

# CITY OF ATWATER

## CITY COUNCIL AGENDA

Council Chambers  
750 Bellevue Road  
Atwater, California

**August 8, 2016**

CALL TO ORDER:

**5:00 PM**

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

**Bergman**\_\_\_\_, **Raymond** \_\_\_\_, **Rivero**\_\_\_\_, **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: (1)**
- b) **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 Lee**

ROLL CALL:

**Bergman**\_\_\_\_, **Raymond** \_\_\_\_, **Rivero**\_\_\_\_, **Vineyard** \_\_\_\_, **Price**\_\_\_\_

MAYOR OR DEPUTY 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. August 8, 2016**

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

**MINUTES:** (City Council)

**2. Regular meeting, July 25, 2016**

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

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

3. **Waiving the second reading and adopting Ordinance No. CS 975 amending Title 12 “Streets, Sidewalks and Public Places” of the Atwater Municipal Code, to add Chapter 12.34, “Use of City Property”** (Community Development Director McBride)

**Staff’s Recommendation:** Waives the second reading and adopts Ordinance No. CS 975 amending Title 12 of the Atwater Municipal Code.

REPORTS:

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

**Staff’s Recommendation:** Reaffirms the facts and findings in Resolution No. 2823-15 declaring the existence of a local drought emergency.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

5. **Police Department activities and projects for the month of July, 2016** (Police Lieutenant Joseph)
6. **Police Volunteer activities for the month of July, 2016** (Police Volunteer Vineyard)
7. **Fire Department activities and projects for the month of July, 2016** (CAL FIRE Battalion Chief Pimentel)
8. **Public Works Department activities and projects for the month of July, 2016** (Interim Public Works Director Faretta)

ANNUAL PETITIONS:

9. **Request from Atwater Chamber of Commerce for assistance with Annual Fall Festival** (Robert Vargas, President)

**Staff’s Recommendation:** Approval of request from Atwater Chamber of Commerce for assistance with the Annual Fall Festival to include street closures as follows: 3<sup>rd</sup> Street from Fir Avenue to Grove Avenue, to include Grove Avenue west of 3<sup>rd</sup> Street to Atwater Medical Center parking lot.

CITY COUNCIL MATTERS:

- 10. Discussion and possible action regarding installation of a security wall/fencing around Police Department parking lot (Mayor Price)**

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction regarding installation of a security wall/fencing around the Police Department parking lot.

- 11. City Council comments and requests for future agenda items**

CLOSED SESSION:

**Continuation of Closed Session if necessary**

ADJOURNMENT:

CERTIFICATION:

I, Jeanna Del Real, 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.

  
\_\_\_\_\_  
JEANNA DEL REAL, CMC  
CITY CLERK

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

~ August 2016 ~

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>1</b>	<b>2</b> Community Development & Resources Commission Special Meeting - 6:00 PM	<b>3</b>	<b>4</b>	<b>5</b> City Hall closed	<b>6</b>
<b>7</b>	<b>8</b> City Council Meeting - 6:00 PM	<b>9</b>	<b>10</b>	<b>11</b> Citizen's Oversight Committee for Public Safety Transactions & Use Tax Meeting - 5:30 PM	<b>12</b> City Hall closed	<b>13</b>
<b>14</b>	<b>15</b> Oversight Board of Successor Agency to ARA Meeting - 1:30 PM	<b>16</b>	<b>17</b> Community Development & Resources Commission Meeting - 6:00 PM	<b>18</b>	<b>19</b> City Hall closed	<b>20</b>
<b>21</b>	<b>22</b> Audit & Finance Committee Meeting - 3:30 PM City Council Meeting - 6:00 PM	<b>23</b>	<b>24</b>	<b>25</b> Merced County District 3 Supervisor McDaniel "Mobile" Office Hours - 1:30 - 3:30 PM	<b>26</b> City Hall closed	<b>27</b>
<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	Notes:		

~ September 2016 ~

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2 City Hall closed	3
4	5 City Holiday Labor Day  Trash pick up delayed 1 day	6	7	8	9 City Hall closed	10
11  911 Event	12 City Council Meeting - 6:00 PM	13	14	15	16 City Hall closed	17
18	19 Oversight Board of Successor Agency to ARA Meeting - 1:30 PM	20	21 Community Development & Resources Commission Meeting - 6:00 PM	22 Merced County District 3 Supervisor McDaniel "Mobile" Office Hours - 1:30 - 3:30 PM	23 City Hall closed	24 Fall Festival 9:00 AM - 5:00 PM
25  Fall Festival 9:00 AM - 3:00 PM	26 Audit & Finance Committee Meeting - 3:30 PM City Council Meeting - 6:00 PM	27	28	29	30 City Hall closed	Notes:

# WARRANTS SUMMARY FOR AUGUST 8, 2016 COUNCIL MEETING

TOTAL OF WARRANTS (FROM WARRANT REPORT)			\$ 188,847.68
ADDITIONAL WARRANTS ( THESE AMOUNTS ARE <b>NOT</b> INCLUDED IN TOTAL WARRANTS)			

DATE	DESCRIPTION	AMOUNT
7/21/2016	Prewrittens included in this current warrant run.	(\$7,802.09)
7/27/2016	Retiree Medical Reimbursement-AUGUST 2016	\$27,548.42
7/28/2016	Dental Claims/Admin.-JULY 2016	\$ 13,801.76
8/3/2016	PERS Health - AUGUST 2016	\$107,565.67

TOTAL ADDITIONAL WARRANTS

\$141,113.76

GRAND TOTAL OF WARRANTS PAID =====

\$329,961.44

## INFORMATIONAL ONLY ( INCLUDED IN THE TOTAL WARRANTS TOTAL)

DATE	DESCRIPTION	AMOUNT
7/21/2016	Net Payroll	\$161,808.51
7/21/2016	Federal Taxes	\$54,124.29
7/21/2016	State Taxes	\$6,972.96
7/21/2016	Payroll Deductions	\$2,343.15

\$222,905.76 Total Payroll

TOTAL INFORMATIONAL WARRANTS

\$225,248.91

  
CITY TREASURER

# Accounts Payable

## Checks for Approval

User: janiel  
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*Prewrittens*



City of  
**Atwater**  
 Community Pride City Wide  
 760 Bellevue Road, Atwater CA 95301

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68283	07/21/2016	General Fund	Community Center	KARINA CALDERON		200.00
					Check Total:	200.00
68284	07/21/2016	Internal Service Fund	Operations & Maintenance	CHEVRON USA INC.		321.43
					Check Total:	321.43
68285	07/21/2016	General Fund	Special Departmental Expense	ERIC PALMER		323.99
					Check Total:	323.99
68286	07/25/2016	General Fund	Miscellaneous Union Dues	AFSCME DISTRICT COUNCIL 57		763.65
					Check Total:	763.65
68287	07/25/2016	General Fund	Garnishments	FRANCHISE TAX BOARD		228.11
					Check Total:	228.11
68288	07/25/2016	General Fund	Pre-Paid Legal	PRE-PAID LEGAL SERVICES		28.91
					Check Total:	28.91
68289	07/25/2016	General Fund	Miscellaneous Union Dues	RMHC OF THE CENTRAL VALLEY, INC.		20.78
68289	07/25/2016	General Fund	Miscellaneous Union Dues	RMHC OF THE CENTRAL VALLEY, INC.		20.78
					Check Total:	41.56
68290	07/25/2016	General Fund	Garnishments	STATE DISBURSEMENT UNIT		1,230.92
					Check Total:	1,230.92
68291	07/25/2016	General Fund	Deferred Compensation	VANTAGEPOINT TRANSFER AGT-457		50.00
					Check Total:	50.00
68292	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	RAMONA BLAKE		242.24
					Check Total:	242.24

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68293	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	DAVID CHURCH		630.19
					Check Total:	630.19
68294	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	GARY FRAGO		334.76
					Check Total:	334.76
68295	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	BOBBY GREGORY		1,838.49
					Check Total:	1,838.49
68296	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	DARRELL HAMMIT		630.19
					Check Total:	630.19
68297	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	RENE MENDOZA		870.77
					Check Total:	870.77
68298	07/28/2016	Employee Benefits Fund	Health Insurance, Retirees	BILL SWALLEY		66.88
					Check Total:	66.88
					Report Total:	7,802.09

