

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

April 25, 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

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (4)

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.

CEREMONIAL MATTERS:

• **Firefighter of the Year**

Staff's Recommendation: That Mayor Price and CAL FIRE Battalion Chief Pimentel make the presentation to Fire Captain Robert Ayuso in recognition of Firefighter of the Year.

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 25, 2016

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. Regular meeting, April 11, 2016

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

3. **CSG Consultants, Inc. for Building Department administration, Building Official, inspection, and plan review services** (Community Development Director McBride)

Staff's Recommendation: Approval of Professional Services Agreement, in a form approved by the City Attorney, with CSG Consultants, Inc. (CSG) for Building Department administration, Building Official, inspection, and plan review/plan check services; and authorizes and directs the City Manager to execute the 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).

4. **Claim No. 2016-5**

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2016-5 be rejected.

PETITIONS AND COMMUNICATIONS:

5. **Amazing Grace Holiness Tabernacle for use of Ralston Park**

Staff's Recommendation: Approval of request from Amazing Grace Holiness Tabernacle for "City Reach" event and placement of gospel tent in Ralston Park from May 8-15, 2016.

6. **Atwater Pentecost Association for assistance with annual procession**

Staff's Recommendation: Approval of request from Atwater Pentecost Association for assistance with their annual Celebration of Holy Spirit Festa procession on Sunday, June 26, 2016, leaving Atwater Pentecost Club (APC) at 9:00 A.M. down Third Street, right on Broadway Avenue, right on Winton Way, and proceeding to Saint Anthony's Church and returning to APC down Winton Way, left on Grove Avenue, and right on Third Street.

FUNDING AND BUDGET MATTERS:

7. **Treasurer's Report for the month of March, 2016** (City Treasurer Heller)

Staff's Recommendation: Motion to approve the Treasurer's Report for the month of March, 2016; or

Motion to approve staff's recommendation as presented.

PETITIONS AND COMMUNICATIONS:

8. **Merced County ½ cent Sales Tax Transportation Expenditure Plan** (MCAG Executive Director Marjorie Kirn)

Recommendation: That the City Council, by motion, consider adopting a resolution approving the Transportation Expenditure Plan for Merced County and endorsing its approval by the citizens of Atwater and Merced County as a ballot measure in November 2016. Note: The next available resolution number is 2881-16.

CITY ATTORNEY REPORTS/UPDATES:

Update regarding medical marijuana regulations in the City of Atwater

REPORTS AND PRESENTATIONS FROM STAFF:

9. **Financial update – Fiscal Year ended June 30, 2016** (Finance Director Deol)

Staff's Recommendation: Motion to accept the report on the City's financial status as of June 30, 2016.

10. **Refinancing CalPERS Side Fund for the Miscellaneous and Safety Plans** (Finance Director Deol)

Staff's Recommendation: Motion to adopt Resolution No. 2880-16 approving the form and authorizing the execution and delivery of certain lease financing documents in connection with the refinancing of a portion of the City's outstanding unfunded accrued actuarial liability to the California Public Employees' Retirement System, and providing for other matters properly relating thereto; or

Motion to approve staff's recommendation as presented.

11. **Approving agreements for the purchase and sale of potable water for Merced County's Emergency Water Distribution Program (EWDP)** (Interim Public Works Director Faretta)

Staff's Recommendation: Motion to approve an agreement with The Confidence Ridge Company, LLC and with Bezak Liquid Transport, in a form approved by the City Attorney, for the purchase and sale of potable water for Merced County's Emergency Water Distribution Program (EWDP); and authorizing and directing the Mayor to execute the Agreements on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

12. Discussion and possible action regarding existing Water Conservation Code

Staff's Recommendation: That the City Council review the existing Water Conservation Code and provide staff with possible direction regarding any proposed changes to the Code.

13. City Council comments and requests for future agenda items

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

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.