

# CITY OF ATWATER

## CITY COUNCIL AGENDA

Council Chambers  
750 Bellevue Road  
Atwater, California

**January 11, 2016**

REGULAR SESSION: (Council Chambers)

**6:00 PM**

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Police Chaplain McClellan**

ROLL CALL:

**Bergman**\_\_\_\_, **Raymond** \_\_\_\_, **Rivero**\_\_\_\_, **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**
- 1. **Verbal report regarding the City's ongoing regulatory compliance activities**  
(Kathryn Gies, West Yost Associates Engineering Manager)

**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:**

2. a) December 28, 2015  
b) January 11, 2016

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

**MINUTES:** (City Council)

3. Regular meeting, December 14, 2015

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

**MINUTES:** (Commissions)

4. Community Development and Resources, November 18, 2015

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

REPORTS:

5. **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.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

6. **Waiving the second reading and adopting Ordinance No. CS 971 amending Title 5 "Business Taxes, Licenses, and Regulations," to add Chapter 5.62 "Donation Bins" to the Atwater Municipal Code** (City Attorney Terpstra)

**Staff's Recommendation:** Waives the second reading and adopts Ordinance No. CS 971 amending Title 5 "Business Taxes, Licenses, and Regulations," to add Chapter 5.62 "Donation Bins" to the Atwater Municipal Code.

AGREEMENTS:

7. **Approving agreement with Atwater Little League for improvement and usage of Osborn Park Fields** (Recreation Supervisor Barton)

**Staff's Recommendation:** Approval of agreement between the City of Atwater and the Atwater Little League for the improvement and usage of Michael Freddy Raymond Field, Darren Herschler Field, Osborn Field, Miyake Field, and the T-Ball field located within Osborn Park, and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

8. **Police Department activities and projects for the month of December, 2015** (Police Lieutenant Joseph)
9. **Police Volunteer activities for the month of December, 2015** (Police Volunteer Vineyard)
10. **Fire Department activities and projects for the month of December, 2015** (CAL FIRE Battalion Chief Pimentel)
11. **Public Works Department activities and projects for the month of December, 2015** (Interim Public Works Director Faretta)

PUBLIC HEARINGS:

12. **Waiving the first reading and introducing Ordinance No. CS 969 amending Title 8 “Health and Safety” to add Chapter 8.50 to the Atwater Municipal Code imposing an express ban on marijuana cultivation, marijuana processing, marijuana delivery, and marijuana dispensaries in the City** (City Attorney Terpstra)

**Staff’s Recommendation:** Open the public hearing and take any testimony given regarding Ordinance No. CS 969; and

Motion to waive the first reading and introduce Ordinance No. CS 969 amending Title 8 “Health and Safety” to add Chapter 8.50 “Medical Marijuana” to the Atwater Municipal Code; or

Motion to approve staff’s recommendation as presented.

CITY MANAGER REPORTS:

13. **Verbal update regarding the “In God We Trust” sign in front of City Hall**

**Staff’s Recommendation:** That the City Council provide staff with possible direction regarding the “In God We Trust” sign in front of City Hall.

REPORTS AND PRESENTATIONS FROM STAFF:

14. **Verbal report regarding Traffic and Pedestrian Safety List Prioritization** (Community Development Director McBride)
15. **Restructuring CalPERS Side Fund Benefit Pension for the Miscellaneous and Safety Plans** (Finance Director Deol)

**Staff’s Recommendation:** That the City Council select a preferred restructure for refinancing CalPERS Side Fund obligations; and to authorize the release of Request for Proposal to solicit a Bond Counselor to negotiate with potential financial institutions and prepare associated legal documents to facilitate the transaction.

CITY COUNCIL MATTERS:

16. **Discussion and possible action to consider placement of “In GOD We Trust” on the City Water Tower**

**Staff’s Recommendation:** That the City Council provide staff with possible direction regarding placement of “In GOD We Trust” on the City Water Tower.

**17. Discussion and possible action regarding revisiting one City Council meeting a month**

**Staff's Recommendation:** That the City Council provide staff with direction, by motion, regarding one City Council meeting a month.

**18. Approval of Annual 2016 Regular Meeting Schedule Calendar**

**Staff's Recommendation:** Motion to approve the 2016 Regular Meeting Schedule Calendar; when regular meetings are cancelled, to authorize the Mayor and City Manager to sign any documents required to maintain essential City Services. Said documents shall be reviewed by the City Attorney and be scheduled for ratification of the entire City Council at the next regularly scheduled City Council meeting; or

Motion to approve staff's recommendation as presented.

**19. City Council comments and requests for future agenda items**

CLOSED SESSION:

**Continuation of Closed Session if necessary**

ADJOURNMENT:

**In memory of Richard Trindade**

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.

*/s/ Jeanna Del Real*

---

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 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 at least 48 business hours in advance of the meeting at 357-6205 or 357-6204. You may also send the request by email to [jdelreal@atwater.org](mailto:jdelreal@atwater.org).*

~ January 2016 ~

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					<b>1</b> New Year's Day <b>City Hall closed</b> Trash pick up delayed 1 day	<b>2</b>
<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b> <b>City Hall closed</b>	<b>9</b>
<b>10</b>	<b>11</b> Special City Council Meeting - 4:30 PM City Council Meeting - 6:00 PM	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b> <b>City Hall closed</b>	<b>16</b>
<b>17</b>	<b>18</b> City Holiday Martin Luther King, Jr. Day Observed Trash pick up delayed 1 day	<b>19</b> Oversight Board of Successor Agency to ARA Meeting - 1:30 PM	<b>20</b> Community Development & Resources Commission Meeting - 6:00 PM	<b>21</b>	<b>22</b> <b>City Hall closed</b>	<b>23</b>
<b>24</b>	<b>25</b> Audit & Finance Committee Meeting - 3:30 PM City Council Meeting - 6:00 PM	<b>26</b>	<b>27</b>	<b>28</b> Merced County District 3 Supervisor McDaniel "Mobile" Office Hours - 1:30 - 3:30 PM	<b>29</b> <b>City Hall closed</b>	<b>30</b>
<b>31</b>						

~ February 2016 ~

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>1</b>	<b>2</b>	<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>	<b>12</b> City Hall closed	<b>13</b>
<b>14</b>	<b>15</b> City Holiday President's Day Observed Trash pick up delayed 1 day	<b>16</b> Oversight Board of Successor Agency to ARA Meeting - 1:30 PM	<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>	Notes:				

# City of Atwater Ongoing Regulatory Compliance Activities

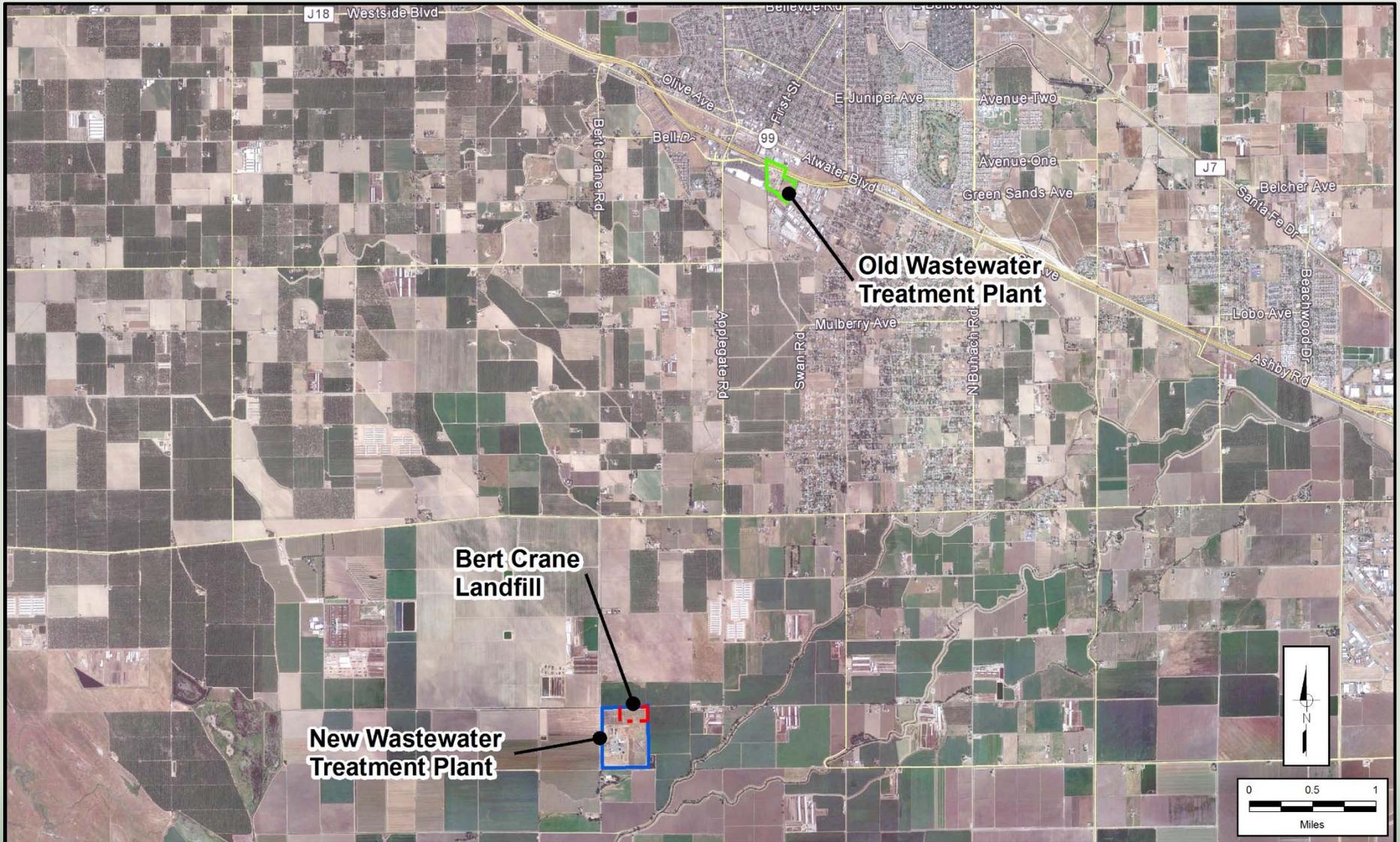


**City Of Atwater**  
*Community Pride City Wide*

City Council Update  
January 11, 2016

WEST YOST  
  
ASSOCIATES

# Facilities Overview



# Presentation Outline



**Bert Crane Regional WWTP**



**Closure of Old WWTP Drying Beds**



**Bert Crane Road Landfill**

# Presentation Outline



**Bert Crane Regional WWTP**

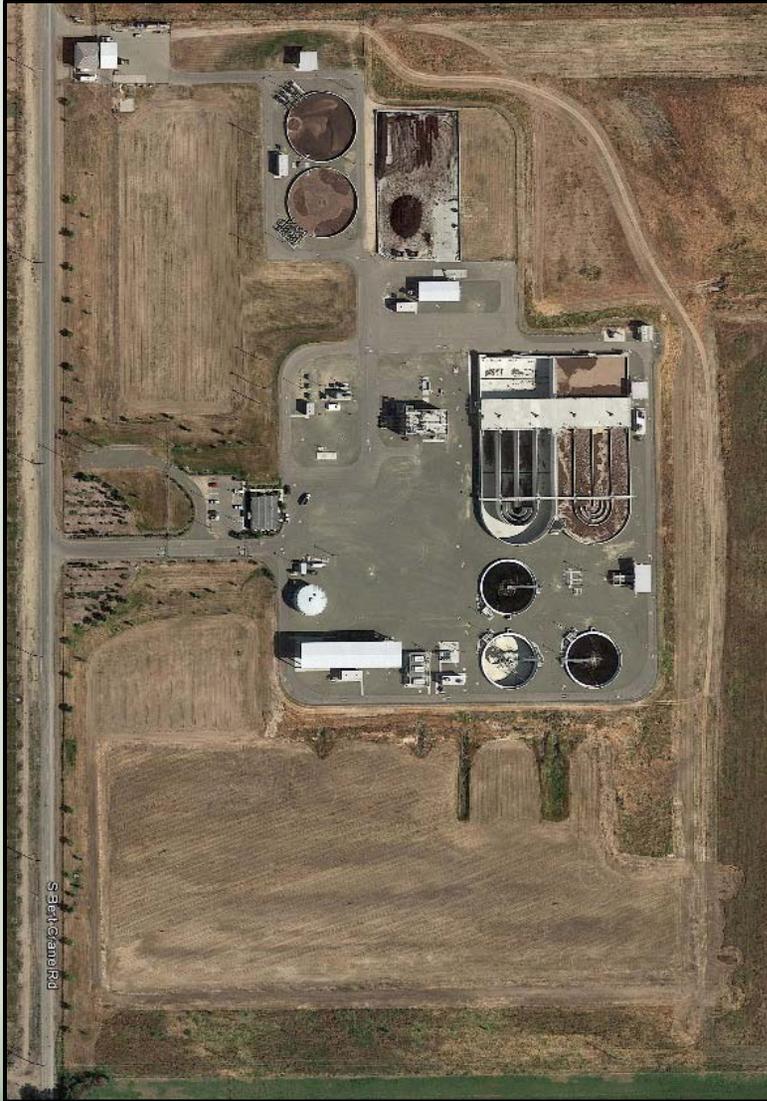


Closure of Old WWTP Drying Beds



Bert Crane Road Landfill

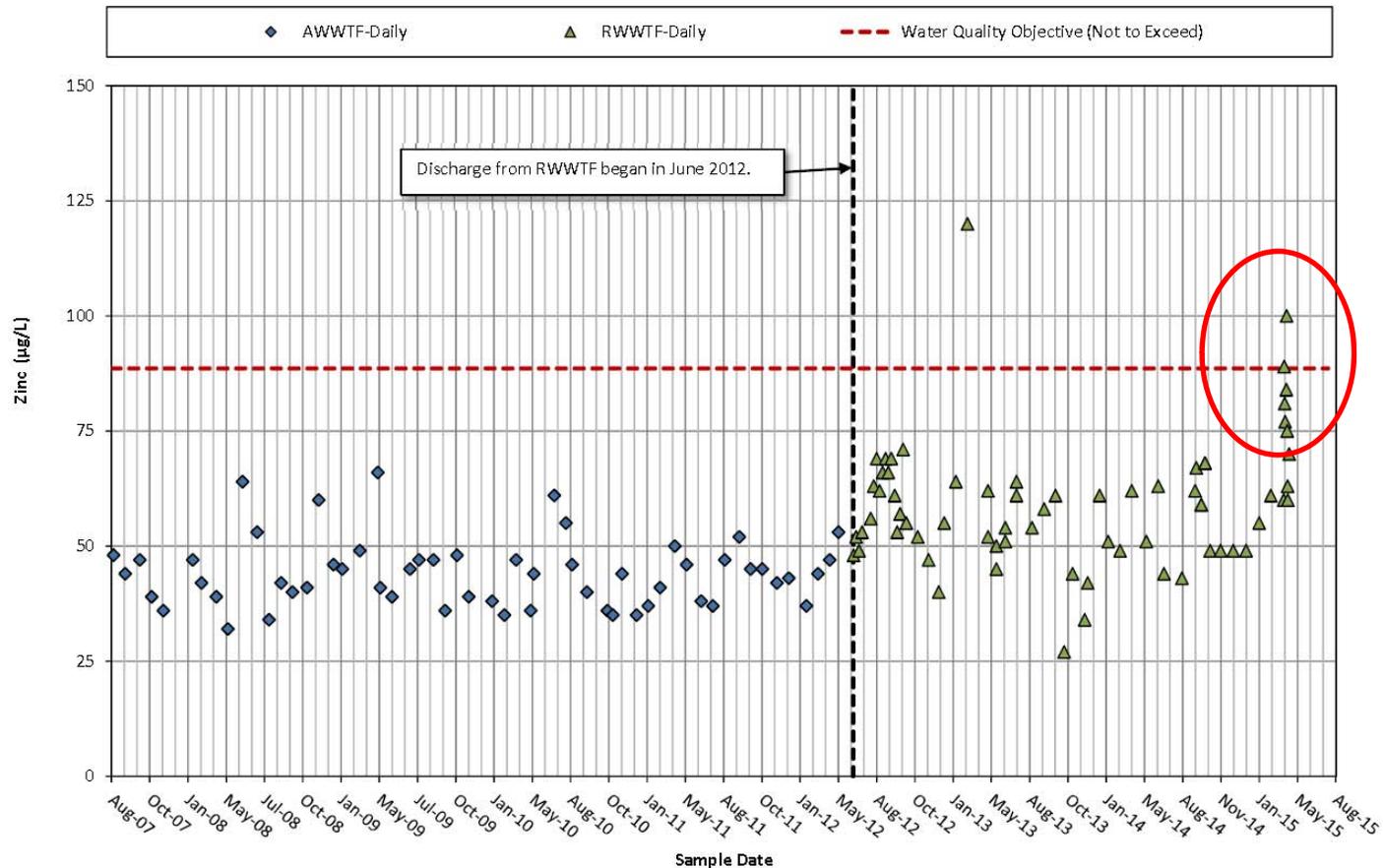
# Bert Crane Regional WWTP NPDES Permit Renewal



- Current Permit Adopted December 2011
- Application for permit renewal due July 2016
- New Permit will likely be adopted by early 2017
- No big surprises expected!

# Bert Crane Regional WWTP Zinc Compliance

- A summer 2015 monitoring event confirmed elevated effluent Zinc concentrations need to be mitigated
- The Regional Boards has set a compliance date of May 2018

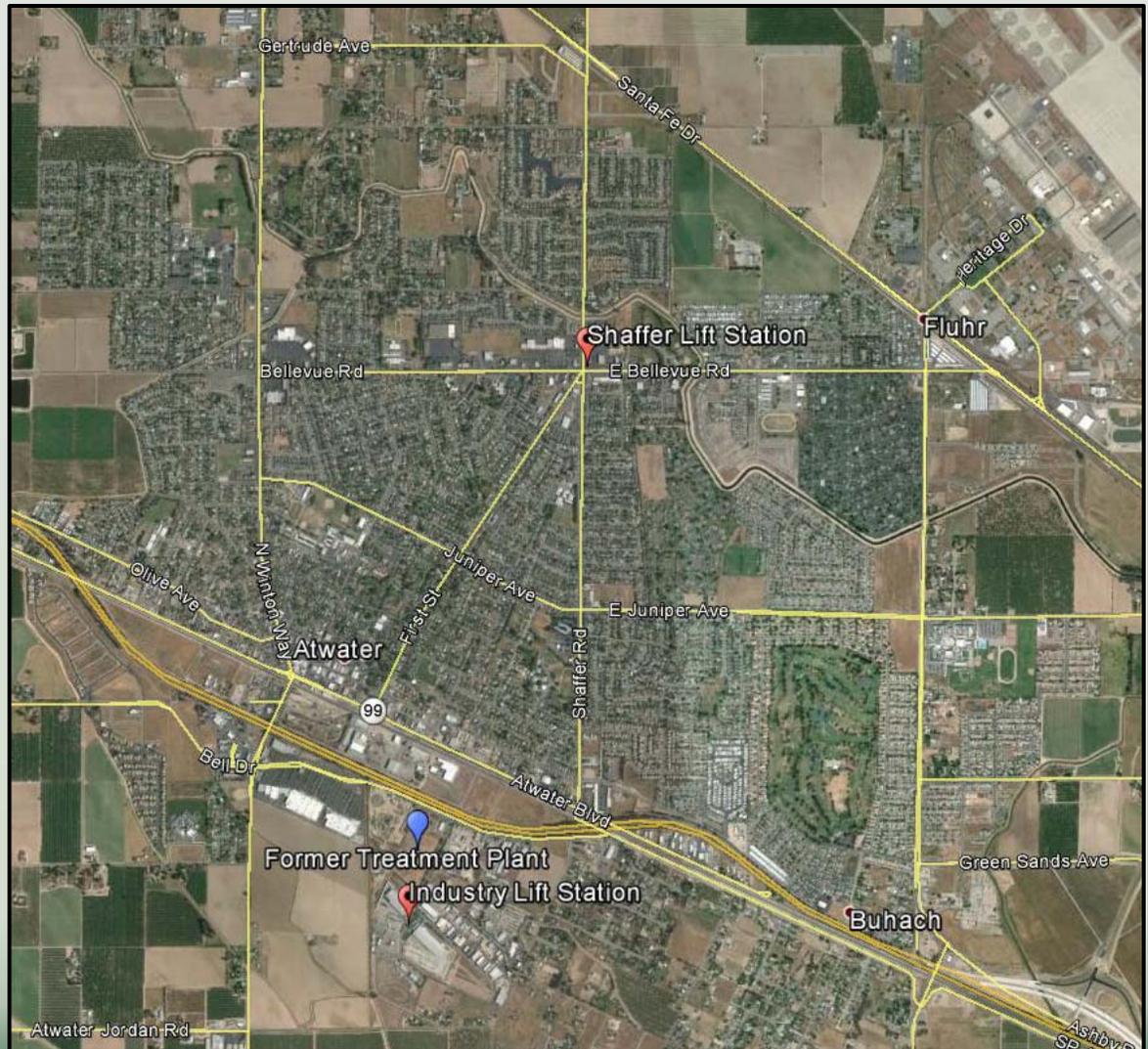


# A Two-Front Approach Will Identify the Best Strategy for the Bert Crane Regional WWTP Zinc Compliance

1. City sampling in collection system to identify zinc sources and determine if they are controllable
2. Chemical (coagulant) addition to better control zinc in the Regional WWTP effluent

# Front 1: Collection System Monitoring and Source Control

- City already completed initial sampling for zinc at:
  - Water supply wells
  - Sewer system lift (pump) stations
  - Main pump station to new treatment plant
- Sampling showed elevated zinc at two sewer lift stations: Industry and Shaffer
- Both of these pump stations receive significant flows from commercial/small industrial dischargers



# Front 1: Collection System Monitoring and Source Control

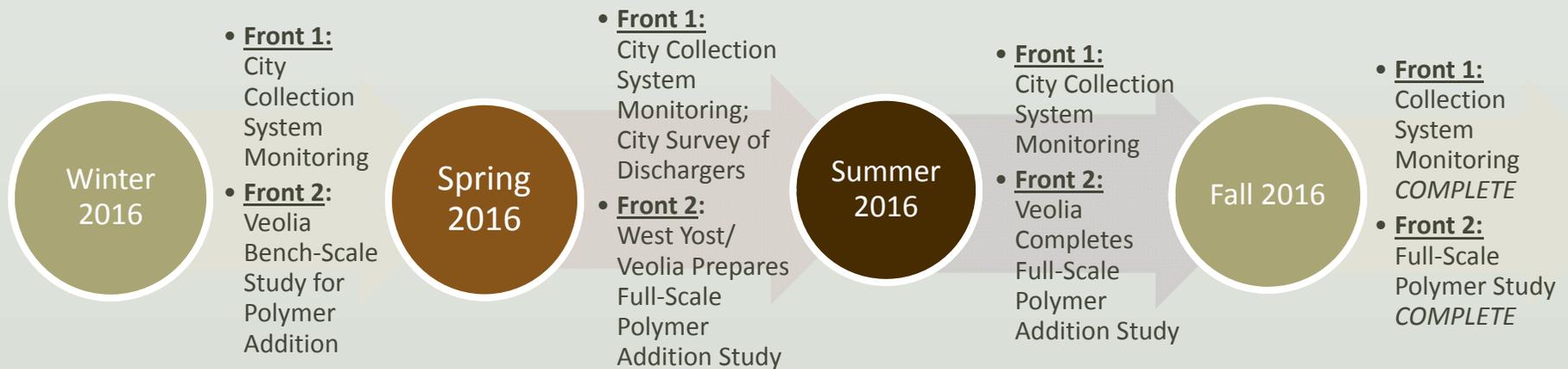
- Certain commercial/industrial activities can be point sources of zinc, such as:
  - auto body repair shops
  - metal plating shops
- City staff is currently completing additional sampling at Shaffer and Industry Lift Stations.
- City staff will also survey businesses contributing to these lift stations to identify commercial/industrial uses of concern.

# Front 2: Polymer Addition Study

- Polymers can be added to the wastewater during treatment to help remove zinc
- A study is needed to determine
  - How much polymer is needed (and what will it cost)?
  - Can limits be reliably met?
  - Will there be adverse impacts?
- First step is to test the approach in the lab (“bench-scale”)
- Second step is to test the approach at the WWTP (“full-scale”)



# Zinc Compliance Activities Timeline



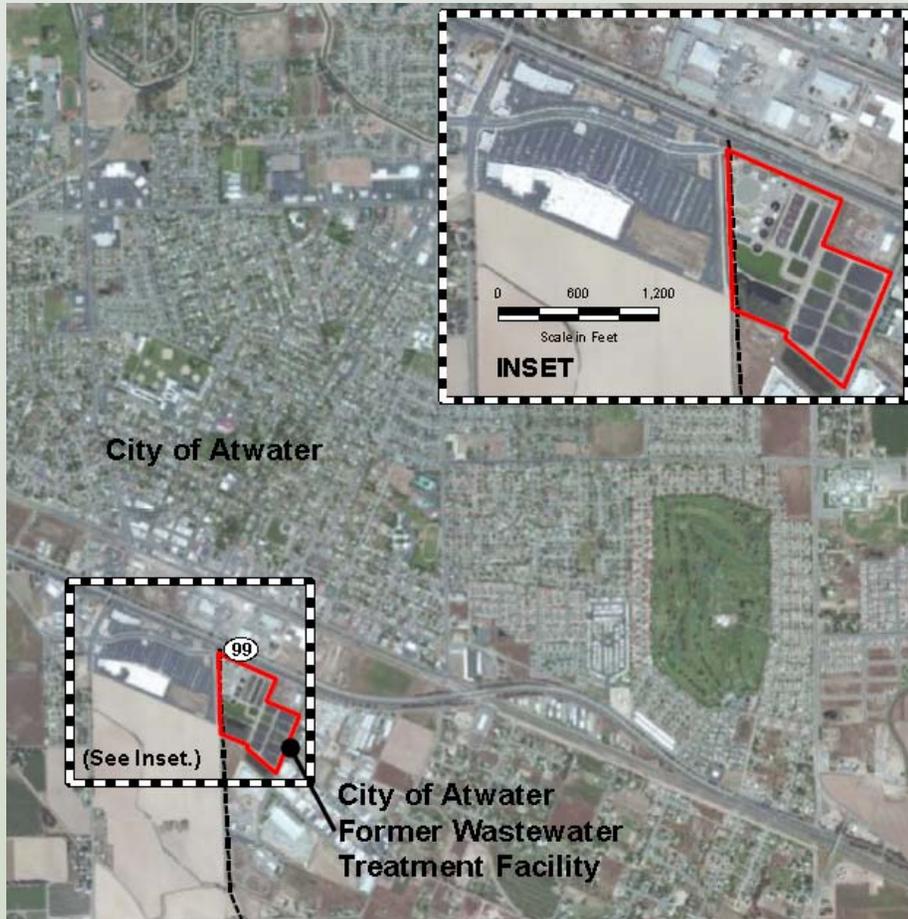
West Yost will develop a Technical Memorandum summarizing the results of these two efforts and make recommendations for long-term compliance

Compliance may require Regional WWTP modifications in 2017

# Presentation Outline

- Bert Crane Regional WWTP
- Closure of Old WWTP Drying Beds**
- Bert Crane Road Landfill

# Closure of Former WWTF



- City stopped operating Former WWTF in 2012
- The majority of the facility has been decommissioned
- The unlined ponds and drying beds must be formally “closed” through a regulatory process

# Closure of Former WWTF



A two-year study of the site was completed in December 2014:

- Unlined ponds show very low risk
- Biosolids drying bed soils have elevated nitrogen

Drying Bed Risk Assessment and Mitigation Plan completed in March 2015:

- Remove high concentration soils (**done**)
- Grade site to minimize infiltration (**done**)
- Eventually pave most of the site (3 – 5 years)
- Conduct annual inspections before rainy season
- Install monitoring wells w/ Quarterly reporting