# Accounts Payable

## Checks for Approval

User: jdaniel  
 Printed: 8/3/2016 - 2:11 PM



City of  
**Atwater**  
 Community Pride City Wide

760 Bellevue Road, Atwater CA 95301

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68306 /	08/08/2016	General Fund	Professional Services	ABS PRESORT, INC.		2,025.00
68306	08/08/2016	General Fund	Office Supplies	ABS PRESORT, INC.		2,700.00
					Check Total:	4,725.00
68307 /	08/08/2016	Employee Benefits Fund	Health Insurance, Retirees	AMERICAN REPUBLIC		424.89
					Check Total:	424.89
68308 /	08/08/2016	General Fund	Professional Services	ANIMAL MEDICAL CENTER		78.02
					Check Total:	78.02
68309 /	08/08/2016	General Fund	Special Departmental Expense	ASAP TECHNICAL SOLUTIONS		295.49
					Check Total:	295.49
68310 /	08/08/2016	General Fund	Communications	AT and T		335.81
68310	08/08/2016	Sewer Enterprise Fund	Communications	AT and T		207.26
					Check Total:	543.07
68311 /	08/08/2016	General Fund	Special Departmental Expense	BOBBY AYUSO		84.91
					Check Total:	84.91
68312 /	08/08/2016	Water Enterprise Fund	Special Departmental Expense	BC LABORATORIES INC.		16.00
68312	08/08/2016	Water Enterprise Fund	Special Departmental Expense	BC LABORATORIES INC.		32.00
					Check Total:	48.00
68313 /	08/08/2016	Gas Tax/Street Improvement	Small Tools	BIG CREEK LUMBER COMPANY		14.57
68313	08/08/2016	Gas Tax/Street Improvement	Special Departmental Expense	BIG CREEK LUMBER COMPANY		21.74
68313	08/08/2016	Internal Service Fund	Special Departmental Expense	BIG CREEK LUMBER COMPANY		10.61
					Check Total:	46.92
68314 /	08/08/2016	General Fund	Adult Co-Ed Softball	BSN SPORTS INC		539.38

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
					Check Total:	539.38
68315 ✓	08/08/2016	Water Enterprise Fund	Special Departmental Expense	CHEM QUIP, INC.		706.87
68315	08/08/2016	Water Enterprise Fund	Special Departmental Expense	CHEM QUIP, INC.		866.00
68315	08/08/2016	Water Enterprise Fund	Special Departmental Expense	CHEM QUIP, INC.		706.87
68315	08/08/2016	Water Enterprise Fund	Special Departmental Expense	CHEM QUIP, INC.		-450.00
					Check Total:	1,829.74
68316 ✓	08/08/2016	Internal Service Fund	Communications	COMCAST CABLE		13.20
					Check Total:	13.20
68317 ✓	08/08/2016	General Fund	Adult Slo-Pitch Softball	TODD A. DAVIS		50.00
					Check Total:	50.00
68318 ✓	08/08/2016	General Fund	Uniform & Clothing Expense	DIAMOND PRINTS		154.74
					Check Total:	154.74
68319 ✓	08/08/2016	General Fund	SB 1186 Fees-Business License	DIVISION OF THE STATE ARCHITECT		-310.80
68319	08/08/2016	General Fund	SB 1186 Fees-Business License	DIVISION OF THE STATE ARCHITECT		444.00
					Check Total:	133.20
68320 ✓	08/08/2016	General Fund	Uniform & Clothing Expense	EVERGREEN CLEANERS		874.50
					Check Total:	874.50
68321 ✓	08/08/2016	General Fund	Small Tools	FASTENAL COMPANY		32.38
68321	08/08/2016	Sewer Enterprise Fund	Special Departmental Expense	FASTENAL COMPANY		31.32
68321	08/08/2016	Gas Tax/Street Improvement	Small Tools	FASTENAL COMPANY		75.69
68321	08/08/2016	Gas Tax/Street Improvement	Small Tools	FASTENAL COMPANY		17.04
68321	08/08/2016	Gas Tax/Street Improvement	Special Departmental Expense	FASTENAL COMPANY		53.40
68321	08/08/2016	Gas Tax/Street Improvement	Special Departmental Expense	FASTENAL COMPANY		69.84
68321	08/08/2016	Gas Tax/Street Improvement	Special Departmental Expense	FASTENAL COMPANY		5.26
68321	08/08/2016	General Fund	Small Tools	FASTENAL COMPANY		59.32
68321	08/08/2016	Water Enterprise Fund	Special Departmental Expense	FASTENAL COMPANY		5.53
68321	08/08/2016	Sewer Enterprise Fund	Special Departmental Expense	FASTENAL COMPANY		5.26
					Check Total:	355.04
68322 ✓	08/08/2016	Water Enterprise Fund	Special Departmental Expense	FERGUSON ENTERPRISES INC. #690		1,206.64
					Check Total:	1,206.64
68323 ✓	08/08/2016	General Fund	Summer Co-Ed Softball League	STEVE FLORIANO		50.00
68323	08/08/2016	General Fund	Adult Slo-Pitch Softball	STEVE FLORIANO		75.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68324 ✓	08/08/2016	General Fund	Adult Slo-Pitch Softball	THOMAS E. GOFF		125.00
68324	08/08/2016	General Fund	Summer Co-Ed Softball League	THOMAS E. GOFF		75.00
					Check Total:	100.00
68325 ✓	08/08/2016	Internal Service Fund	Special Departmental Expense	HAJOCA CORPORATION		175.00
					Check Total:	376.96
68326 ✓	08/08/2016	General Fund	Special Departmental Expense	HORIZON		376.96
68326	08/08/2016	Water Enterprise Fund	Small Tools	HORIZON		20.03
68326	08/08/2016	General Fund	Special Departmental Expense	HORIZON		9.69
					Check Total:	93.53
68327 ✓	08/08/2016	Internal Service Fund	Professional Services	HOTSY PACIFIC		123.25
68327	08/08/2016	Internal Service Fund	Operations & Maintenance	HOTSY PACIFIC		517.45
					Check Total:	1,349.52
68328 ✓	08/08/2016	General Fund	Beginning Indoor Soccer	JULIANNE HUERTA		1,866.97
					Check Total:	36.00
68329 ✓	08/08/2016	General Fund	Uniform & Clothing Expense	IMAGE UNIFORMS		36.00
					Check Total:	207.69
68330 ✓	08/08/2016	General Fund	Professional Services	iPROMTEu		207.69
68330	08/08/2016	General Fund	Professional Services	iPROMTEu		3,668.86
					Check Total:	1,856.85
68331 ✓	08/08/2016	General Fund	Training	PATRICIA ISHAM		5,525.71
					Check Total:	120.00
68332 ✓	08/08/2016	General Fund	Communications	JD SANDERS COMPANY LLC		120.00
					Check Total:	650.00
68333 ✓	08/08/2016	General Fund Capital	Traffic Signal Synchronization	JLB TRAFFIC ENGINEERING, INC		650.00
					Check Total:	277.66
68334 ✓	08/08/2016	General Fund	Deposits	KROEKER, INC.		277.66
68334	08/08/2016	Water Enterprise Fund	Water Service Charges	KROEKER, INC.		524.00
					Check Total:	-23.00
					Check Total:	501.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68335	08/08/2016	General Fund	Professional Services	DON MARTIN		121.92
					Check Total:	121.92
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		152.15
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		121.88
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		162.76
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		11.83
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		117.44
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		97.08
68336	08/08/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		132.73
					Check Total:	795.87
68337	08/08/2016	General Fund	Professional Services	MUNISERVICES LLC		429.79
68337	08/08/2016	General Fund	Professional Services	MUNISERVICES LLC		44.74
					Check Total:	474.53
68338	08/08/2016	General Fund	Office Supplies	THE OFFICE CITY		348.07
					Check Total:	348.07
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		257.82
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		50.46
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		82.60
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		22.31
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		-148.51
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		12.16
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		10.30
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		84.70
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		9.17
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		141.32
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		204.76
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		-43.23
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		25.11
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		16.19
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		70.93
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		10.79
68339	08/08/2016	Internal Service Fund	Small Tools	O'REILLY AUTO PARTS		56.14
68339	08/08/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		105.19
68339	08/08/2016	Sewer Enterprise Fund	Special Departmental Expense	O'REILLY AUTO PARTS		9.71
68339	08/08/2016	General Fund	Special Departmental Expense	O'REILLY AUTO PARTS		6.15
					Check Total:	984.07
68340	08/08/2016	Sewer Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		270.44

