

CITY OF ATWATER CITY COUNCIL

Agenda

Council Chambers
750 Bellevue Road
Atwater, California

July 9, 2018

5:00 PM

CALL TO ORDER:

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)**
- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: Interim City Manager Waterman**

**Property Locations: 001-134-015
 001-134-012
 056-241-005**

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:

- 2018 Community Service State Queen Dora Anderson

Staff's Recommendation: That Mayor Price crown Dora Anderson, 2018 Community Service State Queen of the California Miss Plus America Pageant.

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. 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 9, 2018

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. Special meeting, June 11, 2018

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Community Development and Resources Commission)

3. Regular meeting, May 16, 2018

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:

4. Adjusting District Election Boundary map to incorporate Ferrari Ranch Annexation (City Clerk Hyler III)

Staff's Recommendation: Adoption of Resolution No. 3020-18 adjusting the City of Atwater's District Election Boundary map to incorporate Ferrari Ranch Annexation into District 4; and authorizes and directs the City Clerk's office to transmit the updated map to the Merced County Registrar of Voters.

AGREEMENTS:

5. Approving Professional Services Agreement with AECOM regarding 2018 Sewer System Management Plan Update (Interim Public Works Director Shaw)

Staff's Recommendation: Approval of Professional Services Agreement, in a form approved by the City Attorney, between the City of Atwater and AECOM in an amount not to exceed \$34,579 for preparation of the 2018 Sewer System Management Plan Update; and authorizes and directs the Interim City Manager to execute the Agreement on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

6. Waiving the second reading and adopting Ordinance No. CS 998 amending Title 13 "Public Services," Chapter 13.13 "Water Conservation Program" of the Atwater Municipal Code relating to watering schedule (Interim Public Works Director Shaw)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 998 amending Title 13 "Public Services," Chapter 13.13 Water Conservation Program" of the Atwater Municipal Code relating to watering schedule.

INFORMATIONAL ITEMS ONLY (NO ACTION REQUIRED):

7. **Fire Department activities and projects for the month of June, 2018** (CAL FIRE Battalion Chief Wight)

INTERIM CITY MANAGER REPORTS/UPDATES:

8. **Resolution amending Classification Plan and adopting Salary Schedule A-19**

Staff's Recommendation: Motion to adopt Resolution No. 3045-18 amending the City of Atwater Classification Plan and adopting Salary Schedule A-19 to be effective upon ratification of current labor agreements; or

Motion to approve staff's recommendation as presented.

9. **Resolution rescinding ballot measure for the General Municipal Election asking whether the position of Atwater City Treasurer should be appointive, rather than elective**

Staff's Recommendation: Motion to adopt Resolution No. 3047-18 rescinding Resolution No. 3036-18 submitting a ballot measure to the City's qualified voters at the Statewide General Election on November 6, 2018 asking whether the position of Atwater City Treasurer should be appointive, rather than elective; or

Motion to approve staff's recommendation as presented.

10. **Verbal update regarding Fiscal Solvency Efforts**

11. **Ratifying Employment Agreement for Interim Police Chief**

Staff's Recommendation: Motion to approve and ratify the Retired Annuitant Employment Agreement, in a form approved by the City Attorney, with Drew Bessinger for the Interim Police Chief position; and authorizing and directing the Interim City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY ATTORNEY REPORTS/UPDATES:

12. Resolution adopting City Officials' Handbook

Staff's Recommendation: Motion to adopt Resolution No. 3048-18 adopting City Officials' Handbook (the "Handbook") establishing rules, procedures, and guidelines for City Officials in conducting City-related business; or

Motion to provide staff with direction regarding City Officials' Handbook.

CITY COUNCIL MATTERS:

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

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.



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.