LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Ricardo Cordova,
Presiding Judge
Superior Court
P.O. Box 3488
Modesto, CA 95353

Re: City of Patterson Response to Grand Jury

Dear Judge Cordova,

Pursuant to California Penal Code Section 933(c), attached hereto is the City of Patterson's response to the findings and recommendations of the 2010-2011 Stanislaus County Civil Grand Jury. The City has noted whether it agrees with each finding in whole or in part, whether it has, will, or will not implement the recommendations of the grand jury, and a summary of any action which has or will be implemented. The City Council of the City of Patterson took this action at its regular meeting held on September 20, 2011.

Sincerely,

Tom Hallinan
Patterson Interim City Attorney

RECEIVED
SEP 28 2011
CGJ

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Part One: Response Not Requested.

Part Two: Immediate Past Mayor (IPM)

FINDINGS

F-1. The IPM was not a resident of the City during the 2008-2010 Mayoral Term.

Respondent disagrees with this finding. In order to qualify for a loan modification for her home, the IPM quit making payments on it in September 2009. In March of 2010, A Notice of Default was filed on the subject property. In August of 2010 the bank took back the home. Beginning in September of 2010, the IPM resided with her mother in the City of Patterson until the completion of her term a few months later.

Respondent also disagrees with the finding regarding the alleged gift of public funds in relation to the settlement of a potential lawsuit. The Stanislaus County Grand Jury negligently failed to recognize, or surreptitiously withheld knowledge from the minute reporting on the action item which stated in pertinent part, "The City Council voted 3-2 to reimburse John Ramos $27,101.74 for legal fees incurred in his appeal of the Health Care District zoning issue, **subject to verification of cost**. These costs were in fact reviewed by the City Council prior to the decision, and later verified by the City Manager and the City Attorney. In addition, Councilmember A within her motion to reimburse stipulated that the claimant sign a waiver to cease all legal action against the city related to the matter.

F-2. Between 2008 and 2010, the IPM was not in compliance with AB 1234 Ethics Training.

Respondent agrees with this finding. However, Councilmember's C or D also did not comply with his/her AB 1234 training. The Grand Jury requested and received validation of this fact, and chose to ignore their own discovery. This selective prosecution of the IPM by the Grand Jury taints the entire report.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

F-3. Violations of the Patterson Municipal Code/City Council Handbook.

- Failure to follow proper chain of command as it relates to approaching city employees to request information, expedite permit processes, manipulate city policy, and request the waiver of fees owed to the city.

  Respondent disagrees with this finding which is redundant with the alleged violation set forth immediately below. Regarding the other allegations, the IPM insists that although questions may have been asked, no pressure for improper action was ever exerted.

- The IPM signed a letter authored by a business owner who was in the process of obtaining a conditional use permit.

  Respondent disagrees with the allegation that the IPM attempted to represent the entire council regarding the letter she signed in support of the subject business. When the process for the business was stopped, the IPM did not intervene on behalf of either the entire council or as an individual member.

- The IPM was instrumental in the resignations of the IPCM and the CDD.

  Respondent disagrees with this finding. The IPCM and the CDD voluntarily resigned and have since secured other employment.

RECOMMENDATIONS

R-1. The IPM shall reimburse the City of Patterson his/her salary in the amount of $9,300.00.

Respondent shall not seek this reimbursement since the IPM remained a resident of the City for the few remaining months of his/her last term in office after he/she lost their home.

-

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

- The Patterson City Council shall review all votes that the IPM rendered during the 2008-2010 term.
  Respondent shall not implement this recommendation for the same reason set forth immediately above.

R-2. All Patterson City Council members shall post their AB 1234 Ethics Training Results on the City website to ensure compliance. The City Clerk shall monitor this requirement and place upcoming AB 1234 expiration dates on the public agenda. Members who fail to remain in compliance of AB 1234 shall be mentioned at open meetings until they complete the certification by the City Clerk.

