

City Of Patterson

Regular Meeting Minutes

February 7, 2017

City Manager
Ken Irwin

City Attorney
Tom Hallinan

Deputy City Attorney
Douglas White



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Mayor
Deborah M. Novelli

City Council
Dennis McCord
Joshua Naranjo
Dominic Farinha
Alfred Parham

City Clerk
Maricela Vela

1. Call to Order

Attendee Name	Title	Status	Arrived
Dennis McCord	Council Member	Present	
Joshua Naranjo	Council Member	Present	
Dominic Farinha	Council Member	Present	
Alfred Parham	Council Member	Present	
Deborah M. Novelli	Mayor	Present	

Councilmember Parham was appointed under Agenda Item No. 6.2.

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 7:03 p.m. by Mayor Novelli.

City Staff Present:

1. City Manager Irwin
2. City Attorney Hallinan
3. Public Works Director Willett
4. Fire Chief Gregory
5. Police Chief Dirkse
6. City Planner Andrew
7. Finance Director Ryan
8. City Engineer Ulloa
9. Recreation & Community Services Director Flanders
10. City Clerk Vela
11. Human Resources Director Smith (Excused)

2. Pledge of Allegiance

3. Statements of Conflict

None.

4. Items from the Public

Peter La Torre, Patterson - addressed the City Council thanking them and staff for all their help in his six months of service as a City Councilmember. Mr. La Torre handed Mayor Novelli a key engraved with the name of the City of Patterson.

Pat Maisetti, Patterson (Chair, Hammon Senior Center Board of Directors) - addressed the City Council updating them on the activities/events taking place at the Hammon Senior Center. Mrs. Maisetti stated she would try to give City Council updates once a month.

Shawun Anderson, Patterson (Attorney) - addressed the City Council congratulating all the applicants for City Council for their interest. Ms. Anderson stated she was honored and blessed to be present.

Anthony Gonzalez, Patterson (Center for Human Services) - addressed the City Council on the item of Pop's Cafe event (A Father's Collective Focused on the 5 Protective Factors) at the Hammon Senior Center, February 17, 2017 from 3:30 to 4:30 p.m. Item to be placed on the City web site and fliers available in City Hall.

Xia Thao, Patterson Branch Librarian - addressed the City Council updating them on the activities/events taking place at the Patterson Library.

Gerald De Rouen, Patterson - addressed the City Council on a flooding problem at his home. City Manager Irwin to meet with Mr. De Rouen and address his concerns.

5. Consent Calendar

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis McCord, Council Member
SECONDER:	Dominic Farinha, Council Member
AYES:	McCord, Naranjo, Farinha, Novelli

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

5.2. Approve City Council Meeting Minutes of January 17, 2017.

6. Presentation/Action Item

6.1. Pursuant to Discussions at the Regular City Council Meeting of January 17, 2017, Motion to Appoint Candidate to Fill the City Council Vacancy.

At 7:22 p.m. Mayor Novelli opened the item to public comments.

Troy McComak, Patterson - addressed the City Council stating he ran for office this past election year and had received 1/3 of the votes. Mr. McComak stated he was surprise that he was not in the top three list of candidates being considered for appointment to the City Council. Mr. McComak stated his support for the City holding a special election for the public to choose a candidate.

At 7:24 p.m. there being no further business, Mayor Novelli closed the item from further public comments.

The City Council by a 5-0 roll call vote, unanimously approved the appointment of Alfred O. Parham to fill the City Council Vacancy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis McCord, Council Member
SECONDER:	Dominic Farinha, Council Member
AYES:	McCord, Naranjo, Farinha, Novelli

6.2. Mayor Novelli Administer Oath of Office to Appointed Councilmember.

Mayor Novelli administered the Oath of Office to Alfred O. Parham. At this time, Mr. Parham signed his Oath of Office and took his seat at the dias.

7. **Presentation**

7.1. Fire Department - Community Emergency Response Team (CERT) Graduation, City Clerk Administer Oath of Office to Disaster Service Workers: Eddie Brawley, Denise Gonzales, Jon Cunningham, Joshua Porras, Kristine Kaufmann, Brandi Jackson-Blunt, Sheila Harami, Patrick Hensarling and Carla Torres.

City Clerk Vela administered the Oath of Office to the Disaster Service Worker Volunteers; Kristine Kaufmann, Brandi Jackson-Blunt and Patrick Hensarling.

8. **Public Hearings**

8.1. City Attorney - Motion to Approve First Reading and Introduction of Ordinance No. 797, An Ordinance of the City Council of the City of Patterson, Adding Chapter 9.26, Shopping Cart Regulation, to Title 9, Public Peace, Morals and Welfare, of the Patterson Municipal Code.

