



CITY OF ATWATER

CITY COUNCIL ACTION MINUTES

August 12, 2024

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater 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 Nelson presiding.

INVOCATION:

The Invocation was led by Ben Perez.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by City Manager Hoem.

ROLL CALL: (City Council)

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

Staff Present: *City Manager Hoem, City Attorney Splendorio, Deputy City Manager Thompson, Police Chief Salvador, Lieutenant Novetzke, Battalion Chief Ayuso, Human Resources Director Sousa, Finance Director Nicholas, Public Works Director Vinson, City Clerk Billings, Assistant City Clerk Martin*

SUBSEQUENT NEED ITEMS: *None*

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CONSENT CALENDAR:

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

Mayor Nelson closed the public comment.

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

Item #8 was pulled from the consent calendar for separate action and possible direction.

WARRANTS:

1. a.) July 22, 2024
b.) August 12, 2024

ACTION: Approval of warrants as listed.

MINUTES: (Planning Commission)

2. June 20, 2024 – Regular meeting

ACTION: Acceptance of minutes as listed.

MINUTES: (City Council)

3. a.) June 24, 2024 – Regular meeting
b.) July 11, 2024 – Special meeting

ACTION: Approval of minutes as listed.

AGREEMENTS:

4. Approving a Purchase Order with Carbon Supply Inc. for GAC Exchange at Well 19 (Public Works Director)

ACTION: Approving a Purchase Agreement (Purchase Order) with Carbon Supply Inc. of Bell Gardens, California for GAC Exchange at Well 19, in an amount not to exceed \$110,050; and authorizes and directs the City Manager to execute the Purchase Order on behalf of the City.

5. Approving Amendment No. 3 to the Professional Service Agreement to DataPath Inc of Modesto, California for Augmented Managed Information Technology (IT) Support Services (Public Works Director Vinson)

ACTION: Adoption of Resolution No. 3474-24, Approving Amendment No. 3 to Professional Service Agreement, in a form approved by the City Attorney, to Data Path Inc of Modesto, California for Augmented Managed Information Technology Support Services; and authorizes and directs the City Manager to execute Amendment No. 3 on behalf of the City.

6. Awarding a Cooperative Government Obligation Contract with Leasing 2 Inc. to Finance the Purchase of one (1) new Hydro-Excavator Vacuum Truck (Public Works Director Vinson)

ACTION: Adoption of Resolution No. 3475-24 Awarding a Cooperative Government Obligation Contract with Leasing 2 Inc. in the amount of \$734,232.41 to finance the purchase of one (1) new Hydro-Excavator Vacuum Truck and authorizing and directing the City Manager to execute the Contract and all related documents on behalf of the City.

RESOLUTIONS:

7. Approving Adoption of California Public Employees' Retirement System (CalPERS) 457 Plan (Human Resources Director Sousa)

ACTION: Adoption of Resolution 3476-24, Approving Adoption of a CalPERS 457 Plan; and Authorize and Direct the Human Resources Director to Execute the Agreement and Related Documents on Behalf of the City.

This item was removed from the consent calendar for separate action and possible direction.

OTHER ACTIONABLE ITEMS:

Approving Fee Waiver Requested by Bloss Memorial Healthcare District to use Atwater Community Center to Host a Senior Adult Information Day (Public Works Director Vinson)

Public Works Director Vinson provided background information on this item.

***Mayor Nelson opened public comment regarding this item.
No one came forward to speak.***

Mayor Nelson closed public comment.

MOTION: City Council Member Button moved to approve a fee waiver requested by Bloss Memorial Healthcare District to use the Atwater Community Center on Tuesday, September 17, 2024, from 9:00 AM to 1:00 PM; and authorizes and directs the City Manager, or designee, to execute any and all documents necessary to waive the facility rental fees associated with Bloss Memorial Healthcare District using the Atwater Community Center to host a Senior Adult Information Day. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.

PUBLIC HEARINGS:

Resolution adopting an Initial Study and Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) for the project; and approve a Tentative Parcel Map, General Plan Amendment, Variance and Site Plan for the property located on the Northwest corner of Sunset Drive and Everett Street, Atwater (APN 056-540-004) (City Manager Hoem)

Mayor Nelson opened the public hearing regarding this item.