This recommendation shall be implemented in part. The City Clerk shall monitor this requirement and notify members of upcoming expiration dates.

R-3. Any City Council business correspondence or actions by individual members of the City Council must be approved in advance by the City Manager.

Respondent disagrees with this recommendation. This is completely contrary to our representative form of government and shows this particular Grand Jury's failure to understand the basic workings of the local governmental agencies it purports to investigate. In the representative democracy we have in this country, City Council members are free to meet and correspond with their constituents.

Part Three: Councilmember A

FINDINGS

F-1. States in pertinent part that Councilmember A failed to disclose a fiduciary conflict of interest with a landlord and never recused from a vote involving landlord/commercial developer. (The word "fiduciary" is clearly misused here and throughout the document. We will respond to this finding as though you meant the word "financial.")

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Respondent disagrees with this finding. It is clear from this "finding" that Councilmember A was judged guilty from the start by this Grand Jury. In 2009, Councilmember A merely rented a storage unit from landlord and had not rented commercial property since 2006 after selling the family's business. No funds were written off by landlord in either lease. He simply reversed erroneous charges that were made after Councilmember A vacated the storage unit. The Grand Jury ignored this evidence which didn't even meet the FPPC requirements for disclosure, or the threshold for disclosure as set forth in the City of Patterson City Council Handbook. As a result, inventing these erroneous findings.

F-2. States in pertinent part that between 2008 and 2010, Councilmember A was not in compliance with the mandated AB 1234 Ethics Training.

This is another example of selective prosecution and bias against Councilmember A. Councilmember A complied with training in 2006 and 2010, and agrees with this finding that Councilmember A did not comply in 2008. However, Councilmember C or D also did not comply with their AB 1234 Ethics Training. This selective prosecution of Councilmember A by the Grand Jury taints their entire report.

F-3. Violations of Patterson Municipal Code and City Council handbook.

> Failure to follow proper chain of command as it relates to approaching representatives of Keystone Business Park while negotiating terms for the Del Puerto Health Care facility.
>
> Respondent disagrees with this finding. This ominous sounding allegation is one of the most deceptive in the report. Councilmember A simply greeted a Keystone representative at the local pharmacy and asked him if he or the Health District was going to submit a zoning amendment anytime soon? This took place weeks after the

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

matter had already been adjudicated by the City Council, and in no way interfered with any known pending matter.

Directing a staff member to author a letter regarding city business without proper permission from the city council or city manager.

Respondent disagrees with this finding. Permission from the council or city manager was not required. Councilmember A was the council liaison to the General Plan Update. As such, she simply had a staff member pen an invite to a local citizen to attend a meeting. Delivery of the letter to the Councilmember is not unusual in that items such as agenda packets are also delivered to Councilmembers who are part-time virtually uncompensated public servants.

Making calls to the Community Development Director in an effort to influence the decision to hire a lower scoring applicant to the position of Assistant Planner.

Respondent disagrees with this finding. Councilmember A denies ever making such a call, and says that anyone who says she did committed perjury.

Sustaining violations of the Fair Political Practices Act.

Respondent disagrees with this finding. There is no evidence to support such a charge based on what has been said supra and the fact that Councilmember A only missed one of three ethics trainings.

Unprofessional outbursts at Council meetings and in the public to both colleagues and residents concerning city business.

Respondent disagrees with this finding. Councilmember A is simply a passionate advocate of the public policy positions on behalf of the City of Patterson. The Grand Jury falsely attributes a conversation taking place outside of City Hall to Councilmember

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

A, the party yelling was another unsuccessful "city council candidate." Additionally the Grand Jury admonishes Councilmember A for stating, "in the spirit of civility, could you remove the unkind words about me from your Facebook page to another council member. The First Amendment is guaranteed to all, Councilmember A simply requested that the other councilmember temper his/her exercise of free speech to exclude unkind remarks about his/her colleagues. Again, all in the interest of civility.

