

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

July 10, 2017

CALL TO ORDER:

5:00 PM

ROLL CALL:

Creighton _____, Raymond _____, Vierra _____, Vineyard _____, Price_____

CLOSED SESSION:

Adjourn to Conference Room A

- a. **Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (1)**
- b. **Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: Deputy City Attorney Henderson and Human Resources Director Del Real; Bargaining Units: Atwater Police Officers Association and AFSCME Local 2703 – Miscellaneous Unit and Clerical Unit**

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

ROLL CALL:

Creighton _____, Raymond _____, Vierra _____, Vineyard _____, Price_____

MAYOR OR DEPUTY 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 Allen Russell**

Staff's Recommendation: That Mayor Price make the presentation to Police Volunteer Allen Russell.

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. **July 10, 2017**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **Regular meeting, June 12, 2017**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. **Authorizing the Issuance of Wastewater Revenue Refunding Bonds; authorizing and directing execution of an Indenture of Trust, continuing Disclosure Agreement, Escrow Agreements and a Bond Purchase Contract; authorizing the sale of bonds; approving an official statement; and providing other matters properly relating thereto** (Community Development Director McBride)

Staff's Recommendation: Adopts Resolution No. 2971-17, authorizing the issuance of not to exceed \$70,000,000 in the principal amount of wastewater revenue refunding bonds (the "2017 Bonds") and authorizing the execution of an Indenture of Trust, Continuing Disclosure Agreement, Escrow Instructions, Bond Purchase Contract and form of the Official Statement required for the refinancing of the 2010 and 2011 Wastewater Revenue Bonds.

4. **Prohibiting enacting proposed personnel actions prior to adoption of Fiscal Year 2017/2018 Budget** (Deputy City Attorney Henderson)

Staff's Recommendation: Adopts Resolution No. 2972-17 prohibits, consistent with and subject to any applicable agreements with recognized collective bargaining units, and to the maximum extent legally permissible, no new employment positions shall be filled, no promotions or job reclassifications shall be made, and no salary schedule adjustments shall be implemented without prior City Council approval until after the adoption of the fiscal year 2017/2018 budget.

5. **Approving Fiscal Year 2015/2016 Regional Surface Transportation Program Exchange Funds** (Community Development Director McBride)

Staff's Recommendation: Adopts Resolution No. 2964-17 authorizing and directing the City Manager to execute and file the Regional Surface Transportation Program (RSTP) Exchange Funds Claim for Fiscal Year 2017/2018.

AGREEMENTS:

6. **Approving the Atwater Community Center Lease Agreement with Yosemite Church** (Recreation Supervisor Rahn)

Staff's Recommendation: Authorizes the Atwater Community Center Lease Agreement with Yosemite Church and authorizes and directs the City Manager to sign the Lease Agreement.

7. **Approving PG&E Products and Services Agreement regarding LS2 Street Light Turnkey Replacement Project** (Acting Public Works Director Shaw)

Staff's Recommendation: Adopts Resolution No. 2969-17 approving Products and Services Agreement, in a form approved by the City Attorney (Exhibit "A") with Pacific Gas & Electric (PG&E) for LED Street Light Turnkey Replacement Project, City Project No.17-2; and authorizes the City Manager or his designee to execute Products and Services Agreement and any necessary documents relating to the project, on behalf of the City.

8. **Master Recipient Funding Agreement between the City of Atwater and Merced County Association of Governments (MCAG) for Fiscal Year 2017-18** (Community Development Director McBride)

Staff's Recommendation: Approves Master Recipient Funding Agreement between the City of Atwater and Merced County Association of Governments (MCAG) for Fiscal Year 2017-18.

9. **Authorizing the preparation and execution of a Professional Services Agreement for Emergency Information Technology Services** (Community Development Director McBride)

Staff's Recommendation: Authorizes the preparation and execution of a Professional Services Agreement, in a form to be approved by the City Attorney, with TMPros for Emergency Information Technology Services.

CLAIMS AGAINST THE CITY: (Note to the Public: Portions of this claim have been redacted because they do not affect the City Council's ability to make a decision on the claim. The claim however, is a public document and can be made available upon request by members of the public. If you have any questions or would like to request this document, please contact the City Clerk's office at (209) 357-6205).

10. **Claim No. 2017-7**

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2017-7 be rejected.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

11. **Police Department activities and projects for the month of June, 2017** (Police Chief Joseph)
12. **Police Volunteer activities for the month of June, 2017** (Police Volunteer Vineyard)
13. **Fire Department activities and projects for the month of June, 2017** (CAL FIRE Battalion Chief Pimentel)
14. **Water Well Update** (Acting Public Works Director Shaw)

PUBLIC HEARINGS:

- 15. Confirming the engineer's reports and ordering the annual levy for the Lighting and Drainage and Landscape Assessment Maintenance Districts for Fiscal Year 2017/18 (Community Development Director McBride)**

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

Close the public hearing and determine if a majority protest has occurred.

(A majority protest is when property owners responsible for more than 50% of the proposed assessment file a written protest prior to the close of the public hearing. If no majority protest has occurred the following action should be taken); and

Motion to adopt Resolution No. 2963-17 confirming the engineer's reports and ordering the continued maintenance of the City of Atwater Lighting and Drainage and Landscape Assessment Maintenance Districts and levy of assessments for Fiscal Year 2017/18; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

- 16. City Council comments**

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

Adjourn to a date specific, to be determined by City Council at this meeting, to hold a Budget Workshop.

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.



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