

**CITY OF ATWATER  
CITY COUNCIL  
AND  
ATWATER FIRE PROTECTION DISTRICT**

Council Chambers  
750 Bellevue Road  
Atwater, California

**March 12, 2018**

**5:00 PM**

CALL TO ORDER:

ROLL CALL: (City Council)

**Creighton \_\_\_\_ , Raymond \_\_\_\_ , Vierra \_\_\_\_ , Vineyard \_\_\_\_ , Price \_\_\_\_**

CLOSED SESSION:

Adjourn to Conference Room A

- **Conference with Labor Negotiator – Government Code Section 54957.6(a)  
Agency Negotiator: Interim City Manager; Bargaining Group: Unrepresented;  
Titles: Deputy City Manager/Finance Director and Deputy City Manager**
- **Conference with Legal Counsel – Potential Litigation – Pursuant to  
Government Code Section 54956.9(b): Number of cases: (2)**

REGULAR SESSION: (Council Chambers)

**6:00 PM**

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Police Chaplain Mead**

ROLL CALL: (City Council/Board of Directors)

**Creighton \_\_\_\_ , Raymond \_\_\_\_ , Vierra \_\_\_\_ , Vineyard \_\_\_\_ , Price \_\_\_\_**

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

SUBSEQUENT NEED ITEMS: (The City Clerk shall announce any requests for items requiring immediate action subsequent to the posting of the agenda. Subsequent need items require a two-thirds vote of the members of the City Council present at the meeting.)

**APPROVAL OF AGENDA AS POSTED OR AS AMENDED:** (This is the time for the City Council/AFP Board to remove items from the agenda or to change the order of the agenda.)

**Recommendation:** Motion to approve agenda as posted or as amended.

**CEREMONIAL MATTERS:**

- **Proclamation recognizing March 8, 2018 as International Women’s Day and the month of March as Women’s History Month**

**Recommendation:** That Mayor Price read the proclamation recognizing March 8, 2018 as International Women’s Day and the month of March as Women’s History Month.

**PRESENTATIONS:**

- **Monthly Report by Merced County District 3 Supervisor McDaniel**
- **LOVE ATWATER - celebrating 10 years of volunteerism in the City of Atwater - overview of projects and other achievements (Gloria Perez)**
- **Introducing the law firm of Churchwell White and a brief overview of experience and other scope of work (Interim City Attorney White, Churchwell White, Attorneys at Law)**

**COMMENTS FROM THE PUBLIC:**

**NOTICE TO THE PUBLIC**

At this time any person may comment on any item which is not on the agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda.

To comment on an item that is **on** the agenda, please wait until the item is read for consideration; please limit comments to a maximum of five (5) minutes.

**Civility is expected from members of the public during the meeting. For more efficient use of time, disruptive behavior will not be tolerated. While you may not agree with what an individual is saying, please treat everyone with courtesy and respect.**

**CONSENT CALENDAR:**

**NOTICE TO THE PUBLIC**

Background information has been provided on all matters listed under the Consent Calendar, and these items are considered to be routine. All items under the Consent Calendar are normally approved by one motion. If discussion is requested on any item, that item will be removed from the Consent Calendar for separate action.

WARRANTS:

1. **March 12, 2018**

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

MINUTES: (City Council)

2. **Regular meeting, January 22, 2018**

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

MINUTES: (Community Development and Resources Commission)

3. **Regular meeting, January 17, 2018**

**Recommendation:** Acceptance of minutes as listed.

AGREEMENTS:

4. **Resolution approving budget Amendment No. 8 regarding Fiscal Year 2017-18 Local Transportation Fund, and finding the project to be Categorically Exempt under CEQA; and approving Professional Services Agreement with VVH Consulting Engineers (Interim Community Development Director Waterman)**

**Recommendation:** Adoption of Resolution No. 3017-18 approving Budget Amendment No. 8 regarding Fiscal Year 2017-18 Local Transportation Fund (LTF) and making the finding that the project is Categorically Exempt under CEQA; and

Approval of Professional Services Agreement, in a form approved by the Interim City Attorney, with VVH Consulting Engineers (VVHCE) for Civil Engineering and Land Surveying for the Atwater Boulevard and First Street Traffic Signal Design in an amount not to exceed \$57,160; and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

5. **Resolution approving Budget Amendment No. 9 regarding Fiscal Year 2017-18 Gas Tax Fund, and finding the project to be Categorically Exempt under CEQA; and approving Professional Services Agreement with VVH Consulting Engineers (Interim Community Development Director Waterman)**

**Recommendation:** Adoption of Resolution No. 3018-18 approving Budget Amendment No. 9 regarding Fiscal Year 2017-18 Gas Tax Fund (RSTP) and making the finding that the project is Categorically Exempt under CEQA; and