RECOMMENDATIONS

R-1. Councilmember A should be held accountable for the sustaining violations and resign from elected office. Community members can evaluate the need and collect signatures for a special recall election if they feel warranted by this report and if Councilmember A refuses to resign.

This is the most outrageous and inappropriate recommendation our City Attorney has seen in 17 years of reviewing Grand Jury reports. To engage in political advocacy is completely and utterly contrary to the charge of the Grand Jury. This recommendation cannot be implemented by Respondent and as such, shouldn't even be included in this report.

R-2. All Patterson City Councilmembers shall post their AB 1234 Ethics Training results on the City website to ensure compliance. The City Clerk shall monitor this requirement and place upcoming AB 1234 expiration dates on the public agenda. Members who fail to remain in compliance of AB 1234 shall be mentioned at open meetings until they complete certification.

This recommendation shall be implemented in part. The City Clerk shall monitor this requirement and notify members of upcoming expiration dates.

R-3. Any City Council business correspondence or actions by individual members of the City Council must be approved in advance by the City Manager.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Respondent disagrees with this recommendation. This is completely contrary to our representative form of government and shows this particular Grand Jury's failure to understand the basic workings of the local governmental agencies it purports to investigate. In our democracy City Councilmembers are free to meet and correspond with their constituents.

Part Four: Councilmember B

FINDINGS

F-1. States in pertinent part that Councilmember B made a gift of public funds to a developer because there was no verification of cost.

Respondent disagrees with this finding. The Stanislaus County Civil Grand Jury negligently failed to recognize, or surreptitiously withheld knowledge from the minutes reporting on the action of this item which stated in pertinent part, "The City Council voted 3-2 to reimburse John Ramos $27,101.74 for legal fees incurred in his appeal of the Health Care District zoning issue, **subject to verification of cost**..." These costs were in fact verified in full by the City Manager and City Attorney.

F.2. Failure to follow the proper chain of command as it relates to city business pursuant to the Patterson Municipal Code and City Council handbook.

Respondent disagrees with this finding. There is no evidence mentioned in either the summary or details of the investigation which mention, let alone show how Councilmember B failed to follow the "chain of command" in a single instance. This is indicative of a bias against this particular member of the City Council, and their outrage that Councilmember B attempted to exercise his Constitutional right and consult with an attorney during the Grand Jury's investigation.

F.3. Councilmember attempted to use his/her position of authority in an attempt to influence decisions in his/her favor.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Respondent disagrees with this finding. Councilmember B did not request any special consideration because of his position, he simply inquired about routine matters as any other citizen or business person would. Citizens serving on this part-time virtually uncompensated position do not forfeit their rights as members of the community by virtue of their election to the City Council.

RECOMMENDATIONS

R-1. Brown Act Requirements and City Policies etc., shall be reviewed. This recommendation continues to be implemented on an on-going basis.

- All Patterson Council members shall have established criteria and authenticated documentation for the return of public funds on any litigation, or payments prior to voting on issues of this nature.

Respondent/City Council will continue to properly verify the funds/payments made related to the settlement of litigation on a case by case basis as it always has. Again, this Stanislaus County Civil Grand Jury negligently failed to recognize, or surreptitiously failed to mention that the minutes of the subject meeting on this item specifically mentioned that the settlement was, **" subject to verification of cost."** These costs were in fact verified by the City Manager and City Attorney.

R-2. Any City Council business correspondence or actions by individual members of the City Council must be approved in advance by the City Manager.

Respondent shall not implement this recommendation. It is completely contrary to our representative form of government, and shows this particular Grand Jury's failure to understand the basic workings of the local governmental agencies it purports to investigate. In our democracy city council members are free to meet and correspond with their constituents.