Regional Board approved Risk Assessment and Mitigation Plan in June 2015

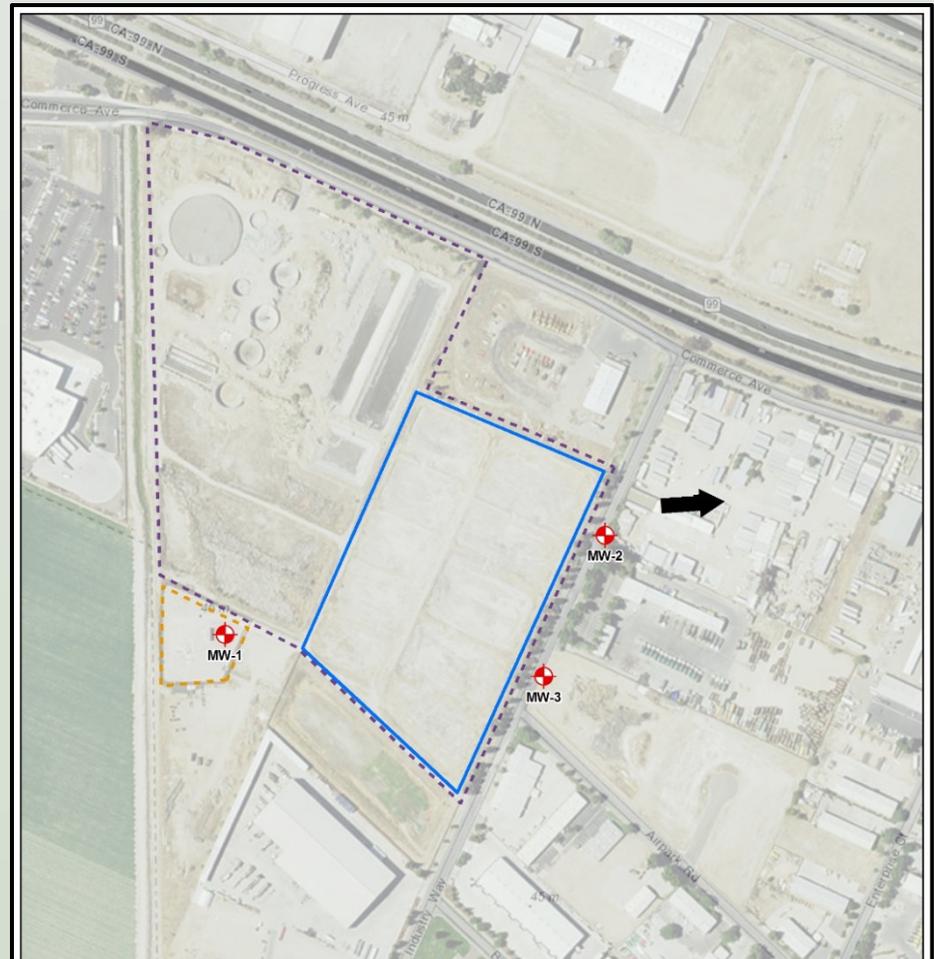
# Closure of Former WWTF Drying Beds

## ■ Monitoring Well Installation

- Regional Board approved well locations October 2015
- Request for Bids issued in December 2015
- Wells to be constructed by early February 2016

## ■ GW Monitoring and Reporting

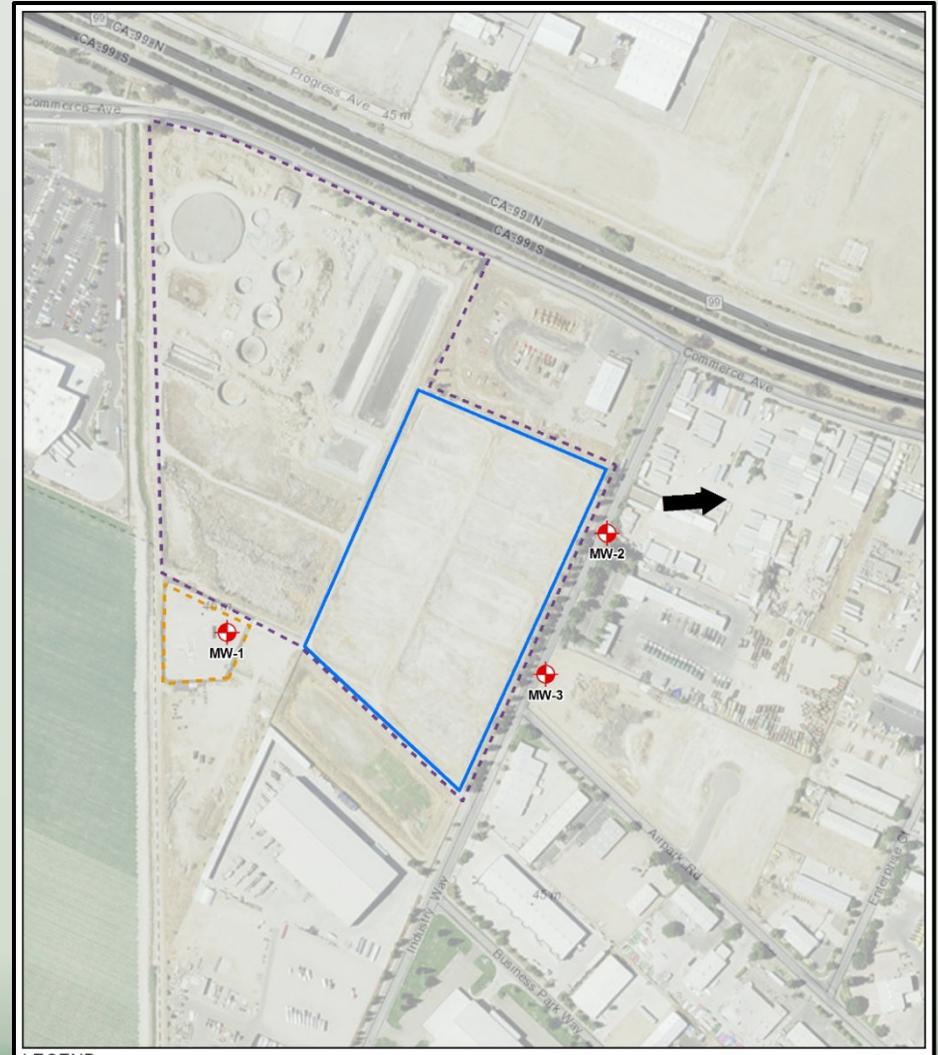
- First monitoring event will occur when wells are installed in February 2016
- After a few monitoring events, it may be determined a fourth well is needed.
- After one full year of monitoring, an annual report will be developed (early 2017)



The 2017 Annual Report results will be used by the Regional Board to determine the need for future actions (if any)

# Potential Long-Term Closure Requirements

- If 2016 monitoring shows minimal impacts, City can likely redevelop per current plans.
- If impacts are identified, additional evaluations may be needed to determine if impacts are ongoing or from legacy activities.
  - If impacts are *ongoing*, additional onsite mitigation may be needed.
  - *If legacy impacts are significant*, additional offsite mitigation actions could be required.
- Regardless of impacts, long-term groundwater monitoring and reporting expected (similar to landfill requirement)



# Presentation Outline

- Bert Crane Regional WWTP
- Closure of Old WWTP Drying Beds
- Bert Crane Road Landfill**

# Bert Crane Road Landfill Monitoring and Reporting



- Landfill is regulated under a 1996 permit
- Permit requires quarterly groundwater monitoring and reporting:
  - Veolia completes sampling;
  - West Yost prepares reports
- Purpose of monitoring is to identify impacts to groundwater, including organic solvents
- Other Requirements:
  - Conduct annual landfill inspections and reporting
  - Prepare annual financial assurance reports

# Landfill Evaluation Monitoring Program



- Regional Board requested a meeting in September 2015 to discuss concerns over past (much older) monitoring that showed organic solvents in groundwater.
- At this meeting, the Regional Board required that an Evaluation Monitoring Program be developed.
- Regional Board approved the City's plan for the Evaluation Monitoring Program in December 2015.
- Evaluation Monitoring Program Report must be complete by August 2016.

# Landfill Evaluation Monitoring Program



- Evaluation Monitoring Program will need to be implemented in Spring 2016.
- The study will include:
  - ‘Grab’ samples collected at eight temporary locations along property boundary;
  - Sample of a private well south of site
  - Replacement of two existing monitoring wells (MW-2 and MW-5)
- If solvents are detected additional monitoring wells and/or mitigation may be required

# Summary of City of Atwater Regulatory Compliance Activates

## Bert Crane Regional WWTP

- Permit adoption cycle begins in 2016
- Zinc compliance must be addressed by May 2018

## Former WWTF Drying Beds

- Closure process has been more onerous than anticipated
- Monitoring in 2016 will dictate the need for future actions

## Bert Crane Road Landfill

- The City must complete an unforeseen Evaluation Monitoring Program in early 2016
- Monitoring in 2016 will dictate the need for future actions

# Questions?



# WARRANTS SUMMARY FOR DECEMBER 28, 2015 COUNCIL MEETING

TOTAL OF WARRANTS (FROM WARRANT REPORT)		
ADDITIONAL WARRANTS ( THESE AMOUNTS ARE <b>NOT</b> INCLUDED IN TOTAL WARRANTS)		

\$ 1,588,157.11

DATE	DESCRIPTION	AMOUNT
12/10/2015	Prewrittens included in this current warrant run.	(\$33,013.04)
12/10/2015	PERS Retirement EFT 11/18/15 - 12/2/15	\$43,670.52
11/24/2015	Prewritten missed on last warrant list	\$123.16

TOTAL ADDITIONAL WARRANTS

\$10,780.64

GRAND TOTAL OF WARRANTS PAID =====

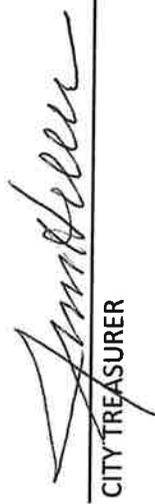
\$1,598,937.75

INFORMATIONAL ONLY ( INCLUDED IN THE TOTAL WARRANTS TOTAL)

DATE	DESCRIPTION	AMOUNT
12/10/2015	Net Payroll	\$209,514.13
12/10/2015	Federal Taxes	\$62,715.12
12/10/2015	State Taxes	\$7,340.01
12/10/2015	Payroll Deductions	\$2,335.58
	Total Payroll	\$279,569.26

TOTAL INFORMATIONAL WARRANTS

\$281,904.84

  
 CITY TREASURER

# Accounts Payable

## Checks for Approval

User: jdaniel  
 Printed: 12/17/2015 - 8:23 AM



*Prewritten*

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66665	12/10/2015	General Fund	Miscellaneous Union Dues	AFSCME DISTRICT COUNCIL 57		779.24
66666	12/10/2015	General Fund	Garnishments	FRANCHISE TAX BOARD	Check Total:	779.24
66666	12/10/2015	General Fund	Garnishments	FRANCHISE TAX BOARD		191.39
66667	12/10/2015	General Fund	Pre-Paid Legal	PRE-PAID LEGAL SERVICES	Check Total:	593.45
66668	12/10/2015	General Fund	Garnishments	STATE DISBURSEMENT UNIT	Check Total:	36.89
66669	12/10/2015	General Fund	Deferred Compensation	VANTAGEPOINT TRANSFER AGT-457	Check Total:	876.00
66670	12/10/2015	Parks and Recreation Fund	Misc Park & Playground Imp's	GREENFIELDS OUTDOOR FITNESS	Check Total:	50.00
66671	12/10/2015	Camellia Meadows LD	Professional Services	SWRCB FEES	Check Total:	17,675.00
66671	12/10/2015	Orchard Park Estates LD	Professional Services	SWRCB FEES		35.33
66671	12/10/2015	Meadow View LD	Professional Services	SWRCB FEES		159.57
66671	12/10/2015	Sierra Parks LD	Professional Services	SWRCB FEES		145.89
66671	12/10/2015	Stone Creek LD	Professional Services	SWRCB FEES		39.89
66671	12/10/2015	Water Enterprise Fund	Professional Services	SWRCB FEES		213.14
66671	12/10/2015	Sandlewood Square LD	Professional Services	SWRCB FEES		3,816.00
66671	12/10/2015	Redwood Estates LD	Professional Services	SWRCB FEES		119.68
66671	12/10/2015	Camellia Estates LD	Professional Services	SWRCB FEES		133.35
66671	12/10/2015	Airport Business Park LD	Professional Services	SWRCB FEES		43.31
66671	12/10/2015	Woodview Garland LA	Professional Services	SWRCB FEES		20.52
66671	12/10/2015	Cottage Gardens LD	Professional Services	SWRCB FEES		35.33
66671	12/10/2015	Bell Crossing LD	Professional Services	SWRCB FEES		15.96
66671	12/10/2015	Bell Crossing LD	Professional Services	SWRCB FEES		214.28

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66671	12/10/2015	America West LD	Professional Services	SWRCB FEES		14.82
66671	12/10/2015	Silva Ranch LD	Professional Services	SWRCB FEES		170.97
66671	12/10/2015	Wildwood Estates LD	Professional Services	SWRCB FEES		58.13
66671	12/10/2015	Pajaro Dunes LD	Professional Services	SWRCB FEES		66.11
66671	12/10/2015	Juniper Meadows LD	Professional Services	SWRCB FEES		5.70
66671	12/10/2015	Beluga Court LD	Professional Services	SWRCB FEES		5.70
66671	12/10/2015	Aspenwood LD	Professional Services	SWRCB FEES		43.31
66671	12/10/2015	Mello Ranch LD	Professional Services	SWRCB FEES		172.11
66671	12/10/2015	Shaffer Lakes East LD	Professional Services	SWRCB FEES		356.75
66671	12/10/2015	Price Annexation LD	Professional Services	SWRCB FEES		1,077.10
66671	12/10/2015	Shaffer Lakes West LD	Professional Services	SWRCB FEES		85.48
66671	12/10/2015	Sewer Enterprise Fund	Professional Services	SWRCB FEES		3,816.00
66671	12/10/2015	Woodhaven LD	Professional Services	SWRCB FEES		52.43
66671	12/10/2015	Simon Annexation LD	Professional Services	SWRCB FEES		3.42
66671	12/10/2015	Atwater South LD	Professional Services	SWRCB FEES		172.11
66671	12/10/2015	Northwood Village LD	Professional Services	SWRCB FEES		191.48
66671	12/10/2015	Applegate Ranch LD	Professional Services	SWRCB FEES		15.96
66671	12/10/2015	Mello Ranch 2 LD	Professional Services	SWRCB FEES		148.17
Check Total:						11,448.00
66672	12/15/2015	Gas Tax/Street Improvement	Professional Services	JLB TRAFFIC ENGINEERING, INC		1,476.46
Check Total:						1,476.46
66673	12/15/2015	General Fund	Building Permits	VANESSA KETNER		77.00
66673	12/15/2015	General Fund	SB 1473	VANESSA KETNER		1.00
Check Total:						78.00
Report Total:						33,013.04

# Accounts Payable

## Checks for Approval

User: jdaniel  
 Printed: 12/17/2015 - 8:59 AM



760 Bellevue Road, Atwater CA 95301

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
0	12/28/2015	Risk Management Fund	Liability & Property Ins	CENTRAL SAN JOAQUIN VALLEY RMA		77,896.00
0	12/28/2015	General Fund	Worker's Compensation	CENTRAL SAN JOAQUIN VALLEY RMA		116,082.00
66674	12/28/2015	Internal Service Fund	Special Departmental Expense	AIR DELIGHTS, INC.	Check Total:	193,978.00
						57.91
66675	12/28/2015	Sanitation Enterprise	Solid Waste Collectn/Disposal	ALLIED WASTE SERVICES #917	Check Total:	57.91
66675	12/28/2015	Sanitation Enterprise	Solid Waste Collectn/Disposal	ALLIED WASTE SERVICES #917		198,219.37
						198,769.55
66676	12/28/2015	Water Enterprise Fund	Special Departmental Expense	APPLIED INDUSTRIAL TECH.	Check Total:	396,988.92
						360.69
66677	12/28/2015	General Fund	Communications	AT and T	Check Total:	360.69
66677	12/28/2015	General Fund	Communications	AT and T		456.10
66677	12/28/2015	Northwood Village LD	Communications	AT and T		246.27
66677	12/28/2015	Meadow View LD	Communications	AT and T		89.75
66677	12/28/2015	Water Enterprise Fund	Communications	AT and T		88.68
66677	12/28/2015	Sewer Enterprise Fund	Communications	AT and T		1,010.16
66677	12/28/2015	Internal Service Fund	Communications	AT and T		1,004.26
						1,531.61
66678	12/28/2015	General Fund	Special Departmental Expense	ATWATER CHIROPRACTIC, INC.	Check Total:	4,426.83
						140.00
66679	12/28/2015	Gas Tax/Street Improvement	Professional Services	ATWATER ELECTRIC	Check Total:	140.00
						182.50
66680	12/28/2015	Internal Service Fund	Operations & Maintenance	ATWATER IRRIGATION INC.	Check Total:	182.50
						11.40
					Check Total:	11.40

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66681	12/28/2015	General Fund	Special Departmental Expense	ATWATER MEDICAL GROUP		42.00
66682	12/28/2015	Internal Service Fund	Operations & Maintenance	ATWATER PRO GLASS	Check Total:	42.00
66683	12/28/2015	General Fund	Maint. Buildings & Grounds	ATWATER RADIATOR & MUFFLER INC.	Check Total:	236.11
66684	12/28/2015	Internal Service Fund	Operations & Maintenance	AUTOZONE STORE #5506	Check Total:	64.00
66684	12/28/2015	Internal Service Fund	Operations & Maintenance	AUTOZONE STORE #5506		10.08
66684	12/28/2015	Internal Service Fund	Operations & Maintenance	AUTOZONE STORE #5506		19.83
66684	12/28/2015	Internal Service Fund	Operations & Maintenance	AUTOZONE STORE #5506		81.97
66684	12/28/2015	Internal Service Fund	Operations & Maintenance	AUTOZONE STORE #5506		6.62
66684	12/28/2015	Internal Service Fund	Operations & Maintenance	AUTOZONE STORE #5506		19.31
66685	12/28/2015	General Fund	Community Center	LEAH BALSAMO	Check Total:	137.81
66685	12/28/2015	General Fund	Community Center Rental	LEAH BALSAMO		300.00
66686	12/28/2015	DBCP Settlement	Water System Improvements	BC LABORATORIES INC.	Check Total:	484.00
66687	12/28/2015	General Fund	Girls Volleyball	NATALIE M. BENOY	Check Total:	256.00
66688	12/28/2015	Water Enterprise Fund	Special Departmental Expense	BIG CREEK LUMBER COMPANY	Check Total:	117.00
66689	12/28/2015	Sewer Enterprise Fund	Uniform & Clothing Expense	BOOT BARN	Check Total:	33.02
66690	12/28/2015	Sewer Enterprise Fund	Closing of WWTP	JIM BRISCO ENTERPRISES	Check Total:	33.02
66691	12/28/2015	Internal Service Fund	Special Departmental Expense	CENTRAL SANITARY SUPPLY	Check Total:	200.00
66691	12/28/2015	Internal Service Fund	Special Departmental Expense	CENTRAL SANITARY SUPPLY		8,020.79
66692	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	CENTRAL VALLEY ELECTRONICS	Check Total:	8,020.79
66692	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	CENTRAL VALLEY ELECTRONICS		1,506.68
66692	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	CENTRAL VALLEY ELECTRONICS		531.95
66692	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	CENTRAL VALLEY ELECTRONICS		2,038.63
66692	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	CENTRAL VALLEY ELECTRONICS		4,230.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66693	12/28/2015	Water Enterprise Fund	Special Departmental Expense	CHEM QUIP, INC.		4,230.00
						706.87
						706.87
66694	12/28/2015	Internal Service Fund	Professional Services	COLEMAN HEATING & A/C		573.52
66694	12/28/2015	Internal Service Fund	Professional Services	COLEMAN HEATING & A/C		218.50
66694	12/28/2015	Internal Service Fund	Professional Services	COLEMAN HEATING & A/C		165.00
66694	12/28/2015	Internal Service Fund	Professional Services	COLEMAN HEATING & A/C		115.00
66694	12/28/2015	Internal Service Fund	Professional Services	COLEMAN HEATING & A/C		188.50
66694	12/28/2015	Internal Service Fund	Professional Services	COLEMAN HEATING & A/C		176.00
						1,436.52
66695	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	CONSOLIDATED ELECTRICAL DISTRIBUTOR		370.87
66695	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	CONSOLIDATED ELECTRICAL DISTRIBUTOR		475.20
66695	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	CONSOLIDATED ELECTRICAL DISTRIBUTOR		59.40
66695	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	CONSOLIDATED ELECTRICAL DISTRIBUTOR		59.40
66695	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	CONSOLIDATED ELECTRICAL DISTRIBUTOR		191.55
						1,156.42
66696	12/28/2015	General Fund	Professional Services	CSG CONSULTANTS, INC.		5,327.50
66696	12/28/2015	General Fund	Professional Services	CSG CONSULTANTS, INC.		6,900.00
66696	12/28/2015	General Fund	Plan Check Fees	CSG CONSULTANTS, INC.		462.88
66696	12/28/2015	General Fund	Plan Check Fees	CSG CONSULTANTS, INC.		360.00
						13,050.38
66697	12/28/2015	Sewer Enterprise Fund	Professional Services	LISA DASH		110.00
66698	12/28/2015	Sewer Enterprise Fund	Machinery & Equipment	DC FROST ASSOCIATES, INC		14,892.40
66699	12/28/2015	Internal Service Fund	Operations & Maintenance	JOHN DEERE FINANCIAL		14,892.40
66700	12/28/2015	General Fund	Professional Services	DEPT.OF FORESTRY & FIRE PROTECTION		147.12
						506,250.11
66701	12/28/2015	Water Enterprise Fund	Special Departmental Expense	DOM'S ELECTRIC MOTOR SHOP		794.98
						794.98

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66702	12/28/2015	Internal Service Fund	Operations & Maintenance	DONLEE PUMP COMPANY		747.59
66703	12/28/2015	Gas Tax/Street Improvement	Professional Services	ENVIRONMENTAL COMPLIANCE RESOURCES	Check Total:	747.59
66703	12/28/2015	General Fund	Professional Services	ENVIRONMENTAL COMPLIANCE RESOURCES		72.03
66703	12/28/2015	Price Annexation LMA	Professional Services	ENVIRONMENTAL COMPLIANCE RESOURCES		2,561.70
66703	12/28/2015	Meadow View LNDSCP	Professional Services	ENVIRONMENTAL COMPLIANCE RESOURCES		304.55
66703	12/28/2015	Mello Ranch LNDSCP	Professional Services	ENVIRONMENTAL COMPLIANCE RESOURCES		179.20
66703	12/28/2015	Applegate Ranch Lndscap	Professional Services	ENVIRONMENTAL COMPLIANCE RESOURCES		26.85
66703	12/28/2015			ENVIRONMENTAL COMPLIANCE RESOURCES		98.60
66704	12/28/2015	General Fund	Office Supplies	ETCH THIS! AND THAT	Check Total:	3,242.93
66705	12/28/2015	Water Enterprise Fund	Special Departmental Expense	EWING IRRIGATION	Check Total:	11.88
66705	12/28/2015	Water Enterprise Fund	Special Departmental Expense	EWING IRRIGATION		39.84
66705	12/28/2015					144.06
66706	12/28/2015	General Fund	Girls Volleyball	ANDREW FARETTA	Check Total:	183.90
66707	12/28/2015	Gas Tax/Street Improvement	Uniform & Clothing Expense	FASTENAL COMPANY	Check Total:	36.00
66707	12/28/2015	Water Enterprise Fund	Special Departmental Expense	FASTENAL COMPANY		7.95
66707	12/28/2015	Water Enterprise Fund	Special Departmental Expense	FASTENAL COMPANY		2.16
66707	12/28/2015					1,894.08
66708	12/28/2015	General Fund	Special Departmental Expense	JOHN C. FREMONT HEALTHCARE DIST.	Check Total:	1,904.19
66708	12/28/2015					52.00
66709	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	DONALD GARCIA	Check Total:	52.00
66709	12/28/2015	Gas Tax/Street Improvement	Professional Services	DONALD GARCIA		17.42
66709	12/28/2015					48.40
66710	12/28/2015	Water Enterprise Fund	Special Departmental Expense	GROENIGER & COMPANY #1423	Check Total:	65.82
66710	12/28/2015					517.04
66711	12/28/2015	Risk Management Fund	Professional Services	JACKSON LEWIS P. C.	Check Total:	517.04
66711	12/28/2015					9,346.50
66712	12/28/2015	General Fund	Communications	JD SANDERS COMPANY LLC	Check Total:	9,346.50
66712	12/28/2015					325.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66713	12/28/2015	Internal Service Fund	Special Departmental Expense	JORGENSEN COMPANY		325.00
66713	12/28/2015	Internal Service Fund	Professional Services	JORGENSEN COMPANY		640.49
66713	12/28/2015	Internal Service Fund	Professional Services	JORGENSEN COMPANY		1,021.00
66713	12/28/2015	Internal Service Fund	Special Departmental Expense	JORGENSEN COMPANY		354.00
				JORGENSEN COMPANY		287.30
				Check Total:		2,302.79
66714	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	KELLOGG'S SUPPLY		21.67
66714	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	KELLOGG'S SUPPLY		118.14
				Check Total:		139.81
66715	12/28/2015	General Fund	Community Center	LANDMARK TABERNACLE		300.00
66715	12/28/2015	General Fund	Community Center Rental	LANDMARK TABERNACLE		-58.00
				Check Total:		242.00
66716	12/28/2015	General Fund	Special Departmental Expense	LEAVE YOUR MARK!		39.12
				Check Total:		39.12
66717	12/28/2015	Water Enterprise Fund	Miscellaneous	M.A. MAXWELL OR A.L. MAXWELL		20,000.00
66717	12/28/2015	Sewer Enterprise Fund	Miscellaneous	M.A. MAXWELL OR A.L. MAXWELL		60,000.00
				Check Total:		80,000.00
66718	12/28/2015	Water Enterprise Fund	Accounts Payable	MARIA MARTINEZ		469.82
				Check Total:		469.82
66719	12/28/2015	General Fund	Girls Volleyball	AMOS M. MASANAI		221.00
				Check Total:		221.00
66720	12/28/2015	General Fund	Special Departmental Expense	MERCED MEDICAL SUPPLY		57.00
66720	12/28/2015	General Fund	Special Departmental Expense	MERCED MEDICAL SUPPLY		24.00
				Check Total:		81.00
66721	12/28/2015	Internal Service Fund	Operations & Maintenance	MERCED TINT		80.00
				Check Total:		80.00
66722	12/28/2015	General Fund	Office Supplies	THE OFFICE CITY		183.76
66722	12/28/2015	General Fund	Office Supplies	THE OFFICE CITY		25.38
				Check Total:		209.14
66723	12/28/2015	Internal Service Fund	Special Departmental Expense	O'REILLY AUTO PARTS		14.57

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		52.60
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		37.49
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		49.24
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		92.19
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		165.51
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		-32.39
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		181.73
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		28.46
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		42.70
66723	12/28/2015	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		-2.16
66724	12/28/2015	Internal Service Fund	Utilities	PACIFIC GAS & ELECTRIC		629.94
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		139.51
66724	12/28/2015	Water Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		181.09
66724	12/28/2015	Gas Tax/Street Improvement	Utilities	PACIFIC GAS & ELECTRIC		14,559.89
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		110.94
66724	12/28/2015	Sewer Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		169.51
66724	12/28/2015	Internal Service Fund	Utilities	PACIFIC GAS & ELECTRIC		926.44
66724	12/28/2015	Internal Service Fund	Utilities	PACIFIC GAS & ELECTRIC		2,798.02
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		1,101.30
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		629.65
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		972.47
66724	12/28/2015	Water Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		17.99
66724	12/28/2015	Gas Tax/Street Improvement	Utilities	PACIFIC GAS & ELECTRIC		37,061.54
66724	12/28/2015	Gas Tax/Street Improvement	Utilities	PACIFIC GAS & ELECTRIC		12,560.56
66724	12/28/2015	Sewer Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		239.85
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		1,862.52
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		156.76
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		-28.41
66724	12/28/2015	General Fund	Utilities	PACIFIC GAS & ELECTRIC		2,944.37
66724	12/28/2015	Northwood Village LD	Utilities	PACIFIC GAS & ELECTRIC		467.22
66724	12/28/2015	Orchard Park Estates LD	Utilities	PACIFIC GAS & ELECTRIC		302.07
66724	12/28/2015	Wildwood Estates LD	Utilities	PACIFIC GAS & ELECTRIC		111.95
66724	12/28/2015	Woodview Garland LA	Utilities	PACIFIC GAS & ELECTRIC		37.31
66724	12/28/2015	Shaffer Lakes West LD	Utilities	PACIFIC GAS & ELECTRIC		130.49
66724	12/28/2015	Woodhaven LD	Utilities	PACIFIC GAS & ELECTRIC		37.31
66724	12/28/2015	Sierra Parks LD	Utilities	PACIFIC GAS & ELECTRIC		59.41
66724	12/28/2015	Shaffer Lakes East LD	Utilities	PACIFIC GAS & ELECTRIC		449.45
66724	12/28/2015	Price Annexation LD	Utilities	PACIFIC GAS & ELECTRIC		1,421.21
66724	12/28/2015	Sandlewood Square LD	Utilities	PACIFIC GAS & ELECTRIC		67.17
66724	12/28/2015	Pajaro Dunes LD	Utilities	PACIFIC GAS & ELECTRIC		63.59
66724	12/28/2015	Cottage Gardens LD	Utilities	PACIFIC GAS & ELECTRIC		55.01
66724	12/28/2015	Airport Business Park LD	Utilities	PACIFIC GAS & ELECTRIC		582.45