Mayor Novelli Read Ordinance No. 797, reading by title only, waiving further reading.

City Attorney Hallinan reviewed his staff report.
Police Chief Dirkse reviewed his report.

At 7:51 p.m. Mayor Novelli opened the item to public comments.

Kenny Buehner, Patterson - addressed the City Council stating if someone borrowed the shopping cart, should they return it. Mr. Buehner addressed his concerns about seeing abandon carts.

William Hoffknecht, Patterson - addressed the City Council asking questions about who was responsible for the shopping cart.

Monica Della Maggiore, Patterson - addressed the City Council asking questions about Section 9.26.060 a. 2 of the Ordinance, stating if they borrow the cart, they should return it, suggesting for store owners to post signs on their carts to the effect of unauthorized removal of a shopping cart from the business, etc. Is a violation of state law and city ordinance. Mrs. Della Maggiore addressed the item abandonment of carts and fines/penalties.

The City Council addressed the following:

- Retrieval Service.
- Electronic Wheel Lock.
- Fines/penalties. Who's liable?
- Removing Section 9.26.070 of the Ordinance?
- Abandon Carts.
- Staff to get the store owner involved, figure things out, meet in the middle, come to an agreement.
- Persons who take carts with or without permission from the store.
- Stronger language to address - proof of retrieval service, including some measure of the retrieval service, for example if they didn't respond so many times, they would be considered out of contract - something to that effect.
- Some type of sign out method for the cart.
- Stolen carts - separate issue the penal code covers, once store owners file a report.
- Public nuisance and blight to the community.
- Portable carts/some type of grants available.
- Staff (Police) to meet with store owners, figure out a solution for the people who need to take those carts home, whatever the stores can administratively handle, write permission letters, that they take a driver's license or ID from the persons (not sure if they can do that).

The City Council by a 5-0 roll call vote, unanimously approved for staff (Police Chief Dirkse and City Attorney Hallinan) to work together with the shopping cart store owners to find a solution. Public Hearing to be Continued to the March 21, 2017 Regular City Council Meeting.

RESULT:	CONTINUED [UNANIMOUS]	Next: 3/21/2017 7:00 PM
MOVER:	Dominic Farinha, Council Member	
SECONDER:	Dennis McCord, Council Member	
AYES:	McCord, Naranjo, Farinha, Parham, Novelli	

8.2. Finance - Motion to Adopt Resolution No. 2017-01, Confirming a Report and Assessment List Under Ordinance Nos. 174 and 243 (Lien Process)

Finance Director Ryan reviewed her staff report.

At 8:13 p.m. Mayor Novelli opened the Public Hearing to public comments.

There were no public comments.

The City Council by a 5-0 roll call vote, unanimously approved Resolution No. 2017-01 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dominic Farinha, Council Member
SECONDER:	Dennis McCord, Council Member
AYES:	McCord, Naranjo, Farinha, Parham, Novelli

9. Public Comment/Action Item

- 9.1. Public Works Department - Authorize Staff to Enter into a Small Value Contract with the Contractor Selected to Abate the Mistletoe; and Authorize Staff to Bill the Property Owners (Resolution No. 2017-02) Clean Up Process

Public Works Director Willett reviewed his staff report.

At 8:15 p.m. Mayor Novelli opened the item to Public Comments.

There were no public comments.

The City Council by a 5-0 roll call vote, unanimously approved Resolution No. 2017-02 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Alfred Parham, Council Member
SECONDER:	Dennis McCord, Council Member
AYES:	McCord, Naranjo, Farinha, Parham, Novelli

10. City Council Reports

10.1. Mayor Novelli

Mayor Novelli addressed the following:

- Attended League of California Cities with Councilmember Naranjo in Sacramento in January.
- Regional marijuana plan discussions. City Manager Irwin addressed Prop. 64 and what it entailed, item to be placed on the next City Council Agenda for review.
- StanCOG meeting, previous mayors being recognized for their services.
- Draft Environmental Impact Report (EIR) in regards to Highway 132 study.

10.2. Mayor Pro Tem McCord

Nothing to report.

10.3. Councilmember Naranjo

Nothing to report.

10.4. Councilmember Farinha

Asked for everyone to be careful during this raining season.

11. Other Matters

Councilmember Parham stated his appreciation, thanking the City Council and Citizens for giving him the opportunity to serve on the City Council.

12. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of February 7, 2017 was adjourned at 8:23 p.m.

Approved by the Patterson City Council on April 4, 2017.