R-3. City Council member B shall refrain from using his/her positional power to circumvent city policy, or use his/her position to influence others for special favors or consideration.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Respondent cannot implement this recommendation. Councilmember B cannot refrain from doing something he has not done before. Accordingly, Councilmember B shall continue to properly conduct him/herself while in office as he/she always has.

Part Five: Immediate Past City Attorney (IPCA)

FINDINGS

The Patterson City Council has no response to the findings/conclusions/assumptions of the Stanislaus County Civil Grand Jury regarding the Immediate Prior City Attorney. No current representative of the City was present during the questioning of the Immediate Prior City Attorney.

RECOMMENDATIONS

R-1. Based on this report, the City Council of Patterson file a complaint with the California State Bar Association against its IPCA.

Respondent will not implement this recommendation based upon its responses to the findings set forth immediately above.

Part Six: Landlord/Developer

FINDINGS

F-1. The landlord/developer had a fiduciary relationship for 13 years with Councilmember A. (Again, we believe the Grand Jury misunderstands and misuses the word "fiduciary" and meant the word "financial".)

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Respondent disagrees with this finding. There was no financial relationship which met FPPC thresholds. In 2009, Councilmember A merely rented a storage facility from landlord/developer. She asked for, and was treated no differently than any other tenant. From 1993-2006 Councilmember A rented commercial property from the landlord, this is a legal right, and well known fact in the City of Patterson. The disclosure the Grand Jury desires is not otherwise required by law and appears to be part of the vendetta against Councilmember A.

F-2. There is no evidence that either the landlord/developer or Councilmember A ever recused themselves from any vote where a potential conflict or perceived conflict of interest existed.

Respondent disagrees with this finding. Landlord/developer and Councilmember A recused themselves when required. There is no obligation to recuse based upon some other party's mere perception of a conflict.

F-3. In the SCCGJ's opinion, the vote to give the landlord/developer funds amounted to a gift of public funds from the City of Patterson's general fund.

Respondent disagrees with this finding. As stated previously in this document, there was no gift of funds as the amount was verified by the previous City Manager and previous City Attorney as demanded by the former City Council.

F-4. In the Stanislaus County Civil Grand Jury's opinion, the vote by the City of Patterson's City Council to provide the gift of public funds to the landlord/developer was invalid.

Respondent disagrees with this finding. Firstly, this finding is a conclusionary redundancy. Secondly, it is an invalid assumption based upon the responses to the findings previously set forth in this document.

RECOMMENDATIONS

R-1. The landlord/developer shall recuse from voting as a member of the City of Patterson Budget Advisory Committee when there is a perceived conflict of interest.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

Respondent disagrees with this Recommendation. Landlord/developer is only required to recuse himself when there is an actual conflict of interest, not someone's mere perception.

R-2. The actual amount of funds were non-verified and unknown at the time of this vote. The special session vote of October 26, 2009, is groundless. The SCCGJ recommends that the landlord/developer return the funds in the amount of $27,790.94 to the City of Patterson general fund.

Respondent disagrees with this recommendation. The City of Patterson will not seek reimbursement of these funds. This was a legitimate settlement of a disputed legal claim which would have subjected the City of Patterson to a much greater monetary loss. In addition, consistent with the City Council's direction, the prior City Manager and prior City Attorney verified the legitimacy of all funds to be paid. Again, this is one of the most erroneous and irresponsible claims from a grand jury against a public agency ever seen.

Part Seven: Immediate Past City Council

Immediate Past Mayor, Councilmember A, & Councilmember B

FINDINGS

F-1. See Response to Part Two, Finding Number 1.

F-2. See Response to Part Three, Finding Number 1.

F-3. See Responses to Part Two, Finding Number 1; Part Four, Finding Number 1; Part Four, Recommendation Number 1; Part Six, Finding Number 3; & Part Six, Recommendation Number 2.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

F-4. See Responses to Part Three, Finding Number 2; & Part Three, Recommendation Number 2.

