



# CITY OF ATWATER

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## CITY COUNCIL ACTION MINUTES

**April 25, 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 convene closed session.***

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)

***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 Pro Tem Cale presiding.***

PLEDGE OF ALLEGIANCE TO THE FLAG:

***The Pledge of Allegiance was led by Merced County District 3 Supervisor McDaniel.***

INVOCATION:

***The Invocation was led by Josh Davis.***

ROLL CALL:

***Present: City Council Members Ambriz, Button, Mayor Pro Tem Cale  
Absent: City Council Member Raymond, Mayor Creighton  
Staff Present: City Manager Waterman, City Attorney Splendorio, CAL FIRE  
Battalion Chief Ayuso, 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 the City Council did not convene closed session.***

SUBSEQUENT NEED ITEMS: *None*

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CEREMONIAL MATTERS:

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

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

***Mayor Pro Tem Cale called a recess at 6:21 PM.***

***The City Council returned to the dais and Mayor Pro Tem Cale resumed the meeting at 6:26 PM.***

Proclamation

Professional Municipal Clerks Week, May 1 – May 7, 2022

***Mayor Pro Tem Cale presented the proclamation to Deputy City Clerk Thuang, on behalf of the City Clerk's Office, recognizing the week of May 1 – May 7, 2022 as Professional Municipal Clerks Week.***

PRESENTATIONS:

Monthly report by Merced County District 3 Supervisor McDaniel

***Merced County Registrar of Voters Darlene Ingersoll reported the following:***

- ***Merced County is now a Voter's Choice Act County.***
- ***There will be thirteen Voting Assistance Centers in Merced County for the June 7, 2022 Statewide Direct Primary Election and ten secure official ballot drop-off boxes.***
- ***There may be redistricting impacts on the ballots of Merced County voters pertaining to Congressional Districts, California State Board of Equalization, State Senate Districts, State Assembly Districts, and County Supervisor Districts.***

***Merced County District 3 Supervisor McDaniel reported the following:***

- ***The City of Atwater's County Supervisor District did not change.***
- ***The final Merced County Virtual Town Hall Meeting will be held on Wednesday, March 30, 2022 at 6:00 PM.***
- ***Merced County Central Valley Railroad anticipates having its first engine soon for the rail district.***
- ***Mobile district office hours are 1:30 PM – 3:30 PM on the fourth Thursday of each month at the Atwater Community Center.***

CONSENT CALENDAR:

***Agenda item #8 under Agreements, "Accepting Donation Agreement from Atwater Chamber of Commerce for Bloss Library" was removed from the Consent Calendar for separate discussion and possible action.***

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

WARRANTS:

1. April 25, 2022

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

TREASURER'S REPORT:

2. March 31, 2022

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

MINUTES: (City Council)

3. April 11, 2022 – Regular meeting

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

MINUTES: (Planning Commission)

4. March 16, 2022 – Regular meeting

***ACTION: 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)

***ACTION: 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)

***ACTION: 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)

***ACTION: 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)

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

OTHER ACTIONABLE ITEMS:

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

***ACTION: 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.***

AGREEMENTS:

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

***City Manager Waterman provided background information on this item and addressed the concerns of the City Council.***

***City Council Member Ambriz stated that he requested this item to be pulled off the Consent Calendar to inform residents and verify that the Bloss Library will be donated back to the City,***

***MOTION: City Council Member Ambriz moved to accept the Donation Agreement, in a form approved by the City Attorney, from the Atwater Chamber of Commerce for the Bloss Library. The motion was seconded by City Council Member Button and the vote was: Ayes: Button, Ambriz, Cale; Noes: None; Absent: Raymond, Creighton. The motion passed.***

CITY MANAGER REPORTS/UPDATES:

City Manager Updates

***City Manager Waterman reported the following:***

- ***On the week of May 2, 2022, City Manager Waterman and Mayor Pro Tem Cale will attending One Voice in Washington, D.C. with the Merced County Association of Governments.***

COMMENTS FROM THE PUBLIC:

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

***One person thanked the Castle Veterans Organization, Atwater-Winton Lions Club, Old Town Atwater, and all those who volunteered for their work towards the 1880's All Star Baseball Game at Atwater Memorial Ballpark.***

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

CITY COUNCIL MATTERS:

City Council comments

***City Council Member Ambriz wished a safe travel to those travelling to One Voice in Washington, D.C.***

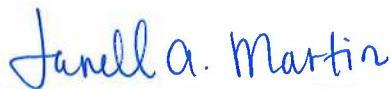
***City Council Member Button had nothing to report.***

***Mayor Pro Tem Cale spoke regarding the success of the 1880's All Star Baseball Game and City Easter Egg Hunt. He commended Interim Recreation and Community Events Coordinator Billings and all those involved for their work and contributions towards the City's Easter Egg Hunt. He also congratulated the Buhach Colony High School CCC student athletes for their achievements and spoke regarding the upcoming One Voice trip in Washington, D.C. with City Manager Waterman, and Merced County District 3 Supervisor McDaniel.***

ADJOURNMENT:

***Mayor Pro Tem Cale adjourned the meeting in memory of James "Jim" Farley and Ethel "Eileen" Duddy.***

***Mayor Pro Tem Cale adjourned the meeting at 6:47 PM.***



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JANELL MARTIN  
DEPUTY CITY CLERK

By: Leslie Thuang  
Recording Secretary