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68340	08/08/2016	General Fund	Utilities	PACIFIC GAS & ELECTRIC		66.23
68340	08/08/2016	General Fund	Utilities	PACIFIC GAS & ELECTRIC		64.80
68340	08/08/2016	Water Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		51,704.90
68340	08/08/2016	Internal Service Fund	Utilities	PACIFIC GAS & ELECTRIC		21.03
68340	08/08/2016	Gas Tax/Street Improvement	Utilities	PACIFIC GAS & ELECTRIC		117.09
Check Total:						52,244.49
68341	08/08/2016	General Fund	Communications	PACIFIC TELEMAGEMENT		78.00
Check Total:						78.00
68342	08/08/2016	General Fund	Summer Co-Ed Softball League	FERNANDO PERALES		150.00
68342	08/08/2016	General Fund	Adult Slo-Pitch Softball	FERNANDO PERALES		75.00
Check Total:						225.00
68343	08/08/2016	Internal Service Fund	Professional Services	PETE'S AUTO BODY		7,921.74
Check Total:						7,921.74
68344	08/08/2016	Information Technology Fund	Special Departmental Expense	QUICKPCSUPPORT		39,070.48
68344	08/08/2016	Water Enterprise Fund	Professional Services	QUICKPCSUPPORT		220.00
68344	08/08/2016	Information Technology Fund	Professional Services	QUICKPCSUPPORT		5,505.00
68344	08/08/2016	Information Technology Fund	Special Departmental Expense	QUICKPCSUPPORT		585.00
Check Total:						45,380.48
68345	08/08/2016	General Fund	Beginning Indoor Soccer	SALVADOR V. RANGEL		108.00
Check Total:						108.00
68346	08/08/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		185.91
68346	08/08/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		14.86
68346	08/08/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		336.41
68346	08/08/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		14.86
Check Total:						552.04
68347	08/08/2016	General Fund	Professional Services	SANTA FE PET		207.60
68347	08/08/2016	General Fund	Professional Services	SANTA FE PET		440.60
Check Total:						648.20
68348	08/08/2016	Sewer Enterprise Fund	Utilities	SIEMENS FINANCIAL SERVICES, INC.		17,579.88
Check Total:						17,579.88
68349	08/08/2016	Information Technology Fund	Special Departmental Expense	TELEPACIFIC COMMUNICATIONS		5,277.98

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
					Check Total:	5,277.98
68350 /	08/08/2016	General Fund	Professional Services	THOMAS H. TERPSTRA		14,156.11
68350	08/08/2016	Water Enterprise Fund	Professional Services	THOMAS H. TERPSTRA		2,012.50
68350	08/08/2016	Risk Management Fund	Professional Services	THOMAS H. TERPSTRA		3,155.00
68350	08/08/2016	Sewer Enterprise Fund	Professional Services	THOMAS H. TERPSTRA		45.00
					Check Total:	19,368.61
68351 /	08/08/2016	General Fund	Special Departmental Expense	TRACTOR SUPPLY CREDIT PLAN		13.45
					Check Total:	13.45
68352 /	08/08/2016	General Fund	Training	TRAINING FOR SAFETY, INC.		654.00
					Check Total:	654.00
68353 /	08/08/2016	General Fund	Professional Services	TROPHY CASE		64.80
					Check Total:	64.80
68354 /	08/08/2016	General Fund	Life Insurance Payable	UNUM LIFE INSURANCE		1,683.05
					Check Total:	1,683.05
68355 /	08/08/2016	Sewer Enterprise Fund	Communications	VERIZON WIRELESS		92.51
68355	08/08/2016	General Fund	Communications	VERIZON WIRELESS		54.04
68355	08/08/2016	General Fund	Communications	VERIZON WIRELESS		206.54
68355	08/08/2016	General Fund	Communications	VERIZON WIRELESS		108.08
68355	08/08/2016	General Fund	Communications	VERIZON WIRELESS		2,094.07
68355	08/08/2016	Measure H Fund	Communications	VERIZON WIRELESS		54.04
68355	08/08/2016	Internal Service Fund	Communications	VERIZON WIRELESS		10.81
68355	08/08/2016	General Fund	Communications	VERIZON WIRELESS		54.04
68355	08/08/2016	Water Enterprise Fund	Communications	VERIZON WIRELESS		148.42
68355	08/08/2016	Internal Service Fund	Communications	VERIZON WIRELESS		10.81
68355	08/08/2016	Gas Tax/Street Improvement	Communications	VERIZON WIRELESS		82.39
68355	08/08/2016	General Fund	Communications	VERIZON WIRELESS		769.87
					Check Total:	3,685.62
68356 /	08/08/2016	Employee Benefits Fund	Vision Insurance	VISION SERVICE PLAN (CA)		835.05
					Check Total:	835.05
68357 /	08/08/2016	Risk Management Fund	Life Insurance	VOYA RETIREMENT INSURANCE		36.26
					Check Total:	36.26
68358 /	08/08/2016	Internal Service Fund	Utilities	WEST COAST GAS CO. INC.		21.96

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
68359 /	08/08/2016	General Fund	Adult Slo-Pitch Softball	CLINTON WILLIAMS		21.96
68359	08/08/2016	General Fund	Summer Co-Ed Softball League	CLINTON WILLIAMS		175.00
					Check Total:	75.00
68360 /	08/08/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		250.00
68360	08/08/2016	Internal Service Fund	Small Tools	WINTON HARDWARE		23.46
68360	08/08/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		11.90
68360	08/08/2016	Water Enterprise Fund	Small Tools	WINTON HARDWARE		9.22
68360	08/08/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		5.34
68360	08/08/2016	Sewer Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		11.57
68360	08/08/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		3.55
68360	08/08/2016	Internal Service Fund	Special Departmental Expense	WINTON HARDWARE		14.81
68360	08/08/2016	Sewer Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		9.65
					Check Total:	15.04
68361 /	08/08/2016	General Fund	Adult Slo-Pitch Softball	RICHARD A. ZAMARRIPA		104.54
68361	08/08/2016	General Fund	Summer Co-Ed Softball League	RICHARD A. ZAMARRIPA		125.00
					Check Total:	75.00
					Check Total:	200.00
					Report Total:	181,045.59



# CITY OF ATWATER

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## CITY COUNCIL ACTION MINUTES

**July 25, 2016**

OPEN SESSION: (Council Chambers)

*The City Council of the City of Atwater met in Open Session this date at 5:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Price presiding.*

PLEDGE OF ALLEGIANCE TO THE FLAG:

*The Pledge of Allegiance was led by Mayor Price.*

ROLL CALL:

**Present:** City Council Members Raymond, Rivero, Mayor Pro Tem Bergman, Mayor Price

**Absent:** City Council Member Vineyard

**Staff Present:** City Manager/Police Chief Pietro, Deputy City Attorney Henderson, City Clerk Del Real, Recording Secretary Bengtson-Jennings

CLOSED SESSION: (Conference Room A)

*Mayor Price invited public comments on Closed Session items.*

*No one came forward to speak at this time.*

*Mayor Price adjourned the meeting to Conference Room A for Closed Session at 5:01 PM. Closed Session was called to order at 5:05 PM.*

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (2)

***Closed Session adjourned at 5:40 PM.***

REGULAR SESSION: (Council Chambers)

***The City Council of the City of Atwater met in Regular Session this date at 6:02 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Price presiding.***

PLEDGE OF ALLEGIANCE TO THE FLAG:

***The Pledge of Allegiance was led by Mayor Price.***

INVOCATION:

***The Invocation was led by Liaison Officer Lee.***

ROLL CALL:

***Present: City Council Members Raymond, Rivero, Mayor Pro Tem Bergman, Mayor Price***

***Absent: City Council Member Vineyard***

***Staff Present: City Manager/Police Chief Pietro, Deputy City Attorney Henderson, CAL FIRE Battalion Chief Rahn, Police Lieutenant Joseph, Community Development Director McBride, Interim Public Works Director Faretta, Finance Director Deol, City Clerk Del Real, Recording Secretary Bengtson-Jennings***

***Mayor Price announced that CAL FIRE Battalion Chief Pimentel, as well as other fire personnel from the Atwater/Merced area, are on a strike team in southern California battling the Santa Clarita fire. He asked the community to keep them in their thoughts and prayers.***

