

City of Patterson
City Council Regular Meeting
June 7, 2016
Minutes

1. Call to Order

The regular meeting of the City Council of the City of Patterson was called to order in City Hall, City Council Chambers, 1 Plaza, Patterson at 7:00 p.m. by Mayor Molina.

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

At 7:15 p.m. under Agenda Item No. 6, Councilmember La Torre was seated (1)

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

2. Pledge of Allegiance

3. Statements of Conflict - none.

4. Items from the Public

Mike Anderson, Patterson – addressed the City Council on the following; thanking everyone who came out for the memorial day ceremony, the gas line explosion during Apricot Fiesta, American Legion booth, thanked city and apricot fiesta staff for their cooperation. Mr. Anderson addressed the 911 flag flying done only on Memorial day and Veterans day. Mr. Anderson addressed the item of the flag being torn and in need of a new flag. Mr. Anderson stated Mayor Pro Tem Novelli may address this item later on the agenda.

Karen Willard, Patterson (Apricot Fiesta Board Member) – addressed the City Council, thanking them, City, Fire, Police staff for their help in this year's 46 Annual Apricot Fiesta.

5. DISCUSSION AND APPOINTMENT TO FILL CITY COUNCIL VACANCY

Pursuant to Discussions at the Special City Council Meeting of May 23, 2016, Motion to Appoint Candidate to Fill the City Council Vacancy.

City Attorney Hallinan addressed his report.

At 7:12 p.m. Mayor Molina opened the item to public comments.

Mike Anderson, Patterson – addressed the City Council speaking in support of Peter La

Torre for Councilmember. Mr. Anderson addressed the City Council speaking about what was best for the City of Patterson and the Westside.

Tony Porcella, Patterson – addressed the City Council asking why the City did not interview any of the applicants. Mr. Porcella stated he didn't understand why no interviews.

The City Council/Staff addressed Mr. Porcella's questions.

At 7:14 p.m. there being no further public comments, Mayor Molina closed the item from further public comments.

Councilmember Farinha motioned to appoint Peter La Torre to fill the City Council Vacancy (the unexpired remainder of former Councilmember Sheree Lustgarten's term of office due to expire November 8, 2016, Presidential General Municipal Election). The motion was seconded by Councilmember McCord and approved by a 4-0 roll call vote.

6. ADMINISTER OATH OF OFFICE (Mayor Molina)

At this time, Mayor Molina administered the Oath of Office to Peter La Torre. Councilmember Peter La Torre signed his Oath of Office and took his seat at the dais.

7. 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.

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

7.2 Approval of City Council Meeting Minutes of April 19, 2016, April 25, 2016, May 3, 2016, May 17, 2016, May 20, 2016 and May 23, 2016.

Elias Funez, Patterson – addressed the City Council on the item of the minutes of May 17, 2016, Page 5, Item No. 8.1 under Council Items – Patterson Family name(s) not listed. City Clerk stated that the family asked to remain anonymous.

7.3 Approval of the Reclassification of Human Resources Manager Classification to Director of Human Resources, the Director of Human Resources Job Description and Salary.

City Manager Irwin addressed Consent Calendar Item 7.3.

7.4 Approve Authorizing the Purchase of Self-Contained Breathing Apparatus (SCBA) for the City of Patterson Fire Department from Cascade Fire Equipment (Resolution No. 2016-42)

7.5 Approve Resolution No. 2016-43, Accepting the 3-Year Street Striping and Pavement Marking Services Project as Complete, Authorizing Staff to File the Notice

of Completion.

- 7.6 Approve Resolution No. 2016-49, Requesting from the Stanislaus County Board of Supervisors to Consolidate the City of Patterson (4) Districts & Mayor at Large Election, Districts A & C (4-Year Full Terms) and Mayor at Large (2-Year Full Term) Being Up this November 8, 2016 Election, with the County's Presidential General Election to be Held on November 8, 2016, requesting the Services of the Registrar of Voters, Elections Division of the County of Stanislaus to Conduct the Election of Behalf of the City of Patterson.
- 7.7 Approve Resolution No. 2016-46, Rejecting the Claim of Natasha Bailey In An Unknown Amount for Alleged Damages.
- 7.8 Approve Resolution No. 2016-47, Rejecting the Claim of Raymond Bernard Rodriguez In An Unknown Amount for Alleged Damages.

Mayor Pro Tem Novelli moved to approve Consent Calendar Items 7.1 through 7.8. The motion was seconded by Councilmember Farinha and unanimously approved by a 5-0 roll call vote.

8. Presentations and Public Hearings

- 8.1 Presentation:** Proclamation "Disability Awareness Month" June 2016
Anthony Areallnes, Director of Programs (Mayor Molina)

Mayor Molina presented Carolyn Teixeira Gomes, Director of Development, Society for Disabilities with a proclamation.

- 8.2 Presentation:** Patterson Police Services Update (Police Chief Dirkse)

The City Council was in consensus to address this presentation right before staff report Item No. 9.1 a. New Law Enforcement Services Agreement between the City of Patterson and Stanislaus County.

Police Chief Dirkse reviewed his report - power point presentation.

At 8:10 p.m. Mayor Molina opened the item to public comments.

Mike Anderson, Patterson – addressed the City Council asking about an incident four weeks ago in the heartland ranch area, heard shots fired. Mr. Anderson suggested for the 911 emergency and the non-emergency (800-273-4911 or 209-552-2468) numbers be placed on the next City Citizen's Newsletter.

At 8:15 p.m. there being no further public comments, Mayor Molina closed the item from further public comments.

