

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 26, 2017

CALL TO ORDER:

5:00 PM

ROLL CALL: (City Council)

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: (2)**

- 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: (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:

• **Police Officer of the Year**

Staff's Recommendation: That Mayor Price and Police Chief Joseph present the certificate of recognition to Police Officer of the Year, Patrick Radke.

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 26, 2017**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Community Development and Resources Commission)

2. **Special meeting, April 5, 2017**

Staff's Recommendation: Acceptance of minutes as listed.

AGREEMENTS:

3. Approving Interim City Manager Employment Agreement

Staff's Recommendation: Approves Interim City Manager Employment Agreement and authorizes and directs the Mayor to execute the Agreement on behalf of the City.

4. Authorizing the Atwater Community Center Lease Agreement with Yosemite Church

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.

PUBLIC IMPROVEMENTS:

5. Accepting Atwater Boulevard – Winton Way Signal and Safety Improvement Project No. 14-7

Staff's Recommendation: Accepts work done under contract for construction Atwater Blvd-Winton Way Safety Improvements Project, No. 14-7 Bid Call 669-14; and authorizes and directs 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 \$60,021.80

RESOLUTIONS:

6. Authorizing issuance and sale of Tax Allocation Refunding Bonds, approving the form of an Indenture of Trust, approving the form of an Escrow Agreement, and authoring other certain actions (Interim City Manager/Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No. SA 2017-6, authoring the issuance and sale of Tax Allocation Refunding Bonds, approving the form of an Indenture of Trust, approving the form of an Escrow Agreement, and authorizing other certain actions in connection with these approvals.

7. Approving the City of Atwater Debt Management Policy (Interim City Manager/Community Development Director McBride)

Staff's Recommendation: Adoption of Resolution No 2966-17, approving the City of Atwater Debt Management Policy.

8. Treasurer's Report for the month of May, 2017 (Finance Director Deol)

Staff's Recommendation: Motion to approve the Treasurer's Report for the month of May, 2017; or

Motion to approve staff's recommendation as presented.

INTERIM CITY MANAGER REPORTS:

9. Verbal report regarding the proposed Medical and Commercial Marijuana Ordinance No. CS 982

CITY ATTORNEY REPORTS/UPDATES:

10. Verbal update regarding City of Atwater Purchasing Manual

PUBLIC HEARINGS:

11. 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.

12. 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. AAFP 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. AAFP 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 July 10, 2017; and

Adopt Joint Authority Resolution No. 2968-17, Resolution No. AAFP 2-2017, and Resolution No. SA-2017-7, authorizing the City Manager to continue making required expenditures to meet current or immediate financial obligations relating to City operations until the 2017-18 Fiscal Year Budget is adopted; or

Motion to approve alternative recommendation as presented

CITY COUNCIL MATTERS:

13. 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 jdelreal@atwater.org