

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

April 10, 2017

CALL TO ORDER:

5:00 PM

ROLL CALL:

Creighton ____, Raymond ____, Vierra ____, Vineyard ____, Price__

CLOSED SESSION:

Adjourn to Conference Room A

- a. **Conference with Legal Counsel - Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (3)**
- b. **Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a): Name of case: Gonzales vs. City of Atwater, Case Number: CV002234**
- c. **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**

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 SESSIONS:

- **Special meeting April 10, 2017 at 1:00 PM**
- **April 10, 2017 at 5:00 PM**

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**

CEREMONIAL MATTERS:

- **Certificates of Appreciation to Heller Park volunteers**

Staff's Recommendation: That Mayor Price and Mayor Pro Tem Vineyard make the presentation to Mr. Francisco Sandoval, Mr. Froylan Aguilar Bucio, and Mr. Victor Avila for cleaning and maintaining Heller Park, keeping the park cement areas clear of graffiti and for their community involvement with the youth surrounding Heller Park.

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. April 10, 2017

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Regular meeting, March 27, 2017**
- b) Adjourned meeting, March 28, 2017**

Staff's Recommendation: Approval of minutes as listed.

AWARD OF BIDS:

- 3. Awarding contract for the purchase of two (2) Dump Trucks (Interim City Manager McBride)**

Staff's Recommendation: Awards a contract, in a form approved by the City Attorney, for the purchase of two (2) new Title 23, Tier 4 Dump Trucks, City Project No. 14-11, Bid Call No. 676-17 to Fred M. Boerner Motor Co., Huntington Park, California in the amount of \$214,750.18; and authorizes the City Manager or his designee to execute the contract agreement on behalf of the City.

- 4. Awarding contract for Congestion Management and Air Quality (CMAQ) Project CML 5254(020), Buhach Road Sidewalk Infill Project (Interim City Manager McBride)**

Staff's Recommendation: Awards a contract, in a form approved by the City Attorney, for construction of Buhach Road Sidewalk Infill Project, City Project No. 14-4, to FBD Vanguard Construction, Livermore, California in the amount of \$127,825; and authorizes the City Manager to execute the contract agreement on behalf of the City.

CLAIMS AGAINST THE CITY: (Note to the Public: Portions of this claim have been redacted because they do not affect the City Council's ability to make a decision on the claim. The claim however, is a public document and can be made available upon request by members of the public. If you have any questions or would like to request this document, please contact the City Clerk's office at (209) 357-6205).

- 5. Claim No. 2017-1**

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2017-1 be rejected

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

- 6. Police Department activities and projects for the month of March, 2017 (Police Chief Joseph)**

7. **Police Volunteer activities for the month of March, 2017** (Police Volunteer Vineyard)
8. **Fire Department activities and projects for the month of March, 2017** (CAL FIRE Battalion Chief Pimentel)

REPORTS AND PRESENTATIONS FROM STAFF:

9. **Verbal update regarding code enforcement activities and potential code modifications relating to nuisance abatement** (Code Enforcement Officer Velazquez)
10. **Approving Budget Amendment No. 4 regarding the purchase and retrofitting of two (2) Fire Command vehicles** (CAL FIRE Battalion Chief Pimentel)

Staff's Recommendation: Motion to adopt Resolution No. 2941-17 approving Budget Amendment No. 4 regarding the purchase and retrofitting of two fire command vehicles; to award a cooperative purchase of two command vehicles to Courtesy Chevrolet of San Diego, California, in an amount not to exceed \$87,288.54; and to authorize and direct the City Manager to execute the purchase agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

11. **Discussion regarding contracting with Open.gov to provide the Smart Government Platform™** (Requested by City Council Member Raymond)

Recommendation: That the City Council, by motion, provide staff with direction regarding contracting with Open.gov to plan, operate, communicate with elected bodies and citizens, budget more effectively, make smarter data-driven decisions, and achieve greater financial transparency.

12. **Discussion and possible action regarding suspending video production of City Council meetings** (Requested by City Council Member Vierra)

Recommendation: That the City Council, by motion, provide staff with direction regarding the suspension of video production of City Council meetings until trip hazards caused from camera wires have been eliminated.


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 jdreal@atwater.org.