



CITY OF ATWATER

CITY COUNCIL ACTION MINUTES

October 10, 2022

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 Creighton presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Gabe Santos.

INVOCATION:

The Invocation was led by Michael Giordano.

ROLL CALL:

Present: City Council Members Ambriz, Cale, Button, Raymond, Mayor Creighton

Absent: None

Staff Present: City Manager Waterman, City Attorney Splendorio, Police Chief Salvador, Community Development Director Thompson, Finance Director Youmara, Public Works Director Vinson, Deputy City Clerk Martin

SUBSEQUENT NEED ITEMS: None

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CEREMONIAL MATTERS:

Recognition – Retirement of Police Officer Anthony Cardoza

Mayor Creighton recognized Police Officer Cardoza for his many accomplishments and thanked him for his service. He was not able to attend in person.

Proclamation – National Fire Prevention Week, October 9-15, 2022

Mayor Creighton and the City Council members presented the proclamation to Fire Captain Robert Carvalho and Engineer Trevor Santos.

Fire Captain Carvalho provided comments regarding Fire Prevention.

CONSENT CALENDAR:

Agenda item #3 under Agreements “Awarding a Purchase Agreement (Purchase Order) to National Auto Fleet Group for the purchase of three (3) new 2023 Ford 150 Lightning SuperCrew Cab Pickup trucks” was removed from the Consent Calendar for separate discussion and possible action.

Mayor Creighton opened public comment regarding items on the Consent Calendar.

No one came forward to speak.

Public Comment regarding items on the Consent Calendar was closed.

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

WARRANTS:

1. October 10, 2022

ACTION: Approval of warrants as listed.

MINUTES: (Audit and Finance Committee)

2. August 22, 2022 – Regular meeting

ACTION: Acceptance of minutes as listed.

AGREEMENTS:

3. Awarding a Purchase Agreement (Purchase Order) to National Auto Fleet Group for the purchase of three (3) new 2023 Ford 150 Lightning SuperCrew Cab Pickup trucks (Public Works Director Vinson)

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

City Council Member Button spoke regarding his questions about the item.

Public Works Director Vinson provided background information on this item.

MOTION: City Council Member Raymond moved to Award a Purchase Agreement (Purchase Order) to National Auto Fleet Group for the purchase of three (3) new 2023 Ford 150 Lightning SuperCrew Cab Pickup trucks. The motion was seconded by Mayor Pro Tem Cale and the vote was: Ayes: Raymond, Ambriz, Cale, Creighton; Noes: Button; Absent: None. The motion passed.

4. Declaring First Net/AT&T a sole source item and a Unique Cost Saving Opportunity, and approving an Agreement with First Net/AT&T for the purchase of equipment and wireless services for the City (Police Chief Salvador)

ACTION: Approves an Equipment/Service Purchase Agreement in the amount of \$110,550.00, in a form approved by the City Attorney, with First Net/AT&T for the wireless service and equipment for the City of Atwater; and authorize and direct the City Manager to execute the Agreement on behalf of the City.

5. Awarding a Purchase Agreement (Purchase Order) to Global Rental Co, Inc. for the purchase of a New 2022 Ford 550 Man-Lift Truck (Public Works Director Vinson)

ACTION: Awards a Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Global Rental Co, Inc. of Birmingham, Alabama, for the purchase of a New 2022 Ford 550 Crew Cab Battery Electric Pickup Trucks, in the amount not to exceed \$130,958.00; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

ORDINANCES (WAIVING SECONG READING AND ADOPTION)

6. Waiving the second reading and adopting as ordinance of the City Council

repealing and replacing Chapter 5.04, "General Provisions" and amending portions of Chapter 5.08, "Schedule of License Fees" of Title 5 of the Atwater Municipal Code (Community Development Director Thompson and Finance Director Youmara)

ACTION: Waives the second reading and adopts an ordinance of the City Council repealing and replacing Chapter 5.04, "General Provisions" and amending portions of Chapter 5.08, "Schedule of License Fees" of Title 5 of the Atwater Municipal Code.

