

CITY OF ATWATER
CITY COUNCIL,
FIRE PROTECTION DISTRICT,
AND
SUCCESSOR AGENCY TO THE ATWATER
REDEVELOPMENT AGENCY
AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

August 14, 2017

CALL TO ORDER:

5:00 PM

ROLL CALL: (City Council)

Creighton ____, **Raymond** ____, **Vierra** ____, **Vineyard** ____, **Price**__

CLOSED SESSION:

Adjourn to Conference Room A

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (1)

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Mead

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

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:

- **Presentation to Atwater Police Cadets and Advisors**

Staff's Recommendation: That Mayor Price and Police Chief Joseph make the presentation to the Atwater Police Cadets and Advisors for assisting with traffic control during the 4th of July events.

- **Presentation of Adopt-A-Park signs for Heller Park and Walter Park**

Staff's Recommendation: That Mayor Pro Tem Vineyard make the presentation of Adopt-A-Park signs for Heller Park and Walter Park to the Neighborhood Watches and the City of Atwater.

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. **August 14, 2017**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. Regular meeting, July 10, 2017

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. Approving Housing Successor Agency Property Development and Disposition deadline extension (Interim City Manager Bramble)

Staff's Recommendation: Adoption of Housing Successor Agency Resolution No. HSA 2017-1 extending the period for Development or Disposition of Properties transferred from the former Atwater Redevelopment Agency.

AGREEMENTS:

4. Consideration of revised Atwater Police Department Tow Service Agreement and Rotational Tow Listing Application (Deputy City Attorney Ruppel)

Staff's Recommendation: Approval of the revised Tow Service Agreement and Rotational Tow Listing Application; and authorizes the Chief of Police to execute the Agreements with tow service operators consistent with the approved revisions.

5. Approving Atwater Community Center Lease Agreement with Yosemite Church (Interim City Manager Bramble)

Staff's Recommendation: Approving of the Atwater Community Center Lease Agreement, in a form approved by the City Attorney, with Yosemite Church, and authorizes and directs the City Manager to sign the Lease Agreement on behalf of the City.

6. Approving Sales Tax Rebate Program Participation Agreement regarding Bertha's Home Furniture (Finance Director Deol)

Staff's Recommendation: Approval of Sales Tax Rebate Program Participation Agreement, in a form approved by the City Attorney, with Bertha Flores Mendoza (Bertha's Home Furniture).

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

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

8. Police Volunteer activities for the month of July, 2017 (Police Volunteer Vineyard)

- 9. Fire Department activities and projects for the month of July, 2017 (CAL FIRE Battalion Chief Pimentel)**

FUNDING AND BUDGET MATTERS:

- 10. Adopting 2017-18 Fiscal Year Budget and approving Fund Expenditures and Fund Transfers; amending Classification Plan and approving Salary Schedule B-17, effective July 1, 2017 (Interim City Manager Bramble)**

Staff's Recommendation: Motion to adopt Joint Authority Resolution No. 2958-17, Resolution No. AFD 1-2017, and Resolution No. SA 2017-5 adopting the 2017-18 Fiscal Year Budget with any modifications from the budget workshops and public hearings; and to adopt Resolution No. 2959-17 amending the City of Atwater Classification Plan and adopting the City of Atwater Salary Schedule B-17, effective July 1, 2017; or

Motion to approve staff's recommendation as presented.

CITY ATTORNEY REPORTS/UPDATES:

- 11. Verbal update regarding City of Atwater Purchasing Manual**

CITY MANAGER REPORTS/UPDATES:

- 12. Adopting resolution for exception to the 180-day wait period; and approving employment agreement for Interim Finance Director**

Staff's Recommendation: Motion to adopt Resolution No. 2979-17 for exception to the 180-day Wait Period pursuant to Government Code section 7522.56 and 21224 for the position of Interim Finance Director; and to approve the Employment Agreement, in a form approved by the City Attorney, with Teri Albrecht for the Interim Finance Director position; and to authorize and direct the Mayor and the Interim City Manager to execute the Employment Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

- 13. Approving the hiring or recall of certain designated positions and the associated expenditures prior to adoption of the 2017-18 FY Budget**

Staff's Recommendation: Motion to approve the hiring or recall of certain designated positions prior to adoption of 2017-18 Fiscal Year Budget; or

Motion to approve staff's recommendation as presented.

14. Verbal update regarding Sewer Bond refinancing

PUBLIC HEARINGS:

15. Public input regarding the criteria for voting districts for District-based Councilmember Elections (Interim City Manager Bramble)

Staff's Recommendation: Open the public hearing and take any testimony given regarding the composition of voting districts for District-based Councilmember Elections; and

Close the public hearing at the end of public comments, and authorize and direct the City Manager to forward all public comments to National Demographics Corporation, the City's demographics consultant; and

Motion to set the second public hearing date regarding the composition of voting districts for District-based Councilmember elections for Monday, August 28, 2017; or

Motion to approve staff's recommendation as presented.

16. Waiving the first reading and introducing Ordinance No. CS 985 amending Chapter 5.40 "Massage Therapy" of the Atwater Municipal Code (Deputy City Attorney Ruppel)

Staff's Recommendation: Open the public hearing and take any testimony given; and

Motion to waive the first reading and introduce Ordinance No. CS 985 amending Chapter 5.40 "Massage Therapy" of the Atwater Municipal Code; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

17. City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City Clerk/Board Clerk/Board Secretary 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
BOARD CLERK/BOARD SECRETARY

AB 23 NOTICE:

Pursuant to Government Code Section 54952.3, City Council is not receiving additional compensation for serving as members of the Fire Protection District or as 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 jdelreal@atwater.org