

CITY OF ATWATER

CITY COUNCIL

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

October 14, 2019

CALL TO ORDER:

5:00 PM

ROLL CALL:

Ambriz ____ , Cale ____ , Raymond ____ , Vierra ____ , Creighton ____

CLOSED SESSION:

Adjourn to Conference Room A

- **Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: City Manager Waterman, Interim City Attorney Sanchez, and Human Resources Director Del Real; Bargaining Unit: Atwater Police Officers Association**
- **Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9: Name of case: City of Atwater vs. Shell Oil Company et. al., Case No. SCVSS120627**
- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases: (1)**

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Rich Miller

ROLL CALL:

Ambriz ____, **Cale** ____, **Raymond** ____, **Vierra** ____, **Creighton** ____

MAYOR OR INTERIM 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:

- Eduardo Velasquez

Staff's Recommendation: That Mayor Creighton recognize Atwater resident Eduardo Velasquez for reaching 100 years of life.

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. **October 14, 2019**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **September 23, 2019 – Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. **May 28, 2019 – Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

AGREEMENTS:

- 4. Awarding General Construction Contract for Fruitland Avenue Reconstruction – Phase I** (General Services Manager Pereida)

Staff’s Recommendation: Awards a General Construction Contract, in a form approved by the Interim City Attorney, to Taylor Backhoe Service, Inc., Merced, California, in the amount not to exceed \$145,744.61 for Fruitland Avenue Reconstruction – Phase 1, Project No. 16-2-1, Bid Call No. 681-19; and authorizes and directs the City Manager to execute the Contract on behalf of the City.

- 5. Declaring Sun Ridge CAD/RMS system a sole source item and a unique cost savings opportunity, and approving a Software Lease-Purchase Agreement with Sun Ridge Systems for the lease-purchase of a Law Enforcement Computer Aided Dispatch and Records Management System** (Police Chief Salvador)

Staff’s Recommendation: Declares Sun Ridge CAD/RMS system a sole source purchase item and finds it to be a unique cost-savings opportunity for the City, exempting the purchase from centralized purchasing pursuant to Atwater Municipal Code section 3.04.110; approves a five-year Lease-Purchase Agreement, in a form approved by the Interim City Attorney, with Sun Ridge Systems, El Dorado Hills, California, in the amount not to exceed \$568,005 (\$113,601 each year) for the lease-purchase of Computer Aided Dispatch and Records Management System; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

- 6. Approving Memorandum of Understanding between the Fresno County Sheriff’s Office and the Atwater Police Department regarding California High Intensity Drug Trafficking Area** (Police Chief Salvador)

Staff’s Recommendation: Approval of a Memorandum of Understanding, in a form approved by the Interim City Attorney, between the Fresno County Sheriff’s Office and City of Atwater Police Department regarding California High Intensity Drug Trafficking Area (HIDTA) Task Force; and authorizes and directs the City Manager to execute the Memorandum of Understanding on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

- 7. Waiving second reading and adopting ordinance making the environmental finding and approving “Amendment to the Commercial and Industrial Design Guidelines”** (Senior Planner Thompson, VVH)

Staff’s Recommendation: Waives the second reading and adopts Ordinance No. CS 1018 making the finding that the project is categorically exempt and approving “Amendment to the Commercial and Industrial Design Guidelines.”

8. **Waiving second reading and adopting ordinance making the environmental finding and repealing Chapter 2.20 “Redevelopment Agency and Plan,” amending Title 17 “Zoning” to add Chapter 17.43 “Downtown Business District Zone” of the Atwater Municipal Code, and approving a zone change for property located in the Broadway Corridor from Central Commercial (C-C), Residential Transition (R-T), and Low-Density Residential (R-1) to Downtown Business District Zone (D-BD) (Senior Planner Thompson, VVH)**

Staff’s Recommendation: Waives the second reading and adopts Ordinance No. CS 1017 making the finding that the project is categorically exempt, repealing Chapter 2.20 “Redevelopment Agency and Plan,” amending Title 17 “Zoning” to add Chapter 17.43 “Downtown Business District Zone” of the Atwater Municipal Code, and approving a zone change for property located no further west of Winton Way, no further east of Shaffer Road, no further south than Atwater Boulevard, and no further north than Cedar Avenue from Central Commercial (C-C), Residential Transition (R-T), and Low-Density Residential (R-1) to the Downtown Business District Zone (D-BD).

PRESENTATIONS:

9. **Presentation by FM3 regarding polling results, and discussion and possible action regarding placement of a Public Safety Use Tax ballot measure on the March 3, 2020 Presidential Primary Election**

Staff’s Recommendation: That the City Council, by motion, provide direction regarding placement of a Public Safety Use Tax ballot measure on the March 3, 2020 Presidential Primary Election.

PUBLIC HEARINGS:

10. **2019 Edward Byrne Memorial Justice Assistance Grant (JAG) and resolution approving Budget Amendment related to the grant (Police Chief Salvador)**

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

Close the public hearing;

Motion to adopt Resolution No. 3114-19 authorizing grant application submittal and acceptance of the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance’s 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and authorizing and directing the 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. 3115-19 approving Budget Amendment No. 2 regarding 2019 Bureau of Justice Assistance Local JAG Program funding; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

- 11. Verbal update regarding 1,2,3-TCP water treatment** (Water Systems Shift Operator Vinson)

CITY MANAGER'S REPORTS/UPDATES:

- 12. Resolution authorizing submittal of grant application for San Joaquin Air Pollution Control District Charge Up Vehicle Charger Incentive Program and Alternative Fuel Mechanic Training Incentive Component** (City Manager Waterman, Police Chief Salvador, and Public Works Director Haddix)

Staff's Recommendation: Motion to adopt Resolution No. 3116-19 authorizing submittal of grant application for the San Joaquin Air Pollution Control District Charge Up Vehicle Charger Incentive Program; to adopt Resolution No. 3117-19 authorizing submittal of grant application for the San Joaquin Air Pollution Control District Alternative Fuel Mechanic Training Incentive Component; and to authorize and direct the City Manager to execute all documents on behalf of the City.

REPORTS FROM MAYOR AND CITY MANAGER:

- **Verbal update regarding Take Back Our Neighborhood project held October 12, 2019**
- **Discussion and possible action regarding an "Adopt a City Entrance" program** (Mayor Creighton and City Council Member Cale)

Recommendation: That the City Council, by motion, provide staff with direction regarding an "Adopt a City Entrance" program.

- **Discussion and possible action regarding assigning an Ad Hoc Committee for Public Works Facility Improvement Project**

Recommendation: That the City Council, by motion, provide staff with direction regarding assigning an Ad Hoc Committee for Public Works Facility Improvement Project.

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

At this time any person may comment on any item which is not on the agenda. You may state your name and address for the record; however, it is not required. 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. Please limit comments to a maximum of three (3) minutes.

CITY COUNCIL MATTERS:

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

In memory of CAL FIRE Captain Paul Vincent Rotondaro

CERTIFICATION:

I, Lucy Armstrong, 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.



LUCY ARMSTRONG
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.



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