Approval of Professional Services Agreement, in a form approved by the Interim City Attorney, with VVH Consulting Engineers (VVHCE) for Civil Engineering and Land Surveying for the Winton Way at Juniper Avenue Traffic Signal Upgrade Project in an amount not to exceed \$35,890; and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

**6. Fire Protection Services for Fiscal Year 2017-18 through Fiscal Year 2020-2021 (CAL FIRE Battalion Chief Wight)**

**Recommendation:** Adoption of Joint Authority Resolution No. 3010-18 and Resolution No. AFPD No. 1-2018 approving Cooperative Fire Program, Fire Protection Reimbursement Agreement, in a form approved by the City Attorney, for fire protection services with the California Department of Forestry and Fire Protection (CAL FIRE) covering services for Fiscal Year 2017-18 through Fiscal Year 2020-2021, and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

**CLAIMS AGAINST THE CITY:** (Note to the Public: Portions of this claim have been redacted because they do not affect the City Council's ability to make a decision on the claim. The claim however, is a public document and can be made available upon request by members of the public. If you have any questions or would like to request this document, please contact the City Clerk's office at (209) 357-6205).

**7. Claim No. 2017-17**

**Recommendation:** After consideration and investigation, it is staff's recommendation that Claim No. 2017-17 be rejected.

**PETITIONS AND OTHER COMMUNICATIONS:**

**8. Atwater Youth Baseball, Softball & T-ball's (AYBS&T) request for assistance with Opening Day ceremonies**

**Recommendation:** Approval of request for assistance with AYBS&T Opening Day ceremonies on March 24, 2018 from 7:30 AM – 11:00 AM; to set out barricades and "No Parking" signs; to help control traffic and parking; and to assist with the "Procession of Players" beginning at Broadway and Fifth Street and ending at Memorial Park.

**INFORMATIONAL ITEMS ONLY NO ACTION REQUIRED**

**9. Police Department activities and projects for the month of February 2018 (Interim Police Chief Echevarria)**

**10. Police Volunteer activities for the month of February 2018 (Police Volunteer Vineyard)**

**11. Fire Department activities and projects for the month of February 2018 (CAL FIRE Battalion Chief Wight)**

12. **Water Well Levels for the month of February 2018 and Water Well Levels for calendar year 2017** (Interim Public Works Director Shaw)
13. FUTURE AGENDA ITEMS (NO ACTION REQUIRED):
  - Yard sale ordinance review
  - Cannabis dispensaries research and review
  - Swimming pool ordinance review
  - Tow Yard conversion to evidence storage
  - Disposition of police vehicles and other police property
  - Camera installation at Shaffer Road and Atwater Blvd
  - Comparison of CAL FIRE vs. City owned Fire Department
  - Micro Hospital research
  - Ad Hoc Traffic Committee
  - Communications System Agreement – Sheriff’s Office
  - Town Hall Meetings
  - Establish ordinance – Housing Authority
  - Ratification of APOA Agreement

INTERIM CITY MANAGER REPORTS/UPDATES:

14. **Introduce newly appointed Citizen’s Oversight Committee Public Safety Transactions and Use Tax Member George R. Pirtle**

REPORTS AND PRESENTATIONS FROM STAFF:

15. **Verbal report regarding PG&E LED Street Light upgrades** (Interim Community Development Director Waterman)
16. **Verbal report regarding 2018 year-to-date financial update** (Finance Director Deol)
17. **Verbal report regarding Open Government update** (Finance Director Deol)
18. **Verbal report on New City Officials’ Handbook and review of City’s policies, procedures, strategic planning goals and organizational review** (Interim City Attorney White)

CITY COUNCIL MATTERS:

City Council comments

CLOSED SESSION:

**Continuation of Closed Session if necessary**

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City Clerk/Board 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.



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DON HYLER III  
CITY CLERK/BOARD CLERK

SB 343 NOTICE

*In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the office of the City Clerk at City Hall during normal business hours at 750 Bellevue Road.*

*If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 750 Bellevue Road.*



*In compliance with the federal Americans with Disabilities Act of 1990, upon request, the agenda can be provided in an alternative format to accommodate special needs. If you require special accommodations to participate in a City Council, Commission or Committee meeting due to a disability, please contact the City Clerk's Office a minimum of three (3) business days in advance of the meeting at (209) 357-6205. You may also send the request by email to [lasmussen@atwater.org](mailto:lasmussen@atwater.org).*

AB 23 NOTICE:

*Pursuant to Government Code Section 54952.3, City Council is not receiving additional compensation for serving as members of the Fire Protection District.*