

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

September 11, 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 Labor Negotiators - Government Code Section 54957.6, Agency Negotiators: City Manager Waterman, Police Chief Salvador and Human Resources Director Sousa Bargaining Units: Atwater Police Officers Association, AFSCME Local 2703 - Mid-Managers Group.**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION

Invocation by Chaplain Steve Mead

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.

CEREMONIAL MATTERS:

• **Recognition - Outgoing Miss Atwater 2022, Hallie Billings**

Staff's Recommendation: That Mayor Nelson recognize outgoing Miss Atwater 2022, Hallie Billings and her year of accomplishments while representing the City of Atwater.

• **Recognition - Miss Atwater 2023**

Staff's Recommendation: That Mayor Nelson recognize and welcome the newly crowned Miss Atwater 2023.

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.

WARRANTS1. **September 11, 2023**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Citizens' Oversight Committee)2. **June 6, 2023 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

AGREEMENTS:3. **Approving a Purchase Agreement (Purchase Order) with Calgon Carbon for Granulated Activated Carbon Exchange at Wells 16,18 and 19** (Public Works Director Vinson)

Staff's Recommendation: Approves a Purchase Agreement (Purchase Order) with Calgon Carbon of Moon Township, Pennsylvania for Granulated Activated Carbon (GAC) Exchange at Well 16,18 and 19 for an amount not to exceed \$375,957 and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

4. **Approving Amendment No. 2 to the Professional Services Agreement with VVH Consulting regarding Fruitland Avenue Reconstruction Project** (Public Works Director Vinson)

Staff's Recommendation: Approving Amendment No. 2 to the Professional Service Agreement ("Amendment No.2"), in a form approved by the City Attorney, with VVH Consulting Engineer (VVHCE), Inc. for the Fruitland Avenue Reconstruction Phase 3 Project in an increased amount of \$212,590.00; and authorizes the City Manager to execute Amendment No.2 on behalf of the City.

CALL FOR BIDS:5. **Approving Specifications and Authorizing Advertising and Calling for Bids for First Street Overlay Project** (Public Works Director Vinson)

Staff's Recommendation: Approves the specifications and authorizing advertising and calling for bids for the First St Overlay Project, Project No. 23-06, Bid Call Number 722-23.

RESOLUTIONS6. **Authorizing submittal of a grant application to San Joaquin Air Pollution Control District (SJVAPCD) for Public Benefit Grant in an amount up to \$100,000, New Alternative Fuel Vehicle Program and Approving Specifications, Authorizing Advertising and Calling for Bids of Four (4) Ford F-150 Lighting Electric Trucks** (Police Chief Michael Salvador)

Staff's Recommendation: Adoption of Resolution No. 3421-23 authorizing submittal of a grant application to the San Joaquin Air Pollution Control District Alternative Public Benefit Grant, Alternative

Fuel Vehicle Program; and Approves specifications and authorizes advertising and calling for bids for Bid Call No. 721-23; "Purchase of Four (4) Ford F-150 Lighting Electric Trucks; and authorizes and directs the City Manager or her designee to execute all documents on behalf of the City.

7. **Approving and Ratifying a Side Letter Agreement Between the City of Atwater and the Atwater Police Officers' Association (APOA)** (Human Resources Director Sousa)

Staff's Recommendation: Adoption of Resolution No. 3429-23 approving and ratifying a side letter agreement between the City of Atwater and the Atwater Police Officers' Association (APOA) regarding terms and conditions of employment relating to Public Safety Dispatchers, specifically Article 7 (Work Week and Schedule), Section 7.2.2 (Public Safety Dispatchers) of the current Memorandum of Understanding (MOU) and authorizing and directing the City Manager to execute the agreement on behalf of the City.

END OF CONSENT CALENDAR

PUBLIC HEARINGS

8. **Adopting resolution amending the Fiscal Year 2023-2024 Miscellaneous Fee Schedule** (Finance Director Nicholas and Public Works Director Vinson)

Staff's Recommendation: Open the Public Hearing and receive any testimony given regarding the proposed amendments to the Fiscal Year 2023-2024 Miscellaneous Fee Schedule;

Close the Public Hearing;

Motion to adopt Resolution No. 3425-23 amending the City of Atwater's Miscellaneous Fee Schedule for Fiscal Year 2023-2024; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

9. **Resolution amending the Water Discontinuation Policy complying with the Water Shutoff Protection Act Senate Bill 998** (Finance Director Nicholas)

Staff's Recommendation: Motion to Adopt Resolution No. 3426-23 amending Water Discontinuation Policy section 4. "Payment Arrangments," complying with the Water Shutoff Protection Act Senate Bill 998 ; or

Motion to approve staff's recommendation as presented.

10. **Approving Budget Amendment regarding American Rescue Plan Act Fund and Premium Pay** (City Manager Waterman)

Staff's Recommendation: Adoption of Resolution No. 3427-23

approving Budget Amendment No. 5 amending Fiscal Year 2023-24 Budget regarding American Rescue Plan Act

11. Approving Acceptance of Assistance to Firefighters Grant (AFG) and Approving Budget Amendment Appropriating Funds (CAL FIRE Battalion Chief Ayuso)

Staff's Recommendation: Motion to Accept the Fiscal Year 2022 Assistance to Firefighters Grant submittal in the amount of \$252,685 requiring a 10% local match of \$25,269; and

Motion to adopt Resolution No. 3428-23 approving Budget Amendment No. 6 amending the Fiscal Year 2023-24 Budget regarding appropriating funds in the amount of \$25,269 the 10% local match of \$252,685 for the Department of Homeland Security, Federal Emergency Management Agency (FEMA) Fiscal Year 2022 Assistance to Firefighters Grant (AFG), as identified in the grant application; and

Motion to authorize and direct the City Manager, or her designee, to execute all documents, including any amendments on behalf of the City.

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 comments

- **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.