



CITY OF ATWATER

CITY COUNCIL, FIRE PROTECTION DISTRICT, AND SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

ACTION MINUTES

June 27, 2022

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater, the Board of Directors of the Fire Protection District, and the Governing Board of the 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 President/Board Chair Creighton presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Public Works Superintendent Vinson.

INVOCATION:

The Invocation was led by Pastor Phil Jenkins.

ROLL CALL:

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

Absent: None

Staff Present: *City Manager/Executive Director Waterman, City Attorney Splendorio, Deputy City Manager Del Real, Police Chief Salvador, Public Works/Community Development Director Thompson, Finance Director/Treasurer Youmara, Deputy City Clerk/Board Clerk/Board Secretary Martin*

SUBSEQUENT NEED ITEMS: *None*

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

PRESENTATIONS:

Monthly report by Merced County District 3 Supervisor McDaniel

Merced County District 3 Supervisor McDaniel reported the following:

- ***The proposed budget of Merced County has been passed, and there are increases from last year's budget.***

CONSENT CALENDAR:

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

WARRANTS:

1. June 27, 2022

ACTION: *Approval of warrants as listed.*

TREASURER'S REPORT:

2. May 31, 2022

ACTION: *Approval of report as listed.*

MINUTES: (City Council)

3. June 13, 2022 – Regular meeting

ACTION: *Approval of minutes as listed.*

MINUTES: (Planning Commission)

4. April 20, 2022 – Regular meeting

ACTION: Acceptance of minutes as listed.

MINUTES: (Citizens' Oversight Committee)

5. March 8, 2022 – Regular meeting

ACTION: Acceptance of minutes as listed.

RESOLUTIONS:

6. Approving the Statement of Investment Policy for Fiscal Year 2022-23 and delegating authority to the City Treasurer to invest funds accordingly (Finance Director Youmara)

ACTION: Adoption of Resolution No. 3320-22 approving the Statement of Investment Policy for Fiscal Year 2022-23 and delegating authority to the City Treasurer to invest funds in accordance with the Statement of Investment Policy.

7. Approving and Ratifying Side Letter of Agreement with Atwater Police Officers Association regarding Terms and Conditions of Employment (City Manager Waterman and Deputy City Manager Del Real)

ACTION: Adoption of Resolution No. 3324-22 approving and ratifying Side Letter of Agreement, in a form approved by the City Attorney, between the City of Atwater and Atwater Police Officers' Association ("APOA") pertaining to certain terms and conditions of employment; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

8. Calling, giving notice of, and consolidating the 2022 General Municipal Election (City Clerk Armstrong)

ACTION: Adoption of Resolution No. 3323-22 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2022 for the election of the Mayor (at large) and two (2) members of the City Council within the boundaries of District Three (3) and District Four (4), as required by the provisions of the laws of the State of California relating to General Law Cities; and requests the Board of Supervisors of the County of Merced consolidate the General Municipal Election to be held on November 8, 2022 with the Gubernatorial General Election to be held on the date pursuant to Section 10403 of the Election Code.

AGREEMENTS:

9. Approving Second Amendment to General Services Agreement with Jani Tek Cleaning Solutions for the cleaning and disinfecting of City-Owned Buildings (Public Works/Community Development Director Thompson)

ACTION: Approval of the Second Amendment to the General Services Agreement, in a form approved by the City Attorney, with Jani Tek Cleaning Solutions of Stockton, California, in a form approved by the City Attorney, for the cleaning and disinfecting of City Owned Buildings, in an amount not to exceed \$111,678, plus up to an additional \$25,000 for any additional City facilities; and authorizes and directs the City Manager, or her designee, to execute the Amendment on behalf of the City.

10. Approving Second Amendment to Community Development Director Employment Agreement (Deputy City Manager Del Real)

ACTION: Approval of the Second Amendment to the Community Development Director Employment Agreement between Greg Thompson and the City of Atwater; and authorizes and directs the City Manager to execute the Amendment on behalf of the City.

PUBLIC HEARINGS:

Adopting a resolution Setting Miscellaneous Fees and Re-Adopting Miscellaneous Fee Schedule (Finance Director Youmara)

Finance Director Youmara provided background information on this item.

Mayor Creighton opened the public hearing for this item.

No one came forward to speak, and Mayor Creighton closed the public hearing.

MOTION: Mayor Pro Tem Cale moved to adopt Resolution No. 3321-22 Setting the City of Atwater's Miscellaneous Fees and Re-Adopting the Miscellaneous Fee Schedule for Fiscal Year 2022-23. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Button, Ambriz, Cale, Raymond, Creighton; Noes: None; Absent: None. The motion passed.

Resolutions adopting Fiscal Year 2022-23 Budget including Five-Year Capital Improvement Plan and approving Fund Expenditures and Fund Transfers; establishing appropriations limitations; and amending Classification Plan and adopting Salary Schedule A-23, effective June 23, 2022 (City Manager/Executive Director Waterman, Deputy City Manager Del Real, and Finance Director/Treasurer Youmara)

City Manager/Executive Director Waterman provided background information on this item.