Check Total:

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66724	12/28/2015	Atwater South LD	Utilities	PACIFIC GAS & ELECTRIC		27.75
66725	12/28/2015	General Fund	Professional Services	PATRICK & CO.	Check Total:	80,216.39
66726	12/28/2015	Bloss Estate Trust Fund	Bloss House	DAVID PEREZ	Check Total:	164.12
66726	12/28/2015	Bloss Estate Trust Fund	Bloss House	DAVID PEREZ		170.00
66726	12/28/2015	Bloss Estate Trust Fund	Bloss House	DAVID PEREZ		116.00
66727	12/28/2015	Water Enterprise Fund	Rents & Leases	RAY MORGAN COMPANY	Check Total:	263.00
66727	12/28/2015	Sewer Enterprise Fund	Rents & Leases	RAY MORGAN COMPANY		135.75
66728	12/28/2015	Sanitation Enterprise	Special Departmental Expense	RDO EQUIPMENT CO	Check Total:	271.49
66728	12/28/2015	Gas Tax/Street Improvement	Machinery & Equipment	RDO EQUIPMENT CO		19,426.95
66729	12/28/2015	General Fund	Girls Volleyball	TERRY L. RUST	Check Total:	38,853.90
66730	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	SAFE-T-LITE	Check Total:	68.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL	Check Total:	78.75
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		28.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		25.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		38.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		25.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		31.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		250.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		33.00
66731	12/28/2015	Internal Service Fund	Professional Services	SAN JOAQUIN PEST CONTROL		18.00
66732	12/28/2015	General Fund	Maint. Buildings & Grounds	ADAM SEWARD	Check Total:	448.00
66733	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	SHANNON PUMP CO.	Check Total:	73.74
66733	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	SHANNON PUMP CO.		68.12
66733	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	SHANNON PUMP CO.	Check Total:	68.12

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66734	12/28/2015	Internal Service Fund	Special Departmental Expense	SHERWIN-WILLIAMS CO.		282.16
66735	12/28/2015	Sewer Enterprise Fund	Utilities	SIEMENS FINANCIAL SERVICES, INC.	Check Total:	282.16
66736	12/28/2015	General Fund	Building Permits	SOLAR CITY, CORP.	Check Total:	15,768.12
66737	12/28/2015	Water Enterprise Fund	Professional Services	STATE WATER RESOURCES CONTROL BOARD	Check Total:	43.00
66737	12/28/2015	Sewer Enterprise Fund	Professional Services	STATE WATER RESOURCES CONTROL BOARD		3,816.00
66737	12/28/2015	Northwood Village LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		3,816.00
66737	12/28/2015	Orchard Park Estates LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		191.48
66737	12/28/2015	Wildwood Estates LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		159.57
66737	12/28/2015	Woodview Garland LA	Professional Services	STATE WATER RESOURCES CONTROL BOARD		58.13
66737	12/28/2015	Shaffer Lakes West LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		35.33
66737	12/28/2015	Woodhaven LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		85.48
66737	12/28/2015	Sierra Parks LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		52.43
66737	12/28/2015	Shaffer Lakes East LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		39.89
66737	12/28/2015	Price Annexation LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		356.75
66737	12/28/2015	Sandlewood Square LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		1,077.10
66737	12/28/2015	Pajaro Dunes LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		119.68
66737	12/28/2015	Redwood Estates LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		66.11
66737	12/28/2015	Cottage Gardens LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		133.35
66737	12/28/2015	Airport Business Park LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		15.96
66737	12/28/2015	Silva Ranch LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		20.52
66737	12/28/2015	Mello Ranch LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		170.97
66737	12/28/2015	Camellia Estates LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		172.11
66737	12/28/2015	Juniper Meadows LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		43.31
66737	12/28/2015	Camellia Meadows LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		5.70
66737	12/28/2015	Stone Creek LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		35.33
66737	12/28/2015	America West LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		213.14
66737	12/28/2015	Bell Crossing LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		14.82
66737	12/28/2015	Atwater South LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		214.28
66737	12/28/2015	Beluga Court LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		172.11
66737	12/28/2015	Mello Ranch 2 LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		5.70
66737	12/28/2015	Meadow View LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		148.17
66737	12/28/2015	Aspenwood LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		145.89
66737	12/28/2015	Applegate Ranch LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		43.31
66737	12/28/2015	Simon Annexation LD	Professional Services	STATE WATER RESOURCES CONTROL BOARD		15.96
66738	12/28/2015	Internal Service Fund	Professional Services	TONY'S AUTO REPAIR	Check Total:	11,448.00
						326.33



Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66747	12/28/2015	Gas Tax/Street Improvement	Special Departmental Expense	WINTON HARDWARE		2.78
66747	12/28/2015	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		11.90
66747	12/28/2015	Sewer Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		30.73
66747	12/28/2015	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		6.11
66747	12/28/2015	Gas Tax/Street Improvement	Professional Services	WINTON HARDWARE		46.00
66747	12/28/2015	Sewer Enterprise Fund	Professional Services	WINTON HARDWARE		12.00
Check Total:						109.52
66748	12/28/2015	Internal Service Fund	Operations & Maintenance	X-ERGON		290.31
Check Total:						290.31
Report Total:						1,555,144.07



# WARRANTS SUMMARY FOR JANUARY 11, 2016 COUNCIL MEETING

TOTAL OF WARRANTS (FROM WARRANT REPORT)		
ADDITIONAL WARRANTS ( THESE AMOUNTS ARE <b>NOT</b> INCLUDED IN TOTAL WARRANTS)		

\$ 411,936.22

DATE	DESCRIPTION	AMOUNT
12/17/2015	Prewrittens included in this current warrant run.	(\$162,347.40)
12/22/2015	PERS Retirement EFT 12/3/15 - 12/16/15	\$43,586.65
1/4/2016	PERS Health - JANUARY 2016	\$108,586.39
12/29/2015	Retiree Medical Reimbursement-JANUARY 2016	\$30,949.63
12/22/2015	AFLAC-DECEMBER 2015	\$906.80
	TOTAL ADDITIONAL WARRANTS	\$21,682.07

GRAND TOTAL OF WARRANTS PAID =====

\$433,618.29

INFORMATIONAL ONLY ( INCLUDED IN THE TOTAL WARRANTS TOTAL)

DATE	DESCRIPTION	AMOUNT
12/22/2015	Net Payroll	\$159,488.65
12/22/2015	Federal Taxes	\$53,225.21
12/22/2015	State Taxes	\$7,109.08
12/22/2015	Payroll Deductions	\$2,003.71
	TOTAL INFORMATIONAL WARRANTS	\$221,826.65

\$219,822.94 Total Payroll

  
 CITY TREASURER

# Accounts Payable

## Checks for Approval

User: jdaniel  
 Printed: 1/6/2016 - 2:10 PM

*rewritten*



**City of Atwater**  
 Community Pride City Wide

750 Bellevue Road, Atwater CA 95301

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66749	12/17/2015	Water Enterprise Fund	Miscellaneous	M.A. MAXWELL OR A.L. MAXWELL		20,000.00
66749	12/17/2015	Sewer Enterprise Fund	Miscellaneous	M.A. MAXWELL OR A.L. MAXWELL		60,000.00
66750	12/17/2015	General Fund	Communications	AT and T	Check Total:	80,000.00
						80.00
66751	12/17/2015	Sewer Enterprise Fund	Special Departmental Expense	CVCWA	Check Total:	80.00
						4,230.00
66752	12/17/2015	Water Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC	Check Total:	4,230.00
66752	12/17/2015	Sewer Enterprise Fund	Utilities	PACIFIC GAS & ELECTRIC		145.08
						69,982.66
66753	12/17/2015	Gas Tax/Street Improvement	Communications	VERIZON WIRELESS	Check Total:	70,127.74
						38.01
66754	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	RAMONA BLAKE	Check Total:	38.01
						242.24
66755	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	DAVID CHURCH	Check Total:	242.24
						630.19
66756	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	GARY FRAGO	Check Total:	630.19
						334.76
66757	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	BOBBY GREGORY	Check Total:	334.76
						0.00
66758	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	DARRELL HAMMIT	Check Total:	334.76
						0.00
						630.19

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66759	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	RENE MENDOZA	Check Total:	630.19 870.77
66760	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	BILL SWALLEY	Check Total:	870.77 66.88
66761	12/21/2015	Employee Benefits Fund	Health Insurance, Retirees	BENJAMIN THOMAS	Check Total:	66.88 820.08
66762	12/22/2015	General Fund	Miscellaneous Union Dues	AFSCME DISTRICT COUNCIL 57	Check Total:	820.08 768.85
66763	12/22/2015	General Fund	Garnishments	FRANCHISE TAX BOARD	Check Total:	768.85 253.49
66764	12/22/2015	General Fund	Pre-Paid Legal	PRE-PAID LEGAL SERVICES	Check Total:	253.49 36.89
66765	12/22/2015	General Fund	Miscellaneous Union Dues	RMHC OF THE CENTRAL VALLEY, INC.	Check Total:	36.89 20.78
66765	12/22/2015	General Fund	Miscellaneous Union Dues	RMHC OF THE CENTRAL VALLEY, INC.	Check Total:	20.78 41.56
66766	12/22/2015	General Fund	Garnishments	STATE DISBURSEMENT UNIT	Check Total:	41.56 852.92
66767	12/22/2015	General Fund	Deferred Compensation	VANTAGEPOINT TRANSFER AGT-457	Check Total:	852.92 50.00
66768	12/29/2015	Employee Benefits Fund	Health Insurance, Retirees	BOBBY GREGORY	Check Total:	50.00 2,272.83
					Check Total:	2,272.83
					Report Total:	162,347.40

# Accounts Payable

## Checks for Approval

User: jdaniel

Printed: 1/6/2016 - 2:16 PM



**City of Atwater**  
Community Pride City Wide

750 Bellevue Road, Atwater CA 95301

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66769	01/11/2016	General Fund	Office Supplies	ABS PRESORT, INC.		2,133.67
66769	01/11/2016	General Fund	Office Supplies	ABS PRESORT, INC.		2,700.00
66770	01/11/2016	General Fund	Professional Services	ALLWAYS TOWING, L.L.C.	Check Total:	4,833.67
66770	01/11/2016	General Fund	Professional Services	ALLWAYS TOWING, L.L.C.		270.00
66770	01/11/2016	General Fund	Professional Services	ALLWAYS TOWING, L.L.C.		180.00
						50.00
66771	01/11/2016	Employee Benefits Fund	Health Insurance, Retirees	AMERICAN REPUBLIC	Check Total:	500.00
						817.10
66772	01/11/2016	Internal Service Fund	Utilities	AMERIGAS - MODESTO	Check Total:	817.10
						2,498.80
66773	01/11/2016	General Fund	Professional Services	ANIMAL MEDICAL CENTER	Check Total:	2,498.80
66773	01/11/2016	General Fund	Professional Services	ANIMAL MEDICAL CENTER		85.31
						68.25
66774	01/11/2016	Internal Service Fund	Professional Services	ASBURY ENVIRONMENTAL SERV.	Check Total:	153.56
						55.00
66775	01/11/2016	Sewer Enterprise Fund	Communications	AT and T	Check Total:	55.00
66775	01/11/2016	General Fund	Communications	AT and T		380.22
						591.61
66776	01/11/2016	Gas Tax/Street Improvement	Professional Services	ATWATER CHIROPRACTIC, INC.	Check Total:	971.83
						55.00
66777	01/11/2016	Internal Service Fund	Professional Services	ATWATER RADIATOR	Check Total:	55.00
						146.08

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66778	01/11/2016	Water Enterprise Fund	Special Departmental Expense	BACKFLOW APPARATUS & VALVE CO.		146.08
66778	01/11/2016	Water Enterprise Fund	Special Departmental Expense	BACKFLOW APPARATUS & VALVE CO.		72.93
66779	01/11/2016	DBCP Settlement	Water System Improvements	BC LABORATORIES INC.		140.89
66779	01/11/2016	DBCP Settlement	Water System Improvements	BC LABORATORIES INC.		16.00
66779	01/11/2016	DBCP Settlement	Water System Improvements	BC LABORATORIES INC.		16.00
66779	01/11/2016	DBCP Settlement	Water System Improvements	BC LABORATORIES INC.		256.00
66780	01/11/2016	Internal Service Fund	Professional Services	DON BENNER		288.00
66781	01/11/2016	General Fund	Girls Volleyball	NATALIE M. BENOY		275.00
66782	01/11/2016	General Fund	Professional Services	BEST IMPRESSION PRINTING		63.00
66782	01/11/2016	General Fund	Professional Services	BEST IMPRESSION PRINTING		1,544.11
66782	01/11/2016	General Fund	Office Supplies	BEST IMPRESSION PRINTING		310.56
66782	01/11/2016	General Fund	Professional Services	BEST IMPRESSION PRINTING		164.70
66782	01/11/2016	General Fund	Professional Services	BEST IMPRESSION PRINTING		258.35
66783	01/11/2016	General Fund	Special Departmental Expense	BIG CREEK LUMBER COMPANY		2,277.72
66784	01/11/2016	General Fund	Special Departmental Expense	BURTON'S FIRE, INC.		49.99
66785	01/11/2016	Gas Tax/Street Improvement	Special Departmental Expense	CALAVERAS MATERIALS INC.		1,245.53
66786	01/11/2016	General Fund	Professional Services	CENTRAL VALLEY TOXICOLOGY INC.		947.45
66787	01/11/2016	Internal Service Fund	Operations & Maintenance	CHEVRON USA INC.		78.00
66788	01/11/2016	Internal Service Fund	Communications	COMCAST CABLE		453.20
66788	01/11/2016	Internal Service Fund	Communications	COMCAST CABLE		115.57
66788	01/11/2016	Internal Service Fund	Communications	COMCAST CABLE		13.24

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66789	01/11/2016	Gas Tax/Street Improvement	Special Departmental Expense	CONSOLIDATED ELECTRICAL DISTRIBUTORS	Check Total:	128.81
						1,738.80
66790	01/11/2016	Section 125 Dependent Care	Deposits Section 125	JULIA CORONADO	Check Total:	1,738.80
						2,907.00
66791	01/11/2016	General Fund	Training	CRITICAL REACH, INC.	Check Total:	2,907.00
						435.00
66792	01/11/2016	Internal Service Fund	Operations & Maintenance	JOHN DEERE FINANCIAL	Check Total:	435.00
						314.08
66793	01/11/2016	Section 125 Dependent Care	Deposits Section 125	MATTHEW L. DEL REAL	Check Total:	314.08
						254.63
66794	01/11/2016	General Fund	Communications	DELTA WIRELESS & NETWORK SOLUTIONS	Check Total:	254.63
66794	01/11/2016	General Fund	Professional Services	DELTA WIRELESS & NETWORK SOLUTIONS		199.50
						501.18
66795	01/11/2016	General Fund	Professional Services	DEPT. OF JUSTICE	Check Total:	700.68
						130.00
66796	01/11/2016	Ferrari Ranch Project Fund	Professional Services	EMC PLANNING GROUP INC	Check Total:	130.00
						1,259.96
66797	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	FASTENAL COMPANY	Check Total:	1,259.96
66797	01/11/2016	Internal Service Fund	Special Departmental Expense	FASTENAL COMPANY		12.45
66797	01/11/2016	Internal Service Fund	Special Departmental Expense	FASTENAL COMPANY		19.84
66797	01/11/2016	Gas Tax/Street Improvement	Special Departmental Expense	FASTENAL COMPANY		13.22
						15.94
66798	01/11/2016	General Fund	Office Supplies	FEDERAL EXPRESS	Check Total:	61.45
						36.07
66799	01/11/2016	Internal Service Fund	Operations & Maintenance	DONALD GARCIA	Check Total:	36.07
66799	01/11/2016	Internal Service Fund	Operations & Maintenance	DONALD GARCIA		95.88
						45.40
66800	01/11/2016	General Fund	Professional Services	GOLDEN VALLEY DOOR & MILLWORK	Check Total:	141.28
						121.27

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66800	01/11/2016	Water Enterprise Fund	Special Departmental Expense	GROENIGER & COMPANY #1423		121.27
66801	01/11/2016	Water Enterprise Fund	Special Departmental Expense	GROENIGER & COMPANY #1423		253.51
66801	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	GROENIGER & COMPANY #1423		1,212.95
66801	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	GROENIGER & COMPANY #1423		56.82
						13.68
				Check Total:		1,536.96
66802	01/11/2016	Water Enterprise Fund	Special Departmental Expense	HACH COMPANY		109.27
66803	01/11/2016	General Fund	Uniform & Clothing Expense	IMAGE UNIFORMS		109.27
66803	01/11/2016	General Fund	Uniform & Clothing Expense	IMAGE UNIFORMS		386.34
66803	01/11/2016	General Fund	Uniform & Clothing Expense	IMAGE UNIFORMS		543.44
				Check Total:		23.12
66804	01/11/2016	General Fund	Training	INTERNATIONAL CODE COUNCIL, INC.		952.90
				Check Total:		135.00
66805	01/11/2016	Internal Service Fund	Professional Services	JACK'S R BETTER INC.		135.00
66805	01/11/2016	Internal Service Fund	Operations & Maintenance	JACK'S R BETTER INC.		480.00
				Check Total:		85.00
66806	01/11/2016	General Fund	Professional Services	JLB TRAFFIC ENGINEERING, INC		565.00
66806	01/11/2016	Gas Tax/Street Improvement	Professional Services	JLB TRAFFIC ENGINEERING, INC		33.31
66806	01/11/2016	General Fund	Professional Services	JLB TRAFFIC ENGINEERING, INC		1,332.88
				Check Total:		499.76
66807	01/11/2016	Gas Tax/Street Improvement	Special Departmental Expense	JORGENSEN COMPANY		1,865.95
66807	01/11/2016	Gas Tax/Street Improvement	Professional Services	JORGENSEN COMPANY		157.68
66807	01/11/2016	Sewer Enterprise Fund	Professional Services	JORGENSEN COMPANY		123.00
				Check Total:		50.00
66808	01/11/2016	Internal Service Fund	Small Tools	KELLOGG'S SUPPLY		330.68
				Check Total:		18.12
66809	01/11/2016	General Fund	Recreation Fees	SHANON LAYTON		18.12
66809	01/11/2016	General Fund	Recreation Fees	SHANON LAYTON		50.00
				Check Total:		-5.00
66810	01/11/2016	General Fund	Office Supplies	LEAVE YOUR MARK!		45.00
				Check Total:		22.56

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66811	01/11/2016	General Fund	Professional Services	LEXISNEXIS RISK DATA MANAGEMENT		22.56
				Check Total:		180.34
66812	01/11/2016	Internal Service Fund	Professional Services	MARTIN'S AUTO & SMOG		180.34
				Check Total:		973.75
66813	01/11/2016	General Fund	Girls Volleyball	AMOS A. MASANI		119.00
66814	01/11/2016	Water Enterprise Fund	Special Departmental Expense	MERCED COUNTY DEPT.		119.00
66814	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	MERCED COUNTY DEPT.		1,442.00
				Check Total:		570.00
66815	01/11/2016	General Fund	Printing & Advertising	MERCED SUN STAR-LEGALS		2,012.00
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		117.60
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		55.30
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		29.70
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		262.89
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		319.63
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		319.63
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		118.75
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		516.85
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		370.28
66816	01/11/2016	General Fund	Uniform & Clothing Expense	MERCED UNIFORM		118.75
				Check Total:		2,111.78
66817	01/11/2016	General Fund	Memberships & Subscriptions	NRPA		165.00
66818	01/11/2016	General Fund	Office Supplies	THE OFFICE CITY		165.00
66818	01/11/2016	General Fund	Office Supplies	THE OFFICE CITY		24.92
				Check Total:		109.80
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		134.72
66819	01/11/2016	General Fund	Professional Services	O'REILLY AUTO PARTS		59.05
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		46.86
66819	01/11/2016	Internal Service Fund	Special Departmental Expense	O'REILLY AUTO PARTS		70.99
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		8.09
				Check Total:		40.47

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		277.75
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		15.94
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		61.03
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		-5.24
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		81.41
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		124.88
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		210.38
66819	01/11/2016	Internal Service Fund	Special Departmental Expense	O'REILLY AUTO PARTS		58.00
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		29.68
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		-55.07
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		10.79
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		198.13
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		219.16
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		119.88
66819	01/11/2016	Internal Service Fund	Operations & Maintenance	O'REILLY AUTO PARTS		96.77
66820	01/11/2016	General Fund	Operations & Maintenance	PASSADORI'S	Check Total:	1,668.95
66821	01/11/2016	General Fund	Special Departmental Expense	PRESTON'S LOCK & KEY	Check Total:	999.90
66822	01/11/2016	General Fund	Special Departmental Expense	PRESTON'S LOCK & KEY		17.28
66822	01/11/2016	General Fund	Professional Services	QUAD KNOFF	Check Total:	112.28
66822	01/11/2016	General Fund	Professional Services	QUAD KNOFF		705.00
66822	01/11/2016	General Fund	Professional Services	QUAD KNOFF		84.50
66822	01/11/2016	General Fund	Professional Services	QUAD KNOFF		84.50
66823	01/11/2016	Information Technology Fund	Special Departmental Expense	QUICKPC SUPPORT	Check Total:	874.00
66824	01/11/2016	Water Enterprise Fund	Professional Services	RAFTELIS FINANCIAL	Check Total:	48.59
66824	01/11/2016	Sewer Enterprise Fund	Professional Services	RAFTELIS FINANCIAL		4,215.65
66824	01/11/2016	Water Enterprise Fund	Professional Services	RAFTELIS FINANCIAL		4,215.65
66824	01/11/2016	Sewer Enterprise Fund	Professional Services	RAFTELIS FINANCIAL		6,945.13
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY	Check Total:	20,478.93
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		365.93
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		185.91
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		14.86
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		336.41

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		14.86
66825	01/11/2016	General Fund	Rents & Leases	RAY MORGAN COMPANY		14.86
66826	01/11/2016	Meadow View LNDSCP	Special Departmental Expense	SAFE-T-LITE	Check Total:	932.83
66826	01/11/2016	Gas Tax/Street Improvement	Special Departmental Expense	SAFE-T-LITE		35.31
66826	01/11/2016	Sewer Enterprise Fund	Uniform & Clothing Expense	SAFE-T-LITE		-32.93
66826	01/11/2016	Sewer Enterprise Fund	Uniform & Clothing Expense	SAFE-T-LITE		44.27
						40.71
66827	01/11/2016	General Fund	Professional Services	SANTA FE PET	Check Total:	87.36
66827	01/11/2016	General Fund	Professional Services	SANTA FE PET		209.00
66827	01/11/2016	General Fund	Professional Services	SANTA FE PET		173.60
66827	01/11/2016	General Fund	Professional Services	SANTA FE PET		171.00
						254.00
66828	01/11/2016	General Fund	Office Supplies	SAVE MART SUPERMARKETS	Check Total:	807.60
66829	01/11/2016	Water Enterprise Fund	Accounts Payable	DORA SCHLESSINGER	Check Total:	9.99
66829	01/11/2016	Sanitation Enterprise	Accounts Payable	DORA SCHLESSINGER		50.23
66829	01/11/2016	Sewer Enterprise Fund	Accounts Payable	DORA SCHLESSINGER		22.36
66829	01/11/2016	Sanitation Enterprise	Accounts Payable	DORA SCHLESSINGER		123.50
						6.73
66830	01/11/2016	General Fund	Professional Services	SIRCHIE FINGERPRINT	Check Total:	202.82
						1,564.46
66831	01/11/2016	General Fund	Recreation Fees	SABRINA SOTELO	Check Total:	1,564.46
66831	01/11/2016	General Fund	Recreation Fees	SABRINA SOTELO		-5.00
						42.00
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE	Check Total:	37.00
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		4.41
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		286.43
66832	01/11/2016	General Fund	Office Supplies	STAPLES BUSINESS ADVANTAGE		17.64
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		147.19
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		16.74
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		-86.86
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		-77.97
66832	01/11/2016	General Fund	Special Departmental Expense	STAPLES BUSINESS ADVANTAGE		393.27
66832	01/11/2016	General Fund	Office Supplies	STAPLES BUSINESS ADVANTAGE		179.40

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66833	01/11/2016	General Fund	Professional Services	STERICYCLE, INC.		880.25
					Check Total:	25.55
66834	01/11/2016	General Fund	Professional Services	TASER INTERNATIONAL		25.55
66834	01/11/2016	General Fund	Police Special Services	TASER INTERNATIONAL		2,472.56
66834	01/11/2016	General Fund	Special Departmental Expense	TASER INTERNATIONAL		11,717.23
					Check Total:	1,223.02
66835	01/11/2016	Information Technology Fund	Special Departmental Expense	TELEPACIFIC COMMUNICATIONS		15,412.81
					Check Total:	5,167.91
66836	01/11/2016	Risk Management Fund	Professional Services	THOMAS H. TERPSTRA		5,167.91
66836	01/11/2016	General Fund	Professional Services	THOMAS H. TERPSTRA		768.75
66836	01/11/2016	Ferrari Ranch Project Fund	Professional Services	THOMAS H. TERPSTRA		7,563.74
66836	01/11/2016	Sewer Enterprise Fund	Professional Services	THOMAS H. TERPSTRA		481.25
66836	01/11/2016	Water Enterprise Fund	Professional Services	THOMAS H. TERPSTRA		2,187.38
					Check Total:	2,537.38
66837	01/11/2016	Water Enterprise Fund	Special Departmental Expense	THE UPS STORE		13,538.50
					Check Total:	81.71
66838	01/11/2016	Water Enterprise Fund	Accounts Payable	CYNDI THOMPSON		81.71
66838	01/11/2016	Sanitation Enterprise	Accounts Payable	CYNDI THOMPSON		11.59
66838	01/11/2016	Sanitation Enterprise	Accounts Payable	CYNDI THOMPSON		2.69
66838	01/11/2016	Sewer Enterprise Fund	Accounts Payable	CYNDI THOMPSON		8.64
					Check Total:	28.50
66839	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	TLC POSTAL CENTER		51.42
66839	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	TLC POSTAL CENTER		10.00
					Check Total:	10.00
66840	01/11/2016	Internal Service Fund	Operations & Maintenance	TRACTOR SUPPLY CREDIT PLAN		20.00
66840	01/11/2016	General Fund	Special Departmental Expense	TRACTOR SUPPLY CREDIT PLAN		17.26
66840	01/11/2016	Internal Service Fund	Special Departmental Expense	TRACTOR SUPPLY CREDIT PLAN		16.19
					Check Total:	4.85
66841	01/11/2016	General Fund	Special Departmental Expense	TROPHY CASE		38.30
					Check Total:	7.02
					Check Total:	7.02

