

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

October 14, 2024

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL: (City Council)

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

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.)

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.

WARRANTS:

1. **October 14, 2024**
Staff's Recommendation: Acceptance of reports as listed.

MINUTES: (City Council)

2. **September 23, 2024 - Regular meeting**
Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

3. **Approving Amendment No. 4 to the Professional Services Agreement with RSG, Inc. for the preparation of Development Impact Fee annual reports pursuant to the requirements of Assembly Bill 1600 (AB 1600) and the Mitigation Fee Act (Deputy City Manager/Community Development Director Thompson)**
Staff's Recommendation:
 Adoption of Resolution No. 3492-24, approving Amendment No. 4 to the Professional Services Agreement in a form approved by the City Attorney, with RSG, Inc of Vista, California for the preparation of the Development Impact Fee reporting requirements, in a total contract amount not to exceed \$80,530, after the approved contract amendment of \$29,820; and authorizes and directs the City Manager, or his designee, to execute the Agreement on behalf of the City.

4. **Awarding a Professional Services Agreement to Willdan Financial Services for Comprehensive User Fee Study, Development Impact Fee Study & Full Cost Allocation Plan (Finance Director Nicholas)**
Staff's Recommendation: Adoption of Resolution No. 3493-24 approving the award of a Professional Services Agreement, in a form approved by the City Attorney, to Willdan Financial Services to conduct and complete a Comprehensive User Fee Study, Development Impact Fee Study, & Full Cost Allocation Plan in an

amount not to exceed \$102,625; and authorizes and directs the City Manager, or his designee, to execute said agreement on behalf of the City.

RESOLUTIONS:

5. **Acknowledging Receipt of 2024 Annual City of Atwater Fire Inspection SB1205 Compliance Report** (CAL FIRE Battalion Chief Ayuso)
Staff's Recommendation: Adoption of Resolution No. 3494-24 acknowledging receipt of 2024 annual City of Atwater Fire Inspection Compliance Report as mandated by California Senate Bill 1205.

6. **Resolution in Support of Proposition 36: The Homelessness, Drug Addiction, and Theft Reduction Act** (City Manager Hoem)
Staff's Recommendation: Adoption of Resolution No. 3495-24 supporting Proposition 36, The Homelessness, Drug Addiction, and Theft Reduction Act.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

7. **Resolution Adopting an Initial Study and Mitigated Negative Declaration in Accordance with California Environmental Quality Act (CEQA) for the Project; and Approve Vesting Tentative Subdivision Map No. 22-23-0100 for a Site Located East of Buhach Road and Immediately North and Adjacent to Meadow View Estates No. 1, Atwater, California (APN 005-070-023); and Approve Planned Development Final Development Plan No. 24-25-0100** (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Open the public hearing and receive any testimony given; and

Close the public hearing; and

Motion to adopt Resolution No. 3496-24 adopting an Initial Study and Mitigated Negative Declaration for the Project in accordance with California Environmental Quality Act (CEQA) Guideline Section 15073; and approve Vesting Tentative Subdivision Map No. 22-23-0100, and approve Planned Development Final Development Plan No. 24-25-0100 for a site located East of Buhach Rd and immediately North and adjacent to Meadow View Estates No. 1, Atwater, California (APN: 005-070-052);

Motion to approve staff's recommendation as presented.

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 Member Cale, District 1**
- **City Council Member Button, District 2**
- **City Council Member Ambriz, District 3**
- **Mayor Pro Tem Raymond, District 4**
- **Mayor Nelson**

CITY MANAGER REPORTS/UPDATES:

- 8. Update from the Office of the City Manager**

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 during normal business hours at 1160 Fifth Street, Atwater, California.

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, Atwater, California.



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.

LEVINE ACT PUBLIC PARTY/APPLICANT DISCLOSURE OBLIGATIONS:

Applicants, parties, and their agents who have made campaign contributions totaling more than \$250 (aggregated) to a Councilmember over the past 12 months, must publicly disclose that fact for the official record of that agenda item. Disclosures must include the amount of the campaign contribution aggregated, and the name(s) of the campaign contributor(s) and Councilmember(s). The disclosure may be made either in writing to the City Clerk prior to the agenda item consideration, or by verbal disclosure at the time of the agenda item consideration.

The foregoing statements do not constitute legal advice, nor a recitation of all legal requirements and obligations of parties/applicants and their agents. Parties and agents are urged to consult with their own legal counsel regarding the requirements of the law.

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.