Finance Director/Treasurer Youmara presented a PowerPoint presentation discussing the Fiscal Year 2022-23 proposed budget.

Mayor/Board President/Board Chair Creighton opened the public hearing for this item.

One person spoke regarding the funding and staffing levels of public safety, the general fund, and the Public Safety Transactions and Use Tax.

One person spoke regarding the funding and staffing levels of public safety, the Public Safety Transactions and Use Tax, and asked the City Council to consider placing a public safety transactions and use tax measure on an agenda or holding a special meeting to discuss the measure.

No one else came forward to speak, and Mayor/Board President/Board Chair Creighton closed the public hearing.

The City Council, Fire Protection District, and Successor Agency to the Atwater Redevelopment Agency thanked staff for their hard work on completing the Fiscal Year 2022-23 proposed budget and spoke regarding the positive trend of the budget.

City Council Member/Board Member Raymond asked for clarification regarding the potential increase of the overtime budget for the Police Department due to the increase in crimes.

Police Chief Salvador and City Manager Waterman addressed the concerns of the City Council regarding the potential increase of the overtime budget for the Police Department due the increase in crimes.

MOTION: City Council Member/Board Member Raymond moved to adopt Joint Authority Resolution No. 3317-22, Resolution No. AFD 1-2022, and Resolution No. SA 2022-1 adopting the Fiscal Year 2022-23 budget, approving Fund Expenditures and Fund Transfers, and Five-Year Capital Improvement Program with any modifications from the budget review and public hearing; to adopt Resolution No. 3318-22 establishing the Fiscal Year 2022-23 Appropriations Limitation; to adopt Resolution No. 3319-22 amending the City of Atwater Classification Plan and adopting Salary Schedule A-23, effective June 23, 2022.

The motion was seconded by Mayor Pro Tem/Board Vice President/Board Vice Chair Cale and the vote was: Ayes: Ambriz, Button, Raymond, Cale, Creighton; Noes: None; Absent: None. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Employment Agreement for Public Works Director (City Manager Waterman and Deputy City Manager Del Real)

City Manager Waterman provided background information on this item.

Three people spoke regarding their appreciation for Justin Vinson and his contributions to the Public Works Department and community.

The City Council congratulated Justin Vinson and spoke regarding their appreciation for his contributions to the City.

MOTION: Mayor Creighton moved to ratify Public Works Director Employment Agreement, in a form approved by the City Attorney, with Justin Vinson; and to authorize and direct the City Manager to execute the Agreement on behalf of the City. The motion was seconded by Mayor Pro Tem Cale and the vote was: Ayes: Raymond, Ambriz, Button, Cale, Creighton; Noes: None; Absent: None. The motion passed.

Mayor Creighton called a recess at 6:58 PM.

The City Council returned to the dais and Mayor Creighton resumed the meeting at 7:08 PM.

CITY MANAGER REPORTS/UPDATES:

City Manager Waterman commended the City Council and the City's management team for adopting a balanced, sustainable work plan for Fiscal Year 2022-23.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

One person spoke regarding their appreciation for the City Council and City staff, transparency, and California Assembly Bill 2223.

No one else came forward to speak.

CITY COUNCIL MATTERS:

City Council comments

City Council Member Raymond spoke regarding California Assembly Bill 2223 and thanked Finance Director Youmara and City staff for their work and contributions on the Fiscal Year 2022-23 budget.

City Council Member Button wished the community a safe Fourth of July holiday, spoke regarding the upcoming Fourth of July parade and activities, and thanked City staff for the presentation, work, and contributions on the Fiscal Year 2022-23 budget.

City Council Member Ambriz thanked City staff for their work and contributions on the Fiscal Year 2022-23 budget and congratulated Justin Vinson. He also reminded the community to stay safe during the upcoming Fourth of July holiday.

Mayor Pro Tem Cale thanked Finance Director Youmara and the Finance Department for their work and contributions on the Fiscal Year 2022-23 budget and congratulated Justin Vinson. He also reminded the community of the vendor fair in Downtown Atwater and Vintage Baseball Game between the Police Department, Fire Department, Sherrif's Office, and California Highway Patrol on July 2, 2022. He also spoke regarding the upcoming Fourth of July parade and reminded the community to stay safe during the upcoming Fourth of July holiday, and recommended that the City Council review the code governing building heights.

Mayor Creighton spoke regarding his appreciation for the adopted Fiscal Year 2022-23 budget and for the community and their contributions during the COVID-19 pandemic. He also spoke regarding a public safety transactions and use tax measure and of the City Council's, Police and Fire Department's efforts and contributions to the community. He reminded the community of the vendor fair in Downtown Atwater from 5:00 PM – 9:00 PM on Broadway Avenue and of the 12:00 PM Vintage Baseball Game at Memorial Ballpark. He also reminded the community of the Miss Atwater Pageant for the City's upcoming Centennial Celebration on August 13, 2022 at the Atwater Community Center and wished the community a Happy Fourth of July.

ADJOURNMENT:

Mayor Creighton adjourned the meeting at 7:20 PM.

Janella Martin

JANELL MARTIN
DEPUTY CITY CLERK

By: Leslie Thuang
Recording Secretary