

City Of Patterson

Regular Meeting Minutes

July 18, 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	Excused	
Joshua Naranjo	Council Member	Present	
Dominic Farinha	Council Member	Present	
Alfred Parham	Council Member	Present	
Deborah M. Novelli	Mayor	Present	

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 7:15 p.m. by Mayor Novelli.

City Staff Present:

1. City Manager Irwin
2. City Attorney Hallinan
3. Fire Chief Gregory
4. Recreation & Community Services Director Flanders
5. City Planner Andrews
6. Public Works Director Willett
7. Police Chief Dirkse
8. City Accountant Callum
9. City Engineer Ulloa
10. Human Resources Director Smith
11. Public Works Analyst Encinas
12. Public Works Analyst Guluarte
13. City Clerk Vela

Excused:

1. Finance Director Ryan

2. Pledge of Allegiance

3. Statements of Conflict

None.

4. Items from the Public

Amy Hussar, Patterson, Past Commander Post 168 - addressed the City Council on the item of this year's 4th of July holiday, fireworks being terrible this year, the use of illegal fireworks in Patterson, not only on the 4th of July holiday but year-round. Mrs. Hussar suggested for the City to explore options to regulate the use of illegal fireworks. Mrs. Hussar addressed an application called "Nailed" where citizen's can report the use of illegal fireworks. Mrs. Hussar addressed the item of the City's Noise ordinance.

Cesar Casillas, 1257 Sweet Brior Drive, Patterson - addressed the City Council of the item of having problems with his neighbor. Mr. Casillas requested to have a meeting with the City Manager. Mr. Casillas stated his kids were being threatened. Wife went to Police Chief and was told nothing could be done, because there was a complaint on file. Mr. Casillas stated no one at the City was willing to help him, only Sonia Delgado in Public Works.

Mayor Novelli differed Mr. Casillas's issue to the City Attorney. City Attorney Hallinan to discuss issue with Police Chief Dirkse and City Manager Irwin first before meeting with the Casillas family.

Dr. Peter La Torre, Patterson - addressed the City Council stating his support for the Library Sales Tax Renewal, the 1/8 cent sales tax Measure S that supports Stanislaus County Libraries. Dr. La Torre placed a Library packet on the dais for City Council contribution and support this November Election 2017.

Mike Anderson, Patterson - New Commander of Post 168 - addressed the City Council on the item of the American Flag at the Hwy 33 cemetery now illuminated 24/7. Mr. Anderson addressed the item of the installation of cameras at the cemetery. Mr. Anderson addressed an incident of fire and smoke in an area in Patterson Thursday, June 29, 2017. Mr. Anderson thanked the City for cutting back the trees in area. Mr. Anderson addressed the City Council on the item of utility companies (TID & PG&E) need to serve the City and its citizens for service.

Keith Hussar, Patterson, Sgt. In Arms Post 168 - addressed the City Council on the item of the use of illegal fireworks in Patterson. Mr. Hussar suggested for the City as a community to organize a City fireworks event. Mr. Hussar addressed the item of American Flags and its lighting. Mr. Hussar requested that the American flag at South Park to be illuminated all the time.

Mike Anderson, Patterson - addressed the City Council suggesting for the City to look at the Hwy 33 cemetery at night for an idea how to illuminate the flag at South Park.

5. Consent Calendar

Councilmember Farinha moved to approve Consent Calendar Items 5.1 through 5.13. The motion was seconded by Councilmember Parham and approved by a 4-0 roll call vote.

RESULT:	ADOPTED
MOVER:	Farinha
SECONDER:	Parham
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

