



CITY OF ATWATER

CITY COUNCIL AND SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

ACTION MINUTES

May 9, 2016

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater and the Governing Board of the Successor Agency to the Atwater Redevelopment Agency met in Regular Session this date at 6:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor/Board Chair Price presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Mayor/Board Chair Price.

INVOCATION:

The Invocation was led by Police Chaplain McClellan.

ROLL CALL: (City Council/Governing Board)

Present: *City Council Members/Board Members Raymond, Rivero, Vineyard, Mayor Pro Tem/Board Vice Chair Bergman, Mayor/Board Chair Price*

Absent: *None*

Staff Present: *City Manager/Executive Director/Police Chief Pietro, City Attorney Terpstra, CAL FIRE Battalion Chief Pimentel, Police Lieutenant Joseph, Community Development Director McBride, Interim Public Works Director Faretta, Finance*

Director Deol, City Clerk Del Real, Recording Secretary Bengtson-Jennings

SUBSEQUENT NEED ITEMS:

City Clerk Del Real announced a request for a subsequent need item, a letter of support to Assemblyman Adam Gray for funding for the violence interruption/prevention emergency response (VIPER) program, requiring immediate action subsequent to the agenda being posted.

Police Chief Pietro provided a brief synopsis of the VIPER program.

MOTION: City Council Member Raymond moved to add the subsequent need item to the agenda under City Council Matters. The motion was seconded by Mayor Pro Tem Bergman and the vote was: Ayes: Vineyard, Raymond, Rivero, Bergman, Price; Noes: None; Absent: None. The motion carried.

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: City Council Member/Board Member Vineyard moved to approve the agenda as amended. The motion was seconded by City Council Member/Board Member Rivero and the vote was: Ayes: Bergman, Vineyard, Raymond, Rivero, Price; Noes: None; Absent: None. The motion carried.

CEREMONIAL MATTERS:

Firefighter of the Year

CAL FIRE Battalion Chief Pimentel accepted the certificate of recognition, on behalf of Fire Captain Robert Ayuso, for Firefighter of the Year.

PRESENTATIONS:

Monthly verbal report by Merced County District 3 Supervisor McDaniel

City Council Member Raymond reported on several items in the absence of Supervisor McDaniel. He thanked Worknet for the recent job fair in which vendor spaces sold out indicating there are jobs in Merced County. He reminded the community of the upcoming Welcome Home Heroes event and job fair May 14, 2016 from 10:00 AM – 4:00 PM, and he invited everyone to “come out and celebrate with the veterans.”

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

CAROLYN POSTON, representing Atwater First Baptist Church, spoke regarding a request to distribute boxes of food at Ralston Park the fourth Saturday of each month from May to December.

Mayor Price asked that the request be submitted to the City in writing and that the item be placed on the next regular City Council meeting agenda of May 23, 2016 for City Council consideration.

GARY BRICE, Atwater, thanked the Public Works Department for their efforts installing the new ADA play structure at Ralston Park.

No one else came forward to speak.

CONSENT CALENDAR:

MOTION: Mayor Pro Tem Bergman moved to approve the consent calendar as listed. The motion was seconded by City Council Member Vineyard and the vote was: Ayes: Raymond, Vineyard, Bergman, Price; Noes: Rivero; Absent: None. The motion carried.

WARRANTS:

1. May 9, 2016

ACTION: Approval of warrants as listed.

MINUTES: (City Council)

2. a) Adjourned meeting, April 25, 2016
b) Regular meeting, April 25, 2016

ACTION: Approval of minutes as listed.

AGREEMENTS:

3. Approving Amendment No. 1 to Professional Services Agreement with VVH Consulting Engineers, Inc. for the Fruitland Avenue Reconstruction Project (Community Development Director McBride)

ACTION: Approval of Amendment No. 1 to the Professional Services Agreement with VVH Consulting Engineers, Inc. for the Fruitland Avenue Reconstruction Project; and authorizes and directs the City Manager to execute the amendment on behalf of the City.

RESOLUTIONS:

4. Calling, giving notice of, and consolidating the 2016 General Municipal Election (City Clerk Del Real)

ACTION: Adoption of Resolution No. 2885-16 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2016 for the election of the City Clerk, the City Treasurer, and two (2) Members of the City Council, as required by the provisions of the laws of the State of California relating to General Law Cities; and requests the Board of Supervisors of the County of Merced consolidate a General Municipal Election to be held on November 8, 2016 with the Statewide General Election to be held on the date pursuant to Section 10403 of the Election Code.

