

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 AND HOUSING SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

May 23, 2022

CALL TO ORDER:

5:00 PM

ROLL CALL:

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

CLOSED SESSION:

Adjourn to Conference Room A

- **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 and AFSCME Local 2703 - Clerical Unit, Mid-Managers Group, Miscellaneous Unit, and Unrepresented Employees**
- **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: Bellevue Swim Club, Inc., National Retail Properties, Roberto Hugo Carbajal and Terry Rolfe**

Property Locations: 255 E. Bellevue Road, APN: 156-060-014

303 E. Bellevue Road, Portion of APN 156-060-011

337 E. Bellevue Road, APN: 156-060-009

Portion of APN: 056-241-014

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by John 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 - Police Officer and Dispatcher of the Year**

Staff's Recommendation: That Mayor Creighton and Police Chief Salvador present the certificates of recognition to Police Officer of the Year, David Goodwin, and to Dispatcher of the Year, Marcelina Zimmerman.

- **Certificate of Recognition - Police Lieutenant Graduation**

Staff's Recommendation: That Mayor Creighton and Police Chief Salvador present the certificate of recognition to Police Lieutenant William Novetzke for completion of the Los Angeles Police Department Leadership Program.

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. **May 23, 2022**

Staff's Recommendation: Approval of warrants as listed.

TREASURER'S REPORT:

2. **April 30, 2022**

Staff's Recommendation: Approval of report as listed.

MINUTES: (City Council)

3. a) May 9, 2022 - Regular meeting
b) May 16, 2022 - Special meeting

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

4. **Approving Budget Amendment to increase Budget and Approving Professional Services Agreement with RSG, Inc. for Preparation Controlling Documents for Waterstone Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. HSA 2022-3 approving Budget Amendment No. 30 amending Fiscal Year 2021-22 Budget to establish revenue and expenditure budget appropriation for Preparation of Financing Commitment Letter for the Developer to use in their application for Multifamily Housing Program (MHP) Grant Application and for the California Tax Credit Allocation Committee ("TCAC") Application; and for the preparation of Affordable Housing Controlling Documents for the proposed Chelsea Investment Corporation Affordable Housing Project with RSG, Inc. in an amount not to exceed \$15,125.00; approves a Professional Services Agreement, in a form approved by the City Attorney, with RSG, Inc. for Preparation of Financing Commitment Letter for the application submittal for "MHP" and "TCAC" and for the preparation of Affordable Housing Controlling Documents; and authorizes and directs the City Manager, or her designee, to execute the Professional Services Agreement on behalf of the City.

5. **Approving Budget Amendment establishing budget in Water Enterprise Fund and Awarding General Services Agreement to Yesco Signs LLC for Installation of Lights on the Water Tower** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3314-22 approving Budget Amendment No. 31 amending Fiscal Year 2021-22 Budget establishing budget in the Water Enterprise Fund and awards a General Services Agreement, in a form approved by the City Attorney, to Yesco of Clovis, California for the installation of lights on the water tower located at 760 Cedar Ave, in an amount not to exceed \$211,759.64; authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

AGREEMENTS:

- 6. Authorizing and approving Cooperative Purchase Agreement with Schwarze Industries Inc. for the purchase of 2022 Schwarze Model A7 Tornado Sweeper** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Authorizes and approves a Cooperative Purchase, Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Schwarze Industries Inc, Huntsville, Alabama, for the purchase of a 2022 Schwarze Model A7 Tornado Sweeper, in the amount not to exceed \$321,752.23, and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

- 7. Waiving the second reading and adopting an ordinance of the City Council of the City of Atwater adding Chapter 8.18, "Commercial Blight Prevention" of Title 8, "Health and Safety" of the Atwater Municipal Code** (City Attorney Splendorio)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 1049 adding Chapter 8.18, "Commercial Blight Prevention" of Title 8, "Health and Safety" of the Atwater Municipal Code.

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

CITY MANAGER REPORTS/UPDATES:

- 8. 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.