESG, and HOME funds received during the Urban County's 17-18 (July 1, 2017 to June 30, 2018), 18-19 (July 1, 2018 to June 30, 2019), and 19-20 (July 1, 2019 to June 30, 2020) program years,

and any related program income received by the City, are expended and any funded activities are completed.

2. The County and City, along with all Urban County participants, agree to form the following: committee and panel to coordinate and review Urban County information:
 - a. Technical Committee: consisting of one (1) representative from the County and one (1) representative from each Urban County participating city. The purpose of the committee is to review proposed funding and existing funding for HUD projects, and any other documentation required by HUD for the implementation and administration of the CDBG, ESG, and HOME Programs. Documentation shall include, but not limited to, a list of specific projects to be undertaken and priorities for implementation for the housing and community development projects. The committee will facilitate distribution of information to residents of the Urban County concerning community development and housing needs; and shall provide residents with an opportunity to participate in the development of programs and priorities.
 - b. Grant Review Panel: consisting of one (1) representative from the County and one (1) representative from each Urban County participating city and one (1) representative from the local Continuum of Care (CoC). The committee will meet a minimum of 2 times a year to review grant applications and proposals in response to a County released Notice of Funding Availability (NOFA). The purpose of this panel is to assist in the decision making process for how best to utilize CDBG Public Service Grants and Emergency Solutions Grant (ESG) funds, as annually allocated by HUD, throughout the Urban County. Grant Review Panel duties shall include providing input on how to target funds, how to structure the competitive grant funding process, reviewing and scoring of applications, and attendance during all grant applicant presentations.
3. a. After deduction of administrative expenses, which shall not to exceed 20%, all of the net CDBG monies shall be sub-allocated to the participating jurisdictions according to the general distribution formula established by HUD which is based on the latest available countywide data on population, the extent of poverty, and the extent of housing overcrowding. However, a different distribution is hereby expressly authorized if and when necessary to comply with Title I of the HCDA. If any project submitted by County as a portion of the CDBG documentation is found to ineligible by HUD, the proposed project shall not be funded. In such an event, the County, acting in concert with the Technical Committee may submit an alternative priority project which is within the original cost and in line with the stated needs and objectives of County, provided such a re-submission conforms with the rules and regulations of the HCDA.

4. a. City may terminate its participation in this Cooperation Agreement by a single majority vote of its governing body. Such termination shall take effect only at the end of the federal three-year Urban County qualification period in which the action is taken. The next such qualification period will end September 30, 2020. However, City may void this Cooperation Agreement by written notice received by the Director of the Stanislaus County Planning and Community Development Department, 1010 10th Street, Suite 3400, Modesto, California 95354, prior to September 30, 2020, if City is advised by HUD that City is eligible to be designated as a metropolitan city entitled to CDBG formula funding and City elects to accept designation as a metropolitan city. If this Cooperation Agreement is not voided by City prior to September 10, 2016 (or later date if approved in writing by HUD) under the circumstances listed in the previous sentence, City must remain a part of the urban county for the entire three-year urban county qualification period.
5. Under this Agreement, the County shall be the primary general-purpose local governmental unit pursuant to the HCDA. The County shall apply for grants, administer all funds received, and undertake or assist in undertaking essential community development and housing assistance activities. Based on recommendations made by the Technical Committee, the County shall have the authority to carry out activities which will be funded from annual CDBG, and ESG, funds covered by this Agreement. Records shall be kept by County in accordance with approved accounting procedures, and said records shall be available for public inspection at all times.
6. County and City, all with all Urban County participants, shall take all actions necessary to assure compliance with the Urban County's certification required by Section 104 (b) of Title I of the HCDA, including the National Environmental Policy Act of 1969, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11988, the Fair Housing Act, Section 109 of Title I of the HCD, as amended. Use of Urban County funds for activities, in or in support of, any participating city that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the County's fair housing certification shall be prohibited. Pursuant to 24 CFR 570.501(b), City is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement described in 24 CFR 570.503. County and City shall comply with all other applicable laws.
7. City shall report to County any income generated by the expenditure of CDBG funds. Such program income may be retained by City to be used for CDBG eligible activities. County has the responsibility for monitoring and reporting to HUD on the use of program income, thereby requiring appropriate record keeping and reporting by City as may be needed for this purpose. In the case of HOME Investment Partnerships Program funds, the City shall report program

income to the entity responsible for HOME fund administration and it shall be the responsibility of that entity to report to HUD on the use of program income.

