

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

ORDINANCE NO. 1342

**AMENDING SECTION 4.16.030 OF THE TRACY MUNICIPAL CODE TO
AMEND THE DEFINITIONS TO INCLUDE "SENSITIVE AREAS"
CONSISTING OF DESIGNATED PARKS AND A 1000-FOOT BUFFER
AROUND SUCH PARKS**

WHEREAS, the City of Tracy (City) owns and/or controls extensive public assets within its jurisdictional limits; and

WHEREAS, the City Council, as the legislative body of the City of Tracy, has established, pursuant to its police powers and as reflected in the Tracy Municipal Code (TMC), rules and procedures for all residents to safely utilize and enjoy, as appropriate, such City assets; and

WHEREAS, On January 3, 2017, to specifically address ongoing issues occurring in parks and other public areas, the City Council adopted Ordinance 1229 amending Tracy Municipal Code (TMC) Section 4.16.180 – Unlawful Acts in Parks and Public Areas, delineating numerous prohibited activities in parks and public areas, including, but not limited to: storage of personal items, dumping garbage, open fires, alcohol use, and urination/defecation; and

WHEREAS, notwithstanding the adoption of Ordinance 1229, unpermitted activities within the City's parks and public areas continued to pose significant health and safety hazards to the residents of the City, and in particular, the youth; and

WHEREAS, in response to public concerns and City Council direction, staff provided an informational report to the City Council on May 17, 2022, regarding proposed amendments to TMC Chapter 5.12 (Camp Cars and Trailers) and TMC Chapter 4.16 (Use of Parks and Public Areas) that would further clarify prohibited acts in parks and public areas and strengthen the City's enforcement authority with respect to such acts; and

WHEREAS, staff presented a proposed Omnibus Ordinance effectuating the proposed amendments at the August 4, 2022, Parks and Community Services Commission meeting and at the August 22, 2022, Homelessness Advisory Committee meeting; and

WHEREAS, staff incorporated comments received and presented the proposed Omnibus Ordinance to the City Council on September 6, 2022, which the City Council adopted as Ordinance No. 1332; and

WHEREAS, notwithstanding the adoption of Ordinance 1332, the City's parks continue to be utilized for unpermitted activities, including camping and sleeping, that create unsafe and unsanitary conditions for the youth population of the City, who primarily utilize these parks; and

WHEREAS, the ongoing unpermitted activities also cause environmental degradation of the soils, waters and walkways of the parks; and

WHEREAS, various California statutes, under differing legal precepts and rights, have recognized the importance of regulating certain activities strictly at or near sensitive areas, so as to protect such sensitive areas most effectively; and

WHEREAS, some of the sensitive areas recognized under California law are environmentally sensitive habitat areas, schools, day cares, playgrounds, and other primarily youth areas; and

WHEREAS, some of the activities that are strictly regulated by California law at or near such sensitive areas are firearms, tobacco, cannabis, and alcohol; and

WHEREAS, cities across the State are actively taking steps to protect sensitive areas against unpermitted camping and sleeping; and

WHEREAS, based on the legal precepts and rights already codified in State law and to be further codified by future laws, staff proposes that the City Council amend Chapter 4.16 of the TMC to expressly define "sensitive areas" as certain "parks" within the City, so as to enable such public assets to be safely utilized by youth; and

WHEREAS, under TMC § 4.16.030, a "Park" is broadly defined as, "all City parks, community buildings and grounds, athletic facilities, open space areas and other grounds and facilities owned or operated by the City for park, recreation or open space purposes"; and

WHEREAS, on November 2, 2023, staff presented at the Parks and Community Services Commission (Commission) meeting, a proposal to designate a defined subcategory of "parks" and a 1,000-foot radius around such parks as "sensitive areas"; and

