

CITY OF ATWATER

CITY COUNCIL

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

February 12, 2018

CALL TO ORDER:

5:30 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Creighton____, Raymond ____ , Vierra____, Vineyard ____ , Price____

CLOSED SESSION:

Adjourn to Conference Room A

Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: Interim City Manager de Werk and Human Resources Director Del Real; Bargaining Unit: Atwater Police Officers Association

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)

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.)

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

CEREMONIAL MATTERS:

Marines of the Central California Veterans to present the U.S. Marines Combat Fighting Knife to the City of Atwater for their continued support of veterans and observance of the 242nd Birthday of the United States Marine Corps. (Gary Brice, Central California Veterans)

PRESENTATIONS:

- **Monthly verbal report by Merced County District 3 Supervisor McDaniel**
- **Report by Scott Malta, Castle Airport Manager, Use and Regulation of Drones**

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. **February 12, 2018**

Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. Regular meeting, January 8, 2018

Recommendation: Approval of minutes as listed.

MINUTES: (Community Development and Resources Commission)

**3. Regular meeting, November 15, 2017
Special meeting, January 4, 2018**

Recommendation: Acceptance of minutes as listed.

AGREEMENTS:

4. Resolution No. 3015-18 approving the Atwater Police Activities League Lease Agreement and Validation of Certificates of Liability Insurance (Interim City Manager de Werk)

Recommendation: Adoption of Resolution No. 3015-18 approving Lease Agreement and Validation of Certificates of Liability Insurance, in a form approved by the City Attorney, with the Atwater Police Activities League, and authorizes and directs the Interim City Manager to sign the Agreement on behalf of the City.

5. Approving Lease and Operating Agreements with Atwater Historical Society for use of Bloss House and grounds (Recreation Supervisor Rahn)

Recommendation: Approval of Lease Agreement and Operating Agreement, in a form approved by the City Attorney, with the Atwater Historical Society for the use of the Bloss House and grounds; and authorizes and directs the Interim City Manager to sign the Agreements on behalf of the City.

6. Awarding a cooperative purchase agreement for purchase of one (1) new 2018 Vermeer SC60TX Stump Cutter (Interim Public Works Director Shaw)

Recommendation: Awarding a cooperative purchase agreement, in a form approved by the City Attorney, to Vermeer RDO Equipment Company Fowler, California for the purchase of one (1) new 2018 Vermeer SC60TX Stump Cutter in an amount not to exceed **\$58,742.80**; and authorizes and directs the Interim City Manager to execute the purchase agreement on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

7. **Waiving the second reading and adopting Ordinance No. CS 992 amending Chapter 12.32 of the Atwater Municipal Code entitled "Trees"** (Interim Community Development Director Waterman)

Recommendation: Waives the second reading and adopts Ordinance No. CS 992 amending Chapter 12.32 of the Atwater Municipal Code entitled "Trees".

RESOLUTIONS:

8. **Accepting ownership transfer of 2007 Cargo Trailer from Merced County Fire Department to City of Atwater Police Department** (Interim Community Development Director Waterman)

Recommendation: Adopts Resolution No. 3014-18 accepting ownership transfer of 2007 Wells Fargo Cargo Trailer, Model RF7162 (VIN# 1W4200G2177015438) from Merced County Fire Department to City of Atwater Police Department.

9. **Authorizing the issuance of Wastewater Revenue Refunding Bonds; authorizing and directing execution of an Indenture of Trust, Continuing Disclosure Agreement, Escrow Agreements and a Bond Purchase Contract; authorizing the sale of bonds; approving an Official Statement; and providing other matters properly relating thereto** (Finance Director Deol)

Recommendation: Adopts Resolution No. 3013-18, authorizing the issuance of not to exceed \$18,000,000 in the principal amount of Wastewater Revenue Refunding Bonds (the "2018 Bonds") and authorizing the execution of an Indenture of Trust, Continuing Disclosure Agreement, Escrow Agreements, Bond Purchase Contract and form of the Official Statement required for the refinancing of the 2008 Wastewater Revenue Bonds.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

10. **Police Department activities and projects for the month of January 2018** (Interim Police Chief Echeverria)
11. **Police Volunteer activities for the month of January 2018** (Police Volunteer Vineyard)
12. **Fire Department activities and projects for the month of January 2018** (CAL FIRE Battalion Chief Wight)
13. **Water Well Levels for the month of January 2018 and Water Well Levels for calendar year 2017** (Interim Public Works Director Shaw)

PUBLIC HEARINGS:

- 14. Waiving first reading and introducing Ordinance No. CS 993 amending Chapter 2.0 of the Atwater Municipal Code entitled “City Parks,” Title 12 “Streets, Sidewalks and Public Places,” Section 12.08.010 “Prohibited Hours” (Interim Public Works Director Shaw)**

Recommendation: Open the public hearing and receive any testimony given regarding Ordinance CS 993; and

Motion to waive the first reading and introduce Ordinance No. CS 993 amending Chapter 2.0 of the Atwater Municipal Code entitled “City Parks,” Title 12 “Streets, Sidewalks and Public Places,” Section 12.08.010 “Prohibited Hours,” or

Motion to approve the recommendation as presented.

- 15. Declaring the City’s intent to convey City owned real property located at 3116 Virginia Street (Interim Community Development Director Waterman)**

Recommendation: Open the public hearing and receive any testimony given; and Motion to adopt Resolution No. 3011-18 conveying City owned real property located at 3116 Virginia Street, Assessor’s Parcel No. 150-065-010; or

Motion to approve the recommendation as presented.

INTERIM CITY MANAGER REPORT/UPDATES:

- 16. Verbal update regarding a Consultant for Police Management Audit**
- 17. Verbal update regarding proposed reorganization of the Community Development and Resources Commission (Interim City Manager de Werk)**

REPORTS AND PRESENTATIONS FROM STAFF:

- 18. Verbal update regarding Business Licenses (Chief Building Official Pereida)**

CITY COUNCIL MATTERS:

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

Adjourn in memory of William “Bill” Garrison.

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.



DON HYLER III, CITY CLERK/BOARD CLERK

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.

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. You may also send the request by email to lrasmussen@atwater.org.