

## CORONAVIRUS DISEASE (COVID-19) ADVISORY

Pursuant to Assembly Bill (AB) 361, the City Council may participate via teleconference/electronically. In-person participation by the public will be permitted. In addition, remote public participation and public comment is available in the following ways:

1. Livestream online at [www.atwater.org](http://www.atwater.org) (Please be advised that there is a broadcasting delay. If you would like to participate in public comment, please use the options below).
2. Join the electronic meeting at <https://atwater-org.zoom.us/j/89554963092> (Webinar ID: 89554963092). Members of the public participating electronically via this link and wishing to speak may do so during public comment, by using the "raised hand" feature in the Zoom webinar.
3. Submit a written public comment prior to the meeting: Public comments submitted to [cityinfo@atwater.org](mailto:cityinfo@atwater.org) by 4:00 p.m. on the day of the meeting will be distributed to the City Council, and made part of the official minutes. In view of the other public comment opportunities listed above, email/written comments will not be read out loud during the meeting.

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 28, 2022**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

**6:00 PM**

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Andrew Cantrell

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:

• **Certificate of Recognition - Chi Chi Wood**

**Staff's Recommendation:** That Mayor Creighton and the City Council recognize Chi Chi Wood for her contributions towards the City's Downtown Lighting Project.

• **Presentation of trophy to Fire Department for winning the City Christmas tree decorating contest**

**Recommendation:** That Pastor Rich Miller make the presentation to the Fire Department.

• **Presentation of trophy to Mayor Creighton for winning the City snowman decorating contest**

**Recommendation:** That Pastor Rich Miller make the presentation to Mayor Creighton.

PRESENTATIONS:

• **Monthly report by Merced County District 3 Supervisor McDaniel**

**\*\*\*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. February 28, 2022**

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

**TREASURER'S REPORT:**

**2. January 31, 2022**

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

**MINUTES:** (City Council)

**3. February 14, 2022 - Regular meeting**

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

**MINUTES:** (Planning Commission)

**4. January 19, 2022 - Regular meeting**

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

**MINUTES:** (Citizens' Oversight Committee)

**5. a) June 9, 2021 - Special meeting  
b) September 7, 2021 - Regular meeting**

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

**CALL FOR BIDS:**

6. **Approving specifications authorizing advertising and call for bids for purchase of one (1) new 2022 Hyundai Santa Fe Plug-In Hybrid Electric Vehicle** (City Manager Waterman)

**Staff's Recommendation:** Approval of specifications and authorizes advertising and call for bids for the purchase of one (1) new 2022 Hyundai Santa Fe Plug-In Hybrid Electric Vehicle, Bid Call No. 713-22; and authorizes and directs the City Manager, or her designee, to award and execute all documents related to the purchase on behalf of the City.

**RESOLUTIONS:**

7. **Making the required findings authorizing the continuation of Remote Teleconference/Virtual Meetings of the Legislative Bodies of the City of Atwater** (City Attorney Splendorio)

**Staff's Recommendation:** Adoption of Resolution No. 3296-22 making the required findings authorizing the continuation of Remote Teleconference/Virtual Meetings of the Legislative Bodies of the City of Atwater.

8. **Authorizing submittal of application to State of California Department of Housing and Community Development 2020/2021 HOME Investment Partnerships Program Grant** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Adoption of Resolution No. 3298-22 authorizing submittal of an application to the State of California Department of Housing and Community Development under the 2020/2021 HOME Investment Partnerships Program Grant; and authorizes and directs the City Manager, or her designee, to execute all grant-related documents or contracts on behalf of the City.

**AGREEMENTS:**

9. **Awarding Professional Services Agreement to Pinnacle Healthcare for Occupational Health Services** (Deputy City Manager Del Real)

**Staff's Recommendation:** Awards a Professional Services Agreement, in a form approved by the City Attorney, to Pinnacle Healthcare of Los Banos, California for Occupational Health Services; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

**10. Awarding Professional Services Agreement to Romeo Medical Clinic for Occupational Health Services** (Deputy City Manager Del Real)

**Staff's Recommendation:** Awards a Professional Services Agreement, in a form approved by the City Attorney, to Romeo Medical Clinic of Turlock, California for Occupational Health Services; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

**11. Approving First Amendment to Professional Services Agreement with CSI Services for Special Inspection and Testing of Water Tower Recoating/Renovation Project** (Public Works/ Community Development Director Thompson)

**Staff's Recommendation:** Approval of the First Amendment to the Professional Services Agreement with CSI Services of Santa Clarita, California, in a form approved by the City Attorney, for Special Inspection and Testing of the Water Tower Recoating/Renovation Project, in an amount not to exceed \$9,480, for a total price of \$34,479.99; and authorizes and directs the City Manager, or her designee, to execute the First Amendment on behalf of the City.