MAYOR OR DEPUTY CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

***Deputy City Attorney Henderson reported that no action was taken and staff was given direction. The Closed Session agenda was completed.***

SUBSEQUENT NEED ITEMS: ***None.***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

COMMENTS FROM THE PUBLIC:

*Notice to the public was read.*

**LORI JOHNSON, Atwater, spoke regarding her claim against the City and asked Mayor Price to ensure that someone from the City contact her to resolve the problem.**

**ZACHARY HUNSUCK, Atwater, spoke regarding the deteriorating condition of roads in Atwater and the importance of performing road improvements in a timely manner.**

**BILL BARKMAN, representing First Church of God, spoke regarding construction of the church's preschool and announced two upcoming events open to the public: Friday, September 30, 2016 Benefit Concert featuring Leon Patillo, former lead singer of the rock and roll group Santana; and Saturday, October 1, 2016 Dedication of Preschool and Centennial Celebration/Reception for the Church's 100 years in the community.**

*No one else came forward to speak.*

CONSENT CALENDAR:

**Agenda item #6 under Ordinances (Waiving Second Reading and Adoption), "Waiving the second reading and adopting Ordinance No. CS 974 amending Chapter 8.50 to 8.60 of the Atwater Municipal Code regarding commercial marijuana cultivation, processing, delivery, and dispensing and regarding personal cultivation of medical marijuana," was removed from the consent calendar for separate discussion and possible action.**

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

WARRANTS:

1. July 25, 2016

**ACTION: Approval of warrants as listed.**

MINUTES: (City Council)

2. a) Regular meeting, July 11, 2016  
b) Adjourned meeting, July 18, 2016

**ACTION: Approval of minutes as listed.**

RESOLUTIONS:

3. Approving Fiscal Year 2015/2016 Regional Surface Transportation Program Exchange Funds (Interim Public Works Director Faretta)

***ACTION: Adoption of Resolution No. 2904-16 authorizing and directing the City Manager to execute and file the Regional Surface Transportation Program (RSTP) Exchange Funds Claim for Fiscal Year 2015/2016.***

4. Approving Annual Local Transportation Fund Claim for FY 2016-17 (Interim Public Works Director Faretta)

***ACTION: Adoption of Resolution No. 2912-16 approving the annual Local Transportation Fund (LTF) claim to be filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2016-2017.***

AGREEMENTS:

5. Amendment No. 8 to Professional Services Agreement with West Yost 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 (Interim Public Works Director Faretta)

***ACTION: Approval of amendment No. 8 to the Professional Services Agreement, in a form approved by the City Attorney, between the City of Atwater and West Yost Associates of Davis, California in an amount not to exceed \$254,100 during Fiscal Year 2016-2017, 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 amendment on behalf of the City.***

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

6. Waiving the second reading and adopting Ordinance No. CS 974 amending Chapter 8.50 to 8.60 of the Atwater Municipal Code regarding commercial marijuana cultivation, processing, delivery, and dispensing and regarding personal cultivation of medical marijuana (City Attorney Terpstra)

***This item was removed from the consent calendar for separate discussion and possible action.***

PETITIONS AND COMMUNICATIONS:

7. Request from New Life Community Church for use of Ralston Park

**ACTION:** *Approval of request from New Life Community Church for use of Ralston Park on Sunday, October 1, 2016 from 7:00 AM to 1:00 PM to hold a worship service to celebrate their 16<sup>th</sup> birthday.*

**ORDINANCES (WAIVING SECOND READING AND ADOPTION):**

Waiving the second reading and adopting Ordinance No. CS 974 amending Chapter 8.50 to 8.60 of the Atwater Municipal Code regarding commercial marijuana cultivation, processing, delivery, and dispensing and regarding personal cultivation of medical marijuana (City Attorney Terpstra)

**MOTION:** *City Council Member Rivero moved to waive the second reading and adopt Ordinance No. CS 974 amending Chapter 8.50 to 8.60 of the Atwater Municipal Code imposing an express ban on commercial cultivation, processing, delivery originating from within City limits, and dispensing of medical marijuana and regulating the personal cultivation of medical marijuana in the City. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Rivero, Raymond, Price; Noes: Bergman; Absent: Vineyard. The motion carried.*

**FUNDING AND BUDGET MATTERS:**

Treasurer's Report for the month of June, 2016 (City Treasurer Heller)

**MOTION:** *Mayor Pro Tem Bergman moved to approve the Treasurer's Report for the month of June, 2016. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Raymond, Bergman, Rivero, Price; Noes: None; Absent: Vineyard. The motion carried.*

**PUBLIC HEARINGS:**

Waiving the first reading and introducing Ordinance No. CS 975 establishing Chapter 12.34 of the Atwater Municipal Code relating to use of City property (Community Development Director McBride)

***Mayor Price opened the public hearing for this item.***

***No one came forward to speak and Mayor Price closed the public hearing.***

**MOTION:** *Mayor Pro Tem Bergman moved to waive the first reading and introduce Ordinance No. CS 975 establishing Chapter 12.34 of the Atwater Municipal Code authorizing the use of City owned property to the greatest extent possible to provide for necessary public services and to maximize public benefit. The motion was seconded by City Council Member Rivero and the vote was: Ayes: Rivero, Raymond, Bergman, Price; Noes: None; Absent: Vineyard. The motion carried.*

REPORTS AND PRESENTATIONS FROM STAFF:

Financial Update – Fiscal Year Ended June 30, 2016 (Finance Director Deol)

*Finance Director Deol provided a financial update regarding Fiscal Year ended June 30, 2016; she reported that the numbers are subject to change until the books close on August 30, 2016.*

*LINDA DASH, Atwater, voiced her concerns regarding the Measure H fund shortfall, specifically concerning single family permits issued, and questioned the Community Facilities District (CFD) fund's purpose.*

*ERIC LEE, Atwater, reiterated that the Measure H fund should not be used to supplant what should be supplemented and believes the City should stop giving developers a break.*

Approving modification of enforcement of the Atwater Municipal Code pertaining to Automatic Fire Sprinkler requirements (CAL FIRE Battalion Chief Pimentel)

*City Council Member Raymond recused himself, stating a conflict of interest, regarding this item. He stepped down from the dais and left the City Council Chambers at 6:30 PM.*

**MOTION:** *Mayor Pro Tem Bergman moved to adopt Resolution No. 2911-16 approving the modification of enforcement of the Atwater Municipal Code (AMC) pertaining to Automatic Fire Sprinkler requirements. The motion was seconded by Mayor Price and the vote was: Ayes: Rivero, Bergman, Price; Noes: None; Absent: Vineyard, Raymond. The motion carried.*

*City Council Member Raymond returned to the dais at 6:35 PM.*

CITY COUNCIL MATTERS:

City Council comments and requests for future agenda items

*City Council Member Raymond had nothing to report.*

*Mayor Pro Tem Bergman had nothing to report.*

*City Council Member Rivero stated that he would speak to City Manager Pietro concerning a resident issue.*

*Mayor Price reminded the community to keep an eye on neighbors during these extremely hot days of summer and to pay particular attention while in parking lots, looking for children and pets left alone in vehicles; call the Police or Fire Departments in the event of an emergency.*

CLOSED SESSION:

***Continuation of Closed Session was not necessary.***

ADJOURNMENT:

***The meeting adjourned at 6:37 PM.***

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JEANNA DEL REAL, CMC  
CITY CLERK

By: Kim Bengtson-Jennings,  
Recording Secretary



# CITY COUNCIL OF THE CITY OF ATWATER

## ORDINANCE NO. CS 975

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATWATER ESTABLISHING CHAPTER 12.34 OF THE ATWATER MUNICIPAL CODE RELATING TO USE OF CITY PROPERTY

The City Council of the City of Atwater does hereby ordain:

**SECTION 1:** Title 12 "Streets, Sidewalks and Public Places," Chapter 12.34- Use of City Property," of the Atwater Municipal Code is hereby established to read as follows:

#### **Chapter 12.34- Use of City Property**

##### **Sections:**

**12.34.010 - Intent and purpose.**

**12.34.020- Use of City Property.**

**17.08.010 - Intent and purpose.**

**It is the intent and purpose of the City Council in adopting the ordinance codified in this chapter is to allow for the use and development of City owned property for legitimate public uses upon their consideration, subject to approval under Chapter 17.12.060.**

**17.08.020- Use of City Property.**

**Notwithstanding any provisions of any other section of the Atwater Municipal Code, including Title 17 Zoning, the City shall be authorized to utilize City owned property to the greatest extent possible to provide for necessary and legitimate public - municipal services which maximize public benefit. When a proposed use by the City is not specifically listed as a Permitted or Conditional Use in Title 17 Zoning it shall be deemed as a Permitted use for the specific location only when approved by the Atwater City Council. Approval shall subject to Chapter 17.16.060, or as amended.**

**SECTION 2. SEVERABILITY:** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

**SECTION 3. EFFECTIVE DATE:** This ordinance shall take effect and be in force thirty (30) days after the date of its passage and the City Clerk shall certify to the adoption of this ordinance and shall cause the same to be published in the Atwater Signal within fifteen (15) days from the adoption hereof.

