



CITY OF ATWATER

CITY COUNCIL

ACTION MINUTES

May 22, 2023

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:15 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Nelson presiding.

ROLL CALL:

Present: *City Council Members Ambriz, Cale, Mayor Pro Tem Raymond, Mayor Nelson*

Absent: *City Council Member Button*

Staff Present: *City Manager Waterman, City Attorney Splendorio, Deputy City Manager/Community Development Director Thompson, Human Resources Director Sousa, Public Works Director Vinson, Deputy City Clerk Martin*

CLOSED SESSION: (Conference Room A)

Mayor Nelson invited public comment on Closed Session items.

No one came forward to speak.

Mayor Nelson adjourned the meeting to Conference Room A for Closed Session at 5:16 PM. Closed Session was called to order at 5:19 PM.

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 156-050-011

Closed Session adjourned at 6:00 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:04 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Nelson presiding.

INVOCATION:

The Invocation was led by Pastor Allen Thomas.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Mayor Nelson.

ROLL CALL: (City Council)

Present: City Council Members Ambriz, Cale, Mayor Pro Tem Raymond, Mayor Nelson

Absent: City Council Member Button

Staff Present: City Manager Waterman, City Attorney Splendorio, Battalion Chief Ayuso, Police Chief Salvador, Deputy City Manager/Community Development Director Thompson, Public Works Director Vinson, Human Resources Director Sousa, City Clerk Billings, Deputy City Clerk Martin

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that the City Council discussed two items, provided direction, and there was no reportable action.

SUBSEQUENT NEED ITEMS: **None**

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

Mayor Pro Tem Raymond stated Merced County District 3 Supervisor McDaniel would not be present this evening for his monthly update. He also congratulated Supervisor McDaniel's son's wedding.

CEREMONIAL MATTERS:

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

City Council Member Cale presented 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

Mayor Nelson presented the proclamation to Superintendent Matt Del Real, on behalf of the Public Works Department, recognizing the week of May 21 - 27, 2023 as National Public Works Week.

CONSENT CALENDAR:

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

No one else came forward to speak.

Mayor Nelson closed the public comment.

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

TREASURER'S REPORT:

1. April 30, 2023

ACTION: Approval of report as listed.

WARRANTS:

2. May 22, 2023

ACTION: Approval of warrants as listed.

MINUTES: (City Council)

3. May 8, 2023 – Regular Meeting

ACTION: Approval of minutes as listed

MINUTES: (Planning Commission)

4. April 19, 2023 – Regular meeting

ACTION: 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)

ACTION: 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)

ACTION: 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.

PUBLIC HEARINGS:

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)

Deputy City Manager/Community Development Director Thompson provided background information on this item.

Mayor Nelson opened the public hearing.

No one came forward to speak.

Mayor Nelson closed the public hearing.

MOTION: Mayor Pro Tem Raymond moved to adopt 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). The motion was seconded by City Council

Member Cale and the vote was: Ayes: Cale, Ambriz, Raymond, Nelson; Noes: None; Absent: Button. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

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

Deputy City Manager/Community Development Director Thompson provided background information on this item.

Mayor Pro Tem asked regarding bike lanes and connectivity.

Mayor Nelson asked regarding Electric Scooters.

Lt. Novetzke spoke regarding the law and Electric Scooters.

Mayor Nelson asked if anyone would like to come forward and speak on this item.

Jim Price spoke regarding Electric Scooters.

Keith Pelowski spoke regarding motorized vehicles and the bike lanes.

MOTION: Mayor Pro Tem Raymond moved to adopt Resolution No. 3394-23 Amending the Standard Plans and Specifications of the City of Atwater. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Nelson; Noes: None; Absent: Button. The motion passed.

CITY MANAGER REPORTS/UPDATES:

City Manager Updates

City Manager Waterman reported the following:

City Manager Waterman provided information regarding transportation (Pedestrian, Rail, Alternative Modes) projects.

- **Atwater Merced Expressway (AME) awaiting Environmental approval and as this project continues will eliminate traffic congestion on Highway 99.**
- **The City Council recently approved the Bellevue Corridor project as well as Traffic Signal Synchronization also working towards eliminating traffic congestion.**
- **The City of Atwater recently purchased the parking lot at Atwater Boulevard and First Street for overflow parking and the Ace Train platform. A traffic signal will be placed at First Street and Atwater Boulevard.**

- **Merced The Bus has placed several new benches throughout the City of Atwater, please be aware of the pedestrian traffic.**
- **There are several large construction projects in the City of Atwater, please slow down in the construction zones.**

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

Mayor Nelson clarified that under the Brown Act, members of the public are entitled to directly address the City Council and are not entitled to address their comments to other members of the public or to staff.

Mayor Nelson opened the public comment.

Amanda Nicole spoke regarding an outstanding restraining order.

Maria Estrada, via translator, spoke regarding an outstanding restraining order.

Arturo Martinez, District Representative for Senator Anna Caballero, spoke regarding the Young Legislators program.

Kory Billings spoke regarding the Bloss Memorial Healthcare District funding set aside for sports physicals for all incoming Jr. and Highschool students.

Jim Price spoke regarding fiscal responsibility and various topics that he would like addressed.

Keith Pelowski spoke regarding fiscal responsibility and the structure of the Town Hall meeting.

Pastor Rich Miller thanked the Mayor for attending a church function. He spoke regarding fiscal responsibility.

No one else came forward to speak.

Mayor Nelson closed the public comment.

CITY COUNCIL REPORTS/UPDATES:

City Council comments

City Council Member Cale had nothing to report.

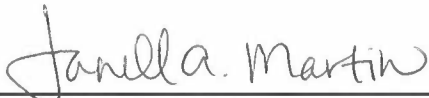
City Council Member Ambriz congratulated Atwater High School FFA students for all their efforts. He spoke regarding the most recent One Voice trip and the benefits to the residents. He wished his daughter a Happy Birthday.

Mayor Pro Tem Raymond congratulated the newly married McDaniel family.

Mayor Nelson provided an update regarding frequently asked questions from residents. He provided an update regarding the One Voice trip and the various Agencies and Leaders that himself, City Council Member Ambriz, and City Manager Waterman met with. He spoke regarding what they learned about the process of the One Voice process.

ADJOURNMENT:

Mayor Nelson adjourned the meeting at 6:57 PM.



**JANELL MARTIN
DEPUTY CITY CLERK**