



# CITY OF ATWATER

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## CITY COUNCIL AND SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

### ACTION MINUTES

**January 14, 2019**

REGULAR SESSION CALL TO ORDER: (Council Chambers)

*The City Council of the City of Atwater and the Governing Board of the Successor Agency to the Atwater Redevelopment Agency met in Regular Session this date at 6:02 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor/Board Chair Creighton presiding.*

PLEDGE OF ALLEGIANCE:

*The Pledge of Allegiance was led by City Council Member/Board Member Cale.*

INVOCATION:

*The Invocation was led by Merced County Sheriff Vern Warnke.*

ROLL CALL:

**Present:** City Council Members/Board Members Ambriz, Cale, Vierra,  
Mayor/Board Chairman Creighton  
**Absent:** City Council Member/Board Member Raymond  
**Staff Present:** City Manager/Executive Director/Deputy City Clerk Waterman,  
Deputy City Attorney Seikaly, City Clerk Hyler III, Finance  
Director/Treasurer Deol, Interim Public Works Director Shaw,  
Executive to the City Manager Martin,

SUBSEQUENT NEED ITEMS: None.

APPROVAL OF AGENDA AS POSTED OR AMENDED:

***MOTION:*** *City Council Member/Board Member Vierra moved to approve the agenda as posted. The motion was seconded by City Council Member/Board Member Ambriz and the vote was: Ayes: Ambriz, Cale, Vierra, Creighton; Noes: None; Absent: Raymond. The motion passed.*

CEREMONIAL MATTERS:

- In Memory of Greg McDaniel

***Mayor/Board Chair Creighton recognized the accomplishments of Greg McDaniel and presented Pinky McDaniel and Chris McDaniel with a Certificate of Adjournment.***

PRESENTATIONS:

1. Literacy Coalition of Merced County – “Elevating our Community” (Dr. Steve Tietjen)

***Dr. Steve Tietjen, Superintendent of the Merced County Office of Education, provided a Power Point presentation outlining the issues surrounding low literacy levels in Merced County. He announced a new program of the Literacy Coalition of Merced County, the Literacy Compact. He summarized the multiple avenues addressing school, parent, and community involvement toward improving low literacy rates and job readiness. He also announced that adult education programs are available for those seeking to complete their high school diplomas.***

Monthly Verbal Report by Merced County District 3 Supervisor McDaniel

***Supervisor McDaniel reported that the first meeting of the Merced County Board of Supervisors will be held on January 15, 2019. He summarized his recent meeting with California Governor Newsom regarding issues of critical concern to the Valley, specifically water and economic development. He also announced the recent swearing in ceremony for the Merced County Sheriff, Vern Warnke and the Merced County District Attorney, Kimberly Helms Lewis.***

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

***DON HYLER, City of Atwater City Clerk, spoke to offer his resignation. He thanked the citizens of Atwater, friends and family for their support over the past two years. He also cited the unfailing support of the employees of the City of Atwater and thanked them for their honesty and hard work.***

***NANCY KOERPERICH, CALFIRE Chief for Madera Mariposa Merced Unit, announced her promotion to Assistant Region Chief and stated that she is excited but will miss the relationships built during the rewarding seven years she has spent serving Merced County and the citizens of Atwater.***

***VERN WARNKE, Merced County Sheriff, provided an update of the status of the Merced County Sheriff's office regarding staffing levels. He offered the support of the Merced County Sheriff's office for any needs in the City of Atwater.***

***One person spoke regarding ongoing issues with water service delivery.***

***Two persons spoke requesting that the City Council rename the Atwater Community Center or Bloss Park in honor of Greg McDaniel.***

***Two people spoke concerning an individual frequenting the downtown area who is creating unsafe conditions for the citizens and business owners. One speaker cited the need for better lighting and requested better communication and coordination between the Atwater Police Department and the business owners. One speaker expressed fear for personal safety.***

***One person spoke regarding information about pending law suits against the City.***

***One person spoke raising allegations of past criminal action by an Atwater Police officer and alleged interference by a City Council Member in police operations.***

**CONSENT CALENDAR:**

***MOTION: City Council Member/Board Member Vierra moved to approve the consent calendar as listed. The motion was seconded by City Council Member/Board Member Ambriz and the vote was: Ayes: Cale, Ambriz, Vierra, Creighton; Noes: None; Absent: Raymond. The motion passed.***

**WARRANTS:**

2. December 18, 2018  
January 14, 2019

**ACTION: Approval of warrants as listed.**

**MINUTES: (City Council)**

3. a) December 10, 2018 – Regular meeting (Outgoing Atwater City Council)  
b) December 10, 2018 – Regular meeting (Incoming Atwater City Council)  
c) December 20, 2018 – Special meeting

**ACTION: Approval of minutes as listed.**

**RESOLUTIONS:**

4. Adopting Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for FY 2019-20 (Treasurer Deal)

**ACTION: Adoption of Resolution No. SA 2019-1 adopting the Recognized Obligation Payment Schedule 19-20 for the July 1, 2019 through June 30, 2020 period and adopting the Administrative Budget for Fiscal Year 2019-20.**