**INTRODUCED: July 25, 2016**

**ADOPTED:**

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
**JAMES E. PRICE, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JEANNA DEL REAL, CITY CLERK**

July 27, 2016

Honorable Mayor and Members  
of the Atwater City Council

City Council Meeting  
of August 8, 2016

## **MONTHLY REVIEW OF LOCAL DROUGHT EMERGENCY**

### **RECOMMENDATION:**

It is recommended that the City Council consider:

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

### **BACKGROUND AND ANALYSIS:**

In January 2014, the Governor declared a state of emergency in the State of California due to current drought conditions. As a result of the Governor's declaration, on May 26, 2015, the City Council adopted Resolution No. 2823-15 declaring the existence of a local drought emergency and Urgency Ordinance No. CS 966 amending the City's current water conservation program in an effort to curtail effects of the current and future statewide drought conditions within the City of Atwater.

Government Code section 8630(c) requires the City review the need for continuing the local drought emergency at least once every 30 days until the City Council terminates the local drought emergency. Staff has reviewed the City's need for continued conservation in line with the urgency ordinance and believes there is a continued need for the local drought emergency procedures contained therein.

Therefore, Staff recommends that the City Council reaffirm the facts and findings in Resolution No. 2823-15 declaring the existence of a local drought emergency.

### **FISCAL IMPACT:**

Short-term water saving actions will have minimal staff and monetary impacts. Longer-term actions may require additional resources, which would be presented to the City Council for consideration after Staff has had an opportunity to further explore their feasibility.

### **CONCLUSION:**

This staff report is submitted for City Council consideration and possible action.

Respectfully submitted,

*/s/ Thomas H. Terpstra*

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Thomas H. Terpstra  
City Attorney



## CITY COUNCIL OF THE CITY OF ATWATER

### RESOLUTION NO. 2823-15

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATWATER DECLARING EXISTENCE OF A LOCAL DROUGHT EMERGENCY

**WHEREAS**, California Government Code § 8630 empowers the City Council to declare the existence of a local drought emergency when the City of Atwater is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City; and

**WHEREAS**, California Government Code § 8558(c) states that a “local emergency” means the duly declared existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the City caused by the drought; and

**WHEREAS**, pursuant to Atwater Municipal Code § 2.44.060, the Director of Emergency Services has requested the City Council to declare the existence of a local emergency; and

**WHEREAS**, on January 17, 2014, the Governor of the State of California declared a state of emergency in the State of California due to current drought conditions in the state; and

**WHEREAS**, the Governor’s proclamation acknowledged that the State of California is experiencing record dry conditions that have persisted since 2012; and

**WHEREAS**, the Governor’s proclamation also noted that the snowpack in California’s mountains is alarmingly below the normal average level for this date; and

**WHEREAS**, the Governor’s proclamation called upon all Californians to reduce their water usage by 25 percent; and

**WHEREAS**, the Governor’s proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

**WHEREAS**, persistent drought conditions have negatively impacted and continue to threaten the City’s economy; and

**WHEREAS**, conditions of drought exacerbate already perilous fire conditions threatening communities in the City of Atwater; and

**WHEREAS**, on January 15, 2014, the Secretary of the United States Department of Agriculture designated 27 California counties, [*including Alameda, Alpine, Amador, Calaveras, Contra Costa, El Dorado, Fresno, Inyo, Kings, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Sacramento, San Benito, San Bernardino, San Joaquin, San Luis Obispo, Santa Clara, Santa Barbara, Stanislaus, Tulare, Tuolumne, and Ventura*] as natural disaster areas due to drought which makes farm operators in the designated counties eligible to be considered for certain assistance including emergency loans from the U.S. Farm Service Agency for production losses; and

**WHEREAS**, on January 17, 2014, the California State Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State Water Board will notify water right holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and

**WHEREAS**, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the City of Atwater.

**NOW, THEREFORE, BE IT RESOLVED AND DECLARED** by the City Council of the City of Atwater that for the reasons set forth herein, a local drought emergency now exists throughout the City of Atwater; and

**BE IT FURTHER RESOLVED** that federal and state agencies are requested to provide financial and other assistance to residents, water suppliers, water rights holders, and business owners in the City of Atwater to help them mitigate the persistent drought conditions; and

**BE IT FURTHER RESOLVED** that the City of Atwater's water users shall be encouraged and directed to heed the Governor's request to reduce water usage by 25 percent; and

**BE IT FURTHER RESOLVED** that water suppliers in the City of Atwater shall be encouraged and directed to heed the Governor's request to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

**BE IT FURTHER RESOLVED** that all city water associates, power companies, other involved agencies, utilities, and individuals shall be encouraged and directed to do whatever they can to equitably allocate the available water to mitigate to the extent possible the hardships resulting from the lack of water during this extended drought period of recovery; and

**BE IT FURTHER RESOLVED, DECLARED AND ORDERED** that during the existence of this local drought emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the City Council of the City of Atwater, County of Merced, State of California, declares its termination. Further, it is directed that this emergency declaration be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California; and

**BE IT FURTHER RESOLVED, DECLARED AND ORDERED** that the City Council of the City of Atwater hereby authorizes the undertaking of all extraordinary police and planning powers in response to this local drought emergency including but not limited to the ability to modify,

amend, or issue planning codes, building or safety codes, environmental health codes, and such other codes, orders, and regulations as determined necessary for the duration of the emergency; and

**BE IT FURTHER RESOLVED, DECLARED AND ORDERED** that public employees, officers, and governing bodies within the City are hereby granted full immunity to the extent allowed by law for actions undertaken in compliance with this declaration; and

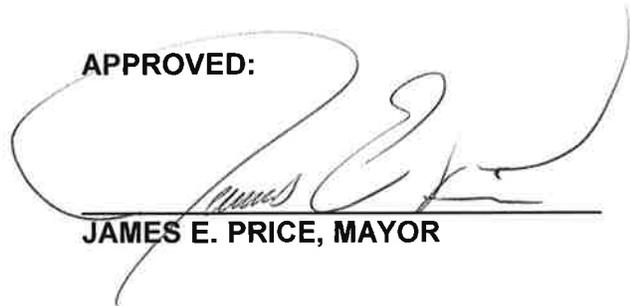
**BE IT FURTHER RESOLVED, DECLARED AND ORDERED** that during the existence of this local drought emergency, the City of Atwater Director of Emergency Services may request the City Council to amend this declaration of a local drought emergency and, if this Council is not in session to amend this declaration as necessary and, if this declaration is amended by the Director of Emergency Services, the Council shall take action to ratify the amendment within 14 days thereafter or the amendment shall have no further force or effect; and

**BE IT FURTHER RESOLVED, DECLARED AND ORDERED** that pursuant to Government Code section 8630(c) this City Council will review the need for continuing the local drought emergency at least once every 30 days until this Council terminates the local drought emergency.

The foregoing resolution is hereby adopted this 26<sup>th</sup> day of May, 2015.

**AYES:** Bergman, Raymond, Vineyard, Price  
**NOES:** Rivero  
**ABSENT:** None

**APPROVED:**



A large, stylized handwritten signature in black ink, appearing to read 'James E. Price', is written over a horizontal line. The signature is fluid and cursive.

