

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 25, 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 and Roberto Hugo Carbajal**

**Property Locations: 1039 Atwater Blvd., APN 002-219-010
1089 Atwater Blvd., APN 002-219-011
337 E. Bellevue Road, APN 156-060-009
325 E. Bellevue Road, APN 156-060-010**

- **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 Josh Davis

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 - Buhach Colony High School CCC Student Athletes and Athletic Director**

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

Proclamation

- **Professional Municipal Clerks Week, May 1 - May 7, 2022**

Staff's Recommendation: That Mayor Creighton present the proclamation to City Clerk Armstrong, on behalf of the City Clerk's Office, recognizing the Week of May 1-7, as Professional Municipal Clerks Week.

PRESENTATIONS:

- **Monthly report by Merced County District 3 Supervisor McDaniel**

*****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 25, 2022**

Staff's Recommendation: Approval of warrants as listed.

TREASURER'S REPORT:**2. March 31, 2022**

Staff's Recommendation: Approval of report as listed.

MINUTES: (City Council)**3. April 11, 2022 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Planning Commission)**4. March 16, 2022 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:**5. Amending City of Atwater Classification Plan relating to Public Works Director (City Manager Waterman and Deputy City Manager Del Real)**

Staff's Recommendation: Adoption of Resolution No. 3310-22 amending City of Atwater Classification Plan regarding Public Works Director job classification.

6. Adopting Merced County Multi-Jurisdictional Local Hazard Mitigation Plan (CAL FIRE Battalion Chief Ayuso and Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3309-22 adopting the Merced County Multi-Jurisdictional Local Hazard Mitigation Plan.

7. Approving and authorizing Purchase and Sale Agreements for Fruitland Avenue Reconstruction - Phase 3 Right of Way Acquisition and approving expenditure of any additional and related closing expenses; and authorizing the City Manager to execute all Agreements and Utility Related Documents (Public Works/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3311-22 approving and authorizing the Purchase and Sale Agreements with various property owners for Fruitland Avenue Reconstruction - Phase 3 Right of Way Acquisition, CIP Project No. 16-2-3, in a form approved by the City Attorney and approves the expenditure of any additional and related closing expenses; and authorizes and directs the City Manager, or her designee, to execute all Agreements and utility related documents to CIP Project No. 16-2-3 on behalf of the City.

AGREEMENTS:

8. Accepting Donation Agreement from Atwater Chamber of Commerce for Bloss Library (City Manager Waterman)

Staff's Recommendation: Acceptance of the Donation Agreement, in a form approved by the City Attorney, from Atwater Chamber of Commerce for Bloss Library.

OTHER ACTIONABLE ITEMS:

9. Approving Housing Element Annual Progress Report for calendar year 2021 (Public Works/Community Development Director Thompson)

Staff's Recommendation: Approves the Housing Element Annual Progress Report for calendar year 2021, which has been submitted to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

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

CITY MANAGER REPORTS/UPDATES:

10. 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:

In memory of James "Jim" Farley and Ethel "Eileen" Duddy

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.