



# CITY OF ATWATER

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## CITY COUNCIL ACTION MINUTES

**October 28, 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 City Council Member Button.***

PLEDGE OF ALLEGIANCE TO THE FLAG:

***The Pledge of Allegiance was led by Mayor Pro Tem Raymond.***

ROLL CALL: (City Council)

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

***Staff Present: City Manager Hoem, City Attorney Splendorio, Police Chief Salvador, CAL Fire Battalion Chief Ayuso, 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 Button and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.**

PRESENTATIONS:

National Domestic Violence Awareness Month 2024

**Mayor Nelson presented the proclamation, on behalf of the City Council, recognizing the month of October as National Domestic Violence Awareness Month.**

Monthly report by Merced County District 3 Supervisor McDaniel regarding the following:

- The upcoming Lantern festival on November 16, 2024
- The City of Atwater Economic Development Summit
- The Patriot Rail Event on October 30, 2024 at 10 AM

Legislative report by California District 27 Assemblywoman Soria

**Assemblywoman Soria provided a Legislative update.**

CONSENT CALENDAR:

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

**Linda Dash spoke regarding the Treasurer's Report.**

**No one else came forward.**

**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 Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.**

TREASURER'S REPORT:

1. August 31, 2024

**ACTION: Acceptance of report as listed.**

WARRANTS:

2. October 28, 2024

**ACTION: Approval of warrants as listed.**

MINUTES: (Planning Commission)

3. August 21, 2024 - Regular meeting

**ACTION: Acceptance of minutes as listed.**

MINUTES: (City Council)

4. October 14, 2024 - Regular meeting

**ACTION: Approval of minutes as listed.**

AGREEMENTS:

5. Approving a General Services Agreement with All Environmental Services, LLC. for On-Call Clean Up Services (Police Chief Salvador)

**ACTION: Adoption of Resolution No. 3497-24 awarding a General Service Agreement, in a form approved by the City Attorney, to All Environmental Services LLC, Livingston, CA for on-call clean up services, for an amount not to exceed \$20,000; and to authorize and direct the City Manager to execute the Agreement on behalf of the City.**

6. Approving a Purchase Agreement (Purchase Order) with Carbon Supply Inc. for Granulated Activated Carbon Exchange at Central Site (Public Works Director Vinson)

**ACTION: Approving a Purchase Agreement (Purchase Order) to Carbon Supply Inc. of Bell Gardens, California for Granulated Activated Carbon (GAC) Exchange at Central Site, in an amount not to exceed \$110,050.00; and authorizes and directs the City Manager or his designee to execute the Agreement (Purchase Order) on behalf of the City.**

OTHER ACTIONABLE ITEMS:

7. Approving CMAQ Grant Applications Pedestrian Phase 4 & New Street Sweeper (Deputy City Manager/Community Development Director Thompson and Public Works Director Vinson)

**ACTION: Approving submittal of CMAQ Grant application for the Construction Phase of the Downtown Pedestrian Phase 4 Improvement Project and application for submittal of CMAQ Grant application for a New Street Sweeper; and Approving**

**Resolution No. 3498-24 authorizing the City Manager or his designee to execute all agreements/documents related to the Downtown Pedestrian Phase 4 Project- grant application; and Approving Resolution No. 3499-24 authorizing the City Manager or his designee to execute all agreements/documents related to the New Street Sweeper Grant Application; and Authorizing the City Manager or his designee to execute the CMAQ Assurance of Timely Project Delivery form.**

8. Approving Plans and Specifications and Authorizing Advertising and Calling for Bids for the Castle Sewer Lift Station Rehabilitation Project (Public Works Director Vinson)

**ACTION: Approval of plans and specifications and authorizes advertising and calling for bids for the Castle Sewer Lift Station Rehabilitation Project, City Project No. 19-9, Bid Call No. 730- 24.**

9. Approve Budget Amendment Appropriating Funds from the 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (Police Chief Salvador)

**ACTION: Adoption of Resolution No.3500-24 approving Budget Amendment No. 5 amending the Fiscal Year 2024- 25 Budget regarding appropriating funds in the amount of \$14,078.00 to the Fiscal Year 2024-25 Police Grants Budget derived from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.**

10. Approve Budget Amendment Appropriating Funds from the 2024 Patrick Leahy Bulletproof Vest Partnership Grant Program (Police Chief Salvador)

**ACTION: Adoption of Resolution No.3501-24 approving Budget Amendment No. 6 amending the Fiscal Year 2024- 25 Budget regarding appropriating funds in the amount of \$10,603.24 to the Fiscal Year 2024-25 Police Grants Budget derived from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2024 Patrick Leahy Bulletproof Vest Partnership Grant Program.**

11. Accept the Tennis Court Resurfacing Project as Complete (Public Works Director Vinson)

**ACTION: Accepts work done under the contract for the Tennis Court Resurfacing Project, City Project No. 24-11; authorizes a final payment in the amount of \$29,300.00 for the project; and authorizes and directs the City Manager to sign a Notice of Completion and have it recorded on behalf of the City.**