**JAMES E. PRICE, MAYOR**

**ATTEST:**

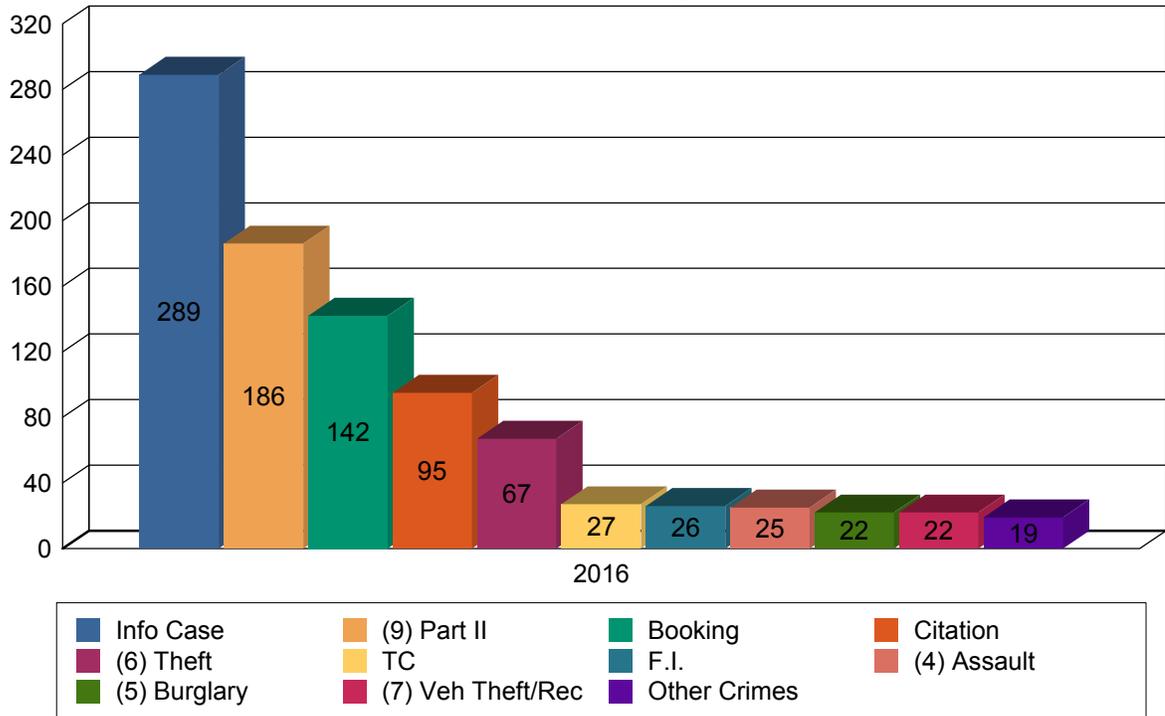


A handwritten signature in black ink, appearing to read 'Jeanna Del Real', is written over a horizontal line. The signature is cursive and somewhat stylized.

**JEANNA DEL REAL, CMC**  
**CITY CLERK**

# Incident Directory Report July 2016

## BCS Code by Year



	2016	Total
Info Case	289	<b>289</b>
(9) Part II	186	<b>186</b>
Booking	142	<b>142</b>
Citation	95	<b>95</b>
(6) Theft	67	<b>67</b>
TC	27	<b>27</b>
F.I.	26	<b>26</b>
(4) Assault	25	<b>25</b>
(5) Burglary	22	<b>22</b>
(7) Veh Theft/Rec	22	<b>22</b>
Other Crimes	19	<b>19</b>
<b>Grand Total</b>	<b>920</b>	<b>920</b>
<b>Calls for service</b>		<b>2200</b>

## Incident Directory Report

(2) Rape	1	Supports Drill Down
(3) Robbery	3	Supports Drill Down
(4) Assault	25	Supports Drill Down
(5) Burglary	22	Supports Drill Down
(6) Theft	67	Supports Drill Down
(7) Veh Theft/Rec	22	Supports Drill Down
(9) Part II	186	Supports Drill Down
Booking	142	Supports Drill Down
Citation	95	Supports Drill Down
DUI	6	Supports Drill Down
F.I.	26	Supports Drill Down
Info Case	289	Supports Drill Down
Registrant	9	Supports Drill Down
TC	27	Supports Drill Down

## NOTABLE CASES FOR JULY 2016

1. On July 8, 2016, APD Officers were dispatched to the area of Broadway Avenue and First Street for a roll over traffic accident. One of the drivers fled the scene and was eventually located by Officer Dash. The suspect was later booked for felony hit & run.
2. On July 30, 2016 at approximately 8:00 pm Sergeant J.L. Smothers was on patrol in the 1300 block of East Bellevue Road when he observed two young Hispanic Males acting suspicious near the exterior wall of the Castle Gardens Apartment Complex. The residents of the complex have been the victims of several burglaries recently. As he was attempting to get turned around to make contact with them one of the subjects jumped the wall into the complex. As he contacted the remaining male subject the subject that had jumped the wall was observed handing a 55" flat screen over the wall to the male that remaining on the street side. Upon seeing the police unit the two males dropped the television and fled. After a short foot pursuit Sergeant Smothers apprehended the 15 year old subject. Additional stolen property, including passports was located concealed in the bushes.
3. On July 31, 2016 at 01:15 am Atwater Police Officers were dispatched to the 400 block of Fruitland Avenue on a report of a Fight in Progress where one of the subjects was claiming to have a handgun. Seven subjects were contacted and detained. No firearm was located. After investigating it was found that the group consisted of friends and family who were trying to get 24 year old into the truck as he was intoxicated and under the influence. During the altercation the suspect cut one of his friends with a box cutter.
4. On July 5, 2016, at approximately 0200 hours in the morning, Officer Donnie Wisdom was dispatched to the 2300 block of Olive Avenue regarding an unwanted guest. As Officer Donnie Wisdom arrived in the area, he observed a subject matching the description provided to him by the dispatcher. The subject was on a bicycle leaving the residence where the complaint was received from. Officer Wisdom attempted to detain the suspect pending an investigation; however the suspect refused to listen and became combative with Officer Donnie Wisdom. As a result, Officer Donnie Wisdom attempted to physically detain the suspect. As the struggle ensued, Officer Donnie Wisdom attempted to place handcuffs on the suspect, however the suspect continued to resist. Officer DaSilva arrived on scene and because the suspect continued to resist, the suspect was struck by the officers' baton and eventually was taken into custody. During the struggle, methamphetamine was located on the suspect as well a glass pipe used in smoking methamphetamine. The suspect was eventually booked at MCJ.

**AVIPS PERSONNEL MONTHLY TOTALS AS OF JULY 2016**

MONTHS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR TO DATE
<b>TOTAL TASKS</b>	258	352	543	792	795	875	586	0	0	0	0	0	<b>4201</b>
<b>TOTAL HOURS</b>	316.75	244.50	352.50	361.00	525.50	397.25	306.25	0.00	0.00	0.00	0.00	0.00	<b>2503.75</b>
													<b>TOTAL</b>
<b>VINEYARD, JAMES</b>													
TASKS	32	45	32	45	60	15	0						<b>229</b>
HOURS	72.00	67.00	51.50	39.50	123.50	18.00	0.00						<b>371.50</b>
<b>RUSSELL, ALLEN</b>													
TASKS	50	27	35	55	66	44	46						<b>323</b>
HOURS	32.00	16.00	20.50	25.50	34.50	28.50	19.50						<b>176.50</b>
<b>MARTIN, DON</b>													
TASKS	58	81	50	173	125	154	49						<b>690</b>
HOURS	64.50	68.00	42.00	71.50	73.00	105.00	44.50						<b>468.50</b>
<b>WILKINSON, GORDON</b>													
TASKS	28	107	144	145	105	262	209						<b>1000</b>
HOURS	25.75	28.00	48.50	37.00	46.50	56.00	40.50						<b>282.25</b>
<b>PINTO, MANUEL</b>													
TASKS	8	3	2	1	10	0	2						<b>26</b>
HOURS	26.50	6.00	7.00	3.00	19.50	0.00	5.50						<b>67.50</b>
<b>OLZACK, GREG</b>													
TASKS	0	0	0	99	130	117	126						<b>472</b>
HOURS	0.00	0.00	0.00	31.50	28.25	33.00	36.25						<b>129.00</b>
<b>FAUL, JOAN</b>													
TASKS	19	3	7	13	14	3	14						<b>73</b>
HOURS	43.00	11.00	42.00	24.00	44.00	15.00	59.00						<b>238.00</b>
<b>AZEVEDO, RUTH</b>													
TASKS	38	27	59	82	109	61	120						<b>496</b>
HOURS	26.50	16.00	35.00	37.00	62.75	46.75	47.50						<b>271.50</b>
<b>MATLOCK, MIKE</b>													
TASKS	17	10	74	41	24	0	14						<b>180</b>
HOURS	15.50	8.50	43.50	20.00	24.00	0.00	45.00						<b>156.50</b>
<b>CABRERA, JASMINE</b>													
TASKS	0	42	132	130	152	218	6						<b>680</b>
HOURS	0.00	17.00	58.50	58.00	69.50	67.00	8.50						<b>278.50</b>
<b>MARTINEZ, BELINDA</b>													
TASKS	0	0	0	7	2	0	0						<b>9</b>
HOURS	0.00	0.00	0.00	7.00	3.00	0.00	0.00						<b>10.00</b>
TASKS	0	0	0	0	0	0	0						<b>0</b>
HOURS	0.00	0.00	0.00	0.00	0.00	0.00	0.00						<b>0.00</b>
<b>WALCH, JUDY</b>													
TASKS	1	0	1	1	0	0	0						<b>3</b>
HOURS	4.00	0.00	4.00	7.00	0.00	0.00	0.00						<b>15.00</b>
<b>MOORE, WILLIE</b>													
TASKS	0	0	0	0	0	1	0						<b>1</b>
HOURS	0.00	0.00	0.00	0.00	0.00	28.00	0.00						<b>28.00</b>