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

- 5.2. Approve City Commission Reports for the Months of April thru June 2017 (Planning Commission)
- 5.3. Approve City Department Reports for the Months of March thru June 2017 (Fire, Planning, Public Works and Recreation & Community Services)
- 5.4. Motion to Approve Resolution No. 2017-39, Approving the Amendment to the StanCOG Joint Powers Agreement (JPA).
- 5.5. Office of Emergency Services - Engine 318, Motion to accept primary responsibility of OES Engine 318.
- 5.6. Approve Resolution No. 2017-37, Approving the State Department of Transportation (Caltrans) Program Supplemental Agreement No. 033-F for the Pedestrian Safety Improvements project along Ward Avenue and Las Palmas Avenue [ATPL-5244(034)] and Authorize the City Manager to Execute the Agreement and all Future Documents for this Project on the City's Behalf.
- 5.7. Approve Street Closure for City of Patterson Child Safety Fair & PUSD Back to School Block Party on Saturday, August 12, 2017.
- 5.8. Approve Street Closure for Skate the Circle & Movie Night Event and Car Show on Friday, September 8, 2017.
- 5.9. Approve Street Closure for National Night Out 2017.
- 5.10. Accept all bids for the Non-Potable Production Well Project and Award Construction to Smith Construction and Authorize Staff to Execute the Contract.
- 5.11. Approve Resolution No. 2017-31, Employer Paid Member Contributions for the California Public Employees' Retirement System.
- 5.12. Approve the Recommended Use of the Supplemental Law Enforcement Services Account (SLESA) for Fiscal Year 2016-17.
- 5.13. Approve the Recommended Use of the Supplemental Law Enforcement Services Account (SLESA) for Fiscal Year 2017-18.

6. Presentations

1. Presentation - Hometown Hero Award 2017, Juanzette Hunter (Mayor Novelli)

Item rescheduled to the August 15, 2017 regular City Council meeting.

2. Presentation - League of California Cities (City Manager Irwin)

City Manager Irwin reviewed his staff report.

Stephen Qualls, League of California Cities, Central Valley Regional Public Affairs Manager, reviewed his Staff Report - power point presentation.

7. Presentation/Action Item

- 7.1. Fire Department - 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. 2017-38) Clean Up Process.

Fire Chief Gregory reviewed his staff report.

At 8:06 p.m. Mayor Novelli opened the item to public comments. There were no public comments.

Councilmember Parham moved to approve Resolution No. 2017-38. The motion was seconded by Councilmember Farinha and approved by a 4-0 roll call vote.

RESULT:	APPROVED
MOVER:	Parham
SECONDER:	Farinha
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

8. Public Hearings

- 8.1. Public Works Department - Hold the Public Hearing, Take Public Comment, and Approve the Resolutions (Nos. 2017-32, 2017-33, 2017-34) 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 2017/18.

Public Works Director Willett reviewed his staff report.

At 8:08 p.m. Mayor Novelli opened the Public Hearing to public comments. There were no public comments.

Councilmember Farinha moved to approve Resolution Nos. 2017-32, 2017-33 and 2017-34. The motion was seconded by Councilmember Naranjo and approved by a 4-0 roll call vote.

RESULT:	APPROVED
MOVER:	Farinha
SECONDER:	Naranjo
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

- 8.2. Planning Department - Approve Resolution No. 2017-30, Approving the Hamen Express Truck Wash Project, including Planned Development #17-01, Architectural and Site Plan Review #17-01, Conditional Use Permit #17-02, and Initial Study/Addendum, based on the findings and subject to the conditions of approval.

City Planner Andrews reviewed his staff report.

City Planning Consultant Scott Davidson, Director of Contract Planning Services with MIG reviewed his staff report - power point presentation.

City Engineer Ulloa reviewed his report regarding the project's purple pipe status. City Manager Irwin reviewed his report regarding the project's purple pipe, non-potable water and potable water.

At 8:35 p.m. Mayor Novelli asked for short break to allow for City Council to read a letter from the applicant.

Councilmember Farinha addressed page two in the applicants/architect's letter regarding threshold. Scott Davidson addressed the issue as being in Condition No. 73. City Manager Irwin addressed Councilmember Farinha's issue.

Mayor Novelli suggested for a Condition to be added to the project in regards to applicant to install purple pipe and City to reimburse.

At 8:53 p.m. Mayor Novelli opened the Public Hearing to public comments.

Rick Ringler, GDR Engineering (Project Engineer) - addressed the City Council speaking on the item of the installation of the purple pipe, being in support if the applicant is reimbursed. Mr. Ringler addressed the City Council asking questions about the project's signs.

