

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

October 9, 2023

CALL TO ORDER:

5:30 PM

ROLL CALL: (City Council)

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

CLOSED SESSION:

Adjourn to Conference Room A

- Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases (1)**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION:

Invocation by Bill Mooneyham

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.

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 9, 2023

Staff's Recommendation: Approval of warrants as listed.

RESOLUTIONS:

2. Authorizing Submittal of Grant Application to California Department of Resources Recycling and Recovery for SB 1383 Local Assistance Grant Program (Public Works Director Vinson)

Staff's Recommendation: Adoption of Resolution No. 3435-23 authorizing submittal of a grant application to the California Department of Resources Recycling and Recovery (CalRecycle) for SB 1383 Local Assistance Grant Program; and authorizes and directs

the City Manager, or her designee, to execute all documents on behalf of the City.

AGREEMENTS:

3. **Accepting the Qualified Bid, Authorizing and Approving a Purchase Agreement (Purchase Order) with Razzari Ford of Merced for the purchase of four (4) new 2023 Ford Lightning Battery Electric Pickup Trucks (Police Chief Salvador)**

Staff's Recommendation: Accepts qualified bids, authorizes and approves a Purchase Agreement (Purchase Order) with Razzari Ford of Merced, California, for four (4) new 2023 Ford Lightning Battery Electric Pickup Trucks in an amount not to exceed \$325,226; and authorizes and directs the City Manager, or her designee, to execute the purchase on behalf of the City.

4. **Approving First Amendment to Use Agreement with Atwater Little League regarding use of City fields for organized Baseball, Softball and T-ball activities (City Manager Waterman)**

Staff's Recommendation: Approves the First Amendment of a Use Agreement, in a form approved by the City Attorney, with Atwater Little League for the use of Fireman's Memorial Ballpark, Veteran's Ballfield, Raymond Field, Darren Hershcler Field, Frank Reonte Field, Miyake Field, and T-ball Field at Osborn Park for organized Baseball, Softball and T-ball activities; and authorizes and directs the City Manager, or her designee, to execute the Use Agreement on behalf of the City.

PUBLIC IMPROVEMENTS:

5. **Accepting the Palm Avenue Improvement Project as Complete (Public Works Director Vinson)**

Staff's Recommendation: Accepts work done under the contract for Palm Avenue Improvements, City Project 22-06; authorize and direct the City Manager to sign a Notice of Completion and have it recorded on behalf of the City; and authorize a final payment in the amount of \$5,580.

END OF CONSENT CALENDAR

REPORTS AND PRESENTATIONS FROM STAFF:

6. **Adopting the Initial Study/Negative Declaration for the Lower Shaffer Storm Drain Project; Approving Budget Amendment Amending the 2023-24 Fiscal Year budget regarding the Lower Shaffer Drainage Improvement Project and Awarding a Professional Services Agreement to GHD for Civil Engineering Services (Public Works Director Vinson)**

Staff's Recommendation: Motion to Adopt Resolution 3431-23 adopting the Initial Study/Negative Declaration for the City of Atwater Lower Shaffer Storm Drain Project and making the required

environmental findings pursuant to the California Environmental Quality Act (CEQA); and

Motion to Adopt Resolution No. 3434-23 Approving Budget Amendment No. 7 Amending the 2023-24 Fiscal Year budget regarding the Lower Shaffer Drainage Improvement Project; and

Motion to award a Professional Services Agreement, in a form approved by the City Attorney, to GHD of Roseville, California for Civil Engineer Services for the Lower Shaffer Drainage Improvements Project 22-07 in an amount not to exceed \$649,989.00; or

Motion to adopt staff's recommendation as presented.

7. Awarding a General Construction Contract for the First Street Overlay Project (Public Works Director Vinson)

Staff's Recommendation: Motion to award a General Construction Agreement, in a form approved by the City Attorney, to United Pavement Maintenance, Inc. of Hughson, California, for the First Street Overlay Project, City Project 23-06, in an amount not to exceed \$564,267.00 and authorize construction contract change orders up to an aggregate amount of \$56,426.70 (10%); and authorizes and directs the City Manager or her designee to execute all contract documents on behalf of the City; or

Motion to approve staff recommendations as presented.

8. Resolution Approving the Final Project Study Report for the Bellevue Road Rehabilitation/Realignment Project (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Motion to Adopt Resolution No. 3436-23 approving the final Project Study Report, prepared by Mark Thomas & Company of Fresno, California, for the realignment and extension of Bellevue Road from Parade Street to Olive Avenue; and additionally authorize the Community Development Department to proceed with the Project Approval and Environmental Document; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

9. 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**

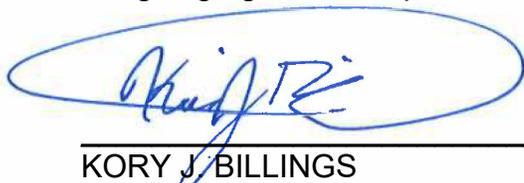
CLOSED SESSION

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.

