

*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](http://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](mailto: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

**January 22, 2024**

CALL TO ORDER:

**5:30PM**

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 Negotiations regarding property price and terms of payment. Agency Negotiators: Deputy City Manager/Community Development Director Thompson and City Manager Waterman. Negotiating Parties: Dr. Carlos Say**

Property Location: APN 156-060-010

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

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00PM

INVOCATION:

Invocation by Daniel Perez

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.

PRESENTATIONS:

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

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 a Councilmember requests separate discussion on any item, that item will be removed from the Consent Calendar for separate action.

TREASURER'S REPORT:

1. **a.) November 31, 2023**

**b.) December 31, 2023**

**Staff's Recommendation:** Acceptance of reports as listed.

WARRANTS:

**2. January 22, 2024**

**Staff's Recommendation:** Approval of warrants as listed.

MINUTES: (General Plan Technical Advisory Committee)

**3. November 1, 2023 - Regular meeting**

**Staff's Recommendation:** Approval of minutes as listed.

MINUTES: (City Council)

**4. January 8, 2024 - Regular meeting**

**Staff's Recommendation:** Approval of minutes as listed.

RESOLUTIONS:

**5. Declaring Property on Castle St (APN 003-101-100) as Non-Exempt Surplus Land** (Public Works Director Vinson)

**Staff's Recommendation:** Adoption of Resolution No. 3444-24 Declaring property on Castle St (APN 003-101-100) as non-exempt surplus land.

**6. Dissolving the General Plan Technical Advisory Committee** (Deputy City Manager/Community Development Director Thompson)

**Staff's Recommendation:** Adoption of Resolution No. 3443-24 dissolving the General Plan Technical Advisory Committee.

OTHER ACTIONABLE ITEMS:

**7. Receiving the Development Impact Fee Five-Year Report (FY 2017-18 through FY 2021-22) and Annual Reports from FY 2017-18 through FY 2020-21** (Deputy City Manager/Community Development Director Thompson)

**Staff's Recommendation:** Receive and file the Five-Year Development Impact Fee ("DIF") Report for Fiscal Years ("FY") 2017-18 through 2021-22 and four Annual Reports from FY 2017-18 through FY 2020-21.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

**8. Waiving the Second Reading and Adopting an Ordinance of the City Council Approving Zone Change No. 23-14-0100 for a Parcel Located at 1789 Elm Street (APN: 002-181-041)** (Deputy City Manager/Community Development Director Thompson)

**Staff's Recommendation:** Waiving the second reading and adopting Ordinance No. CS 1066 approving Zone Change No. 23-14-0100 for a Parcel Located at 1789 Elm Street (APN: 002-181-041).

REPORTS AND PRESENTATIONS FROM STAFF:

- 9. **Awarding a Professional Services Agreement for Design Services to Minagar & Associates of Laguna Hills, California for the City Wide Synchronization Project** (Deputy City Manager/Community Development Director Thompson)

**Staff's Recommendation:** Motion to award a Professional Services Agreement for Design Services, in a form approved by the City Attorney, to Minagar & Associates of Laguna Hills, California, for the City Wide Synchronization Project, in an amount not to exceed \$230,469.22; and

Motion to authorize and direct the City Manager, or her designee, to execute the contract on behalf of the City; or

Motion to approve staff's recommendation as presented.

- 10. **Approval of Plans and Specifications for Fruitland Ave Reconstruction Phase 3** (Deputy City Manager/Community Development Director Thompson)

**Staff's Recommendation:** Motion to approve the Plans and Specifications and authorizes advertising and calling for bids for the Fruitland Ave Phase 3 Reconstruction Project, City Project 16-2-3; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

- 11. **City Manager Updates**

COMMENTS FROM THE PUBLIC:

<p><u>NOTICE TO THE PUBLIC</u></p> <p>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.</p>
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CITY COUNCIL REPORTS/UPDATES:

City Council comments

- **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**

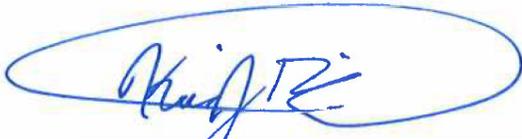
CLOSED SESSION:

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.



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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](mailto: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.*