



CITY OF ATWATER

CITY COUNCIL

ACTION MINUTES

March 25, 2024

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:30 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: *Interim City Manager Thompson, City Attorney Splendorio, Assistant City Clerk Martin*

CLOSED SESSION: (Conference Room A)

Pursuant to Government Code Section 54957, Public Employee Performance Evaluation; Title: Interim City Manager

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 5:32 PM. Closed Session was called to order at 5:35 PM.

Closed Session adjourned at 5:59 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:03 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 Bill Lawrence.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Miss Atwater 2023, Sophia Lomeli.

ROLL CALL: (City Council)

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

Absent: City Council Member Ambriz

Staff Present: Interim City Manager Thompson, City Attorney Splendorio, Police Chief Salvador, Finance Director Nicholas, Public Works Director Vinson, City Clerk Billings, Assistant City Clerk Martin

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that the City Council received information, provided direction, and there was no reportable action.

SUBSEQUENT NEED ITEMS: ***None***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

PRESENTATIONS:

Monthly report by Merced County District 3 Supervisor McDaniel

Merced County District 3 Supervisor McDaniel reported the following:

- ***Merced College Police Officer program.***
- ***California Transportation – AME project has been fully funded.***

CONSENT CALENDAR:

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

Jim Price spoke regarding warrants and funding matters.

Mayor Nelson closed the public comment.

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

TREASURER'S REPORT:

1. February 29, 2024

ACTION: Acceptance of report as listed.

WARRANTS:

2. March 25, 2024

ACTION: Approval of warrants as listed.

MINUTES: (Citizens' Oversight Committee)

3. December 12, 2023 – Special meeting

ACTION: Acceptance of minutes as listed.

MINUTES: (City Council)

4. a.) February 26, 2024 – Regular meeting
b.) March 11, 2024 – Regular meeting

ACTION: Approval of minutes as listed.

RESOLUTIONS:

5. Approving and Authorizing the Annual Local Transportation Fund (LTF) Claim to be filed with Merced County Association of Governments (MCAG) for Fiscal Year 2023-24 and Approving a Budget Amendment (Public Works Director Vinson)

ACTION: Adoption of Resolution No. 3447-24, approving the annual Local Transportation Fund (LTF) Claim to be filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2023-24; and authorizes and directs the

Interim City Manager to execute the Claim form on behalf of the City; and adoption of Resolution No. 3448-24, approving Budget Amendment No. 10 regarding FY 2023-24 Local Transportation Fund.

AGREEMENTS:

6. Approving and Authorizing a Purchase and Sale Agreement for Osborn Park Improvement Project 22-06 for APN: 156-060-010; and approving expenditure of any additional and related closing expenses (Interim City Manager Thompson)

ACTION: Adoption of Resolution No. 3449-24 approving and authorizing the Purchase and Sale Agreement for approximately 0.43 acres (18,894 sq. ft) of real property in the amount of Thirty-Seven Thousand and Five Hundred Dollars (\$37,500) for Osborn Park Improvements Project 22-06, in a form approved by the City Attorney and approves the expenditure of any additional reasonable and related closing expenses and authorizes and directs the Interim City Manager, or his designee, to execute all related documents on behalf of the City.

7. Awarding a General Construction Agreement with Best Contracting Service, Inc. for the Community Center Roof Repairs (Categorically Exempt (CE) pursuant to the California Environmental Quality Act (CEQA) guidelines, Section 15301) (Public Works Director Vinson)

ACTION: Awards a General Construction Agreement, in a form approved by the City Attorney, to Best Contracting Service, Inc. of Gardena, California, for the Community Center Roof Repairs, City Project 24-01, in an amount not to exceed \$80,886.00 and authorizes construction contract change orders up to an aggregate amount of \$8,088.60 (10%); and authorizes and directs the Interim City Manager, or his designee to execute all contract documents on behalf of the City.

OTHER ACTIONABLE ITEMS:

8. Approving Specifications and Authorizing Advertising and Calling for Bids for Suncrest Street and Fortuna Avenue Overlay Project (Public Works Director Vinson)

ACTION: Approval of specifications and authorizing advertising and calling for bids for the Suncrest Street and Fortuna Avenue Overlay Project, Project No. 24-09, Bid Call Number 728-24.

9. Receiving and Filing Development Impact Fee Annual Report for FY 2022-23 and Adopt Resolution Making Five-Year Findings Regarding the Development Impact Fees for Fiscal Years 2017-18 to 2021-22 (Interim City Manager Thompson)

ACTION: Receives and files the annual Development Impact Fee ("DIF") Report for Fiscal Year ("FY") 2022-23 and approves Resolution No. 3450-24 Making Five-Year Findings Regarding the DIFs for Fiscal Years 2017-18 to 2021-22.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

10. Adoption of an Ordinance Approving Zone Change No. 23-22-0300 changing the Zoning Designation from Planned Development (PD-14) to General Commercial (C-G) for the Property Located at APN: 150-190- 036 (Interim City Manager Thompson)

ACTION: Adoption of Ordinance No. CS 1067 approving Zone Change No. 23-22-0300 for a parcel located on the north side of Bellevue Road approximately 0.15 miles west of Redwood Avenue (APN: 150-190-036).

CITY MANAGER REPORTS/UPDATES:

Interim City Manager Update

Interim City Manager Thompson reported the following:

- ***Provided clarification regarding funding for Transportation projects and funding sources.***
- ***Spoke regarding LIHWAP will be coming to an end April 1, 2024.***

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 public comment.

Sophia Lomeli, Miss Atwater 2023, spoke regarding the upcoming competition.

Jim Price spoke regarding the Citizens Oversight Committee, funding matters, and warrant lists.

Rich Miller spoke regarding the City of Atwater Easter Egg hunt, various City of Atwater events and Easter events at his church.

Mayor Nelson closed the public comment.

CITY COUNCIL REPORTS/UPDATES:

City Council comments

City Council Member Button had nothing to report.

Mayor Pro Tem Raymond spoke regarding vendors on sidewalks and safety. He spoke regarding Easter celebrations and the risen Christ.

City Council Member Cale spoke regarding Easter and the upcoming Wall that Heals and its destination at Merced College.

Mayor Nelson spoke regarding the City of Atwater Easter Egg Hunt, Sidewalk Vendors, and the timeline for the City of Atwater City Manager recruitment.

ADJOURNMENT:

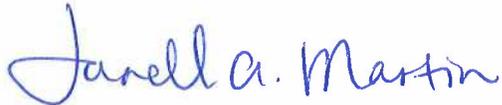
Mayor Nelson adjourned the meeting at 6:28 PM.

APPROVED:



MIKE NELSON
MAYOR

ATTEST:



JANELL MARTIN
ASSISTANT CITY CLERK