

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.

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.

CITY OF ATWATER

City Council

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

February 8, 2021

CALL TO ORDER:

5:00 PM

ROLL CALL:

Ambriz _____, Button _____, Cale _____, Raymond _____, Creighton _____

CLOSED SESSION:

Adjourn to Conference Room A

- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding property acquisition. Agency Negotiator: City Manager Waterman. Property Owner Negotiator: David Doo; Daisy Fuentes; Kane Corporation representing Conservation Liquidation Office; and Passadori Living Trust**

Property Locations: APN 002-206-006
 APN 002-207-008
 APN 004-010-014
 APN 004-010-015
 APN 002-213-013

- **Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases (3)**
- **Conference with Labor Negotiator - Government Code Section 54957.6. Agency Negotiators: City Manager Waterman, Deputy City Manager Del Real, and City Attorney Splendorio; Bargaining Units: Atwater Police Officers Association, AFSCME Local 2703 - Mid-Management Unit; and Unrepresented Employees**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Bruce E. Rivers

ROLL CALL:

Ambriz _____, Button _____, Cale _____, Raymond _____, 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:

• **Recognition of Black History Month**

Staff's Recommendation: That Mayor Creighton acknowledge Thomas Garner, Pastor Bruce Rivers, and Jimmy Davis for Black History Month.

• **Certificate of Recognition - Fred Warchol**

Staff's Recommendation: That Mayor Creighton, former City Council Member Cindy Vierra, and former City Council Member/Planning Commissioner Andy Krotik recognize Former Planning Commissioner Fred Warchol for his service.

*****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.

MINUTES: (City Council)

- 1. a) **January 25, 2021 - Special meeting**
- b) **January 25, 2021 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

- 2. **Ratifying On-Call Professional Services Agreement per project/task for Civil Engineering, Traffic Engineering, Geotechnical, and Construction Inspection/Testing with various consultants** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Ratifies On-Call Professional Services Agreements, in forms approved by the City Attorney, with Quad Knopf, Krazan & Associates, VVH Consulting Engineering, Precision Civil Engineering, NorthStar Engineering Group, BSK Associate, SNG & Associates, TJKM, Ruggeri-Jensen-Azar, JLB Traffic Engineering and Provost & Pritchard, respectively, for up to three years each, in an amount not to exceed \$200,000 each task order per consultant; and authorize and direct the City Manager to execute the agreements on behalf of the City.

AGREEMENTS:

3. **Authorize and approve a Cooperative Purchase Agreement (Purchase Order) with Elk Grove Auto Group for the purchase of a Police Vehicle** (Police Chief Salvador)

Staff's Recommendation: Authorizes and approves a Cooperative Purchase of a 2021 Dodge Charger Pursuit, in the amount not exceed \$36,000 with Elk Grove Auto Group; and authorizes and directs the City Manager to execute the purchase on behalf of the City.

4. **Authorize and approve a Cooperative Purchase, Purchase Agreement (Purchase Order) to National Auto Fleet Group for the purchase of two (2) new 2022 Chevrolet Silverado 2500HD 2WD Double Cab 162" Work Truck with AT & TB Body Proposal and Equipment** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Authorizes and approves a Cooperative Purchase, Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to National Auto Fleet Group, Watsonville, California, for the purchase of two (2) new Chevrolet Silverado 2500HD 2WD Double Cab 162" Work Truck with AT & TB Body Proposal and Equipment, in the combined amount not to exceed \$112,535.76; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

5. **Authorize the City Manager, or her designee, to submit a Grant Application to the Department of Homeland Security (DHS) for the Assistance to Firefighters Grant for a Type I Fire Engine/Pumper** (CAL FIRE Battalion Chief Ayuso)

Staff's Recommendation: Authorizes the City Manager, or her designee, to submit a grant application to the Department of Homeland Security for the Assistance to Firefighters Grant for a new Type I Fire Engine/Pumper

*****END OF CONSENT CALENDAR*****

FUNDING AND BUDGET MATTERS:

6. **Adopting resolution no. 3208-21 approving budget amendment no. 14 amending Fiscal Year 2020-21 Budget regarding revenue and expenditure adjustments based on mid-year analysis and authorizing the General Fund to repay the Sewer Fund on behalf of the Local Transportation Fund** (Finance Director Jacobs-Hunter and City Manager Waterman)

Staff's Recommendation: Motion to adopt Resolution No. 3208-21 approving Budget Amendment No. 14 amending the Fiscal Year 2020-21 Budget based on mid-year analysis and authorize the General Fund to repay and retire a debt owed to the Sewer Fund in the amount of \$417,410 on behalf of the Local Transportation Fund; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

7. **Presentation regarding the City of Atwater's Information Technology** (Information Technology Manager Lamerson)
8. **Award a Professional Services Agreement to GHD of Roseville, California for the Construction Management as Advisor and Construction Inspection Services for the 1,2,3- TCP Mitigation Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Motion to award a Professional Services Agreement, in a form approved by the City Attorney, to GHD of Roseville, CA for the Construction Management as Advisor and Construction Inspection Services for the 1,2,3-TCP Mitigation Project in an amount not to exceed \$955,488.00; and

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

Motion to approve staff's recommendation as presented.

9. **Approving Amendment No. 2 to the Progressive Design Build Contract for Phase 2 services to include the construction phase of the 1,2,3-TCP Mitigation Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Motion to authorize Amendment No. 2 for Phase 2 Services of the Progressive Design-Build Contract scope of services to include the procurement of equipment and subcontractors, secure necessary permits, construct the Project, conduct startup, commissioning, performance testing, provide operator training, and provide warranty coverage in the amount not to exceed \$13,651,960.00; 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:

In memory of Fred Warchol

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.