



CITY OF ATWATER

CITY COUNCIL

ACTION MINUTES

November 13, 2023

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:00 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 Cale, Raymond, Mayor Nelson
Absent: City Council Members Button and Ambriz
Staff Present: Deputy City Manager/Community Development Director Thompson, City Attorney Splendorio, Public Works Director Vinson, Administrative Assistant Peralta

CLOSED SESSION: (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

Mayor Nelson invited public comment on Closed Session items.

No one came forward to speak.

Mayor Nelson adjourned the meeting to Conference Room A for Closed Session at 5:01 PM.

City Council Member Ambriz joined Closed Session in Conference Room A.

Closed Session was called to order at 5:07 PM.

Closed Session adjourned at 5:55 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:00 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 Retired Master Sergeant John Davis.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Mayor Nelson.

ROLL CALL: (City Council)

Present: City Council Members Ambriz, Cale, Mayor Pro Tem Raymond, Mayor Nelson
Absent: City Council Member Button
Staff Present: Deputy City Manager/Community Development Director Thompson, City Attorney Splendorio, Police Chief Salvador, Finance Director Nicholas, Public Works Director Vinson, City Clerk Billings, Administrative Assistant/Deputy City Clerk Peralta

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that the City Council received information regarding two items, 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, Nelson; Noes: None; Absent: Button. The motion passed.

CEREMONIAL MATTERS:

Oath of Office - Police Officer

City Clerk Billings administered the oath of office to the newly appointed Police Officer: Kelsey Brown.

Oath of Office - Police Sergeant

City Clerk Billings administered the oath of office to the newly appointed Police Sergeant: Tyler Davis.

CONSENT CALENDAR:

Mayor Nelson opened public comment regarding items on the Consent Calendar.

No one came forward to speak.

Mayor Nelson closed the public comment.

Mayor Pro Tem Raymond asked for Agenda Item #9 to be removed from the Consent Calendar for separate discussion.

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

WARRANTS:

1. November 13, 2023

ACTION: Approval of warrants as listed.

MINUTES: (Audit and Finance Committee)

2. September 25, 2023 – Regular meeting

ACTION: Acceptance of minutes as listed.

MINUTES: (General Plan Technical Advisory Committee)

3. October 4, 2023 - Regular meeting

ACTION: Acceptance of minutes as listed.

MINUTES: (City Council)

4. October 23, 2023

ACTION: 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)

ACTION: Approves Amendment 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)

ACTION: 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)

ACTION: 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)

ACTION: 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 Pleasonton, 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)

This item was removed from the Consent Calendar for separate discussion and possible action.

Chief Salvador provided background information on this item.

No one else came forward to speak.

MOTION: Mayor Pro Tem Raymond moved to adopt Resolution 3433-23 Authorizing the Initiation of the Purchasing Process for Ballistic Helmets and an Unmanned Aerial Vehicle to benefit the Police Department. The motion was seconded by City Council Member Cale and the vote was: Ayes: Cale, Ambriz, Raymond, Nelson; Noes: None; Absent: Button. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

One Voice Regional Project and Priority Recommendation

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

Mayor Pro Tem Raymond spoke in support of every project.

City Council Member Ambriz asked for clarification regarding the J7 (Santa Fe) project.

Deputy City Manager/Community Development Director Thompson provided clarification.

City Council Member Cale also spoke in support of every project.

Mayor Nelson provided more information regarding One Voice.

Mayor Nelson asked if anyone would like to come forward and speak on this item.

No one came forward.

City Attorney Splendorio clarified that this item can be consensus and not a motion.

Deputy City Manager/Community Development Director Thompson suggested staff provide information to the board and guide them with the prioritization of the projects.

The City Council agreed with this direction.

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

Public Works Director Vinson provided background information on this item.

Deputy City Manager/Community Development Director Thompson asked when the deadline is and what the goal is with gallons usage.

Public Works Director Vinson provided clarification.

Mayor Pro Tem Raymond commended Public Works Director Vinson for being ahead of the game.

Mayor Nelson asked if any members of the public would like to come forward and speak on this item.

No one came forward.

Mayor Nelson closed public comment.

MOTION: Mayor Pro Tem Raymond moved 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 The motion was

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

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 public comment.

Pastor Rich Miller spoke regarding upcoming events in Atwater and invited the public to attend Remembering Loved Ones at the CVO, the Atwater Christmas Parade, and Christmas in Atwater at the Bloss Mansion on December 1st and 2nd.

Monica K. Vila thanked the Atwater Police Department for their hard work, wished everyone a Happy Thanksgiving, and asked everyone to be kind to each other.

Christan Santos, Field Representative for Congressman John Duarte, congratulated Officer Brown, and Sergeant Davis, and provided an update regarding Congressman Duarte's office.

Gabe Santos thanked the Atwater Fire Department for their quick response to a recent electrical fire.

Mayor Nelson closed the public comment.

CITY COUNCIL REPORTS/UPDATES:

City Council comments

City Council Member Cale thanked Shaffer Elementary School for a wonderful Veterans Day program, thanked City staff for the Veterans Day ceremony at Veterans Park, wished everyone a Happy Thanksgiving, reminded everyone that the ice rink will reopen on November 17th, and congratulated Officer Brown and Sergeant Davis.

City Council Member Ambriz welcomed Officer Brown and congratulated Sergeant Davis, invited everyone to the Atwater Christmas Parade, and wished everyone a Happy Thanksgiving.

Mayor Pro Tem Raymond welcomed Officer Brown and congratulated Sergeant Davis, asked for prayers for his father-in-law's upcoming surgery, and wished everyone a Happy Thanksgiving.

Mayor Nelson spoke about the Veterans Day ceremony, thanked City staff for their hard work, and wished everyone a Happy Thanksgiving.

ADJOURNMENT:

Mayor Nelson adjourned the meeting at 6:57 PM.



GISELA PERALTA
DEPUTY CITY CLERK