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66842	01/11/2016	Internal Service Fund	Operations & Maintenance	TURF STAR, INC.		304.65
66843	01/11/2016	RDVLPMT Obligation Retirement	UPRR Reimb-WW/Atw Blvd Signal	UNION PACIFIC RAILROAD CO.	Check Total:	304.65
66844	01/11/2016	General Fund	Life Insurance Payable	UNUM LIFE INSURANCE	Check Total:	140,674.42
66844	01/11/2016	General Fund	Life Insurance Payable	UNUM LIFE INSURANCE		247.46
66844	01/11/2016	General Fund	Life Insurance Payable	UNUM LIFE INSURANCE		185.92
66844	01/11/2016	General Fund	Life Insurance Payable	UNUM LIFE INSURANCE		1,445.20
66844	01/11/2016	General Fund	Life Insurance Payable	UNUM LIFE INSURANCE		10.17
66845	01/11/2016	Water Enterprise Fund	Professional Services	VALLEY UTILITIE CONSTRUCTION, INC.	Check Total:	1,888.75
66846	01/11/2016	Sewer Enterprise Fund	Professional Services	VEOLIA WATER NORTH AMERICA OPERATING	Check Total:	1,200.00
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS	Check Total:	340.40
66847	01/11/2016	CFD Districts	Communications	VERIZON WIRELESS		1,240.76
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		53.88
66847	01/11/2016	Measure H Fund	Communications	VERIZON WIRELESS		53.88
66847	01/11/2016	Water Enterprise Fund	Communications	VERIZON WIRELESS		45.43
66847	01/11/2016	Gas Tax/Street Improvement	Communications	VERIZON WIRELESS		159.68
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		48.79
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		656.40
66847	01/11/2016	Sewer Enterprise Fund	Communications	VERIZON WIRELESS		205.93
66847	01/11/2016	Internal Service Fund	Communications	VERIZON WIRELESS		89.51
66847	01/11/2016	Internal Service Fund	Communications	VERIZON WIRELESS		10.78
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		10.78
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		33.43
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		130.37
66847	01/11/2016	General Fund	Communications	VERIZON WIRELESS		343.17
66848	01/11/2016	General Fund	Professional Services	VIGILANT CANINE SERVICES	Check Total:	3,082.79
66849	01/11/2016	Employee Benefits Fund	Vision Insurance	VISION SERVICE PLAN (CA)	Check Total:	250.00
66849	01/11/2016	Employee Benefits Fund	Vision Insurance	VISION SERVICE PLAN (CA)		250.00
66850	01/11/2016	Risk Management Fund	Life Insurance	VOYA RETIREMENT INSURANCE	Check Total:	914.16
						2,323.66
						3,237.82
						36.26

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Void	Amount
66851	01/11/2016	Internal Service Fund	Small Tools	WINTON HARDWARE		36.26
66851	01/11/2016	Internal Service Fund	Special Departmental Expense	WINTON HARDWARE		10.63
66851	01/11/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		3.62
66851	01/11/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		2.56
66851	01/11/2016	Water Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		10.74
66851	01/11/2016	Sewer Enterprise Fund	Special Departmental Expense	WINTON HARDWARE		6.91
66851	01/11/2016	Internal Service Fund	Special Departmental Expense	WINTON HARDWARE		15.44
66851	01/11/2016	Internal Service Fund	Special Departmental Expense	WINTON HARDWARE		1.17
Check Total:						51.07
Report Total:						249,588.82



# CITY OF ATWATER

---

---

## CITY COUNCIL AND SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

### ACTION MINUTES

**December 14, 2015**

OPEN SESSION: (Council Chambers)

*The City Council of the City of Atwater met in Open Session this date at 5:03 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: (City Council)

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

**Absent:** *None*

**Staff Present:** *City Manager/Police Chief Pietro, City Attorney Terpstra, 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 5:04 PM. Closed Session was called to order at 5:08 PM.**

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): Number of cases: (3)

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a): Name of case: M. A. Maxwell and Maxwell Enterprises vs. the City of Atwater, Case No. 14CV-00317

**Closed Session adjourned at 6:00 PM.**

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 6:04 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.**

**Police Chaplain McClellan thanked all those who helped with this past Saturday's Kops for Kids event in which a record high \$842 was raised.**

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/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 Treasurer Heller, City Clerk/Board Clerk/Human Resources Director Del Real, Recording Secretary Bengtson-Jennings**

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

**City Attorney Terpstra 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:

*City Council Member/Board Member Raymond asked that agenda item #25 under City Council Matters, "Discussion and action regarding revisiting one City Council meeting a month," be removed from the agenda in its entirety and moved to the regular City Council meeting agenda of January 11, 2016.*

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

PRESENTATIONS:

Monthly verbal report by Merced County District 3 Supervisor McDaniel

***Merced County District 3 Supervisor McDaniel reported on the following items:***

- 1) Castle Commerce Center - To date 13 properties have sold to small businesses at Castle, bringing the total to 10 properties in the last 10 months; three more sales are pending.***
- 2) Year Two Goals – In his second year of service Supervisor McDaniel wishes to continue to reach out to constituents, hold workshops such as grant writing workshops, and focus on business development and government contracting.***
- 3) The Atwater-Merced Expressway – Road extension from Green Sands Avenue to Castle is the next important link.***

***Supervisor McDaniel reminded the community of his "mobile" office hours which are the fourth Thursday of each month from 1:30 – 3:30 PM in the City Council Chambers.***

Verbal presentation regarding drones (Scott Malta, Airport Manager at Castle Airport)

***Scott Malta, Airport Manager at Castle Airport, provided a verbal report regarding drones, or unpiloted air vehicles (UAVs), and the need for those flying drones to know and understand the rules of usage.***

***Mayor Price put City Attorney Terpstra on notice that an ordinance regulating drones in the City of Atwater will be necessary in the near future.***

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

***DON HYLER, Atwater, reminded the City Council of the need to begin working on the Atwater General Plan now, which will expire in 2020, due to the process taking approximately three years.***

***JEANIE KNIGHT, Atwater, questioned the number of paid holidays City staff is afforded each year.***

***City Manager Pietro stated that the number of paid holidays is regulated by labor contracts, and he will have the answer at the next regular City Council meeting of January 11, 2016.***

***No one else came forward to speak.***

**CONSENT CALENDAR:**

***Agenda item #6 under Public Improvements, "Approving cooperative purchase of new ADA compliant playground equipment at Ralston Park," was removed from the consent calendar for separate discussion and possible action.***

***Agenda item #7 under Public Improvements, "Approving cooperative purchase for supplemental tree maintenance services," was removed from the consent calendar for separate discussion and possible action.***

***Agenda item #9 under Claims Against the City, "Claim No. 2015-8," was removed from the consent calendar for separate discussion and possible action.***

***Agenda item #13 under Informational Items Only (No Action Required), "Public Works Department activities and projects for the month of November, 2015," was removed from the consent calendar for separate discussion.***

**MOTION: Mayor Pro Tem/Board Vice Chair Bergman moved to approve the consent calendar 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.**

**2. WARRANTS:**

November 23, 2015  
December 14, 2015

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

**3. MINUTES: (City Council)**

Regular meeting, November 9, 2015

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

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

4. Waiving the second reading and adopting Ordinance No. CS 970 amending Chapter 5.08, "Schedule of License Fees," Section 5.08.095 "Rental of Residential Property" of the Atwater Municipal Code (Finance Director Deol)

***ACTION: Waives the second reading and adopts Ordinance No. CS 970 amending Chapter 5.08 of the Atwater Municipal Code (AMC) relating to business license requirements for rental property.***

AGREEMENTS:

5. Approving Amendment No. 4 to Professional Services Agreement with EMC Planning Group, Inc. for Ferrari Ranch EIR and CEQA Services (Community Development Director McBride)

***ACTION: Approval of Amendment No. 4 to Professional Services Agreement, in a form approved by the City Attorney, between the City of Atwater and EMC Planning Group, Inc. for the Ferrari Ranch EIR and CEQA Services; and authorizes and directs the City Manager to execute the Amendment on behalf of the City.***

PUBLIC IMPROVEMENTS:

6. Approving cooperative purchase of new ADA compliant playground equipment at Ralston Park (Interim Public Works Director Faretta)

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

7. Approving cooperative purchase for supplemental tree maintenance services (Interim Public Works Director Faretta)

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

RESOLUTIONS:

8. Adopting City of Atwater Salary Schedule A-16, effective January 1, 2016 (Human Resources Director Del Real)

***ACTION: Adoption of Resolution No. 2859-15 adopting City of Atwater Salary Schedule A-16, effective January 1, 2016.***

CLAIMS AGAINST THE CITY:

9. Claim No. 2015-8

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

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

10. Police Department activities and projects for the month of November, 2015 (Police Lieutenant Joseph)
11. Police Volunteer activities for the month of November, 2015 (Police Volunteer Vineyard)
12. Fire Department activities and projects for the month of November, 2015 (CAL FIRE Battalion Chief Pimentel)
13. Public Works Department activities and projects for the month of November, 2015 (Interim Public Works Director Faretta)

***Item 13 was removed from the consent calendar for separate discussion.***

PUBLIC IMPROVEMENTS:

Approving cooperative purchase of new ADA compliant playground equipment at Ralston Park (Interim Public Works Director Faretta)

***Interim Public Works Director Faretta reported on the equipment currently at Ralston Park, which is over 30 years old and out of ADA compliance according to a certified safety inspector, and he stated that he would direct the dismantling of the equipment as soon as possible.***

**MOTION: City Council Member Vineyard moved to approve a Cooperative Purchase Agreement, in a form approved by the City Attorney, with NSP3 of Redding, California in the amount of \$27,362.04 for new ADA compliant playground equipment at Ralston Park; and authorize and direct the City Manager to execute the Agreement on behalf of the City. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Vineyard, Bergman, Rivero, Raymond, Price; Noes: None; Absent: None. The motion carried.**

Approving cooperative purchase for supplemental tree maintenance services (Interim Public Works Director Faretta)

**MOTION: City Council Member Vineyard moved to approve a Cooperative Purchase Agreement, in a form approved by the City Attorney, with West Coast Arborists, Inc. in an amount not to exceed \$75,000 for supplemental tree maintenance services within the City of Atwater's urban forest; and authorize and direct the City Manager to develop and execute the Agreement on behalf of the City. The motion was seconded by City Council Member Raymond and the vote**

**was: Ayes: Bergman, Vineyard, Raymond, Rivero, Price; Noes: None; Absent: None. The motion carried.**

CLAIMS AGAINST THE CITY:

Claim No. 2015-8

**MOTION: Mayor Pro Tem Bergman moved to: 1) grant the Application in part, only as to any purported claims for intentional and negligent infliction of emotional distress based on alleged conduct on or after March 16, 2015; 2) as to those purported claims for intentional and negligent infliction of emotional distress based on conduct on or after March 16, 2015, reject those claims; and 3) deny the pending Application as to all other claims in the September 14, 2015 Claim. The motion was seconded by Mayor Price and the vote was: Ayes: Raymond, Rivero, Bergman, Price; Noes: None; Abstain: Vineyard; Absent: None. The motion carried.**

INFORMATION ITEMS ONLY (NO ACTION REQUIRED):

Public Works Department activities and projects for the month of November, 2015 (Interim Public Works Director Faretta)

**Mayor Price questioned the status of the City's road striping machine and expressed his concerns regarding the condition of certain roads within the City.**

**Interim Public Works Director Faretta stated that he would check on the status of the striping machine and would direct staff to move forward with road striping.**

PETITIONS AND COMMUNICATIONS:

Request to provide emergency water supplies to Merced County residents with non-functional wells (Project Manager/Construction Supervisor Samuel Palmer, Self-Help Enterprises)

**Samuel Palmer, Project Manager/Construction Supervisor of Self-Help Enterprises, spoke regarding Merced County's emergency program in which water is provided to approximately 100 households without a working well or secondary water source. He reported on the specifics of the program and the need for securing other water supply sources immediately.**

**JEANIE KNIGHT, Atwater, questioned the number of wells within the 95301 zip code.**

**HELEN AMARANT, Atwater, spoke of four commercial agriculture wells near her property near Highway 99.**

**LINDA DASH, Atwater, questioned the credibility of the independent contractors selected to purchase and transport the water.**

**ERIC LEE, Atwater, asked District 3 Supervisor McDaniel to speak on behalf of the County concerning this issue at the next regular City Council meeting of January 11, 2016.**

**MOTION: Mayor Pro Tem Bergman moved to direct staff to develop a contract with a 30 day cancellation component for possible approval at the next regular City Council meeting of January 11, 2016 for the sale of water using a specified City metered hydrant for the purpose of providing emergency water supplies to Merced County residents with non-functional wells who reside in the 95301 zip code area; and to direct staff to confirm that the water usage will not affect the City's state-mandated water reduction amount. The motion was seconded by City Council Member Vineyard and the vote was: Ayes: Raymond, Rivero, Bergman, Vineyard, Price; Noes: None; Absent: None. The motion carried.**

**FUNDING AND BUDGET MATTERS:**

Treasurer's Report for the month of October, 2015 (City Treasurer Heller)

**MOTION: Mayor Pro Tem Bergman moved to approve the Treasurer's Report for the month of October, 2015. The motion was seconded by City Council Member Vineyard and the vote was: Ayes: Rivero, Raymond, Vineyard, Bergman, Price; Noes: None; Absent: None. The motion carried.**

**PUBLIC HEARINGS:**

Waiving the first reading and introducing Ordinance No. CS 971 amending Title 5 "Business Taxes, Licenses, and Regulations," to add Chapter 5.62 "Donation Bins" to the Atwater Municipal Code (City Attorney Terpstra)

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

**GARY BRICE, Atwater, applauded the City's efforts to solve the problem of unattended donation bins but stated that every bin will be in violation of the ordinance if approved and code enforcement may be difficult.**

**Police Chief Pietro stated that the City's new Code Enforcement Officer has 10 to 12 years experience in the profession and will enforce the ordinance if adopted.**

**JEANIE KNIGHT, Atwater, questioned why Allied Waste is not handling the issue of donation bins.**

**ERIC LEE, Atwater, voiced his concerns regarding donation bins but believes the proposed ordinance is a necessary enforcement tool.**

***City Attorney Terpstra clarified that the proposed ordinance addresses donation bins and not recycling containers and will be used as an important enforcement mechanism to regulate their usage.***

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

***MOTION: City Council Member Vineyard moved to waive the first reading and introduce Ordinance No. CS 971 amending Title 5 “Business Taxes, Licenses, and Regulations,” to add Chapter 5.62 “Donation Bins” to the Atwater Municipal Code. The motion was seconded by City Council Member Rivero and the vote was: Ayes: Bergman, Vineyard, Rivero, Raymond, Price; Noes: None; Absent: None. The motion carried.***

Amending Miscellaneous Fee Schedule (Finance Director Deol)

***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 adopt Resolution No. 2870-15 amending the Miscellaneous Fee Schedule. The motion was seconded by City Council Member Vineyard and the vote was: Ayes: Rivero, Raymond, Bergman, Vineyard, Price; Noes: None; Absent: None. The motion carried.***

**CITY ATTORNEY REPORTS/UPDATES:**

Verbal discussion and action regarding removal of Atwater Elementary School District, Atwater High School District, Teasdale Foods, and Atwater Federal Bureau of Prison from the City’s state-mandated water reduction amounts

***City Attorney Terpstra asked that if there is no objection from the City Council, staff will prepare a resolution for City Council consideration at the next regular City Council meeting of January 11, 2016 declaring the City’s intent to track water usage two ways, both including and excluding the Atwater Elementary School District, Atwater High School District, Teasdale Foods, and Atwater Federal Bureau of Prison for state-mandated water reporting. This method of tracking water usage will indicate how the City is meeting its targets with and without including the above-mentioned entities.***

***By consensus, the City Council provided no objection to City Attorney Terpstra’s recommendation.***

**CITY MANAGER REPORTS:**

Verbal update regarding donation of additional monies raised for “In God We Trust” signs

**City Manager Pietro reported that to date \$1,550 was received for the “In God We Trust” signs and \$653 was spent on the two signs; the balance is \$896. He asked for community and City Council input.**

**LINDA DASH, Atwater, spoke regarding the “poor design” of the outside sign and asked that the sign be removed. She suggested that those who donated the money be included in the design process for a new sign.**

**MIKE RAYMOND, Atwater, asked that the next outdoor sign include “City of Atwater” or “Atwater City Hall”; he believes the small sign by the road is not enough.**

**JEANIE KNIGHT, Atwater, stated that the money was earmarked for “In God We Trust” but agrees that the outdoor sign is ugly and must be taken down.**

**City Manager Pietro announced that the community will have the opportunity to select the replacement sign and prototypes will be presented at the next regular City Council meeting of January 11, 2016.**

**GARY BRICE, Atwater, reminded the City Council that the outside banner does not meet the City’s sign ordinance.**

**MIKE MERONEY, Atwater, recommended gold lettering for the words “In God We Trust,” similar to what is found above the City’s seal in the City Council Chambers.**

**ERIC LEE, Atwater, agreed with Mike Meroney and expressed his displeasure with the indoor sign as well. He offered to donate money toward a new sign for the City Council Chambers.**

**City Council Member Raymond reminded the community that it is about the message and not the sign. On behalf of the City Council, he stated that the public’s comments have been heard.**

REPORTS AND PRESENTATIONS FROM STAFF:

Designating an “All Way Stop” at Olive Avenue and Winton Way and declaring “No Stopping Any Time” on Winton Way from Cedar Avenue south to Atwater Boulevard (Community Development Director McBride)

**ERIC LEE, Atwater, expressed his concerns with parking and pedestrian traffic in this area and spoke in favor of “No Stopping Any Time” on Winton Way from Cedar Avenue south to Atwater Boulevard.**

**MOTION: City Council Member Vineyard moved to adopt Resolution No. 2807-15 designating an “All Way Stop” at Olive Avenue and Winton Way. The motion was seconded by Mayor Price and the vote was: Ayes: Vineyard, Price; Noes: Raymond, Rivero, Bergman; Absent: None. The motion was rejected.**

***MOTION:*** *City Council Member Vineyard moved to adopt Resolution No. 2808-15 declaring “No Stopping Any Time” on Winton Way from Cedar Avenue to Atwater Boulevard. The motion was seconded by Mayor Price and the vote was: Ayes: Bergman, Vineyard, Rivero, Raymond, Price; Noes: None; Absent: None. The motion carried.*

Approving Winton Way Improvement Project Design and Engineering proposal from Mid Valley Engineering (Community Development Director McBride)

***MOTION:*** *Mayor Pro Tem Bergman moved to approve the proposal by Mid Valley Engineering for Design and Engineering Services related to Winton Way Reconstruction. The motion was seconded by Mayor Price and the vote was: Ayes: Rivero, Raymond, Vineyard, Bergman, Price; Noes: None; Absent: None. The motion carried.*

Designating an “All Way Stop” control on Atwater Boulevard at the intersection with First Street (Police Lieutenant Joseph and Community Development Director McBride)

***MOTION:*** *Mayor Pro Tem Bergman moved to adopt Resolution No. 2871-15 designating an “All Way Stop” on Atwater Boulevard at the intersection with First Street. The motion was seconded by Mayor Price and the vote was: Ayes: Bergman, Vineyard, Rivero, Raymond, Price; Noes: None; Absent: None. The motion carried.*

Verbal update regarding HSIP grant award to provide protected turn phasing at the traffic signal located at Juniper Avenue and Shaffer Road (Community Development Director McBride)

***Community Development Director McBride reported that the HSIP grant award to provide protected turn phasing at the traffic signal located at Juniper Avenue and Shaffer Road has been approved and notification along with an outline for the project should be on-hand in February, 2016.***

Approving Amended Long Range Property Management Plan and submittal to the Oversight Board of the Successor Agency (Community Development Director McBride)

***MOTION:*** *Mayor Pro Tem/Board Vice President Bergman moved to adopt Resolution No. SA 2015-8 approving the Amended Long Range Property Management Plan and authorizing submittal of the adopted Amended Long Range Property Management Plan to the Oversight Board of the Successor Agency to the Atwater Redevelopment Agency (“Oversight Board”). The motion was seconded by City Council Member/Board Member Vineyard and the vote was: Ayes: Rivero, Raymond, Bergman, Vineyard, Price; Noes: None; Absent: None. The motion carried.*

CITY COUNCIL MATTERS:

Discussion and action regarding revisiting one City Council meeting a month

***This item was removed from the agenda in its entirety and moved to the regular City Council meeting agenda of January 11, 2016.***

Approval of Annual 2016 Regular Meeting Schedule Calendar

***MOTION: Mayor Pro Tem Bergman moved to postpone discussion and possible approval of the Annual 2016 Regular Meeting Schedule Calendar until the next regular City Council meeting of January 11, 2016. The motion was seconded by Mayor Price and the vote was: Ayes: Bergman, Vineyard, Raymond, Rivero, Price; Noes: None; Absent: None. The motion carried.***

City Council comments and requests for future agenda items

***City Council Member Raymond commended the Atwater Police Department, Fire Department, and Riggs Ambulance Service for their help during a recent family emergency. He sent his condolences to Jean Kirby and family upon the death of Kenneth. He reminded citizens to be safe this holiday season, and he wished Mayor Pro Tem Bergman an early Happy Birthday.***

***City Council Member Vineyard asked Linda Dash to come forward, and he presented her with two checks totaling \$250 from the local Marine group and the Veterans of Foreign War Post 9946 to purchase food for the Veterans Stand Down this Friday, December 18, 2015. He thanked Save Mart Supermarkets for their donation of turkeys and cookies for the event. He wished everyone a Merry Christmas and a Happy New Year.***

***Mayor Pro Tem Bergman asked that the next regular City Council meeting agenda include a discussion item regarding the placement of "In God We Trust" on the City of Atwater Water Tower. He wished everyone a Merry Christmas and Happy Holidays.***

***City Council Member Rivero announced his son's and daughter's recent birthdays. He wished everyone a Merry Christmas and, as another Joe Rivero used to say, a "Holy, healthy, happy, safe, and prosperous New Year."***

***Mayor Price announced the long-awaited opening of Applebees in Atwater is this Wednesday, December 16, 2015 at 10:00 AM and reported on the Atwater Kops and Fire for Kids toy drive and the recent spending of \$5,000 for toys.***

***City Manager Pietro reported that collectively Atwater raised \$18,000 for toys for 2,400 children; the most money ever raised.***

**Mayor Price announced that the Bloss House Christmas Party is December 20, 2015 from 1:00 – 6:00 PM, which will include a toy drive to benefit the Marine Corp’s Toys for Tots and the Atwater Kops and Fire for Kids. He reminded the community that one year ago (December 8, 2014) he was sworn into office as Mayor and his vision still holds true today: to work alongside City staff providing services to the citizens and to make Atwater the best community it can be. He thanked all those who work behind the scenes as well as their families. He thanked his wife for her support. He wished everyone a Merry Christmas and reminded each that “Jesus is the reason.”**

CLOSED SESSION:

***Closed Session was not necessary.***

ADJOURNMENT:

***The meeting adjourned at 8:44 PM.***

---

JEANNA DEL REAL, CMC  
CITY CLERK /BOARD SECRETARY

By: Kim Bengtson-Jennings,  
Recording Secretary



# CITY OF ATWATER

## COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION

### ACTION MINUTES

**November 18, 2015**

CALL TO ORDER:

*The City of Atwater Community Development and Resources Commission 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; Chairperson Brice presiding.*

PLEDGE OF ALLEGIANCE TO THE FLAG:

*The Pledge of Allegiance was led by Chairperson Brice.*

INVOCATION:

*The Invocation was led by Police Chaplain McClellan.*

ROLL CALL:

**Present:** Commissioners Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed,  
**Absent:** None  
**Staff Present:** Police Lieutenant Joseph, Community Development Director McBride, Recording Secretary Mead.  
**Staff Absent:** Interim Public Works Director Faretta, Recreation Supervisor Barton, Senior Planner Hendrix

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

MINUTES:

Regular Meeting September 16, 2015.

***MOTION: Commissioner Dash moved to approve the minutes as amended. The motion was seconded by Commissioner Daugherty and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: None. The motion carried.***

Note: The following notes were erroneously embedded within the October minutes. The notes were removed from the minutes:

PRESENTATIONS:

*Parks and Recreation/Traffic-Request to hold an annual Fall Worship event with amplified sound and a barbecue lunch at Ralston Park. The event take place on Sunday, October 4, 2015 at 10:00 a.m. with set up beginning at 8:00 a.m. Requestor New Life Community Church- (Recreation Supervisor Dan Barton)*

*Recreation Supervisor Dan Barton presented a verbal report regarding the aforementioned request. Barton reported the Public Works Department is prepared to shut off the water and provide access to the electrical outlets. Barton noted this is an annual event for the Church and requested for the item to be denied or approved for referral to City Council.*

***MOTION: Commissioner Dash moved for approval. The motion was seconded by Commissioner McWatters and the vote was: Ayes: Brice, Dash, Daugherty, McWatters, Reed; Noes: None; Absent: Murphy III, Hyler III. The motion carried.***

PUBLIC HEARINGS:

Adopt Community Development and Resources Commission Resolution No 014-15 approving Tentative Parcel Map No. 15-5. Applicant Brad Kessler (Community Development Director Scott McBride for Senior Planner Hendrix)

***Commissioner Reed recused himself from the presentation.***

***Chairperson Brice opened the public hearing for this item.***

***Kessler, Brad 301 Business Parkway provided a verbal report regarding sub-dividing 2 acres into Four (4) half acre parcels. Mr. Kessler mentioned most properties in the area are subdivided in the same portions with the exception of WestMark.***

**Chairperson Brice closed the Public Hearing.**

**MOTION: Commissioner Daugherty moved to approve the Community Development and Resources Commission Resolution No 014-15 approving Tentative Parcel Map No. 15-5. The motion was seconded by Commissioner Murphy and the vote was: Ayes: Brice, Dash, Daugherty, McWatters, Murphy III, Noes: None; Absent: Hyler III.; Recused: Reed. The motion carried.**

**Commissioner Reed rejoined the meeting.**

**REPORTS AND PRESENTATIONS FROM STAFF:**

**Verbal presentation on the Pedestrian Traffic Safety Priority List. (Community Development Director Scott McBride)**

Community Development Director Scott McBride provided a color coded Project List for the commissioners to review and to prioritize projects He reported the Highway Safety Improvement Program (HSIP) grant was approved and funded for the Shaffer Road/Juniper Avenue split phasing project.

Based on discussion of the project list, the Commissioners made the following motions:

**MOTION: Commissioner Reed moved to remove items: #14 -#24 from the CD & R Commission Project list. The motion was seconded by Commissioner Hyler III and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: None. The motion carried.**

**MOTION: Commissioner Reed moved to remove item #33 (remove stop signs at Capitola and Fruitland Avenue) if the Traffic Engineer feels it meets the same warrant as item #34 (Removal of stop signs on Fruitland Avenue and Chardonay Way) that the City Engineer present item #33 at the same time as #34 to the City Council for action. The motion was seconded by Commissioner Daugherty and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: None. The motion carried.**

**MOTION: Commissioner Daugherty moved to remove items: #35 & #36 from the CD & R Commission Project list based on the median and synchronization project for Applegate Road at Commerce Avenue and Bell Lane at McDonald's Driveway. The motion was seconded by Commissioner Reed and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: None. The motion carried.**

**MOTION:** Commissioner Daugherty moved to remove items: #27 & #28 from the CD & R Commission Project list. The motion was seconded by Commissioner McWatters and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III; Noes: Reed; Absent: None. The motion carried.

**MOTION:** Commissioner Hyler III moved to follow staff's and Police Department's recommendation on Item #26 and recommend to the City Council to institute No Parking Signs on the West side of Shaffer Road, in front of Thomas Oleata Elementary School. The motion was seconded by Commissioner McWatters and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III; Noes: None; Absent: None. The motion carried.

**MOTION:** Commissioner Daugherty moved to remove items: #41 from the CD & R Commission Project list. The motion was withdrawn.

LEE, Eric 1199 Atwater Blvd, expressed his concerns with (Item #41- Bellevue Road, Shaffer Road & First Intersection) the pedestrian safety, and the confusion of left turns from Bellevue Road onto First Street and Shaffer Road. Mr. Lee asked the commission to revisit the item at a later time.

**MOTION:** Commissioner Reed moved to change item: #44 on the CD & R Commission Project list from installing all way stop signs at Fruitland Avenue at Kansas Avenue to Fruitland Avenue at Virginia Street. The motion was seconded by Commissioner McWatters and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III Reed; Noes: Absent: None. The motion carried.

**MOTION:** Commissioner Daugherty moved to remove item: #42 from the CD & R Commission Project list. The motion was seconded by Commissioner Dash and the vote was: Ayes: Brice, Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: None. The motion carried.

Presentation on Paperless Agenda and Packet. (Community Development Director Scott McBride)

Community Development Director Scott McBride provided an overview on the electronic agenda and packet process. Recording Secretary Mead provided the commissioners with the training dates and times to schedule a training session prior to the December 2015 meeting. McBride shared his appreciation for the paperless packet and reiterated the December 2015 meeting will be a paperless meeting. Commissioner McBride wished everyone a Happy Thanksgiving.

