



CITY OF ATWATER

CITY COUNCIL

ACTION MINUTES

March 14, 2022

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:45 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Creighton presiding.

ROLL CALL:

Present: City Council Members Ambriz, Raymond, Mayor Pro Tem Cale, Mayor Creighton

Absent: City Council Member Button

Staff Present: City Manager Waterman, City Attorney Splendorio, Deputy City Clerk Martin

CLOSED SESSION: (Conference Room A)

Mayor Creighton invited public comment on Closed Session items.

No one came forward to speak.

Mayor Creighton adjourned the meeting to Conference Room A for Closed Session at 5:46 PM. Closed Session was called to order at 5:49 PM.

Conference with Legal Counsel – Liability Claims – Claimant: Mercury Insurance Company as Subrogee of Christina Diaz, Agency claimed against: City of Atwater

Closed Session adjourned at 5:53 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Creighton presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Kory Billings.

INVOCATION:

The Invocation was led by Eddie Vargas

ROLL CALL:

Present: City Council Members Ambriz, Raymond, Mayor Pro Tem Cale, Mayor Creighton
Absent: City Council Member Button
Staff Present: City Manager Waterman, City Attorney Splendorio, CAL FIRE Battalion Chief Ayuso, Police Chief Salvador, Public Works/Community Development Director Thompson, Deputy City Clerk Martin

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that the City Council was provided direction and 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 Raymond moved to approve the agenda as posted. The motion was seconded by Mayor Pro Tem Cale and the vote was: Ayes: Ambriz, Cale, Raymond, Creighton; Noes: None; Absent: Button. The motion passed.

CONSENT CALENDAR:

Agenda item #5 under Resolutions, "Amending City of Atwater Classification Plan and adopting Salary Schedule D-22, effective March 17, 2022" and Agenda item #7 under Agreements, "Awarding General Construction Contract to Don's Mobile Glass for replacement of storefront windows at future City Hall Building" were removed from the Consent Calendar for separate discussion and possible action.

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

WARRANTS:

1. March 14, 2022

ACTION: Approval of warrants as listed.

MINUTES: (City Council)

2. February 28, 2022 – Regular meeting

ACTION: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. a) October 25, 2021 – Regular meeting
b) January 24, 2022 – Regular meeting

ACTION: Acceptance of minutes as listed.

MINUTES: (Citizens' Oversight Committee)

4. December 14, 2021 – Special meeting

ACTION: Acceptance of minutes as listed.

RESOLUTIONS:

5. Amending City of Atwater Classification Plan and adopting Salary Schedule D-22, effective March 17, 2022 (City Manager Waterman and Deputy City Manager Del Real)

This item was removed from the Consent Calendar for separate discussion and possible action.

6. Authorizing submittal of application to State of California Department of Housing and Community Development 2020/2021 HOME Investment Partnerships Program Grant, approving grant rehabilitation program guidelines, and approving Subrecipient Agreement with Self-Help Enterprises for administration and implementation of grant funds (Public Works/Community Development Director Thompson)

ACTION: Adoption of Resolution No. 3301-22 authorizing the submittal of an application in response to the 2020/2021 HOME Notice of Funding Availability for \$2,000,000 to fund First-Time Homebuyer and Owner-Occupied Housing Rehabilitation Programs; adoption of Resolution No. 3302-22 approving the First-Time Homebuyer Acquisition with rehabilitation guidelines and the Owner-Occupied Housing Rehabilitation program guidelines as presented and approved by the State of California Department of Housing and Community Development; adoption of Resolution No. 3303-22 approving a Subrecipient Agreement with Self-Help Enterprises to administer and operate the housing rehabilitation program and First-Time homebuyer acquisition only/acquisition with rehabilitation program if awarded for the 2020/2021 HOME funds; and authorizes and directs the City Manager, or her designee, to execute all grant-related documents or contracts on behalf of the City.

AGREEMENTS:

7. Awarding General Construction Contract to Don's Mobile Glass for replacement of storefront windows at future City Hall Building (Public Works/Community Development Director Thompson)

This item was removed from the Consent Calendar for separate discussion and possible action.

8. Authorizing and approving Cooperative Purchase Agreement with Penske Chevrolet of Cerritos for purchase of a Fire Command Vehicle (CAL FIRE Battalion Chief Ayuso)

ACTION: Authorizes and approves a Cooperative Purchase of a 2023 Chevrolet Silverado, 2500 series pickup truck, in an amount not to exceed \$42,719.27 with Penske Chevrolet of Cerritos; authorizes the purchase of additional safety and command equipment necessary to outfit the vehicle appropriately, in an amount not to exceed \$37,280.73; and authorizes and directs the City Manager, or her designee, to execute the purchase on behalf of the City.