**12. Approving Contract Change Order to the General Construction Contract with W.M. Lyles Co. for CMU Wall installation at Industry Sewer Lift Station** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Approval of Contract Change Order No. 1 to the General Construction Contract with W.M. Lyles Co. of Fresno, California for the CMU Wall Installation at the Industry Sewer Lift Station, in the amount of \$164,445, for a total of \$599,590; and authorizes and directs the City Manager to execute the change order on behalf of the City.

**13. Awarding General Construction Contract to RTC Construction Management, Inc. for the Applegate Pump Station Rehab Project** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Awards a General Construction Contract, in a form approved by the City Attorney, to RTC Construction Management, Inc. of Merced, California for the Applegate Pump Station Rehab Project, in an amount not to exceed \$994,685 and construction contingency change orders up to an aggregate of an additional \$49,734.25 (5%); and authorizes and directs the City Manager, or her designee, to execute the Contract on behalf of the City.

- 14. Awarding General Construction Contract to ANV Construction, Inc. for Tenant Improvements at Civic Center Building 1 Project** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Awards a General Construction Contract, in a form approved by the City Attorney, to ANV Construction, Inc. of Atwater, California for Tenant Improvements at Civic Center Building 1 Project, in an amount not to exceed \$225,490, and construction contingency change orders up to an aggregate of an additional \$22,549.01 (10%); and authorizes and directs the City Manager, or her designee, to execute the Contract on behalf of the City.

- 15. Declaring Hoffman Electronic Systems a sole source service provider and awarding Professional Services Agreement for security controls at designated City facilities** (Information Technology Manager Lamerson)

**Staff's Recommendation:** Declares Hoffman Electronic Systems of Atwater, California as a sole source service provider for security controls at designated City facilities; awards a Professional Services Agreement, in a form approved by the City Attorney, to Hoffman Electronic Systems of Atwater, California for physical security systems at designated City facilities in an amount not to exceed \$142,000; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

- 16. Authorizing and approving Cooperative Purchase Agreement with Elk Grove Auto Group for purchase of a Police Vehicle** (Police Chief Salvador)

**Staff's Recommendation:** Authorizes and approves a Cooperative Purchase of a 2021 Dodge Charger Pursuit, in an amount not to exceed \$38,000 with Elk Grove Auto Group; and authorizes and directs the City Manager, or her designee, to execute the purchase on behalf of the City.

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

PUBLIC HEARINGS:

**17. Consideration of Revised City Council District Electoral Boundaries as Required by Elections Code Section 21601** (City Attorney Splendorio)

**Staff's Recommendation:** Receive a report from staff and the City's redistricting consultant on the redistricting process and permissible criteria to be considered to redraw district boundaries; and

Open the public hearing and receive public input on district boundaries; and

Close the public hearing.

**18. Adopting resolution amending Fiscal Year 2021-22 Miscellaneous Fee Schedule** (Finance Director Youmara)

**Staff's Recommendation:** Open the Public Hearing and receive any testimony given regarding the proposed amendments to the Fiscal Year 2021-2022 Miscellaneous Fee Schedule;

Close the Public Hearing;

Motion to adopt Resolution No. 3294-22 amending the City of Atwater's Miscellaneous Fee Schedule for Fiscal Year 2021-2022; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

**19. Approving Budget Amendment regarding Revenue and Expenditure Adjustments based on Mid-Year Analysis; and adopting Salary Schedule C-22, effective March 3, 2022** (City Manager Waterman and Finance Director Youmara)

**Staff's Recommendation:** Motion to adopt Resolution No. 3293-22 approving Budget Amendment No. 23 amending the Fiscal Year 2021-2022 Budget regarding revenue and expenditure adjustments based upon mid-year analysis; and Resolution No. 3297-22 adopting Salary Schedule C-22 Effective March 3, 2022; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

**20. Monthly report by City Manager Waterman**

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.



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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.*



*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](mailto:larmstrong@atwater.org).*