

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

November 14, 2022

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

Invocation by Master Sergeant Bill Lawrence

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.)

CEREMONIAL:

- **Oath of Office - City Clerk**

Staff's Recommendation: That Mayor Creighton administer the oath of office to the newly appointed City Clerk.

- **Oath of Office - Sergeant and Police Officer**

Staff's Recommendation: That Mayor Creighton administer the oath of office to the newly appointed Sergeant Ken Lee and Police Officer Shareef Odeh and Police Officer Mason Harris.

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.

TREASURER'S REPORT:

1. **September 30, 2022**

Staff's Recommendation: Approval of report as listed.

WARRANTS:

2. **November 14, 2022**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

3. **a) August 8, 2022 - Regular meeting**
b) August 22, 2022 - Regular meeting
c) September 12, 2022 - Regular meeting

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

4. **Awarding an On Call Professional Services Agreements to Independant Investigations LLC and Liest and Associates for Independent Internal Affairs Investigative Services for the Atwater Police Department** (Police Chief Salvador)

Staff's Recommendation: Awards an On Call Professional Services Agreement, in a form approved by the City Attorney, to Independant Investigations LLC and Liest and Associates for Internal Affairs Investigative Services for the Atwater Police Department Starting November 15th, 2022 through December 31, 2023, for an amount not to exceed \$25,000; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

5. **Approving Memorandum of Understanding with the City of Merced for Joint Self-Contained Breathing Apparatus Purchase through Assistance to Firefighters Grant** (CAL FIRE Battalion Chief Ayuso)

Staff's Recommendation: Approves the Memorandum of Understanding, in a form approved by the City Attorney, with the City of Merced regarding a Joint Self-Contained Breathing Apparatus Purchase through the Assistance to Firefighters Grant; and authorize and direct the City Manager, or her designee, to execute any and all documents related to the Memorandum of Understanding and Assistance to Firefighters Grant submittal on behalf of the City of Atwater.

6. **Approving Letter of Commitment and Contract between the City of Atwater and Pacific Gas and Electric (PG&E) to join the PG&E Fleet Electrification program** (Police Chief Slavador and Public Works Director Vinson)

Staff's Recommendation: Approving Letter of Commitment and Contract, in a form approved by the City Attorney, between the City of Atwater and Pacific Gas and Electric (PG&E) to join the PG&E Fleet Electrification program; and authorizes and directs the City Manager to sign any related documents on behalf of the City.

RESOLUTIONS:

7. **Amending the City's Records Retention Schedule** (Deputy City Clerk Martin)

Staff's Recommendation: Adoption of Resolution No. 3354-22

Approving Revisions to the City's Records Retention Schedule.

8. **Amending the Regular Meeting date and time for General Plan Technical Advisory Committee Meetings** (Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3355-22 amending Resolution No. 3274-21 regarding the regular meeting date and time for the General Plan Technical Advisory Committee

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

PUBLIC HEARINGS

9. **Waiving the second reading repealing and re-enacting Title 15, "Buildings and Construction" of the Atwater Municipal Code, which adopts by reference the 2022 California Building Code based on the 2021 International Building Code, the 2022 California Residential Code based on the 2021 International Residential Code, the 2022 California Green Building Standards Code, the 2022 California Electrical Code based on the 2020 National Electrical Code, the 2022 California Mechanical Code based on the 2021 Uniform Mechanical Code, and the 2022 California Plumbing Code based on the 2021 Uniform Plumbing Code, the 2022 California Fire Code based on the 2021 International Fire Code, the 2022 California Administrative Code, and the 1997 Uniform Code for the abatement of dangerous buildings** (Community Development Director Thompson)

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

Close the public hearing;

Motion to adopt Ordinance No. CS 1053 repealing and re-enacting Title 15, "Buildings and Construction" of the Atwater Municipal Code, which adopts by reference, the 2022 California Building Code based on the 2021 International Building Code, the 2022 California Residential Code based on the 2021 International Residential Code, the 2022 California Green Building Standards Code, the 2022 California Electrical Code based on the 2020 National Electrical Code, the 2022 California Mechanical Code based on the 2021 Uniform Mechanical Code, and the 2022 California Plumbing Code based on the 2021 Uniform Plumbing Code, the 2022 California Fire Code based on the 2021 International Fire Code, the 2022 California Administrative Code, and the 1997 Uniform Code for the abatement of dangerous buildings; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

10. 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.



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.