City Planning Consultant Scott Davidson addressed the item of City can to enter into a deferred improvement agreement for improvements on the project; the adding of trees (landscape) to the project.

Phil Breasher, Patterson - addressed the City Council asking questions about how this business was going to remove diesel from the water.

City Planning Consultant Scott Davidson addressed Mr. Breasher's concerns.

Public Works Director Willett addressed Condition No. 77, City's Fats, Oil and Grease (FOG) program.

Frank Arrellano, Fresno (Project Applicant) - addressed the City Council stating his concerns that he could not do both potable and non-potable water, stating he could not live with both.

City Manager Irwin addressed the items of purple pipe, recycle water, non-potable water and potable water.

Amy Hussar, Patterson - addressed the City Council on the business of Prime Shine's system, hard water and recycle water leaving cars spotted, having had lawsuits in the past regarding reimbursement. Mayor Novelli addressed Mrs. Hussar's concerns stating issue was a different situation.

Ken Buehner, Patterson - addressed Mr. Breasher concerns regarding non-potable

water, water goes to a clarifier system, does not leave the site until water goes through a clarifier system, and then cleaned up at the City's Waste Water Treatment Plant.

Rick Ringler, GDR Engineering (Project Engineer) - addressed the City Council on the item of the City's reimbursement process and how long will it take for the applicant to get reimbursed.

City Manager Irwin addressed Mr. Ringler's concerns. Item to be brought back to Council about reimbursement for approval, item can be done in phases in regards to a deferred improvement agreement in regards to the landscaping.

City Planning Consultant Scott Davidson addressed amendments to the following two Conditions of the project:

Rick Ringler, GDR Engineering (Project Engineer) - addressed the City Council stating his support for Condition No. 73 as stated below.

Condition No. 73 - Project shall extend reclaimed water services (purple pipe) from the project site approximately 650 feet north to connect with planned extensions being installed in conjunction with the Keystone Distribution Center Project located at the intersection of Keystone Boulevard and Baldwin Road. The City will reimburse the applicant for the portion of the purple pipe improvements that extend beyond their property frontage. The applicant may use potable water for truck wash operations until such time as reclaimed water (purple pipe) is installed to serve the project site.

Condition No. 114 - The applicant shall install street frontage improvements per ordinance to the satisfaction of the Department of Public Works. These improvements may include, but are not limited necessarily to, grading, curb and gutter, sidewalk, paving, storm drain, sanitary sewer and water facilities. As approved by the Public Works Director, the applicant may enter into a deferred improvement agreement to install landscape improvements adjacent to Henley Parkway at the time Henley Parkway improvements are constructed.

At 9:33 p.m. there being no further public comments, Mayor Novelli closed the Public Hearing from further public comments.

Councilmember Farinha motion to Approve Resolution No. 2017-30, approving the Hamen Express Truck Wash project, including Planned Development #17-01, Architectural and Site Plan Review #17-01, Conditional Use Permit #17-02, and Initial Study/Addendum, based on the findings and subject to the conditions of approval amending Condition Nos. 73 and 114 as stated above. The motion was seconded by Councilmember Parham and approved by a 4-0 roll call vote.

RESULT:	APPROVED
MOVER:	Farinha
SECONDER:	Parham
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

9. Adjourn to the West Patterson Financing Authority

9.1. West Patterson Financing Authority - Motion to Approve Resolution No. 2017-01, Authorizing the Execution of an Acquisition Agreement for the Construction of Public Facilities Improvements.

a. Call to Order

At 9:34 p.m. Chair Novelli called the West Patterson Financing Authority meeting to order.

b. Roll Call

West Patterson Financing Authority Secretary Vela called roll call.

Members Present: Naranjo, Farinha, Parham and Chair Novelli.

Member Excused: McCord.

c. West Patterson Financing Authority - Motion to Approve Resolution No. 2017-01, Authorizing the Execution of an Acquisition Agreement for the Construction of Public Facilities Improvements.

West Patterson Financing Authority Executive Director Irwin reviewed his staff report.

At 9:36 p.m. Chair Novelli opened the item to public comments. There were no public comments.

