

CITY OF ATWATER CITY COUNCIL

Council Chambers
750 Bellevue Road
Atwater, California

August 13, 2018

CALL TO ORDER:

5:00 PM

ROLL CALL:

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)**
- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: Interim City Manager Waterman**

**Property Location: APN 056-241-005
APN 156-330-016
APN 156-330-034**

- **Pursuant to Government Code Section 54957(b)(1), Public Employee Performance Evaluation – Interim City Manager**

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Mead

ROLL CALL:

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.

CEREMONIAL MATTERS:

Certificates:

- 4th of July Activities

Staff's Recommendation: That Mayor Price recognize the 4th of July Committee, Police Activities League, and Police Volunteers for their efforts with this year's 4th of July celebrations.

- 4th of July Committee Member Retirement

Staff's Recommendation: That Mayor Price recognize 4th of July retiring Committee Member, Greg McDaniel, for his years of service and dedication to the community of Atwater by ensuring many successful 4th of July celebrations.

Proclamation:

- National Health Center Week

Staff's Recommendation: That Mayor Price proclaim the week of August 12th – 18th National Health Center Week in the City of Atwater and present the proclamation to Ruben Chavez, Chief of Operations, Golden Valley Health Centers.

PRESENTATIONS:

- Monthly verbal report by Merced County District 3 Supervisor McDaniel

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

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

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

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

CONSENT CALENDAR:

NOTICE TO THE PUBLIC

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

WARRANTS:

1. August 13, 2018

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. July 9, 2018 Regular meeting

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. May 14, 2018

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:

4. Declaring the City's opposition of the approval of the State Water Resources Control Board's Bay-Delta Draft Final Substitute Environmental Document and Water Quality Plan as proposed (Interim City Manager Waterman)

Staff's Recommendation: Adoption of Resolution No. 3055-18 opposing the approval of the State Water Resources Control Board's Bay-Delta Draft Final Substitute Environmental Document and Water Quality Plan as proposed; and authorizing and directing the Interim City Manager to transmit a certified copy of the resolution to the State Water Resources Control Board 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) 357-6204).

5. Claim No. 2018-8

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2018-8 be rejected.

6. Claim No. 2018-9

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2018-9 be rejected.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

7. Police Department activities and projects for the month of July 2018 (Interim Police Chief Bessinger)

8. Police Volunteer activities for the month of July 2018 (Police Volunteer Vineyard)

9. Fire Department activities and projects for the month of July 2018 (CAL FIRE Battalion Chief Wight)

PUBLIC HEARINGS:

10. 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program application and Budget Amendment (Interim Police Chief Bessinger)

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

Motion to adopt Resolution No. 3052-18 authorizing submittal of an application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and authorizing and directing the Interim City Manager to execute the application, Grant Agreement, amendments, and all documents related to the grant, on behalf of the City, including administration, if awarded; and to adopt Resolution No. 3054-18, approving Budget Amendment No. 1 regarding 2018 Bureau of Justice Assistance Local JAG Program Funding; or

Motion to approve staff's recommendation as presented.

11. Amending Miscellaneous Fee Schedule (Finance Director Deol)

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

Motion to adopt Resolution No. 3046-18 amending the Miscellaneous Fee Schedule; or

Motion to approve staff's recommendation as presented.

INTERIM CITY MANAGER REPORTS/UPDATES:

12. Verbal update regarding Fiscal Solvency Efforts and Joint Legislative Audit Committee (JLAC) update

13. Resolution approving City of Atwater Social Media Use and Public Outreach Policy

Staff's Recommendation: Motion to adopt Resolution No. 3056-18 approving Social Media Use and Public Outreach Policy; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

City Council comments

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, 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.



DON HYLER III, CITY 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) 357-6204. You may also send the request by email to jdellreal@atwater.org.