CLAIMS AGAINST THE CITY:

9. Claim No. 2022-3

ACTION: After consideration and investigation, it is staff's recommendation that Claim No. 2022-3 be rejected.

RESOLUTIONS:

Amending City of Atwater Classification Plan and adopting Salary Schedule D-22, effective March 17, 2022 (City Manager Waterman and Deputy City Manager Del Real)

One person asked for clarification regarding the purpose of adopting Salary Schedule D-22 and its effect on the budget.

City Manager Waterman provided background information on this item and addressed concerns of the public regarding the purpose of Salary Schedule D-22 and its effect on the budget.

AGREEMENTS:

Awarding General Construction Contract to Don's Mobile Glass for replacement of storefront windows at future City Hall Building (Public Works/Community Development Director Thompson)

One person asked for clarification regarding the total contract price.

Public Works/Community Development Director Thompson provided background information on this item and addressed concerns of the public regarding the total contract price.

MOTION: Mayor Pro Tem Cale moved to adopt Resolution No. 3300-22 amending City of Atwater Classification Plan and adopting Salary Schedule D-22, effective March 17, 2022; and to award a General Construction Contract, in a form approved by the City Attorney, to Don's Mobile Glass of Merced, California, for the replacement of storefront windows at the future City Hall Building, in an amount not to exceed \$48,947; authorizes and directs the City Manager to sign and affirm construction contract change orders up to an aggregate of \$4,894.70 (10%); and authorizes and directs the City Manager, or her designee, to execute the Contract on behalf of the City. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Raymond, Ambriz, Cale; Noes: Creighton; Absent: Button. The motion passed.

Mayor Creighton called a recess and left the meeting at 6:11 PM.

The City Council returned to the dais and Mayor Pro Tem Cale resumed the meeting at 6:14 PM.

PUBLIC HEARINGS:

Consideration of Revised City Council District Electoral Boundaries as Required by Elections Code Section 21601 (City Attorney Splendorio)

City Attorney Splendorio provided background information on this item.

Henry Castillo of Best Best & Krieger LLP presented a PowerPoint presentation detailing the 2021-22 redistricting process which includes City Council terms, redistricting rules and goals, existing districts and district boundaries, preeminent considerations, sources of information, and the redistricting timeline. He also presented draft map option one and two along with their findings.

Mayor Pro Tem Cale opened the public hearing to receive public input on district boundaries.

One person asked for clarification regarding a third draft map option to keep existing districts and the purpose of redistricting.

City Attorney Splendorio addressed concerns of the public regarding the draft map options and redistricting process.

No one else came forward to speak, and Mayor Pro Tem Cale closed the public hearing.

City Council Member Ambriz, City Council Member Raymond, and Mayor Pro Tem Cale all spoke in favor of draft map option 1.

Adopting resolutions approving 2020 Draft Urban Water Management Plan and Water Shortage Contingency Plan (Public Works/Community Development Director Thompson)

Public Works/Community Development Director Thompson provided background information on this item.

Representatives from Black Water Consulting Engineers, Inc. presented a PowerPoint presentation detailing the 2020 Urban Water Management Plan and Water Shortage Contingency plan which includes an overview of the plans, public coordination and outreach, system description, City water demand projections, conservation target compliance, water supply and reliability, water shortage contingency plan levels, demand management measures, and of the adoption, submittal, and implementation process.

Mayor Pro Tem Cale opened the public hearing for this item.

No one came forward to speak, and Mayor Pro Tem Cale closed the public hearing.

MOTION: City Council Member Ambriz moved to adopt Resolution No. 3295-22 adopting the City of Atwater 2020 Urban Water Management Plan in accordance with the Urban Water Management Planning Act including amendments made by the Water Conservation Act of 2009 and Water Conservation Legislation of 2018; and to adopt Resolution No. 3299-22 adopting the City of Atwater Water Shortage Contingency Plan; and authorizes and directs the City Manager, or her designee,

to make any necessary changes prior to submission to the California Department of Water Resources. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Ambriz, Raymond, Cale; Noes: None; Absent: Button, Creighton. The motion passed.

Waiving the first reading and introducing an ordinance of the City Council adopting a Military Equipment Use Policy and adding said Policy to the Atwater Police Department Policy Manual (Police Chief Salvador)

Police Chief Salvador provided background information on this item.

Mayor Pro Tem Cale opened the public hearing for this item.

No one came forward to speak, and Mayor Pro Tem Cale closed the public hearing.

