



# CITY OF ATWATER

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## CITY COUNCIL

### ACTION MINUTES

**October 9, 2023**

OPEN SESSION: (Council Chambers)

*The City Council of the City of Atwater and the Governing Board met in Open Session this date at 5:30 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Nelson presiding.*

ROLL CALL:

**Present:** City Council Members Ambriz, Cale, Button, Mayor Pro Tem Raymond, Mayor Nelson

**Absent:** None

**Staff Present:** City Manager Waterman, City Attorney Splendorio, Assistant City Clerk Martin

CLOSED SESSION: (Conference Room A)

*Mayor Nelson invited public comment on Closed Session items.*

*No one came forward to speak.*

*Mayor Nelson Adjourned the meeting Conference Room A for Closed Session at 5:31 PM. Closed Session was called to order at 5:33 PM.*

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

*Closed Session adjourned at 5:58 PM.*

REGULAR SESSION: (Council Chambers)

***The City Council of the City of Atwater met in Regular Session this date at 6:02 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Nelson presiding.***

INVOCATION:

***The Invocation was led by Steve Mead.***

PLEDGE OF ALLEGIANCE TO THE FLAG:

***The pledge of allegiance to the flag was led by City Council Member Ambriz.***

ROLL CALL: (City Council)

***Present: City Council Members Ambriz Button, Cale, Mayor Pro Tem Raymond, Mayor Nelson***

***Absent: None***

***Staff Present: City Manager Waterman, City Attorney Splendorio, Police Chief Salvador, Finance Director Nicholas, Public Works Director Vinson, City Clerk Billings, Assistant City Clerk Martin***

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

***City Attorney Splendorio reported that the City Council received information and provided direction, and there was no reportable action.***

SUBSEQUENT NEED ITEMS: ***None***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

***MOTION: Mayor Pro Tem Raymond moved to approve the agenda as posted. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.***

CONSENT CALENDAR:

***Mayor Nelson opened the public comment.***

***No one came forward to speak.***

***Mayor Nelson closed the public comment.***

***MOTION: Mayor Pro Tem Raymond moved to approve the Consent Calendar as posted. The motion was seconded by City Council Member Button and the vote***

**was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None.  
The motion passed.**

**WARRANTS:**

1. October 9, 2023

**ACTION: 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)

**ACTION: 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)

**ACTION: 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)

**ACTION: 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 Reponde 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)

***ACTION:*** *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.*

REPORTS AND PRESENTATIONS FROM STAFF:

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)

***Public Works Director Vinson provided background information on this item.***

***City Council Member asked regarding the timeline of the project.***

***City Council Member Cale asked regarding the timeline of the project.***

***Mayor Nelson opened the public comment.***

***Amanda Sandavol spoke regarding the funding of the project.***

***Mayor Nelson closed the public comment.***

***MOTION:*** *City Council Member Cale moved to adopt Resolution No. 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 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 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. The motion was seconded by Mayor Pro Tem Button and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.*

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

***Public Works Director Vinson provided background on this item.***

**City Council Member asked Button regarding the timeline of the project.**

**City Council Member Cale asked regarding the timeline of the project.**

**Mayor Nelson opened the public comment.**

**Amanda Sandavol spoke regarding stop signs in a parking lot.**

**Mayor Nelson closed the public comment.**

**MOTION: Mayor Pro Tem Raymond moved 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. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Button, Nelson; Noes: Raymond; Absent: None. The motion passed.**

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

**Deputy City Manager/Community Development Director Thompson provided background information on this item.**

**Mayor Pro Tem Raymond thanked staff for their work and dedication towards this project.**

**City Council Member Cale thanked staff for their efforts towards this project.**

**Mayor Nelson opened the public comment.**

**No one came forward to speak.**

**Mayor Nelson closed the public comment.**

**MOTION: Mayor Pro Tem Raymond moved 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. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.**

CITY MANAGER REPORTS/UPDATES:

***City Manager Waterman had nothing to report.***

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

***Mayor Nelson clarified that under the Brown Act, members of the public are entitled to directly address the City Council and are not entitled to address their comments to other members of the public or to staff.***

***Mayor Nelson opened the public comment.***

***Lesa Rasmussen spoke regarding the Atwater Little League Agreement, thanked City Council Members and City staff.***

***Vicki Diaz, Atwater-Winton Lions Club, spoke regarding White Cane Day awareness.***

***Amanda Sandavol spoke regarding working with staff and bringing awareness.***

***No one else came forward to speak.***

***Mayor Nelson closed the public comment.***

CITY COUNCIL REPORTS/UPDATES:

City Council comments

***City Council Member Cale had no comments.***

***City Council Member Button had no comments.***

***City Council Member Ambriz thanked Atwater Little League for working with the City Council and the Community.***

***Mayor Pro Tem Raymond spoke regarding the Middle East and asked that we pray for Israel.***

***Mayor Nelson stated the City Council and City staff care about Mental Health.***

ADJOURNMENT:

***Mayor Nelson adjourned the meeting at 6:31 PM.***



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JANELL MARTIN  
ASSISTANT CITY CLERK