8. The following standards shall apply to real property acquired or improved in whole or in part using CDBG funds that is within the control of a participating City:
 - a. City shall give County timely notification of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition.
 - b. City shall reimburse the allocation account in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of funds other than CDBG) of property acquired or improved with CDBG funds that is sold or transferred for a use that does not qualify under the CDBG regulations.
 - c. City shall pay to County any program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between County and City. Any program income shall be allocated by County for eligible activities in accordance with all CDBG requirements as may then apply.
9. The parties hereto agree that the final responsibility for analyzing needs, setting objectives, developing plans, selecting projects for community development and housing assistance, selecting CDBG Public Service and ESG programs to be funded, and filing the Consolidated Plan, and other plans and reports required by the HCDA, is Stanislaus County Board of Supervisors.
10. By executing this Agreement, City understands the following:
 - a. City may not apply for grants under the Small Cities or State CDBG or ESG Programs funded during the period in which it participates in the Urban County;
 - b. City may participate in a HOME Program only through the Urban County; and that it may not participate in a HOME consortium with other local governments except through the Urban County, regardless of whether the Urban County receives a HOME formula allocation.
 - c. City may only receive ESG funding by a formula allocation as part of a participating member of the Urban County unless otherwise authorized by HCD or HUD.

11. The cooperating unit of general local government has adopted and is enforcing:
 - a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - b. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction. The phrase "cooperating unit of general local government" has the same meaning in this Cooperation Agreement as it does in HUD Notice #CPD 07-03.

12.
 - a. Each Party mutually agrees, pursuant to Government Code §894.5, to indemnify, hold harmless, and defend the other Party, its County Board of Supervisors, City Councils, boards and commissions, officers, agents, employees, and volunteers (collectively, the "indemnified Parties") in an amount equal to its proportionate share of liability on a comparative fault basis. This indemnity obligation shall exist with respect to any claim, loss, liability, damage, lawsuit, cost or expense that arises out of, or is any way related to, the performance of services pursuant to this Agreement. This indemnity obligation extends, without limitation, to any injury, death, loss, or damage which occurs in the performance of the Agreement and that is sustained by a third party, agent, or contractor of a Party. Each Party executing this Agreement certifies that it has adequate self-insured retention of funds to meet any obligation arising from this Agreement, and it shall continue to maintain such funds throughout the Term of this Agreement. Notwithstanding the foregoing, nothing herein shall be construed to require any Party to indemnify any other Party from any Claim arising from the sole negligence or willful misconduct of another Party. Nothing in this section shall be construed as authorizing an award of attorney fees in any action on or to enforce the terms of this Agreement. This indemnity shall apply to all Claims and liability regardless of whether any insurance policies are applicable. Any policy limits shall not act as a limitation upon the amount of indemnification to be provided.
 - b. At its sole discretion, the indemnified Party may participate at its own expense in the defense of any claim, action or proceeding, but such participation shall not relieve the indemnitor of any obligation imposed by this Agreement. The Parties shall notify each other promptly of any claim, action or proceeding and cooperate fully in the defense. The Parties agree to defend themselves from any claim, action or proceeding arising out of the concurrent acts or omissions of each Party. In such cases, the Parties agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs. Where a trial verdict or arbitration award allocates or determines the comparative

fault of the parties, the Parties may seek reimbursement and/or reallocation of defense costs, settlement payments, judgments and awards, consistent with such comparative fault. The provisions of this section shall survive the termination of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

COUNTY OF STANISLAUS

CITY OF PATTERSON

By: _____
Stan Risen
Chief Executive Officer

By: _____
Ken Irwin
City Manager

ATTEST:

Maricela L. Vela
City Clerk

APPROVED AS TO FORM:

Tom Hallinan
City Attorney

Terms and provisions of this agreement are fully authorized under State and local law. This cooperation agreement provides full legal authority for Stanislaus County.