MOTION: City Council Member Raymond moved to waive the first reading and introduce Ordinance No. CS 1045 adopting a Military Equipment Use Policy and adding said Policy to the Atwater Police Department Policy Manual. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Ambriz, Raymond, Cale; Noes: None; Absent: Button, Creighton. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Verbal Drought Update (Public Works/Community Development Director Thompson)

Public Works/Community Development Director Thompson provided an update that a comprehensive report will be prepared on the drought conditions and impacts to the community.

Mayor Pro Tem Cale asked for clarification regarding the current drought conditions and of the impacts to the community.

Public Works/Community Development Director Thompson addressed concerns of the City Council regarding the current drought conditions and of the impacts to the community.

Police Department 2021 Annual Report (Police Chief Salvador)

Police Chief Salvador presented a PowerPoint presentation and reported on the following:

- ***The Police Department operated with a \$8.3 million budget in 2021.***
- ***For Fiscal Year 2021-22, the Police Department is funded for 25 sworn officers and 10 nonsworn officers.***

- ***Compared to the national standard for the West Coast of 1.2 officers per 1,000, the Police Department's current officer to 1,000 population ratio is .86 officers per 1,000***
- ***The Police Department received 24,438 calls for service in 2021, which was a 5.4% increase from the numbers of calls for service in 2020. This was due to issues with homelessness, pandemic recovery, and the reinstatement of the School Resource Officers.***
- ***There has been a 21% increase in the total Uniform Crime Reporting (UCR) reportable crimes over 2021.***
- ***The City's traffic collision accidents increased, and injury vehicle accidents decreased from the previous year.***
- ***The Police Department's School Resource Officer Program provides law enforcement services to Atwater and Buhach Colony High School.***
- ***Code Enforcement received 3,000 calls for service with a 90% compliance rate.***
- ***The Police Department accomplished 90% of its 2019 Strategic Plan Goals through department and workspace reorganization, continued work on the fleet replacement program, and a new high tech 911 system.***
- ***2022 goals for the Police Department will be full staffing of the Investigations Unit, recruitment and retention, new strategic planning process, law enforcement reform, and expanding technology.***

Waiving the first reading and introducing an ordinance of the City Council amending Section 8.16, "Solid Waste, Recyclables, and Organic Waste Collection," of Title 8, "Health and Safety," of the Atwater Municipal Code (Public Works/Community Development Director Thompson)

Public Works/Community Development Director Thompson and City Attorney Splendorio provided background information on this item.

One person spoke regarding issues with the City's waste service provider regarding the disposal of organic waste and asked for clarification on contract compliance with the current waste service provider.

One person spoke regarding the need for recycling within the City and asked if this subject would be addressed at a future City Council meeting.

Public Works/Community Development Director addressed concerns of the public regarding contract compliance with the City's current waste service provider and recycling within the City.

MOTION: City Council Member Ambriz moved to waive the first reading and introduce Ordinance No. CS 1047 amending Section 8.16, "Solid Waste, Recyclables, and Organic Waste Collection," of Title 8, "Health and Safety," of the Atwater Municipal Code. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Raymond, Ambriz, Cale; Noes: None; Absent: Button, Creighton. The motion passed.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

One person thanked the City Council for their contributions to the community and spoke regarding the need for maintenance on Fruitland Avenue.

One person spoke regarding California Assembly Bill 1638.

CAL FIRE Battalion Chief Ayuso spoke regarding the recent passing of former CAL FIRE Captain Robert Blais. A service will be held at the Atwater Community Center on March 18, 2022 at 12:00 PM.

No one else came forward to speak.

CITY COUNCIL MATTERS:

City Council comments

City Council Member Ambriz had nothing to report.

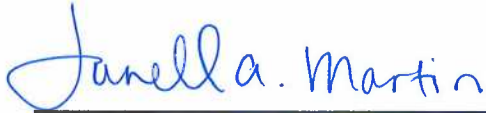
City Council Member Raymond spoke regarding the recent passing of Sergeant Sarginson's father and sent his condolences to his family. He also sent his condolences to the family of former CAL FIRE Captain Robert Blais and thanked Pastor Rich Miller and the community for attending City Council meetings.

Mayor Pro Tem Cale reminded the community to have a safe St. Patrick's Day celebration, and of the 1880's All Star Baseball Game on April 16, 2022 at Atwater Memorial Ballpark. He also spoke regarding the establishment of the Centennial Restoration Committee and of the upcoming clean-up of City landmarks for the City's upcoming Centennial Celebration.

ADJOURNMENT:

Mayor Pro Tem Cale adjourned the meeting in memory of former CAL FIRE Captain Robert Blais.

Mayor Pro Tem Cale adjourned the meeting at 7:41 PM.



JANELL MARTIN
DEPUTY CITY CLERK

By: Leslie Thuang
Recording Secretary