Member Farinha moved to approve West Patterson Financing Authority Resolution No. 2017-01. The motion was seconded by Member Naranjo and approved by a 4-0 roll call vote.

d. Adjourn

There being no further business, the West Patterson Financing Authority Meeting was adjourned at 9:37 p.m.

RESULT:	APPROVED
MOVER:	Farinha
SECONDER:	Naranjo
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

10. City Staff Reports

- 10.1. Public Works Department - Approve Resolution 2017-36, Authorizing the City Manager or his Designee to Submit Application(s) for Grant Funds for the California Cultural and Historical Endowment's Museum Grant Program Under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) and Sign all Related Documents and/or Agreement(s) Related to the City of Patterson Museum Preservation Project.

City Manager Irwin reviewed his staff report.

Public Works Director Willett reviewed his staff report.

Public Works Analyst Xavier Guluarte reviewed his staff report - power point presentation.

Councilmember Parham moved to approve Resolution No. 2017-36. The motion was seconded by Councilmember Naranjo and approved by a 4-0 roll call vote.

RESULT:	APPROVED
MOVER:	Parham
SECONDER:	Naranjo
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

- 10.2. Public Works Department - Approve Resolution 2017-35, declaring the City's intention to annex territory to the future annexation area of the City of Patterson Community Facilities District No. 2013-01 (Non-Residential Maintenance Services) and setting the time and place of a Public Hearing thereon.

Public Works Director Willett reviewed his staff report.

At 9:50 p.m. Mayor Novelli opened the item to public comments. There were no public comments.

Councilmember Farinha moved to approve Resolution No. 2017-35. The motion was seconded by Councilmember Naranjo and approved by a 4-0 roll call vote.

RESULT:	APPROVED
MOVER:	Farinha
SECONDER:	Naranjo
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

11. City Council Reports

A. Citizens Oversight Committee

- . Motion to Appoint Peter P. La Torre Jr. MD to Stanislaus County Measure L Citizens Oversight Committee.

Mayor Novelli moved to appoint Peter P. La Torre, Jr. MD to the Stanislaus County Measure L Citizen's Oversight Committee. The motion was seconded by Councilmember Farinha and approved by a 4-0 roll call vote.

RESULT:	APPROVED
MOVER:	Novelli
SECONDER:	Farinha
AYES:	Naranjo, Farinha, Parham, Novelli
EXCUSED:	McCord

B. Councilmember Naranjo

- . (EDAC) Economic Development Action Committee (Councilmember Parham alternate)

Nothing to report.

C. Councilmember Farinha

- . Hazardous Waste Advisory Committee (Councilmember Parham alternate)
- . San Joaquin Valley Air Pollution Control District Governing Board (Mayor Pro Tem McCord alternate)

Nothing to report.

D. Councilmember Parham

- . Workforce Development Board (Councilmember Naranjo alternate)

Nothing to report.

E. Mayor Pro Tem McCord

- . Westside Health Care Task Force

Excused - nothing to report.

F. Mayor Novelli

- . **Stanislaus County Mayor's Meeting**
Attended meeting, nothing to report.
- . **StanCOG (Mayor Pro Tem McCord alternate)**
Nothing to report.
- . **League of California Cities (Councilmember Naranjo 2nd alternate, Councilmember Farinha 3rd alternate)**
Attending Conference in September 2017.
- . **Patterson/West Stanislaus Fire Services Committee (Councilmember Naranjo alternate)**
Nothing to report.
- . **Stanislaus County Disaster Council**
Fire Department working on City's Emergency Operations Plan. Item brought to City Council for review/approval in September.

12. Other Matters

Councilmember Farinha addressed National Night Out, August 1, 2017 in Downtown Patterson. All festivities to take place in Patterson North and South Parks.

Mayor Novelli addressed August 12, 2017, Child Safety Fair and Patterson Unified School District Back to School Block Party in Downtown Patterson. All festivities to take place in Patterson North and South Parks.

Police Chief Dirkse addressed National Night Out in Patterson, August 1, 2017 in Downtown Patterson.

13. Adjournment

There being no further business, the regular meeting of the City Council of the City of Patterson of July 18, 2017 was adjourned at 9:58 p.m.

Approved by the Patterson City Council on September 5, 2017.