

CITY OF ATWATER

CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

March 27, 2017

CALL TO ORDER:

5:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

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: (3)**
- 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**
- c. **Pursuant to Government Code Section 54957, Public Employee Appointment: City Manager**

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:

- **Presentation to Firefighter of the Year**

Staff's Recommendation: That Mayor Price and CAL FIRE Battalion Chief Pimentel make the presentation to Fire Apparatus Engineer Nick Terrones in recognition of Firefighter of the Year.

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. **March 27, 2017**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. a) **Regular meeting, February 27, 2017**
- b) **Regular meeting, March 13, 2017**
- c) **Special meeting, March 15, 2017**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. **Adopting Resolution No. 2940-17 repealing a portion of Resolution No. 1612-01 and Resolution No. 1836-03 in its entirety regarding City Manager Position Benefits (City Attorney Terpstra)**

Staff's Recommendation: Adoption of Resolution No. 2940-17 repealing a portion of Resolution No. 1612-01, "Amending Resolution No. 1453-98, Compensation Plan, regarding Employee Salaries and Certain Benefits", and Resolution No. 1836-03, "Adopting Retirement Plan per IRS Section 401a (Deferred Compensation) for City Manager Position" in its entirety.

4. **Adopting Resolution No. 2937-17 approving Associate Membership with California Enterprise Development Authority and inclusion of the City of Atwater properties within the incorporated area of the City assessed Clean Energy Program (Interim City Manager McBride)**

Staff's Recommendation: Adoption of Resolution No. 2937-17 approving Associate Membership between California Enterprise Development Authority (the "Authority") and the City of Atwater (the "City"); and consenting to inclusion of properties within the incorporated area of the City in the Merced County property assessed Clean Energy Program to finance distributed generation renewable energy sources and energy and water efficiency improvements; and to authorizing and directing the City Manager to execute any documents relating to participation, on behalf of the City.

AGREEMENTS:

5. **Approving Amendment No. 6 to General Services Agreement with EMC Planning Group Amendment (Interim City Manager McBride)**

Staff's Recommendation: Approval of amendment No.6 to the General Services Agreement, in a form approved by the City Attorney, between the City of Atwater and EMC Planning Group Inc. for the Ferrari Ranch EIR and CEQA Services; and authorizing and directing the City Manager to execute the Amendment on behalf of the City.

FUNDING AND BUDGET MATTERS:

6. Treasurer's Report for the month of February, 2017 (City Treasurer Heller)

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

Motion to approve staff's recommendation as presented.

7. Accepting Audited Financial Statements for the fiscal year ended June 30, 2016 (Finance Director Deol)

Staff's Recommendation: Motion to accept the Audited Financial Statements for the fiscal year ended June 30, 2016; or

Motion to approve staff's recommendation as presented.

INTERIM CITY MANAGERS REPORTS:

8. Introduction of City Engineer Michael Hayes, VVH Engineering, contracted to perform city engineering services

REPORTS AND PRESENTATIONS FROM STAFF:

9. Verbal report regarding replacement of police weapons (Police Officer/Range Master Sarginson)

Staff's Recommendation: That the City Council, by motion, provide staff with direction regarding the replacement of police weapons.

10. Verbal report regarding replacement of police vehicles (Acting Police Sergeant Novetzke)

Staff's Recommendation: That the City Council, by motion, provide staff with direction to move forward with the purchase of new police vehicles.

CITY COUNCIL MATTERS:

11. City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

Adjourn to the Atwater Community Center, Jessie Frago Room, 760 E. Bellevue Road, Atwater, on March 28, 2017 at 1:30 PM to hold a workshop regarding Financial Recovery Plan

Staff's Recommendation: That the City Council, by motion, provide staff with possible regarding the financial recovery plan.

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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