



# CITY OF ATWATER

## CITY COUNCIL

### ACTION MINUTES

**April 11, 2022**

OPEN SESSION: (Council Chambers)

***The City Council of the City of Atwater did not meet in Open Session this date.***

CLOSED SESSION: (Conference Room A)

***As per City Attorney Splendorio, the City Council did not hold closed session as all items listed below were tabled to a future date.***

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)

***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 Jene Johnson.***

INVOCATION:

***The Invocation was led by Pastor Rich Miller.***

ROLL CALL:

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

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

***City Attorney Splendorio reported that closed session was not held by the City Council as all items were tabled to a future date.***

SUBSEQUENT NEED ITEMS: ***None***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

***MOTION: City Council Member Button moved to approve the agenda as posted. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Ambriz, Cale, Button, Creighton; Noes: None; Absent: Raymond. The motion passed.***

CEREMONIAL MATTERS:

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

***Mayor Pro Tem Cale and the City Council presented the Atwater High School CCC Student Athletes and Athletic Director with Certificates of Recognitions for their achievements.***

CONSENT CALENDAR:

***Agenda item #4 and #5 under Resolutions, “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” and “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” 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 Button and the vote was: Ayes: Cale, Button, Ambriz, Creighton; Noes: None; Absent: Raymond. The motion passed.***

WARRANTS:

1. April 11, 2022

***ACTION: Approval of warrants as listed.***

MINUTES: (City Council)

2. March 28, 2022 – Regular meeting

***ACTION: Approval of minutes as listed.***

MINUTES: (Audit and Finance Committee)

3. February 28, 2022 – Regular meeting

***ACTION: 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)

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

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)

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

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)

***ACTION: 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.***

RESOLUTIONS:

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)

***One person asked for additional background information on this item regarding the police command post vehicle.***

***Police Chief Salvador provided background information on this item and addressed the concerns of the City Council regarding the cost, mileage, and maintenance of the vehicle.***

***MOTION: City Council Member Ambriz moved to adopt 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. The motion was seconded by***

**City Council Member Button and the vote was: Ayes: Button, Cale, Ambriz, Creighton; Noes: None; Absent: Raymond. The motion passed.**

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)

**Public Works/Community Development Director Thompson clarified that this item is for repair and restoration work and provided background information on this item along with City Manager Waterman. They also addressed the concerns of the City Council regarding the usage of American Rescue Plan Act funds and compliance with the Americans with Disabilities Act.**

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

**REPORTS AND PRESENTATIONS FROM STAFF:**

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)

**Finance Director Youmara provided background information on this item.**

**Ahmed Badawi of Badawi & Associates provided a verbal presentation via teleconference detailing the results of the Fiscal Year 2021 audit.**

**MOTION: Mayor Pro Tem Cale moved to accept the 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 various institutions as appropriate. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Ambriz, Button, Cale, Creighton; Noes: None; Absent: Raymond. The motion passed.**

Presentation regarding Certified Municipal Clerk Certification (Deputy City Clerk Thuang)

***Deputy City Clerk Thuang presented a PowerPoint presentation detailing an overview of the City Clerk, the structure of the City Clerk's Office, and the Certified Municipal Clerk Certification.***

CITY MANAGER REPORTS/UPDATES:

City Manager Updates

***City Manager Waterman had nothing to report.***

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

***One person spoke regarding California Assembly Bill 2223.***

***No one else came forward to speak.***

CITY COUNCIL MATTERS:

City Council comments

***Mayor Pro Tem Cale thanked City Council Member Ambriz, Interim Recreation and Community Events Coordinator Billings, and Pastor Rich Miller and his team for their work and contributions towards the City's Easter Egg Hunt, as well as the Atwater-Winton Lions Club, the Atwater Rotary Club, and American Realty for sponsoring the event. He also thanked the Centennial Restoration Committee for their works towards the clean-up of City landmarks for the City's upcoming Centennial Celebration, Jim Williamson for his donation, and Public Works Superintendent Vinson and the Public Works Department for their work on the fountain at Bloss Mansion. He also wished the community a Happy Easter.***

***City Council Member Ambriz congratulated the Atwater High School CCC student athletes for their achievements towards sports and academics, and thanked Interim Recreation and Community Events Coordinator Billings, the Atwater-Winton Lions Club, the Atwater Rotary Club, American Realty, and Victory Baptist Church for their work and contributions towards the City's Easter Egg Hunt. He also wished the community a Happy Easter and reminded the community to drive safely during Easter celebrations.***

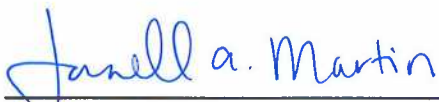
***City Council Member Button congratulated the Atwater High School CCC Student Athletes for their achievements towards sports and academics, and encouraged the community to read California Assembly Bill 2223 and to reach out to local assemblymembers to voice their opinions. He also wished the community a***

***Happy Easter and thanked Police Chief Salvador for his continued work and contributions towards the Police Department.***

***Mayor Creighton thanked Interim Recreation and Community Events Coordinator Billings, the Atwater-Winton Lions Club, the Atwater Rotary Club, Victory Baptist Church, and the community for their work and contributions towards the City's Easter Egg Hunt. He also spoke regarding the City's upcoming Centennial Celebration and thanked Police Chief Salvador and the Police Department for their contributions towards keeping the community safe, and wished the community a Happy Easter.***

**ADJOURNMENT:**

***Mayor Creighton adjourned the meeting at 7:13 PM.***



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JANELL MARTIN  
DEPUTY CITY CLERK

By: Leslie Thuang  
Recording Secretary