

Pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act, you may view the agenda, agenda packet and/or the minutes of the meeting at www.atwater.org.

If you wish to make either a general public comment or to comment on a specific agenda item, please submit your comment (include Agenda Item Number in the subject line) to the City Clerk at cityinfo@atwater.org. Email comments will be accepted on or before 5:00 PM of the meeting date.

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) 357-6300.

NOTICE OF SPECIAL MEETING CITY COUNCIL OF THE CITY OF ATWATER

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Atwater will be held on **Monday, August 31, 2020 at 5:00 PM**, or as soon thereafter as may be held. This meeting will be held in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California.

AGENDA

SPECIAL MEETING CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

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



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.

RESOLUTIONS:

- 1. Approving and authorizing the annual Local transportation Fund (LTF) Claim to be filed with Merced County Association of Governments (MCAG) for Fiscal Year 2020-21 and approving Budget Amendment No. 5 regarding FY 2020-21 Local Transportation Fund (Public Works/Community Development Director Thompson)**

Staff's Recommendation: Adoption of Resolution No. 3174-20 approving the annual Local Transportation Fund (LTF) Claim to be filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2020-21; and authorize and direct the City Manager to execute the claim form on behalf of the City; and adoption of Resolution No. 3175-20 approving Budget Amendment No. 5 regarding FY 2020-21 Local Transportation Fund.

CALL FOR BIDS:

2. **Approving Plans and Specifications and authorizing advertising and calling for bids for the Mitchell Schools Area Pedestrian Improvements Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Approval of the plans and specifications and authorize the advertising and calling for bids for Bid Call No. 692-20, the Mitchell Schools Area Pedestrian Improvements Project, City Project No.19-1.

3. **Approving Plans and Specifications and authorizing advertising and calling for bids for the Aileen Colburn Pedestrian Improvements Phase 2 Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Approval of the plans and specifications and authorize the advertising and calling for bids for Bid Call No. 691-20, the Aileen Colburn Pedestrian Improvements Phase 2 Project, City Project No. 17-1.

PUBLIC IMPROVEMENTS:

4. **Accepting Wastewater Treatment Plant (WWTP) Drying Bed Expansion Project as complete** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Accepts work done under the contract for WWTP Drying Bed Expansion, Project No. 19-3 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 \$32,494.71.

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, citizens wishing to address the City Council regarding **only the items on the agenda may do so when the item is read for consideration**. You may state your name and address for the record; however, it is not required. Please limit comments to three (3) minutes or less. Under the provisions of the California Government Code, the City Council may not discuss or take action on any item that is not on the agenda.

PUBLIC HEARING:

5. **Adopting the Initial Study/Negative Declaration for the 1,2,3–TCP Remediation Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Open the public hearing and receive any testimony given regarding the Initial Study/Negative Declaration for the 1,2,3-TCP Remediation Project;

Close the Public Hearing and consider comments from the public;

Motion to adopt Resolution No. 3176-20 adopting the Initial Study/Negative Declaration for the City of Atwater 1,2,3–TCP Remediation Project and making the required environmental findings pursuant to the California Environmental Quality Act (CEQA); or

Motion to approve staff's recommendation as presented.

RESOLUTIONS:

6. **Authorizing the City Manager to enter into a design-build contract for Phase 1 Services for the City of Atwater 1,2,3–TCP Remediation Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Motion to adopt Resolution No. 3177-20 authorizing and directing the City Manager to enter into a progressive design-build contract for Phase 1 Services, in a form approved by the City Attorney, to include vessel procurement for the City of Atwater 1,2,3–TCP Remediation Project; or

Motion to approve staff's recommendation as presented.

7. **Ratifying an Order of the Director of Emergency Services to allow Retail and Service Establishments to temporarily expand service capacity into public and private common areas** (City Manager Waterman)

Staff's Recommendation: Motion to adopt Resolution No. 3178-20 ratifying the Order of the Director of Emergency Services of the City of Atwater to allow approved Retail and Services Establishments severely impacted by the COVID-19 pandemic the option to temporarily expand service capacity into public and private common areas under specified regulations; or

Motion to approve staff's recommendation as presented.

AGREEMENTS:

8. **Awarding a General Services Agreement to Phase 1 Construction for Broadway Avenue Seal & Stripe Project** (Deputy Public Works/Community Development Director Holsinger)

Staff's Recommendation: Motion to award a General Services Agreement, in a form approved by the City Attorney, to Phase 1 Construction for the Broadway Avenue Seal and Stripe Project, Project No. 20-4; Bid Call No. 696-20, in an amount not to exceed \$89,850.30; and

Motion to authorize and direct the City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

9. **Awarding a General Services Agreement to Modern Air Mechanical of Merced, CA for Bid Call No. 693-20; "Removal and Replacement of Heating Ventilation and Air Conditioning (HVAC) Units at Various City-Owned Facilities"** (Deputy Public Works/Community Development Director Holsinger)

Staff's Recommendation: Motion to award a General Services Agreement, in a form approved by the City Attorney, to Modern Air Mechanical of Merced, CA for the Alternate Bid item No. 1 of Bid Call No. 693-20, "Removal and Replacement of Heating Ventilation and Air Conditioning (HVAC) Units at Various City-owned Facilities," in an amount not to exceed \$50,000; and

Motion to authorize and direct the City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

10. **Declaring Axon Taser body camera system a sole source item and a unique cost savings opportunity, and approving an Equipment/Software Lease-Purchase Agreement with Axon Taser for the lease-purchase of a Law Enforcement Body Worn Camera System** (Police Chief Salvador)

Staff's Recommendation: Motion to declare Axon Taser Body Camera system to be a sole source purchase item and find it to also be a unique cost savings opportunity for the City, exempting the purchase from centralized purchasing pursuant to Atwater Municipal Code section 3.04.110; and

Motion to approve a Five-Year Lease-Purchase Agreement, in a form approved by the City Attorney, with Axon Taser of Arizona, in the amount not to exceed \$105,015 over a 5-year period for the lease purchase of Body

Worn Camera System; and

Motion to authorize and direct the City Manager to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

CLOSED SESSION:

Adjourn to Conference Room A

- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding property price and terms of payment. Agency Negotiator: City Manager Waterman. Negotiating Parties: Shawn Slate.**

Property Location: APN 001-134-012

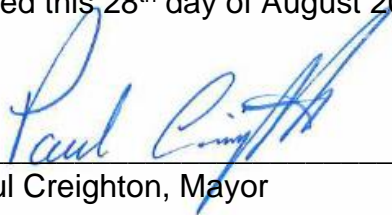
- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding property price and terms of payment. Agency Negotiator: City Manager Waterman. Negotiating Parties: Shawn Slate.**

Property Location: APN 001-134-015

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

ADJOURNMENT:

Dated this 28th day of August 2020.



Paul Creighton, Mayor

pc: Mayor and City Council Members
Atwater Signal/Merced Sun Star
Atwater New Times