WHEREAS, the subcategory of parks consists of the subcategories of current and future planned City parks, including sports complexes, special use parks, community parks, neighborhood parks, linear parks and mini parks, totaling approximately 81 City parks, that are specifically described in the Parks, Recreation, and Trails Master Plan (Parks Master Plan) adopted by the City Council on October 4, 2022 (Resolution 2022-150), as follows:

(1) Neighborhood parks: Medium-sized parks that provide recreation opportunities within walking or biking distance for residents in one or more neighborhoods;

(2) Linear parks: A linear park provides trails and other recreational opportunities, allows for uninterrupted and safe pedestrian and bicycle movement throughout the community, and protects open space corridors;

(3) Community parks: large parks that provide opportunities for community-scale facilities to serve a substantial portion of the City;

(4) Sports complexes: Sports complexes are parks that are primarily devoted to sports fields, play courts, and other facilities for organized athletics;

(5) Mini parks: Mini parks are small-sized parks that provide basic recreation amenities for nearby residents in a specific neighborhood or subdivision; they create locally desired amenities and achieve the goals for all parks in this master plan, including comfort, inclusivity, maintenance, and sustainability;

(6) Special use parks: Special use parks are designed around a specialized facility or site use, such as an aquatic center or indoor recreation /community center, or to create a unique experience, such as a nature park or a downtown plaza;

WHEREAS, the Commission, passed with a 4-0-0 vote, staff's proposal and recommended that it be presented to the City Council for consideration and adoption; and

WHEREAS, so designating such areas as "sensitive areas" will enable the City to more effectively enforce against competing and prohibited uses that hinder or prevent safe use by youth; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRACY DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals/Findings. The City Council finds and determines the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City.

SECTION 2. Amendment of Section 4.16.030– Definitions. Section 4.16.030 of the Tracy Municipal Code is hereby amended by as set forth in the attached Exhibit 1

SECTION 3. CEQA Determination. The City Council finds that this Ordinance is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(B)(3) pertaining to activities that do not have the potential for causing a significant effect on the environment.

SECTION 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. Effective Date. This ordinance shall become effective upon the thirtieth (30th) day after final adoption.

SECTION 6. Publication. The City Clerk is directed to publish this ordinance in a manner required by law.

SECTION 7. Codification. This Ordinance shall be codified in the Tracy Municipal Code.


* * * * *

The foregoing Ordinance 1342 was introduced at a regular meeting of the Tracy City Council on the 5th day of December 2023, and finally adopted on the 19th day of December, 2023, by the following vote:

AYES: COUNCIL MEMBERS: ARRIOLA, BEDOLLA, EVANS, DAVIS, YOUNG
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTENTION: COUNCIL MEMBERS: NONE



NANCY D. YOUNG
Mayor of the City of Tracy, California



ATTEST:
ADRIANNE RICHARDSON
City Clerk and Clerk of the Council of the City of
Tracy, California

Date of Attestation: 12/28/2023

NOTICE AND DIGEST

AN ORDINANCE AMENDING SECTION 4.16.030 OF THE TRACY MUNICIPAL CODE TO AMEND THE DEFINITIONS TO INCLUDE "SENSITIVE AREAS" CONSISTING OF DESIGNATED PARKS AND A 1000-FOOT BUFFER AROUND SUCH PARKS

This Ordinance 1342 amends Section 4.16.030 of the Tracy Municipal Code to amend the Definitions to include "sensitive areas" consisting of designated parks and a 1000-foot buffer around such parks to more effectively enforce against unpermitted uses. This Ordinance emphasizes the importance of protecting designated Parks where youth-oriented activities and amenities are located against unpermitted activities.