**PUBLIC HEARINGS:**

Adopt Resolution Amending the Fiscal Year 2024-2025 Miscellaneous Fee Schedule (Public Works Director Vinson)

***Public Works Director provided background information on this item.***

***Mayor Nelson opened the public hearing regarding this item.***

***No one else came forward to speak.***

***Mayor Nelson closed the public hearing.***

***MOTION: City Council Member Ambriz moved to adopt Resolution No. 3502-24 amending the City of Atwater's Miscellaneous Fee Schedule for Fiscal Year 2024-2025. 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.***

Waive the First Reading by Title only, and introduce an Ordinance Approving Zoning Ordinance Text Amendment No. 24-23-0100 amending Chapter 17.16 "Low Density Residential Districts" of the Atwater Municipal Code to add "R-1-5" (5,000 square foot lots) as a single-family residential district under the Low Density Residential Zone (Deputy City Manager/Community Development Director Thompson)

***Deputy City Manager/Community Development Director Thompson provided background information on this item.***

***Mayor Nelson opened the public hearing regarding this item.***

***No one else came forward to speak.***

***Mayor Nelson closed the public hearing.***

***MOTION: Mayor Pro Tem Raymond moved to make a finding that the project is categorically exempt under California Environmental Quality Act (CEQA) guideline section 15061(b)(3), "Review for Exemption", under the common sense exemption; and, to waive the first reading by title only, and introduce Ordinance No. CS 1069 Amending Chapter 17.16: "Low Density Residential Districts" of the Atwater Municipal Code, to add "R-1-5" (5,000 square foot lots) as a Single Family Residential district. 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.***

Waive the First Reading by Title Only, and Introduce an Ordinance Approving Zoning Ordinance Text Amendment No. 24-28-0100 Amending Chapter 17.28 "Accessory Dwelling Units" of the Atwater Municipal Code to Comply with recent changes in State law; and Finding the Action to be Statutorily Exempt from CEQA under section 21080.17 of the Public Resources Code (Deputy City Manager/Community Development Director Thompson)

**Deputy City Manager/Community Development Director Thompson provided background information on this item.**

**Mayor Nelson opened the public hearing regarding this item.**

**No one else came forward to speak.**

**Mayor Nelson closed the public hearing.**

**MOTION: City Council Member Cale moved to make a finding that the project is statutorily exempt from review under the California Environmental Quality Act ("CEQA") under Public Resources Code section 21080.17; and to waive the first reading by title only and introduce Ordinance No. CS 1070 amending Chapter 17.28 "Accessory Dwelling Units" of the Atwater Municipal Code to comply with recent changes in State law. The motion was seconded by Mayor Pro Tem Raymond and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.**

**REPORTS AND PRESENTATIONS FROM STAFF:**

Approval and Adoption of an Amendment to the City of Atwater Improvement Standards and Specifications (Deputy City Manager/Community Development Director Thompson)

**Deputy City Manager/Community Development Director Thompson 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 Adopt Resolution No. 3503-24 approving an amendment to update the Improvement standards and Specifications of the city of Atwater by repealing the current city standards listed here: DR-1, SCG-1, SCG-2, SCG-4, SCG-5, ST-3 and replacing them with the attached improvement standards. Adopt standard details ST-8, ST-9. Repeal standard details D-1, D-5. The motion was seconded by Mayor Pro Tem Raymond and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.**

**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.**

**Michael Gomez spoke regarding an upcoming Christmas festival,**

**Linda Dash spoke regarding the warrants and police equipment.**

**Jim Price spoke regarding Police Equipment and the Economic Development Summit.**

**Keith Pelowski spoke regarding Police Equipment and Staffing.**

**Riche Miller spoke regarding Victory Baptist 36-year Anniversary.**

**Resident thanked Public Safety.**

**Mayor Nelson closed the public comment.**

**CITY COUNCIL REPORTS/UPDATES:**

City Council comments

**City Council Member Cale asked for an update on various items.**

**City Council Member Ambriz spoke regarding the Annual Conference he attended and reminded everyone to be careful during Halloween.**

**City Council Member Button reminded everyone to vote and spoke regarding a stop sign**

**Mayor Pro Tem Raymond reminded all to vote.**

**Mayor Nelson gave a brief update.**

**CITY MANAGER REPORTS/UPDATES:**

Update from the Office of the City Manager

**City Manager Hoem reported the following:**

- **Provided an update regarding the upcoming trunk or treat.**
- **Provided an update regarding the no camping ordinance.**

ADJOURNMENT:

***Mayor Nelson adjourned the meeting at 7:18 PM.***

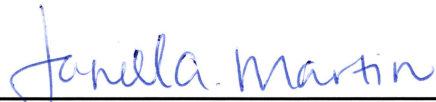
APPROVED:



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MIKE NELSON  
MAYOR

ATTEST:



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JANELL MARTIN  
ASSISTANT CITY CLERK