Thomas E. Boze
Assistant County Counsel



CITY OF PATTERSON

ENGINEERING, BUILDING AND CAPITAL PROJECTS DEPARTMENT

MEMORANDUM

To: City Council
From: Teresa Rodriguez, Planning Department
Date: July 14, 2016
Re: Discussion regarding exiting the Urban County Consortium

DISCUSSION:

The HOME & CDBG programs are one of several federal programs that provide funding to cities and counties for the development of affordable housing. The U.S. Department of Housing and Urban Development (HUD) allocates these funds to local governments using a fairly complex formula that considers population, poverty level, and a host of other factors. Based on these formulas, many small- to medium-sized cities are not eligible to receive HOME funds directly from HUD. Patterson is one of those cities. As such, the City can pursue one of two approaches to receive these funds: 1) apply annually or semi-annually for HOME funds from the State Housing and Community Development Department; or 2) apply as a member of an Urban County Consortium.

HUD provides the option to metropolitan cities to form a consortium with the urban County (in this case, Stanislaus County). This allows all of the cities within an urban county to combine their statistics in a manner that ensures receipt of a direct allocation from HUD, rather than being subject to the annual discretionary grant process established by the State. In 1999, the City of Turlock decided to work with Stanislaus County to create a consortium of cities and the County. Turlock was designated the lead agency, or "Participating Jurisdiction", for the consortium. Since 2002, the city of Patterson has been a participating city in the HOME & CDBG consortiums. Currently, the consortium includes the cities of Patterson, Newman, Ceres, Oakdale, Waterford, Hughson, Turlock and Stanislaus County.

The decision to opt out is being looked at in order to give Self-Help Enterprises the opportunity to pursue further funding for their low-income project located within the Villages of Patterson. The major source of funding they are interested in applying for is the State HOME grant. Being a part of the consortia has benefited the city in numerous ways. The main advantage is that the City becomes an "entitlement" jurisdiction; it does not need to apply competitively to the State for funding. By using the combined statistics from the County and the other participating cities, HUD is able to annually allocate the consortium with funding. The City also receives

administration moneys that are utilized to pay for staff's salary and training opportunities. The annual allocations also allow for staff to carry out various projects each fiscal year.

Staff has looked at a couple of options, regarding the withdrawal from the consortiums, and the benefits and impacts they would have on the City's low-income programs.

OPTIONS:

Option 1

City to withdrawal from both the CDBG and HOME consortiums and give Self-Help the opportunity to apply for State funding. If this option is pursued, S.H.E. would have the ability to apply for State HOME funding for a maximum allocation (believed to be \$4,000,000 (each fiscal year the amount varies, this is only an estimate). A benefit to this approach is that it would provide S.H.E. with a substantial amount that would allow for the beginning stages of development to begin, if grant is secured. The annual allocations the city receives through the HOME & CDBG Consortium are not enough to fund a project of this size, therefore, in order to have a viable project, larger grant amounts need to be pursued.

One major consequence for this option is that if funding is not secured, the city will not receive any grant money. If no funding is received, no other projects may be undertaken, and administration money would also be lost. The administration allocations received covers a portion of the salary for the Associate Planner and any training opportunities that may arise. Currently, the city has one staff member for all its housing needs. If the City were to exit, one additional staff member will be needed to administer the grant, help with reporting and the monitoring.

Since 2002, the City has been allocated a total of \$3,516,069.70 from both CDBG and HOME.

Stanislaus County CDBG Funds	
FISCAL YEAR	PATTERSON
2002-2003	\$445,766
2003-2004	\$496,846
2004-2005	\$531,589
2005-2006	\$377,307
2006-2007	\$291,901
2007-2008	\$266,901
2008-2009	\$221,285
2009-2010	\$226,490
2010-2011	\$270,927
2011-2012	\$207,602
2012-2013	\$178,247
2013-2014	\$148,361
2014-2015	\$150,089
2015-2016	\$154,202
2016-2017	\$152,348

HOME Funds	
FISCAL YEAR	PATTERSON
2011-2012	\$ 126,252.17
2012-2013	\$ 77,775.00
2013-2014	\$ 80,073.19
2014-2015	\$ 74,662.00
2015-2016	\$ 71,948.00

Option 2

Allow the city to continue as a member of the consortia for another period of 3 years. In fiscal year 2007-2008, the formula used to allocate funding was changed, and now poverty levels are used as the main determining factor. Staff would like the opportunity to finalize the Infrastructure Master Plan set out for the "Target Area" designated by HUD. For the last several years, staff has worked on replacing all water and sewer lines within the south side of town. Without CDBG funds, these projects would not take place since there are no other funding sources the City may utilize. Staff believes that within the next two years the replacement of all sewer and water lines within the south side may be finalized.