- 8.3 Public Comment/
Action Item:** Authorize Staff to Abate Public Nuisance, by Removing Weeds, Dirt, Rubbish, and/or Rank Growth Pursuant to the

Provisions of Ordinance No. 243 and Ordinance No. 704, as defined in Chapter 6.16 of the Patterson Municipal Code - Property Maintenance; Authorize Staff to Begin Bid Process (Resolution No. 2016-48) Clean Up Process.

Interim Fire Chief Gregory reviewed his staff report.

At 7:32 p.m. Mayor Molina opened the item to public comments. There were no public comments.

Councilmember Farinha moved to approve Resolution No. 2016-48. The motion was seconded by Mayor Pro Tem Novelli and unanimously approved by a 5-0 roll call vote.

8.4 Public Hearing: Recommend Approval of Resolution No. 2016-44 and Resolution No. 2016-45 to Adopt the City of Patterson 2015 Urban Water Management Plan and Water Shortage Contingency Plan.

Public Works Director Willett reviewed his staff report.

Enrique Lopezcalva, Project Manager with RMC reviewed his staff report - power point presentation.

The City Council addressed the item of recycle water vs. non potable water.

At 7:49 p.m. Mayor Molina opened the item to public comments.

Mike Anderson, Patterson – addressed the City Council asking questions about the following; Interstate 5 sink holes and an incident that happened in Tracy being an old irrigation system break.

At 7:50 p.m. there being no further public comments, Mayor Molina closed the item from further public comments.

Councilmember Farinha moved to approve Resolution Nos. 2016-44 and 2016-45. The motion was seconded by Councilmember McCord and approved by a 4-0 roll call vote. Councilmember La Torre abstained.

9. City Staff Reports

City Manager

- a. Review and Approval of the New Law Enforcement Services Agreement Between the City of Patterson and County of Stanislaus.

City Manager Irwin reviewed his staff report.

The City Council addressed the New Law Enforcement Services Agreement Between the City of Patterson and County of Stanislaus.

At 8:26 p.m. Mayor Molina opened the item to public comments.

Tony Porcella, Patterson – addressed the City Council about page 6 (G Staffing) of the Law Enforcement Agreement, one patrol deputy on duty at all times, they contradict themselves, exhibit states one thing, agreement states different.

Jim Gordon, Captain, Stanislaus County Sheriff's Department – addressed Mr. Porcella's questions, stating the Sheriff's department operate under Exhibit A.

Chi Chi Jack, Patterson – addressed the City Council stating that if it was not written then it was not in the contract. Mrs. Jack addressed the word except in page 6 & 7, Letter G. Staffing.

Police Chief Dirkse addressed Mrs. Jack's and Mr. Porcella's questions/concerns.

City Attorney Hallinan addressed the Agreement vs. Language in page 6 & 7, Letter G. Staffing.

Tony Porcella, Patterson – addressed the City Council expressing his concerns over Letter G. Staffing (page 6 & 7).

Mike Anderson, Patterson – addressed the City Council asking for the Council to get a second opinion. Having a negotiator to give the City an answer.

Elias Funez, Patterson – addressed the City Council stating it was very imperative for the City to follow the contract and make sure everything is perfect.

The City Council was in consensus to compare the last Agreement with this New Agreement, fixing spelling errors, dates, match paperwork and bring back final Agreement to the City Council meeting of June 21, 2016 for review/approval.

- b. Approve a Resolution (No. 2016-50) to be Forwarded to Stanislaus County Board of Supervisors in Support of a Reward to a Real Estate Watchdog.

The City Council was in consensus to postponed this item to the June 21, 2016 City Council meeting.

10. Council Items

10.1 City Council Reports

Mayor Molina:

- StanCOG (Councilmember McCord Alternate) – meetings June 15th and June 22nd, discussing the ½ cents sales tax, meetings at 6 p.m. at 1111 I Street, Modesto, 3rd Floor. Will forward information to all Councilmembers.
- Stanislaus County Mayors Dinner – meeting June 8, 2016.
- Patterson/West Stanislaus Fire Services Committee - nothing to report. (Councilmember Farinha 1st Alternate, Councilmember Novelli 2nd Alternate)
- Stanislaus County Disaster Council (Councilmember McCord Alternate) - discussion on Zika Virus. Information to be made available in English and Spanish. Disasters and Emergencies Booklet provided by Stanislaus

County Office of Emergency Services. CERT class coming, training class provided by the Patterson Fire Department.

Mayor Pro Tem Novelli – nothing to report on items.

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

Councilmember Farinha – nothing to report on items.

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

Councilmember McCord:

- Westside Health Care Task Force – holding all summer long, Wednesday Walk days at the Patterson High School Stadium starting at 6 p.m.

10.2 Other Matters

Councilmember Farinha addressed the following:

- Congratulated Peter La Torre on his appointment to the City Council.
- Councilmember Farinha thanked the Apricot Fiesta and City staff for all their work on this year’s Apricot Fiesta events.

Mayor Pro Tem Novelli addressed the following:

- Thanked City Manager Irwin, City staff (Police, Fire, Public Works), Apricot Fiesta staff for a well-executed Apricot Fiesta this year.
- Mayor Pro Tem Novelli asked for staff (City Manager) to follow up with Mr. Anderson in regards to a flag as requested.
- Children Safety Fair, Saturday, Aug. 13, 2016 in downtown Patterson.
- Brock Turner Case - read section of the victim who wished to remain anonymous.
- Welcomed Councilmember Peter La Torre to the City Council.

Mayor Molina addressed the following:

- Welcomed Councilmember Peter La Torre to the City Council
- Thanked the Apricot Fiesta staff, City staff, asked about considering a debriefing with the Apricot Fiesta and City staff to review issues such as power outages, the heat, etc.

11. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of June 7, 2016 was adjourned at 9:03 p.m.

Approved by the Patterson City Council on July 12, 2016.