



CITY OF ATWATER

CITY COUNCIL AND HOUSING SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

ACTION MINUTES

May 23, 2022

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:05 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Creighton presiding.

ROLL CALL:

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

Absent: None

Staff Present: City Manager Waterman, City Attorney Splendorio, Deputy City Manager Del Real, Public Works/Community Development Director Thompson, Deputy City Clerk Martin

CLOSED SESSION: (Conference Room A)

Mayor Creighton invited public comment on Closed Session items.

No one came forward to speak.

Mayor Creighton adjourned the meeting to Conference Room A for Closed Session at 5:05 PM. Closed Session was called to order at 5:11 PM.

Conference with Labor Negotiators – Government Code Section 54957.6, Agency Negotiators: City Manager Waterman, Deputy City Manager Del Real, and City Attorney Splendorio, Bargaining Units: Atwater Police Officers Association and AFSCME Local 2703 – Clerical Unit, Mid-Managers Group, Miscellaneous Unit, and Unrepresented Employees

Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding price and terms of payment. Agency Negotiators: Public Works/Community Development Director Thompson and City Attorney Splendorio. Negotiating Parties: Bellevue Swim Club, Inc., National Retail Properties, Roberto Hugo Carbajal, and Terry Rolfe

Property Locations: 255 E. Bellevue Road, APN: 156-060-014
303 E. Bellevue Road, Portion of APN 156-060-011
337 E. Bellevue Road, APN: 156-060-009
Portion of APN: 056-241-014

Closed Session adjourned at 5:38 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater and the Board of Directors of the Housing Successor Agency to the Atwater Redevelopment Agency 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/Board Chair Creighton presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Gary Frago.

INVOCATION:

The Invocation was led by John Davis.

ROLL CALL: (City Council/Board of Directors)

Present: City Council Members/Board Members Ambriz, Button, Raymond, Mayor Pro Tem/Board Vice Chair Cale, Mayor/Board Chair Creighton

Absent: None

Staff Present: City Manager/Executive Director Waterman, City Attorney Splendorio, CAL FIRE Battalion Chief Ayuso, Police Chief Salvador, Public Works/Community Development Director Thompson, Deputy City Clerk Martin

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that the City Council was provided direction and no reportable action was taken. The Closed Session agenda was completed.

SUBSEQUENT NEED ITEMS: ***None***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CEREMONIAL MATTERS:

Certificate of Recognition – Police Officer and Dispatcher of the Year

Mayor Creighton and the City Council presented a Certificate of Recognition to Police Officer of the Year, David Goodwin, and to Dispatcher of the Year, Marcelina Zimmerman.

Police Chief Salvador and Police Officer Robert Vargas, President of the Atwater Police Officers Association presented awards from the Atwater Police Department and Atwater Police Officers Association to Police Officer of the Year, David Goodwin, and to Dispatcher of the Year, Marcelina Zimmerman.

Certificate of Recognition – Police Lieutenant Graduation

Mayor Creighton and the City Council along with Police Chief Salvador presented the Certificate of Recognition to Police Lieutenant William Novetzke for completion of the Los Angeles Police Department Leadership Program.

Mayor Creighton called a recess at 6:23 PM.

The City Council returned to the dais and Mayor Creighton resumed the meeting at 6:30 PM.

City Manager Waterman spoke regarding the support and investment towards public safety in the City, surveys to gauge the community's support and interests, and plans for public safety needs.

PRESENTATIONS:

Monthly report by Merced County District 3 Supervisor McDaniel

Merced County District 3 Supervisor McDaniel reported the following:

- ***Patriot Rail has opened on May 1, 2022 and their hours of operations are from 1:00 AM to 5:00 AM.***
- ***Commerce Avenue and Giannini Road will be repaved as part of the County's road priorities.***
- ***Thanked City Manager Waterman and Mayor Pro Tem Cale regarding One Voice in Washington, D.C., and the success of the trip.***
- ***Merced County is currently undergoing budget negotiations for this year.***

CONSENT CALENDAR:

Agenda item #6 under Agreements, "Authorizing and approving Cooperative Purchase Agreement with Schwarze Industries Inc. for the purchase of 2022 Schwarze Model A7 Tornado Sweeper," was removed from the Consent Calendar for separate discussion and possible action.

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

WARRANTS:

1. May 23, 2022

ACTION: Approval of warrants as listed.

TREASURER'S REPORT:

2. April 30, 2022

ACTION: Approval of report as listed.

MINUTES: (City Council)

3. a) May 9, 2022 – Regular meeting
b) May 16, 2022 – Special meeting

ACTION: Approval of minutes as listed.

RESOLUTIONS:

4. Approving Budget Amendment to increase Budget and Approving Professional Services Agreement with RSG, Inc. for Preparation Controlling Documents for Waterstone Project (Public Works/Community Development Director Thompson)

ACTION: Adoption of Resolution No. HSA 2022-3 approving Budget Amendment No. 30 amending Fiscal Year 2021-22 Budget to establish revenue and expenditure budget appropriation for Preparation of Financing Commitment Letter for the Developer to use in their application for Multifamily Housing Program (MHP) Grant Application and for the California Tax Credit Allocation Committee ("TCAC") Application; and for the preparation of Affordable Housing Controlling Documents for the proposed Chelsea Investment Corporation Affordable Housing Project with RSG, Inc. in an amount not to exceed \$15,125.00; approves a Professional Services Agreement, in a form approved by the City Attorney, with RSG, Inc. for Preparation of Financing Commitment Letter for the application submittal for "MHP" and "TCAC" and for the preparation of Affordable Housing Controlling Documents; and authorizes and directs the City Manager, or her designee, to execute the Professional Services Agreement on behalf of the City.

