

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

October 24, 2022

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

Invocation by Timothy Miller

ROLL CALL:

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

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:

- **Key to the City - Norman Rolfe**

Staff's Recommendation: That Mayor Creighton present the Key to the City to Norman Rolfe for his many contributions to the City of Atwater.

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. **October 24, 2022**

Staff's Recommendation: Approval of warrants as listed.

TREASURER'S REPORT:

2. **August 31, 2022**

Staff's Recommendation: Approval of report as listed.

MINUTES: : (City Council)

3. **July 25, 2022 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

CALL FOR BIDS:

4. **Approving plans and specification and authorizing advertising and calling for bids for Downtown Pedestrian Improvement Project – Phase 1** (Community Development Director Thompson)

Staff's Recommendation: Approval of the plans and specifications

and authorizing advertising and call for bids for Downtown Pedestrian Improvement Project-Phase 1, Bid Call No. 708-21, City Project No. 20-7, Federal Project No. CML-5254(030)

5. **Approving specifications and authorizing advertising and Call for Bids for the purchase of Law Enforcement Sidearms for the Police Department** (Police Chief Salvador)

Staff's Recommendation: Approval of specifications and authorizing advertising and call for bids for the purchase of handguns for the Police Department, Bid Call No. 718-22.

RESOLUTIONS:

6. **Approving Budget Amendment regarding appropriation of Abandoned Vehicle Program Funds for the Electronic Citation System**(Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3351-22 approving Budget Amendment No. 6 amending Fiscal Year 2022-23 Budget regarding Abandoned Vehicle Program Funds to continue the Electronic Citation Program for the Police Department.

7. **Approving participation in the Multijurisdictional Housing Element and Cost sharing Agreement** (Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3352-22 authorizing the participation in the Multijurisdictional Housing Element (MJHE) and Cost Sharing Agreement; and authorizes the City Manager, or her designee, to execute any and all documents related to the MJHE

8. **Approving and authorizing Purchase and Sale Agreement for real property and approving the expenditure of any closing costs and related expenses** (Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3353-22 approving and authorizing the purchase of real property located at 1039 and 1089 Atwater Boulevard, Atwater, CA 95301, more particularly described as Assessors Parcel Nos. 002-219-010 and 002-219-011, from Kiranjeet Dhami in the amount of Four Hundred Thousand Dollars (\$400,000), and approves the expenditure of any additional and related closing costs expenses; and authorizes and directs the City Manager to execute a Purchase and Sale Agreement, in a form approved by the City Attorney, and all documents related to the purchase of the property on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

9. **Waiving the second reading and adopting an Ordinance of the City Council approving Zoning Text Amendment No. 22-17-0100 Amending Chapter 17.43 "Downtown Business District" of the Atwater Municipal Code to allow Mobile Food Vendors as a Conditional Use** (Community Development Director Thompson)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 1051 approving Zoning Text Amendment No. 22-17-0100 Amending Chapter 17.43 "Downtown Business District" of the Atwater Municipal Code to allow Mobile Food Vendors as a Conditional Use.

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

REPORTS AND PRESENTATIONS FROM STAFF:

10. **Waiving the first reading and introducing an ordinance repealing and re-enacting Title 15 "Buildings and Construction" of the Atwater Municipal Code, and setting a public hearing date** (Community Development Director Thompson)

Staff's Recommendation: Motion to waive the first reading and introduce Ordinance No. CS 1053 repealing and re-enacting Title 15 "Buildings and Construction" of the Atwater Municipal Code, and setting a public hearing date for adoption of Ordinance No CS 1053 on November 14, 2022; or

Motion to approve staff's recommendation as presented.

PUBLIC HEARINGS

11. **Authorizing Submittal of Grant Application to California Department of Housing and Community Development for Permanent Local Housing Allocation Funds , and adoption of the 5-Year PLHA Plan; and approving Budget Amendment establishing a revenue and expense account for the PLHA Grant Funds** (Community Development Director Thompson)

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

Close the public hearing;

Motion to adopt Resolution No. 3349-22 authorizing the submittal of an application to the California Department of Housing and Community Development for Permanent Local Housing Allocation Funds; and authorizes the City Manager to execute any and all documents; and Adopt Resolution No. 3350-22 approving Budget Amendment No. 05 amending FY 2022-23 Budget to establish a revenue and expense account for Permanent Local Housing Allocation (PLHA) funds; and authorize and direct the City Manager to enter into a Subrecipient Agreement with Self-Help Enterprises for the administration and implementation of the Permanent Local Housing Allocation Grant funds for the term of the Five-Year Plan.

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

12. Discussion and possible action regarding the unscheduled vacancy for the position of City Clerk as a result of the resignation of City Clerk Armstrong

Staff's Recommendation: That the City Council appoint an eligible staff member (a qualified elector) as City Clerk to the remainder of the term ending December 2024 or provide staff with direction on the process to fill the unscheduled vacancy for the position of City Clerk (appointed or special stand-alone at an approximate cost of \$60,000-\$75,000) as a result of the resignation of City Clerk Armstrong.

13. 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

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.



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