

# NOTICE OF SPECIAL MEETING CITY COUNCIL OF THE CITY OF ATWATER

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Atwater will be held on **Monday, April 30, 2018 at 5:00 PM**, or as soon thereafter as may be held. This meeting will be held in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California.

## AGENDA

SPECIAL MEETING CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Police Chaplain McClellan**

ROLL CALL:

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

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, citizens wishing to address the City Council regarding **only the items on the agenda may do so when the item is read for consideration**. Please state your name and address or community of residence and keep your comments to five minutes or less. Under the provisions of the California Government Code, the City Council may not discuss or take action on any item that is not on the agenda.

**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.**

CLOSED SESSION:

Adjourn to Conference Room A

- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(b): Number of cases: (3)**
- **Pursuant to Government Code Section 54957(b)(1), Public Employee Appointment. Titles: City Manager, Interim City Manager, Interim Police Chief**

- **Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6. Agency Negotiators: Interim City Manager Waterman, Interim City Attorney White, and Human Resources Director Del Real; Bargaining Units: AFSCME Local 2703 – Clerical Unit, Miscellaneous Unit, and Mid-Managers Group; and Atwater Police Officers Association**

RETURN TO OPEN SESSION: (Council Chambers)

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

CEREMONIAL MATTERS:

Certificates:

- **Atwater PAL Cadet Program**

**Recommendation:** That Mayor Price make the presentation to the City of Atwater Cadets and Advisors in recognition of their achievements in the 5<sup>th</sup> Annual Cadet/Explorer Competition.

Proclamation:

- **Arbor Day**

**Recommendation:** That Mayor Price present the proclamation to Nick Karastathas, on behalf of Tree Partners Foundation, recognizing April 27, 2018 as Arbor Day and recognizing the contributions of the Tree Partners Foundation to the City of Atwater.

PRESENTATIONS:

**Update regarding fiscal solvency efforts** (Interim City Manager Waterman)

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.

CALL FOR BIDS/RFPS:

1. **Approving Request for Proposals for Professional Auditing Services**  
(Deputy City Manager/Finance Director Deol)

**Recommendation:** Approval of Request for Proposals for Professional Auditing Services, and authorizes and directs staff to release the Request.

2. **Approving Request for Proposals for Managed Information Technology Services** (Deputy City Manager/Finance Director Deal)

**Recommendation:** Approval of Request for Proposals for Managed Information Technology Services, and authorizes and directs staff to release the Request.

3. **Request for Proposals for City Banking Services** (Deputy City Manager/Finance Director Deal)

**Recommendation:** Authorizes and directs staff to solicit and evaluate proposals from qualified banking institutions to provide the City banking services.

**AGREEMENTS:**

4. **Resolution approving Professional Services Agreement with VH Design Group, Inc. (VVH Consulting Engineers) for expanded engineering, surveying, and planning services** (Interim City Manager Waterman)

**Recommendation:** Adoption of Resolution No. 3026-18 authorizing the Interim City Manager to negotiate and execute a Professional Services Agreement, in a form approved by the Interim City Attorney, with VH Design Group, Inc., doing business as VVH Consulting Engineers, for expanded engineering, surveying, and planning services.

5. **Resolution approving Agreement for Management and Administrative Services with Regional Government Services Authority (RGS) and approving a budget amendment** (Interim City Manager Waterman)

**Recommendation:** Adoption of Resolution No. 3025-18 authorizing the Interim City Manager to negotiate and execute an Agreement for Management and Administrative Services, in a form approved by the Interim City Attorney, with Regional Government Services Authority (RGS), and approving Budget Amendment No. 12 in the amount of \$75,000.

**PUBLIC HEARINGS:**

6. **Waiving the first reading and introducing Ordinance No. CS 997 amending certain sections in Title 8 "Health and Safety" of the Atwater Municipal Code relating to personal cultivation of cannabis and medical marijuana** (Interim City Attorney White)

**Recommendation:** Open the public hearing and take any testimony given regarding Ordinance No. CS 997; and

Motion to waive the first reading and introduce Ordinance No. CS 997 amending Title 8 "Health and Safety" of the Atwater Municipal Code, repealing and replacing Chapter 8.52 "Personal Cultivation of Cannabis," and repealing Chapter 8.60 "Medical Marijuana" in its entirety; or

Motion to approve recommendation as presented.

7. **Waiving the first reading and introducing Ordinance No. CS 995 amending certain sections in Title 17 "Zoning" relating to cannabis regulations (Interim City Attorney White)**

**Recommendation:** Open the public hearing and take any testimony given regarding Ordinance No. CS 995; and

Motion to waive the first reading and introduce Ordinance No. CS 995 amending Title 17 "Zoning" of the Atwater Municipal Code amending Chapter 17.40 "Light Industrial Zone," Section 17.40.030 "Conditional Uses" and Chapter 17.42 "Industrial Zone," Section 17.42.030 "Conditional Uses" and repealing Chapter 17.75 "Specific Uses, Section 17.75.120 "Marijuana Cultivation, Nursery, Manufacturing, Testing, Transportation and Distribution" in its entirety; or

Motion to approve recommendation as presented.

8. **Waiving the first reading and introducing Ordinance No. CS 996 repealing and replacing Chapter 5.60 of the Atwater Municipal Code relating to Cannabis Business Pilot Program (Interim City Attorney White)**

**Recommendation:** Open the public hearing and take any testimony given regarding Ordinance No. CS 996; and

Motion to waive the first reading and introduce Ordinance No. CS 996 repealing Chapter 5.60 "Outdoor Cultivation of Marijuana" in its entirety of the Atwater Municipal Code and replacing it with "Cannabis Business Pilot Program;" or

Motion to approve recommendation as presented.

**INTERIM CITY ATTORNEY REPORTS:**

9. **Approving Request for Proposals for participation in the Atwater Cannabis Business Pilot Program (Interim City Attorney White)**

**Recommendation:** Motion to approve the Request for Proposals for participation in the Atwater Cannabis Business Pilot Program and to authorize and direct staff to release the Request; or

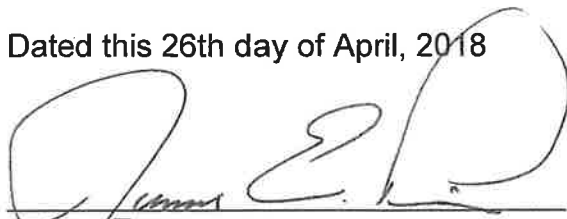
Motion to approve recommendation as presented.

CITY COUNCIL MATTERS:

City Council comments

ADJOURNMENT:

Dated this 26th day of April, 2018



James E. Price, Mayor

cc: Mayor  
City Council Members  
Atwater Signal/Merced Sun Star  
Atwater New Times