EXHIBIT 1

Chapter 4.16.030 (Definitions) is hereby amended as follows:

1) Amending the following definition to include the new language, as shown with underlining:

"Park" means all City parks, Sensitive Areas, community buildings and grounds, athletic facilities, open space areas and other grounds and facilities owned or operated by the City for park, recreation or open space purposes

2) Adding the following new definition, as shown with underlining:

"Sensitive Area" means a 1,000-foot radius surrounding any City Park falling into one or more of the following categories, as set forth in the Parks Master Plan (which may be amended from time to time):

(1) Neighborhood parks: Medium-sized parks that provide recreation opportunities within walking or biking distance for residents in one or more neighborhoods;

(2) Linear parks: A linear park provides trails and other recreational opportunities, allows for uninterrupted and safe pedestrian and bicycle movement throughout the community, and protects open space corridors;

(3) Community parks: Large parks that provide opportunities for community-scale facilities to serve a substantial portion of the City;

(4) Sports complexes: Sports complexes are parks that are primarily devoted to sports fields, play courts, and other facilities for organized athletics;

(5) Mini parks, page: Mini parks are small-sized parks that provide basic recreation amenities for nearby residents in a specific neighborhood or subdivision;

(6) Special use parks: Special use parks are designed around a specialized facility or site use, such as an aquatic center or indoor recreation /community center, or to create a unique experience, such as a nature park or a downtown plaza.

Tracy Press

PROOF OF PUBLICATION

Stamp

(2015.5 C.C.P.)

STATE OF CALIFORNIA County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years, and not a part to or interested in the above entitled matter; I am the principal clerk of the printer of the Tracy Press, a newspaper of general circulation, printed and published one time a week on Friday in the City of Tracy, California, County of San Joaquin, and which of newspaper has been adjudged a newspaper of general circulation by the Superior Court, Department 4, of the County of San Joaquin, State of California, under the date of June 30, 1952, Case Number 53686; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit;

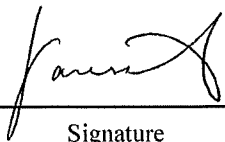
December 22

all in the year, 2023

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Tracy, California, this 11th

day of January 2024



Signature

PROOF OF PUBLICATION

Public Notice #0006 & #0007

CITY OF TRACY

ORD. 1342 & 1343

- SEE ATTACHED -

PROOF OF PUBLICATION

LEGALS 5

PUBLIC NOTICE

No. 0001
PUBLIC AUCTION LIEN SALE
Tracy Mini Lien Sale
385 Enterprise Pl
Tracy CA. 95304
209-835-3000

Notice is hereby given that the undersigned intends to sell the personal property described below to enforce a lien imposed on said property pursuant to Sections 21700 through 2176 of the Business and Professions Code, Section 535 of the Penal Code and provisions of the Civil Code. The Undersigned will sell at the public sale by competitive bidding on the 17TH of January 2024 at 3:00pm, on the premises where said property has been stored and which is located at 385 Enterprise Pl Tracy, CA. 95304. The following items consist of:
Lester, Deborah C48: Boxes, Chairs, Dresser, Pictures, Tables, Misc Totes
Higa, Matthew C82: Bags, Boxes, Chairs, Shelves, Tools, Misc Totes
Gebai, Yordanos F192: Boxes, Dishes, Shelves, Table, Misc
Gebai, Yordanos J315: Bags, Boxes, Chairs, Freezer, Ladder, Pictures, Television, Misc
Anderson, Tim J323: Bags, Boxes, Clothing, Lamps, Sofa, Table, Misc Totes
Ourdoune, Joni R507: Bike, Boxes, Lamp, Ladders, Tool Box, Night Stand, Tools, Misc
Silva, Jeff S577: Boxes, Power Tools, Shelves, Trunk, Snowboard, Misc
Oliver, Chynna W762: Bags, Boxes, Lamps, Misc
Ciaccio, Ashley G234: Desk, Dresser, Bedroom Set, Night Stand, Table, Misc
Espinoza, Alfredo W797: Bags, Chairs, Oxygen Tank, Misc
Summers, Stephen W761: Bags, Boxes, Misc

Purchases must be paid for at the time of purchase in CASH. All purchased items sold AS IS WHERE IS and must be removed within time given. Sale subject to cancellation in the event of settlement between the owner and the obligated party.

