

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

November 13, 2023

CALL TO ORDER:

5:00PM

ROLL CALL: (City Council)

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

CLOSED SESSION

Adjourn to Conference Room A

- Conference with Legal Counsel - Existing Litigation - (Paragraph (1) of subdivision (d) of Section 54956.9): Name of case: In re: Aqueous Film-Forming Foams Products Liability Litigation, Case No. 2:18-mn-2873-RMG**
- Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiations regarding property price and terms of payment. Agency Negotiators: Deputy City Manager/Community Development**

Director Thompson and City Manager Waterman. Negotiating Parties: Dr. Carlos Say, Mister Car Wash, City of Atwater

**Property Locations: APN 156-060-010
APN 156-060-011
APN 003-101-001**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION

Invocation by Retired Master Sergeant John Davis

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:

- **Oath of Office - Police Officer**

Staff's Recommendation: That City Clerk Billings administer the oath of office to the newly appointed Police Officer Kelsey Brown.

- **Oath of Office - Police Sergeant**

Staff's Recommendation: That City Clerk Billings administer the oath of office to the newly appointed Police Sergeant Tyler Davis.

CONSENT CALENDARNOTICE 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. **November 13, 2023**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Audit and Finance Committee)2. **September 25, 2023 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (General Plan Technical Advisory Committee)3. **October 4, 2023 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (City Council)4. **October 23, 2023 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:5. **Approving Amendment No. 1 to the Professional Services Agreement with De Novo Planning Group** (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Approves Ammendment No. 1 to the Professional Services Agreement in a form approved by the City Attorney, with De Novo Planning Group, of El Dorado Hills, California for the preparation of the environmental documentation for the Bellevue Road Rehabilitation and Realignment Project for an amount not to exceed \$202,881.50; and authorizes the City Manager, or her designee, to execute the agreement on behalf of the City; or motion to approve staff's recommendation as presented.

6. **Approving a Purchase Agreement (Purchase Order) to Flock Safety for the Purchase of a Fixed Location Automated License Plate Recognition (ALPR) System** (Police Chief Salvador)

Staff's Recommendation: Approves a Purchase Agreement (Purchase Order) with Flock Safety for a fixed location automated license plate recognition (ALPR) system, in an amount not to exceed

\$50,000; and authorizes and directs the City Manager, or her designee, to execute the Purchase Agreement (Purchase Order) on behalf of the City.

7. **Approving an Equipment/Software Lease-Purchase Agreement with Axon Taser for the Lease-Purchase of an In Vehicle Camera System** (Police Chief Salvador)

Staff's Recommendation: Approves an Equipment/Software Lease-Purchase Agreement with Axon Taser for the lease-purchase of an In Vehicle Camera System not to exceed \$55,000.00; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

8. **Approving On-Call Professional Services Agreements with various consultants for On-Call Professional Services for Civil Engineering, Traffic Engineering, Geotechnical, and Construction Inspection/Testing** (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Approval of Professional Services On-Call Master Agreements, in a form approved by the City Attorney, with AECOM of Fresno, CA, O'Dell Engineering of Merced, CA, VVH Consulting Engineers of Modesto, CA, Blackwater Consulting Engineers of Modesto, CA, Precision Civil Engineering, Inc. of Fresno, CA, Benchmark Engineering of Modesto, CA, R.E.Y Engineers, Inc of Folsom, CA, QK Inc. of Merced, CA, and SNG & Associates, Inc of Pleasonton, CA, Provost & Pritchard of Clovis, CA, Interwest of Fremont, CA, GHD of Fresno, CA, Terracon Consultants Inc of Lodi, CA, CCME Inc. of Fresno, CA, Crawford and Associates Inc. of Sacramento, CA, Kleinfelder of Fresno, CA, RMA GeoScience of Fresno, CA, ACE Quality Control of Roseville, CA, Krazan & Associates, Inc. of Clovis, CA, BSK Associates of Fresno, CA, TJKM of Pleasanton, CA, JLB Traffic Engineering Inc. of Fresno, CA, Advanced Mobility Group of Walnut Creek, CA, and Minagar & Associates, Inc. of Laguna Hills, CA for various 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. **Authorizing the Initiation of the Purchasing Process for Ballistic Helmets and an Unmanned Aerial Vehicle to benefit the Police Department** (Police Chief Salvador)

Staff's Recommendation: Adoption of Resolution 3433-23 Authorizing the Initiation of the Purchasing Process for Ballistic Helmets and an Unmanned Aerial Vehicle to benefit the Police Department.

END OF CONSENT CALENDAR

REPORTS AND PRESENTATIONS FROM STAFF:

10. One Voice Regional Project and Priority Recommendation

Staff's Recommendation: Identify one or more regional priority Project(s) for the 2024 One Voice Program.

11. Approving Budget Amendment regarding the Water Fund Capital Replacement for the Purchase of Water Meters and Transmitters (Public Works Director Vinson)

Staff's Recommendation: Motion to Adopt Resolution No. 3439-23 Approving Budget Amendment No. 8 Amending the 2023-24 Fiscal Year budget regarding the Water Fund Capital Replacement; and

Motion to waive the Formal Procurement Process and award a sole source purchase to Aqua Metric of Sacramento, California for water meters and transmitters, in an amount not to exceed \$1,568,891.73; and authorizes and directs the City Manager, or her designee, to execute the Purchase Order on behalf of the City; or

Motion to approve staff's recommendation as presented.

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.