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
<b>YEARLY HOURS</b>	2866.50	4321.20	6755.00	6890.20	5385.20	5072.00	3780.25	4893.75	3969.00	2199.50	3262.00	4070.50

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	YEARS TOTALED
<b>YEARLY HOURS</b>	4910.00	3818.00	2205.00	0.00	3459.00	3344.70	2708.55	2495.30	3355.50	2482.75	0.00	0.00	<b>82243.90</b>

**AVIPS YEAR TASK TOTALS AS OF JULY 2016**

TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YEARLY TOTALS
Administration	13	9	14	7	16	3	0						62
Animal Control	0	1	0	0	0	2	2						5
Citizen Assists	2	11	13	17	27	23	4						97
Crossing Guard	0	10	15	15	24	1	0						65
DUI Check Point	0	0	1	0	0	0	0						1
Evidence Transport	9	2	10	15	7	4	2						49
Feral Cat Program	0	0	0	2	0	0	0						2
Foot Patrol	3	0	3	0	0	1	1						8
Funeral	8	4	4	7	23	27	19						92
Garage Sales	0	3	12	22	25	16	22						100
House Checks	54	48	90	70	91	54	19						426
Merced Paperwork	21	21	33	31	30	31	21						188
Neighborhood Watch	16	4	12	5	14	4	0						55
Notice of Violation	10	19	5	14	14	19	4						85
Office	11	10	6	8	8	9	4						56
Parade Control	1	0	2	1	0	3	5						12
Pawn Tickets	24	24	25	35	35	38	21						202
Radar Trailer	0	0	0	0	11	0	0						11
Sign Removal	13	71	124	260	152	76	230						926
Traffic Control	14	9	9	11	22	20	22						107
Training	11	16	24	13	1	3	0						68
Vehicle Patrol	35	37	45	61	75	57	31						341
Water Contact/Flyer	1	10	7	138	172	265	90						683
Water Notice Given	0	1	0	3	23	21	54						102
Other	5	35	82	57	27	198	35						439
<b>Total Tasks/Month</b>	251	345	536	792	797	875	586	0	0	0	0	0	<b>4182</b>
<b>Total Hours/Month</b>	309.75	237.50	352.50	361.00	528.50	397.25	306.25						<b>2492.75</b>
<b>Total Miles/Month</b>	2264.00	1112.00	1926.00	2145.00	2280.00	1737.00	1326.00						<b>12790.00</b>

**AVIPS VICTOR UNIT TASKS/HOURS TOTALS FOR JULY 2016**

TASKS	James Vineyard V-1	Allen Russell V-2	Don Martin V-3	Gordon Wilkinson V-4	Manual Pinto V-5	Greg Olzack V-6	Jean Faul V-7	Ruth Azevedo V-8	Mike Maflock V-9	Jasmine Cabrera V-10	V-11	V-12	Judy Walsh V-13	Wille Moore V-14	TOTALS
Administration															0
Animal Control			2												2
Citizen Assists		1	1	1				1							4
Crossing Guard															0
DUI Check Point															0
Evidence Transport		1						1							2
Feral Cat Program															0
Foot Patrol			1												1
Funeral		1	4	3			2	5	3	1					19
Garage Sales			4	5			10		3						22
House Checks		4	1	6				7	1						19
Merced Paperwork		5	4	4				8							21
Neighborhood Watch															0
Notice of Violation			4												4
Office								4							4
Parade Control			1		1			1	1	1					5
Pawn Tickets		5	4	4				7		1					21
Radar Trailer															0
Sign Removal		23	8	131				66	2						230
Traffic Control		1	3	3	1		2	7	3	2					22
Training															0
Vehicle Patrol		5	7	6				11	1	1					31
Water Contact/Flyer				2		88									90
Water Notice Given			4	11		38		1							54
Other			1	33				1							35
<b>Total Tasks/Month</b>	0	46	49	209	2	126	14	120	14	6	0	0	0	0	<b>586.00</b>
<b>Total Hours/Month</b>		19.50	44.50	40.50	5.50	36.25	59.00	47.50	45.00	8.50					<b>306.25</b>
<b>Total Miles/Month</b>	0	0	226	297	8	210	0	406	159	20	0	0	0	0	<b>1326</b>

Volunteer James P Vineyard V - 1

<b>Fire Svc. Calls</b>	<b>Jan-16</b>	<b>Feb-16</b>	<b>Mar-16</b>	<b>Apr-16</b>	<b>May-16</b>	<b>June-16</b>	<b>July-16</b>	<b>Aug-16</b>	<b>Sep-16</b>	<b>Oct-16</b>	<b>Nov-16</b>	<b>Dec-16</b>
Structure Fire	3	2	5	2	2	3	3					
Other Fires	21	13	17	28	22	24	24					
Vehicle Accidents	9	15	15	20	17	19	17					
Medical Aid	241	234	240	245	236	228	243					
Haz-Mat/ Hazardous condition	7	1	11	7	2	6	8					
Public Assistance/ Service Calls	13	25	18	21	22	26	24					
<b>Total</b>	<b>294</b>	<b>290</b>	<b>306</b>	<b>323</b>	<b>301</b>	<b>306</b>	<b>319</b>					
<b>Weed Abatement</b>												
Weed abatement properties inspected	0	0	0	60	80	64	20					
Number of properties abated by contractors	0	0	0	0	3	5	3					
# of properties serviced by most used contractor	0	0	0	0	0	0	0					
Avg weed abatements per contractor	0	0	0	0	0	2	0					
<b>Projects</b>												
Hydrants inspected/serviced	0	10	20	5	8	10	6					
Public education [qty. of presentations]	1	3	13	11	10	5	5					
Hose Testing	0	0	0	0	75	660	0					
Buisness Inspection	32	45	43	42	40	19	38					
Training Sessions	6	12	30	10	13	15	8					
<b>Reserve Program</b>												
# hours worked	96	70	289	79	178	126	163					
Training Hours	7	8	72	12	48	18	30					
<b>Meetings</b>												
Staff meetings attended	3	3	2	4	3	4	2					
City Council meetings attended	2	1	2	2	2	2	1					
Public Safety meetings attended	2	1	0	1	1	3	2					
Local, State, and Federal meetings/activities	6	8	5	10	6	12	10					

## **Public Works Department Project/Activity Report for July 2016**

### **STREETS & BUILDINGS DIVISION**

- Maintenance and Repairs to Buildings:
  - Replaced non-functioning garbage disposal in City Hall Break Room.
  - Repaired the auto-flush mechanism on urinals at Fire Station 42.
  - Replaced damaged wheel on main entry gate at Corporation Yard.
  
- Street and Sidewalk Repairs/Maintenance:
  - Removed and replaced hazardous section of sidewalk on S/W corner of Third Street and Cedar Avenue.
  - Removed and replaced lifted section of sidewalk at 2422 Brodalski Street.
  - Filled large pot hole at Beals Drive and Mary Lane.
  - Installed traffic buttons and reflectors on recently repaired section of Shaffer Road just South of MID Canal Bridge.
  
