

*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](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 option below).*
- 2. Submit a written public comment prior to the meeting: Public comments submitted to [cityclerk@atwater.org](mailto: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**

### **AMENDED AGENDA**

Council Chambers  
750 Bellevue Road  
Atwater, California

**October 23, 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 - 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:

**6:00PM**

INVOCATION:

Invocation by Michael Giordano

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:

- **Photovoice Project by the Youth Health Advocates, a Community Counteracting Tobacco**
- **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. **September 30, 2023**

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

WARRANTS:

**2. October 23, 2023**

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

MINUTES: (General Plan Technical Advisory Committee)

**3. September 6, 2023 - Regular meeting**

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

MINUTES: (Planning Commission)

**4. September 20, 2023 - Regular meeting**

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

MINUTES: (City Council)

**5. a.) September 25, 2023 - Regular meeting**

**b.) October 9, 2023 - Regular meeting**

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

AGREEMENTS:

**6. Approving Amendment No. 3 to the Professional Services Agreement with RSG, Inc. for the preparation of Development Impact Fee annual reports pursuant to the requirements of Assembly Bill 1600 (AB 1600) and the Mitigation Fee Act (Finance Director Nicholas)**

**Staff's Recommendation:** Approves Amendment No. 3 to the Professional Services Agreement in a form approved by the City Attorney, with RSG, Inc of Vista, California for the preparation of the Development Impact Fee reporting requirements, in a total contract amount not to exceed \$50,710, after the approved contract amendment of \$13,500; and authorizes and directs the City Manager, or her designee, to execute the Agreement on behalf of the City.

**7. Awarding a Cooperative Purchase, Purchase Agreement (Purchase Order) to National Auto Fleet Group for the purchase of seven (7) new 2024 Ford Super Duty F-250 Crew Cab Pickup trucks (Public Works Director Vinson)**

**Staff's Recommendation:** Awards a Cooperative Purchase, Purchase Agreement (Purchase Order), to National Auto Fleet Group, of Watsonville, California, for the purchase of seven (7) new Ford F-250 Crew Cab Pickup Trucks, in the combined amount not to exceed \$370,48.66; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

**8. Approving On-Call Professional Services Agreements with various consultants for As-Needed Planning Services (Deputy City Manager/Community Development Director Thompson)**

**Staff's Recommendation:** Approves Professional Services On-Call Master Agreements, in a form approved by the City Attorney, with 4LEAF, Inc. of Pleasanton, California, Interwest of Fresno, California, and Precision Civil Engineering, Inc. of Fresno, California, for As-

Needed planning services, in an amount not to exceed \$200,000 per Task Order; and authorizes and directs the City Manager, or her designee, to execute the Agreements on behalf of the City.

RESOLUTIONS:

9. **Acknowledging Receipt of 2023 Annual City of Atwater Fire Inspection SB1205 Compliance Report** (CAL FIRE Battalion Chief Lopes)  
**Staff's Recommendation:** Adoption of Resolution No. 3432-23 acknowledging receipt of 2023 annual City of Atwater Fire Inspection Compliance Report as mandated by California Senate Bill 1205.
10. **Approving and Ratifying a Side Letter Agreement Between the City of Atwater and the American Federation of State, County, and Municipal Employees (AFSCME), Local 2703, Council 57, Pertaining to Certain Terms and Conditions of Employment of the Mid-Managers Group, Relating to Safety Members and Adopting Salary Schedule B-24, Effective October 26, 2023, Relating to the Police Lieutenant Classification** (Human Resources Director Sousa)  
**Staff's Recommendation:** Adoption of Resolution No. 3437-23 Approving and Ratifying a Side Letter Agreement Between the City of Atwater and the American Federation of State, County, and Municipal Employees (AFSCME), Local 2703, Council 57, Pertaining to Certain Terms and Conditions of Employment of the Mid-Managers Group, Relating to Safety Members, and Authorizing and Directing the City Manager to Execute the Agreement on Behalf of the City, and Adoption of Resolution No. 3438-23 Adopting Salary Schedule B-24, Effective October 26, 2023, Relating to the Police Lieutenant Classification.

CALL FOR BIDS:

11. **Approving Plans and Specifications and Authorizing Advertising and Calling for Bids for the EV Charging Stations at 750 Bellevue Road** (Public Works Director Vinson)  
**Staff's Recommendation:** Approves the plans and specifications and authorizing and calling for bids for the EV Charging Stations at 750 Bellevue Rd Project, Project No. 19-8, Bid Call Number 723-23.

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

REPORTS AND PRESENTATIONS FROM STAFF:

12. **Approving Plans and Specifications and Authorizing Advertising and Calling for Bids for General Construction Services for Tenant Improvements at 1350 Broadway Avenue (Civic 2 Project)** (Public Works Director Vinson)  
**Staff's Recommendation:** Motion to approve the plans and specifications and authorizing advertising and calling for bids for the General Construction Services for Tenant Improvements at 1350 Broadway Avenue (Civic Center 2) Project, Project No. 21-03, Bid

Call Number 724-23; or

Motion to approve staff's recommendation as presented.

- 13. Awarding a Professional Services Agreement to Raftelis Financial Consultants, Inc. of Los Angeles, California for a Water and Sewer Rate Study** (Public Works Director Vinson)

**Staff's Recommendation:** Motion to award a Professional Services Agreement, in a form approved by the City Attorney, to Raftelis Financial Consultants, Inc. of Los Angeles, California for a Water and Sewer Rate Study, in an amount not to exceed \$124,273; 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's recommendations as presented.

CITY MANAGER REPORTS/UPDATES:

- 14. 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.



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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](mailto: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.*