5. Approving Budget Amendment establishing budget in Water Enterprise Fund and Awarding General Services Agreement to Yesco Signs LLC for Installation of Lights on the Water Tower (Public Works/Community Development Director Thompson)

ACTION: Adoption of Resolution No. 3314-22 approving Budget Amendment No. 31 amending Fiscal Year 2021-22 Budget establishing budget in the Water Enterprise Fund and awards a General Services Agreement, in a form approved by the City Attorney, to Yesco of Clovis, California for the installation of lights on the water tower located at 760 Cedar Ave, in an amount not to exceed \$211,759.64; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

AGREEMENTS:

6. Authorizing and approving Cooperative Purchase Agreement with Schwarze Industries Inc. for the purchase of 2022 Schwarze Model A7 Tornado Sweeper (Public Works/Community Development Director Thompson)

This item was removed from the Consent Calendar for separate discussion and possible action.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

7. Waiving the second reading and adopting an ordinance of the City Council of the City of Atwater adding Chapter 8.18, "Commercial Blight Prevention" of Title 8, "Health and Safety" of the Atwater Municipal Code (City Attorney Splendorio)

ACTION: *Waives the second reading and adopts Ordinance No. CS 1049 adding Chapter 8.18, "Commercial Blight Prevention" of Title 8, "Health and Safety" of the Atwater Municipal Code.*

AGREEMENTS:

Authorizing and approving Cooperative Purchase Agreement with Schwarze Industries Inc. for the purchase of 2022 Schwarze Model A7 Tornado Sweeper (Public Works/Community Development Director Thompson)

Public Works/Community Development Director Thompson provided background information on this item and addressed concerns of the City Council regarding the purchase reason, total units replaced, and the plans for the replacement unit.

MOTION: *City Council Member Button moved to authorize and approve a Cooperative Purchase, Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Schwarze Industries Inc, Huntsville, Alabama, for the purchase of a 2022 Schwarze Model A7 Tornado Sweeper, in the amount not to exceed \$321,752.23, and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Ambriz, Button, Cale, Raymond, Creighton; Noes: None; Absent: None. The motion passed.*

CITY MANAGER REPORTS/UPDATES:

City Manager Updates

City Manager Waterman reported the following:

- ***Splash Park will be decommissioned for a short period of time due to unforeseen circumstances.***
- ***The Miss Atwater Pageant will be brought back for the City's upcoming Centennial Celebration. The pageant will be held at the Atwater Community Center on August 13, 2022 and registration will be opened to high school aged students from May 23, 2022 – June 20, 2022.***
- ***The City will be hosting a vendor craft fair event for the City's upcoming Centennial Celebration on August 20, 2022 from 10:00 AM – 6:00 PM in Downtown Atwater. The community and vendors are encouraged to attend, and Kory Billings of the Recreation and Community Events Department can be contacted for additional information at (209) 357-6220.***

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

Two people spoke regarding public safety within the City and the need for the continuation of the public safety transactions and use tax.

One person invited the City Council to a flag dedication ceremony on June 14, 2022 at 10:00 AM located at the Castlewood Senior Community on 2601 Buhach Road in Atwater.

One person spoke regarding prior staffing levels of public safety in comparison to current times and encouraged the City Council to consider a special meeting to be held to discuss the public safety transactions and use tax.

One person spoke regarding the completion of the renaming of Osborn Field to Frank Reponde Memorial Field.

One person spoke regarding their support for public safety and spoke in favor of renewing the public safety transactions and use tax. They also encouraged the City Council to consider a special meeting to be held to discuss the public safety transactions and use tax and spoke regarding the need for updated polling information from consultants.

No one else came forward to speak.

CAL FIRE Battalion Chief Ayuso spoke regarding the Fill the Boot campaign with the Merced County Fire Department for the Muscular Dystrophy Association on May 28, 2022 from 7:00 AM – 2:00 PM at Five Corners in Atwater.

CITY COUNCIL MATTERS:

City Council comments

Mayor Creighton reminded residents of their impact on the occurrences within the community and encouraged residents and those who spoke regarding the public safety transactions and use tax to give their input to the City by participating in the Let's Talk Atwater community survey and speaking to the City Council, City Manager, Police Department, and Fire Department.

City Council Member Button stated that he would be open to a special or community meeting to further discussions from tonight's meeting. He spoke regarding the ongoing highway construction project between the City of Atwater and the City of Merced and the drafting of a letter from City staff to Caltrans with questions and concerns. He also spoke regarding the safety, plans, and timeline of the highway construction project and the effects on the community.

Mayor Pro Tem Cale spoke regarding the safety of the ongoing highway construction project between the City of Atwater and the City of Merced and encouraged the community to use alternative routes such as Santa Fe Drive. He congratulated David Goodwin for achieving Police Officer of the Year, Marcelina Zimmerman for achieving Dispatcher of the Year, and Police Lieutenant William Novetzke for his completion of the Los Angeles Police Department Leadership Program. He also reminded the community to ask him questions, limit the watering of their lawns, and to keep cool as the weather is getting warmer.

City Council Member Raymond had nothing to report.

City Council Member Ambriz stated that he supports having a special meeting to further discussions from tonight's meeting. He also congratulated his daughter and the recent graduates in the community, and reminded residents to drive safely during graduation celebrations.

ADJOURNMENT:

Mayor Creighton adjourned the meeting in honor of our military armed forces.

Mayor Creighton adjourned the meeting at 7:12 PM.



JANELL MARTIN
DEPUTY CITY CLERK

By: Leslie Thuang
Recording Secretary