

# CITY OF ATWATER CITY COUNCIL

## Agenda

Council Chambers  
750 Bellevue Road  
Atwater, California

**July 23, 2018**

CALL TO ORDER:

**5:00 PM**

ROLL CALL:

**Creighton \_\_\_\_ , Raymond \_\_\_\_ , Vierra \_\_\_\_ , Vineyard \_\_\_\_ , Price \_\_\_\_**

CLOSED SESSION:

Adjourn to Conference Room A

- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(2)(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:

**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.)

**Staff's Recommendation:** Motion to approve agenda as posted or as amended.

**CEREMONIAL MATTERS:**

- Police Volunteer of the Year

**Staff's Recommendation:** That Mayor Price recognize Police Volunteer of the Year, Gordon Wilkinson.

- Police Volunteer Retirement

**Staff's Recommendation:** That Mayor Price recognize retiring Police Volunteer Don Martin for his service to the City of Atwater, the Atwater Police Department, and the Atwater Volunteers in Police Service (AVIPS).

- 4<sup>th</sup> of July Activities

**Staff's Recommendation:** That Mayor Price recognize the 4<sup>th</sup> of July Committee, Police Activities League, and Police Volunteers for their efforts with this year's 4<sup>th</sup> of July celebration.

- 4<sup>th</sup> of July Committee Member Retirement

**Staff's Recommendation:** That Mayor Price recognize 4<sup>th</sup> of July retiring Committee Member Greg McDaniel for his years of service and dedication to the community of Atwater by ensuring many successful 4<sup>th</sup> of July celebrations.

**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. July 23, 2018**

**Staff's Recommendation:** Approval of warrants as listed.

**MINUTES:** (City Council)

- 2. a) Regular meeting, June 11, 2018**
- b) Regular meeting, June 25, 2018**
- c) Adjourned meeting, June 27, 2018**

**Staff's Recommendation:** Approval of minutes as listed.

**AGREEMENTS:**

- 3. Resolution approving Program Supplement Agreement and authorizing the Interim City Manager to execute all documents relating to Aileen Colburn Pedestrian Safety IMP Phase II Project (Chief Building Official Pereida)**

**Staff's Recommendation:** Adoption of Resolution No. 3050-18 approving Program Supplement Agreement No. F022 to Administering Agency-State Agreement for Federal-Aid Projects No. 10-5254F15, and authorizing and directing the Interim City Manager to execute any agreements or documents relating to Aileen Colburn Pedestrian Safety IMP Phase II Project CML-5254(028) on behalf of the City.

**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).

**4. Claim No. 2018-6**

**Staff's Recommendation:** After consideration and investigation, it is staff's recommendation that Claim No. 2018-6 be rejected.

**INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):**

- 5. Police Department activities and projects for the month of June, 2018**  
(Interim Police Chief Bessinger)
- 6. Police Volunteer activities for the month of June, 2018** (Police Volunteer Vineyard)

**FUNDING AND BUDGET MATTERS:**

- 7. Treasurer’s Report for the month of June, 2018** (City Treasurer Heller)

**Staff’s Recommendation:** Motion to approve the Treasurer’s Report for the month of June, 2018; or

Motion to approve staff’s recommendation as presented.

**PUBLIC HEARINGS:**

- 8. Confirming the Engineer’s Reports and ordering the annual levy for the Lighting and Drainage and Landscape Assessment Maintenance Districts for Fiscal Year 2018-19** (Finance Director Deol)

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

Close the public hearing and determine if a majority protest has occurred.

(A majority protest is when property owners responsible for more than 50% of the proposed assessment file a written protest prior to the close of the public hearing. If no majority protest has occurred, the following action should be taken); and

Motion to adopt Resolution No. 3049-18 confirming the Engineer’s Reports and ordering the continued maintenance of the City of Atwater Lighting and Drainage and Landscape Assessment Maintenance Districts and levy of assessments for Fiscal Year 2018-19; or

Motion to approve staff’s recommendation as presented.

**INTERIM CITY MANAGER REPORTS/UPDATES:**

- 9. Verbal update regarding Fiscal Solvency Efforts**

CITY COUNCIL MATTERS:

10. **Discussion regarding proposed draft Argument in Favor of Ballot Measure relating to a Business License Tax on Cannabis Businesses** (Ballot Measure Subcommittee Members: Mayor Pro Tem Vineyard and City Council Member Raymond)

**Staff's Recommendation:** That the City Council provide direction to the subcommittee regarding the substance of Argument in Favor of Ballot Measure: Establishing a Business License Tax on the gross receipts of Cannabis Businesses in an amount not to exceed 15%.

City Council comments

ADJOURNMENT:

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.*



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