Auction services conducted by: Storage Auction Experts
Lock out by Storage Auction Expert
Dated December 22nd 2023
John Cardoza #5860870

Tracy Press: Jan. 5 & 12th 2024

PUBLIC NOTICE

No. 0002
PUBLIC NOTICE
RECLAMATION DISTRICT
NO. 17 - MOSSDALE TRACT
SAN JOAQUIN COUNTY,
CALIFORNIA

KSN Job No. 0856-9024
Sealed bids will be received at the office of Kjeldsen, Sinnock & Neudeck, Inc., located at 711 N. Pershing Avenue, Stockton, California 95203, until 11:00 a.m. on Wednesday, January 17, 2024, at which time the Bids received will be publicly opened and read for the Mossdale Tract, Dryland Levee Road Repairs Project.
The Project includes subgrade preparation and placement of Class II aggregate base.
Bids will be received for a single prime contract. Bids shall be on a unit price basis.
Electronic PDF Bidding Documents may be obtained at:
Kjeldsen, Sinnock & Neudeck, Inc.
Attn: Joseph Prescott
711 N. Pershing Avenue
Stockton, CA 95203
Phone: (209) 946-0268
Email: jprescott@ksninc.com
Bidders shall be skilled, regularly engaged and licensed in the general class or type of work specified and possess a valid California Class "A" or Class "C-12" Contractor's License.
In accordance with the provisions of the State of California Labor Code §1770 et seq., the Director of the Department of Industrial Relations

Legals 5

PUBLIC NOTICE

(DIR) has ascertained the general prevailing rate of wages applicable to the Work to be done. Bidders shall be registered with the DIR pursuant to Labor Code §1725.5 to be qualified to bid on or engage in the performance of work under this Contract. These requirements extend to all Subcontractors to be listed on a bid proposal or engage in the performance of work under this Contract.
Bid security shall be furnished in accordance with the Instructions to Bidders.

Technical, construction, and Project inquiries and questions should be directed to Joseph Prescott (jprescott@ksninc.com) at (209) 946-0268. Estimated cost of project construction is \$140,000.
District Engineer:
Christopher H. Neudeck, P.E.
Kjeldsen, Sinnock & Neudeck, Inc.
711 N. Pershing Avenue
Stockton, California 95203
Dated: January 3, 2023

Tracy Press: Jan. 5 & 12, 2024

PUBLIC NOTICE

No. 0004
ORDER TO SHOW CAUSE FOR
CHANGE OF NAME
CASE NUMBER
STK-VC-UNC-2023-14280

TO ALL INTERESTED PERSONS:
Petitioner: RODNEY DALE LETLOW II filed a petition with this court for a decree changing names as follows:
Present Name:
A. RODNEY DALE LETLOW II

Proposed Name:
A. RODNEY DALE WOODARD
THE COURT ORDERS that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

NOTICE OF HEARING
Date: FEBRUARY 16, 2024
Time: 11:00 AM
Dept.: 3A

The address of the court is:
SAN JOAQUIN COUNTY
SUPERIOR COURT OF
CALIFORNIA,
180 E. Weber Ave.
Stockton, CA 95202
A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county:
TRACY PRESS.
Date: DECEMBER 26, 2023
KATY E. JACOT, JUDGE
Judge of the Superior Court

Tracy Press: Jan. 5, 12, 19, 26 2024

**Has your Fictitious
Business Name
Statement expired?**
To renew, call
(209) 830-4216



LEGALS 5

PUBLIC NOTICE

No. 0005
NOTICE OF PETITION TO
ADMINISTER ESTATE OF:
SABRINA ARELLANO
CASE NUMBER:
STK-PR-EST-2023-0001421

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of:
SABRINA ARELLANO
A Petition for Probate has been filed by:

SIERRA DAVIS
in the Superior Court of California, County of San Joaquin
The Petition for Probate requests that: SIERRA DAVIS be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held in this court as follows:
Date: JANUARY 22, 2024
Time: 10:00 a.m. Dept.: 11A
located at:
Superior Court of California,
County of San Joaquin
180 East Weber Avenue
Stockton, CA 95202