REPORTS AND PRESENTATIONS FROM STAFF:

Awarding a General Construction Contract, to W.M. Lyles Co. of Bakersfield, California, for Well 20-A, City Project No.20-2 and Adopting a Resolution Approving a Budget Amendment to Allocate Additional Funding for Well 20-A Project (Public Works Director Vinson)

Public Works Director Vinson provided background information on this item.

Mayor Creighton opened public comment regarding this item.

One person spoke regarding this item.

Mayor Creighton closed public comment on this item.

MOTION: Mayor Pro Tem Cale moved to Adopt Resolution No. 3348-22 approving Budget Amendment No.4 amending Fiscal Year 2022-23 Budget to allocate additional funding for Well 20-A in the amount of \$2,670,800 and authorizing change orders for up to ten percent of project; and award a General Construction Contract, in a form approved by the City Attorney, to W.M. Lyles Co. of Bakersfield, California, for Well 20-A, City Project No.20-2; Bid Call 715-22, in an amount not to exceed \$5,044,700; and authorize and direct the City Manager to execute the Contract on behalf of the City. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Button, Ambriz, Cale, Raymond, Creighton; Noes: None; Absent: None. The motion passed.

PUBLIC HEARINGS

Waiving the first reading and introducing an ordinance 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)

Community Development Director Thompson provided background information on this item.

Mayor Creighton opened public comment regarding this item.

One person spoke regarding this item.

Chief Salvador spoke regarding this item and provided background information.

One person spoke about this item and clarification regarding this item.

Mayor Creighton closed public comment on this item.

City Council Member Raymond provided comments regarding this item.

MOTION: *City Council Member Ambriz moved to waive the first reading and introduce Ordinance No. CS 1051 amending Chapter 17.43 "Downtown Business District" of the Atwater Municipal Code to allow mobile food vendors as a conditional use. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Cale, Raymond, Ambriz, Button, Creighton; Noes: None; Absent: None. The motion passed.*

Waiving the first reading and introducing an ordinance Approving Zoning Text Amendment No. 22-18-0100 Repealing and Replacing Chapter 17.28 of the Atwater Municipal Code regarding Accessory and Junior Accessory Dwelling Units, and Determining the Ordinance to be Exempt from CEQA (Community Development Director Thompson)

Community Development Director Thompson provided background information on this item.

Mayor Creighton opened public comment regarding this item.

No one came forward to speak.

Mayor Creighton closed public comment on this item.

MOTION: *City Council Member Button moved to waive the first reading and introducing an ordinance Approving Zoning Text Amendment No. 22-18-0100 Repealing and Replacing Chapter 17.28 of the Atwater Municipal Code regarding Accessory and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Raymond, Cale, Button, Ambriz, Creighton; Noes: None; Absent: None. The motion passed.*

Waiving the first reading and introducing an ordinance Amending Chapter 5.60, Cannabis Business Pilot Program, of Title 5, Business taxes, Licenses and Regulation of the Atwater Municipal Code and adding Chapter 5.70, Cannabis Regulatory Program (Community Development Director Thompson and Finance Director Youmara)

Mayor Creighton opened public comment regarding this item.

One person spoke regarding this item.

Community Development Director Thompson provided background information regarding this item.

Mayor Creighton continued the public comment on this item to the meeting of October 24, 2022.

CITY MANAGER REPORTS/UPDATES:

City Manager Waterman had nothing to report.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

One person spoke regarding the Public Safety Tax and the support of the community.

One person spoke regarding the Public Safety Tax, the support of the community and activities in the community.

No one else came forward to speak.

CITY COUNCIL MATTERS:

City Council comments

Mayor Pro Tem Cale spoke regarding the Singh Family and thanks the Fire and Police Department. He reminds the community to check their smoke alarms.

City Council Member Ambriz spoke regarding Fire Prevention Week. He also spoke regarding the Singh Family.

City Council Member Raymond had nothing to report.

City Council Member Button congratulated the three recipients for the Excellence in Education awards for Atwater Elementary School District.

Mayor Creighton spoke regarding a long-term City employee who recently passed away "Margarita Saavedra."

Her family joined Mayor Creighton and City Council Members.

ADJOURNMENT:

The meeting was adjourned in memory of Margarita Saavedra.

Mayor Creighton adjourned the meeting at 6:42 PM.

JANELL MARTIN
DEPUTY CITY CLERK