- After being hit by a vehicle, replaced Rail Road Crossing sign and pole on the South side of Bellevue Road, just West of Santa Fe Drive.
  
- After being hit by a vehicle, replaced No Stopping sign and pole on North side of Bellevue Road at Muir Avenue.
  
- Performed Traffic Signal Light repairs at the following locations:
  - After being hit by a vehicle, removed non-functioning pedestrian crossing pole/button from median at HWY 99 and Bell Lane.
  - Replaced green light at East bound Bellevue Road and Redwood Avenue.
  - Repaired lighted crosswalk at Winton Way and Olive Avenue by replacing four (4) non-functioning lights.
  
- Repaired twelve (12) non functioning Street Lights at the following locations:
  - Bellevue Road – Pole # A04147
  - 3122 Forrest Grove Court – Pole # 4255
  - 2901 Soquel Avenue – Pole # A0437
  - Gleneagle Street – Pole # A03090
  - Glen Abbey Street – Pole # A0401
  - Woodside Court – Pole # A0540
  - 565 Baker Court – Pole # 4215
  - 2432 Briarwood Street – Pole # 3911
  - Shaffer Road – Pole # A0107
  - Repaired three (3) decorative street lights at the Silva Ranch Subdivision entrance on Branco Avenue.

## **WATER DIVISION**

- Replaced seven (7) broken Residential Water Service Lines from the City water main to the City's shut off valve at the following locations:
  - 309 Sutherland Way
  - 1673 Chaparral Court
  - 279 Drakeley Avenue
  - 2769 Bidwell Court
  - 3099 Summit Lane
  - 1260 Highpoint Drive
  - 1000 Wedel Street
  
- Replaced pump motor starter and overload relay switch on Booster Pump at Osborn Park.
  
- Performed 221 delinquent water shut offs.
  
- Installed a replacement chlorine line at USP Atwater well site.
  
- Repaired water meter box at 1290 Winton Way.
  
- Performed four (4) Residential Water Service Line upgrades at the City's shut off valve at the following locations:
  - 1873 Carter Way
  - 280 Drakeley Avenue
  - 1830 Olive Avenue
  - 1540 Castle Street
  
- Programmed 13 newly installed Water Meters for recently constructed homes in the Atwater South Subdivision, Stone Creek Subdivision and the Meadowview Estates Subdivision.

## **WASTEWATER AND STORM DIVISION**

- Performed chemical weed and insect abatement at various Storm Pond locations throughout the City.
  
- Inspected pump motors and refilled with oil as needed at various Storm Pump Stations throughout the City.
  
- Performed mechanical weed abatement at the following locations:
  - Multiple Storm Pond sites
  - Veterans Park football/soccer field
  - Albiani Park

- Performed cleaning of Sewer Lift Stations and Wet Wells at various locations throughout the City.
- Logged daily sewer flows at USP Atwater, Castle and Old Base Housing Sewer Lift Stations.
- Continued to work with personnel from USP Atwater to haul off large tree stumps and piles of wood chips from City owned property. This was done to mitigate sources of flammable/combustible material at no charge to the City.
- Utilized Vac Con Truck to clean Sewer Main Lines at various locations throughout the City.

### **EQUIPMENT MAINTENANCE DIVISION**

- Performed routine service/maintenance on nine (9) City vehicles.
- Performed specialty repairs on 22 City vehicles.
- Vehicle # 2231 (Fire Engine) was taken out of service for a few days for miscellaneous repairs and general maintenance
- Serviced A/C System in several City vehicles.
- Performed repairs to mowers.
- Repaired emergency generator at Well Sites #17 and #18.
- Transported Street Sweeper to Merced Truck and Trailer for specialty repairs.

### **PARKS DIVISION**

- Landscape Maintenance Districts:
  - Continued mowing and general maintenance of selected turf and landscaped areas within each LMD on a priority basis.
  - Removed weeds and trimmed hedges and trees in Silva Ranch LMD, Price Annexation LMD, Atwater South LMD and Stone Creek LMD.
  - Continued irrigations repairs within Stone Creek, Atwater South, Sandlewood Square, Bell Crossing and Silva Ranch LMD's.
- General Park Maintenance:
  - Conducted repairs to infield watering systems at Osborn and Miyake Softball Fields.
  - Performed irrigation repairs at Osborn Park, City Hall, Veterans Park, Memorial Ball Park and Bloss Park.

- Removed overgrown Ivy from walkway in back of Police Department and trimmed hedge in front of City Hall to improve line of sight issues.
- Due to continued vandalism, installed metal covers on security lighting at Osborn Park and Joan Faul Park.
- Street Side Maintenance:
  - Mowing, trimming, weed removal and trash pick-up at various street side landscaped areas throughout the City.
  - Replaced several broken irrigation risers at 1279 Broadway Avenue.
  - Removed weeds from sidewalk cracks on the West side of Buhach Road between Greensands Avenue and Piro Drive.
  - Removed overgrown Oleander Bushes from block wall on Station Avenue just North of East Broadway Avenue.
  - Trimmed trees to clear obstructed stop sign at corner of Fifth Street and Grove Avenue.
- Continued bi-weekly mowing schedule for parks and all other turf areas within the City. Sports fields that are utilized on a daily basis are mowed weekly.
- Street Tree Work
  - Twelve (12) tree removals
  - Three (3) clearance/structural prunings
  - Eight (8) limb failures
  - Five (5) stump removals

### **GRAFFITI ABATEMENT**

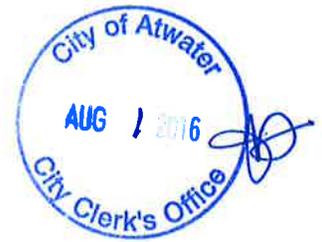
- Worked with Environmental Compliance Resources, the City's Graffiti Abatement Contractor, to remove and paint over graffiti at various locations throughout the City, to include 16 separate street signs. This work was performed with 43.5 man hours during the month of July 2016. The total amount of graffiti removed during this time period was approximately 5,800 square feet.



## ATWATER CHAMBER OF COMMERCE

1181 Third Street, Atwater, Ca. 95301  
(209) 358-4251

Email: [Info@atwaterchamberofcommerce.com](mailto:Info@atwaterchamberofcommerce.com)  
Website: [www.atwaterchamberofcommerce.com](http://www.atwaterchamberofcommerce.com)



Dear Atwater City Council,

The Atwater Chamber of Commerce is requesting permission to hold our 40th Fall Festival at Ralston Park on Saturday, September 24th & Sunday, 25<sup>th</sup>, 2016 from 9:00am until 5:00pm on Saturday and from 9:00am until 3:00pm on Sunday. Some vendors will set up on Friday, September 23rd. We are also requesting Third street from Fir and Grove be blocked off for the safety of everyone involved.

The Chamber and the City partnership has gone on for many years regarding this event. I understand that the City has allowed the Chamber to be under the “umbrella” of their insurance, I hope this can continue. Fees have been waived in the past and I hope this can be the case for this year.

If permission is granted we would request to have access to the restrooms, electrical boxes and the storage area adjacent to the restrooms.

Thank you for your consideration,

Robert Vargas

President

Atwater Chamber of Commerce

United WE Stand!!

CITY OF ATWATER  
MAYOR AND CITY COUNCIL MEMBERS  
AGENDA ITEM REQUEST FORM

Request by: Mayor Price

Request for City Council meeting of August 8, 2016

Item requested will be for: Informational/Discussion only  Discussion/Action

Title of agenda item: Security Wall Police Parking Lot

Brief description/summary of the agenda item (as you would like it to appear on the agenda):

Are supporting documents or exhibits attached? Yes  No

STAFF USE ONLY

Fiscal Impact: yes Prior City Council Action: Yes  No

Consent item: Yes  No  Review complete. Item  approved  not approved:

City Manager: [Signature] Date: 8-3-16

-----TRACKING-----

Date Received by Clerk: 8/2/16 Date reviewed at Staff Meeting: —

Department/s Assigned: \_\_\_\_\_ Date item routed \_\_\_\_\_

Comments:

Item set for:  
 Action \_\_\_\_\_

Action Taken: \_\_\_\_\_

Work Session (discussion) \_\_\_\_\_ Status Update \_\_\_\_\_

On **proposed** Agenda Date: \_\_\_\_\_

Contact person notified of action or meeting date: \_\_\_\_\_ By: \_\_\_\_\_