**COMMISSIONER MATTERS:**

**Comments from Community Development and Resources Commissioners:**

**Commissioner Reed – Offered explanation to Commissioner Brice; he mentioned the Subdivision Map Act requires a discretionary approval and a public hearing on tentative parcel maps.**

**Commissioner Dash reported various signage issues around town specifically, garage signs, home building signs and sandwich board signs blocking a sidewalk. The concerns will be conveyed to the Code Enforcement Officer. Commissioner Dash offered her knowledge pertaining to the phone vendor (Obama Phone program) Hyler III mentioned.**

**Commissioner Hyler III inquired about the vendor offering free cell phones and shared his concerns with the unsightly tents. Hyler III further asked if the Parks and Recreation Department could provide an update of the Parks and Recreation programs. Community Development Director Scott McBride will forward the request to Recreation Supervisor Dan Barton.**

**Commissioner McWatters shared her knowledge on the government program of free cell phones.**

**Commissioner Murphy III-none**

**Commissioner Daugherty-none**

**Commissioner Brice inquired if certain building projects need to be brought to the Commission.**

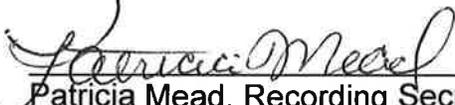
**ADJOURNMENT:**

**The meeting adjourned at 7:25 PM.**

**APPROVED:**

  
\_\_\_\_\_  
Chairperson Brice

**ATTEST:**

  
\_\_\_\_\_  
Patricia Mead, Recording Secretary



## 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

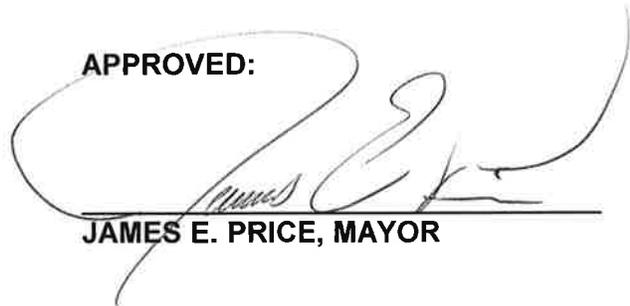
**BE IT FURTHER RESOLVED, DECLARED AND ORDERED** that during the existence of this local drought emergency, the City of Atwater Director of Emergency Services may request the City Council to amend this declaration of a local drought emergency and, if this Council is not in session to amend this declaration 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.

**JAMES E. PRICE, MAYOR**

**ATTEST:**



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

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



# CITY COUNCIL OF THE CITY OF ATWATER

## ORDINANCE NO. CS 971

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATWATER AMENDING TITLE 5 “BUSINESS TAXES, LICENSES, AND REGULATIONS” TO ADD CHAPTER 5.62 “DONATION BINS” TO THE ATWATER MUNICIPAL CODE

**WHEREAS**, absent regulation by the City of Atwater, unattended donation boxes may be placed in unlawful locations, without the approval of property owners, or without clear information about the operator of the boxes or how the collected donations will be used;

**WHEREAS**, if not properly maintained and regularly emptied, unattended donation boxes can become nuisances by attracting graffiti, trash, toxic materials, and rodents; and

**WHEREAS**, the City of Atwater desires to provide rules, regulations, and standards for the placement and use of donation bins in the City of Atwater in order to, among others, ensure that donation bins do not pose a hazard to pedestrian or vehicular traffic, ensure that material is not allowed to accumulate outside of donation bins, avoid conditions that may attract vermin, and to promote the public health, safety, convenience, and welfare of the City.

**NOW, THEREFORE**, the City Council of the City of Atwater does hereby ordain:

**SECTION 1:** Title 5 “Business Taxes, Licenses, and Regulations” of the Atwater Municipal Code is hereby amended to add Chapter 5.62 entitled “Donation Bins” to read as follows:

### CHAPTER 5.62 DONATION BINS

**Sections:**

- 5.62.10 Purpose
- 5.62.20 Definitions
- 5.62.30 Donation Bin Permit
- 5.62.40 Permitted Zones

- 5.62.50 Donation Bin Design Standards**
- 5.62.60 Donation Bin Site Placement Requirements**
- 5.62.70 Donation Bin Maintenance**
- 5.62.80 Enforcement**

#### **Section 5.62.10 Purpose**

The purpose of this Chapter shall be to provide rules, regulations, and standards for the placement and use of donation bins in the City of Atwater in order to, among others, ensure that donation bins do not pose a hazard to pedestrian or vehicular traffic, ensure that material is not allowed to accumulate outside of donation bins, avoid conditions that may attract vermin, and to promote the public health, safety, convenience, and welfare of the City.

#### **Section 5.62.20 Definitions**

- A. Director: Finance Director for the City of Atwater or his/her designee.
- B. Donation Bin: A bin, box, receptacle or container made of metal, steel, or other material which is designed or intended for the collection and temporary storage of donated items such as clothing, shoes, textiles, books, household goods, and other similar items. Donation Bins may be either attended or unattended. The definition of Donation Bin does not include recycle bins used for the collection of recyclable material such as aluminum, plastic, glass, metal, and other such materials.
- C. Operator: The person, entity, association, or organization who places, maintains, operates, and is responsible for a Donation Bin pursuant to a lawfully issued Donation Bin Permit.
- D. Property Owner: the person, entity, association, or organization who owns the real property where the Donation Bin is proposed to be located.

#### **Section 5.62.30 Donation Bin Permit**

- A. No person, entity, or organization shall place or maintain any Donation Bin on any premises or property within the City limits of the City of Atwater without first obtaining a Donation Bin Permit. A separate Donation Bin Permit shall be required for each Donation Bin, regardless of whether an Operator operates more than one Donation Bin.
- B. A Donation Bin Permit may be obtained by submitting a complete Donation Bin Permit application with the City of Atwater and paying the processing fee set by Resolution of the City Council. The Donation Bin Permit application shall include all of the following:
  - 1. The name, address, and telephone number of the person, entity, association, or organization applying for the Donation Bin Permit.
  - 2. The name, address, and telephone number of the Operator of the Donation Bin.

3. The location and address of where the Donation Bin is proposed to be placed. A separate Donation Bin Permit shall be required for each location. An Operator may submit one Donation Bin Permit application for multiple Donation Bins provided that all information regarding each proposed Donation Bin is the same.
4. The name, telephone number, and written consent letter from the Property Owner of the location at which the Donation Bin is proposed to be located.
5. A site plan showing the site and location of where the Donation Bin is proposed to be located.
6. A photo, drawing or other image of the Donation Bin showing dimensions for size and a photo, drawing or other image showing how the Donation Bin will comply with the required markings described in section 5.62.50 of this Chapter.
7. A description of the manner and schedule for maintenance and emptying of the Donation Bin.

C. Applications for Donation Bin Permits will be reviewed and approved or denied by the Director within thirty (30) days of the date on which the Application is submitted. Denial of a request for a Donation Bin Permit may be appealed to the City Council in accordance with the procedures set forth in Chapter 1.12.

D. Donation Bin Permits shall be valid for a period of one (1) year, unless revoked by the Director as a result of any violation of this Chapter. Donation Bin Permits may be renewed annually by submitting a Renewal Application and paying a processing fee of Fifty Dollars (\$50).

E. A Donation Bin Permit sticker shall be placed and maintained on the front of the Donation Bin and readily visible. Replacement Donation Bin Stickers may be purchased from the City of Atwater for a charge of Ten Dollars (\$10).

F. Donation Bins shall be removed within twenty-four (24) hours of expiration of the Donation Bin Permit.

#### **Section 5.62.40 Permitted Zones**

Applications for Donation Bin Permit, which meet the requirements of this Chapter, may be accepted for all districts within Title 17 Zoning, except for Residential Zoning Districts.

#### **Section 5.62.50 Donation Bin Design Standards**

Donation Bins shall meet all of the following design requirements:

A. Size: Donation Bins shall not cover a ground surface area in excess of five (5) feet by five (5) feet, nor be more than six (6) feet in height.

B. Material: Donation Bins shall be made of material that is durable and waterproof. Donation Bins shall not be electrically or hydraulically powered by an external source.

C. Bin Design: Donation Bins shall be of the type that are enclosed by use of a receiving door and a tamper resistant locking mechanism so the contents may not be accessed by anyone other than the Operator.

D. Emergency Access: Donation Bins shall be designed/keyed to allow for emergency access by the Police Department and/or Fire Department.

E. Required Identification Markings: The front of each Donation Bin shall have a conspicuously placed display with dimensions of at least two (2) feet high by two (2) feet wide, with font on the display that is a minimum of two (2) inches in height showing all of the following:

1. The name, address, telephone number, and internet address (if available) of the Operator.
2. A statement that either reads, "This collection box is owned and operated by a for-profit organization." or "This collection box is owned and operated by a nonprofit organization." For purposes of this Chapter, a commercial fundraiser shall be classified as a for-profit organization. If the Donation Bin is owned by a nonprofit organization, the front of the Donation Bin shall also conspicuously display a statement describing the charitable cause that will benefit from the donations. If the Donation Bin is owned by a for-profit entity, the front of the Donation Bin shall also conspicuously display a statement that reads "this donation is not tax deductible." If the Donation Bin is owned and operated by a commercial fundraiser, the commercial fundraiser may post notice of donations to a charitable cause only on the sides of the Bin. This notice shall always be smaller in size than the for-profit entity's name and address and shall constitute only twenty-five percent (25%) of the notice space of the box.

#### **Section 5.62.60 Donation Bin Site Placement Requirements**

Donation Bins shall meet the following site placement requirements:

A. Donation Bins shall not be placed on property owned by the City.

B. Donation Bins shall only be placed on property with the written consent of the Property Owner.

C. All Donation Bin(s) shall be appropriately located so as not to interfere with sight triangles, on-site circulation, vehicular, bicycle or other access, ADA or pedestrian pathways of a minimum of five (5) feet in width, emergency access, fire lanes or access, drive aisles, required setbacks, landscaping requirements, parking, or any other requirements that have been imposed as part of the site plan approval for the premises or property on which the Donation Bin is located, and shall be located in a manner that will not constitute a safety hazard.

D. Donation Bin(s) shall be placed on a concrete surface, or an approved equivalent.

E. No Donation Bin(s) shall be placed in any on-site parking stall in a manner that would violate requirements that have been imposed as part of the site plan approval for the premises or property on which the Donation Bin is located.

F. No Donation Bin(s) shall be placed within five hundred (500) feet of any other Donation Bin.

G. The Director shall not approve an application for Donation Bin Permit if it determines that the placement of the bin could constitute a safety hazard.

#### **Section 5.62.70 Donation Bin Maintenance**

All Donation Bins shall be maintained in good, clean, and sanitary condition and appearance as determined in the sole reasonable discretion of the Director. The following maintenance requirements shall be satisfied at all times:

A. Donation Bins shall be free of structural damage, holes, rust, peeling paint, graffiti, vandalism, or other deleterious effects.

B. Donation Bins shall not overflow at any time. All contents of the Donation Bins shall be fully contained within the Bins. Placement of any material outside of the Donation Bin is expressly prohibited, is deemed a public nuisance, and shall be subject to removal by the City of Atwater at the Operator and/or Owner's expense.

C. Donation Bins shall be free of litter, junk, garbage, trash, debris, refuse material, and any illegal material or substance.

D. Donation Bins shall be emptied regularly to avoid overflow or accumulation of materials outside of the Bins. All contents of the Donation Bins shall be used and disposed of in accordance with all applicable Federal, State, and Local laws and regulations.

E. The Donation Bin Operator shall maintain the Bin such that the Bin is free of rust, peeling paint, or other deleterious effects.

#### **Section 5.62.80 Enforcement**

A. The Operator and Owner shall respond within twenty-four (24) hours to any notice by the City of Atwater that a violation of any provision of this Chapter exists and shall remedy any such violation within forty-eight (48) hours of receipt of said notice.

B. Failure to respond to and/or correct any violation of this Chapter shall result in the following fines and penalties:

1. First violation: The Operator and Property Owner shall be jointly and severally liable for a fine in the amount of Two Hundred Fifty Dollars (\$250).

2. Second violation within twelve (12) months of the first violation: The Operator and Property Owner shall be jointly and severally liable for a fine in the amount of Five Hundred Dollars (\$500).

3. Third and all subsequent violations within twelve (12) months of the first violation: The Operator and Property Owner shall be jointly and severally liable for a fine in the amount of One Thousand Dollars (\$1,000) and the Donation Bin Permit may be revoked.

C. If a Donation Bin Permit is revoked, the Operator and/or Property Owner shall ensure that the Donation Bin(s) is removed within seven (7) days of the effective date of the revocation. If the Operator and/or Property Owner fails to remove the

Donation Bin as required by this Chapter, the City may remove or have the Donation Bin removed, at the expense of the Operator and/or Property Owner, and sell the Donation Bin at public auction or otherwise dispose of any clothing or donations collected in the Donation Bin. Any proceeds from any such sale shall be paid to the City of Atwater, which may deduct from the proceeds all costs incurred by the City to enforce the provisions of this Chapter and send the remainder of the proceeds to the Donation Bin Operator.

D. Violation of any provision of this Chapter shall be deemed a public nuisance subject to abatement of pursuant to the Atwater Municipal Code.

**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:      December 14, 2015**  
**ADOPTED:**  
**AYES:**  
**NOES:**  
**ABSENT:**

**APPROVED:**

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

**ATTEST:**

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

January 5, 2016

Honorable Mayor and Members  
of the Atwater City Council

City Council Meeting  
of January 11, 2016

**APPROVING AGREEMENT WITH ATWATER LITTLE LEAGUE FOR  
THE IMPROVEMENT AND USAGE OF OSBORN PARK FIELDS**

**RECOMMENDATION:**

It is recommended that the City Council consider:

1. Approving an agreement between the City of Atwater and the Atwater Little League for the improvement to and usage of Michael Freddy Raymond Field, Darren Herschler Field, Osborn Field, Miyake Field, and the T-Ball field located within Osborn Park, and
2. Authorizing and directing the City Manager to execute the Agreement on behalf of the City.

**BACKGROUND:**

At the regular meeting of February 23, 2000, the City Council approved to work with the Atwater Little League to finalize the previous improvement and usage agreement with the City. On December 15, 2015, the Community Development and Resources Commission recommended that the City Council approve the new agreement.

**ANALYSIS:**

Staff has met with Mr. Curtis Boyenga, President, Atwater Little League and formulated a proposed improvement and usage agreement between the City and the League. The proposed agreement is for five (5) years and provides for phased construction of the improvements for all ball fields as follows:

- A. Within five (5) years from the approval date of this agreement, Tenant shall complete the following improvements to "Michael Freddy Raymond Field" and Darren Herschler Field;
  1. Install and maintain roofing on all dugouts
  2. Install, maintain and manage the infield watering system.
  3. Bring in truck loads of fill dirt to fill voids in the outfield area to provide a level playing surface. In addition, the infield portion of the playing field will be mowed, leveled, and re-sodded.

- B. Within five (5) years from the approval date of this agreement, tenant shall have completed the following improvements to Osborn and Miyake Fields;
  - 1. Improving infield playing surface of both infields, especially lowering and leveling of skin infield.
  - 2. Bring in truck loads of fill dirt to fill voids in the outfield area to provide a level playing surface.

**FISCAL IMPACT:**

The proposed agreement provides that at any time prior to January 2, 2021, the parties, upon mutual consent, shall meet for the purpose of evaluating and discussing this particular arrangement and the possibility of sharing costs related to the ongoing provision of the services set forth in this agreement. This could result in increased costs to the City.

**CONCLUSION:**

This request is submitted to the City Council for its consideration and possible action.

Respectfully submitted,

*/s/ Daniel Barton*

---

Daniel Barton  
Recreation Supervisor

**AGREEMENT BETWEEN THE CITY OF ATWATER, A MUNICIPAL CORPORATION (HEREINAFTER REFERRED TO AS "CITY") AND ATWATER LITTLE LEAGUE BASEBALL, A NON-PROFIT CORPORATION (HEREINAFTER REFERRED TO AS "TENANT") FOR THE IMPROVEMENT AND USAGE OF MICHAEL FREDDY RAYMOND FIELD, DARREN HERSHCLER FIELD, OSBORN FIELD, MIYAKE FIELD, AND T-BALL FIELD, WHICH ARE LOCATED IN OSBORN PARK.**

**WITNESSETH**

**WHEREAS**, the City of Atwater ("City") is the owner and administrator of Michael Freddy Raymond Field, Darren Herschler Field, Osborn Field, Miyake Field, and the T-Ball field facilities are dedicated to provide a safe playing environment for the youth of our community that participate in organized baseball/softball activities (hereinafter "property"); and

**WHEREAS**, Atwater Little League Baseball, Softball & T-Ball ("Tenant") represents and warrants that it is a valid non-profit corporation organized and in good standing within the State of California; and

WHEREAS, Tenant desires to make ballfield improvements and continue providing organized baseball activities to area youth in the local Atwater community; and

**WHEREAS**, the City of Atwater (hereinafter "City") desires to continue to allow the use of Michael Freddy Raymond Field, Darren Herschler Field, Osborn Field, Miyake Field, and the T-Ball field by Atwater Little League Baseball (hereinafter "Tenant") for the purpose of providing organized baseball activities,

**NOW, THEREFORE**, in consideration of the foregoing and of the mutual covenants hereinafter contained, the parties agree for themselves, their successors, legal representatives, and assign as follows:

1. The City hereby grants the Tenant, subject to the terms and conditions hereinafter contained, the right to use, subject to reasonable scheduling and accessibility, the two baseball fields, two softball fields, one t-ball field, two score rooms and concession building in Osborn Park located at 501 East Bellevue Road, Atwater, California. The City retains the right to schedule the use of said facilities for City sponsored events and other activities deemed appropriate by the City. Osborn and Miyake Fields will only be available when the City of Atwater Recreation Division and Merced Union High School District is not utilizing the fields.
2. The term of this agreement shall commence on January 2, 2016, and shall end as of August 31, 2021, cancelable by either party for just cause upon thirty (30) days written notice. There shall be no charge in the form of rent or deposit imposed on

the Tenant for use of or access to the three baseball fields, two score rooms, Osborn and Miyake Field, and concession building in Osborn Park.

3. The City agrees to furnish utilities to include, electrical, water, sewer and refuse collection and general maintenance services (mowing, weed eating, general maintenance) to the Tenant through August 31, 2021. At any time prior to August 31, 2015, upon mutual consent, the parties shall meet for the purpose of evaluating this particular arrangement and discussing the possibility of sharing the costs related to the ongoing provision of these services.
4. In consideration of the above City contributions, Tenant shall make the following improvements to the two baseball fields in Osborn Park (including improvements at Miyake and Osborn Softball Fields). At the time of completion all said improvements hereinafter contained, will become the property of the City.
  - A. Within two (5) years from the approval date of this agreement, Tenant shall complete the following improvements to "Michael Freddy Raymond Field" and Darren Herschler Field;
    1. Install and maintain roofing on all dugouts
    2. Install, maintain and manage the infield watering system.
    3. Bring in truck loads of fill dirt to fill voids in the outfield area to provide a level playing surface. In addition, the infield portion of the playing field will be mowed, leveled, and re-sodded.
  - B. Within five (5) years from the approval date of this agreement, Tenant shall have completed the following improvements to Osborn and Miyake Fields;
    1. Improving infield playing surface of both infields, especially lowering and leveling of skin infield.
    2. Bring in truck loads of fill dirt to fill voids in the outfield area to provide a level playing surface
  - C. Tenant further covenants and agrees:
    1. To meet all expenses of operation, except as noted in paragraph 3, above, including, without limitation by reason of enumeration, all employment and non-employment taxes, permit fees and City business license fees, and that it will secure all such permits and licenses, if required by City.

2. No person or groups of persons on the grounds of race, creed, religion, sex, marital status, color or national origin or ancestry or disability shall be excluded from participation, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities or services by Tenant.
  3. That in the event of breach of any of the above non-discrimination covenants, City shall have the right to terminate the Agreement.
  4. To fully maintain the condition and serviceability of both scoreboards on a year round basis; to include bulb replacement, scoreboard controls and any damage caused by vandalism.
  5. To pick up and dispose of all trash generated from Atwater Little League sponsored activities, such as, but not limited to practices, league games and tournaments.
  6. That in the event the two score rooms and/or concession building receive graffiti during the Little League season, removal will be performed by league representatives with paint supplied by the City. The City will provide graffiti abatement services to these buildings during the off season.
  7. To make no changes or additions that were not previously covered within this agreement to the two baseball fields, two softball fields, one t-ball field, two score rooms and concession building in Osborn Park, without the written permission of the City's City Manager and/or his designee.
5. Tenant shall keep and hold harmless City from and indemnify City against any and all claims, demands, suits, judgments, costs and expenses asserted by any person or persons, including agents or employees of City or Tenant, by reason of death or injury to persons, or loss or damage to property occurring in, on, or about the leased property during the period of time and for those activities specifically related to the use, improvement and maintenance of property by Tenant. For the purposes of this section, leased property is expanded to include the surrounding park lands, ball fields, picnic shelter, grass areas and playground equipment.
  6. Tenant agrees to provide and maintain in full force, during the term of the Agreement, comprehensive general liability insurance in an amount not less than five hundred thousand (\$500,000) for injuries to one person, one million \$1,000,000 for injuries to two or more persons arising out of the same accident or occurrence, and \$50,000 for property damages and specifically insuring performance by Tenant of his indemnity agreement set forth above. Such insurance shall be procured from an insurer authorized to do business in California and approved in writing by City. The insurance policy must provide for thirty (30) days notice of cancellation

to the City and name the City, its officers, employees and agents as additional insured. Tenant shall, prior to commencement of the lease term, deliver to the City a copy of said policy or policies, or a certificate of insurance, together with satisfactory evidence that the premiums have been paid and shall, not less than thirty days prior to the expiration of any such insurance coverage, deliver to City satisfactory evidence of payment of the renewal premium of said policy or policies of insurance.

Tenant shall provide the City with certificate of insurance evidencing all such insurance prior to exercising any of the privileges conferred by this Agreement.

7. In the event of abandonment of the facilities or any portion thereof, or discontinuance of Tenant's operations or required services, or any portion thereof, City shall not be responsible for the custodial protection of merchandise, fixtures or equipment abandoned, even though it is necessary for the City to remove same from the premises for storage or disposal.
8. In the event of breach of this Agreement by Tenant, City shall be entitled to all rights and remedies provided by law in addition to the specific remedies pertinent herein.

It is expressly agreed that in the event Tenant creates or causes any breach of this Agreement or the terms thereof or holds over after the expiration of this lease, City shall have the right and option to enter said premises, take possession thereof, and remove all persons and property there from without the benefit of court order, and to exercise any and all rights provided by law or by this lease.

9. At the expiration of this Agreement, Tenant promises and agrees to deliver unto the City said premises in as good condition as at the date of the execution of this Agreement, reasonable wear and tear excepted.
10. City shall be permitted to enter and view said premises at any and all times for the purpose of inspecting or maintaining such premises and doing any and all things with reference thereto which City is obligated to do or which may be deemed necessary or desirable.
11. The leased premises shall not be used for any illegal purpose; and Tenant, in using the leased premises, shall comply with all federal, state and local laws, statutes and ordinances, rules, regulations, polices, procedures, orders and directives.
12. Any notice or communication to City of Tenant shall be deemed validly served upon deposit in the United States mail, registered and proper postage prepaid, addressed to the respective party at the address as either party may designate to the other by notice in accordance with the provisions hereof.

13. This Agreement shall not be modified except by writing signed by all parties.
14. This agreement is not assignable.
15. Any waiver of any breach of covenants or conditions herein contained to be kept and performed by either party shall be effective only if in writing and shall not operate to bar or prevent the other party from declaring a forfeiture or exercising its rights for any succeeding breach of either the same or other condition or covenant.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized officers on this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

**CITY OF ATWATER**  
A Municipal Corporation

**ATWATER LITTLE LEAGUE**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
President

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM,  
SUBSTANCE AND LEGALITY:**

\_\_\_\_\_  
City Attorney

**NOTED FOR FISCAL IMPACT:**

\_\_\_\_\_  
Finance Director

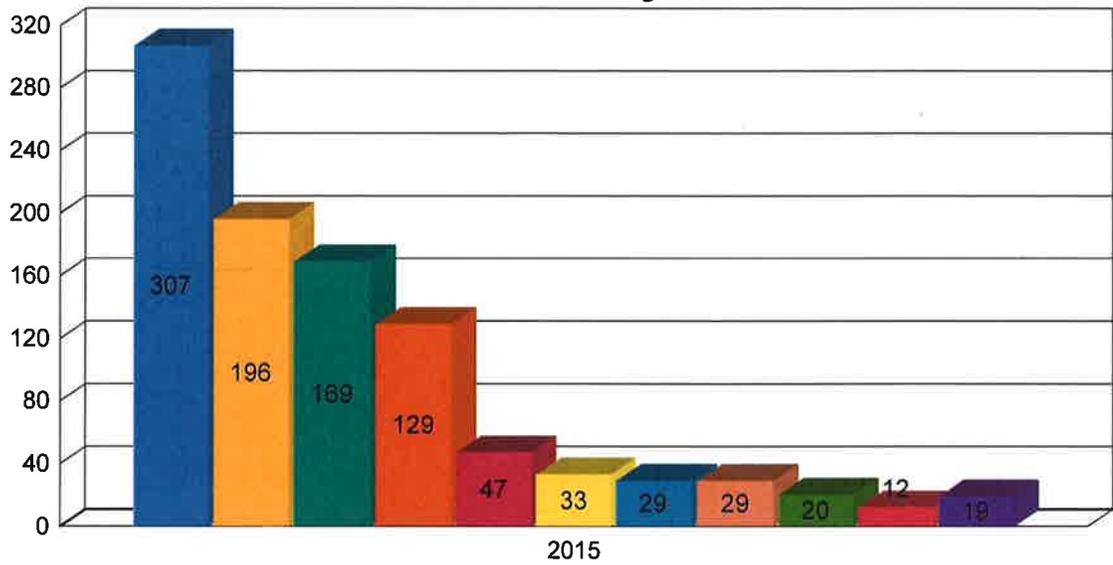
# ATWATER POLICE DEPARTMENT

## Incident Directory Report

December 2015

1/4/2016

### BCS Code by Year



	2015	Total
Info Case	307	<b>307</b>
(9) Part II	196	<b>196</b>
Booking	169	<b>169</b>
Citation	129	<b>129</b>
(6) Theft	47	<b>47</b>
F.I.	33	<b>33</b>
(4) Assault	29	<b>29</b>
TC	29	<b>29</b>
(7) Veh Theft/Rec	20	<b>20</b>
(5) Burglary	12	<b>12</b>
Other Crimes	19	<b>19</b>
<b>Grand Total</b>	<b>990</b>	<b>990</b>

Calls for service 2,200

## Incident Directory Report

(2) Rape	2	Supports Drill Down
(3) Robbery	1	Supports Drill Down
(4) Assault	29	Supports Drill Down
(5) Burglary	12	Supports Drill Down
(6) Theft	47	Supports Drill Down
(7) Veh Theft/Rec	20	Supports Drill Down
(9) Part II	196	Supports Drill Down
Booking	169	Supports Drill Down
Citation	129	Supports Drill Down
DUI	8	Supports Drill Down
F.I.	33	Supports Drill Down
Info Case	307	Supports Drill Down
Registrant	8	Supports Drill Down
TC	29	Supports Drill Down

**AVIPS YEAR TASK TOTALS AS OF DECEMBER 2015**

TASKS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YEARLY TOTALS
Administration	1	4	6	2	2	7	2	5	6	11	2	3	51
Animal Control	1	1	0	1	3	0	1	0	0	0	0	0	7
Citizen Assists	0	2	3	4	3	5	4	10	12	5	1	2	51
Cooling Station	0	0	0	0	0	0	0	0	0	0	0	0	0
Crime Scene	0	0	0	0	0	0	0	0	0	0	0	0	0
Evidence Transporting	2	6	3	2	3	2	1	3	4	5	2	5	38
Foot Patrol	0	0	1	3	0	0	0	2	0	0	1	0	7
Funerals	9	2	6	3	3	0	0	2	0	0	0	2	27
Garage Sale Notification	14	9	14	12	16	7	14	5	0	9	1	4	105
Merced Paperwork	19	21	18	19	7	18	19	16	18	25	22	27	229
Neighborhood Watch	5	8	2	2	1	7	2	10	1	4	6	12	60
Office	19	35	34	29	12	32	30	30	12	16	18	7	274
Parade Control	0	0	2	0	2	4	1	0	0	7	0	6	22
Parking Tickets	3	12	1	11	8	15	14	14	15	1	0	0	94
Pick-up Pawn Tickets	22	22	20	21	16	16	15	12	16	29	24	28	241
Radar Trailer	4	6	0	4	0	0	0	0	0	0	0	0	14
School Crossing Guard	9	1	6	7	2	0	0	6	2	2	0	1	36
Sign Removal	20	18	24	20	15	17	26	14	15	20	14	27	230
Traffic Control	4	5	6	4	10	7	7	4	5	7	4	2	65
Training	9	21	6	2	0	3	3	1	2	3	3	15	68
Vacation House Checks	9	7	9	9	8	8	9	14	18	14	9	53	167
Vehicle Abatement	2	1	0	10	1	4	1	3	4	7	1	32	66
Vehicle Patrol	35	42	40	45	43	44	44	40	39	45	37	39	493
Water Abatement	0	0	0	0	22	65	303	318	204	123	0	0	1035
Other	16	24	7	7	4	7	7	37	221	153	9	9	501
<b>Total Tasks/Month</b>	203	247	208	217	181	268	503	546	594	486	154	274	3881
<b>Total Hours/Month</b>	249.50	294.00	276.30	291.20	235.00	320.00	349.50	362.50	284.00	369.00	229.50	293.00	3553.50



## **Public Works Department Project/Activity Report for December 2015**

### **STREETS & BUILDINGS DIVISION**

- Building Maintenance and Miscellaneous:
  - Repaired main office door closing/locking mechanism at Corporation Yard.
  - Repaired door closure mechanism on exterior door at the Castle Youth Gymnasium.
  - Repaired cash drawer at Police Department.
  - Replaced damaged door and lock for the Administrative Supervisor's office at Police Department.
  - Secured abandoned apartment building at 2886 Determine Drive.
  - Collected and disposed of abandoned couches on Avenue One near Buhach Road.
  - Collected and disposed of abandoned couch and six (6) used tires at the corner of Maple Street and Elm Avenue.
  - Collected and disposed of four (4) used tires and various large trash items near City Limit sign on East bound Atwater Boulevard.
  
