

**CITY OF ATWATER  
CITY COUNCIL,  
FIRE PROTECTION DISTRICT,  
AND  
SUCCESSOR AGENCY TO THE ATWATER  
REDEVELOPMENT AGENCY**

**Agenda**

Council Chambers  
750 Bellevue Road  
Atwater, California

**June 25, 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 Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(2)(d): 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 McClellan**

ROLL CALL: (City Council/Board of Directors/Governing Board)

**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 to remove items from the agenda or to change the order of the agenda.)

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

COMMENTS FROM THE PUBLIC:

**NOTICE TO THE PUBLIC**

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

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

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

CONSENT CALENDAR:

**NOTICE TO THE PUBLIC**

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

WARRANTS:

**1. June 25, 2018**

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

MINUTES: (City Council)

**2. a) Special meeting, May 29, 2018  
b) Regular meeting, May 29, 2018**

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

AGREEMENTS:

3. **Approving terms and conditions for the award of non-exclusive non-consensual Tow Service Agreements** (Interim Police Chief Echevarria)

**Staff's Recommendation:** Approval of terms and conditions of Tow Service Agreements.

RESOLUTIONS:

4. **Collection of annual levy for various Assessment Maintenance Districts for Fiscal Year 2018-19** (Deputy City Manager/Finance Director Deol)

**Staff's Recommendation:** Adoption of Resolution No. 3043-18 ordering the City's Assessment Engineer to prepare and file the Engineer's Reports for the collection of the proposed annual assessments for the Lighting and Drainage and Landscape Assessment Maintenance Districts for Fiscal Year 2018-19; and adoption of Resolution No. 3044-18 declaring the City's intention to levy and collect the annual assessments for various Assessment Maintenance Districts for Fiscal Year 2018-19, granting preliminary approval of the Engineer's Reports, and setting a public hearing date for said assessments for July 23, 2018.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

5. **Police Volunteer activities for the month of May, 2018** (Police Volunteer Vineyard)

PETITIONS AND COMMUNICATIONS:

6. **Request from Faxon Drive Neighborhood for 4<sup>th</sup> of July block party** (Scarlett Bettencourt)

**Staff's Recommendation:** Motion to approve the request from Faxon Drive Neighborhood, contingent upon certificate of liability coverage if necessary, to close a portion of Faxon Drive between 12:00 PM and 10:00 PM on Wednesday, July 4, 2018 for block party; or

Motion to approve staff's recommendation as presented.

7. **Request from White Pines Court Neighborhood for annual 4<sup>th</sup> of July block party** (Elena Ridge)

**Staff's Recommendation:** Motion to approve the request from White Pines Court Neighborhood, contingent upon receipt of certificate of liability coverage if necessary, to close White Pines Court between 4:00 PM and

12:00 AM on Wednesday, July 4, 2018 for annual block party; or

Motion to approve staff's recommendation as presented.

**8. Request from Soroptimist International of Atwater for assistance with annual Holiday Boutique Craft Show** (Marisa Nepote and/or Fran Barrett)

**Staff's Recommendation:** Motion to approve the request from Soroptimist International of Atwater for the use of the Community Center on November 3, 2018, at the reduced rate of \$400 for 2018 only, to hold their annual Holiday Boutique Craft Show; or

Motion to approve staff's recommendation as presented.

FUNDING AND BUDGET MATTERS:

**9. Treasurer's Report for the month of May, 2018** (City Treasurer Heller)

**Staff's Recommendation:** Motion to approve the Treasurer's Report for the month of May, 2018; or

Motion to approve staff's recommendation as presented.

**10. Verbal report regarding proceedings for utility (water and sewer) rate studies; 218 process** (Deputy City Manager/Finance Director Deol)

**Staff's Recommendation:** That the City Council, by motion, provide staff with direction regarding the proceedings for utility (water and sewer) rate studies.