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of the mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

ATTORNEY FOR PETITIONER:
PETER CIANCHETTA
3125 Dwyrd Rd Ste 300
Elk Grove, CA 95758
916-685-7878

Tracy Press: Jan. 5, 12, 19 2024

**Need help Check out the
Business Service Directory!**

LEGALS 5

PUBLIC NOTICE

No. 0006
CITY OF TRACY CITY COUNCIL
PUBLIC HEARING NOTICE

The City of Tracy City Council will conduct a Public Hearing on Tuesday, January 16, 2024, at 7:00 p.m., or as soon thereafter as possible, in the Tracy City Council Chambers, 333 Civic Center Plaza, Tracy, to consider the following:

City Council and the Tracy Public Financing Authority Board will 1) conduct a public hearing relating to the issuance of lease revenue bonds by the Tracy Public Financing Authority, and 2) consider authorization of the sale and issuance of lease revenue bonds in the aggregate principal amount not exceeding \$60,000,000 to provide financing for the acquisition and construction of the multi-generational recreation center, improvements to El Pescadero park and related public improvements, declaring the intention to reimburse expenditures related to such public improvements, providing for approval of related documents, and directing related actions.

The proposed lease financing will provide funds for the acquisition and construction of, among other public capital improvements, a multi-generational recreation center in El Pescadero Park and improvements to El Pescadero Park. In connection with the lease financing, the City will lease certain real property and improvements to the Authority, and the Authority will lease such property back to the City.

The public may view the City Council meetings live on the City of Tracy's website at www.CityofTracy.org or on Channel 26. To view from the City's website, select "Watch Live Council Meetings" from the drop-down menu "Select an Online Service" at the top of the City's homepage. You will be directed to the "Council Meeting Videos" page where you may select the video for the appropriate date under "Upcoming Events."

All interested persons may submit statements in writing via email to publiccomment@cityoftracy.org before the start of the Council meeting at 7:00 p.m. Please identify this item in the subject line of your email; or submit statements orally by visiting the City's WebEx Event at <https://cityoftracyevents.webex.com> and using the following Event Number: 2557 340 2591 and Event Password: TracyCC; or via phone by dialing (209) 831-6200 during the public comment portion of this item. If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.

Should you decide to challenge the decision of the City Council, you may be limited to those issues that were raised for consideration at the hearing.

Information concerning this matter may be directed to the Finance Department, 333 Civic Center Plaza, (209) 831-6200 or the Director of Finance, Sara Cowell at sara.cowell@cityoftracy.org.

Adrianne Richardson
CITY CLERK

Tracy Press: Jan. 5, 2024



LEGALS 5

PUBLIC NOTICE

No. 0007
CITY OF TRACY CITY COUNCIL
PUBLIC HEARING

The City of Tracy City Council will conduct a Public Hearing on Tuesday, January 16, 2024, at 7:00 p.m., or as soon after as possible, in the Tracy City Council Chambers, 333 Civic Center Plaza, Tracy, to consider the following:

Adopt the Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program, in accordance with the California Environmental Quality Act, for the Multi-Generational Recreation Center and El Pescadero Park Improvement Project, Capital Improvement Project (CIP) 78178 and authorize the City Manager to execute and file the notice of determination. The City of Tracy proposes to redevelop the existing El Pescadero Park to create a new multi-generational recreation center on West Grant Line Road in Tracy.

The proposed multi-generational recreation center would consist of an approximately 61,300-square-foot, two-story building with a maximum height of approximately 35 feet that would include a three-court gymnasium, two multi-purpose rooms, kitchen, entry lobby, bouldering wall, teen lounge and technology area, makers space, restroom, offices, elevated running track and outdoor courtyard. Additional park improvements would include relocation and renovation of the existing dog park, skate park and basketball courts and installation of new trails, landscaping and lighting. In addition, the existing parking lot would be reconfigured, and new parking stalls added to expand the overall parking capacity and the existing access road/driveway from West Grant Line Road would be extended through the existing parking lot and along the southern and eastern boundaries of the site, connecting to West Kavanaugh Avenue at the northern boundary of the project site.

