

CORONAVIRUS DISEASE (COVID-19) ADVISORY

Pursuant to Assembly Bill (AB) 361, the City Council may participate via teleconference/electronically. In-person participation by the public will be permitted. In addition, remote public participation and public comment 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 options below).
2. Join the electronic meeting at <https://atwater-org.zoom.us/j/89554963092> (Webinar ID: 89554963092). Members of the public participating electronically via this link and wishing to speak may do so during public comment, by using the "raised hand" feature in the Zoom webinar.
3. 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. In view of the other public comment opportunities listed above, email/written comments 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

July 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: Community Development Director Thompson and City Manager Waterman. Negotiating Parties: Roberto H. and Maria Elena Carbajal**

Property Locations: APN 156-060-006

- **Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1): Name of case: Sandra L. Rahn v. City of Atwater; Case No. 1:21-CV-01712-DAD-SKO**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

Invocation by Pastor Alan Thomas

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:

- **Recognition - CAL FIRE Battalion Chief/Fire Marshal**

Staff's Recommendation: That Mayor Creighton recognize the newly appointed CAL FIRE Battalion Chief/Fire Marshal: Blaine Lopes.

- **Oath of Office - Police Officer**

Staff's Recommendation: That Mayor Creighton administer the oath of office to the newly appointed Police Officer: Alejandro Salazar.

- **Recognition - Retirement of Police Officer**

Staff's Recommendation: That Mayor Creighton recognize the retirement of Police Officer Darin Jantz.

- **Recognition - Retirement of Police Clerk**

Staff's Recommendation: That Mayor Creighton recognize the retirement of Police Clerk Juan Sufuentes.

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. **July 11, 2022**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **a) June 27, 2022 - Regular meeting**
b) July 2, 2022 - Special meeting

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS

3. **Adopting Updated Conflict of Interest Code** (City Clerk Armstrong)

Staff's Recommendation: Adoption of Resolution No. 3329-22 amending the City of Atwater's Conflict of Interest Code.

4. **Approving Budget Amendment Appropriating Funds for the Existing and Expanded Lease-Purchase of the Body Camera System and**

Approving Equipment/Software Lease-Purchase Agreement with Axon Taser for the lease-purchase of an expanded Body Camera System (Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3333-22 approving Budget Amendment No. 1 amending the Fiscal Year 2022-23 Budget regarding appropriating funds in the amount of \$40,000 to the Fiscal Year 2022-23 General Fund Police Department Budget; approval of an addendum to the current Five-Year Lease-Purchase Agreement, in a form approved by the City Attorney, with Axon Taser of Arizona, in the amount not to exceed \$54,319.09 over a 4-year period for the expansion of the Police Department's Current Body Camera System; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

5. Authorizing Submittal of Grant Application to San Joaquin Air Pollution Control District for Public Benefit Grant, New Alternative Fuel Vehicle Program (Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3325-22 authorizing submittal of a grant application to the San Joaquin Air Pollution Control District Alternative Public Benefit Grant, Alternative Fuel Vehicle Program; and authorizes and directs the City Manager to execute all documents on behalf of the City.

6. Approving Regional Surface Transportation Program Exchange Funds Claim for Fiscal Year 2021-22 (Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3328-22 authorizing and directing the City Manager to execute and file the Regional Surface Transportation Program (RSTP) Exchange Funds Claim for Fiscal Year 2021-22.

AGREEMENTS:

7. Approving Equipment/Software Lease-Purchase Agreement with Axon Taser for the lease-purchase of a Less Lethal Weapons System (Police Chief Salvador)

Staff's Recommendation: Approval of a Five-Year Lease-Purchase Agreement, in a form approved by the City Attorney, with Axon Taser of Arizona, in the amount not to exceed \$187,716 over a 5-year period for the lease-purchase of a less Lethal Weapons System; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

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

PUBLIC HEARINGS

8. Public Hearing for 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (Police Chief Salvador)

Staff's Recommendation: Open the public hearing and take any testimony given;

Close the public hearing;

Motion to adopt Resolution No. 3326-22, authorizing the grant application in the amount of \$13,726.00 to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and authorizing and directing the City Manager to execute Grant Application, amendments, and all documents related to the grant, on behalf of the City, including administration, if awarded; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

- 9. Presentation regarding City of Atwater Fiscal Revenue Analysis of Commercial Cannabis and Related Recommendations, and Possible Direction to Staff regarding changes to the City's Cannabis Program**

Staff's Recommendation: Motion to provide direction to staff regarding potential changes or modifications to the City's current Cannabis Program; or

Motion to approve staff's recommendation as presented.

- 10. Presentation by FM3 Research regarding tracking survey results, and discussion and possible direction regarding Public Safety Use Tax renewal measure**

CITY MANAGER REPORTS/UPDATES:

- 11. 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.