

CITY OF ATWATER

CITY COUNCIL AND SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY AGENDA

May 9, 2016

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

ROLL CALL: (City Council/Governing Board)

Bergman____, Raymond____, Rivero____, Vineyard____, Price____

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.

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. May 9, 2016

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Adjourned meeting, April 25, 2016**
b) Regular meeting, April 25, 2016

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

- 3. Approving Amendment No. 1 to Professional Services Agreement with VVH Consulting Engineers, Inc. for the Fruitland Avenue Reconstruction Project (Community Development Director McBride)**

Staff's Recommendation: Approval of Amendment No. 1 to the Professional Services Agreement with VVH Consulting Engineers, Inc. for the Fruitland Avenue Reconstruction Project; and authorizes and directs the City Manager to execute the amendment on behalf of the City.

RESOLUTIONS:

4. **Calling, giving notice of, and consolidating the 2016 General Municipal Election** (City Clerk Del Real)

Staff's Recommendation: Adoption of Resolution No. 2885-16 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2016 for the election of the City Clerk, the City Treasurer, and two (2) Members of the City Council, as required by the provisions of the laws of the State of California relating to General Law Cities; and requesting the Board of Supervisors of the County of Merced consolidate a General Municipal Election to be held on November 8, 2016 with the Statewide General Election to be held on the date pursuant to Section 10403 of the Election Code.

5. **Consenting to inclusion of City of Atwater properties in the CSCDA Open Pace Program** (Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No. 2884-16 consenting to inclusion of properties within the City of Atwater's jurisdiction in the CSCDA Open Pace Program; and authorizes and directs the City Manager to execute any documents relating to participation on behalf of the City.

REPORTS:

6. **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.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

7. **Police Department activities and projects for the month of April, 2016** (Police Lieutenant Joseph)
8. **Fire Department activities and projects for the month of April, 2016** (CAL FIRE Battalion Chief Pimentel)
9. **Public Works Department activities and projects for the month of April, 2016** (Interim Public Works Director Faretta)

REPORTS AND PRESENTATIONS FROM STAFF:

10. **Refinancing CalPERS Side Fund for 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 transfer of Government Use Properties from the former Atwater Redevelopment Agency to the City of Atwater** (Community Development Director McBride)

Staff's Recommendation: Motion to adopt Resolution No. SA 2016-02 approving the transfer of real property to the City of Atwater; and Resolution No. 2883-16 accepting the transfer of real property from the Successor Agency to the Atwater Redevelopment Agency to the City of Atwater; 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: Motion to approve Memorandum of Understanding setting forth certain items of agreement among agencies within the Merced Groundwater Subbasin following the Sustainable Groundwater Management Act; and authorizing and directing 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**

ADJOURNMENT:

CERTIFICATION:

I, Jeanna Del Real, City Clerk/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.


JEANNA DEL REAL, CMC
CITY CLERK/SECRETARY

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 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.