

CITY OF ATWATER CITY COUNCIL

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

February 11, 2019

5:00 PM

CALL TO ORDER:

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, City Attorney White, and Human Resources Director Del Real; Bargaining Units: Atwater Police Officers Association; AFSCME Local 2703 – Miscellaneous Unit, Clerical Unit, and Mid-Management Unit; and Unrepresented**
- **Pursuant to Government Code Section 54957, Public Employee Appointment: Police Chief**
- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(4): Number of cases: (3)**
- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: City Manager Waterman**

Property Location: APN 031-164-002
A portion of APN 056-241-005
APN 056-330-016
APN 056-330-034

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Motz

ROLL CALL:

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

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.

PRESENTATIONS:

- **Monthly verbal report by Merced County District 3 Supervisor McDaniel**

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 three (3) minutes.

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 11, 2019**

Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. January 28, 2019 – Regular meeting

Recommendation: Approval of minutes as listed.

PUBLIC HEARINGS:

3. Ordinance approving the Aegle Commodities, Inc. Development Agreement regarding Cannabis Business Pilot Program; property location 240 Airpark Road, Atwater (City Attorney White)

Recommendation: Open the public hearing and receive any testimony given; close the public hearing; and

Motion to waive the first reading and introduce Ordinance No. CS 1002 approving a Development Agreement, in a form approved by the City Attorney, with Aegle Commodities, Inc., Cannabis Business Pilot Program Tracking No. 04-262-18, property location 240 Airpark Road, Atwater; and authorizes and directs the City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

4. Ordinance approving the Bang Mingo, LLC Development Agreement regarding Cannabis Business Pilot Program; property location 1780 Bell Lane, Atwater (City Attorney White)

Recommendation: Open the public hearing and receive any testimony given; close the public hearing; and

Motion to waive the first reading and introduce Ordinance No. CS 1003 approving a Development Agreement, in a form approved by the City Attorney, with Bang Mingo, LLC, Cannabis Business Pilot Program Tracking No. 12-262-18, property location 1780 Bell Lane, Atwater; and authorizes and directs the City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

5. Resolution amending City of Atwater Classification Plan and adopting Salary Schedule C-19; and determining the mechanism for delivery of Information Technology Services

Recommendation: Motion to adopt Resolution No. 3070-19 amending the City of Atwater Classification Plan and adopting Salary Schedule C-19 with designated modification to be effective February 21, 2019; and to authorize and direct the City Manager to facilitate a mid-year adjustment to Fiscal Year 2018/19 to include the position and funding for an Information Technology (IT) Manager; **OR**

Motion to authorize and direct the City Manager to initiate the process to release a Request for Proposals for contract IT services.

6. Ratification of Police Chief Employment Agreement

Recommendation: That the City Council, by motion, ratify Police Chief Employment Agreement, in a form approved by the City Attorney, with Michael Salvador; and authorize and direct the City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

7. Discussion and possible action regarding dissolving the Community Development and Resources Commission

Recommendation: That the City Council, by motion, provide staff with direction regarding dissolving the Community Development and Resources Commission.

CITY COUNCIL MATTERS:

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

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.



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.