

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.*
- 3. Pursuant to Government Code Section § 54953, Councilmember Cale will be participating via teleconference at the following location: 550 Washington Blvd. Baltimore, MD 21230. This location is open to the public with the same opportunity to address the Council, and this agenda is duly posted at the teleconference location in advance of the Council meeting. Public comment from this address shall be allowed.*

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

May 13, 2024

CALL TO ORDER:

5:00 PM

ROLL CALL: (City Council)

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

CLOSED SESSION

Adjourn to Conference Room A

- **Pursuant to Government Code Section 54957, Public Employment Appointment; Title: City Manager**
- **Pursuant to Government Code Section 54957, Public Employment Appointment; Title: Police Chief**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL: (City Council)

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:

- **Certificate of Recognition - 2023 Dispatcher of the Year**
- **Certificate of Recognition - 2023 Police Officer of the Year**
- **National Peace Officers Memorial Day, May 15, 2024 and National Police Week, May 13 - May 17, 2024**

Staff's Recommendation: That Mayor Nelson present the proclamation to Police Chief Salvador, on behalf of the Police Department, recognizing the day of May 15, 2024 as National Peace Officers Memorial Day and the week of May 12 - May 18, 2024 as National Police Week.

- **National Public Works Week, May 19 - May 25, 2024**

Staff's Recommendation: That Mayor Nelson present the proclamation to Public Works Director Vinson on behalf of the Public Works

Department, recognizing the week of May 19 - May 25, 2024 as National Public Works Week.

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 a Councilmember requests separate discussion on any item, that item will be removed from the Consent Calendar for separate action.

WARRANTS

1. **May 13, 2024**

Staff's Recommendation: Approval of report as listed.

MINUTES: (City Council)

2. **April 22, 2024 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. **Authorizing Grant Application Bureau of Justice Assistance 2024 Patrick Leahy Bulletproof Vest Partnership Program (Police Chief Salvador)**

Staff's Recommendation: Adoption of Resolution No. 3459-24, authorizing the grant application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance's 2024 Patrick Leahy Bulletproof Vest Partnership (BVP) Program; and authorizing the Mayor and/or Interim City Manager or designee to execute Grant Application, amendments, and all documents related to the grant, on behalf of the City, including administration, if awarded.

4. **Accepting and Adopting the prepared City of Atwater Existing Conditions Report and City of Atwater Existing Conditions Market Study Report prepared for the 2040 General Plan Update (Interim City Manager Thompson)**

Staff's Recommendation: Adoption of Resolution No. 3458-24 Accepting and Adopting the City of Atwater Existing Conditions Report and the City of Atwater Existing Conditions Market Study Report for the 2040 General Plan Update.

5. **Approving and Adopting a List of Projects for Fiscal Year 2024-25 Funded by SB 1: The Road Repair and Accountability Act of 2017 (Public Works Director Vinson)**

Staff's Recommendation: Adoption of Resolution No. 3457-24 approving and adopting the Fiscal Year 2024-25 annual list of projects funded by SB 1, The Road Repair and Accountability Act of 2017; and authorizes and directs the Interim City Manager to transmit a certified copy of the resolution to the California Transportation Commission.

AGREEMENTS:

- 6. **Authorizing and Approving a Cooperative Purchase, Purchase Agreement (Purchase Order) to Montrose Ford for the purchase of one (1) new 2023 Dodge Charger Police Vehicle and Equipment (Police Chief Michael Salvador)**

Staff's Recommendation: Authorizes and approves a Cooperative Purchase, Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Montrose Ford, Akron, Ohio, for the purchase of one (1) new 2023 Dodge Charger Pursuit with Police Equipment, in the combined amount not to exceed \$56,100; and authorizes and directs the Interim City Manager or designee to execute the Agreement (Purchase Order) on behalf of the City.

- 7. **Approving Memorandum of Understanding with the County of Merced Office of Emergency Services for the State Homeland Security Grant Programs Funding for Equipment, Planning, Administration, Training and Exercises (CAL FIRE Battalion Chief Ayuso)**

Staff's Recommendation: Approval of the Memorandum of Understanding, in a form approved by the City Attorney, with the County of Merced Office of Emergency Services for the State Homeland Security Grant Programs Funding for Equipment, Planning, Administration, Training and Exercises; and authorizes and directs the City Manager, or designee, to execute any and all documents related to the Memorandum of Understanding on behalf of the City.

- 8. **Awarding Purchase to Tesco Controls, Inc of Sacramento, California for a Control Panel for the Future Storm Pond/Basin for Lower Shaffer Drainage Project(Public Works Director Vinson)**

Staff's Recommendation: Award a purchase to Tesco Controls, Inc of Sacramento, California for a control panel for the future storm pond/basin for the future Lower Shaffer Drainage Project, in an amount not to exceed \$215,000.00; and authorize and direct the Interim City Manager, or designee, to execute the Purchase Order on behalf of the City.

REPORTS AND PRESENTATIONS FROM STAFF:

- 9. **Accepting the Qualified Bid, Authorizing and Approving a Purchase Agreement (Purchase Order) with Cooks Communications of Fresno for the lease purchase of Fifty (50) New Kenwood Portable Radios** (Police Chief Salvador)

Staff's Recommendation: Accepts qualified bid, authorizes and approves a Purchase Agreement (Purchase Order) with Cooks Communications of Fresno, California, for the lease purchase of Fifty (50) new portable radios in an amount not to exceed \$176,009.17; and authorizes and directs the Interim City Manager, or designee, to execute the purchase on behalf of the City.

- 10. **Approving Equipment/Software Lease-Purchase Agreement with Axon Taser for the Lease-Purchase of a Body Camera, In-Car Video, Conductive Energy Weapon, and Video Evidence Management System** (Police Chief Salvador)

Staff's Recommendation: Approval of retiring the current Five-Year Lease-Purchase Agreement and execution of a New 10-year agreement, in a form approved by the City Attorney, with Axon Taser of Arizona, in the amount not to exceed \$122,000 per year, over a 10-year period, for the Police Department's Current Body Camera System, Video evidence management system, In-car Video System, conductive energy weapons system; and authorizes and directs the Interim City Manager or designee to execute the Agreement on behalf of the City.

CITY MANAGER REPORTS/UPDATES:

- 11. **Update from the Office of the Interim City Manager**

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 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 during normal business hours at 1160 Fifth Street, Atwater, California.

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, Atwater, California.



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.