The public may view the City Council meetings live on the City of Tracy's website at www.CityofTracy.org or on Channel 26. To view from the City's website, select "Watch Live Council Meetings" from the drop-down menu "Select an Online Service" at the top of the City's homepage. You will be directed to the "Council Meeting Videos" page where you may select the video for the appropriate date under "Upcoming Events."

All interested persons may submit statements in writing via email to: publiccomment@cityoftracy.org before the start of the Council meeting at 7:00 p.m. Please identify this item in the subject line of your email; or submit statements orally by visiting the City's WebEx Event at <https://cityoftracyevents.webex.com> and using the following Event Number: 2557 340 2591 and Event Password: TracyCC. If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.

Should you decide to challenge the decision of the City Council, you may be limited to those issues that were raised for consideration at the hearing.

Information concerning this matter may be obtained at the Department of Parks & Recreation, 333 Civic Center Plaza, at 209-831-6200. Specific questions may be directed to Richard Joaquin, Parks Planning & Development Manager, (209) 831-6235, or email richard.joaquin@cityoftracy.org.

ADRIANNE RICHARDSON
City Clerk

Tracy Press: Jan. 5, 2024

LEGALS 5

PUBLIC NOTICE

No. 0008
SUPERIOR COURT OF THE STATE
OF CALIFORNIA
FOR THE COUNTY OF CALAVERAS

Case No: 23FL47023
CITATION TO PARENT
Date: FEBRUARY 16, 2024
Time: 8:30 am
Dept: 2

In the Matter of the Adoption Petition of:

ENRIQUE ISIDRO ALCANTAR-HERNANDEZ

Adopting Parent:
YOVANY BLADIMIR CORTEZ PORTILLO

THE PEOPLE OF THE STATE OF CALIFORNIA
TO: ISIDRO ALCANTAR SALDANA

By order of this court you are hereby advised that you may appear before the judge residing in Department 2 of this court on FEBRUARY 16, 2024 at 8:30am then and there to show cause, if any you have, why ENRIQUE ISIDRO ALCANTAR-HERNANDEZ should not be declared free from your custody and control for the purpose of freeing ENRIQUE ISIDRO ALCANTAR-HERNANDEZ for placement for adoption. The following information concerns rights and procedures that relate to this proceeding for the termination of custody and control of said minor as set forth in Family Code Section 7860 et seq:

- At the beginning of the proceeding the court will consider whether or not the interests of the minor child require the appointment of counsel. If the court finds the interests of the minor child do require representation by counsel, the court shall appoint counsel to represent the child, whether or not the child is able to afford counsel. The child shall not be present in court unless the child so requests or the court so orders.
- If the parent of the minor appears without counsel and is unable to afford counsel, the court shall appoint counsel for the parent, unless the parent knowingly and intelligently waives the right to be represented by counsel. The court will not appoint the same counsel to represent both the minor and his/her parent.
- The court may appoint either the public defender or private counsel. Private counsel appointed under this article shall receive a reasonable sum for compensation and expenses, the amount of which shall be determined by the court. The amount so determined shall be paid by the real parties of interest, other than the child, in proportions the court deems just. However, if the court finds that any of the real parties in interest are unable to afford counsel, the amount shall be paid out of the general fund of the county.
- The court may continue the proceeding for not more than thirty (30) days as necessary to appoint counsel to become acquainted with the case. Dated: October 10, 2023
M. SMITH
Clerk of the Superior Court

Tracy Press: Jan. 5, 12, 19, 26 2024

**Found a
LOST PET?**
Call the
Tracy Animal Shelter
at
209-831-6364