

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

July 8, 2024

CALL TO ORDER:

5:30 PM

ROLL CALL: (City Council)

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

CLOSED SESSION

Adjourn to Conference Room A

- Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding price and terms of payment. Agency Negotiators: Deputy City Manager/Community Development Director Thompson and City Manager Hoem. Negotiating Party: Les Nickerson**

Property Location: APN 003-101-001

- Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiations. Agency Negotiators: Deputy City Manager/Community Development Director Thompson and City Manager Hoem. Negotiating Parties: Abbruzz Etti, Dole Packaged Foods, LLC and Pai Bulldog Ranches LLC

Property Locations: APN 143-260-015
143-260-016
150-030-022
150-030-034
150-030-035

150-030-036
056-250-016
056-250-035
056-010-030
056-010-031

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.

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. **July 8, 2024**
Staff's Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

- 2. **June 12, 2024 - Special meeting**
Staff's Recommendation: Approval of minutes as listed.

AGREEMENTS:

- 3. **Approving a Purchase Order to Aqua Metric for a New Basestation** (Public Works Director Vinson)
Staff's Recommendation: Awards a purchase to Aqua Metric of Sacramento, California for a new basestation, in an amount not to exceed \$53,287.50; and authorizes and directs the City Manager, or his designee, to execute the Purchase Order on behalf of the City.

- 4. **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 Salvador)
Staff's Recommendation: Authorizes and approves a Cooperative Purchase, Purchase Agreement (Purchase Order) 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 City Manager or designee to execute the Agreement (Purchase Order) on behalf of the City.

RESOLUTIONS:

- 5. **Approving Budget Amendment for PA&ED Services with Mark Thomas and De Novo Planning Group** (Deputy City Manager Thompson)
Staff's Recommendation: Adoption of Resolution No. 3473-24 approving Budget Amendment No. 1 amending Fiscal Year 2024-25 Budget regarding the Bellevue Road Realignment Project.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

- 6. **Approving the Plans and Specifications for the Pre-approved Accessory Dwelling Units (ADUs) and to Initiate the ADU program** (Deputy City Manager Thompson)

Staff's Recommendation: Open the public hearing and take any testimony from the public;

Close the public hearing;

Adopt Resolution No. 3472-24 approving the plans and specifications for the pre-approved ADU plans and initiate the ADU program.

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

- 7. **Awarding Construction Services Agreement with Lawrence Backhoe Service, Inc of Atwater, California for the Water Meter Installation Project** (Public Works Director Vinson)

Staff's Recommendation: Motion to award a General Construction Agreement, in a form approved by the City Attorney, to Lawrence Backhoe Service, Inc. of Atwater, California, for the Water Meter Installation Project, City Project 24-10, in an amount not to exceed \$1,387,300 and authorize construction contract change orders up to an aggregate amount of \$138,730.00 (10%); and authorizes and directs the City Manager or designee to execute all contract documents on behalf of the City; or

Motion to approve staff's recommendation as presented.

CITY MANAGER REPORTS/UPDATES:

- 8. **Update from the Office of the 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**

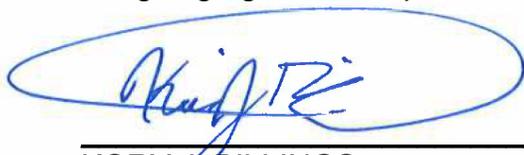
CLOSED SESSION:

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.