

In-person participation by the public will be permitted. In addition, remote public participation 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 option below).*
- 2. 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 but 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

April 11, 2022

CALL TO ORDER:

5:00 PM

ROLL CALL:

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

CLOSED SESSION:

Adjourn to Conference Room A

- Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding price and terms of payment. Agency Negotiators: Public Works/Community Development Director Thompson and City Attorney Splendorio. Negotiating Parties: Kiranjeet Dhami, Bellevue Swimming Club Inc., and Roberto Hugo Carbajal

Property Locations: 1039 Atwater Blvd., APN 156-060-001
1089 Atwater Blvd., APN 156-060-011
255 E. Bellevue Road, APN 156-060-014
337 E. Bellevue Road, APN 156-060-009

- Pursuant to Government Code Section 54957, Public Employment: Title: Public Works Director
- Conference with Labor Negotiator - Government Code Section 54957.6 Agency Negotiators: City Manager Waterman, Deputy City Manager Del Real, and City Attorney Splendorio; Unrepresented Employee: Public Works Director
- Conference with Labor Negotiators - Government Code Section 54957.6, Agency Negotiators: City Manager Waterman, Deputy City Manager Del Real, and City Attorney Splendorio, Bargaining Units: AFSCME Local 2703 - Clerical Employees Unit, Mid-Managers Group, and Miscellaneous Employees Unit
- Conference with Labor Negotiators - 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

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Rich Miller

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.

CEREMONIAL MATTERS:

- **Certificate of Recognition - Atwater High School CCC Student Athletes and Athletic Director**

Staff's Recommendation: That Mayor Creighton and the City Council recognize the Atwater High School CCC Student Athletes and Athletic Director for their achievements.

*****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. **April 11, 2022**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. March 28, 2022 - Regular meeting

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. February 28, 2022 - Regular meeting

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:

4. Accepting intergovernmental transfer of police mobile command post vehicle from City of Grover Beach to the City of Atwater and authorizing its addition to the Police Department's Military Equipment List (Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3307-22 accepting an intergovernmental transfer of a police mobile command post vehicle from the City of Grover Beach to the City of Atwater and authorizing its addition to the Police Department's Military Equipment List.

5. Approving Budget Amendment establishing budget in American Rescue Plan Act Fund and amending 5-Year Capital Improvement Program; and awarding General Construction Contract to Westside Landscape and Concrete for Sidewalk Repairs on Third Street and Atwater Boulevard (Public Works/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3308-22 approving Budget Amendment No. 27 amending Fiscal Year 2021-22 Budget establishing budget in the American Rescue Plan Act Fund and amending the 5-Year Capital Improvement Program regarding the Third Street and Atwater Boulevard sidewalk, curb, and gutter repair; awards a General Construction Contract, in a form approved by the City Attorney, to Westside Landscape and Concrete, Inc. of Newman, California for sidewalk and gutter replacement on Atwater Boulevard and Third Street, in an amount not to exceed \$59,988; authorizes and directs the City Manager to sign and affirm construction contract change orders up to an additional aggregate of \$5,998.80 (10%); and authorizes and directs the City Manager, or her designee, to execute the Contract on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

6. **Waiving the second reading and adopting an ordinance of the City Council amending Section 2.10.020(E) of the Atwater Municipal Code to Adjust the Boundaries of City Council Election Districts and to Confirm Such Revised Council District Boundaries** (City Attorney Splendorio)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 1048 amending Section 2.10.020(E) of the Atwater Municipal Code to Adjust the Boundaries of City Council Election Districts and to Confirm Such Revised Council District Boundaries.

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

REPORTS AND PRESENTATIONS FROM STAFF:

7. **Accepting City of Atwater's audited Financial Statements for Fiscal Year ended June 30, 2021 and related reports** (City Manager Waterman and Finance Director Youmara)

Staff's Recommendation: Motion to accept City of Atwater's audited Financial Statements for Fiscal Year ended June 30, 2021, including related reports; and to authorize and direct the City Manager to file the Statements with the State of California Controller's Office and to the various institutions as appropriate; or

Motion to approve staff's recommendation as presented.

8. **Presentation regarding Certified Municipal Clerk Certification** (Deputy City Clerk Thuang)

CITY MANAGER REPORTS/UPDATES:

9. **City Manager Updates**

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.