F-5. Respondent disagrees with this finding. The IPCM and CDD voluntarily resigned and have since secured other employment.

F-6.

RECOMMENDATIONS

R-1. See Response to Part Two, Finding Number 1.

R-2. See Response to Part Three, Finding Number 1.

R-3. See Response to Part Four, Finding Number 1.

R-4. See Response to Part Three, Finding Number 2.

R-5. This is an allegation of fact and makes no substantive recommendation to respond to.

Councilmember C & D

F-1. There is no evidence that Councilmember C or D violated any Brown Act Statutes, city policies, or other statutory codes. As set forth in Parts Three and Four, the only violation committed by any Councilmembers (including C or D), was failure to complete a state-mandated ethics training.

The Entire Immediate Past City Council

F.1- There is no job description for the City Attorney.

The Council has recently adopted an entire ordinance relating to the City Attorney position, including a job description.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

F-2. The City of Patterson elected officials are not taking advantage of educational or team building training opportunities.

Respondent agrees. However, they are trying to save money for the city in order to better provide essential services such as public safety.

F-3. The City of Patterson needs to be a transparent governmental agency with all matters regarding the public's right to know when and where their tax dollars are being spent.

Respondent disagrees with this insinuation. The City will continue to be transparent in all matters.

F-4. The SCCGJ sustains that the vote by the City Of Patterson's City Council to provide the gift of public funds to the developer was invalid.

See Response to Part Two, Finding 1; & Part Three, Finding 1.

F-5. The SCCGJ could find no evidence of a code of ethics and a requirement to complete AB 1234 ethics training for members appointed to boards and commissions.

Respondent agrees with this finding. However, this requirement is not set forth in the enabling legislation, AB 1234. In addition, there is no evidence of a problem with the city's commissions – there is only one erroneous example presented in Part Six of this report.

RECOMMENDATIONS

R-1. The City of Patterson reviews their contractual agreement with the City Attorney. In addition, an actual job description for the position of City Attorney should be created to list job specifics, transparent billing practices and schedule of evaluations as part of the contract/job description.

Respondent has already implemented this recommendation via Ordinance.

LAW OFFICE
BUSH, ACKLEY, MILICH & HALLINAN
ESTABLISHED 1923

2845 EAST HATCH ROAD #22
MODESTO, CALIFORNIA 95351
209-324-6205
tompathallinan@gmail.com

DAVID F.BUSH 1923-1955
GEORGE H. ACKLEY 1935-1975
HARTLEY H. BUSH 1954-1995

LEO MILCH 1948-1997
THOMAS N. HALLINAN 1966-2006
THOMAS P. HALLINAN 1994-PRESENT

R-2. The City of Patterson's current and future City Council's should research and attend a training seminar/workshop provided by the California League of Cities...

Although Respondent disagrees with the Grand Jury's reasoning for attendance, the City Council will attend such trainings in the future as finances permit.

R-3. The City of Patterson shall be in full compliance with the Public Records Act and not hide behind the umbrella of "Attorney-Client Privilege" to avoid producing formal public documents.

Respondent will continue to fully comply with the Public Records Act. The Grand Jury has the power to make allegations, findings and recommendations. The Grand Jury does not have the power to abrogate the Constitutional rights of the City pursuant to the Public Records Act or any other legal authority. If the City ignored its right to the Attorney-Client Privilege, it could unnecessarily subject the residents of Patterson to tremendous financial loss.

R-4. The City of Patterson shall take the steps necessary to seek repayment from the landlord/developer for expenses paid to him/her...

Respondent disagrees with the reasons and findings of this recommendation as set forth repeatedly in this document.

R-5. The SCCGJ recommends that the Patterson City Council create an ordinance that requires members of appointed boards and commissions complete AB 1234 ethics training.

Respondent disagrees with this recommendation. Again, AB 1234 does not require this training, and there is no evidence that this is a problem for the City's Commissions.