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 *MW*

MEETING DATE: July 19, 2016

ITEM NO: 7.2

SUBJECT: Adopt Resolution No. 2016- 73 Modifying the Current Stage II Water Shortage to a Stage I Water Shortage and Direct the Implementation of Current State and Local Water Demand Reduction Measures and New Conservation Standard

RECOMMENDATION

Adopt Resolution No. 2016- 73 Modifying the Current Stage II Water Shortage to a Stage I Water Shortage and Direct the Implementation of Current State and Local Water Demand Reduction Measures and New Conservation Standard

BACKGROUND

The State Water Resources Control Board (SWRCB) adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized "stress test" approach. Recognizing persistent yet less severe drought conditions throughout California, the newly adopted emergency regulation will replace the Feb. 2 emergency water conservation regulation that set specific water conservation benchmarks at the state level for each urban water supplier. The newly adopted regulation, which will be in effect through January 2017, requires locally developed conservation standards based upon each agency's specific circumstances.

These standards require local water agencies to ensure a three-year supply assuming three more dry years like the ones the state experienced from 2012 to 2015. Water agencies that would face shortages under three additional dry years will be required to meet a conservation standard equal to the amount of shortage. For example, if a water

agency projects it would have a 10 percent supply shortfall, their mandatory conservation standard would be 10 percent.

On June 21, the city of Patterson submitted water demand and supply projections for the next three years. Based on these projections, staff is making recommendations to the City Council to adjust the existing 25 percent conservation standard that is currently in place and as a result, lift the Stage II Water Shortage. If the city did not self-certify a reduction by June 22, the SWRCB's existing 25 percent reduction would have remained in place.

ANALYSIS

According to the newly adopted emergency regulation, demand is determined by averaging potable production for 2013 and 2014. These years were used since there was no mandatory conservation standard in place and demand is not expected to remain at the 2015 production number. For the purpose of the self-certification, the calculated annual potable water demand for the next three years will be 4,047 AF/Y.

The supply projection for the next three years would be based on current supply conditions. For the city of Patterson that would be groundwater supplies. As part of the Water Master Plan and the 2015 Urban Water Management Plan, a water supply reliability assessment was completed to determine the city's available water supplies in different type of years. From these two studies it was determined (if our distribution system was able to support it) 11,801 AF/Y of water is available within the groundwater basin.

Calculation to Determine Self-Certification Conservation Standard

Average Annual Potable Water

Demand

(Average from 2013 and 2014 potable production)

4,047 AF/Y

Potable Water Supply

(From Water Supply Reliability Assessment)

11,801 AF/Y for 2020

Supply Shortfall

(Demand minus Supply- Automatically Calculated)

-192%

Once calculated, a positive number is used to calculate a new conservation standard and a negative amount indicates a surplus and the conservation standard is zero percent. It is up to individual agencies on whether or not they would like to implement a higher conservation standard than the one calculated using the Water Board's methodology. The Water Board, however, will only enforce the standard calculated during the self-certification process.

Lifting Stage II Water Shortage

The city implemented a Stage II water shortage on August 12, 2014 after the Water Board mandated all urban water suppliers to implement their Drought Contingency Plan to a level where it restricts outdoor irrigation. Staff recommended implementing Stage II since Stage I was not restrictive enough to address the State's ongoing drought. It was at this point the city went from four watering days to three days a week. Further actions have been taken by the City Council in regards to water conservation since this action. Below is a quick recap of the numerous actions the city has taken as a result of the State's mandates on urban water suppliers:

<u>Date</u>	<u>Action</u>
January 2014	Governor drought declaration
August 2014	Implemented Stage II Water Shortage Reduced outdoor irrigation from four to three days a week Introduced rebate and incentive programs
April 2015	Implemented 28% conservation standard Reduced outdoor irrigation from three to two days a week Implemented new state and local water restrictions Increased level of enforcement to meet reduction
March 2016	Conservation standard reduced to 25%
June 2016	State repeals mandatory conservation standard Self-certify to new conservation standard Propose to increase outdoor irrigation from two to three days a week

Due to the zero percent from the self-certification process, a Stage II water shortage is no longer appropriate. Staff is recommending lifting the Stage II drought designation and implementing a Stage I water shortage. Although the Drought Contingency Plan calls for a voluntary 10 percent reduction, staff is proposing a mandatory 10 percent reduction as a prudent response to continued, although improved, drought conditions.

Most of the current restrictions and reporting requirements will remain since they are part of the municipal code or are still mandated by the State. In addition to lifting the Stage II designation, we are asking the City Council to modify the outdoor irrigation schedule from two days a week to three days a week.

- Odd numbered addresses may use water outdoors on Wednesday, Friday, and Sunday.
- Even numbered addresses may use water outdoors on Tuesday, Thursday, and Saturday.

Staff will continue the same level of enforcement but will focus on water-efficient landscaping, reducing water loss (production vs. consumption), and reducing irrigation

water waste. Staff will also continue to promote the city's rebate and incentive programs with a primary focus on Senate Bill 407-Plumbing Retrofit.

The self-certification standard will be in effect until January 2017 unless extended or repealed by the Water Board.

FISCAL IMPACT

Water enterprise fund revenue will likely increase with increased water use.

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RESOLUTION NO. 2016-73

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON
MODIFYING THE CURRENT STAGE II WATER SHORTAGE TO A STAGE I WATER
SHORTAGE AND DIRECTING THE IMPLEMENTATION OF
CURRENT STATE AND LOCAL WATER DEMAND REDUCTION MEASURES AND
NEW CONSERVATION STANDARD**

WHEREAS, the State of California experienced a severe multi-year drought and where water is a precious and a limited resource that must be used wisely; and

WHEREAS, on August 12, 2014, the City of Patterson declared a Stage II water shortage; and

WHEREAS, City of Patterson residents have responded to the mandatory conservation standard of 28 percent and reduced its potable water use by 333.5 million gallons of water compared to the same months in 2013; and

WHEREAS, on May 9, 2016, Governor Brown issued Executive Order B-37-16, directing the State Water Resources Control Board to adjust their emergency water conservation regulations in recognition of differing water supply conditions across the State and in anticipation that drought conditions may persist in some parts of the State into 2017 and beyond; and

WHEREAS, on May 18, 2016, the State Water Resources Control Board adjusted their emergency water conservation regulations, allowing urban water suppliers to self-certify their water use reductions based on the level of conservation necessary in 2019 if drought conditions persist for three additional years; and

WHEREAS, the City of Patterson submitted its self-certification through the State Water Resources Control Board's online portal and it was determined the city was allowed a zero percent conservation standard; and

WHEREAS, drought conditions have improved but continued reductions are needed to preserve the City's drinking water supply; and

WHEREAS, the City of Patterson will modify its Stage II water shortage to a Stage I water shortage and will implement a 10 percent mandatory conservation standard;

WHEREAS, the City of Patterson will continue to implement all current state and local water restrictions listed below and will implement an increase in the outdoor irrigation schedule from two days to three days a week; and

Water Reduction Demand Measures

Repairs to a broken or defective water system must occur within five days from being notified by the city

Use of water which results in runoff in gutters or streets is prohibited

Use of water through a hose without a shutoff nozzle is prohibited

Use of water through a hose for washing building exteriors is prohibited *

There shall be no outdoor water use between the hours of 10am and 7pm

Odd-numbered addresses may use water outdoors on Wednesday, Friday, and Sunday

Even-numbered addresses may use water outdoors on Tuesday, Thursday, and Saturday

Use of potable water to wash down driveways and sidewalks is prohibited

Use of water for outdoor landscapes during and within 48 hours of measurable rainfall is prohibited

The serving of water other than upon request in eating or drinking establishments is prohibited

**A variance may be issued for health and sanitary reasons*

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the city of Patterson that it hereby approves the implementation of Stage I of the Drought Contingency Plan and the implementation of the new conservation standard and all current state and local restrictions.

