



CITY OF ATWATER

CITY COUNCIL

ACTION MINUTES

February 10, 2020

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:06 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Pro Tem Raymond presiding.

ROLL CALL:

Present: City Council Members Ambriz, Cale, Mayor Pro Tem Raymond
Absent: City Council Member Vierra, Mayor Creighton
Staff Present: City Manager Waterman, Interim City Attorney Splendorio,
Project Manager Lamerson, Deputy City Clerk Martin

CLOSED SESSION: (Conference Room A)

Mayor Pro Tem Raymond invited public comment on Closed Session items.

No one came forward to speak.

Mayor Pro Tem Raymond adjourned the meeting to Conference Room A for Closed Session at 5:07 PM. Closed Session was called to order at 5:10 PM.

Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases: (2)

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

Property Locations: APN 001-134-012
APN 001-134-015

Closed Session adjourned at 5:28 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:01 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Pro Tem Raymond presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by City Council Member Ambriz.

INVOCATION:

The Invocation was led by Don Borgwardt.

ROLL CALL:

Present: City Council Members Ambriz, Cale, Vierra, Mayor Pro Tem Raymond
Absent: Mayor Creighton
Staff Present: City Manager Waterman, Interim City Attorney Splendorio, Police Chief Salvador, CAL FIRE Battalion Chief Slate, Finance Director Jacobs-Hunter, Human Resources Director Del Real, General Services Manager Pereida, Public Works Director Haddix, Project Manager Lamerson, Recreation Supervisor Watson, Deputy City Clerk Martin

MAYOR OR INTERIM CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

Interim City Attorney Splendorio reported that the City Council considered two items of potential litigation, as well as two real property matters, and that no reportable action was taken. The Closed Session agenda was completed.

SUBSEQUENT NEED ITEMS: ***None.***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

PRESENTATIONS:

Monthly verbal report by Merced County District 3 Supervisor McDaniel

Merced County District 3 Supervisor reported the following:

- **Merced County Association of Governments (MCAG) accepted the Merced County Funding Plan for the Atwater/Merced Expressway Phase 2. Phase 2 can be completed once STP (Surface Transportation Program) money from the State is approved.**
- **James Fincher, Merced County Counsel, is retiring and the Board of Supervisors is conducting interviews on February 11, 2020 to fill the position.**
- **A meeting with Burlington Northern Railroad is set to discuss a trans modal project at Castle; that meeting is expected to occur within the next couple of weeks.**
- **Supervisor McDaniel was sworn in as RCRC (Rural Counties Representing California) Chair as of January 15, 2020.**

CONSENT CALENDAR:

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

WARRANTS:

1. February 10, 2020

ACTION: Approval of warrants as listed.

MINUTES: (City Council)

2. January 27, 2020 – Regular meeting

ACTION: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. December 9, 2019 – Special Meeting

ACTION: Acceptance of minutes as listed.

AGREEMENT:

4. Accepting California Governor's Office of Emergency Services State Homeland Security Grant Program funds for equipment and awarding a co-operative Master

Purchase Agreement to Motorola Solutions Inc. for the purchase of communications equipment (Police Chief Salvador)

ACTION: Authorizes and directs the City Manager to accept the California Governor's Office of Emergency Services Fiscal Year 2017 Homeland Security Grant Program funds administered by the Merced Operational Area in the amount of \$41,633 for the purchase of communications equipment; authorizes and directs the City Manager to execute all documents related to the grant award on behalf of the City; awards a cooperative Master Purchase Agreement, in a form approved by the Interim City Attorney, to Motorola Solutions Inc., Los Angeles, California, in an amount not to exceed \$41,633, for the purchase of communications equipment; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

FUNDING AND BUDGET MATTERS:

Adopting resolution approving budget amendment amending Fiscal Year 2019-20 Budget regarding revenue and expenditure adjustments based on mid-year analysis; and adopting resolution amending City of Atwater Classification Plan and adopting Salary Schedule C-20 effective February 6, 2020 (Finance Director Hunter-Jacobs and City Manager Waterman)

Finance Director Jacobs-Hunter provided a Power Point summary of the status of the General Fund.

