

# CITY OF ATWATER

## CITY COUNCIL AGENDA

Council Chambers  
750 Bellevue Road  
Atwater, California

**February 13, 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:

**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:

Certificate:

- **Don Hyler III**

**Staff's Recommendation:** That Mayor Price make the presentation to Don Hyler III for his service to the City as a Community Development and Resources Commissioner.

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. February 13, 2017**

**Staff's Recommendation:** Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) **Regular meeting, January 9, 2017**
- b) **Regular meeting, January 23, 2017**
- c) **Special meeting, January 31, 2017**

**Staff's Recommendation:** Approval of minutes as listed.

MINUTES: (Community Development and Resources Commission)

**3. Regular meeting, November 16, 2016**

**Staff's Recommendation:** Acceptance of minutes as listed

**INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):**

- 4. Police Department activities and projects for the month of January, 2017** (Acting Police Chief Wisdom)
- 5. Police Volunteer activities for the month of January, 2017** (Police Volunteer Vineyard)
- 6. Fire Department activities and projects for the month of January, 2017** (CAL FIRE Battalion Chief Pimentel)
- 7. Public Works Department activities and projects for the month of January, 2017** (Interim Public Works Director Faretta)

**ANNUAL PETITIONS:**

- 8. Request from Valley Children’s Healthcare Foundation**

**Staff’s Recommendation:** Approval of request from Valley Children’s Healthcare Foundation to hold their 30<sup>th</sup> annual Kids Day Fundraiser consisting of volunteers selling the Kids Day edition of the Fresno Bee on sidewalks city-wide on Tuesday, March 7, 2017, from 5:00 AM through 3:00 PM.

**PUBLIC HEARINGS:**

- 9. Waiving the first reading and introducing Ordinance No. CS 979 amending Atwater Municipal Code Section 2.04.050 “City Manager Powers and Duties”** (City Attorney Terpstra)

**Staff’s Recommendation:** Open the Public Hearing and take any testimony given regarding Ordinance No. CS 979; and

Motion to waive the first reading and introduce Ordinance No. CS 979 amending Section 2.04.050 “City Manager Powers and Duties” of the Atwater Municipal Code relating to employment contracts; or

Motion to approve staff’s recommendation as presented.

**CITY ATTORNEY REPORTS/UPDATES:**

- 10. Verbal report regarding By-District Election procedures** (Requested by Mayor Pro Tem Vineyard)

**Staff’s Recommendation:** That the City Council, by motion, provide staff with direction regarding By-District Elections.

11. **Resolution affirming the General Services Agreement between the City of Atwater and Environmental Compliance Resources for graffiti abatement services in the City of Atwater**

**Staff's Recommendation:** Motion to adopt Resolution No. 2936-17 affirming the General Services Agreement between the City of Atwater and Environmental Compliance Resources for graffiti abatement services in the City of Atwater; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS:

12. **Verbal update regarding priorities on road repairs, reconstruction projects, and use of funding**

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction regarding priorities on road repairs, reconstruction projects, and use of funding.

13. **Verbal update regarding pedestrian safety projects, open grants, future grant applications and projects**

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction regarding pedestrian safety projects, open grants, future grant applications and projects.

REPORTS AND PRESENTATIONS FROM STAFF:

14. **Reviewing Fiscal Year 2016-17 Mid-Year Budget and adopting resolution approving Budget Amendment No. 2 regarding certain adjustments based on mid-year budget analysis** (Finance Director Deol)

**Staff's Recommendation:** Motion to adopt Resolution No. 2935-17 approving Budget Amendment No. 2 amending Fiscal Year 2016-17 Budget regarding revenue and expenditure adjustments based on mid-year budget analysis; or

Motion to approve staff's recommendation as presented.

15. **Verbal update regarding CalPERS refinancing** (Finance Director Deol)

CITY COUNCIL MATTERS:

16. **Verbal report regarding H.R. 23, "the Gaining Responsibility on Water Act of 2017"** (City Council Member Raymond)

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction concerning a letter of support regarding H.R. 23, "the Gaining Responsibility on Water (GROW) Act of 2017," and authorizing and directing the Mayor to execute the letter on behalf of the City.

17. **Verbal update regarding Builder Permit Fee Deferral** (City Council Member Vierra)

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction regarding Builder Permit Fee Deferrals.

18. **City Council comments**


CLOSED SESSION:

**Continuation of Closed Session items from Special meeting, if necessary**

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, 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.

  
\_\_\_\_\_  
DON HYLER III  
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.*



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