

*Pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act, you may observe a livestream of the meeting at [www.atwater.org](http://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](mailto: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.*

# **CITY OF ATWATER**

## **CITY COUNCIL AND SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY**

### **AGENDA**

Council Chambers  
750 Bellevue Road  
Atwater, California

**November 9, 2020**

CALL TO ORDER:

**5:30 PM**

ROLL CALL: (City Council)

**Ambriz** \_\_\_\_, **Cale** \_\_\_\_, **Raymond** \_\_\_\_, **Vierra** \_\_\_\_, **Creighton** \_\_\_\_

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: Deputy City Manager Del Real and Public Works/Community Development Director Thompson. Negotiating Parties: Adrian Garcia Vidrio and Tania Lizete Romero Mejia**

**Property Location: APN 156-070-028**

- Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding property price and terms of payment. Agency Negotiator: Deputy City Manager Del Real and Public Works/Community Development Director Thompson. Negotiating Parties: Golden State Realty Association, a California Corporation

Property Location: Portion of APN 156-131-053

- 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: (Council Chambers)

6:00 PM



CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Don Borgwardt**

ROLL CALL: (City Council/Governing Board)

**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.

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. **November 9, 2020**

**Staff's Recommendation:** Approval of warrants as listed.

MINUTES: (Planning Commission)

**2. August 19, 2020 – Regular meeting**

**Staff's Recommendation:** Acceptance of minutes as listed.

CALL FOR BIDS:

**3. Approving plans and specifications and authorizing advertising and calling for bids for the Fruitland Avenue Reconstruction – Phase 2 Project (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Approval of the plans and specifications and authorizes advertising and calling for bids for Bid Call No. 703-20, "Fruitland Avenue Reconstruction – Phase 2 Project," City Project No. 16-2-2.

RESOLUTIONS:

**4. Authorizing a Purchase and Sale Agreement with Edward A. Vanek, II for certain property located North of Bell Drive and East of Truckee Drive, APN: 001-134-015 (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Adoption of Resolution No. SA 2020-2 authorizing a Purchase and Sale Agreement with Edward A. Vanek, II, in a form approved by the City Attorney, for certain property located North of Bell Drive and East of Truckee Drive, APN: 001-134-015, in the amount of \$450,000; and authorizes and directs the City Manager, or her designee, to execute the Agreement and all documents related to the sale of the Property on behalf of the City.

AGREEMENTS:

**5. Waiving the Formal Procurement Process and awarding a sole source purchase to Sun Ridge Systems for the California Incident Based Reporting software module for the Police Department's Records Management System (Police Chief Salvador)**

**Staff's Recommendation:** Waives the formal procurement process and awards a Sole Source Purchase Order to Sun Ridge Systems for the purchase of the California Incident Based Reporting software module for the Police Department's Records Management System, in the amount of \$25,000.00; and authorizes and directs the City Manager, or her designee, to execute the Purchase Order on behalf of the City.

**6. Ratifying the submittal of a grant application to the California Office of Emergency Services for the Community Power Resiliency Allocation to Cities Grant (Police Chief Salvador)**

**Staff's Recommendation:** Ratifies the submittal of a grant application to the California Office of Emergency Services for the Community Power Resiliency Allocation to Cities Grant; and authorizes and directs the City Manager, or her designee, to execute any and all documents related to the grant on behalf of the City.

**CLAIMS AGAINST THE CITY:** (Note to the Public: Portions of this claim have been redacted because they do not affect the City Council's ability to make a decision on the claim. The claim, however, is a public document and can be made available upon request by members of the public. If you have any questions or would like to request this document, please contact the City Clerk's office at (209) 357-6317).

**7. Claim No. 2020-18**

**Staff's Recommendation:** After consideration and investigation, it is staff's recommendation that Claim No. 2020-18 be rejected.

**PUBLIC HEARINGS:**

**8. Confirmation of Itemized Cost Reports, pursuant to Atwater Municipal Code 8.32.130, regarding the blight abatement of properties (Code Enforcement Manager Garcia)**

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

Close the public hearing;

Motion to confirm the Itemized Costs Reports, pursuant to Atwater Municipal Code 8.32.130, regarding the blight abatement of properties located at APNs: 001-146-015 and 001-146-016; Property Owner: Robert W. Riechel; and

Motion to authorize and direct the City Manager, or her designee, to execute any and all documents on behalf of the City; or

Motion to approve staff's recommendation as presented.

**REPORTS AND PRESENTATIONS FROM STAFF:**

**9. Awarding a General Construction Contract to Phase 1 Construction of Atwater, California, for the Aileen Colburn Pedestrian Improvement Phase 2 Project (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Motion to award a General Construction Contract, in a form approved by the City Attorney, to Phase 1 Construction, of Atwater, California, for the Aileen Colburn Pedestrian Improvements Phase 2 Project, Federal Project No. CML-5254(028), City Project No. 17-1, Bid Call No. 691-20, in an amount not to exceed \$414,372; and

Motion to authorize and direct the City Manager, or her designee, to sign and affirm construction contract change orders up to an aggregate of \$41,437.20; and

Motion to authorize and direct the City Manager, or her designee, to execute the contract on behalf of the City; or

Motion to approve staff's recommendation as presented.

**10. Adopting a resolution approving a budget amendment to allocate additional funding for the Veterans Park Water Playground, and approving Change Order No. 1 for the Veterans Park Water Playground Project (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Motion to adopt Resolution No. 3184-20 approving Budget Amendment No. 7 amending Fiscal Year 2020-21 Budget to allocate additional funding for Veteran's Park Water Playground Project in the amount of \$8,000.00; and

Motion to approve Change Order No. 1 in the amount of \$19,175.00 for a total contract amount of \$289,175.00; and

Motion to authorize and direct the City Manager, or her designee, to execute the change order; or

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 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.



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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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