

CITY OF ATWATER CITY COUNCIL AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

October 23, 2017

CALL TO ORDER:

3:00 PM

ROLL CALL:

Creighton _____, Raymond _____, Vierra _____, Vineyard _____, Price_____

CLOSED SESSION: (Council Chambers)

Adjourn to Conference Room A

- a. **Conference with Legal Counsel – Potential Litigation – Government Code Section 54956.9(b): Number of cases: (2)**
- b. **Pursuant to Government Code Section 54957, Public Employee Appointment Process: City Manager**

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)

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.

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. October 23, 2017

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. Regular meeting, October 9, 2017

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. Amending the 2017-2023 Capital Improvement Plan and approving projects for funding from Merced County and the State of California, effective November 1, 2017 (Interim City Manager Bramble)

Staff's Recommendation: Amend and adopt the five-year 2017-2023 Capital Improvement Plan (CIP); adopt Resolution No. 2990-17 approving the use of California Senate Bill 1 funding for the completion of prioritized public improvement projects; and to adopt Resolution No. 2991-17 approving the use of Measure V funding for the completion of prioritized public improvement projects.

AGREEMENTS:

4. **Awarding a lease purchase for RIMS Computer-Aided Dispatch and Records Management Software** (Police Chief Joseph)

Staff's Recommendation: Award of a lease purchase, 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 \$ 376,958; authorizing and directing the Interim City Manager to execute the lease agreement purchase on behalf of the City; and adoption of Resolution No. 2988-17 approving Budget Amendment No. 3 regarding purchase of a computer server from General Fund, Police Admin, Special Departmental Expense funds in the amount of \$8,000.00.

5. **Approving Lease Agreement with Students with Aspiring Goals, Atwater Youth Soccer League, Atwater Youth Baseball, Atwater Adult Soccer League, Atwater Tackle Football League, and Central Valley Leon Soccer for use of "Veterans Football/Soccer Field" and "Veterans Baseball Field"** (Recreation Supervisor Rahn)

Staff's Recommendation: Approval of Lease Agreement, in a form approved by the City Attorney, with Students with Aspiring goals (SWAG), Atwater Youth Soccer League (AYSL), Atwater Youth Baseball (AYB), Atwater Adult Soccer League (AASL), Atwater Tackle Football League (ATFL), and Central Valley Leon Soccer (CVLS) for the use of Veterans Football/Soccer/Baseball fields; and authorizing and directing the Interim City Manager to sign the Agreement on behalf of the City.

6. **Awarding a sole source purchase for Carbon Exchange Services at Well Site 15** (Acting Public Works Director Shaw)

Staff's Recommendation: Award of a sole source purchase to Evoqua Water Technologies, LLC, Oakland, California, for Carbon Exchange Services for the change out of four (4) 20,000 pound vessels with 80,000 pounds of AquaCarb® 830C (virgin coconut based carbon) at Well Site 15 in an amount not to exceed \$138,676.32; and authorizing and directing the Interim City Manager to execute the purchase order on behalf of the City.

7. **Awarding a sole source purchase for the purchase of replacement UV Disinfection System Lamps and Lamp Sleeves for the Wastewater Treatment Plant** (Acting Public Works Director Shaw)

Staff's Recommendation: Award of a sole source purchase to DC Frost Associates for the purchase of replacement UV Disinfection System Lamps and Lamp Sleeves for the Wastewater Treatment Plant in an amount not to exceed \$ 155,000; and authorizing and directing the Interim City Manager to execute the purchase order on behalf of the City.

8. Approving a Memorandum of Understanding regarding School Resource Officers (Police Chief Joseph)

Staff's Recommendation: Approval of a Memorandum of Understanding, in a form approved by the City Attorney, with Merced County Office of Education regarding School Resource Officers; and authorizing and directing the Interim City Manager to execute the Memorandum of Understanding on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

9. Waiving the second reading and adopting Ordinance No. CS 982 amending the City of Atwater Municipal Code Title 8, Chapter 8.60, 'Medical Marijuana'; Title 17, Chapter 17.06, to address commercial marijuana operations in the context of crop cultivation and industry, industrial operation; and Title 17, Chapter 17.75, of the City's Development Code to add a new Section 17.75.120 pertaining to the standards for commercial marijuana operations

Recommendation: Waives the second reading and adopts Ordinance No. CS 982, amending the Atwater Municipal Code Title 8, Chapter 8.60, "Medical Marijuana"; Title 17, Chapter 17.06, to address commercial marijuana operations in the context of crop cultivation and industry, industrial operation; and Title 17, Chapter 17.75, of the City's Development Code to add a new Section 17.75.120 pertaining to the standards for commercial marijuana operations.

10. Waiving the second reading and adopting Ordinance No. CS 990 amending Chapter 5.54 "Fireworks," of Title 5, "Business Taxes, Licenses, and Regulations" of the Atwater Municipal Code (CALFIRE Battalion Chief Schmitz)

Recommendation: Waives the second reading and adopts Ordinance No. CS 990, amending Chapter 5.54 "Fireworks," of Title 5, "Business Taxes, Licenses, and Regulations" of the Atwater Municipal Code.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

11. Police Volunteer activities for the month of September, 2017 (Police Volunteer Vineyard)

PETITIONS AND COMMUNICATIONS:

12. Valley Christian Chapel

Staff's Recommendation: Approval of Valley Christian Chapel's request for assistance with their annual Harvest Festival on October 31, 2017, to block off 3rd Street between Broadway Avenue and Cedar Avenue from 5:30 PM to 9:00 PM.

FUNDING AND BUDGET MATTERS:

13. Treasurer's Report for the month of September, 2017 (City Treasurer Heller)

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

Motion to approve staff's recommendation as presented.

CITY ATTORNEY REPORTS/UPDATES:

14. Verbal report regarding appealing the decision of the Community Development and Resources Commission to deny issuance of Conditional Use Permit No. 549-17 (1485 Broadway Avenue)

ORDINANCES AND RESOLUTION:

15. Waiving the second reading and adopting Ordinance No. CS 989 amending Chapter 2.10, "General Municipal Elections" of Title 2, "Administration and Personnel," of the Atwater Municipal Code to transition from an at-large election system to a district-based system for City Council members (Interim City Manager Bramble)

Staff's Recommendation: Motion to reconsider October 9, 2017 action with district map (orange); waiving the second reading and adopting Ordinance No. CS 989 amending Chapter 2.10, "General Municipal Elections" of Title 2, "Administration and Personnel," of the Atwater Municipal Code to transition from an at-large election system to a district-based system for City Council members.

PUBLIC HEARINGS:

16. Amending the Building Permit Fee Schedule (Chief Building Official Pereida)

Recommendation: Open the public hearing and take any testimony given; and

Motion to adopt Resolution No. 2989-17, amending the Building Permit Fee Schedule.

CITY COUNCIL MATTERS:

17. City Council discussion and possible action 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.

18. City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

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.



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 msl@atwater.org.