5. Consenting to inclusion of City of Atwater properties in the CSCDA Open PACE Program (Community Development Director McBride)

ACTION: Adoption of Resolution No. 2884-16 consenting to inclusion of properties within the City of Atwater's jurisdiction in the CSCDA Open PACE Program; and authorizes and directs the City Manager to execute any documents relating to participation on behalf of the City.

REPORTS:

6. Monthly review of local drought emergency (City Attorney Terpstra)

ACTION: Reaffirms the facts and findings in Resolution No. 2823-15 declaring the existence of a local drought emergency.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

7. Police Department activities and projects for the month of April, 2016 (Police Lieutenant Joseph)
8. Fire Department activities and projects for the month of April, 2016 (CAL FIRE Battalion Chief Pimentel)
9. Public Works Department activities and projects for the month of April, 2016 (Interim Public Works Director Faretta)

REPORTS AND PRESENTATIONS FROM STAFF:

Refinancing CalPERS Side Fund for Miscellaneous and Safety Plans (Finance Director Deol)

Eric Scriven, Principal at NHA Advisors, was available to answer questions regarding the item.

MOTION: Mayor Price moved to adopt Resolution No. 2880-16 approving the form and authorizing the execution and delivery of certain lease financing documents in connection with the refinancing of a portion of the City's outstanding unfunded accrued actuarial liability to the California Public Employees Retirement System, and providing for other matters properly relating thereto. The motion was seconded by City Council Member Vineyard and the vote was: Ayes: Vineyard, Price; Noes: Rivero, Raymond, Bergman; Absent: None. The motion was rejected.

Approving transfer of Government Use Properties from the former Atwater Redevelopment Agency to the City of Atwater (Community Development Director McBride)

MOTION: City Council Member/Board Member Vineyard moved to adopt Resolution No. SA 2016-2 approving the transfer of real property to the City of Atwater; and Resolution No. 2883-16 accepting the transfer of real property from the Successor Agency to the Atwater Redevelopment Agency to the City of Atwater. The motion was seconded by Mayor Pro Tem/Board Vice Chair Bergman and the vote was: Ayes: Raymond, Rivero, Bergman, Vineyard, Price; Noes: None; Absent: None. The motion carried.

Approving Memorandum of Understanding setting forth certain items of agreement among agencies within the Merced Groundwater Subbasin following the Sustainable Groundwater Management Act (Water Division Manager/Chief Operator Shaw)

MOTION: Mayor Pro Tem Bergman moved to approve the Memorandum of Understanding setting forth certain items of agreement among agencies within the Merced Groundwater Subbasin following the Sustainable Groundwater Management Act; and authorizing and directing the Mayor to execute the Memorandum of Understanding, in a form approved by the City Attorney, on behalf of the City. The motion was seconded by City Council Member Vineyard and the vote was: Ayes: Bergman, Vineyard, Price; Noes: Raymond, Rivero; Absent: None. The motion carried.

CITY COUNCIL MATTERS:

Letter of support to Assemblyman Adam Gray regarding funding for the VIPER program

MOTION: City Council Member Vineyard moved to authorize a letter of support to Assemblyman Adam Gray for funding for the violence interruption/prevention emergency response (VIPER) program. The motion was seconded by City Council Member Rivero and the vote was: Ayes: Bergman, Rivero, Raymond, Vineyard, Price; Noes: None; Absent: None. The motion carried.

City Council comments and requests for future agenda items

City Council Member Raymond thanked those who participated in the recent God Belongs in My City rally.

Mayor Pro Tem Bergman had nothing to report.

City Council Member Vineyard announced that Crestview Neighborhood Watch will meet at Heller Park on May 10, 2016 at 5:30 PM to discuss the possibility of adopting a City park.

City Council Member Rivero announced a 50th year celebration event for Thomas Olaeta School to be held May 19, 2016 beginning with a BBQ at 5:00 PM.

Mayor Price thanked Atwater First Baptist Church for the invitation to speak to the congregation's children recently. He invited the community to attend the Welcome Home Heroes event and job fair May 14, 2016 beginning at 10:00 AM at Castle. He announced a Budget Workshop to be held May 25, 2016 at 4:00 PM and a Supervisors District 4, and possibly District 2, Forum to be held May 19, 2016 at 6:30 PM at the Atwater VFW Hall.

ADJOURNMENT:

The meeting adjourned at 6:44 PM.



JEANNA DEL REAL, CMC
CITY CLERK/BOARD SECRETARY

By: Kim Bengtson-Jennings,
Recording Secretary