CITY ATTORNEY REPORTS/UPDATES:

**11. Establishing two (2) member subcommittees for each ballot measure to be submitted to the City's qualified voters at the Statewide General Election on November 6, 2018**

- a) **Authorizing the City to establish a business license tax on cannabis businesses;**
- b) **Asking whether the position of Atwater City Clerk should be appointive, rather than elective; and**
- c) **Asking whether the position of Atwater City Treasurer should be appointive, rather than elective**

**Staff's Recommendation:** That the City Council, by motion, establish two (2) member subcommittees to formulate, execute, and submit the argument in favor of each ballot measure, and if necessary, to formulate, execute, and submit a rebuttal to any argument submitted against each measure.

REPORTS AND PRESENTATIONS FROM STAFF:

12. **Verbal report regarding Police Department Body Cameras** (Interim Police Chief Echevarria)

PUBLIC HEARINGS:

13. **Waiving the first reading and introducing Ordinance No. CS 998 amending Title 13 “Public Services,” Chapter 13.13 “Water Conservation Program” of the Atwater Municipal Code relating to watering schedule** (Interim Public Works Director Shaw)

**Staff’s Recommendation:** Open the public hearing and receive any testimony given regarding Ordinance No. CS 998; and

Motion to waive the first reading and introduce Ordinance No. CS 998 amending Title 13 “Public Services,” Chapter 13.13 “Water Conservation Program” of the Atwater Municipal Code relating to watering schedule; or

Motion to approve staff’s recommendation as presented.

14. **Amending Miscellaneous Fee Schedule** (Deputy City Manager/Finance Director Deol)

**Staff’s Recommendation:** Open the public hearing and receive any testimony given; and

Motion to adopt Resolution No. 3040-18 amending the Miscellaneous Fee Schedule; or

Motion to approve staff’s recommendation as presented.

15. **Adopting 2018-19 Fiscal Year Budget and approving Fund Expenditures and Fund Transfers; amending Classification Plan and approving Salary Schedule A-19, effective July 1, 2018** (Deputy City Manager/Finance Director Deol)

**Staff’s Recommendation:** Open the public hearing and receive any testimony given regarding the proposed 2018-19 Fiscal Year Budget; and review the proposed 2018-19 Fiscal Year Budget; and

Motion to adopt Joint Authority Resolution No. 3041-18, Resolution No. AAFP 3-2018, and Resolution No. SA 2018-3 adopting the 2018-19 Fiscal Year Budget with any modifications from the budget workshops and public hearing; and to adopt Resolution No. 3045-18 amending the City of Atwater Classification Plan and adopting the City of Atwater Salary Schedule A-19, effective July 1, 2018; or

Motion to approve staff's recommendation as presented.

**Alternative Recommendation:** If the City Council, Board of Directors, and Governing Board are not able to adopt Joint Authority Resolution No. 3041-18, Resolution No. AFPD 3-2018, and Resolution No. SA 2018-3 at this meeting, it is recommended that the City Council, Board of Directors, and Governing Board consider:

Motion to continue the public hearing to the regular City Council meeting of July 9, 2018; and

Adopt Joint Authority Resolution No. 3042-18, Resolution No. AFPD 4-2018, and Resolution No. SA 2018-4 authorizing the Interim City Manager to continue making required expenditures to meet current or immediate financial obligations relating to City operations until the 2018-19 Fiscal Year Budget is adopted; or

Motion to approve alternative recommendation as presented.

CITY COUNCIL MATTERS:

**City Council comments**

CLOSED SESSION:

**Continuation of Closed Session if necessary**

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City Clerk/Board Clerk/Board Secretary 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.

  
\_\_\_\_\_  
DON HYLER III, CITY CLERK/  
BOARD CLERK/BOARD SECRETARY

AB 23 NOTICE:

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

SB 343 NOTICE

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

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



*In compliance with the federal Americans with Disabilities Act of 1990, upon request, the agenda can be provided in an alternative format to accommodate special needs. If you require special accommodations to participate in a City Council, Commission or Committee meeting due to a disability, please contact the City Clerk's Office a minimum of three (3) business days in advance of the meeting at (209) 357-6204. You may also send the request by email to [kjennings@atwater.org](mailto:kjennings@atwater.org).*