

CITY OF ATWATER
CITY COUNCIL
AND
ATWATER PUBLIC FINANCING AUTHORITY
AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

August 28, 2017

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)

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 Don Martin**

Staff's Recommendation: That Police Chief Joseph and Mayor Pro Tem Vineyard make the presentation to Police Volunteer Don Martin.

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 28, 2017

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Regular meeting, July 24, 2017**
- b) Regular meeting, August 14, 2017**

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Community Development and Resources Commission)

- 3. a) Regular meeting, June 21, 2017**
- b) Regular meeting, July 19, 2017**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

- 4. Approving the annual Local Transportation Fund (LTF) claim (Grants Manager Waterman)**

Staff's Recommendation: Adoption of Resolution No. 2982-17, approving the annual Local Transportation Fund (LTF) Claim to be filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2017-2018 and authorizing the Interim City Manager to execute the Claim Form on behalf of the City of Atwater; and Adoption of Resolution No. 2983-17, approving Budget Amendment No. 2 regarding FY 2017-2018 Local Transportation Fund.

FUNDING AND BUDGET MATTERS:

5. Treasurer's Report for the month of July, 2017 (City Treasurer Heller)

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

Motion to approve staff's recommendation as presented.

INTERIM CITY MANAGER REPORTS/UPDATES:

6. Approving first amendment to Installment Sale Agreement in connection with Series 2008 Bonds and providing other matters properly relating thereto

Staff's Recommendation: Motion to Adopt Resolution No. 2984-17 and Resolution APFA 2017-1 authorizing an amendment to the Installment Sale Agreement of the Atwater Public Financing Authority (the "Authority"), Wastewater Revenue Bonds, Series 2008 (the "Series 2008 Bonds"), pursuant to which the City makes Installment Payments to the Authority in order to pay the principal of and interest on the Series 2008 Bonds. The amendment to the Installment Sale Agreement is a requirement of Assured Guaranty Municipal ("AGM") for providing bond insurance and a Debt Service Reserve Fund Surety ("DSR Surety") for the refinancing of the City's Wastewater Series 2010 and 2011 Wastewater Revenue Bond issues (the "Series 2010 and 2011 Bonds"); or

Motion to approve staff's recommendation as presented.

PUBLIC HEARINGS:

7. 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Application (Grants Manager Waterman)

Staff's Recommendation: Opening the public hearing and taking any testimony given; and

Motion to adopt Resolution No. 2980-17, authorizing submittal of an application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and to adopt Resolution No. 2981-17, approving Budget Amendment No. 1 regarding 2017 JAG Grant; and authorizing and directing the Interim City Manager or his designee to execute application, Grant Agreement, amendments, and all documents related to the grant, on behalf of the City, including administration, if awarded; or

Motion to approve staff's recommendation as presented.

8. 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 Interim City Manager to forward all public comments to National Demographics Corporation, the City's demographics consultant; or

Motion to approve staff's recommendation as presented.

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

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.

10. Waiving the first reading and introducing Ordinance No. 988 establishing an expedited, streamlined permitting process for electric vehicle charging stations (Chief Building Official Pereida)

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

Motion to waive the first reading and introduce Ordinance No. CS 988 amending Chapter 15, "Building and Construction" of Chapter 15, "General Provisions," of the Atwater Municipal Code," to include Article 19, "Expedited Electric Vehicle Charging Station Permitting"; or

Motion to approve staff's recommendation as presented.

11. **Reviewing proposed Amendment No. 3 to approved Planned Development Final Development Plan (PDFDP) No. 03-3 located on the south side of Avenue Two (proposing to add three new house elevations to the approved PDFDP within the Las Casas Subdivision) (Senior Planner Hendrix)**

Recommendation: Open the Public Hearing to obtain testimony from the public; and

Motion to adopt City Council Resolution No. 2974-17 approving Planned Development Final Development Plan (PDFDP) No. 03-3 Amendment No. 3 (located on the south side of Avenue Two (proposing to add three new house elevations to the approved PDFDP within the Las Casas subdivision); or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

12. **City Council comments**


CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City 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 SECRETARY

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 msl@atwater.org.