

**CITY OF ATWATER  
CITY COUNCIL  
AND  
SUCCESSOR AGENCY TO THE ATWATER  
REDEVELOPMENT AGENCY**

**AGENDA**

Council Chambers  
750 Bellevue Road  
Atwater, California

**November 13, 2017**

CALL TO ORDER:

**5:00 PM**

ROLL CALL:

**Creighton \_\_\_\_ , Raymond \_\_\_\_ , Vierra \_\_\_\_ , Vineyard \_\_\_\_ , Price \_\_\_\_**

CLOSED SESSION: (Council Chambers)

Adjourn to Conference Room A

- a. **Pursuant to Government Code Section 54957, Public Employee Appointment Process: City Manager**
- b. **Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: Deputy City Attorney Henderson and Human Resources Director Del Real; Bargaining Units: AFSME Local 2703 – Miscellaneous Unit and Clerical Unit**

REGULAR SESSION: (Council Chambers)

**6:00 PM**

CALL TO ORDER: (City Council/Governing Board)



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Police Chaplain Mead**

ROLL CALL: (City Council/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 retired Police Officer Chris Hambrecht**

**Staff's Recommendation:** That Mayor Price and Police Chief Joseph make the presentation to Chris Hambrecht for 17 years of dedicated service to the City of Atwater.

- **Presentation to Linda Dash**

**Staff's Recommendation:** That Mayor Price make the presentation to Linda Dash for her service to the City as an advocate for the homeless.

**PRESENTATIONS:**

- **Report regarding the Violence Interruption and Prevention Emergency Response (VIPER) Team by Merced County District Attorney Larry Morse II**
- **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. November 13, 2017**

**Staff's Recommendation:** Approval of warrants as listed.

MINUTES: (City Council)

**2. Regular meeting, October 23, 2017**

**Staff's Recommendation:** Approval of minutes as listed.

MINUTES: (Community Development and Resources Commission)

**3. Regular meeting, September 20, 2017**

**Staff's Recommendation:** Approval of minutes as listed.

AGREEMENTS:

**4. Approving a Professional Services Agreement with West Yost and Associates for engineering services related to the permitting and regulatory requirements pertaining to the former Wastewater Treatment Facility, the existing Regional Wastewater Treatment Plant and the Bert Crane Road Landfill (Acting Public Works Director Shaw)**

**Staff's Recommendation:** Approval of a Professional Services Agreement, in a form approved by the City Attorney, between the City of Atwater and West Yost and Associates, of Davis, California in an amount not to exceed \$212,500 during Fiscal Year 2017-2018, to provide technical assistance for engineering services related to the permitting and regulatory requirements associated with the City's former Wastewater Treatment Facility (WWTF), existing Regional Wastewater Treatment Plant (RWWTP) and the Bert Crane Road Landfill; and authorizes and directs the Mayor to execute the Professional Services Agreement on behalf of the City; and adoption of Resolution No. 2994-17 approving Budget Amendment No. 4 regarding Professional services from Sanitation Enterprise Fund in the amount of \$20,000.

**5. Ratifying Side Letter Agreement with Miscellaneous and Clerical Bargaining Units (Interim City Manager Bramble)**

**Staff's Recommendation:** Adoption of Resolution No. 2998-17 ratifying Side Letter of Agreement with American Federation of State, County and Municipal Employees, Local 2703, Council 57, AFL-CIO ("AFSCME") representing the Miscellaneous Unit and Clerical Unit and authorizing and directing the Interim City Manager to execute the agreement, in a form approved by the Deputy City Attorney, on behalf of the City.

6. **Awarding an amended Cooperative Lease Purchase Software and Services Agreement for RIMS Computer aided Dispatch and Records Management Software** (Police Chief Joseph)

**Staff's Recommendation:** Award of an amended Cooperative Lease Purchase Software and Services Agreement, in a form approved by the City Attorney, to Sun Ridge Systems, Inc., El Dorado Hills, CA for the purchase of RIMS Computer-Aided Dispatch and Records Management Software in an amount not to exceed \$617,092; and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

7. **Police Department activities and projects for the month of October, 2017** (Police Chief Joseph)
8. **Police Volunteer activities for the month of October, 2017** (Police Volunteer Vineyard)
9. **Fire Department activities and projects for the month of October, 2017** (CAL FIRE Battalion Chief Wight)
10. **Water Well Levels for the month of October, 2017 and Water Well Levels for 2016** (Acting Public Works Director Shaw)

ANNUAL PETITIONS AND COMMUNICATIONS:

11. **Request from Saint Anthony/Immaculate Conception Church for assistance with annual procession**

**Staff's Recommendation:** Approval of request from Saint Anthony/Immaculate Conception Church for assistance with their annual procession on Tuesday, December 12, 2017 starting at 4:00 PM beginning at Ralston Park, to Juniper Avenue, and on to Saint Anthony Church.

