

In-person participation by the public will be permitted. In addition, remote public participation is available in the following ways:

- 1. Livestream online at www.atwater.org (Please be advised that there is a broadcasting delay. If you would like to participate in public comment, please use the option below).*
- 2. Submit a written public comment prior to the meeting: Public comments submitted to 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 but 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

October 10, 2022

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG

INVOCATION

Invocation by Michael Giordano

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.)

CEREMONIAL MATTERS:

• **Recognition - Retirement of Police Officer**

Staff's Recommendation: That Mayor Creighton recognize the retirement of Police Officer Anthony Cardoza.

Proclamation

• **National Fire Prevention Week, October 9 - 15, 2022**

Staff's Recommendation: That Mayor Creighton and the City Council present the proclamation, recognizing and honoring National Fire Prevention Week 2022.

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. **October 10, 2022**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Audit and Finance Committee)

2. **August 22, 2022 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

AGREEMENTS:

3. **Awarding a Purchase Agreement (Purchase Order) to National Auto Fleet Group for the purchase of three (3) new 2023 Ford 150 Lightning SuperCrew Cab Pickup trucks (Public Works Director Vinson)**

Staff's Recommendation: Awards a Cooperative Purchase, Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to National Auto Fleet Group, of Watsonville, California, for the purchase of three (3) new Ford 150 SuperCrew Cab Battery

Electric Pickup Trucks, in the combined amount not to exceed \$197,634.75; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

4. **Declaring First Net/AT&T a sole source item and a Unique Cost Saving Opportunity, and approving an Agreement with First Net/AT&T for the purchase of equipment and wireless services for the City** (Police Chief Salvador)

Staff's Recommendation: Approve an Equipment/Service Purchase Agreement in the amount of \$110,550.00, in a form approved by the City Attorney, with First Net/AT&T for the wireless service and equipment for the City of Atwater; and authorize and direct the City Manager to execute the Agreement on behalf of the City.

5. **Awarding a Purchase Agreement (Purchase Order) to Global Rental Co, Inc. for the purchase of a New 2022 Ford 550 Man-Lift Truck** (Public Works Director Vinson)

Staff's Recommendation: Awards a Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Global Rental Co, Inc. of Birmingham, Alabama, for the purchase of a New 2022 Ford 550 Crew Cab Battery Electric Pickup Trucks, in the amount not to exceed \$130,958.00; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

6. **Waiving the second reading and adopting an ordinance of the City Council repealing and replacing Chapter 5.04, "General Provisions" and amending portions of Chapter 5.08, "Schedule of License Fees" of Title 5 of the Atwater Municipal Code** (Community Development Director Thompson and Finance Director Youmara)

Staff's Recommendation: Waives the second reading and adopting an ordinance of the City Council repealing and replacing Chapter 5.04, "General Provisions" and amending portions of Chapter 5.08, "Schedule of License Fees" of Title 5 of the Atwater Municipal Code.

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

REPORTS AND PRESENTATIONS FROM STAFF:

7. **Award a General Construction Contract, to W.M. Lyles Co. of Bakersfield, California, for Well 20-A, City Project No.20-2 and Adopt a Resolution Approving a Budget Amendment to Allocate Additional Funding for Well 20-A Project** (Public Works Director Vinson)

Staff's Recommendation: Adopt Resolution No. 3348-22 approving Budget Amendment No.4 amending Fiscal Year 2022-23 Budget to

allocate additional funding for Well 20-A in the amount of \$2,670,800 and authorizing change orders for up to ten percent of project; and award a General Construction Contract, in a form approved by the City Attorney, to W.M. Lyles Co. of Bakersfield, California, for Well 20-A, City Project No.20-2; Bid Call 715-22, in an amount not to exceed \$5,044,700; and authorize and direct the City Manager to execute the Contract on behalf of the City.

PUBLIC HEARINGS:

8. **Waiving the first reading and introducing an ordinance Approving Zoning Text Amendment No. 22-17-0100 Amending Chapter 17.43 “Downtown Business District” of the Atwater Municipal Code to allow Mobile Food Vendors as a Conditional Use** (Community Development Director Thompson)

Staff’s Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to waive the first reading and introduce Ordinance No. CS 1051 amending Chapter 17.43 "Downtown Business District" of the Atwater Municipal Code to allow mobile food vendors as a conditional use; or

Motion to approve staff’s recommendation as presented.

9. **Waiving the first reading and introducing an ordinance Approving Zoning Text Amendment No. 22-18-0100 Repealing and Replacing Chapter 17.28 of the Atwater Municipal Code regarding Accessory and Junior Accessory Dwelling Units, and Determining the Ordinance to be Exempt from CEQA** (Community Development Director Thompson)

Staff’s Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to waive the first reading and introduce Ordinance No. CS 1052 repealing and replacing Chapter 17.28 of the Atwater Municipal Code regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs); or

Motion to approve staff’s recommendation as presented.

10. **Waiving the first reading and introducing an ordinance Amending Chapter 5.60, Cannabis Business Pilot Program, of Title 5, Business taxes, Licenses and Regulation of the Atwater Municipal Code and adding Chapter 5.70, Cannabis Regulatory Program** (Community Development Director Thompson and Finance Director Youmara)

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

Motion to continue the public hearing to the October 24, 2022 regular City Council meeting.

CITY MANAGER REPORTS/UPDATES:

11. City Manager Updates

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

In Memory of Margarita Saavedra

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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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 larmsstrong@atwater.org.