

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

April 11, 2016

CALL TO ORDER:

5:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Bergman____, Raymond ____, Rivero____, 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: (1)**
- b. **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: Community Development Director McBride**

**Property Locations: 005-070-032
001-134-015**

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

ROLL CALL:

Bergman____, Raymond ____, Rivero____, 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. **April 11, 2016**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **Regular meeting, March 28, 2016**

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

- 3. Awarding Professional Services Agreement with Davey Resource Group for Urban Forest Master Plan and Canopy Coverage Analysis** (Interim Public Works Director Faretta)

Staff's Recommendation: Awards a contract, in a form approved by the City Attorney, for professional services for Urban Forest Master Plan and Canopy Coverage Analysis, City Project No. 16-12, to Davey Resource Group of Atascadero, California in an amount not to exceed \$93,912; and authorizes and directs the City Manager to execute the Professional Services Agreement on behalf of the City.

REPORTS:

- 4. Monthly review of local drought emergency** (City Attorney Terpstra)

Staff's Recommendation: Reaffirms the facts and findings in Resolution No. 2823-15 declaring the existence of a local drought emergency.

- 5. Ratifying urgency purchase and installation of two (2) Redundant Servers to provide telephone service to City Hall, Corporation Yard, Community Center, Youth Center and Fire Stations** (City Manager Pietro)

Staff's Recommendation: Ratifies urgency purchase award to Quick PC Support, Inc., Modesto, California for the purchase and installation of two (2) Redundant Servers to provide telephone and voicemail service for City Hall, Corporation Yard, Community Center, Youth Center and Fire Stations in an amount not to exceed \$39,070.48.

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).

- 6. Claim No. 2016-8**

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2016-8 be rejected.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

- 7. Police Department/Code Enforcement Officer activities and projects for the month of March, 2016** (Police Lieutenant Joseph)

- 8. Police Volunteer activities for the month of March, 2016** (Police Volunteer Vineyard)
- 9. Fire Department activities and projects for the month of March, 2016** (CAL FIRE Battalion Chief Pimentel)
- 10. Public Works Department activities and projects for the month of March, 2016** (Interim Public Works Director Faretta)

REPORTS AND PRESENTATIONS FROM STAFF:

- 11. Adopting City Council Resolution No. 2879-16 approving Planned Development Final Development Plan No. 03-3 Amendment No. 2** (Community Development Director McBride)

Staff's Recommendation: That the City Council review Amendment No. 2 to the approved Planned Development Final Development Plan (PDFDP) No. 03-3; and adopt City Council Resolution No. 2879-16 approving PDFDP No. 03-3 Amendment No. 2; or

Motion to approve staff's recommendation as presented.

- 12. Approving Memorandum of Understanding setting forth certain items of agreement among agencies within the Merced Groundwater Subbasin following the Sustainable Groundwater Management Act** (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: That the City Council approve a Memorandum of Understanding setting forth certain items of agreement among agencies within the Merced Groundwater Subbasin following the Sustainable Groundwater Management Act; and authorize and direct the Mayor to execute the Memorandum of Understanding, in a form approved by the City Attorney, on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

- 13. City Council comments and requests for future agenda items**

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

Adjourn to City Council Chambers, 750 Bellevue Road, Atwater, on April 25, 2016 at 4:00 PM to hold a workshop on Agenda Policy and Rules of Order

CERTIFICATION:

I, Jeanna Del Real, 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.



JEANNA DEL REAL, CMC
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 at least 48 business hours in advance of the meeting at 357-6205. You may also send the request by email to jdelreal@atwater.org.