

CITY OF ATWATER CITY COUNCIL

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

March 9, 2020

CALL TO ORDER:

5:00 PM

ROLL CALL:

Ambriz ____ , Cale ____ , Raymond ____ , Vierra ____ , Creighton ____

CLOSED SESSION:

Adjourn to Conference Room A

- **Pursuant to Government Code Section 54957(b)(1), Public Employee Appointment – City Attorney**
- **Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9: Name of case: Union Pacific v. Bhatti; Case No. 19CV-4468**
- **Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9: Name of case: Alberto Mondragon Gomez, Jr. et al. v City of Atwater; Case No. 20CV-00636**
- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: City Manager Waterman**

Property Locations:

**Northwest of Maple Street between
Olive Avenue and Atwater Boulevard**

REGULAR SESSION: (Council Chambers)

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Steve Mead

Moment of Silence for the City of Porterville Firefighters

ROLL CALL:

Ambriz ____ , Cale ____ , Raymond ____ , Vierra ____ , Creighton ____

MAYOR OR INTERIM 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.

CEREMONIAL MATTERS

- **Resolution recognizing Dora Anderson**

Staff's Recommendation: That Mayor Creighton acknowledge Community Service representative Dora Anderson.

PRESENTATIONS:

- **Monthly verbal report by Merced County District 3 Supervisor McDaniel**

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. **March 9, 2020**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. February 24, 2020 – Regular meeting

Staff’s Recommendation: Approval of minutes as listed.

MINUTES: (Planning Commission)

3. January 15, 2020 – Regular meeting

Staff’s Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

4. January 27, 2020 – Regular meeting

Staff’s Recommendation: Approval of minutes as listed.

RESOLUTIONS:

5. Resolution approving the sale of property located northwest of Maple Street between Olive Avenue and Atwater Boulevard and ratifying the execution of a Purchase and Sale Agreement (Interim Community Development Director Thompson)

Staff’s Recommendation: Makes the environmental finding that the sale is categorically exempt under the California Environmental Quality Act (“CEQA”) as in the Guidelines, Section 15061 (b)(3) “General Rule” exemption, and adopts Resolution No. 3134-20 approving the sale of property located northwest of Maple Street between Olive Avenue and Atwater Boulevard to Mohan S. and Juginder K. Sodhi in the amount of \$19,602, ratifies the execution of a purchase and sale agreement; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

AGREEMENTS:

6. Approving a Contract Change Order to General Services Agreement with Joe’s Landscaping and Concrete, Inc for the Landscape Maintenance Districts (Public Works Director, Haddix)

Staff’s Recommendation: Approves Contract Change Order No. 1 to General Services Agreement with Joe’s Landscaping and Concrete, Inc. in the amount of \$97,400 for a total project cost of \$305,522 for Landscape Maintenance Services in Landscape Maintenance Districts, Project No. 2019-09, authorizes and directs the City Manager to execute the Change Order on behalf of the City.

CALL FOR BIDS:

7. **Approving specifications and authorizing advertising and call for bids for Heating and Ventilation and Air Conditioning (HVAC) Repair and Maintenance Services** (Public Works Director Haddix)

Staff's Recommendation: Approves specifications and authorizes advertising and call for bids for Heating Ventilation and Air Conditioning (HVAC) Repair and Preventive Maintenance Services, Bid Call No. 688-20.

REPORTS AND PRESENTATIONS FROM STAFF:

8. **Approving a Contract Change Order to General Construction Contract with Taylor Backhoe Service, Inc. for Fruitland Avenue Reconstruction Project – Phase I Project** (Interim Community Development Director Thompson)

Staff's Recommendation: Motion to approve Contract Change Order No. 1, to General Construction Contract with Taylor Backhoe Service, Inc. for Project No. 16-2-1, Fruitland Avenue Reconstruction Project – Phase I, in the amount of \$29,0464.85, for a total project cost of \$174,809.46; and to authorize and direct the City Manager to execute the Change Order on behalf of the City; or

Motion to approve staff's recommendation as presented.

9. **Approving Contract Change Order No. 2 to General Construction Contract with Rolfe Construction and Additional Work Authorization No. 3 to Professional Services Agreement with MVE, Inc. for the Winton Way Reconstruction Project** (Interim Community Development Director Thompson)

Staff's Recommendation: Motion to approve Contract Change Order No. 2 in the amount of \$331,311.70 to Rolfe Construction General Construction Contract, for a total contract amount of \$2,668,342.10; and approve Additional Work Authorization No. 3 to MVE, Inc. Professional Services Agreement, in the amount of \$15,200 for a total contract amount of \$142,255.00; and authorize and direct the City Manager to sign the Change Order and Additional Work Authorization; or

Motion to approve staff's recommendation as presented.

10. **Verbal annual report regarding City Fire services for calendar year 2019** (CAL FIRE Battalion Chief Slate)
11. **Verbal annual report regarding City Police services for calendar year 2019** (Police Chief Salvador)

REPORT FROM CITY MANAGER:

12. Verbal update regarding the City's water system

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 MATTERS:

13. Verbal update regarding City Attorney appointment and possible direction

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Lucy Armstrong, 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.



LUCY ARMSTRONG
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) 357-6317. You may also send the request by email to larmstrong@atwater.org.