- Performed sidewalk repairs/replacements at the following location:
  - Ramped lifted sidewalks at various locations at the Atwater Community Center.
  
- Performed Traffic Signal Repairs at the following locations:
  - Replaced red turn arrow at North/East corner of Bellevue Road and Crest Drive.
  - Replaced green light on West bound Bellevue Road at Crest Drive.
  - Replaced green turn arrow at intersection of Bellevue Road and Linden Avenue.
  - Replaced non-functioning pedestrian crossing head at intersection of Shaffer Road and Atwater Boulevard.
  - Replaced red light at North/East corner of Commerce Avenue and Applegate Road.
  
- Installed new/replacement traffic signage at the following locations:
  - Installed new Stop sign at Piro Drive and Whisper Way.
  - Installed new 45 mph sign just West of City Limit sign on West bound Avenue Two.
  - Installed new 30 mph sign on East bound Olive Avenue near Sierra Vista Avenue.
  - Installed new 35 mph sign on West bound Camellia Avenue near City Limit sign.
  
- Installed temporary No-Parking signs at various locations on Winton Way, Broadway Avenue and Second Street and worked with Police Volunteer Vineyard

to coordinate the placement of barricades in preparation of the Annual Christmas Parade.

- Filled potholes in the following locations using approximately 6,000 pounds of patching material:
  - 634 Fruitland Avenue
  - Various locations on Fir Avenue between Third Street and Winton Way.
  - Filled large crack in the road on Rietz Street at the corner of Kadota Avenue.
  - Various locations on First Street between Juniper Avenue and Bellevue Road.
  - Various locations on Fruitland Avenue between Winton Way and Orchard Park Avenue.
  - Various locations on Juniper Avenue from Shaffer Road to High Street.
- Installed new compliant Street Name Signs at the following location:
  - Intersection of 5<sup>th</sup> Street and Fir Avenue.
- Repaired eleven (11) non functioning Street Lights at the following locations throughout the City:
  - Atwater Boulevard – Pole # 11
  - Bellevue Road – Pole # 4709
  - Alabaster Court – Pole # A0805
  - Alabaster Court – Pole # A0804
  - Alabaster Court – Pole # A0803
  - Corner of Camellia Drive and Harbor Drive – Pole # A0605
  - 3161 Cabernet Court – Pole # 4083A
  - Chardonnay Way Median – Pole # 4
  - Corner of Bellevue Road and Redwood Avenue
  - 2009 Atwater Boulevard – Pole # A90
  - Shaffer Road – Pole # A0160

## **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:
  - 537 East Grove Avenue
  - 3142 Beech Drive
  - 2400 Palora Avenue
  - 200 Manzanita Drive
  - 3030 Chardonnay Way
  - 1819 Lisa Court
  - 230 Commerce Avenue
- Performed tests and repairs to 40 separate backflow devices that were not operating properly.

- Performed 356 Commercial Water Meter readings.
- Repaired three (3) separate minor chlorine leaks at USP Atwater Well Site.

### **WASTEWATER AND STORM DIVISION**

- Performed chemical weed abatement at Redwood Estates Storm Pond.
- Performed manual weed abatement, removed trees and large brush from Atwater South Storm Pond and Centennial Storm Pond.
- Replaced faulty starter and contacts for pump motor at Redwood Estates Storm Station.
- Cleaned sewer lift stations and wet wells on an as needed basis.
- Logged daily sewer flows at USP Atwater Sewer Lift Station, Castle Sewer Lift Station and Old Base Housing Sewer Lift Station.
- At Homeowner's request, checked sewer lateral line at 260 East Clinton Avenue for possible blockage.
- Removed leaves and other debris from storm water grates and checked storm pump stations for proper operation prior to and during recent storms.

### **EQUIPMENT MAINTENANCE DIVISION**

- Performed routine service/maintenance on 15 City vehicles.
- There were no in-house specialty repairs performed on City vehicles during the month of December 2015.
- Completed Smog Certifications on all City vehicles.
- Checked and conducted minor repairs to all back-up storm pump generators.
- Conducted repairs and routine maintenance to mower # 6103.
- Conducted repairs and routine maintenance to mower # 6122.
- Prepared Street Sweeping Vehicle for leaf pick-up season.

## **PARKS DIVISION**

- Landscape Maintenance Districts:
  - Continued mowing and weeding of selected turf and landscaped areas within each LMD on a priority basis.
  - Worked with a local Landscaping Contractor to restore neglected strip of landscaping on Sagewood Drive in the Claremont Reserve Subdivision.
- General Park Maintenance:
  - Repaired windscreens at Osborn Park Tennis Courts.
  - Repaired non-functioning security lighting in E.L. Walters Park.
  - Continued mowing and mulching of leaves in various park sites on an as needed basis.
- Street Side Maintenance:
  - Assisted Streets Division with leaf pick-up at various locations throughout the City.
  - Assisted Wastewater and Storm Division with storm preparation in regards to removing leaves and other debris from storm water grates.
- Street Tree Work
  - Three (3) stump removals
  - Three (3) hazardous tree removals
  - Five (5) clearance/structural prunings

## **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 two (2) separate street signs. This work was performed with 26 man hours during the month of December 2015. The total amount of graffiti removed during this time period was approximately 2,969 square feet.

**MONTHLY WATER PRODUCTION 2015**  
(In Gallons)

WELL #	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
9	0	0	0	0	0	0	0	0	0	0	0	0	0
13	6000	10844000	8841000	26559000	4769000	2694000	3732000	4597000	6338000	1034000	18000	4788000	74220000
14	0	2000	0	5166000	0	0	0	0	0	0	0	0	5168000
15	63000	48692383	47687500	73570313	46913086	52677400	42549805	53967773	61871094	41136719	42300781	42615234	553982088
16	32421000	38640000	40091000	46696000	24736000	32608000	25990000	23288000	34075000	27418000	6712000	75000	261832000
17	0	30000	46062000	25589000	37033000	77679000	67751000	69483000	56771000	78082000	53012000	47624000	630147000
18	6000	32000	9259000	12551000	6908000	10495000	11063000	11343000	14043000	10324000	2483000	0	88499000
19	0	0	549000	6695000	62806000	72965000	64259000	70022000	38303000	8000	11411000	6000	327062000
20	11500000	10650000	12250000	10526400	8926758	11000000	9856445	11227539	10569336	9767578	7320313	6211914	119806283
21	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	43996000	108970383	164739524	207352713	192091844	260118400	225201250	243928312	221970430	167770297	115936781	101320148	2053396082
TOTAL MG	43.996	108.970383	164.739524	207.352713	192.091844	260.1184	225.20125	243.928312	221.97043	167.770297	115.936781	101.320148	2053.396082
TOT AC FT	134.998466	334.367545	505.491022	636.246434	589.419589	798.154035	691.013348	748.47595	681.099816	514.790724	355.743421	310.893366	6300.693716
LBS CL2													
AVG MGD	1.41922581	3.51517365	5.88355443	6.68879719	6.40306147	8.67061333	7.50670833	8.13094373	7.39901433	5.59234323	3.86455937	3.37733827	68.45133314
PPM CL2	0	0	0	0	0	0	0	0	0	0	0	0	0

# WELL WATER LEVELS

2015

WELL #	PUMP setting	JAN		FEB		MAR		APR		MAY		JUNE		JULY		AUG		SEPT		OCT		NOV		DEC		
		STATIC	RESIDUAL																							
9																										
13	165					89		96		97		108		105		101				101		99		100		103
14	175					66		88		95		73		75		98				95		93		92		91
15*	175					76				95		107		130		125				123		91		121		131
16	230					83		120		150		120		118		145				153		153		105		118
17	240					77		103		100		91		135		123				147		145		104		132
18	295					76		110		85		110		102		111				111		98		95		106
19	305					92		109		125		117		135		135				130		122		112		103
20																										
21	160					100		107		110		90		120		121				121		116		109		113

January 11, 2016

Honorable Mayor and Members  
of the Atwater City Council

City Council Meeting  
of January 11, 2016

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATWATER,  
CALIFORNIA, ADDING CHAPTER 8.50 TO THE ATWATER  
MUNICIPAL CODE IMPOSING AN EXPRESS BAN ON MARIJUANA  
CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY,  
AND MARIJUANA DISPENSARIES IN THE CITY**

**RECOMMENDATION:**

It is recommended that the City Council consider:

1. Opening the Public Hearing and taking testimony regarding Ordinance No. CS 969; and
2. Waiving the first reading and introducing Ordinance No. CS 969 to amend Title 8 "Health and Safety" to add Chapter 8.50 "Medical Marijuana" to the Atwater Municipal Code.

**BACKGROUND AND ANALYSIS:**

In 1996, the voters of the State of California approved Proposition 215 (codified as Health & Safety Code Section 11362.5 *et seq.* and entitled "The Compassionate Use Act of 1996" referred to herein as the "CUA"). The intent of the CUA was to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under state law once a physician has deemed the use beneficial to a patient's health.

In May 2013, the California Supreme Court issued its decision in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, et al., holding that cities have the authority to ban medical marijuana land uses. Under the Federal Controlled Substances Act, codified in 21 U.S.C. Section 801 *et seq.*, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need.

On October 9, 2015, Governor Jerry Brown signed the "Medical Marijuana Regulation and Safety Act" (" Act"), which is comprised of the state legislative bills known as AB 243, AB 266, and SB 643, into law. The Act became effective January 1, 2016 and contains provisions that govern the cultivating, processing, transporting, testing, and distributing of medical cannabis to qualified patients. The Act also contains new statutory provisions that:

- Allow local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code Section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));

- Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Business & Professions Code § 19315(a));
- Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government’s right to make and enforce within its limits all police regulations not in conflict with general laws (Business & Professions Code § 19316(c)); and
- Require a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5(m) of the Act, from operating within the local government’s boundaries to enact an ordinance affirmatively banning such delivery activity (Business & Professions Code § 19340(a)).

The negative impacts of marijuana cultivation, processing and distribution activities are well known to law enforcement and citizens of Atwater. They include offensive odors, illegal sales and distribution of marijuana, trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests. Additional problems associated with marijuana cultivation and distribution are outlined in the proposed Ordinance.

Based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing and distribution activities.

The Atwater Municipal Code does not expressly address the cultivation, processing, delivery, and distribution of medical marijuana, but pursuant to the principles of permissive zoning, the City adopted Resolution No. 2868-15 affirming the prohibition of cultivation of marijuana in the City of Atwater.

If the City Council wishes to prohibit these activities, it must adopt an ordinance to that effect, finding that it is in the interest of the City, its residents, and its lawfully permitted businesses that City Council adopts the proposed ordinance to expressly prohibit the establishment and operation of marijuana cultivation, processing, delivery, and dispensary activities as well as the issuance of any use permit, variance, building permit, or any other entitlement, license, or permit for any such activity, except where the City is otherwise preempted by federal or state law.

**FISCAL IMPACT:**

None.

**CONCLUSION:**

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

Respectfully submitted,

*/s/ Thomas H. Terpstra*

---

Thomas H. Terpstra  
City Attorney



## CITY COUNCIL OF THE CITY OF ATWATER

### ORDINANCE NO. 969

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATWATER, AMENDING TITLE 8 "HEALTH AND SAFETY" TO ADD CHAPTER 8.60 TO THE ATWATER MUNICIPAL CODE IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY**

**WHEREAS**, in 1996, the voters of the State of California approved Proposition 215 (codified as Health & Safety Code Section 11362.5 *et seq.* and entitled "The Compassionate Use Act of 1996" referred to herein as the "CUA");

**WHEREAS**, the intent of the CUA was to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under state law once a physician has deemed the use beneficial to a patient's health;

**WHEREAS**, in 2003, the California Legislature adopted SB 420, the Medical Marijuana Program ("MMP"), codified as Health and Safety Code Section 11362.7 *et seq.*, which permits qualified patients and their primary caregivers to associate collectively or cooperatively to cultivate marijuana for medical purposes without being subject to criminal prosecution under the California Penal Code;

**WHEREAS**, neither the CUA nor the MMP require or impose an affirmative duty or mandate upon a local government to allow, authorize, or sanction the establishment of facilities that cultivate or process medical marijuana within its jurisdiction;

**WHEREAS**, in May 2013, the California Supreme Court issued its decision in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, et al., holding that cities have the authority to ban medical marijuana land uses;

**WHEREAS**, under the Federal Controlled Substances Act, codified in 21 U.S.C. Section 801 *et seq.*, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need;

**WHEREAS**, on October 9, 2015, Governor Jerry Brown signed the "Medical Marijuana Regulation and Safety Act" (" Act"), which is comprised of the state legislative bills known as AB 243, AB 266, and SB 643, into law;

**WHEREAS**, the Act becomes effective January 1, 2016 and contains provisions that govern the cultivating, processing, transporting, testing, and distributing of medical cannabis to qualified patients. The Act also contains new statutory provisions that:

- Allow local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code Section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));
- Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Business & Professions Code § 19315(a));
- Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government's right to make and enforce within its limits all police regulations not in conflict with general laws (Business & Professions Code § 19316(c)); and
- Require a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5(m) of the Act, from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Business & Professions Code § 19340(a));

**WHEREAS**, several California cities have reported negative impacts of marijuana cultivation, processing and distribution activities, including offensive odors, illegal sales and distribution of marijuana, trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests;

**WHEREAS**, marijuana plants, as they begin to flower and for a period of two months or more, produce a strong odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors;

**WHEREAS**, in the case of multiple qualified patients who are in control of the same legal parcel, or parcels, of property, or in the case of collective or cooperative cultivation, or in the case of a caregiver growing for numerous patients, a very large number of plants could be cultivated on the same legal parcel, or parcels, within the City of Atwater ("City");

**WHEREAS**, the strong smell of marijuana creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery;

**WHEREAS**, the indoor cultivation of marijuana has potential adverse effects to the structural integrity of the building, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire which presents a clear and present danger to the building and its occupants;

**WHEREAS**, the Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime;

**WHEREAS**, based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing and distribution activities;

**WHEREAS**, The City Council is vested with the authority to make and enforce all laws, rules and regulations with respect to municipal affairs and the power to exercise, or act pursuant to any and all rights, powers, and privileges, or procedures granted or prescribed by any law of the State of California;

**WHEREAS**, the Atwater Municipal Code does not expressly address the cultivation, processing, delivery, and distribution of medical marijuana, but pursuant to the principles of permissive zoning, the City adopted Resolution No. 2868-15 affirming the prohibition of cultivation of marijuana in the City of Atwater.

**WHEREAS**, prior to the effective date of this ordinance, the cultivation, processing and distribution of medical marijuana is prohibited in the City to the extent such activities are prohibited by the Federal Controlled Substances Act or other law;

**WHEREAS**, based on the findings above, the potential establishment of the cultivation, processing and distribution of medical marijuana in the City without an express ban on such activities poses a current and immediate threat to the public health, safety, and welfare in the City due to the negative impacts of such activities as described above;

**WHEREAS**, the issuance or approval of business licenses, subdivisions, use permits, variances, building permits, or any other applicable entitlement for marijuana cultivation, processing, delivery, and/or distribution will result in the aforementioned threat to public health, safety, and welfare; and

**WHEREAS**, it is in the interest of the City, its residents, and its lawfully permitted businesses that City adopts this ordinance to expressly prohibit the establishment and operation of marijuana cultivation, processing, delivery, and dispensary activities as well as the issuance of any use permit, variance, building permit, or any other entitlement, license, or permit for any such activity, except where the City is preempted by federal or state law from enacting a prohibition on any such activity or a prohibition on the

issuance of any use permit, variance, building permit, or any other entitlement, license, or permit for any such activity.

**NOW, THEREFORE**, the City Council of the City of Atwater does hereby ordain:

**SECTION 1:** The City Council of the City of Atwater hereby finds that the above recitals are true and correct and are incorporated into the substantive portion of this ordinance.

**SECTION 2:** The City Council hereby adds Chapter 8.50 entitled "Medical Marijuana" to the City of Atwater Municipal Code to read as follows:

**8.50.010 Legislative Findings and Statement of Purpose.**

A. The City Council finds that the prohibitions on marijuana cultivation, marijuana processing, marijuana delivery, and marijuana dispensaries are necessary for the preservation and protection of the public health, safety, and welfare for the City and its community. The City Council's prohibition of such activities is within the authority conferred upon the City Council in its Charter and state law.

B. On October 9, 2015, the governor signed the "Medical Marijuana Regulation and Safety Act" ("Act") into law. The Act becomes effective January 1, 2016 and contains new statutory provisions that:

1. Allow local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));
2. Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Business & Professions Code § 19315(a));
3. Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government's right to make and enforce within its limits all police regulations not in conflict with general laws (Business & Professions Code § 19316(c)); and
4. Require a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5(m) of the Act, from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Business & Professions Code § 19340(a)).

C. The City Council finds that this chapter: (1) expresses its intent to prohibit the cultivation of marijuana in the City and to not administer a conditional permit program pursuant to Health & Safety Code section 11362.777 for the cultivation of marijuana in the City; (2) exercises its local authority to enact and enforce local regulations and ordinances, including those regarding the permitting, licensing, or other entitlement of the activities prohibited by this chapter; (3) exercises its police power to enact and enforce regulations for the public benefit, safety, and welfare of the City and its community; and (4) expressly prohibits the delivery of marijuana in the City.

#### **8.50.020 Definitions.**

For purposes of this chapter, the following definitions shall apply:

A. "Marijuana" means any or all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin or separated resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including marijuana infused in foodstuff or any other ingestible or consumable product containing marijuana. The term "marijuana" shall also include "medical marijuana" as such phrase is used in the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California or subject to the provisions of California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act).

B. "Marijuana Cultivation" means growing, planting, harvesting, drying, curing, grading, trimming, or processing of marijuana.

C. "Marijuana Processing" means any method used to prepare marijuana or its byproducts for commercial retail and/or wholesale, including but not limited to: drying, cleaning, curing, packaging, and extraction of active ingredients to create marijuana related products and concentrates.

D. "Marijuana Dispensary" or "Marijuana Dispensaries" means any business, office, store, facility, location, retail storefront or wholesale component of any establishment, cooperative or collective that delivers (as defined in Business & Professions Code section 19300.5(m) or any successor statute thereto) whether mobile or otherwise, dispenses, distributes, exchanges, transmits, transports, sells or provides marijuana to any person for any reason, including members of any medical marijuana cooperative or collective consistent with the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California, or for the purposes set forth in California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act).

E. "Medical marijuana collective" or "cooperative or collective" means any group that is collectively or cooperatively cultivating and distributing marijuana for medical purposes that is organized in the manner set forth in the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California or subject to the provisions of California Health and Safety Code Section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code Sections 11362.7 to 11362.83 (Medical Marijuana Program Act).

#### **8.50.040 Prohibited Activities.**

Marijuana cultivation, marijuana processing, marijuana delivery, and marijuana dispensaries shall be prohibited activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any such activity. No use permit, variance, building permit, or any other entitlement, license, or permit, whether administrative or discretionary, shall be approved or issued for the activities of marijuana cultivation, marijuana processing, marijuana delivery, or the establishment or operation of a marijuana dispensary in the City, and no person shall otherwise establish or conduct such activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any such activity for which the use permit, variance, building permit, or any other entitlement, license, or permit is sought.

#### **8.50.050 Public Nuisance.**

Any violation of this chapter is hereby declared to be a public nuisance.

#### **8.50.060 Violations.**

Any violation of this chapter shall be punishable as a misdemeanor. In the alternative, and in the discretion of the Chief of Police, a violation of this chapter may be prosecuted as an infraction punishable pursuant to the provisions of Section 1.01.110 of this Code. In addition, the City may abate any public nuisance associated with any violation of this chapter using the abatement procedures set forth in Chapter 8.32.

**SECTION 3:** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses or phrases be declared, invalid or unconstitutional.

**SECTION 4:** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title

14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 5: 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 6: 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 Merced Sun Star within fifteen (15) days from the adoption hereof.

**INTRODUCED:**

**ADOPTED:**

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

---

**JAMES E. PRICE, MAYOR**

**ATTEST:**

---

**JEANNA DEL REAL, CMC  
CITY CLERK**

**APPROVED - PENDING COMPLETION**

Intersection or Road Segment	Issues of Concern							Potential Studies to be Completed										Notes		
	Collisions	Sight Distance	Speeding	Parking	Potential Safety Concern	Capacity	Unsafe Travel	All-Way STOP Warrants	Two-Way STOP Warrants	Intersection Line of Sight Evaluation	Traffic Signal Warrants	Traffic Signal Modifications	Protective Left Turn Phasing	Engineering & Traffic Survey (Speed Study)	Segment and/or Intersection Geometrics	Signage & Markings	Traffic Calming Measures			
Last Update December 16, 2015																				
Shaffer at Juniper	X												X							Install east west split phasing. HSIP Grant Award Notification in December 2015. Construction likley by end of 2016



January 4, 2016

Honorable Mayor and Members  
of the Atwater City Council

City Council Meeting  
of January 11, 2016

**RESTRUCTURING CALPERS SIDE FUND BENEFIT PENSION FOR  
THE MISCELLANEOUS AND SAFETY PLANS**

**RECOMMENDATION:**

It is recommended that the City Council consider:

1. Selecting a preferred restructure for refinancing CalPERS Side Fund obligation;  
and
2. Authorizing the release of Request for Proposal to solicit a Bond Counselor to negotiate potential refinancing and preparing associated legal documents to facilitate the transaction.

**BACKGROUND:**

The City contracts with CalPERS for defined benefit pension plans – the Miscellaneous and Safety Plans. Since the City of Atwater has less than 100 active members in 2013 CalPERS placed the City in a risk pool to minimize fluctuations in contribution rates by pooling assets and liabilities. As of June 30, 2015, the City's Side Fund obligation with CalPERS totaled \$9,900,755. Of this total liability, \$ 4,503,052 was attributable to the Miscellaneous Plan and \$5,397,703 was attributable to the Safety Plan. Repayment of the Miscellaneous plan portion of the liability is being amortized over a ten year period (2023 payoff), while the Safety obligation is being amortized over seven years (2020 payoff).

**ANALYSIS:**

The City Council approved an agreement with the NHA Advisors, LLC to provide advice, analysis, recommendation of the Side Fund financing alternatives and expertises in identifying strategies, efficiencies and opportunities to enhance the City's overall financial position.

NHA Advisors, LLC has providing the City with different restructuring options to create Budget Predictability and Cash-Flow Savings. Any restructuring will require pledging City owned assets as collateral. For successful funding, total value of assets pledged must exceed size of new loan.

Once the Council selects a refinancing option, the City will need to enter into a professional services agreement with a Bond Counselor. Bond Counselor is required to negotiate with the financial institution, and as well as to prepare necessary legal

documents to facilitate the transaction. If authorized, staff will prepare a RFP and bring back to the Council for an action to enter into a professional service agreement.

**FISCAL IMPACT:**

Restructuring of Side Fund will enhance budget predictability for the next 15 to 20 years. It will eliminate near term spike in payments; and could result in up to nearly \$4 million (depending on refinancing option) for other budgetary needs through 2022.

A portion of the savings from this transaction will cover the cost associated with professional services provided by the Bond Counselor and NHA Advisors, LLC.

**CONCLUSION:**

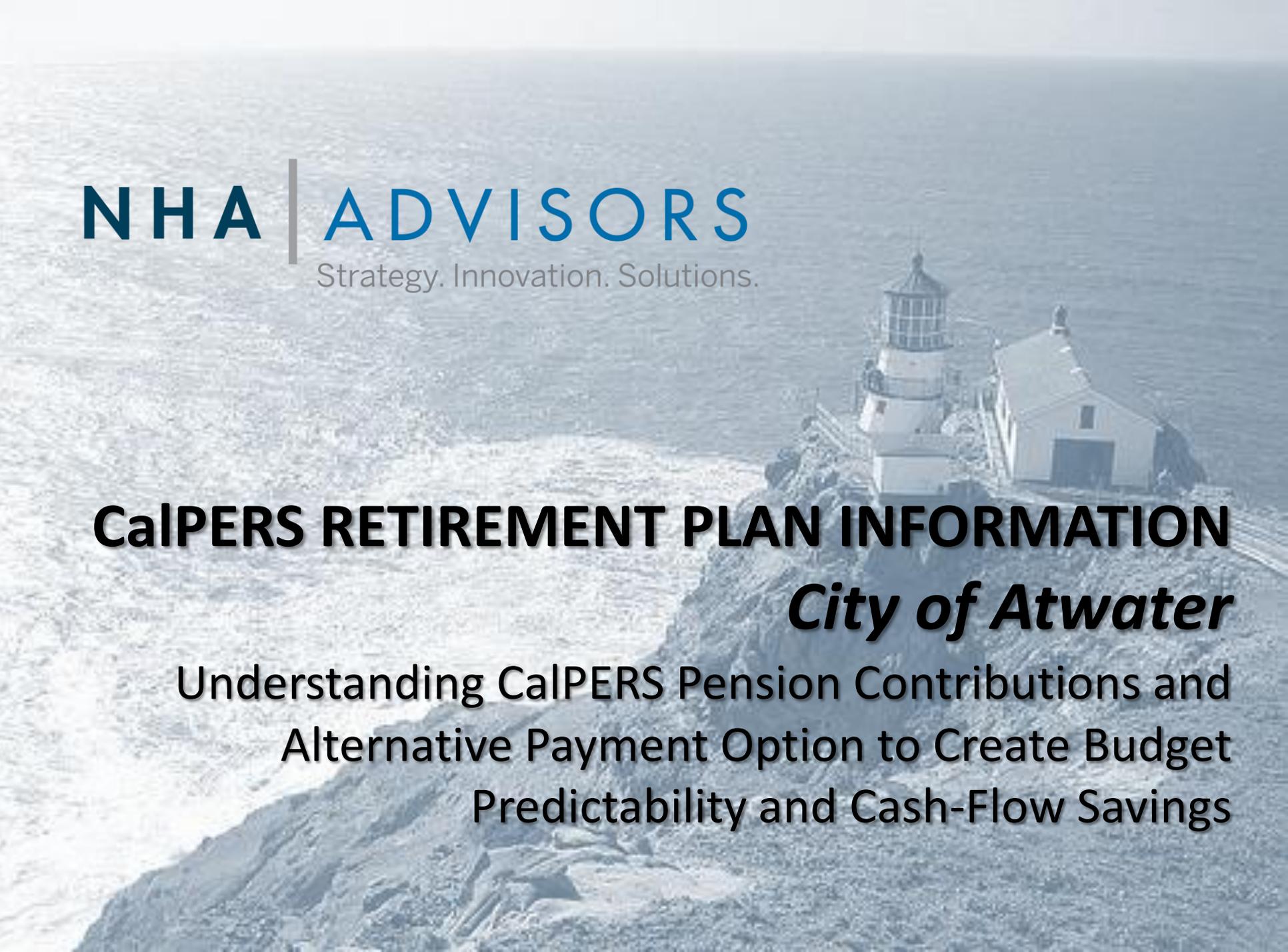
This staff report is submitted for City Council consideration and possible action.

