

**CITY OF ATWATER
CITY COUNCIL
AND
SUCCESSOR AGENCY TO THE ATWATER
REDEVELOPMENT AGENCY**

Council Chambers
750 Bellevue Road
Atwater, California

March 26, 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 – Anticipated Litigation – Significant exposure to litigation pursuant to Section 54956.9(2)(3)(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/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/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.

PRESENTATIONS:

- **LOVE ATWATER - celebrating 10 years of volunteerism in the City of Atwater - overview of projects and other achievements** (Gloria Perez)

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 26, 2018**

Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **a) Regular meeting, February 12, 2018**
b) Special meeting, February 21, 2018
c) Regular meeting, February 26, 2018

Recommendation: Approval of minutes as listed.

AGREEMENTS:

3. **Making a finding that the Fruitland Avenue Reconstruction Project and Storm Drainage Pump Station located at Fruitland Avenue to be Categorically Exempt under CEQA, adopting Resolution No. 3021-18 approving Budget Amendment No. 10 regarding FY 2017-18 Gas Tax Fund (RSTP), and approving Professional Services Agreements with VVH Consulting Engineers (VVHCE) for additional Engineering Services for Fruitland Avenue Reconstruction Project and Storm Drainage Pump Station proposal for Fruitland Avenue** (Interim Community Development Director Waterman)

Recommendation: That the City Council make the finding that the project is Categorically Exempt under CEQA and adopt Resolution No. 3021-18 approving Budget Amendment No. 10 regarding FY 2017-18 Gas Tax Fund (RSTP); and

Approve Professional Services Agreement, in a form approved by the Interim City Attorney, with VVH Consulting Engineers (VVHCE) for additional Engineering Services for Fruitland Avenue Reconstruction Project in an amount not to exceed \$28,150 (the "Professional Services Agreement"); and

Approve Professional Services Agreement, in a form approved by the Interim City Attorney, with VVH Consulting Engineers (VVHCE) for Storm Drainage Pump Station at Fruitland Avenue Reconstruction Project in an amount not to exceed \$35,200 (the "Professional Services Agreement"); and

Authorize and direct the Interim City Manager to execute the Professional Services Agreements on behalf of the City; or

Approve the recommendation as presented.

4. **Awarding a contract for the purchase of one (1) new Iteris 2 Camera/2 Vector System for the Shaffer Road/Atwater Boulevard intersection** (Interim Public Works Director Shaw)

Recommendation: Awards a contract, in a form approved by the City Attorney, to JAM Services, Inc., Livermore, CA for the purchase of one (1) new Iteris 2 Camera/2 Vector System in an amount not to exceed **\$29,319.51 including delivery and sales taxes**; and authorizes and directs the Interim City Manager to execute the contract on behalf of the City.

RESOLUTIONS:

5. **Approving Budget Amendment No. 11 Amending 2017- 18 Fiscal Year Budget regarding Measure V transfer adjustment based on the required 20% set-a-side requirement for Alternative Mode Projects** Interim Community Development Director Waterman)

Recommendation: Adopt Resolution No. 3022-18, approving Budget Amendment No. 11 amending 2017-18 Fiscal Year Budget regarding Measure V transfer adjustment based on the most recent budget analysis.

6. **Declaring two vehicles surplus and donating and transferring ownership of a 1995 Challenger Motor Home and a 2002 Ford Explorer XLS from the City of Atwater to the Atwater Police Activities League Program** (Interim Police Chief Echevarria)

Recommendation: Adoption of Resolution No. 3023-18 and declaring two vehicles, a 1995 Challenger Motor Home (VIN# 1GBJP37N3S3330353) and a 2002 Ford Explorer XLS (VIN# 1FMZU72E72ZA36744) surplus, donate and transfer ownership from the City of Atwater to the Atwater Police Activities League Program and authorizes and directs the Interim City Manager to execute the documents on behalf of the City.

REPORTS:

7. **Accepting and Filing City of Atwater Housing Successor Agency Annual Report for Fiscal Year 2016-17 with Housing and Community Development (HCD)** (Interim Community Development Director Waterman)

Recommendation: The City Council accept and file the City of Atwater Housing Successor Agency Annual Report for Fiscal Year 2016-17 with HCD.

BUDGET AND FUNDING MATTERS:

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

Recommendation: Approve the Treasurer's Report for the month of March, 2018 as presented.

9. **Adoption of Fiscal Year 2016-2017 audited Financial Statements** (Finance Director, Deol)

Recommendation: Adoption of Fiscal Year 2016-2017 audited Financial Statements.

PUBLIC HEARINGS:

10. **Waiving the first reading and introducing Ordinance No. CS 994 amending Title 13 “Public Services” Chapter 13.13 “Water Conservation Program,” Subsection 13.13.030, subsection 11 of the Atwater Municipal Code (Interim Community Development Director Waterman)**

Recommendation: Open the public hearing and receive any testimony given regarding Ordinance No. CS 994; and

Motion to waive the first reading and introduce Ordinance No. CS 994 amending Title 13, “Public Services” Chapter 13.13 “Water Conservation Program” Section 13.13.030, Subsection 11 of the Atwater Municipal Code; or

Motion to approve the recommendation as presented.

INTERIM CITY MANAGER REPORTS/UPDATES:

11. **Ratifying Employment Agreements with the Deputy City Manager/Finance Director and Deputy City Manager**

Recommendation: It is recommended that the City Council:

Ratify the Employment Agreement, in a form approved by the Interim City Attorney, for Deputy City Manager/Finance Director Lakhwinder Deol;

Ratify the Employment Agreement, in a form approved by the Interim City Attorney, for Deputy City Manager Lori Waterman; and

Authorize and direct the Interim City Manager to execute the Agreements on behalf of the City.

12. **Verbal report regarding Spring Clean Up Day cancellation issues**

CITY COUNCIL MATTERS:

13. **Discussion regarding any inclusions or exclusions to the newly created City of Atwater, City Official’s Handbook with possible adoption thereof (Mayor Pro Tem Vineyard)**

Recommendation: That the City Council, by motion, provide staff with direction regarding any inclusions or exclusions to the City of Atwater, City Official’s Handbook.

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

Adjourn to Atwater Community Center, Jessie Frago Room, 760 East Bellevue Road, Atwater on Wednesday, March 28, 2018 at 2:00 PM to hold a study session regarding the City of Atwater Organizational Restructure Project, Positioning the City for Financial Solvency: Phase Two of Two

Recommendation: That the City Council, by motion, adjourn to a Study Session on March 28, 2018 at 2:00 PM.

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 Housing Successor Agency 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) 357-6205. You may also send the request by email to lasmussen@atwater.org.