12. **Atwater Chamber of Commerce**

**Staff's Recommendation:** Approval of Atwater Chamber of Commerce request for assistance with their annual Christmas Parade scheduled for Friday, December 1, 2017 starting at 7:00 PM beginning in front of Foster Freeze, traveling south on Winton Way, east on Broadway Avenue, and ending at the Bloss House; and use of electricity boxes along the route.

PETITIONS AND COMMUNICATIONS:

13. Request from Atwater Ministers Association and partnering Churches for assistance with Thanksgiving Food and Hope Giveaway and Gathering Event

**Staff's Recommendation:** Approval of request from Atwater Ministers Association and partnering Churches for assistance with Thanksgiving Food and Hope Giveaway and Gathering Event to be held on Saturday, November 18, 2017 from 11:00 AM to 2:00 PM in Atwater Veterans Park. They are requesting police presence as Community Outreach.

FUNDING AND BUDGET MATTERS:

**14. Treasurer's Report for the month of October, 2017 (City Treasurer Heller)**

**Staff's Recommendation:** Motion to approve the Treasurer's Report for the month of October, 2017.

PUBLIC HEARINGS:

**15. Appealing the decision of the Community Development and Resources Commission decision not to make determination of public convenience or necessity (1485 Broadway Avenue) (City Attorney Terpstra)**

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

Motion to adopt Resolution No. 2995-17, granting the appeal on behalf of 89 Cent Plus Store located at 1485 Broadway Avenue ("Store") and making a determination that the public convenience or necessity would be met by issuance of a Type 20 license at the Store; **OR**

Motion to adopt Resolution No. 2996-17, denying the appeal and upholding the decision of the CDRC to deny the request for a determination that the public convenience or necessity would be met by issuance of a Type 20 license at the Store.

CITY ATTORNEY REPORTS/UPDATES:

**16. City Manager Appointment and Employment Agreement**

**Staff's Recommendation:** City Council action.

INTERIM CITY MANAGER REPORTS/UPDATES:

**17. Fiscal Year 2016-17 year-end budget review and resolution approving a Budget Amendment to amend the Fiscal year 2016-17 budget**

**Staff's Recommendation:** Motion to review the information presented on Fiscal Year 2016-17 revenues and expenditures; and to adopt Resolution No. 2993-17 approving Budget Amendment No. 7 amending the Fiscal Year 2016-17 Budget.

**18. Approving proposed refunding of 2008 Wastewater Bonds**

**Staff's Recommendation:** Motion to adopt Resolution No. 2997-17 approving proposed refunding of 2008 Wastewater Bonds; and to authorize and direct the Interim City Manager to pursue the steps necessary to issue the Obligations and reappoint A. M. Peché & Associates LLC, as municipal advisor, Hilltop Securities Inc., as underwriter, and Nossaman LLP, as bond counsel and disclosure counsel, for the offering of the Obligations.

REPORTS AND PRESENTATIONS FROM STAFF:

**19. Verbal update regarding the City Tow Yard (Police Chief Joseph)**

**20. Declining FY 2016 Staffing for Adequate Fire and Emergency Response (Safer) Program (Grants Manager Waterman and CAL FIRE Battalion Chief Wight)**

**Staff's Recommendation:** Motion to Adopt Resolution No. 2992-17, rejecting FY 2016 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Award; and to authorize and direct the Interim City Manager or his designee to sign any related documents for rejection of the grant on behalf of the City.

CITY COUNCIL MATTERS:

**21. City Council discussion and possible direction regarding placing Measure H on the 2018 ballot**

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction regarding placing Measure H on the 2018 ballot.

**22. City Council comments**

CLOSED SESSION:

**Continuation of Closed Session if necessary**

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City Clerk/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.

  
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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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