



CITY OF ATWATER

CITY COUNCIL ACTION MINUTES

October 24, 2022

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:02 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 Terri Rolfe.

INVOCATION:

The Invocation was led by Timothy Miller.

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, Battalion Chief Ayuso, Deputy City Clerk Martin

SUBSEQUENT NEED ITEMS: None

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CEREMONIAL MATTERS:

Key to the City - Norman Rolfe

Mayor Creighton and City Council Members present the Key to the City to Norman Rolfe for his many contributions.

Mayor Creighton read the Proclamation.

Mr. Norman Rolfe spoke regarding his acceptance of the Key to the City.

Mayor Creighton called a recess at 6:10 PM.

Mayor and City Council Members returned from recess at 6:22 PM.

CONSENT CALENDAR:

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

WARRANTS:

1. October 24, 2022

ACTION: Approval of warrants as listed.

TREASURER'S REPORT:

2. August 31, 2022

ACTION: Approval of report as listed.

MINUTES: (City Council)

3. July 25, 2022 – Regular meeting

ACTION: 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).

ACTION: 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)

ACTION: 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)

ACTION: 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.

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

ACTION: 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)

ACTION: 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)

ACTION: 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.

REPORTS AND PRESENTATIONS FROM STAFF:

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)

Public Works Director Vinson provided background information on this item.

Mayor Creighton opened public comment regarding this item.

Mayor Creighton closed public comment on this item.

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

PUBLIC HEARINGS

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).

Community Development Director Thompson provided background information on

this item.

Mayor Creighton opened public comment regarding this item.

Mayor Creighton closed public comment on this item.

City Council Member Raymond provided comments regarding this item.

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

CITY MANAGER REPORTS/UPDATES:

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

City Manager Waterman provided background information on this item.

Mayor Creighton opened public comment regarding this item.

One person spoke regarding this item.

One person spoke regarding this item and asked regarding compensation.

Mayor Creighton closed public comment on this item.

Mayor Creighton asked regarding the term and the duties of the City Clerk.

City Attorney Splendorio provided background information on this item.

City Council Member Ambriz asked regarding the amount times this position has been vacated.

Mayor Pro Tem asked regarding qualified candidates.

City Council Member Raymond asked regarding the special meeting to be scheduled on November 1, 2022.

City Attorney Splendorio clarified how to have the failed motion reconsidered.

MOTION: *City Council Member Ambriz moved to open the City Clerk position to all eligible residents appointed at a special meeting, first week of November. The motion was seconded by Mayor Pro Tem Cale and the vote was: Ayes: Cale, Ambriz; Noes: Raymond, Button, Creighton; Absent: None. The motion fails.*

MOTION: *City Council Member Ambriz moved to reconsider the item. The motion was seconded by Mayor Creighton and the vote was: Ayes: Ambriz, Button, Cale, Creighton; Noes: Raymond; Absent: None. The motion passed.*

MOTION: *City Council Member Ambriz moved to table the item to a special meeting on November 1, 2022 at 6:00 PM. The motion was seconded by City Council Member Button and the vote was: Ayes: Raymond, Cale, Button, Ambriz, Creighton; Noes: None; Absent: None. The motion passed.*

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 opening of the Ice-Skating rink downtown and Christmas in Atwater at Bloss Mansion.

No one else came forward to speak.

CITY COUNCIL MATTERS:

City Council comments

City Council Member Ambriz spoke regarding a fundraiser for the Atwater softball team and the importance of the election.

Mayor Pro Tem Cale spoke regarding the grand opening of Pete's coffee, the Key to the City "Norman Rolfe," a great job to Timothy Miller, and a great job to Old Town Atwater. He spoke regarding regulations and enforcement with fireworks.

City Council Member Button had nothing to report.

City Council Member Raymond spoke regarding the importance of the election.

Mayor Creighton spoke regarding the Key to the City ceremony, and the Rolfe family. He also spoke regarding the upcoming Holiday season for Atwater.

ADJOURNMENT:

Mayor Creighton adjourned the meeting at 7:07 PM.

JANELL MARTIN
DEPUTY CITY CLERK