

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

Council Chambers
750 Bellevue Road
Atwater, California

June 13, 2016

6:00 PM

REGULAR SESSION:

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

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

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.

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. June 13, 2016

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Regular meeting, May 23, 2016
b) Adjourned meeting, May 25, 2016**

Staff's Recommendation: Approval of minutes as listed.

3. MINUTES: (Commissions)

Community Development and Resources, April 20, 2016

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:

- 4. Authorizing submittal of grant application to United States Department of Justice Office of Community Oriented Policing Services for funding under 2016 COPS Hiring program (Police Chief Pietro)**

Staff's Recommendation: Adoption of Resolution No. 2889-16 authorizing submittal of grant application to the United States Department of Justice Office of Community Oriented Policing Services (COPS) for funding under the 2016 COPS Hiring Program (CHP); and authorizes and directs the City Manager or his designee to execute any agreements or documents relating to participation and administration of grant, if awarded, on behalf of the City.

5. Accepting FY 2015 Assistance to Firefighters Operations and Safety Grant Award (CAL FIRE Battalion Chief Pimentel)

Staff's Recommendation: Adoption of Resolution No. 2888-16 authorizing acceptance of the 2015 Assistance to Firefighters Operations and Safety Grant Award; and authorizes and directs the City Manager or his designee to sign any grant related documents on behalf of the City.

6. Authorizing the initiation of the annexation of Juniper Meadows II Landscape and Lighting and Drainage Maintenance District into Juniper Meadows Landscape and Lighting and Drainage Maintenance District, declaring intention to levy annual assessment for FY 2016/17 (Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No. 2893-16 authorizing initiation of proceedings for the annexation of Juniper Meadows Phase II into the existing Juniper Meadows Landscape Maintenance District and directing the preparation and filing of an engineer's report in connection with said annexation and the proposed levy and collection of assessments commencing in Fiscal Year 2016/17; adoption of Resolution No. 2897-16 declaring the Council's intention to annex Juniper Meadows Phase II into the Juniper Meadows Landscape Maintenance District, levy the annual special benefit assessment for said annexation territory commencing with the Fiscal Year 2016/17, accepting and filing the engineer's report, conducting a property owner protest ballot preceding, and setting a time and place for a public hearing; adoption of Resolution No. 2898-16 initiating proceedings for the formation of Lighting and Drainage District No. 31 – Juniper Meadows II, and directing the preparation and filing of an engineer's report in connection with said formation and the proposed levy and collection of assessments commencing in Fiscal Year 2016/17; and adoption of Resolution No. 2899-16 declaring the Council's intention to form Lighting and Drainage District No. 31 – Juniper Meadows II, levy annual special benefit assessment for said district commencing with the Fiscal Year 2016/17, accepting and filing the engineer's report, conducting a property owner protest ballot preceding, and setting a time and place for a public hearing.

7. **Declares City's intent to collect annual levy for various Assessment Maintenance Districts for Fiscal Year 2016/17, preliminarily approving the Engineer's Reports and setting a public hearing date** (Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No. 2900-16 ordering the City's Assessment Engineer to prepare and file the Engineer's Reports for the collection of the proposed annual assessments for the Lighting and Drainage and Landscape Maintenance Districts for Fiscal Year 2016/17; and adoption of Resolution No. 2901-16 granting preliminary approval of the Engineer's Reports, declaring the City's intention to levy and collect the annual assessments for various assessment maintenance districts for fiscal year 2016/17 and setting a public hearing date for said assessments for July 11, 2016.

8. **Authorizing submittal of grant application to State of California Caltrans Division of Local Assistance for funding under 2017 Active Transportation Program (ATP) Cycle 3** (Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No. 2891-16 authorizing submittal of grant application to the State of California Caltrans Division of Local Assistance for funding under the 2017 Active Transportation Program (ATP) Cycle 3; and authorizes and directs the City Manager or his designee to execute all documents relating to participation and administration of grant, if awarded, on behalf of the City.

AGREEMENTS:

9. **Approving Professional Services Agreement with North Star Engineering Group, Inc. for on call general engineering services** (Community Development Director McBride)

Staff's Recommendation: Approval of Professional Services Agreement, in a form approved by the City Attorney, with North Star Engineering Group, Inc. (North Star) for on call general engineering services; and authorizes and directs the City Manager to execute the agreement on behalf of the City.

