



# CITY OF ATWATER

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## CITY COUNCIL

### ACTION MINUTES

**November 14, 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 Pro Tem Cale presiding.*

INVOCATION:

*The Invocation was led by Master Sergeant Bill Lawrence.*

PLEDGE OF ALLEGIANCE TO THE FLAG:

*The Pledge of Allegiance was led by Linda Dash in dedication to California Highway Patrol Officer Ralph McGowan.*

ROLL CALL:

**Present:** City Council Members Ambriz, Button, Raymond, Mayor Pro Tem Cale  
**Absent:** City Council Member Button, Mayor Creighton  
**Staff Present:** City Manager Waterman, City Attorney Splendorio, Police Chief Salvador, Community Development Director Thompson, Public Works Director Vinson, Battalion Chief Ayuso, Deputy City Clerk Martin

SUBSEQUENT NEED ITEMS: None

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CEREMONIAL MATTERS:

Oath of Office - City Clerk

***Mayor Pro Tem Cale administered the oath of office to the newly appointed City Clerk.***

Oath of Office - Sergeant and Police Officer

***Police Chief Salvador administered the oath of office to the newly appointed Sergeant Ken Lee and Police Officer Shareef Odeh and Police Officer Mason Harris.***

***Mayor Pro Tem Cale called a recess at 6:10 pm.***

***Mayor Pro Tem Cale resumed the meeting at 6:15 pm.***

PRESENTATIONS:

**Monthly report by Merced County District 3 Supervisor McDaniel.**

Supervisor McDaniel was unable to attend, this item was removed from the agenda.

CONSENT CALENDAR:

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

TREASURER'S REPORT:

1. September 30, 2022

**ACTION: Approval of report as listed.**

**WARRANTS:**

2. November 14, 2022

**ACTION: 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

**ACTION: Approval of minutes as listed.**

**AGREEMENTS:**

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

**ACTION: Awards an On Call Professional Services Agreement, in a form approved by the City Attorney, to Independent Investigations LLC and Leist 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)

**ACTION: 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 Salvador and Public Works Director Vinson)

**ACTION: Approves 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)

***ACTION: Adoption of Resolution No. 3354-22, Approving Revision 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)

***ACTIONS: 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.***

PUBLIC HEARINGS:

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)

***Community Development Director Thompson provided background information on this item.***

***Mayor Pro Tem Cale opened the public hearing.***

***No one came forward to speak.***

***Mayor Pro Tem Cale closed the public hearing.***

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

CITY MANAGER REPORTS/UPDATES:

**City Manager Waterman provided a report regarding the Public Safety Tax and the final outcome.**

COMMENTS FROM THE PUBLIC:

**Notice to the public was read.**

**One person spoke regarding the Public Safety Tax and the support of the City Council, Staff, and community.**

**One person spoke regarding the City Clerk position and the Centennial Celebration.**

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

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

**No one else came forward to speak.**

CITY COUNCIL MATTERS:

City Council comments

**City Council Member Raymond congratulated all those who chose to run for an elected office. He spoke regarding the recent passing of Sue Schanze and mentioned all she had accomplished for the community. He asked that the community keep the Schanze family in their thoughts and prayers. He also mentioned the recent passing of Mrs. Creighton's father and that the community keep the family in their thoughts and prayers as well.**

**City Council Member Ambriz congratulated regarding Measure B and thanked the committee involved with the Public Safety Measure. He thanked the Veterans and spoke regarding the Veterans Day Ceremony that we had in the City of Atwater.**

**Mayor Pro Tem congratulated Kory Billings on his appointment as City Clerk as well as Ken Lee being promoted to Sergeant and the new hires Officer Odeh and**

*Harris. He spoke regarding the Public Safety Tax and the great job of the committee. He reminded the Community regarding the Atwater Christmas Parade.*

ADJOURNMENT:

*The meeting was adjourned in memory of California Highway Patrol Officer Ralph McGowan and the name of The Creighton Family.*

*Mayor Pro Tem Cale adjourned the meeting at 6:38 PM.*



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JANELL MARTIN  
DEPUTY CITY CLERK