Respectfully submitted,

*/s/ Lakhwinder Deol*

---

Lakhwinder Deol  
Finance Director



**NHA** | **ADVISORS**

Strategy. Innovation. Solutions.

# **CalPERS RETIREMENT PLAN INFORMATION**

***City of Atwater***

**Understanding CalPERS Pension Contributions and  
Alternative Payment Option to Create Budget  
Predictability and Cash-Flow Savings**

# Table of Contents

---

- ▶ Overview
- ▶ UAL Restructuring Idea
- ▶ Restructuring Options and Summary of Assets
- ▶ Conclusion and Schedule

Appendix: Detailed Analysis for Restructuring Options

An aerial photograph of a rugged coastline. The image shows a long, narrow strip of land with steep, rocky cliffs on the left side that drop down to a sandy beach. The ocean is visible on both sides of the land. In the distance, there are more hills and a body of water. The overall tone is muted and blue-grey.

# Overview

# Executive Summary

---

- ▶ City of Atwater currently has 2 primary retirement plans with CalPERS
  - ▶ Miscellaneous Plan and Safety Plan
- ▶ The City's total 2015/16 payment to CalPERS is \$2.7 million
  - ▶ \$755,174 for Normal Cost portion (annual cost of providing benefits)
  - ▶ \$1,974,562 for payment on Unfunded Accrued Liability (UAL); UAL is the difference between the actuarial liability and actual value of assets in the plan
- ▶ The **total UAL** for the City is **\$21.26 million (6/30/2015)**
  - ▶ \$9.79MM for Miscellaneous and \$11.47MM for Safety
  - ▶ 4 components (called "bases") of each plan's UAL (Base 1 is old "side fund")
    - ▶ Overall payment schedule very un-even due to varying maturities of each base; City of Atwater faces "near-term peak" in payments through 2022
- ▶ Alternative payment options for the UAL PORTION are available to significantly lower near-term payments and enhance budget predictability over the next 15 to 20 years

# Snapshot of CalPERS Reports – UAL Base Breakdown

## MISCELLANEOUS PLAN

Reason for Base	Date Established	Amortization Period	Balance 6/30/13	Expected Payment 2013-14	Balance 6/30/14	Expected Payment 2014-15	Amounts for Fiscal 2015-16		
							Balance 6/30/15	Scheduled Payment for 2015-16	Payment as Percentage of Payroll
SIDE FUND	06/30/13	10	\$4,896,582	\$529,464	\$4,714,866	\$545,348	\$4,503,052	\$561,708	22.654%
SHARE OF PRE-2013 POOL UAL	06/30/13	21	\$2,806,872	\$106,109	\$2,907,371	\$146,238	\$2,973,801	\$217,794	8.784%
ASSET (GAIN)/LOSS	06/30/13	30	\$2,166,070	\$0	\$2,328,525	\$0	\$2,503,164	\$35,207	1.420%
NON-ASSET (GAIN)/LOSS	06/30/13	30	\$(167,237)	\$0	\$(179,780)	\$0	\$(193,264)	\$(2,718)	(0.110%)
<b>TOTAL</b>			<b>\$9,702,287</b>	<b>\$635,573</b>	<b>\$9,770,982</b>	<b>\$691,586</b>	<b>\$9,786,753</b>	<b>\$811,991</b>	<b>32.748%</b>

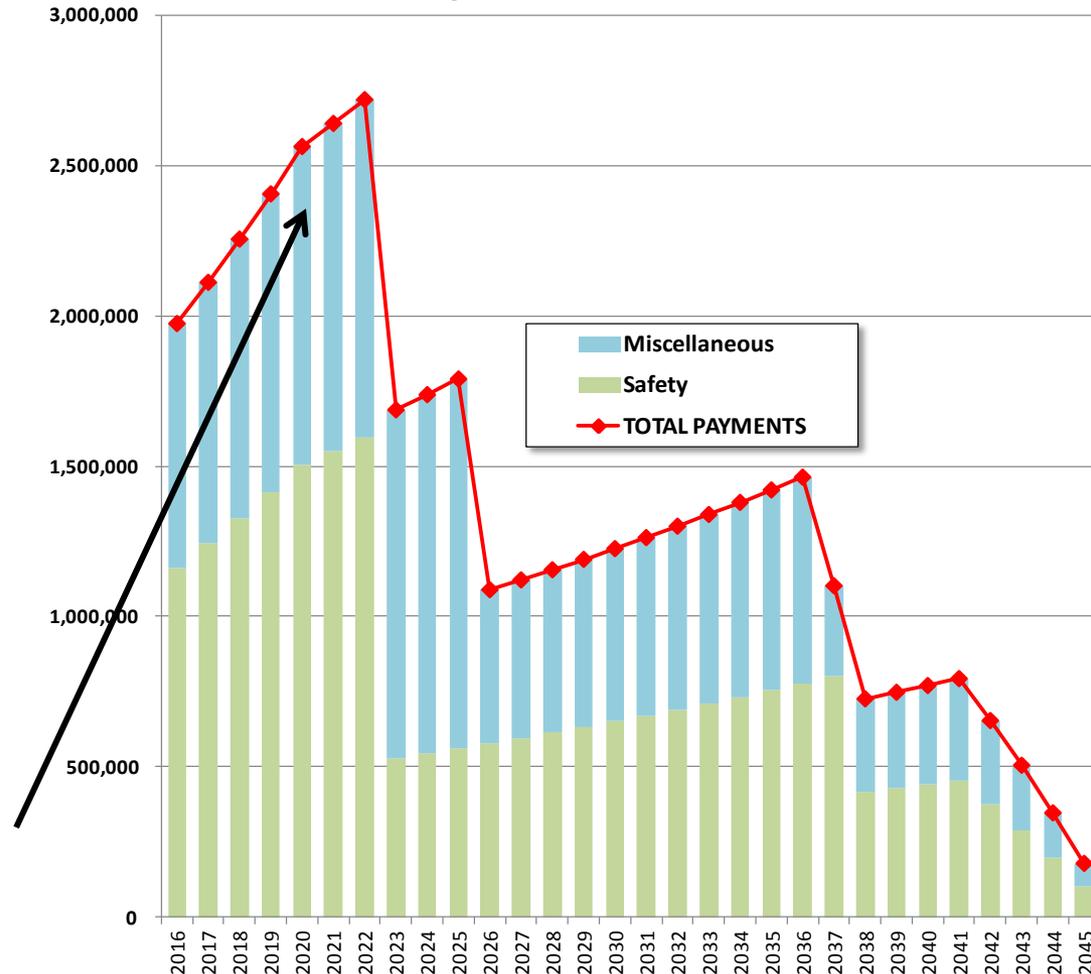
## SAFETY PLAN

Reason for Base	Date Established	Amortization Period	Balance 6/30/13	Expected Payment 2013-14	Balance 6/30/14	Expected Payment 2014-15	Amounts for Fiscal 2015-16		
							Balance 6/30/15	Scheduled Payment for 2015-16	Payment as Percentage of Payroll
SIDE FUND	06/30/13	7	\$6,282,963	\$853,625	\$5,869,128	\$879,234	\$5,397,703	\$905,611	43.134%
SHARE OF PRE-2013 POOL UAL	06/30/13	22	\$2,926,025	\$150,221	\$2,989,724	\$205,076	\$3,001,326	\$213,662	10.177%
ASSET (GAIN)/LOSS	06/30/13	30	\$2,702,185	\$0	\$2,904,849	\$0	\$3,122,713	\$43,921	2.092%
NON-ASSET (GAIN)/LOSS	06/30/13	30	\$(38,415)	\$0	\$(41,296)	\$0	\$(44,393)	\$(624)	(0.030%)
<b>TOTAL</b>			<b>\$11,872,758</b>	<b>\$1,003,846</b>	<b>\$11,722,405</b>	<b>\$1,084,310</b>	<b>\$11,477,349</b>	<b>\$1,162,570</b>	<b>55.373%</b>

# Projected Payments on UAL

- ▶ **Miscellaneous Plan: \$9.79 million**
  - ▶ Base 1 (Side Fund): \$4.5MM amortized over 10 years
  - ▶ Base 2: \$3.0MM amortized over 21 years
  - ▶ Bases 3 and 4: \$2.3MM amortized over 30 years
- ▶ **Safety Plan: \$11.48 million**
  - ▶ Base 1 (Side Fund): \$5.4 million amortized over 7 years
  - ▶ Base 2: \$3.0 million amortized over 22 years
  - ▶ Bases 3 and 4: \$3.1 million amortized over 30 years
- ▶ **UAL amortized at 7.5% with CalPERS**
- ▶ **Extremely “un-even” overall payment shape with large near-term spike**

**Payments on Total UAL**

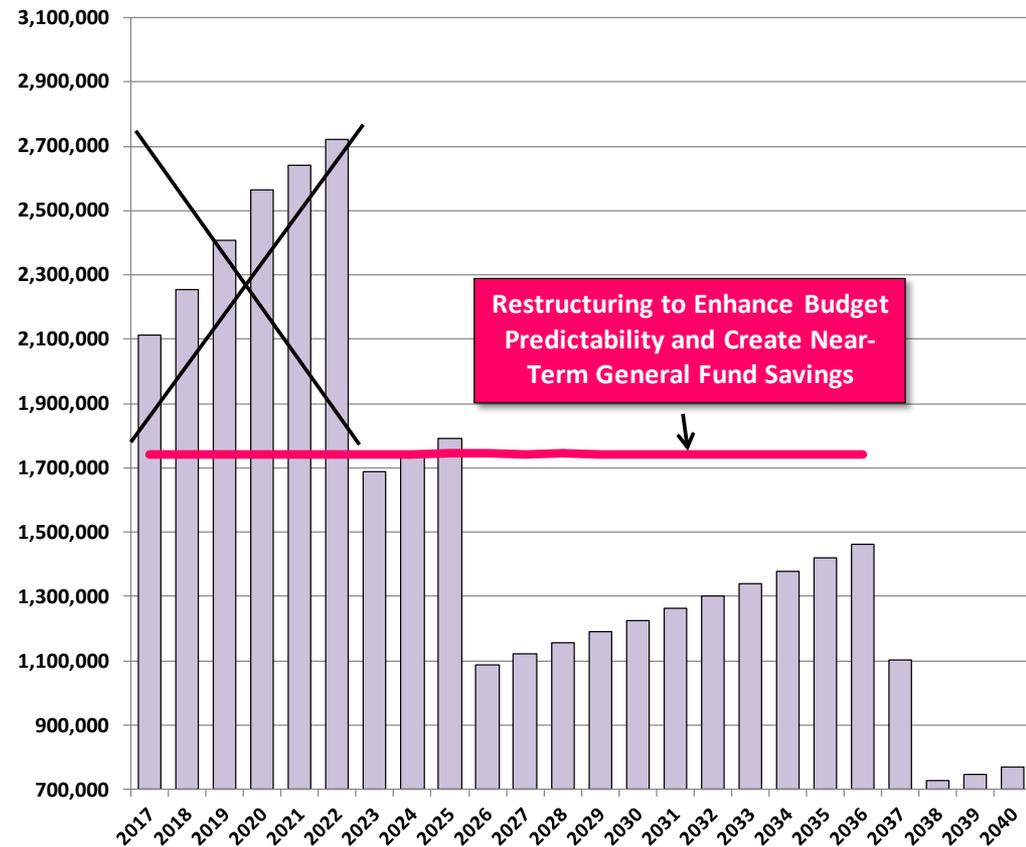


An aerial photograph of a rugged coastline. The image shows steep, rocky cliffs that drop down to a sandy beach and the ocean. In the distance, a large body of water, possibly a bay or a large lake, is visible, surrounded by more land. The sky is overcast and grey. The overall tone of the image is muted and professional.

# **UAL Restructuring Idea**

# UAL Restructuring Idea

- ▶ The City can issue bonds to pay-off (“refund”) a portion of its UAL with CalPERS
- ▶ The bond is a loan made by investors, or a bank, to the City
- ▶ City uses the proceeds of the loan to pay off a portion of its UAL upfront with CalPERS
- ▶ The City will then make payments on the new loan at an interest rate lower (4.5% to 5% in today’s market) than CalPERS is charging on the current UAL (7.50%)
- ▶ New POB payments would be structured in a way that **enhances budget predictability and creates near term cash flow savings for the City’s General Fund**



# Restructuring Benefits and Risks

---

## ▶ **Benefits**

- ▶ Enhances budget predictability for the next 15 to 20 years
- ▶ Eliminates near term spike in payments; freeing up nearly \$4 million for other budgetary needs through 2022
- ▶ Potential present value (PV) savings given that new bond rate (4.5% to 5%) is lower than implied interest rate with CalPERS (7.5%)\*

## ▶ **Risks**

- ▶ Market timing risks magnified given lump-sum deposit with CalPERS
  - ▶ Mitigated by fact that any future UAL will be “gradually phased in over 30 years”
- ▶ While PV savings is estimated to be generated (if CalPERS earns above the rate paid on the new loan), the primary purpose for the restructuring should be the enhancement of budget predictability and reduction in near term payments
- ▶ If the City’s payment structure was already flat, NHA would not recommend restructuring the UAL for the sole purpose of speculating on CalPERS future investment performance

# Challenge to Traditional Pension Bond Financing Structure

---

- ▶ **Traditional Structure:** Historically, POBs (Pension Obligation Bonds) were solely secured by General Fund revenues of a City and “validated” as legal debt by the courts
  - ▶ 150-200+ deals completed; No collateral was needed
- ▶ **2015 San Bernardino Bankruptcy:** CalPERS was put ahead of bond investors in the SB bankruptcy case (i.e. CalPERS was paid in full, while bond investors only received a fraction of what they were due)
  - ▶ Implication: Traditional POB structure not viable in the current market
    - ▶ Exception: Recently Fresno County completed a traditional POB
      - Was viable given (1) one, short 4 year maturity; (2) strong “AA-” rating; (3) it was a refinancing of existing traditional POBs (not new debt to pay off UAL)
- ▶ **Conclusion:** Traditional POB will not be viable for City of Atwater

# Solution for City of Atwater

---

- ▶ NHA has developed an alternative structure that will allow the City to achieve its budget smoothing and near-term savings goals
- ▶ Requires pledging City-owned assets as collateral for all or a portion of the financing
  - ▶ Privately placed lease-backed financing with a bank
  - ▶ City could also consider utilizing an additional pledge of utility assets or a net revenue pledge from the water/sewer system
    - ▶ Only for portion of Miscellaneous Plan allocable to utility employees
    - ▶ Could potentially be beneficial if General Fund health is weaker
- ▶ Total value of assets pledged must exceed size of new loan
  - ▶ Generally, at least 50% of assets pledged must be considered “essential”
  - ▶ Greater essentiality of assets = stronger credit (greater viability and lower interest rates available for loan)

# Case Studies: City of Lakeport and Arcata

- ▶ NHA is serving as Municipal Adviser to the cities of Lakeport and Arcata to implement this new UAL restructuring solution

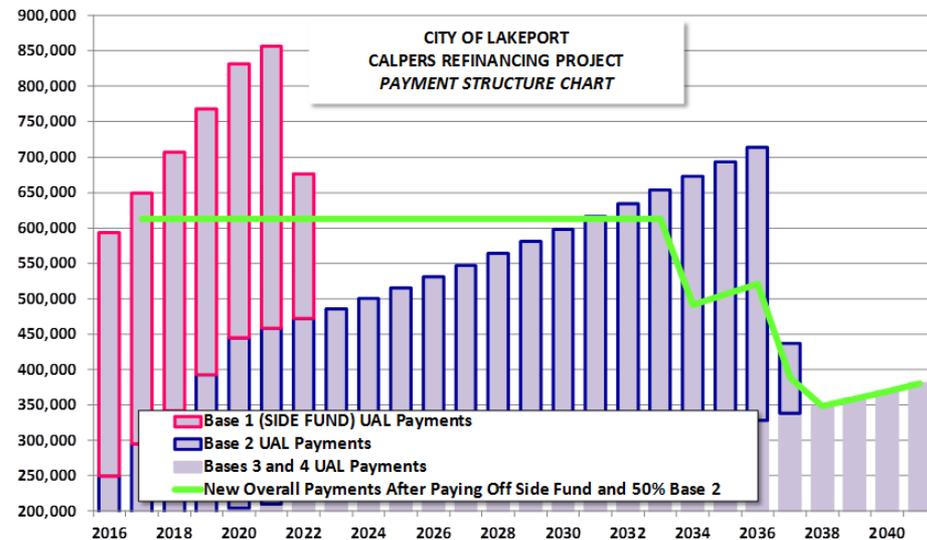
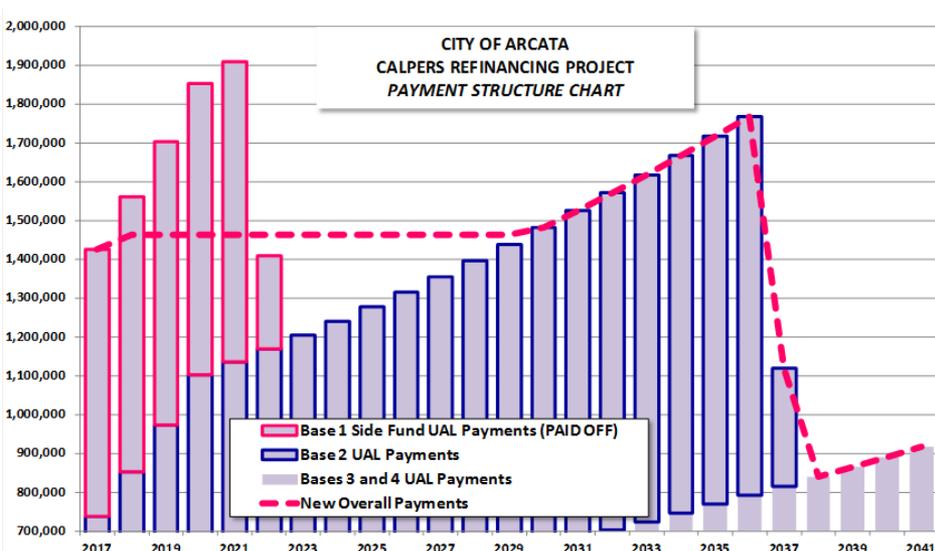
- ▶ Both transactions closed successfully last month (December 2015)

## ▶ Arcata

- ▶ Pay just Base 1 (Side-Fund)
- ▶ Size: \$3.2 million
- ▶ Final Maturity: 2029
- ▶ 5 year average life @ 3.86% rate
- ▶ Assets: Library and Transit Center

## ▶ Lakeport

- ▶ Paying Base 1 and 50% of Base 2
- ▶ Size: \$3.2 million
- ▶ Final Maturity: 2033
- ▶ 8 year average life @ 4.25% rate
- ▶ Assets: City Hall, Fire/Police Station, Park



An aerial photograph of a rugged coastline. The image shows a long, narrow strip of land with steep, rocky cliffs on one side and a sandy beach on the other. The ocean is visible on both sides, with waves crashing against the rocks. In the distance, there are more hills and a bay. The overall tone is muted and blue-grey.

# **Preliminary Restructuring Options**

# Preliminary Restructuring Options - Overview

---

- ▶ City of Atwater’s “near-term peak” in payments is actually much more pronounced than most other cities, including Arcata and Lakeport
  - ▶ Due to the fact that Base 1 (Side Fund) represents 42% of total UAL and is amortized over short time period
    - ▶ For most cities, Base 1 represents 20 to 25% of total, where there is still a sizeable near-term peak
- ▶ Preliminary restructuring options only involve paying off Base 1 (Side Funds) as there is no restructuring benefit to paying off any more
- ▶ **OPTION 1: 100% pay-off of Base 1 for both plans (\$8.9 million)**
- ▶ **OPTION 2: 75% pay-off of Base 1 for both plans (\$6.7 million)**
- ▶ **OPTION 3: Just pay-off Base 1 of Safety Plan (\$4.7 million)**

# Preliminary Restructuring Options – Summary Chart

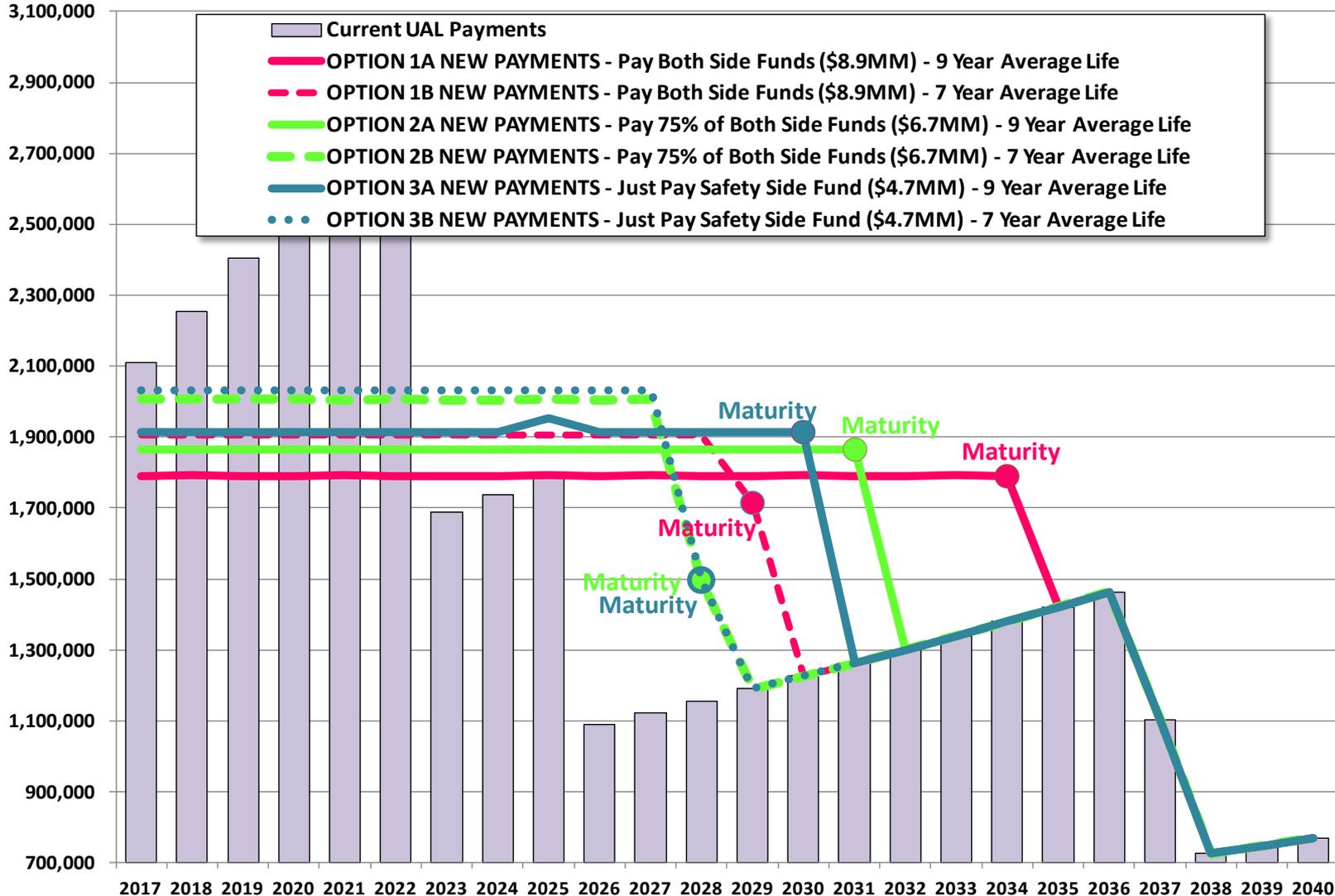
## CITY OF ATWATER - SIDE FUND RESTRUCTURING OPTIONS

For each option, a 9-Year and a 7-Year average life option is shown

- ▶ 5% interest rate assumed for 9-year
- ▶ 4.7% interest rate assumed for 7-year

Colored lines represent total new payments after restructuring

In general, the more UAL paid off, the lower the annual payments and the longer final maturity



# Summary/Considerations

- ▶ **OPTION 1: Pay-Off Both Side Funds (\$8.9 MM/42% of Total UAL); ≈ \$9.1MM asset pledge required**
  - ▶ 1A: 9-Year Average Life
    - ▶ \$1.79MM annual payments through 2034; 5.75% PV Savings
    - ▶ \$3.95MM cash flow savings from 2017 to 2022
  - ▶ 1B: 7-Year Average Life
    - ▶ \$1.90MM annual payments through 2028; 7.12% PV Savings
    - ▶ \$3.26MM cash flow savings from 2017 to 2022
- ▶ **OPTION 2: Pay-Off 75% of both Side Funds (\$6.7MM/31% of Total UAL); ≈ \$6.8MM asset pledge**
  - ▶ 2A: 9-Year Average Life
    - ▶ \$1.86MM annual payments through 2031; 5.17% PV Savings
    - ▶ \$3.5MM cash flow savings from 2017 to 2022
  - ▶ 2B: 7-Year Average Life
    - ▶ \$2.0MM annual payment through 2027; 4.79% PV Savings
    - ▶ \$2.7MM cash flow savings from 2017 to 2022
- ▶ **OPTION 3: Just Pay Safety Side Fund (\$4.7MM/22% of Total UAL); ≈ \$4.9MM asset pledge required**
  - ▶ 3A: 9-Year Average Life
    - ▶ \$1.91MM annual payments through 2034; 2.6% PV Savings
    - ▶ \$3.2MM cash flow savings from 2017 to 2022
  - ▶ 3B: 7-Year Average Life
    - ▶ \$2.03MM annual payments through 2028; 1.99% PV Savings
    - ▶ \$2.5MM cash flow savings from 2017 to 2022

	1A	1B	2A	2B	3A	3B
REFUNDING STATISTICS	Pay-Off Both Side Funds	Pay-Off Both Side Funds	Pay Off 75% of Both Side Funds	Pay Off 75% of Both Side Funds	Pay-Off Safety Side Fund	Pay-Off Safety Side Fund
UAL Paid Off	8,902,901	8,902,901	6,677,176	6,677,176	4,746,776	4,746,776
% of Total UAL Paid Off	42%	42%	31%	31%	22%	22%
Average Life	9 Years	7 Years	9 Years	7 Years	9 Years	7 Years
Estimated Interest Rate	5.00%	4.70%	5.00%	4.70%	5.00%	4.70%
Final Maturity	2034	2029	2031	2028	2030	2028
Old Side Fund Payments	\$11,911,250	\$11,911,250	\$8,933,438	\$8,933,438	\$6,033,601	\$6,033,601
New Refunding Payments	(\$13,177,157)	(\$12,033,793)	(\$9,942,590)	(\$9,215,490)	(\$7,168,193)	(\$6,609,943)
Total Cash Flow Savings	(\$1,265,906)	(\$122,543)	(\$1,009,152)	(\$282,052)	(\$1,134,592)	(\$576,342)
PV Savings (\$)*	\$512,318	\$633,963	\$345,503	\$319,837	\$123,522	\$94,302
PV Savings (% of UAL)	5.75%	7.12%	5.17%	4.79%	2.60%	1.99%
<b>Cash Flow Savings from 2017 to 2022</b>	<b>\$3,949,906</b>	<b>\$3,258,681</b>	<b>\$3,510,332</b>	<b>\$2,661,582</b>	<b>\$3,216,308</b>	<b>\$2,502,708</b>

\* Assumes CalPERS investment returns of 7.50%

# Summary of Potential Assets

CITY GENERAL FUND		UTILITY	
Civic Center and City Hall	\$ 3,385,900	WW Treatment Plant	\$ 49,305,000
Fire Station No. 41	\$ 2,388,000	Elevated Water Tank	\$ 3,289,400
Fire Station No. 42	\$ 2,041,300	<b>TOTAL</b>	<b>\$ 52,594,400</b>
Community Center	\$ 2,582,800		
Corporation Yard	\$ 2,105,800		
Veteran's Park	\$ 2,911,700		
Bloss Home Museum	\$ 944,500		
Fireman's Memorial Ball Park	\$ 293,400		
Osborne Park	\$ 497,900		
<b>TOTAL</b>	<b>\$ 17,151,300</b>		

- ▶ Table above depicts major assets of the City
- ▶ \$17.15MM of City/General Fund assets
  - ▶ Most essential properties listed at top (City Hall), moving to less essential on bottom (parks)
- ▶ Assuming there are no title issues, the City likely has enough essential assets to make either of the three options presented viable
- ▶ More assets allow for larger financing but reduce City's future flexibility to utilize assets for other things (financings, property sale)

# Preliminary Recommended Assets for Each Option

---

- ▶ **OPTION 1: Pay-Off Both Side Funds - \$9.5MM asset pledge required**
  - ▶ Recommended Assets: Civic Center (\$3.4MM), Both Fire Stations (\$4.4MM) and Community Center (\$2.6MM) **OR** Corporation Yard (\$2.1MM)
- ▶ **OPTION 2: Pay-Off 75% of Both Side Funds - \$6.8MM asset pledge required**
  - ▶ Recommended Assets
    - ▶ Alternative 1: Both Fire Stations (\$4.4MM) and Community Center (\$2.6MM)
    - ▶ Alternative 2: Civic Center (\$3.4MM), Fire Station No. 42 (\$2mm) and Corp Yard (\$2.1MM)
- ▶ **OPTION 3: Just Pay-Off Safety Side Fund - \$4.9MM asset pledge required**
  - ▶ Recommended Assets: Civic Center (\$3.4MM) and Fire Station No. 42 (\$2MM) **OR** Corporation Yard (\$2.1MM)

An aerial photograph of a rugged coastline. The image shows a long, narrow strip of land with steep, rocky cliffs on one side and a sandy beach on the other. The ocean is visible on both sides of the land. In the distance, there are more hills and a body of water. The overall tone is muted and blue-grey.