10. **Approving and ratifying agreement with the Atwater Police Officers' Association (APOA) Bargaining Unit** (City Manager Pietro)

Staff's Recommendation: Adoption of Resolution No. 2892-16 approving and ratifying agreement with the Atwater Police Officers' Association; and authorizes and directs the City Manager to sign the necessary documents implementing provisions of the Memorandum of Understanding (MOU) upon review by the City Attorney.

REPORTS:

11. 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.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

12. Waiving the second reading and adopting Ordinance No. CS 973 amending Chapter 2.08 of the Atwater Municipal Code relating to City Council Meetings (City Attorney Terpstra)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 973 amending Chapter 2.08 of the Atwater Municipal Code to adopt Rosenberg's Rules of Order.

13. Waiving the second reading and adopting Ordinance No. CS 972 amending Title 13, "Public Services," Chapter 13.13 "Water Conservation Program" of the Atwater Municipal Code (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 972 amending Title 13, "Public Services," Chapter 13.13 "Water Conservation Program" of the Atwater Municipal Code.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

14. Police Department activities and projects for the month of May, 2016 (Police Lieutenant Joseph)

15. Police Volunteer activities for the month of April and May, 2016 (Police Volunteer Vineyard)

16. Fire Department activities and projects for the month of May, 2016 (CAL FIRE Battalion Chief Pimentel)

17. Public Works Department activities and projects for the month of May, 2016 (Interim Public Works Director Faretta)

PETITONS AND COMMUNICATIONS:

18. Request from Atwater First Baptist Church to distribute food at Ralston Park on the 4th Saturday of each month May through December

Staff's Recommendation: Approval of request from Atwater First Baptist Church to allow distribution of food at Ralston Park on the 4th Saturday of each month between the 8:00 AM and 12:00 PM from May through December, 2016; or

Motion to approve staff's recommendation as presented.

PUBLIC HEARINGS:

19. Adoption of 2016-17 Fiscal Year Budget and approving Fund Expenditures and Fund Transfers; amending Classification Plan and approving Salary Schedule B-16, effective July 1, 2016 (Finance Director Deol)

Staff's Recommendation: Open the public hearing and receive any testimony given regarding the proposed 2016-17 Fiscal Year Budget; and review the Fiscal Year 2016-17 Proposed Budget; and

Motion to adopt Joint Authority Resolution No. 2894-16, Resolution No. AFRD 1-2016, and Resolution No. SA 2016-3 adopting the 2016-17 Fiscal Year Budget with any modifications from the budget workshops and public hearing; to adopt Resolution No. 2895-16 amending the City of Atwater Classification Plan and adopting the City of Atwater Salary Schedule B-16, effective July 1, 2016; or

Motion to approve staff's recommendation as presented.

Alternative Recommendation: If the City Council, Board of Directors, and Governing Board are not able to adopt Joint Authority Resolution No. 2894-16, Resolution No. AFRD 1-2016, and Resolution No. SA 2016-3 at this meeting, it is recommended that the City Council, Board of Directors, and Governing Board consider:

Motion to continue the public hearing to the regular City Council meeting of June 27, 2016; or

Motion to approve alternative recommendation as presented.

20. Adoption of resolution authorizing submittal of Bureau of Justice Assistance's 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) (Police Chief Pietro)

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

Motion to adopt Resolution No. 2890-16, authorizing submittal of an application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and authorizing and directing

the City Manager 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.

REPORTS AND PRESENTATIONS FROM STAFF:

- 21. Granting exemption to Castle Vista Senior Community from the watering schedule set forth in Section 13.13.030(B) of Atwater Municipal Code** (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: Motion to adopt Resolution No. 2886-16 exempting Castle Vista Senior Community from the water schedule set forth in Section 13.13.030(B) of the Atwater Municipal Code; or

Motion to approve staff's recommendation as presented.

- 22. Verbal update regarding Applegate Road/Winton Way improvement project** (Police Lieutenant Joseph/Community Development Director McBride)

CITY COUNCIL MATTERS:

- 23. City Council comments and requests for future agenda items**

ADJOURNMENT:

Adjourn in memory of retired Police Clerk II/Public Safety Dispatcher Cheryl Ramirez

CERTIFICATION:

I, Jeanna Del Real, 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.



JEANNA DEL REAL, CMC
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 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 at least 48 business hours in advance of the meeting at 357-6205 or 357-6204. You may also send the request by email to jdelreal@atwater.org.