

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

July 11, 2016

CALL TO ORDER:

5:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Bergman____, **Raymond** ____, **Rivero**____, **Vineyard** ____, **Price**____

CLOSED SESSION:

Adjourn to Conference Room A

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (1)

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

ROLL CALL:

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. **July 11, 2016**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **Regular meeting, June 27, 2016**

Staff's Recommendation: Approval of minutes as listed.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

3. **Waiving the second reading and adopting Ordinance No. CS 974 amending Chapter 8.50 to 8.60 of the Atwater Municipal Code regarding commercial marijuana cultivation, processing, delivery, and dispensing and regarding personal cultivation of medical marijuana** (City Attorney Terpstra)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 974 amending Chapter 8.50 to 8.60 of the Atwater Municipal Code imposing an express ban on commercial cultivation, processing, delivery originating from within City limits, and dispensing of medical marijuana and regulating the personal cultivation of medical marijuana in the City.

REPORTS:

4. **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):

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

PUBLIC HEARINGS:

9. **Confirming the engineer's reports and ordering the annual levy for the Lighting and Drainage and Landscape Assessment Maintenance Districts for Fiscal Year 2016/17** (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. 2909-16 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 2016/17; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

10. City Council comments and requests for future agenda items

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

Adjourn to Monday, July 18, 2016 at 4:30 PM in the City Council Chambers to hold a public hearing regarding the City of Atwater 2014-2023 Housing Element Update

CERTIFICATION:

I, Jeanna Del Real, 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.



JEANNA DEL REAL, CMC
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 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.