

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 4:00 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 HOUSING SUCCESSOR AGENCY TO THE ATWATER REDEVELOPMENT AGENCY

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

August 9, 2021

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Steve Mead

ROLL CALL:

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

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:

- **Oaths of Office - Police Officers**

Staff's Recommendation: That Mayor Creighton administer the oaths of office to the newly appointed Police Officers: Emily Huckabee and Juan Carlos Plascencia.

*****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. August 9, 2021

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

**2. a) June 28, 2021 - Regular meeting
b) July 26, 2021 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. June 28, 2021 - Regular meeting

Staff's Recommendation: Acceptance of minutes as listed.

RESOLUTIONS:

4. Approving a budget amendment to allocate funding for the Signal Modification at Intersection of Shaffer Road and Juniper Avenue (Public Works/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3246-21 approving Budget Amendment No. 3 amending Fiscal Year 2021-22 Budget to allocate funding for Signal Modification at Intersection of Shaffer Road and Juniper Avenue, City Project No. 16-1, Federal Project No. HSIPL-5254 (026), in the amount of \$82,661.

AGREEMENTS:

5. Approving Use Agreement with the Atwater Historical Society regarding use of Bloss Home (City Manager Waterman)

Staff's Recommendation: Approval of a Use Agreement, in a form approved by the City Attorney, with the Atwater Historical Society for the use of Bloss Home situated at 1020 Cedar Avenue; and authorizes and directs the City Manager, or her designee, to execute the Use Agreement on behalf of the City.

6. Approving First Amendment to Finance Director Employment Agreement (Deputy City Manager Del Real)

Staff's Recommendation: Approval of First Amendment to Finance Director Employment Agreement, in a form approved by the City Attorney, with Kellie Jacobs-Hunter regarding Section 2.4 "Duties/Schedule," Section 4 "Compensation and Benefits," and Section 4.7 "Medical, Dental, and Vision"; and authorizes and directs the City Manager to execute the Amendment on behalf of the City.

OTHER ACTIONABLE ITEMS:

7. Approving Housing Successor Annual Reports for Fiscal Year 2018-19 and 2019-20 (Public Works/Community Development Director Thompson)

Staff's Recommendation: Staff recommends that the City Council, serving as the Housing Successor to the former Atwater Redevelopment Agency, receive and file the Housing Successor Annual Reports for Fiscal Year 2018-19 and 2019-20.

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

PUBLIC HEARINGS:

8. **Confirming Engineer's Reports and ordering the Annual Levy for the Lighting and Drainage and Landscape Assessment Maintenance Districts for Fiscal Year 2021-22** (Public Works/Community Development Director Thompson)

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

Close the public hearing;

Motion to adopt Resolution No. 3244-21 confirming the Engineer's Reports and ordering the continued maintenance of the City of Atwater Lighting and Drainage and Landscape Assessment Maintenance Districts and levy of Assessments for Fiscal Year 2021-22; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

9. **Adopting a resolution approving a budget amendment to appropriate additional funding for the CAL FIRE Contract, and approving Fiscal Year 2021-22 CAL FIRE contract** (CAL FIRE Battalion Chief Ayuso)

Staff's Recommendation: Motion to adopt Resolution No. 3249-21 approving Budget Amendment No. 5 amending Fiscal Year 2021-22 Budget to appropriate additional funding for the CAL FIRE Professional Services Agreement; and to award a Fire Protection Agreement, in a form approved by the City Attorney, to CAL FIRE for Fire Protection Services for Fiscal Year 2021-22 in an amount not to exceed \$2,997,012.00; and authorizes the Mayor, or his designee, to execute the Agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

10. **Approving contract change order to General Construction Contract to Rolfe Construction Company for the Winton Way Reconstruction Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Motion to approve Contract Change Order No. 9 to the General Construction Contract with Rolfe Construction Company for the Winton Way Reconstruction Project, City Project No. 15-1, in the amount of \$29,024.59; and to authorize and direct the City Manger to sign the change order; or

Motion to approve staff's recommendation as presented.

11. **Declaration of Emergency under the Public Contract Code, adopting a Resolution approving a Budget Amendment, Approving a General Construction Contract with Quality Well Drillers of Atwater, California and Shannon Pump of Merced, California for the emergency drilling of a new water well and installation of equipment at the Atwater Regional Wastewater Treatment Plant** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Motion to adopt Resolution No. 3247-21, declaring an emergency pursuant to Public Contract Code Section 1102 resulting from the collapse of the water production well at the Atwater Regional Wastewater Treatment Plant; and

Motion to adopt Resolution No. 3248-21 approving Budget Amendment No. 4 amending Fiscal Year 2021-22 Budget to allocate funding for the replacement of the water production well at the Atwater Regional Wastewater Treatment Plant, City Project No. 21-09, in the amount of \$45,454; and

Motion to approve a General Construction Contract, in a form approved by the city attorney, with Quality Well Drillers of Atwater, California, for the emergency drilling of a new water production well at the Atwater Regional Wastewater Treatment Plant pursuant to Public Contract Code Section 220250(a) Project No. 21-09, in an amount no to exceed \$30,706.00; and

Motion to approve a General Construction Contract, in a form approved by the City Attorney, with Shannon Pump Company of Merced, CA, for the purchase and installation of a new well pump and motor for the new water production well at the Atwater Regional Wastewater Treatment Plant pursuant to Public Contract Code Section 220250(a) Project No.21-09, in an amount no to exceed \$14,747.43; and to authorize and direct the City Manager, or her designee, to execute the contracts on behalf of the City; or

Motion to approve staff's recommendation as presented.

12. Verbal presentation regarding City of Atwater's Public Safety Transactions and Use Tax (Finance Director Youmara)

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

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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