

**CITY OF ATWATER
CITY COUNCIL
AND
SUCCESSOR AGENCY TO THE ATWATER
REDEVELOPMENT AGENCY
AGENDA**

Council Chambers
750 Bellevue Road
Atwater, California

April 24, 2017

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain

ROLL CALL: (City Council/Governing Board/Board of Directors)

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.

CEREMONIAL MATTERS:

- **Atwater High School Winter Guard and Percussion Scholastic Regional A Central Valley Guard and Percussion Circuit Champions**

Staff's Recommendation: that Mayor Price and Council Member Creighton make presentations to the Atwater High School Winter Guard and Percussion champions.

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 24, 2017

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Special meeting, April 10, 2017**
b) Regular meeting, April 10, 2017

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

- 3. Approving Department of Transportation Program Supplemental Agreement No. F021 for Highway Safety Improvement Program (HSIP) Cycle 7 (Interim City Manager/Community Development Director)**

Staff's Recommendation: Adopts Resolution No. 2942-17, authorizing and directing the City Manager or his designee to execute any agreements or documents, in a form approved by the City Attorney, on behalf of the City, relating to HSIP Cycle 7 Project CML-5254(026).

AGREEMENTS:

4. **Approving the Purchase and Sale Agreement for the Long Range Property Management Plan Property 1** (Interim City Manager/Community Development Director)

Staff's Recommendation: Adopts Resolution No. SA 2017-3 approving the Purchase and Sale Agreement ("PSA") for Long Range Property Management Plan ("LRPMP") Property 1, 1222 Atwater Boulevard ("Property").

5. **Approving Contract and Budget Amendment regarding Affordable Housing consulting services** (Interim City Manager/Community Development Director)

Staff's Recommendation: Adopts Resolution No. 2950-17 approving professional services agreement Rosenow Spevacek. Inc., in a form approved by the City Attorney, for affordable housing consulting services for Fiscal Year ("FY") 2016-17 and authorizes and directs the City Manager to execute the agreement on behalf of the City of Atwater; and adopts Resolution No. 2951-17 approving Budget Amendment No. 5 regarding Affordable Housing Consulting Services.

6. **Awarding a cooperative purchase for three (3) new 2017 Utility Trucks** (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: Awards a cooperative purchase, in a form approved by the City Attorney, to Razzari Ford, 1234 Auto Center Drive, Merced, California, 95341 for the purchase of three (3) new 2017 utility trucks in an amount not to exceed \$90,935.50; and authorizes and directs the City Manager to execute the purchase agreement on behalf of the City.

7. **Approving Memorandum of Understanding forming the Merced Irrigation-Urban Groundwater Sustainability Agency** (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: Approves a Memorandum of Understanding forming the Merced Irrigation-Urban Groundwater Sustainability Agency; authorizes and directs the Mayor to execute the Memorandum of Understanding, in a form approved by the City Attorney, on behalf of the City; and sets a public hearing for May 8, 2017 to provide the public an opportunity to comment on the Memorandum of Understanding.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

8. **Public Works Department activities and projects for the month of March, 2017** (Interim Public Works Director Faretta)
9. **Water Well Levels for the month of March, 2017** (Water Division Manager/Chief Operator Shaw)

PETITIONS AND COMMUNICATIONS:

10. **Request to hold Red Ribbon Walk** (Community Member Miranda Medeiros)

Staff's Recommendation: Motion to approve request to hold a Red Ribbon Walk starting on Determine Drive to Bellevue Road down Winton Way to Winton Park on Saturday, October 28, 2017 from 10:00 AM – 1:00 PM.

Motion to approve staff's recommendation as presented.

FUNDING AND BUDGET MATTERS:

11. **Treasurer's Report for the month of March, 2017** (City Treasurer Heller)

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

Motion to approve staff's recommendation as presented.

12. **Quarterly Financial Update for Fiscal Year 2016/17** (Finance Director Deol)

INTERIM CITY MANAGER REPORTS:

13. **Policy issues related to possible amendments to existing medical marijuana codes and potential Commercial Marijuana Ordinance**

Staff's Recommendation: that City Council review draft ordinance and by motion provide staff with direction regarding policy issues related to possible amendments to Title 8, Chapter 8.52 Medical Marijuana, Title 17, Chapter 17.06 Definitions, and a potential Commercial Marijuana Ordinance – Title 17 Zoning, Chapter 17.75 Specific Uses.

REPORTS AND PRESENTATIONS FROM STAFF:

14. **Verbal update regarding code enforcement activities and potential code modifications relating to nuisance abatement** (Code Enforcement Officer Velazquez)

CITY COUNCIL MATTERS:

15. City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City Clerk/Board 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

AB 23 NOTICE:

Pursuant to Government Code Section 54952.3, City Council is not receiving additional compensation for serving as members of the Successor Agency to the Atwater Redevelopment Agency.

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.