No one came forward to speak.

Mayor Nelson continued the public hearing August 26, 2024.

Waiving the first reading, by title only, and introducing an Ordinance approving Zone Change No. 23-19-0100 to change the zoning designation from Residential Estate (R-E) to High Density Residential (R-3) for the property located at the Northwest Corner of Sunset Drive and Everett Street, Atwater (APN 056-540-004) (City Manager Hoem)

City Manager Hoem provided background information on this item.

Mayor Nelson opened the public hearing regarding this item.

Adam Reed spoke regarding the conditions of this project.

Jason Tucker spoke regarding the project.

Becky Tucker spoke regarding the project.

No one else came forward to speak.

Mayor Nelson closed the public comment.

MOTION: Mayor Pro Tem Raymond moved to waive the first reading, by title only, and introduce Ordinance No. CS 1068 approving Zone Change No. 23-19-0100 to change the zoning designation from Residential Estate (R-E) to High Density Residential (R-3) for the property located at the Northwest Corner of Sunset Drive and Everett Street, Atwater (APN 056-540-004). The motion was seconded by City Council Member Cale and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Approving an Agreement Between the City of Atwater and the County of Merced to Lease Space at the Merced County Emergency Operations Center for a Police 911 Communications Center (Police Chief Salvador)

Lieutenant Novetzke provided background information on this item.

Mayor Nelson opened public comment regarding this item.

Jim Price spoke regarding this item and asked specific questions regarding the contract.

No one else came forward to speak.

Mayor Nelson closed public comment.

MOTION: Mayor Pro Tem Raymond moved to Adopt Resolution No. 3478-24 approving an agreement with the County of Merced to Lease Space at the Merced County Emergency Operations Center for a Police 911 Communications Center for \$2,890.91 per month and authorizes and directs the City Manager to execute the contract on behalf of the City. The motion was seconded by City Council Member Button and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.

Awarding a Cooperative Government Obligation Contract with Republic First National Corporation to Finance the Purchase of One (1) New Rosenbauer Commander Type I Fire Engine (CAL Fire Battalion Chief Ayuso)

CAL Fire Battalion Chief Ayuso provided background information on this item.

Mayor Nelson opened public comment regarding this item.

Mr. Conner spoke regarding this item and asked specific questions regarding the Fire Engine.

No one else came forward to speak.

Mayor Nelson closed public comment.

MOTION: City Council Member Cale moved to Adopt Resolution No. 3479-24 Awarding a Cooperative Government Obligation Contract with Republic First National Corporation in the amount of \$994,22.74 to finance the purchase of one (1) new 2024 Rosenbauer Commander Type I Fire Engine and authorizing and directing the City Manager to execute the Contract and all related documents on behalf of the City. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.

CITY MANAGER REPORTS/UPDATES:

Updates from the Office of the City Manager

City Manager Hoem reported the following:

- ***Upcoming updates to the City camping code***
- ***Release of the Request for Proposals for Cost Allocation Plan, Development Impact Fee Study, and Comprehensive User Fee Study***
- ***P, G& E – Gas relocation project***

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.

Jamie Cruz spoke regarding the Fruitland Avenue project.

Jim Price spoke regarding water usage and water rates.

Mayor Nelson closed the public comment.

CITY COUNCIL REPORTS/UPDATES:

City Council comments

City Council Member Cale had nothing to report.

City Council Member Ambriz spoke regarding school starting and to be aware of the students on the roadways.

Mayor Pro Tem Raymond asked for prayers for an employee and spoke regarding several other issues.

City Council Member Button spoke regarding school starting and to be careful around the school zones.

Mayor Nelson announced the next City Council meeting is scheduled for August 26, 2024.

ADJOURNMENT:

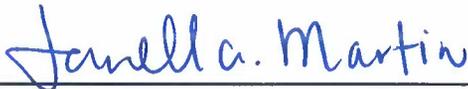
Mayor Nelson adjourned the meeting at 7:05 PM.

APPROVED:



MIKE NELSON
MAYOR

ATTEST:



JANELL MARTIN
ASSISTANT CITY CLERK