

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

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

January 22, 2018

CALL TO ORDER:

5:00 PM

ROLL CALL: (City Council)

Creighton _____, Raymond _____, Vierra _____, Vineyard _____, Price_____

CLOSED SESSION:

Adjourn to Conference Room A

- Pursuant to Government Code Section 54957(b)(1), Public Employee Performance Evaluation – City Attorney (Contract Review for Professional Services)
- 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/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.)

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. January 22, 2018

Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. Special meeting, January 8, 2018

Recommendation: Approval of minutes as listed.

AGREEMENTS:

3. Resolution approving Agreement for Special Services with Merced County for law enforcement communication services (Police Chief Joseph)

Recommendation: Adoption of Resolution No. 3004-18 approving an Agreement for Special Services, in a form approved by the City Attorney, with Merced County, in an amount not to exceed \$40,800, for law enforcement communication services, and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

4. **Approving Professional Services Agreement with Rosenow Spevacek Group, Inc. (“RSG”) for Fiscal Year 2018/19 for Successor Agency consulting services** (Interim Community Development Director Waterman)

Recommendation: Approval of Professional Services Agreement, in a form approved by the City Attorney, for FY 2018/19 Successor Agency consulting services to RSG, Inc. of Santa Ana, California in an amount not to exceed \$25,000; and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

RESOLUTIONS:

5. **Declaring the City’s intent to convey City owned real property located at 3116 Virginia Street and setting a public hearing for February 12, 2018** (Interim Community Development Director Waterman)

Recommendation: Adoption of Resolution No. 3003-17 declaring the City’s intent to convey City owned real property located at 3116 Virginia Street, Assessor’s Parcel No. 150-065-010, and sets a public hearing for February 12, 2018.

PETITIONS AND COMMUNICATIONS:

6. **Request from Valley Children’s Hospital for Annual Kids Day Fundraiser**

Recommendation: Approval of request from Valley Children’s Hospital to hold their 31st Annual Kids Day Newspaper Sales at various locations within the city limits of the City of Atwater on March 6, 2018 from 5:00 AM through 3:00 PM.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

7. **Police Volunteer activities for the month of December, 2017** (Police Volunteer Vineyard)

FUNDING AND BUDGET MATTERS:

8. **Treasurer’s Report for the month of December, 2017** (City Treasurer Heller)

Recommendation: Motion to approve the Treasurer's Report for the month of December, 2017.

PUBLIC HEARINGS:

9. **Waiving the first reading and introducing Ordinance No. CS 992 amending Chapter 12.32 of the Atwater Municipal Code entitled "Trees;" and adopting Resolution 3000-17 Urban Forest Tree Master Plan** (Interim Community Development Director Waterman)

Recommendation: Open the public hearing and receive any testimony given regarding Ordinance No. CS 992; and

Motion to waive the first reading and introduce Ordinance No. CS 992 amending Chapter 12.32 of the Atwater Municipal Code entitled "Trees;" and to adopt Resolution No. 3000-17 adopting the 2018 Urban Forest Tree Master Plan; or

Motion to approve the recommendation as presented.

INTERIM CITY MANAGER REPORTS/UPDATES:

10. **Verbal report regarding potential restructuring of the Community Development and Resources Commission**
11. **Request for a POST-level background investigation of Interim City Manager**

Recommendation: That the City Council, by motion, authorize and direct the City Attorney to retain an independent firm or organization to conduct an employment POST-level background investigation of Interim City Manager de Werk.

CITY COUNCIL MATTERS:

12. **City Council comments**

ADJOURNMENT:

CERTIFICATION:

I, Don Hyler III, City 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.

_____ /s/ Don Hyler III _____
DON HYLER III, CITY 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 357-6205. You may also send the request by email to lrasmussen@atwater.org.