

Pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act, you may observe a livestream of the meeting at www.atwater.org.

If you wish to make either a general public comment or to comment on a specific agenda item, please submit your comment (include Agenda Item Number in the subject line) to the City Clerk at cityinfo@atwater.org. Email comments will be accepted on or before 5:30 PM of the meeting date.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the City in advance of the meeting, and as soon as possible, at (209) 357-6300.

CITY OF ATWATER

City Council

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

January 11, 2021

CALL TO ORDER:

5:00 PM

ROLL CALL:

Ambriz _____, Button _____, Cale _____, Raymond _____, Creighton _____

CLOSED SESSION:

- **Pursuant to Government Code Section 54957, Public Employee Annual Performance Evaluation; Title: City Manager**
- **Conference with Labor Negotiator - Government Code Section 54957.6. Agency Negotiators: City Manager Waterman, Deputy City Manager Del Real, and City Attorney Splendorio; Bargaining Units: Atwater Police Officers Association and AFSCME Local 2703 - Miscellaneous Unit**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Steve Mead

ROLL CALL:

Ambriz _____, Button _____, Cale _____, Raymond _____, Creighton _____

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.

PRESENTATIONS:

- City Attorney Splendorio verbal update regarding Brown Act

*****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. January 11, 2021**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. December 14, 2020 - Regular meeting

Staff's Recommendation: Approval of minutes as listed.

CALL FOR BIDS:

- 3. Adopting a resolution approving a budget amendment to allocate additional funding for the Juniper and Shaffer Signal Modification, and approving Plans and Specifications and authorizing advertising and calling for bids for the Juniper and Shaffer Signal Modification Project (Public Works/Community Development Director Thompson)**

Staff's Recommendation: Adopts Resolution No. 3197-21 approving Budget Amendment No. 10 amending Fiscal Year 2020-21 Budget to allocate additional funding for Juniper and Shaffer Signal Modification in the amount of \$18,330.00; and approves the plans and specifications and authorize advertising and calling for bids for the Juniper and Shaffer Signal Modification Project, City Project No. 16-1, Federal Project No. HSIPL-5254(026).

RESOLUTIONS:

- 4. Resolution authorizing a Purchase and Sale Agreement with Edward A. Vanek, II for certain property located North of Bell Drive and East of Truckee Drive, APN: 001-134-015 (Public Works/Community Development Director Thompson)**

Staff's Recommendation: It is recommended that the Housing Successor to the Atwater Redevelopment Agency:

Adopt Resolution No. 3199-21 authorizing a Purchase and Sale Agreement with Edward A. Vanek, II, in a form approved by the City Attorney, for certain property located North of Bell Drive and East of Truckee Drive, APN: 001-134-015, in the amount of \$450,000; and authorize and direct the City Manager, or her designee, to execute the Agreement and all documents related to the sale of the Property on behalf of the City.

AGREEMENTS:

- 5. Approving First Amendment to City Manager Employment Agreement (Deputy City Manager Del Real)**

Staff's Recommendation: Approves the First Amendment to City Manager Employment Agreement, in a form approved by the City Attorney, with Lori Waterman regarding Section 2.5 "Term," and Section 4.13 "Review and Evaluation;" and authorizes and directs the Mayor to execute the Amendment on behalf of the City.

6. Approving First Amendment to Police Chief Employment Agreement (Deputy City Manager Del Real)

Staff's Recommendation: Approves First Amendment to Police Chief Employment Agreement, in a form approved by the City Attorney, with Michael Salvador regarding Section 2.5 "Term;" and authorizes and directs the City Manager to execute the Amendment on behalf of the City.

*****END OF CONSENT CALENDAR*****

PUBLIC HEARINGS:

7. Confirmation of Itemized Costs Report, pursuant to Atwater Municipal Code 5.60.130, regarding the abatement of an unpermitted and unlicensed cannabis business in the City of Atwater (Police Chief Salvador)

Staff's Recommendation: Open the public hearing and take any testimony given;

Close the public hearing;

Motion to confirm the Itemized Costs Report, pursuant to Atwater Municipal Code 5.60.130, regarding the abatement of an unpermitted and unlicensed cannabis business located at APN 056-330-036-000; Property Owner: Albert J. Cisneros; and

Motion to authorize and direct the City Manager, or her designee, to execute any and all documents on behalf of the City; or

Motion to approve staff's recommendation as presented.

COMMENTS FROM THE PUBLICNOTICE 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. Please limit comments to a maximum of three (3) minutes.

CITY COUNCIL MATTERS:

8. Discussion and possible direction regarding adding additional zones for Cannabis retail uses

Staff's Recommendation: That the City Council provide staff with possible direction regarding adding additional zones for Cannabis retail.

9. 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 Liasion Group** (1 representative and 1 alternate)
- **Atwater Community Services/Neighborhood Watch** (1 representative)
- **4th 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)
- **ACE Train** (1 Representative and 1 alternate)
- **One Voice** (1 representative and 1 alternate)
- **Bloss House** (2 representatives)
- **Christmas Parade** (2 representatives)
- **General Plan Update Committee** (1 representative and 1 alternate)

Staff's Recommendation:

Motion to ratify the Mayor's Committee Assignments.

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.



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