**AGREEMENTS:**

5. Approving Professional Services Agreement with Rosenow Spevacek Group, Inc. (RSG) for FY 2019-20 Successor Agency consulting services (Treasurer Deal)

**ACTION: Adoption of Resolution No. SA 2019-2 approving a Professional Services Agreement, in a form approved by the City Attorney, for Fiscal Year 2019-20 Successor Agency consulting services with RSG, Inc. of Irvine, California in an amount not to exceed \$25,000; and authorizes and directs the Executive Director to execute the Agreement on behalf of the City.**

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

6. Police Department activities and projects for the month of December 2018 (Interim Police Chief Bessinger)
7. Fire Department activities and projects for the month of December 2018 (CAL FIRE Battalion Chief Slate)

**REPORTS AND PRESENTATIONS FROM STAFF:**

Water Quality quarterly report (Interim Public Works Director Shaw)

***Interim Public Works Director Shaw provided an update regarding 123TCP levels in water wells. He reported that currently two wells are not contaminated, an RFP is in process to address issues at Well 20, and he is awaiting word of a court date regarding any settlement from Dow and Shell Corporations for remediation of other wells. He further clarified the difference between the 218 monies and any settlement monies that may be forthcoming. He noted specifically that Homeland Security issue assessments need to be ongoing.***

**CITY COUNCIL MATTERS:**

Appointment of one (1) Board Member to the scheduled vacancy on the Merced County Mosquito Abatement District Board of Trustees, for a four year term, term ending December 2022

***MOTION: City Council Member Cale moved to appoint Mike Nelson to the Merced County Mosquito Abatement District Board of Trustees, for a four year term, term ending December 2022. The motion was seconded by City Council Member Vierra and the vote was: Ayes: Cale, Vierra, Ambriz, Creighton; Noes: None; Absent: Raymond. The motion passed.***

City Council Reorganization/Mayor's Committee Assignments

- Mayor Pro Tem
- Merced County Association of Governments  
(1 representative and 1 alternate)
- League of California Cities Central Valley Division  
(1 representative and 2 alternates)
- City Audit and Finance Committee (2 representatives)
- LAFCO (1 representative)
- USP/Atwater Community Liaison Group (1 representative and 1 alternate)
- Atwater Community Services/Neighborhood Watch (1 representative)
- 4<sup>th</sup> of July Committee (1 representative)
- San Joaquin Valley Air Pollution Control District (1 representative and 1 alternate)
- SGMA (1 representative and 1 alternate)
- IRWIN (1 representative and 1 alternate)

***Mayor Creighton announced committee assignments as follows: Mayor Pro Tem: Raymond; Merced County Association of Governments: Creighton, alternate Raymond; League of California Cities Central Valley Division: Vierra, alternates Cale and Ambriz; City Audit and Finance Committee: Vierra and Ambriz; LAFCO: Creighton; USP/Atwater Community Liaison Group: Creighton, alternate Raymond; Atwater Community Services/Neighborhood Watch: Ambriz, alternate Cale; 4<sup>th</sup> of July Committee: Creighton; San Joaquin Valley Air Pollution Control District: Cale, alternate Vierra; SGMA: Creighton, alternate Cale; IRWIN: Creighton, alternate Ambriz.***

***MOTION: City Council Member Vierra moved to ratify the Mayor's Committee Assignments as announced. The motion was seconded by City Council Member Cale and the vote was: Ayes: Ambriz, Vierra, Cale, Creighton; Noes: None; Absent: Raymond. The motion passed.***

***The following committee assignments were read for information only and will be ratified at the January 28, 2019 Atwater City Council meeting: ACE Train:***

**Creighton, alternate Ambriz; One Voice: Creighton, alternate Raymond; Bloss House: Creighton and Raymond; Christmas Parade: Creighton and Vierra.**

City Council comments

**City Council Member Cale thanked the City Council for his appointment to the Council. He noted that it is a different view from the dais. He also praised the Literacy Coalition program.**

**City Council Member Vierra announced travel this week to the League of California Cities training. She praised the life of Greg McDaniel and expressed her sadness at his recent passing. She thanked the community members who asked for consideration of a memorial for Greg McDaniel.**

**City Council Member Ambriz thanked the public for attending the meeting. He expressed his condolences to the McDaniel family.**

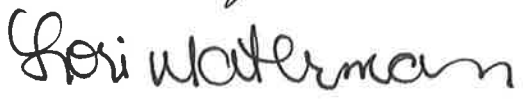
**Mayor Creighton expressed his personal support for establishing a memorial to Greg McDaniel. He referred to Greg McDaniel as "Mr. Atwater" and stated that he will always be remembered that way. He announced the changes to the camera set up and changes to the chambers and thanked staff for their help in making the changes.**

ADJOURNMENT:

**Mayor Creighton adjourned the meeting in honor of Chuck Balch, Angelina Mancebo and Greg McDaniel.**

**The meeting adjourned at 7:13 PM.**

  
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Don Hyler III, City Clerk

  
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Lori Waterman, Deputy City Clerk

By: Lesa Rasmussen  
P-M Transcription Services