

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

December 11, 2017

CALL TO ORDER:

5:00 PM

ROLL CALL:

Creighton _____, Raymond _____, Vierra _____, Vineyard _____, Price_____

CLOSED SESSION: (Council Chambers)

Adjourn to Conference Room A

- a. **Conference with Legal Counsel – Potential Litigation – Government Code Section 54956.9(b): Number of cases: (2)**
- b. **Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: Deputy City Attorney Henderson and Human Resources Director Del Real; Bargaining Units: Atwater Police Officers Association and AFSCME Local 2703 – Miscellaneous Unit and Clerical Unit**
- c. **Pursuant to Government Code Section 54957, Public Employee Appointment: Interim City Manager**

REGULAR SESSION: (Council Chambers)

6:00 PM



CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

ROLL CALL:

Creighton _____, Raymond _____, Vierra _____, Vineyard _____, Price_____

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

SUBSEQUENT NEED ITEMS: (The City Clerk shall announce any requests for items requiring immediate action subsequent to the posting of the agenda. Subsequent need items require a two-thirds vote of the members of the City Council present at the meeting.)

APPROVAL OF AGENDA AS POSTED OR AS AMENDED: (This is the time for the City Council to remove items from the agenda or to change the order of the agenda.)

Staff's Recommendation: Motion to approve agenda as posted or as amended.

PRESENTATIONS:

- **Monthly verbal report by Merced County District 3 Supervisor McDaniel**

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

At this time any person may comment on any item which is not on the agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda.

To comment on an item that is **on** the agenda, please wait until the item is read for consideration; please limit comments to a maximum of five (5) minutes.

Civility is expected from members of the public during the meeting. For more efficient use of time, disruptive behavior will not be tolerated. While you may not agree with what an individual is saying, please treat everyone with courtesy and respect.

CONSENT CALENDAR:

NOTICE TO THE PUBLIC

Background information has been provided on all matters listed under the Consent Calendar, and these items are considered to be routine. All items under the Consent Calendar are normally approved by one motion. If discussion is requested on any item, that item will be removed from the Consent Calendar for separate action.

WARRANTS:

- 1. December 13, 2017**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Regular meeting, November 13, 2017**
b) Special meeting, November 29, 2017

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Community Development and Resources Commission)

3. Regular meeting, October 18, 2017

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:

4. Adopting Policy and Procedure 17-1 naming or dedicating City parks, recreation facilities, memorial benches, memorial bricks, City buildings and facilities (Recreation Supervisor Rahn)

Staff's Recommendation: Adoption of Resolution No. 2999-17 adopting Administrative Policy and Procedure 17-1, "Procedure for Naming or Dedicating City Parks, Recreation Facilities, Memorial Benches, Memorial Bricks, City Buildings and Facilities."

AGREEMENTS:

5. Ratifying approval of Addendum No. 1 to Professional Services Agreement between the City of Atwater and VVH Consulting Engineers (Interim Community Development Director Waterman)

Staff's Recommendation: Ratifies approval of Addendum No. 1 to the Professional Services Agreement between the City of Atwater and VVH Consulting Engineers, in a form approved by the City Attorney, for Planning and Community Development services; and authorizes and directs the Interim City Manager to execute the Addendum on behalf of the City.

6. Approving Cost Sharing/Funding Agreement between the City of Atwater and Merced County Association of Governments for Pavement Management System Data Collection and Software (Interim City Manager Bramble)

Staff's Recommendation: Approval of Cost Sharing/Funding Agreement between the City of Atwater and Merced County Association of Governments (MCAG), in a form approved by the City Attorney, for Pavement Management System Data Collection and Software; and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

7. Awarding a Cooperative Purchase Agreement for purchase of one (1) new Tarco Leaf Loader Truck (Interim Public Works Director Shaw)

Staff's Recommendation: Awards a Cooperative Purchase Agreement, in a form approved by the City Attorney, to Municipal Maintenance Equipment, Sacramento, California for the purchase of one (1) new Tarco

Typhoon Model 1017 mounted on a 2018 Freightliner Model M2 106 chassis in an amount not to exceed \$198,475.51; and authorizes and directs the Interim City Manager to execute the Purchase Agreement on behalf of the City.

8. Awarding a Cooperative Purchase Agreement for purchase of one (1) new Spaulding Patcher (Interim Public Works Director Shaw)

Staff's Recommendation: Awards a Cooperative Purchase Agreement, in a form approved by the City Attorney, to Municipal Maintenance Equipment, Sacramento, California for the purchase of one (1) new 6-ton Spaulding Slip-in Patch Body in an amount not to exceed \$112,201.13; and authorizes and directs the Interim City Manager to execute the Purchase Agreement on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

9. Waiving the second reading and adopting Ordinance No. CS 987 amending Chapter 3.04 "Purchasing System" and adopting resolution repealing and readopting the City of Atwater Purchasing System Manual (Deputy City Attorney Ruppel)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 987 amending Chapter 3.04 "Purchasing System" of the Atwater Municipal Code; and adoption of Resolution No. 2985-17 repealing and readopting the City of Atwater Purchasing System Manual pursuant to Chapter 3.04 "Purchasing System" of the Atwater Municipal Code.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

10. Police Department activities and projects for the month of November, 2017 (Police Chief Joseph)

11. Police Volunteer activities for the month of November, 2017 (Police Volunteer Vineyard)

12. Fire Department activities and projects for the month of November, 2017 (CAL FIRE Battalion Chief Wight)

13. Water Well Levels for the month of November, 2017 and Water Well Levels for 2016 (Interim Public Works Director Shaw)

FUNDING AND BUDGET MATTERS:

14. Treasurer's Report for the month of November, 2017 (City Treasurer Heller)

Staff's Recommendation: Motion to approve the Treasurer's Report for the month of November, 2017; or

Motion to approve staff's recommendation as presented.

CITY ATTORNEY REPORTS:

15. Ratifying approval of Letter Agreement/Addendum to Interim City Manager Employment Agreement extending term through December 31, 2017, and ratifying Interim City Manager Employment Agreement with Art De Werk

Staff's Recommendation: Motion to ratify approval of the Letter Agreement/Addendum to Interim City Manager John Bramble's Employment Agreement extending the term through December 31, 2017; to authorize and direct the Mayor to execute the Letter Agreement/Addendum on behalf of the City; to ratify the approval of the Interim City Manager Employment Agreement with Art de Werk; and to authorize and direct the Mayor to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

INTERIM CITY MANAGER REPORTS/UPDATES

16. Fiscal Year 2017-18 Budget review and adopting resolution approving budget amendment

Staff's Recommendation: That the City Council review Fiscal Year 2017-18 Budget; and motion to adopt Resolution No. 3001-17 approving Budget Amendment No. 5 amending the Fiscal Year 2017-18 Budget; or

Motion to approve staff's recommendation as presented.

18. Verbal report regarding proposed marijuana cultivation process and fees

CITY COUNCIL MATTERS:

19. City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City Clerk of the City of Atwater, do hereby certify that a copy of the foregoing agenda was posted at City Hall a minimum of 72 hours prior to the meeting.



DON HYLER III, CITY CLERK

SB 343 NOTICE

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the office of the City Clerk at City Hall during normal business hours at 750 Bellevue Road.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 750 Bellevue Road.



In compliance with the Federal Americans with Disabilities Act of 1990, upon request, the agenda can be provided in an alternative format to accommodate special needs. If you require special accommodations to participate in a City Council, Commission, or Committee meeting due to a disability, please contact the City Clerk's Office a minimum of three (3) business days in advance of the meeting at 357-6205. You may also send the request by email to lrasmussen@atwater.org.