

**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**

### **AGENDA**

Council Chambers  
750 Bellevue Road  
Atwater, California

**June 28, 2021**

CALL TO ORDER:

5:30 PM

ROLL CALL:

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

CLOSED SESSION:

Adjourn to Conference Room A

- Pursuant to Government Code Section 5496.8, Conference with Real Property Negotiator regarding property price and terms of payment. Agency Negotiator: City Manager Waterman. Property Owner Negotiator: City of Atwater**

**Property Location:**

**APN 056-241-005**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Mead

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:

- **Presentation of new Fire Engine, Police Car, and Police Motorcycle**

PRESENTATIONS:

- **Monthly report by Merced County District 3 Supervisor McDaniel**
- **Quarterly update regarding construction of 1,2,3-TCP Remediation Project** (Michael Beerends, GHD Engineer)

\*\*\*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. June 28, 2021**

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

**TREASURER'S REPORT:****2. May 31, 2021**

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

**MINUTES: (City Council)****3. a) June 7, 2021 - Special meeting  
b) June 14, 2021 - Regular meeting**

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

**MINUTES: (Planning Commission)****4. a) April 21, 2021 - Regular meeting  
b) May 19, 2021 - Regular meeting**

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

**MINUTES: (Audit and Finance Committee)****5. April 26, 2021 - Regular meeting**

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

**RESOLUTIONS:****6. Approving Fiscal Year 2021-22 annual SB 1 Project List (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Adoption of Resolution No. 3234-21 approving Fiscal Year 2021-22 annual Project List funded by SB 1, The Road Repair and Accountability Act of 2017, and authorizes and directs the City Manager or her designee to transmit a certified copy of the resolution to the California Transportation Commission.

7. **Approving a Budget Amendment to allocate funding for the First Amendment to the General Services Agreement with Jani Tek Cleaning Solutions of Stockton, CA and approving the First Amendment to the General Services Agreement with Jani Tek Cleaning Solutions for the cleaning and disinfecting of additional City-Owned buildings** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Adoption of Resolution No. 3236-21 approving Budget Amendment No. 1 amending the 2021-22 Fiscal Year Budget for the First Amendment to the General Service Agreement with Jani Tek Solutions of Stockton, CA; and approve the First Amendment to the General Services Agreement with Jani Tek Cleaning Solutions, in a form approved by the City Attorney, for the cleaning and disinfecting of additional City buildings, in an amount not to exceed \$105,480.00, plus up to an additional \$25,000 for any additional City facilities; and authorizes and directs the City Manager, or her designee, to execute the First Amendment on behalf of the City.

**AGREEMENTS:**

8. **Approving an Advertising Display Lease Agreement between the City of Atwater and BK Industries, Inc. regarding use of Real Property located at the intersection South of Bellevue Road, between First Street and Shaffer Road** (City Manager Waterman/Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Approves an Advertising Display Lease Agreement, in a form approved by the City Attorney, between the City of Atwater and BK Industries, Inc. regarding use of Real Property located at the intersection South of Bellevue Road, between First Street and Shaffer Road; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

9. **Approving Memorandum of Understanding with Merced Union High School District regarding School Resource Officer Program** (Deputy City Manager Del Real and Police Chief Salvador)

**Staff's Recommendation:** Approves a five (5) year Memorandum of Understanding, in a form approved by the City Attorney, with Merced Union High School District regarding School Resource Officer Program; and authorizes and directs the City Manager to execute the Memorandum of Understanding on behalf of the City.

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

PUBLIC HEARINGS:

- 10. Adopting a resolution setting Fiscal Year 2021-2022 Miscellaneous Fee Schedule** (Finance Director Jacobs-Hunter)

**Staff's Recommendation:** Open the Public Hearing and receive any testimony given regarding the proposed 2021-22 Miscellaneous Fee Schedule;

Close the Public Hearing;

Motion to adopt Resolution No. 3227-21 setting the City of Atwater's Miscellaneous Fee Schedule for Fiscal Year 2021-22; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

- 11. Presentation regarding City's Downtown Pedestrian Improvement Project** (Public Works/Community Development Director Thompson)

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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