

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 cityclerk@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) 357-6241.

CITY OF ATWATER

City Council

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

February 13, 2023

CALL TO ORDER:

5:30 PM

ROLL CALL: (City Council)

Ambriz _____, Button _____, Cale _____, Raymond _____, Nelson _____

CLOSED SESSION

Adjourn to Conference Room A

- Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: Number of cases (1)**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION

Invocation by Michael Giordano

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL: (City Council)

Ambriz _____, Button _____, Cale _____, Raymond _____, Nelson _____

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

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.

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. February 13, 2023

Staff's Recommendation: Approvals of warrants as listed.

MINUTES: (City Council)

- 2. a) December 12, 2022 - Regular meeting**
- b) January 9, 2023 - Special meeting**
- c) January 9, 2023 - Regular meeting**
- d) January 17, 2023 - Special meeting**

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

3. **Awarding an Equipment Purchase Agreement (Purchase Order) with Pro Force Law Enforcement for the purchase of Sig Sauer P320 handguns for the Police Department** (Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3368-23 approving Budget Amendment No. 11 amending the Fiscal Year 2022-23 Budget regarding appropriating funds in the amount of \$27,445.50 to the Fiscal Year 2022-23 General Fund Police Department Budget; and Awarding Purchase Agreement with Pro Force Law Enforcement of Arizona, in the amount not to exceed \$31,000; and authorize and direct the City Manager to execute the Agreement on behalf of the City.

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

PUBLIC HEARINGS

4. **Waiving the first reading, by title only, and introducing a Zoning Ordinance Text Amendment of the City Council amending Chapter 17.49.020, "Definition of mini-warehouse," of the Atwater Municipal Code** (Community Development Director Thompson)

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

Close the public hearing; and,

Motion to waive the first reading and introduce Ordinance No. CS 1058 amending Chapter 17.49.020 "Definition of mini-warehouse," of the Atwater Municipal Code; or,

Motion to approve staff's recommendation as presented.

5. **Adopting a resolution authorizing submittal of a Prohousing Designation Program Application to the California Department of Housing and Community Development (HCD)** (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. 3365-23 authorizing the submittal of an application to the California Department of Housing and Community Development for Prohousing Designation Program; and

Motion to authorize the City Manager, or designee to execute all documents deemed necessary or appropriate to participate in the Prohousing Designation Program, and make any subsequent amendments or modifications related to them as required by the

California Department of Housing and Community Development; or
Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:)

6. **Awarding a Professional Services Agreement to Centerline Design, LLC for the Design of Tenant Improvements at the future City Hall** (Public Works Director Vinson)

Staff's Recommendation: Motion to award a Professional Service Agreement, in a form approved by the City Attorney, to Centerline Design, LLC of Clovis, California, for the Design of Tenant Improvements at the future City Hall, in an amount not to exceed \$92,700.00; and authorizes and directs the City Manager to execute the Professional Services Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

7. **Resolution adopting procedure guidelines and review criteria for evaluating cannabis regulatory permit applications** (Community Development Director Thompson)

Staff's Recommendation: Motion to adopt Resolution No. 3369-23 approving procedure guidelines and review criteria for evaluating cannabis regulatory permit applications; or

Motion to approve staff's recommendation as presented.

8. **Resolution authorizing the City Manager or designee to sign the necessary documentation to reserve two (2) new Fire Command Vehicles for purchase in an amount not to exceed \$160,000.** (Battalion Chief Ayuso)

Staff's Recommendation: Motion to adopt Resolution No. 3371-23, authorizing the City Manager or designee to sign the necessary documentation to reserve two (2) new Fire Command Vehicles for purchase.

Motion to approve staff's recommendation as presented.

9. **Approving a Purchase Agreement (Purchase Order) for the purchase of 911 dispatch radio recording equipment and approving a Budget Amendment appropriating funds for the purchase of radio recording equipment** (Police Chief Salvador)

Staff's Recommendation: Motion to approve a Purchase Agreement (Purchase Order) to Commercial Electronics, for the purchase of 911 dispatch recording equipment in an amount not to exceed \$55,418.52; and authorize and direct the City Manager, or her designee, to execute the Purchase Agreement (Purchase Order) on behalf of the City; and Adopts Resolution No. 3367-23 approving Budget Amendment No. 10 amending the Fiscal Year 2022-23 Budget regarding appropriating funds in the amount of \$55,418.52 to the Fiscal Year 2022-23 Public Safety Transactions and Use Tax Budget; or

Motion to approve staff's recommendation as presented.

10. **Approving a Purchase Agreement (Purchase Order) for the purchase of dispatch radio console equipment and approving a Budget Amendment appropriating funds for the purchase of radio console equipment (Police Chief Salvador)**

Staff's Recommendation: Motion to approve a Purchase Agreement (Purchase Order) with Delta Wireless for dispatch radio console equipment, in an amount not to exceed \$192,319.74; and adopts Resolution No. 3366-23 approving Budget Amendment No. 9 amending the Fiscal Year 2022-23 Budget regarding appropriating funds in the amount of \$192,319.74 to the Fiscal Year 2022-23 Public Safety Transactions and Use Tax Budget; and authorizes and directs the City Manager, or her designee, to execute the Purchase Agreement (Purchase Order) on behalf of the City; or

Motion to approve staff's recommendation as presented.

11. **Police Department 2022 Annual Report (Police Chief Salvador)**

CITY MANAGER REPORTS/UPDATES:

12. **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 REPORTS/UPDATES

- **City Council Member Cale, District 1**
- **City Council Member Button, District 2**
- **City Council Member Ambriz, District 3**
- **Mayor Pro Tem Raymond, District 4**
- **Mayor Nelson**

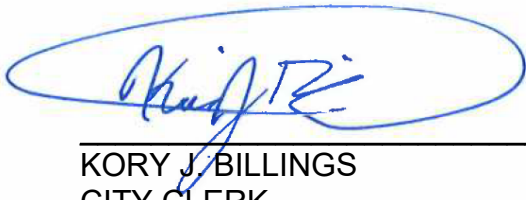
CLOSED SESSION

Continuation of Closed Session if necessary

ADJOURNMENT

CERTIFICATION:

I, Kory J. Billings, 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.



KORY J. BILLINGS
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) 357-6241. You may also send the request by email to cityclerk@atwater.org.