The foregoing resolution was passed by the City Council of the city of Patterson at a regular meeting held on the 19th day of July 2016, by _____, who moved its adoption, which motion was duly seconded by _____, and the resolution adopted by the following vote:

- YES:
- NOES:
- EXCUSED:

APPROVED:

Luis I. Molina, Mayor of the City of Patterson

ATTEST:

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

1 I hereby certify that the foregoing is a full, correct and true copy of a resolution
2 passed by the City Council of the city of Patterson, a Municipal Corporation of the County
3 of Stanislaus, State of California, at a regular meeting held on the 19th day of July 2016,
4 and I further certify that said resolution is in full force and effect and has never been
5 rescinded or modified.

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7 DATED:

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City Clerk of the City of Patterson

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Summary of Key Conservation and Drought Response Programs

Activity Type	Description	Status
Water Conservation Coordinator	City must have a designated person responsible for its water conservation program. Certification renewal and training is required.	Continued
Water Waste Prohibitions	Water patrolling is required to enforce water waste preventing program.	Continued
Leak Detection/Repair	Depending on size of leak, water operations will either repair or plan for replacement of aging water lines under CIP program.	Continued
AWWA Water Audit	Administration is assisting water operations with water audits. Goal is to reduce water loss within distribution system. DWR, SWRCB, and CUWCC all now require a yearly water audit using AWWA software.	New
Water Meters	In order to maintain accuracy for water meters, meters are replaced every 10 years. Replacement of meters at Water Ranch were completed in 2015. Moving forward, operations will use a sampling method prior to the replacement of meters.	Continued
Conservation Pricing	A water rate study is conducted every five years. Due to several unknowns regarding water quality options for Chromium 6, a water study was not completed in 2015. Conservation pricing is part of the water rate study to encourage conservation.	Continued
Public Education/Outreach	The city maintains a multi-faceted outreach program with a dedicated annual budget. The city is required to do at least four public outreach contacts within one year and multiple advertising options.	Continued
	Continued customer outreach using city website, bill inserts, and signage.	Continued
	Updated water bill that shows current water use compared with historical water use.	Continued
School Education	Multi-faceted outreach program for local schools (K-6) with dedicated annual budget.	Continued
	Provided EarthCapades school assembly show for Apricot Valley Elementary.	New
	Provided school assemblies within the local school district.	Continued
Indoor Water Use Surveys	City offers free indoor water use surveys. This is a requirement under the CUWCC MOU.	Continued
Outdoor Water Use Surveys	City now offers free outdoor water use surveys. This is a requirement under the CUWCC MOU.	New
Rebate Program	Cash for Grass Program is still available. City offers \$1 for every square foot of grass removed and replaced with drought tolerant landscape.	Continued
	HET Rebate Program is still available. City offers \$100 rebate for each toilet replacement that exceeds 1.6 GPF.	Continued
Residential Plumbing Retrofit Program	City provide free residential plumbing fixture assistance through distribution of water conserving devices. This	Expanded

Summary of Key Conservation and Drought Response Programs

	includes showerheads, bathroom and kitchen aerators, and toilet dye tablets.	
AB 1881 Model Water Efficient Landscape Ordinance (MWELO)	City is implementing the revised MWELO with all new development. City will be required to report on new and rehabilitated housing and landscaping developments once a year.	New
Non-Potable Phase III Project	The city converted eight parks over to the non-potable distribution system. This is a savings of 390 AF/Y.	Expanded

S.H.E. COMPETITIVE CDBG/HOME ALLOCATIONS

Jurisdiction	Low/Mod	Poverty	Total HOME Funding 2010-2014	Total CDBG Funding 2010-2014
Patterson[1]	31.90%	16.00%		
County of San Benito	30.10%	7.70%	\$500,000	\$2,000,000
Solano County	33.00%	8.50%		\$400,000
Riverbank	34.70%	15.50%	\$500,000	
Napa County	30.60%	8.90%		\$1,500,000
American Canyon	31.30%	5.80%	\$700,000	\$200,001
Placer County	26.40%	7.70%		\$1,600,000
Auburn	32.90%	9.70%	\$500,000	
Mariposa County	33.90%	14.40%		\$1,630,000
Lassen County	32.30%	11.40%		\$2,000,000
El Dorado County	23.90%	6.60%		\$1,060,000



