

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 12, 2017

CALL TO ORDER:

4:00 PM

ROLL CALL: (City Council)

Creighton ____ , Raymond ____ , Vierra ____ , Vineyard ____ , Price ____

CLOSED SESSION:

Adjourn to Conference Room A

- a. Pursuant to Government Code Section 54957, Public Employee Appointment: Interim City Manager
- b. Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (2)
- c. 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
- d. Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: Community Development Director McBride

Property Location: APN 150-065-010

- e. Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Acquisition. Agency Negotiator: Community Development Director McBride

Property Location: APN 150-160-026

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/Board of Directors/Governing Board)

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:

- **Presentation to Dora Anderson**

Staff's Recommendation: That Mayor Price make the presentation to Ms. Atwater California Plus America Beauty Pageant Community Service State Queen.

- **Presentation to first responders to the Applegate Exit accident**

Staff's Recommendation: That Mayor Price and Police Chief Joseph make the presentation to the first responders to the Applegate Exit accident.

- **Presentation to City Employees for responding to traffic and pedestrian accidents**

Staff's Recommendation: That Mayor Price and Police Chief Joseph make the presentation to Chief Building Official Mark Pereida and Civil Engineering Assistant Ramon Garcia for responding to traffic and pedestrian accidents.

PRESENTATIONS:

- **The Merced County Tobacco Control Program (MCTCP)** (Jessica Kazakos, Program Coordinator)

- **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 12, 2017

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. a) Regular meeting, May 8, 2017**
- b) Regular meeting, May 22, 2017**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

- 3. Authorizing submittal of grant application to United States Department of Justice, Office of Community Oriented Policing Services for funding under 2017 COPS Hiring Program (Police Chief Joseph)**

Staff's Recommendation: Adoption of Resolution No. 2962-17 authorizing submittal of grant application to the United States Department of Justice, Office of Community Oriented Policing Services (COPS) for funding under 2017 COPS Hiring Program (CHP); and provide staff direction to apply for two (2) new Police Officers, or apply to retain two (2) Police Officers scheduled to be laid off; and to authorize 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.

4. **Declaring City's intent to collect annual levy for various Assessment Maintenance Districts for Fiscal Year 2017/18, preliminarily approving the Engineer's Reports and setting a public hearing date** (Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No. 2960-17 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 2017/18; and adoption of Resolution No. 2961-17 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 2017/18 and setting a public hearing date for said assessments for June 26, 2017.

PUBLIC IMPROVEMENTS:

5. **Accepting New Tier 4 Wheel Loader Purchase** (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: Acceptance of work done under contract to manufacture and deliver a new Tier 4 Wheel Loader, City Project No. 14-10, Bid Call No. 672-16; authorizes the City Manager to sign a Notice of Completion and have it recorded on behalf of the City; and authorizes a final payment in the amount of \$171,870.50.

6. **Accepting New Tier 4 Tractor Loader Purchase** (Water Division Manager/Chief Operator Shaw)

Staff's Recommendation: Acceptance of work done under contract to manufacture and deliver a new Tier 4 Tractor Loader, City Project No. 14-09, Bid Call No. 673-16; authorizes the City Manager to sign a Notice of Completion and have it recorded on behalf of the City; and authorizes a final payment in the amount of \$92,794.73.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

7. **Waiving the second reading and adopting Ordinance No. CS 983 approving sales tax revenue sharing between the City of Atwater and the County of Merced** (Interim City Manager/Community Development Director McBride)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 983 approving sales tax revenue sharing between the City of Atwater and the County of Merced.

ANNUAL PETITIONS AND COMMUNICATIONS:

8. **Atwater Pentecost Association for assistance with annual procession**

Staff's Recommendation: Approval of request from Atwater Pentecost Association for assistance with their annual Celebration of Holy Spirit Festa procession on Sunday, June 25, 2017, leaving Atwater Pentecost Club (APC) at 9:00 A.M. down Third Street, right on Broadway Avenue, right on Winton Way, and proceeding to Saint Anthony's Church and returning to APC down Winton Way, left on Grove Avenue, and right on Third Street.

9. **Request from White Pines Court Neighborhood for block party**

Staff's Recommendation: Approval of request from White Pines Court Neighborhood to close White Pines Court between 4:00 PM and 12:00 AM on Tuesday, July 4, 2017 for annual block party.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

10. **Police Department activities and projects for the month of May, 2017** (Police Chief Joseph)
11. **Police Volunteer activities for the month of May, 2017** (Police Volunteer Vineyard)
12. **Fire Department activities and projects for the month of May, 2017** (CAL FIRE Battalion Chief Pimentel)
13. **Water Well Levels for the month of May, 2017** (Water Division Manager/Chief Operator Shaw)

CITY ATTORNEY REPORTS/UPDATES:

14. **Verbal update regarding City of Atwater Purchasing Manual**

PUBLIC HEARINGS:

15. Amending Miscellaneous Fee Schedule (Finance Director Deol)

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

Motion to adopt Resolution No. 2956-17 amending the Miscellaneous Fee Schedule; or

Motion to approve staff's recommendation as presented.

16. Adopting 2017-18 Fiscal Year Budget and approving Fund Expenditures and Fund Transfers; amending Classification Plan and approving Salary Schedule B-17, effective July 1, 2017 (Finance Director Deol)

Staff's Recommendation: Open the public hearing and receive any testimony given regarding the proposed 2017-18 Fiscal Year Budget; and review the Fiscal Year 2017-18 Proposed Budget; and

Motion to adopt Joint Authority Resolution No. 2958-17, Resolution No. AFRD 1-2017, and Resolution No. SA 2017-5 adopting the 2017-18 Fiscal Year Budget with any modifications from the budget workshops and public hearing; and to adopt Resolution No. 2959-17 amending the City of Atwater Classification Plan and adopting the City of Atwater Salary Schedule B-17, effective July 1, 2017; 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. 2958-17, Resolution No. AFRD 1-2017, and Resolution No. SA 2017-5 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 26, 2017; or

Motion to approve alternative recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

17. Verbal update regarding the City operated tow yard

CITY COUNCIL MATTERS:

18. Verbal update regarding Department of Justice grants (requested by City Council Member Creighton)

Staff's Recommendation: That the City Council, by motion, provide staff with direction regarding Department of Justice grants.

19. City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, 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.



DON HYLER III
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 a minimum of three (3) business days in advance of the meeting at 357-6205. You may also send the request by email to jdellreal@atwater.org