

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

January 8, 2024

CALL TO ORDER:

5:30PM

ROLL CALL: (City Council)

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

CLOSED SESSION:

Adjourn to Conference Room A

- 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 Chaplain Steve Mead

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.

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 discussion is requested on any item, that item will be removed from the Consent Calendar for separate action.

WARRANTS:

1. a.) **December 26, 2023**
b.) **January 8, 2024**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Citizens' Oversight Committee)

2. **September 5, 2023**

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (Planning Commission)

3. November 15, 2023

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (City Council)

4. December 11, 2023

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

5. Authorizing, Approving and Awarding a Purchase Agreement (Purchase Order) for the repair of a Pump located at the Wastewater Treatment Plant (Public Works Director Vinson)

Staff's Recommendation: Authorizes, approves, and awards a Purchase Agreement (Purchase Order) with ITT Goulds Pump Inc. of Placentia, CA for the replacement of a pump located at the Wastewater Treatment Plant, in an amount not to exceed \$35,976 plus any freight and taxes; and authorizes and directs the City Manager, or her designee, to execute the Purchase Agreement (Purchase Order) on behalf of the City.

RESOLUTIONS:

6. Adopting City of Atwater Salary Schedule C-24 Effective January 1, 2024, Conforming to State of California Minimum Wage Increase (Human Resources Director Sousa)

Staff's Recommendation: Adoption of Resolution No. 3441-24 Adopting City of Atwater Salary Schedule C-24 Effective January 1, 2024, Conforming to State of California Minimum Wage Increase.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

7. Ordering a Summary Vacation of Certain Public Right-of-Way within the City of Atwater; and Adopting a Resolution Approving Variance No. 23-14-0400 and Waiving the first reading and introducing an ordinance, by title only, 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: Open the Public Hearing and receive any testimony given;

Close the Public Hearing; and

Motion to Adopt Resolution No. 3440-24 Ordering a Summary Vacation of Certain Public Right-of-Way within the City of Atwater, Northwest Corner of Elm Avenue and Winton Way; and

Motion to Adopt Resolution No. 3442-24 Approving Variance No. 23-14-0400 for a Parcel Located at 1789 Elm Street (APN: 002-181-041); and

Motion to waive the first reading and introduce Ordinance No. CS 1066, by title only Approving Zone Change No. 23-14-0100 for a Parcel Located at 1789 Elm Street (APN: 002-181-041); or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

8. 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 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.



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.