

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 cityclerk@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) 357-6241.

CITY OF ATWATER

City Council

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

August 28, 2023

CALL TO ORDER:

5:00 PM

ROLL CALL: (City Council)

Ambriz _____, Button _____, Cale _____, Raymond _____, Nelson _____

CLOSED SESSION:

Adjourn to Conference Room A

- Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1): Name of case: Samuel Joseph v. City of Atwater; Case No. 1:20-cv-00811-DAD-EPG**
- Conference with Labor Negotiators - Government Code Section 54957.6, Agency Negotiators: City Manager Waterman and Human Resources Director Sousa Bargaining Units: Atwater Police Officers Association,**

AFSCME Local 2703 - Clerical Employees Unit, Mid-Managers Group, Miscellaneous Employees Unit and Unrepresented Management and Confidential Employees.

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION:

Invocation by Ben Perez

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Ambriz _____, Button _____, Cale _____, Raymond _____, Nelson _____

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.

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.

TREASURER'S REPORT:

1. **a) June 30, 2023**
b) July 31, 2023

Staff's Recommendation: Approval of reports as listed.

WARRANTS:

2. August 28, 2023

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Planning Commission)

3. July 19, 2023 - Regular meeting

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (City Council)

4. August 14, 2023 - Regular meeting

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

5. Approving a Purchase Agreement (Purchase Order) with Aqueous Vets for Granulated Activated Carbon Exchange at Central Site (Public Works Director Vinson)

Staff's Recommendation: Approves a Purchase Agreement (Purchase Order) to Aqueous Vets of Redding, California for Granulated Activated Carbon (GAC) Exchange at Central Site, in an amount not to exceed \$127,026; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

6. Approving On-Call Building Services to support staff with Residential and Commercial Structural plan checking, and Residential and Commercial Fire Plan Checking, Permit Technician support, CAsp(ADA) inspections, and Building Inspections for Commercial, Residential, and Industrial construction projects (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Approves multiple On-Call Master Professional Service Agreements, in a form approved by the City Attorney, with CSG Consultants of Newman, California, BPR Consulting Group of Roseville, California, Interwest of Fresno, California and True North Compliance Services of Long Beach, California, with an amount not to exceed of \$200,000 per task order (per agreement), for a 3-year term for each of the agreements, and authorizes and directs the City Manager to execute the agreements on the behalf of the City.

7. Approving a General Services Agreement with Merced Area Sports Officials (MASO) (City Manager Waterman)

Staff's Recommendation: Awarding a General Services Agreement, in a form approved by the City Attorney, with Merced Area Sports Officials of Merced, California, in the amount not to exceed \$4,410.00, for managing the scheduling of the sports officials, plus a separate cost per sports official per athletic activity, as outlined in the fee structure; and authorizes and directs the City Manager, or her designee, to execute the agreement on behalf of the City.

RESOLUTIONS:

8. **Approving Budget Amendment appropriating funds from the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program** (Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution No. 3423-23 approving Budget Amendment No. 4 amending the Fiscal Year 2023-24 Budget regarding appropriating funds in the amount of \$14,784.00 to the Fiscal Year 2023-24 Police Grants Budget derived from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

9. **Adopting City Council Goal Setting Priorities 2023-2025** (City Manager Waterman)

Staff's Recommendation: Adoption of Resolution No. 3419-23 Adopting City Council Goal Setting Priorities 2023-2025.

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

REPORTS AND PRESENTATIONS FROM STAFF:

10. **Verbal General Plan Update - Planning Area** (Deputy City Manager/Community Development Director Thompson)

11. **Awarding Professional Services Agreement to Cole Pro Media, LLC for Transparency Engagement Services, and awarding Professional Services Agreement to Critical Incident Videos, LLC** (Police Chief Salvador) (City Manager Waterman)

Staff's Recommendation: Motion to award a Professional Services Agreement, in a form approved by the City Attorney, to Cole Pro Media, LLC of Vacaville, California, for Transparency Engagement Services in an amount not to exceed \$32,500; and authorize the City Manager to execute the agreement on behalf of the City; and

Motion to award a Professional Services Agreement, in a form approved by the City Attorney, to Critical Incident Videos, LLC of Vacaville, California, for Transparency Engagement for Critical Incident Videos on an as-needed basis in an amount not to exceed \$6,000 per video; and authorize the City Manager to execute the agreement on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

12. 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 REPORTS/UPDATES:

- **City Council Member Cale, District 1**
- **City Council Member Button, District 2**
- **City Council Member Ambriz, District 3**
- **Mayor Pro Tem Raymond, District 4**
- **Mayor Nelson**

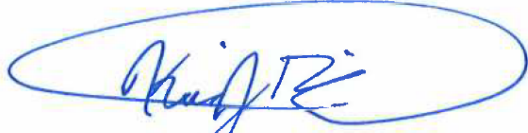
CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Kory J. Billings, 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.



KORY J. BILLINGS
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) 357-6241. You may also send the request by email to cityclerk@atwater.org.

Unless otherwise noted, City Council actions include a determination that they are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), and therefore, that CEQA does not apply to such actions.