

CORONAVIRUS DISEASE (COVID-19) ADVISORY

Pursuant to Assembly Bill (AB) 361, the City Council may participate via teleconference/electronically. In-person participation by the public will be permitted. In addition, remote public participation and public comment is available in the following ways:

1. Livestream online at www.atwater.org (Please be advised that there is a broadcasting delay. If you would like to participate in public comment, please use the options below).
2. Join the electronic meeting at <https://atwater-org.zoom.us/j/89554963092> (Webinar ID: 89554963092). Members of the public participating electronically via this link and wishing to speak may do so during public comment, by using the "raised hand" feature in the Zoom webinar.
3. Submit a written public comment prior to the meeting: Public comments submitted to cityinfo@atwater.org by 4:00 p.m. on the day of the meeting will be distributed to the City Council, and made part of the official minutes. In view of the other public comment opportunities listed above, email/written comments will not be read out loud during the meeting.

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

March 14, 2022

CALL TO ORDER:

5:45 PM

ROLL CALL:

Ambriz ____, Button ____, Cale ____, Raymond ____, Creighton ____

CLOSED SESSION:

Adjourn to Conference Room A

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

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Eddie Vargas

ROLL CALL:

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

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.

*****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. March 14, 2022**

Staff's Recommendation: Approval of report as listed.

MINUTES: (City Council)**2. February 28, 2022 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)**3. a) October 25, 2021 - Regular meeting
b) January 24, 2022 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (Citizens' Oversight Committee)**4. December 14, 2021 - Special meeting**

Staff's Recommendation: 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)**

Staff's Recommendation: Adoption of Resolution No. 3300-22 amending City of Atwater Classification Plan and adopting Salary Schedule D-22, effective March 17, 2022.

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)

Staff's Recommendation: 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)

Staff's Recommendation: Awards 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.

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

Staff's Recommendation: 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: (Note to the Public: Portions of this claim have been redacted because they do not affect the City Council's ability to make a decision on the claim. The claim, however, is a public document and can be made available upon request by members of the public. If you have any questions or would like to request this document, please contact the City Clerk's office at (209) 357-6205.)

9. Claim No. 2022-3

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

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

PUBLIC HEARINGS:

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

Staff's Recommendation: Receive a report from staff and the City's redistricting consultant on the redistricting process and permissible criteria to be considered to redraw district boundaries; and

Review draft maps; and

Open the public hearing and receive public input on district boundaries; and

Close the public hearing.

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

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

Close the public hearing;

Motion 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

Motion 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; or

Motion to approve staff's recommendation as presented.

12. **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)

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

Close the public hearing;

Motion 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; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

13. **Verbal Drought Update** (Public Works/Community Development Director Thompson)
14. **Police Department 2021 Annual Report** (Police Chief Salvador)

15. **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)

Staff's Recommendation: Motion 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; or

Motion to approve staff's recommendation as presented.

COMMENTS FROM THE PUBLIC:

NOTICE 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:

City Council comments

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.



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) 357-6317. You may also send the request by email to larmstrong@atwater.org.