# Conclusion

# Conclusion and Next Steps

---

- ▶ City of Atwater can create significant near-term budgetary relief through a restructuring of all, or even a portion, of its Side Fund UAL
- ▶ Determine overall City objectives with financing
  - ▶ City and its team must evaluate the balance between a larger size financing (lower payments, but more assets required and possibly less interest from banks) AND a smaller financing (slightly higher payments, but less assets required and possibly more desirable by banks)
- ▶ Identify potential assets to use as collateral
  - ▶ Determines sizing and allow for more refined analysis/options
- ▶ Decide if utility assets (or net revenue pledge) will be used in addition to General Fund (City-owned assets)
- ▶ NHA to evaluate General Fund health
  - ▶ Creditworthiness of City will affect all of the above, including type and amount of assets needed, and potential benefit of including enterprise pledge

# Preliminary Financing Schedule – Key Dates

---

- ▶ **12/14/2015 (3:30pm):** City Council Audit and Finance Committee Meeting
- ▶ **1/11/2016 (6pm):** City Council Meeting – Initial Discussion/Presentation of Plan of Finance options
- ▶ **1/25/2016 (6pm):** City Council Meeting – Determine final Plan of Finance; Engagement of other Consultants (Bond Counsel, Placement Agent) for Side Fund refinancing Bonds (“SFRBs”)
- ▶ **2/01/2016:** Legal documents circulated for review/comment
- ▶ **2/08/2016 (6pm):** Approval of resolutions and legal documents for SFRB transaction
- ▶ **Mid/Late February**
  - ▶ Notify CalPERS of intention to pay-off and request Pay-Off Letter
  - ▶ Finalize legal documents and financing structure
  - ▶ Credit presentation and bid documents distributed to potential investors/banks
- ▶ **Early/Mid March:** Close financing and pay-off submitted to CalPERS

An aerial photograph of a rugged coastline. The image shows a long, narrow strip of land with steep, rocky cliffs on one side and a sandy beach on the other. The ocean is visible on both sides, with waves crashing against the rocks. In the distance, there are more hills and a bay. The overall tone is blue and grey, giving it a professional and serene appearance.

# **Appendix: Detailed Analysis for Restructuring Options**

# OPTION 1A – Detailed Analysis

OPTION 1A - Pay Both Side Funds (\$8.9MM) - 9 Year Average Life									
					(D-E)	(A-D)	(E+G)		
A		B	C	D	E	F	G	H	
Fiscal Year	Current Total UAL Payments	UAL BREAKDOWN		OLD VS NEW PAYMENTS			Unrefunded UAL Payments	New Total UAL Payments (New 2016 Loan + Unrefunded UAL)	
		Base 1 (Side Funds)	Bases 2 through 4	Total Refunded UAL Payments (\$8.9MM UAL)	Total New 2016 Loan Payments	Savings			
2017	2,111,858	1,511,339	600,518	1,511,339	1,190,357	320,983	600,518	1,790,875	
2018	2,255,614	1,556,680	698,935	1,556,680	1,092,800	463,880	698,935	1,791,735	
2019	2,406,095	1,603,380	802,715	1,603,380	988,250	615,130	802,715	1,790,965	
2020	2,563,576	1,651,481	912,094	1,651,481	879,250	772,231	912,094	1,791,344	
2021	2,640,483	1,701,026	939,457	1,701,026	852,200	848,826	939,457	1,791,657	
2022	2,719,697	1,752,057	967,641	1,752,057	823,200	928,857	967,641	1,790,841	
2023	1,687,501	690,831	996,670	690,831	794,350	(103,519)	996,670	1,791,020	
2024	1,738,126	711,555	1,026,570	711,555	764,650	(53,095)	1,026,570	1,791,220	
2025	1,790,269	732,902	1,057,367	732,902	734,150	(1,248)	1,057,367	1,791,517	
2026	1,089,088	-	1,089,088	-	701,900	(701,900)	1,089,088	1,790,988	
2027	1,121,761	-	1,121,761	-	670,000	(670,000)	1,121,761	1,791,761	
2028	1,155,414	-	1,155,414	-	635,450	(635,450)	1,155,414	1,790,864	
2029	1,190,076	-	1,190,076	-	601,400	(601,400)	1,190,076	1,791,476	
2030	1,225,778	-	1,225,778	-	565,850	(565,850)	1,225,778	1,791,628	
2031	1,262,552	-	1,262,552	-	528,900	(528,900)	1,262,552	1,791,452	
2032	1,300,428	-	1,300,428	-	490,650	(490,650)	1,300,428	1,791,078	
2033	1,339,441	-	1,339,441	-	452,200	(452,200)	1,339,441	1,791,641	
2034	1,379,624	-	1,379,624	-	411,600	(411,600)	1,379,624	1,791,224	
2035	1,421,013	-	1,421,013	-	-	-	1,421,013	1,421,013	
2036	1,463,643	-	1,463,643	-	-	-	1,463,643	1,463,643	
2037	1,102,391	-	1,102,391	-	-	-	1,102,391	1,102,391	
2038	726,064	-	726,064	-	-	-	726,064	726,064	
2039	747,846	-	747,846	-	-	-	747,846	747,846	
2040	770,282	-	770,282	-	-	-	770,282	770,282	
<b>TOTAL</b>	<b>37,208,620</b>	<b>11,911,250</b>	<b>25,297,369</b>	<b>11,911,250</b>	<b>13,177,157</b>	<b>(1,265,906)</b>	<b>25,297,369</b>	<b>38,474,526</b>	
						Total Savings	(1,265,906)		
						PV Savings (\$)	\$512,318		
						PV Savings (%)	5.75%		

# OPTION 1B – Detailed Analysis

OPTION 1B - Pay Both Side Funds (\$8.9MM) - 7 Year Average Life								
					(D-E)	(A-D)	(E+G)	
A		B	C	D	E	F	G	H
Fiscal Year	Current Total UAL Payments	UAL BREAKDOWN		OLD VS NEW PAYMENTS			Unrefunded UAL Payments	New Total UAL Payments (New 2016 Loan + Unrefunded UAL)
		Base 1 (Side Funds)	Bases 2 through 4	Total Refunded UAL Payments (\$8.9MM UAL)	Total New 2016 Loan Payments	Savings		
2017	2,111,858	1,511,339	600,518	1,511,339	1,305,955	205,384	600,518	1,906,473
2018	2,255,614	1,556,680	698,935	1,556,680	1,207,442	349,238	698,935	1,906,377
2019	2,406,095	1,603,380	802,715	1,603,380	1,103,996	499,384	802,715	1,906,711
2020	2,563,576	1,651,481	912,094	1,651,481	994,605	656,876	912,094	1,906,699
2021	2,640,483	1,701,026	939,457	1,701,026	966,692	734,334	939,457	1,906,149
2022	2,719,697	1,752,057	967,641	1,752,057	938,591	813,466	967,641	1,906,232
2023	1,687,501	690,831	996,670	690,831	910,302	(219,471)	996,670	1,906,972
2024	1,738,126	711,555	1,026,570	711,555	879,825	(168,270)	1,026,570	1,906,395
2025	1,790,269	732,902	1,057,367	732,902	849,254	(116,352)	1,057,367	1,906,621
2026	1,089,088	-	1,089,088	-	817,589	(817,589)	1,089,088	1,906,677
2027	1,121,761	-	1,121,761	-	784,877	(784,877)	1,121,761	1,906,638
2028	1,155,414	-	1,155,414	-	751,165	(751,165)	1,155,414	1,906,579
2029	1,190,076	-	1,190,076	-	523,500	(523,500)	1,190,076	1,713,576
2030	1,225,778	-	1,225,778	-	-	-	1,225,778	1,225,778
2031	1,262,552	-	1,262,552	-	-	-	1,262,552	1,262,552
2032	1,300,428	-	1,300,428	-	-	-	1,300,428	1,300,428
2033	1,339,441	-	1,339,441	-	-	-	1,339,441	1,339,441
2034	1,379,624	-	1,379,624	-	-	-	1,379,624	1,379,624
2035	1,421,013	-	1,421,013	-	-	-	1,421,013	1,421,013
2036	1,463,643	-	1,463,643	-	-	-	1,463,643	1,463,643
2037	1,102,391	-	1,102,391	-	-	-	1,102,391	1,102,391
2038	726,064	-	726,064	-	-	-	726,064	726,064
2039	747,846	-	747,846	-	-	-	747,846	747,846
2040	770,282	-	770,282	-	-	-	770,282	770,282
<b>TOTAL</b>	<b>37,208,620</b>	<b>11,911,250</b>	<b>25,297,369</b>	<b>11,911,250</b>	<b>12,033,793</b>	<b>(122,543)</b>	<b>25,297,369</b>	<b>37,331,163</b>
						Total Savings	(122,543)	
						PV Savings (\$)	\$633,963	
						PV Savings (%)	7.12%	

# OPTION 2A – Detailed Analysis

OPTION 2A - Pay 75% of Both Side Funds (\$6.7MM) - 9 Year Average Life									
					(D-E)	(A-D)	(E+G)		
A		B	C	D	E	F	G	H	
Fiscal Year	Current Total UAL Payments	UAL BREAKDOWN		OLD VS NEW PAYMENTS			Unrefunded UAL Payments	New Total UAL Payments (2016 Loan + Unrefunded UAL)	
		Base 1 (Side Funds)	Bases 2 through 4	Total Refunded UAL Payments: 75% of Side Funds (\$6.7MM UAL)	Total New 2016 Loan Payments	Savings			
2017	2,111,858	1,511,339	600,518	1,133,505	886,440	247,065	978,353	1,864,793	
2018	2,255,614	1,556,680	698,935	1,167,510	776,700	390,810	1,088,104	1,864,804	
2019	2,406,095	1,603,380	802,715	1,202,535	660,800	541,735	1,203,560	1,864,360	
2020	2,563,576	1,651,481	912,094	1,238,611	539,550	699,061	1,324,965	1,864,515	
2021	2,640,483	1,701,026	939,457	1,275,769	499,450	776,319	1,364,713	1,864,163	
2022	2,719,697	1,752,057	967,641	1,314,042	458,700	855,342	1,405,655	1,864,355	
2023	1,687,501	690,831	996,670	518,123	695,400	(177,277)	1,169,378	1,864,778	
2024	1,738,126	711,555	1,026,570	533,667	659,750	(126,083)	1,204,459	1,864,209	
2025	1,790,269	732,902	1,057,367	549,677	623,750	(74,073)	1,240,593	1,864,343	
2026	1,089,088	-	1,089,088	-	775,450	(775,450)	1,089,088	1,864,538	
2027	1,121,761	-	1,121,761	-	742,500	(742,500)	1,121,761	1,864,261	
2028	1,155,414	-	1,155,414	-	709,700	(709,700)	1,155,414	1,865,114	
2029	1,190,076	-	1,190,076	-	674,050	(674,050)	1,190,076	1,864,126	
2030	1,225,778	-	1,225,778	-	638,700	(638,700)	1,225,778	1,864,478	
2031	1,262,552	-	1,262,552	-	601,650	(601,650)	1,262,552	1,864,202	
2032	1,300,428	-	1,300,428	-	-	-	1,300,428	1,300,428	
2033	1,339,441	-	1,339,441	-	-	-	1,339,441	1,339,441	
2034	1,379,624	-	1,379,624	-	-	-	1,379,624	1,379,624	
2035	1,421,013	-	1,421,013	-	-	-	1,421,013	1,421,013	
2036	1,463,643	-	1,463,643	-	-	-	1,463,643	1,463,643	
2037	1,102,391	-	1,102,391	-	-	-	1,102,391	1,102,391	
2038	726,064	-	726,064	-	-	-	726,064	726,064	
2039	747,846	-	747,846	-	-	-	747,846	747,846	
2040	770,282	-	770,282	-	-	-	770,282	770,282	
<b>TOTAL</b>	<b>37,208,620</b>	<b>11,911,250</b>	<b>25,297,369</b>	<b>8,933,438</b>	<b>9,942,590</b>	<b>(1,009,152)</b>	<b>28,275,182</b>	<b>38,217,772</b>	
						Total Savings	(1,009,152)		
						PV Savings (\$)	\$345,503		
						PV Savings (%)	5.17%		

# OPTION 2B – Detailed Analysis

OPTION 2B - Pay 75% of Both Side Funds (\$6.7MM) - 7-Year Average Life								
					(D-E)	(A-D)	(E+G)	
A		B	C	D	E	F	G	H
Fiscal Year	Current Total UAL Payments	UAL BREAKDOWN		OLD VS NEW PAYMENTS			Unrefunded UAL Payments	New Total UAL Payments (2016 Loan + Unrefunded UAL)
		Base 1 (Side Funds)	Bases 2 through 4	Total Refunded UAL Payments: 75% of Side Funds (\$6.7MM UAL)	Total New 2016 Loan Payments	Savings		
2017	2,111,858	1,511,339	600,518	1,133,505	1,027,440	106,065	978,353	2,005,793
2018	2,255,614	1,556,680	698,935	1,167,510	917,650	249,860	1,088,104	2,005,754
2019	2,406,095	1,603,380	802,715	1,202,535	802,350	400,185	1,203,560	2,005,910
2020	2,563,576	1,651,481	912,094	1,238,611	681,300	557,311	1,324,965	2,006,265
2021	2,640,483	1,701,026	939,457	1,275,769	641,000	634,769	1,364,713	2,005,713
2022	2,719,697	1,752,057	967,641	1,314,042	600,650	713,392	1,405,655	2,006,305
2023	1,687,501	690,831	996,670	518,123	836,300	(318,177)	1,169,378	2,005,678
2024	1,738,126	711,555	1,026,570	533,667	801,200	(267,533)	1,204,459	2,005,659
2025	1,790,269	732,902	1,057,367	549,677	765,250	(215,573)	1,240,593	2,005,843
2026	1,089,088	-	1,089,088	-	916,500	(916,500)	1,089,088	2,005,588
2027	1,121,761	-	1,121,761	-	884,600	(884,600)	1,121,761	2,006,361
2028	1,155,414	-	1,155,414	-	341,250	(341,250)	1,155,414	1,496,664
2029	1,190,076	-	1,190,076	-	-	-	1,190,076	1,190,076
2030	1,225,778	-	1,225,778	-	-	-	1,225,778	1,225,778
2031	1,262,552	-	1,262,552	-	-	-	1,262,552	1,262,552
2032	1,300,428	-	1,300,428	-	-	-	1,300,428	1,300,428
2033	1,339,441	-	1,339,441	-	-	-	1,339,441	1,339,441
2034	1,379,624	-	1,379,624	-	-	-	1,379,624	1,379,624
2035	1,421,013	-	1,421,013	-	-	-	1,421,013	1,421,013
2036	1,463,643	-	1,463,643	-	-	-	1,463,643	1,463,643
2037	1,102,391	-	1,102,391	-	-	-	1,102,391	1,102,391
2038	726,064	-	726,064	-	-	-	726,064	726,064
2039	747,846	-	747,846	-	-	-	747,846	747,846
2040	770,282	-	770,282	-	-	-	770,282	770,282
<b>TOTAL</b>	<b>37,208,620</b>	<b>11,911,250</b>	<b>25,297,369</b>	<b>8,933,438</b>	<b>9,215,490</b>	<b>(282,052)</b>	<b>28,275,182</b>	<b>37,490,672</b>
						Total Savings	(282,052)	
						PV Savings (\$)	\$319,837	
						PV Savings (%)	4.79%	

# OPTION 3A – Detailed Analysis

OPTION 3A - Just Pay Safety Side Fund (\$4.7MM) - 9 Year Average Life									
					(D-E)	(A-D)	(E+G)		
A		B	C	D	E	F	G	H	
Fiscal Year	Current Total UAL Payments	UAL BREAKDOWN		OLD VS NEW PAYMENTS			Unrefunded UAL Payments	New Total UAL Payments (New 2016 Loan + Unrefunded UAL)	
		Safety Base 1 (Side Fund)	Bases 2 through 4 (Both Plans)	Total Refunded UAL Payments (4.7MM UAL)	Total New 2016 Loan Payments	Savings			
2017	2,111,858	932,780	1,179,078	932,780	734,143	198,636	1,179,078	1,913,221	
2018	2,255,614	960,763	1,294,851	960,763	618,650	342,113	1,294,851	1,913,501	
2019	2,406,095	989,586	1,416,509	989,586	496,900	492,686	1,416,509	1,913,409	
2020	2,563,576	1,019,273	1,544,302	1,019,273	369,250	650,023	1,544,302	1,913,552	
2021	2,640,483	1,049,852	1,590,631	1,049,852	323,250	726,602	1,590,631	1,913,881	
2022	2,719,697	1,081,347	1,638,350	1,081,347	275,100	806,247	1,638,350	1,913,450	
2023	1,687,501		1,687,501		226,000	(226,000)	1,687,501	1,913,501	
2024	1,738,126		1,738,126		175,100	(175,100)	1,738,126	1,913,226	
2025	1,790,269		1,790,269		164,600	(164,600)	1,790,269	1,954,869	
2026	1,089,088		1,089,088		824,600	(824,600)	1,089,088	1,913,688	
2027	1,121,761		1,121,761		791,600	(791,600)	1,121,761	1,913,361	
2028	1,155,414		1,155,414		757,600	(757,600)	1,155,414	1,913,014	
2029	1,190,076		1,190,076		723,650	(723,650)	1,190,076	1,913,726	
2030	1,225,778		1,225,778		687,750	(687,750)	1,225,778	1,913,528	
2031	1,262,552		1,262,552				1,262,552	1,262,552	
2032	1,300,428		1,300,428				1,300,428	1,300,428	
2033	1,339,441		1,339,441				1,339,441	1,339,441	
2034	1,379,624		1,379,624				1,379,624	1,379,624	
2035	1,421,013		1,421,013				1,421,013	1,421,013	
2036	1,463,643		1,463,643				1,463,643	1,463,643	
2037	1,102,391		1,102,391				1,102,391	1,102,391	
2038	726,064		726,064				726,064	726,064	
2039	747,846		747,846				747,846	747,846	
2040	770,282		770,282				770,282	770,282	
<b>TOTAL</b>	<b>37,208,620</b>	<b>6,033,601</b>	<b>31,175,019</b>	<b>6,033,601</b>	<b>7,168,193</b>	<b>(1,134,592)</b>	<b>31,175,019</b>	<b>38,343,212</b>	
						Total Savings	(1,134,592)		
						PV Savings (\$)	\$123,522		
						PV Savings (%)	2.60%		

# OPTION 3B – Detailed Analysis

OPTION 3B - Just Pay Safety Side Fund (\$4.7MM) - 7 Year Average Life								
		(D-E)			(A-D)	(E+G)		
A		B	C	D	E	F	G	H
Fiscal Year	Current Total UAL Payments	UAL BREAKDOWN		OLD VS NEW PAYMENTS			Unrefunded UAL Payments	New Total UAL Payments (New 2016 Loan + Unrefunded UAL)
		Safety Base 1 (Side Fund)	Base 1 (Misc) Bases 2 through 4 (Both Plans)	Total Refunded UAL Payments (4.7MM UAL)	Total New 2016 Loan Payments	Savings		
2017	2,111,858	932,780	1,179,078	932,780	853,143	79,636	1,179,078	2,032,221
2018	2,255,614	960,763	1,294,851	960,763	737,700	223,063	1,294,851	2,032,551
2019	2,406,095	989,586	1,416,509	989,586	615,700	373,886	1,416,509	2,032,209
2020	2,563,576	1,019,273	1,544,302	1,019,273	488,500	530,773	1,544,302	2,032,802
2021	2,640,483	1,049,852	1,590,631	1,049,852	441,600	608,252	1,590,631	2,032,231
2022	2,719,697	1,081,347	1,638,350	1,081,347	394,250	687,097	1,638,350	2,032,600
2023	1,687,501		1,687,501		345,550	(345,550)	1,687,501	2,033,051
2024	1,738,126		1,738,126		294,650	(294,650)	1,738,126	2,032,776
2025	1,790,269		1,790,269		242,750	(242,750)	1,790,269	2,033,019
2026	1,089,088		1,089,088		944,000	(944,000)	1,089,088	2,033,088
2027	1,121,761		1,121,761		910,850	(910,850)	1,121,761	2,032,611
2028	1,155,414		1,155,414		341,250	(341,250)	1,155,414	1,496,664
2029	1,190,076		1,190,076		-	-	1,190,076	1,190,076
2030	1,225,778		1,225,778		-	-	1,225,778	1,225,778
2031	1,262,552		1,262,552				1,262,552	1,262,552
2032	1,300,428		1,300,428				1,300,428	1,300,428
2033	1,339,441		1,339,441				1,339,441	1,339,441
2034	1,379,624		1,379,624				1,379,624	1,379,624
2035	1,421,013		1,421,013				1,421,013	1,421,013
2036	1,463,643		1,463,643				1,463,643	1,463,643
2037	1,102,391		1,102,391				1,102,391	1,102,391
2038	726,064		726,064				726,064	726,064
2039	747,846		747,846				747,846	747,846
2040	770,282		770,282				770,282	770,282
<b>TOTAL</b>	<b>37,208,620</b>	<b>6,033,601</b>	<b>31,175,019</b>	<b>6,033,601</b>	<b>6,609,943</b>	<b>(576,342)</b>	<b>31,175,019</b>	<b>37,784,962</b>
					Total Savings	(576,342)		
					PV Savings (\$)	\$94,302		
					PV Savings (%)	1.99%		

## CITY COUNCIL MEETING COST ANALYSIS SUMMARY

Average Cost Per Meeting	Cost	Hours	Total
Misc. Cost (heating, air, lights, etc.)			
Agenda 200 pgs. - 24 copies/8pgs.			
Monthly Reports 180 pgs. 20 copies/9 pgs.			
Total of 380 b&w pages @ .10 each	\$38.00		
Treasurers Report			
20 Color Copies @ .18 each	\$3.60		
<b><u>Total Copy Costs:</u></b>	<b>\$41.60</b>		<b>\$41.60</b>
<b><u>Broadcast</u></b>	<b>\$325.00</b>		<b>\$ 325.00</b>
<b><u>Legal:</u></b>			
Preparation: 2.75 Hours @ \$275/Hour	\$756.25		
City Council Meeting (including meeting with staff prior to and closed sessions): 4 Hours @ \$275/Hour	\$1,100.00		
Travel Time to/from Meeting:			
Travel to/from Meeting: 1.50 Hours @ \$275/Hour	\$412.50		
Mileage Expense 89 Miles @0.575/Mile	\$51.18		
<b>Total Average</b>	<b>\$2,319.93</b>		<b>\$ 2,319.93</b>
<b><u>City Clerk/Human Resources Department</u></b>			
Staff time:			
Update Agenda	\$231.41		
Ceremonial certs/procs	\$178.15		
Agenda	\$206.78		
Staff Reports	\$380.83		
Proofing Agenda	\$90.19		
Assembling Packet	\$72.74		
Making copies for Meeting	\$12.31		
Posting	\$27.64		
Set-up/Clean-up of Chambers	\$36.94		
Follow-up	\$340.19		
Minutes	\$287.19		
Voting Table	\$24.63		
Staff Meetings	\$68.58		
	<b>\$1,957.56</b>		<b>\$1,957.56</b>
<b>Total Time Spent</b>		<b>33.5</b>	
<b><u>Community Development Department</u></b>			
Staff time	\$729.61		
Staff mtgs	\$134.12		
	<b>\$863.73</b>		<b>\$863.73</b>

**Total Time Spent** 12

**Public Works Department**

Staff time	\$998.50		
Staff mtgs	\$26.94		
<b>Total Time Spent</b>	<b>\$1,025.44</b>	<b>13.5</b>	<b>\$1,025.44</b>

**Public Works Department (Operations)**

Staff time	\$429.85		
Staff mtgs	\$26.94		
<b>Total Time Spent</b>	<b>\$456.79</b>	<b>8.5</b>	<b>\$456.79</b>

**Police Department**

Staff time	\$299.14		
Staff mtgs	\$74.79		
<b>Total Time Spent</b>	<b>\$373.93</b>	<b>2.5</b>	<b>\$373.93</b>

**Finance Department**

Staff time	\$727.50		
Staff mtgs	\$36.38		
<b>Total Time Spent</b>	<b>\$763.88</b>	<b>10.5</b>	<b>\$763.88</b>

**City Manager/Police Chief**

Staff time	\$431.56		
Staff mtgs	\$53.95		
<b>Total Time Spent</b>	<b>\$485.51</b>	<b>4.5</b>	<b>\$485.51</b>

**Community Services Department**

Staff time	\$55.01		
Staff mtgs	\$27.51		
<b>Total Time Spent</b>	<b>\$82.52</b>	<b>1.5</b>	<b>\$82.52</b>

**Fire Department**

Staff time	\$454.24		
Staff mtgs	\$28.39		
<b>Total Time Spent</b>	<b>\$482.63</b>	<b>8</b>	<b>\$482.63</b>

**Totals** **94.50** **\$9,178.52**

**City Council Meeting Attendance (Savings)**

	<b>Cost</b>	<b>Hours</b>	<b>Total</b>
City Clerk/Human Resources Department	\$131.13	2	
Community Development Department	\$80.37	1	
Public Works Department	\$83.80	1	
Public Works Department Operations	\$53.87	1	
Police Department	\$149.57	1	
Finance Department	\$72.75	1	
City Manager/Police Chief	\$107.89	1	
Community Services Department	\$55.01	1	

Fire Department	\$56.78	1	
Total for City Council Meeting Attendance	\$791.17	<b>10</b>	<b><u>\$791.17</u></b>
<b>Total Estimated Savings Per Meeting</b>	<b><u>\$9,969.69</u></b>		<b><u>\$9,969.69</u></b>



# CITY OF ATWATER



## 2016 REGULAR MEETING SCHEDULE CALENDAR

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Location of all listed meetings: Council Chambers
<b>City Council &amp; Successor Agency to the Atwater Re-development Agency</b>	11 & 25	8 & 22	14 & 28	11 & 25	9 & 23	13 & 27	11 & 25	8 & 22	12 & 26	10 & 24	14	12	2nd & 4th Monday of each month 6:00 PM (Unless otherwise noted.)
<b>Community Development &amp; Resources Commission</b>	20	17	16	20	18	15	20	17	21	19	16	21	3rd Wednesday of each month 6:00 PM (Unless otherwise noted.)
<b>Audit &amp; Finance Committee</b>	25	22	28	25	23	27	25	22	26	24	28	27*	4th Monday of each month 3:30 PM (Unless otherwise noted.)

\* Change of date due to holiday

**City Council Chambers - City Hall - 750 Bellevue Road**

The City Council meets as the Successor Agency to the Atwater Redevelopment Agency, the Atwater Public Improvement Corporation, the Atwater Public Financing Authority, the Atwater Housing Authority, and the Atwater Fire Protection District. However, unless specific items of business are to be conducted, these corporations will not be officially convened.