

CITY OF ATWATER

CITY COUNCIL

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

May 11, 2020

CALL TO ORDER:

5:00 PM

ROLL CALL:

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

CLOSED SESSION:

- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):
Number of cases: (1)**

REGULAR SESSION:

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Rich Miller

ROLL CALL:

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

MAYOR OR 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:

• **National Public Works Week Proclamation**

Staff's Recommendation: That Mayor Creighton present the proclamation to Public Works Superintendent Holsinger, on behalf of the Public Works Department, recognizing the Week of May 17 – 23, 2020 as National Public Works Week.

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. **May 11, 2020**

Staff's Recommendation: Approval of warrants as listed.

AGREEMENTS:

2. **Approving Professional Services Agreement with JJACPA to perform professional auditing services for Fiscal Year 2019-20** (Finance Director Jacobs-Hunter)

Staff's Recommendation: Approval of Professional Services Agreement, in a form approved by the City Attorney, with JJACPA to perform professional auditing services for Fiscal Year 2019-20 pursuant to the schedule of deliverables, in an amount not to exceed \$37,600; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

PUBLIC IMPROVEMENTS:

3. **Accepting Fruitland Avenue Reconstruction Project – Phase 1 as complete** (Community Development Director Thompson)

Staff's Recommendation: Accepts work done under contract for Fruitland Avenue Reconstruction Project – Phase 1, City Project No. 16-2-1 as complete; authorizes and directs the City Manager to sign a Notice of Completion and have it recorded on behalf of the City; and authorizes a final payment in the amount of \$8,740.47.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

4. **Waiving the second reading and adopting an ordinance amending Chapter 2.32 "Planning Commission," Section 2.32.090 "Powers and Duties," of the Atwater Municipal Code regarding Time Extension Requests** (Community Development Director Thompson)

Staff's Recommendation: Waives the second reading and adopts Ordinance No. CS 1029 amending Chapter 2.32 "Planning Commission," Section 2.32.90 "Powers and Duties," of the Atwater Municipal Code regarding Time Extension Requests not to exceed six (6) months.

PUBLIC HEARINGS:

5. **Waiving the first reading and introducing an ordinance approving Global Greenz Development Agreement regarding Cannabis Business Pilot Program for cannabis retail business located at 370 Airpark Road** (Community Development Director Thompson)

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

Close the public hearing;

Motion to make a finding that the project is categorically exempt under the California Environmental Quality Act ("CEQA") Guidelines, section 15301 "Existing Facilities" exemption; and

Motion to waive the first reading and introduce Ordinance No. CS 1028 approving Global Greenz Development Agreement, in a form approved by the City Attorney, regarding Cannabis Business Pilot Program for cannabis retail business located at 370 Airpark Road (APN: 056-400-027); or

Motion to approve staff's recommendation as presented.

6. **Waiving the first reading and introducing an ordinance approving Sycamore Manufacturing, LLC Development Agreement regarding Cannabis Business Pilot Program for cannabis retail, manufacturing, and distribution business located at 1715 Sycamore Avenue** (Community Development Director Thompson)

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

Close the public hearing;

Motion to make a finding that the project is categorically exempt under the California Environmental Quality Act ("CEQA") Guidelines, section 15303 "New Construction" exemption; and

Motion to waive the first reading and introduce Ordinance No. CS 1007 approving Sycamore Manufacturing, LLC Development Agreement, in a form approved by the City Attorney, regarding Cannabis Business Pilot Program for cannabis retail, manufacturing, and distribution business located at 1715 Sycamore Avenue (APN: 001-146-003); or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

7. **Resolution approving a budget amendment to allocate additional funding for 1,2,3-TCP City-Wide Projects, and approving a contract change order to General Construction Contract to Rolfe Construction Company for the Winton Way Reconstruction Project** (Public Works Superintendent Holsinger)

Staff's Recommendation: Motion to adopt Resolution No. 3146-20 approving Budget Amendment No. 10 amending Fiscal Year 2019-20 Budget to allocate additional funding for 1,2,3-TCP City-Wide Projects in the amount of \$197,289; to approve Contract Change Order No. 6 to General Construction Contract to Rolfe Construction Company for the Winton Way Reconstruction Project, Project No. 15-1, in the amount of \$42,880 for additional scope of work to construct a 14-inch raw water pipeline segment and an 18-inch treated water pipeline segment; 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.

8. **Resolution approving a budget amendment increasing allocations for General Fund, Public Works – Parks Operations Budget** (Public Works Superintendent Holsinger)

Staff's Recommendation: Motion to adopt Resolution No. 3145-20 approving Budget Amendment No. 9 amending Fiscal Year 2019-20 Budget to increase allocations in the amount of \$59,720 for General Fund, Public Works – Parks Operations Budget; or

Motion to approve staff's recommendation as presented.

9. **Authorizing submittal of a grant application to the United States Department of Homeland Security for the 2020 Assistance to Firefighters Grant Program – COVID-19 (CAL FIRE Battalion Chief Slate)**

Staff's Recommendation: Motion to authorize submittal of a grant application to the United States Department of Homeland Security for the 2020 Assistance to Firefighters Grant Program – COVID-19; and to authorize and direct the City Manager to execute the Application on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY MANAGER'S REPORTS/UPDATES:

10. **Discussion and authorization of a letter supporting San Joaquin Regional Rail Commission's FY 2020 BUILD Grant Application**

Staff's Recommendation: Motion to authorize the Mayor to send a letter to the U.S. Department of Transportation in support of the San Joaquin Regional Rail Commission's FY 2020 BUILD Grant Application.

11. **Discussion and possible direction regarding COVID-19**

Staff's Recommendation: That the City Council receive the information and updates regarding COVID-19 from the City Manager and by motion, provide staff with direction, if applicable.

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:

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.



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