MOTION: City Council Member Cale moved to adopt Resolution No. 3136-20 approving Budget Amendment No. 5 amending Fiscal Year 2019-20 Budget based on mid-year analysis; and to adopt Resolution No. 3137-20 amending City of Atwater Classification Plan and adopting Salary Schedule C-20 effective February 6, 2020 as amended, approving the positions of Executive Assistant, Deputy City Manager, Community Development Director, and Accountant I, and removing the proposed position of Recreation Manager and replacing it with one part time employee. The motion was seconded by City Council Member Vierra and the vote was: Ayes: Ambriz, Vierra, Cale; Noes: Raymond; Absent: Creighton. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Adopting resolution authorizing submittal of grant application to San Joaquin Valley Air Pollution Control District for Public Benefit Grant Program (Police Chief Salvador)

MOTION: City Council Member Ambriz moved to adopt Resolution No. 3129-20 authorizing submittal of grant application to the San Joaquin Valley Air Pollution Control District for the Public Benefit Grant Program New Alternative Fuel Vehicle Purchase; and to authorize and direct the City Manager to execute the application and any other documents pertaining to the grant application on behalf of the City. The motion was seconded by City Council Member Cale and the vote was: Ayes:

Vierra, Cale, Ambriz, Raymond; Noes: None; Absent: Creighton. The motion passed.

CITY MANAGER REPORTS/ UPDATES:

Adopting resolution declaring the TCP in the City's water system to be an urgent matter of Citywide concern and directing staff to commence and prosecute the work urgently (City Manager Waterman)

Larry Parlin, Carollo Engineers, summarized both capital costs and project identification.

MOTION: Mayor Pro Tem Raymond moved to adopt Resolution No. 3135-20 declaring the TCP in the City's water system to be an urgent matter of Citywide concern, deeming the TCP remediation project to be a public improvement project of the highest priority, and directing staff to prosecute the work with time being of the essence and provide the City Council with monthly updates until the project is completed. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Vierra, Raymond; Noes: None; Absent: Creighton. The motion passed.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

One person spoke representing Atwater Rotary Club and reported that Atwater Rotary Club is celebrating their 75th Anniversary. A dinner is planned for April 4, 2020 at the Atwater Community Center at 6:00 PM, and the public is invited.

One person spoke regarding communication with the City Manager's office and the impending costs of the City's retirement debts.

One person spoke regarding clean-up efforts by City staff clearing trash.

No one else came forward to speak.

CITY COUNCIL MATTERS:

City Council comments

City Council Member Vierra praised the efforts of City staff to clean up trash left by trespassers. She stated she has received questions about placing the street sweeping schedule on the website and asked that staff investigate the issue to find a resolution.

City Council Member Cale congratulated the Public Works staff in the clean-up of trespassers and the Police Department for securing the area. He wished everyone a Happy Valentine's Day and especially Maj. Bill Wright who is 104 years old.

City Council Member Ambriz thanked staff for their openness and honesty in discussing the needs of the City during tonight's consideration of several staff changes. He thanked all departments for their clean-up efforts.

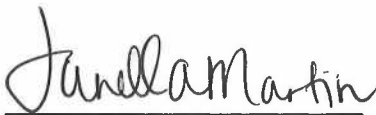
Mayor Pro Tem Raymond reported that Assemblymember Adam Gray is introducing Assembly Bill #1980 to repeal the automatic 20% tax on traffic tickets imposed by the state. Assemblymember Gray has requested a letter of support from the City of Atwater. He asked that the item be placed on the next agenda. He also mentioned the passing of prominent Merced resident Mike Salvadori and expressed his condolences to the family.

CLOSED SESSION:

Continuation of Closed Session was not necessary.

ADJOURNMENT:

Mayor Pro Tem Raymond adjourned the meeting at 8:17 PM.



JANELL MARTIN,
DEPUTY CITY CLERK

By: Lesa Rasmussen
P-M Transcription Services