

**NOTICE OF SPECIAL MEETING  
CITY COUNCIL  
OF THE CITY OF ATWATER  
AND  
SUCCESSOR AGENCY TO THE ATWATER  
REDEVELOPMENT AGENCY**

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Atwater will be held on **Monday, September 11, 2017, at 7:00 PM**, or as soon thereafter, as may be held. This meeting will be held at Atwater City Hall located at 750 Bellevue Road, Atwater, California.

SPECIAL MEETING-CALL TO ORDER:

7:00 PM



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Police Chaplain Mead**

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.

PRESENTATIONS:

- **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. September 11, 2017**

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

MINUTES: (City Council)

**2. Regular meeting, August 28, 2017**

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

RESOLUTIONS:

**3. Approving an Amended Recognized Obligation Payment Schedule 2017-18B for January 2018 through June 2018 (Interim City Manager Bramble)**

**Staff's Recommendation:** Adoption of Successor Agency Resolution No. SA 2017-07 approving and Amended Recognized Obligation Payment Schedule 2017-18B for January 2018 through June 2018.

**4. Approving the annual Local Transportation Fund (LTF) claim (Grants Manager Waterman)**

**Staff's Recommendation:** Adoption of Resolution No. 2982-17, approving the annual Local Transportation Fund (LTF) Claim to be filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2017-2018 and authorizing the Interim City Manager to execute the Claim Form on behalf of the City of Atwater; and adoption of Resolution No. 2983-17, approving Budget Amendment No. 2 regarding FY 2017-2018 Local Transportation Fund.

**5. Approving Resolution repealing and re-enacting the City of Atwater Reserve Firefighter Program (CAL FIRE Battalion Chief Wight)**

**Staff's Recommendation:** Adoption of Resolution No. 2970-17 repealing and re-enacting the City of Atwater Reserve Firefighter Program.

AGREEMENTS:

6. **Approval of an agreement with Atwater Elementary School District regarding the School Resource Officer program**

**Staff's Recommendation:** Approval of Agreement, in a form approved by the City Attorney, with Atwater Elementary School District regarding School Resource Officer Program; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

7. **Waiving the second reading and adopting Ordinance No. CS 985 amending Chapter 5.40 "Massage Therapy" of the Atwater Municipal Code** (Deputy City Attorney Henderson)

**Staff's Recommendation:** Waives the second reading and adopts Ordinance No. CS 985 amending Chapter 5.40 "Massage Therapy" of the Atwater Municipal Code.

8. **Waiving the second reading and adopting Ordinance No. 988 establishing an expedited, streamlined permitting process for electric vehicle charging stations** (Chief Building Official Pereida)

**Staff's Recommendation:** Waives the second reading and adopts Ordinance No. CS 988 amending Chapter 15, "Building and Construction" of Chapter 15, "General Provisions," of the Atwater Municipal Code," to include Article 19, "Expedited Electric Vehicle Charging Station Permitting.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

9. **Police Department activities and projects for the month of August, 2017** (Police Chief Joseph)
10. **Police Volunteer activities for the month of August, 2017** (Police Volunteer Vineyard)
11. **Fire Department activities and projects for the month of August, 2017** (CAL FIRE Battalion Chief Wight)
12. **Water Well Levels for the months of July and August, 2017** (Acting Public Works Director Shaw)

ANNUAL PETITIONS:

13. **Request from LOVE Atwater for assistance with Love on our Downtown Local Businesses & Volunteer Appreciation Day event** (Gloria Perez, LOVE Atwater, Project Coordinator)

**Staff's Recommendation:** Approval of request from LOVE Atwater for assistance with Love on our Downtown Local Businesses & Volunteer Appreciation Day event to include street closures as follows: from Drakeley Avenue to Broadway Avenue and from Winton Way to 2<sup>nd</sup> Street on Saturday, September 23, 2017 from 8:00 AM to 5:00 PM.

**4. Request from Atwater Chamber of Commerce for assistance with Annual Fall Festival (Greg McDaniel, Director at Large)**

**Staff's Recommendation:** Approval of request from Atwater Chamber of Commerce for assistance with the Annual Fall Festival to include street closures on Grove Avenue, to include Grove Avenue west of 3<sup>rd</sup> Street to Atwater Medical Center parking lot on Saturday, September 23, 2017 from 8:00 AM to 5:00 PM.

INTERIM CITY MANAGER REPORTS/UPDATES:

**15. Presentation and referring Title 8 and Title 17 of the Atwater Municipal Code regarding Medical and Commercial Marijuana to the Community Development and Resource Commission**

**Staff's Recommendation:** Motion to refer Ordinance No. 982 back to the Community Development and Resources Commission for final recommendation. Ordinance No. 982 proposes to make the following changes to the Atwater Municipal Code: amends Title 8, Chapter 8.52, pertaining to Medical Marijuana; amends the definitions section of Title 17, Chapter 17.06, to address commercial marijuana operations in the context of crop cultivation and industry, industrial operation; and amends 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 in the city; or

Motion to approve staff's recommendation as presented.

**16. Verbal report regarding Parking Enforcement Plan**

PUBLIC HEARINGS:

**17. Third Public Hearing regarding composition of voting districts for District-based Councilmember Elections (Interim City Manager Bramble)**

**Staff's Recommendation:** Open the Public Hearing and receive information from the demographer regarding preliminary district maps for the City Council voting districts; and

Motion to close the Public Hearing when there is no more input from the public, and

Motion to set the Public Hearing date to review the final maps creating the voting district maps for District-based Councilmember elections for Monday, September 25, 2017; and

Motion to give the demographer additional direction on the maps based on district criteria.

**18. Waiving the first reading and introducing Ordinance No. CS 987 amending Chapter 3.04 “Purchasing System” (Deputy City Attorney Ruppel)**

**Recommendation:** Open the public hearing and receiving any testimony given regarding Ordinance No. 987; and

Motion to waive the first reading and introduce Ordinance No. CS 987 amending Chapter 3.04 “Purchasing System” of the Atwater Municipal Code; and to adopt Resolution No. 2985-17 approving revisions to the City of Atwater Purchasing System Manual pursuant to Chapter 3.04 “Purchasing System” of the City of Atwater Municipal Code; or

Motion to approve staff’s recommendation as presented.

**19. Waiving the first reading and introducing Ordinance No. 982: (1) Amending Title 8, Chapter 8.52, pertaining to Medical Marijuana; (2) Amending the definitions section of Title 17, Chapter 17.06, address commercial marijuana operations in the context of crop cultivation and industry, industrial operation; and (3) Amending 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 in the city of the Atwater Municipal Code (Interim City Manager Bramble)**

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

Motion to close the public hearing and refer Ordinance No. 982 back to the Community Development and Resources Commission for a final recommendation; or

Motion to approve staff’s recommendation as presented.

**CITY COUNCIL MATTERS:**

**20. 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.

  
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DON HYLER III, CITY CLERK  
BOARD CLERK/BOARD SECRETARY

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 [msl@atwater.org](mailto:msl@atwater.org).*