

CITY OF ATWATER CITY COUNCIL

Agenda for the Outgoing Atwater City Council

Council Chambers
750 Bellevue Road
Atwater, California

December 10, 2018

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 ____

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:

- **Presentation of plaque to James Vineyard for his years of service as City Council Member to the City of Atwater**

Staff's Recommendation: That City Manager Waterman make the presentation to James Vineyard.

- **Presentation of plaque to James Price for his years of service as Mayor to the City of Atwater**

Staff's Recommendation: That City Manager Waterman make the presentation to James Price.

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.

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.

MINUTES: (City Council)

1.
 - a) **May 30, 2017 – Joint Special meeting**
 - b) **October 22, 2018 – Regular meeting**
 - c) **November 13, 2018 – Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

NOVEMBER 6, 2018 ELECTION RESULTS:

2. **Resolution certifying the canvassing of votes in the November 2018 General Municipal Election (City Clerk Hyler III)**

Staff's Recommendation: Motion to adopt Resolution No. 3062-18 certifying the canvassing of votes in the November 2018 General Municipal Election; or

Motion to approve staff's recommendation as presented.

CITY COUNCIL MATTERS:

Outgoing City Council comments

ADJOURNMENT:

Adjourn the outgoing City Council to a brief reception honoring the outgoing and incoming members of the City Council.

The incoming City Council will convene immediately following the brief reception.

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 kjennings@atwater.org.

CITY OF ATWATER CITY COUNCIL

Agenda for the Incoming Atwater City Council

Council Chambers
750 Bellevue Road
Atwater, California

December 10, 2018



REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

(Convene the incoming City Council immediately following the brief reception)

ROLL CALL:

Ambriz _____, Raymond _____, Vierra _____, Vacant _____, Creighton _____

OATH OF OFFICE:

- **City Council Member Danny Ambriz, District 3**
- **City Council Member Brian Raymond, District 4**
- **Mayor Paul Creighton**

Staff's Recommendation: That the oath of office be administered to newly elected City Council Members Danny Ambriz and Brian Raymond, and to newly elected Mayor Paul Creighton.

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.

COMMENTS FROM THE PUBLIC:

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WARRANTS:

1. a) **November 27, 2018**
b) **December 10, 2018**

Staff's Recommendation: Approval of warrants as listed.

AGREEMENTS:

2. **Approving Master Measure V Regional Project Funding Agreement, and approving Measure V Regional Project Funding Agreement for the Winton Way Reconstruction Project – Phase I and making the finding that the Project is categorically exempt from CEQA (General Services Manager Pereida)**

Staff's Recommendation: Approval of Master Measure V Regional Project Funding Agreement, in a form approved by the City Attorney, with Merced County Association of Governments (MCAG), and the Measure V Regional Project Funding Agreement for the Winton Way Reconstruction Project – Phase 1 with MCAG; makes the finding that the Winton Way Reconstruction Project – Phase 1 actions are categorically exempt from CEQA; and authorizes and directs the City Manager to execute all documents on behalf of the City.

3. **Awarding contract for Juniper Avenue Pedestrian and Bike Path Infill Project (General Services Manager Pereida)**

Staff's Recommendation: Awards a General Construction Contract, in a form approved by the City Attorney, for Juniper Avenue Pedestrian and Bike Path Infill Project, City Project No. 14-3, to Taylor Backhoe Service, Inc. of Merced, California, in the amount of \$148,112.86; and authorizes and directs the City Manager to execute the Contract on behalf of the City.

RESOLUTIONS:

4. **Amending Classification Plan and adopting Salary Schedule B-19 (City Manager Waterman and Human Resources Director Del Real)**

Staff's Recommendation: Adoption of Resolution No. 3063-18 amending the City of Atwater Classification Plan and adopts Salary Schedule B-19 with designated modifications to be effective December 27, 2018.

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. 2018-13

Staff's Recommendation: After consideration and investigation, it is staff's recommendation that Claim No. 2018-13 be rejected.

OTHER ACTIONABLE ITEMS:

6. Amending 2019 Regular Meeting Schedule

Staff's Recommendation: Motion to amend the 2019 Regular Meeting Schedule to cancel the second meeting in November and December; when regular meetings are cancelled, to authorize the Mayor and City Manager to sign any documents required to maintain essential City services. Said documents shall be reviewed by the City Attorney and be scheduled for ratification of the entire City Council at the next regularly scheduled City Council meeting.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

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

8. Fire Department activities and projects for the month of November, 2018
(CAL FIRE Battalion Chief Wight)

REPORTS AND PRESENTATIONS FROM STAFF:

9. Authorization to proceed with Proposition 218 Notice for water and wastewater services and setting a public hearing for January 28, 2018 (City Manager Waterman and Finance Director Deol)

Staff's Recommendation: Motion to authorize staff to proceed with a Proposition 218 Notice for water and wastewater services and setting a public hearing for January 28, 2018; or

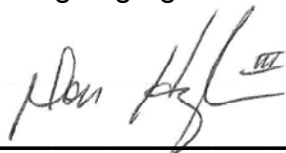
Motion to approve staff's recommendation as presented.

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

ADJOURNMENT:

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