

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

May 22, 2023

CALL TO ORDER:

5:15PM

ROLL CALL: (City Council)

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

CLOSED SESSION

Adjourn to Conference Room A

- Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding price and terms of payment. Agency Negotiators: City Manager Waterman, Deputy City Manager/Community Development Director Thompson. Negotiating Parties:**

Property Locations: APN 156-060-010

APN 156-060-011

- **Conference with Labor Negotiators - Government Code Section 54957.6, Agency Negotiators: City Manager Waterman, Human Resources Director Sousa, Bargaining Units: Atwater Police Officers Association**

CALL TO ORDER:

6:00 PM

REGULAR SESSION: (Council Chambers)

INVOCATION

Invocation by John Davis

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

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.

CEREMONIAL MATTERS:

- **Certificate of Recognition - Atwater High School Future Farmers of America "FFA" Students**

Staff's Recommendation: That City Council Member Button present certificates of recognition to the Atwater High School Future Farmers of America Students and Coaches for their achievements.

Proclamations

- **National Public Works Week, May 21 - May 27, 2023**

Staff's Recommendation: That Mayor Nelson present the proclamation to Public Works Director Vinson, on behalf of the Public Works Department, recognizing the week of May 21 - 27, 2023 as National Public Works Week.

PRESENTATIONS

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

CONSENT CALENDARNOTICE 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. April 30, 2023**

Staff's Recommendation: Approval of report as listed.

WARRANTS**2. May 22, 2023**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)**3. May 8, 2023 - Regular meeting**

Staff's Recommendation: Approval minutes as listed.

MINUTES: (Planning Commission)**4. April 19, 2023 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

AGREEMENTS:

5. Approving a Purchase Agreement (Purchase Order) with Volvo Construction Equipment & Services for a Towable Air Compressor (Public Works Director Vinson)

Staff's Recommendation: Approves a Purchase Agreement (Purchase Order) to Volvo Construction Equipment & Services of Fresno, California for a Towable Air Compressor, in an amount not to exceed \$26,649.13; and authorizes and directs the City Manager or her designee to execute the Agreement (Purchase Order) on behalf of the city.

6. Authorizing and approving Cooperative Purchase Agreement with Cloudpermit, Inc. for purchase of Permit Streamline Software (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Authorizes and approves a Cooperative Purchase Agreement, in a form approved by the City Attorney, with Cloudpermit, Inc of Reston, Virginia, for a five-year subscription of permit streamlining software for Building Permitting, Planning, Land

Use, and Code Enforcement, in an amount not to exceed \$79,000 for the first year and \$39,000 for each additional year; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

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

PUBLIC HEARINGS

- 7. **Resolution approving a General Plan Amendment from Low-Density Residential to Commercial located at 316 E. Bellevue Rd, Atwater** (Deputy City Manager/Community Development Director Thompson)

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

Close the public hearing; and

Adoption of Resolution No. 3393-23, approving General Plan Amendment No. 23-05-0100 to change the land use designation from Low-Density Residential to Commercial for the parcel located at 316 E. Bellevue Rd. (APN 004-021-001); or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

- 8. **Approving an Amendment to Update the Standard Plans and Specifications of the City of Atwater** (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Motion to adopt Resolution No. 3394-23 Amending the Standard Plans and Specifications of the City of Atwater; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

- 9. **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**

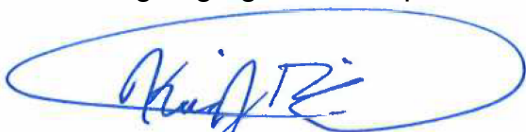
CLOSED SESSION

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.

Unless otherwise noted, City Council actions include a determination that they are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), and therefore, that CEQA does not apply to such actions.