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: July 19, 2016

ITEM NO: 8.1

SUBJECT: Motion to Appoint Fred Fowler to the Patterson Economic Strategic Commission for the Term April 2016 to April 2018 (Mayor Pro Tem Novelli, Mayor Molina)

RECOMMENDATION

Motion to approve the Appointment of Fred Fowler to the Patterson Economic Strategic Commission for the Term of April 2016 to April 2018.

FISCAL IMPACT

There is no fiscal impact.



Commission/Committee/Board

Application for Appointment or Reappointment

(This is a Public Record Subject to Disclosure)

Name of Commission/Committee/Board ECONOMIC STRATEGIC COMMISSION

Appointment Reappointment

Name of Applicant FRED FOWLER

Residence Street Address _____ City PATTERSON Zip 95363

Mailing Address SAME City _____ Zip _____

Phone (home) 892-9262 (cell) 650-906-4645 (work) _____

Email Address FREDGFS44@GMAIL.COM Length of time at residence 6 yrs.

Employer RETIRED

Experience or Special Knowledge Pertaining to Area of Interest

BUILT SEVERAL HI-TECH COMPANIES IN TRAY AREA

Employment Experience

PHOTON, RAYTRON, GOLF PRO INTERNATIONAL

Organization, Community and/or Public Service Experience

ASTORY - CHAMBER OF COMMERCE - PATTERSON TOURISM - YCCD -
PATTERSON EDUCATION FOUNDATION - GRABIS GRANDS HOA BOARD -
COMPASS MANAGEMENT HOA BOARD

Education (high school, college, trade school or training)

Note: There is no specific educational requirement

BSEE - RUTGERS

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?

ALWAYS

Please list three references with telephone numbers:

- 1. KEN BUSHNER
- 2. RICK SCHLITZ
- 3. GAIL MacMASTER

Phone 495-3480
 Phone 585-5328
 Phone 946-4872

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 MAY 13, 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)

Vela, Maricela

From: Fred Fowler <fredgpi44@gmail.com>
Sent: Friday, May 13, 2016 4:39 PM
To: Vela, Maricela
Cc: Kenny Buehner; Rick Schlitz; Gallo Mac Master
Subject: Economic Strategic Commission
Attachments: Patterson-Economic Strategic Commission 5-13-2016.pdf

Hi All, Attached please find my application for appointment to the Economic Strategic Commission.

Best regards, Fred.

Fred & Sherry Fowler

Patterson, CA 95363
209-892-9262 – Home
209-480-9089 – Sherry Cell
650-906-4695 – Fred Cell
sixspeedlady6@gmail.com
fredgpi44@gmail.com



CITY COUNCIL AGENDA REPORT

TO: Mayor Molina and Members of the City Council

FROM: Ken Irwin, City Manager *KI*

MEETING DATE: July 19, 2016

ITEM NO: 8.2

SUBJECT: Designation of a Voting Delegate and Alternates to the League of California Cities Annual Conference, October 5-7, 2016, Long Beach.

RECOMMENDATION

Designate a voting delegate (Councilmember) and Alternates (Councilmembers) for the League of California Cities Annual Conference to be held October 5-7, 2016 in Long Beach.

Council Action Advised by July 31, 2016

JUN 28 2016

MM

June 10, 2016

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – October 5 – 7, Long Beach**

The League's 2016 Annual Conference is scheduled for October 5 – 7 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for noon on Friday, October 7, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 23, 2016. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Long Beach Convention Center, will be open at the following times: Wednesday, October 5, 8:00 a.m. – 6:00 p.m.; Thursday, October 6, 7:00 a.m. – 4:00 p.m.; and Friday, October 7, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, September 23. If you have questions, please call Kayla Gibson at (916) 658-8247.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

2016 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, September 23, 2016. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, September 23, 2016

League of California Cities
ATTN: Kayla Gibson
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kgibson@cacities.org
(916) 658-8247