



CITY OF ATWATER

CITY COUNCIL

ACTION MINUTES

April 13, 2020

OPEN SESSION: (Video Conferencing)

The City Council of the City of Atwater met in Open Session this date at 4:40 PM via video conferencing in accordance with the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act; Mayor Creighton presiding.

ROLL CALL:

Present: *City Council Members Ambriz, Cale, Vierra (5:01 PM), Mayor Pro Tem Raymond (4:42 PM), Mayor Creighton*

Absent: *None*

Staff Present: *City Manager Waterman, City Attorney Splendorio, Project Manager Lamerson, Deputy City Clerk Martin*

CLOSED SESSION:

Mayor Creighton adjourned the meeting to Closed Session at 4:41 PM. Closed Session was called to order at 4:41 PM.

Pursuant to Government Code Section 54957, Public Employee Performance Evaluation – City Manager

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

Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: City Manager Waterman, City Attorney Splendorio, and Human Resources Director Del Real; Bargaining Unit: Atwater Police Officers Association

Closed Session recessed to Regular Session at 6:04 PM.

REGULAR SESSION: (Video Conferencing)

In order to minimize the spread of the COVID-19 virus, this meeting of the City Council of the City of Atwater was conducted pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act and was not physically open to the public. The meeting could be observed via livestream at www.atwater.org; Mayor Creighton presiding.

The meeting was called to order at 6:08 PM.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Don Borgwardt.

INVOCATION:

The Invocation was led by Don Borgwardt.

ROLL CALL:

Present: City Council Members Ambriz, Cale, Vierra, Mayor Pro Tem Raymond, Mayor Creighton

Absent: None

Staff Present: City Manager Waterman, Deputy City Manager Del Real, City Attorney Splendorio, Police Chief Salvador, CAL FIRE Battalion Chief Slate, Public Works Superintendent Holsinger, Finance Director Jacobs-Hunter, Community Development Director Thompson, City Engineer Hayes (VVH), Project Manager Lamerson, Deputy City Clerk Martin

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: City Council Member Ambriz moved to approve the agenda as posted. The motion was seconded by City Council Member Vierra and the vote was: Ayes: Ambriz, Vierra, Raymond, Cale, Creighton; Noes: None; Absent: None. The motion passed.

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that information and direction were received by the City Council and that no reportable action was taken on any of the items. He announced that continuation of Closed Session is necessary.

CONSENT CALENDAR:

MOTION: Mayor Pro Tem Raymond moved to approve the consent calendar as listed. The motion was seconded by City Council Member Cale and the vote was: Ayes: Vierra, Cale, Raymond, Vierra, Creighton; Noes: None; Absent: None. The motion passed.

WARRANTS:

1. April 13, 2020

ACTION: Approval of warrants as listed.

MINUTES: (City Council)

2.
 - a) March 5, 2020 – Special meeting
 - b) March 9, 2020 – Regular meeting
 - c) March 19, 2020 – Special meeting
 - d) March 23, 2020 – Regular meeting

ACTION: Approval of minutes as listed.

MINUTES: (Planning Commission)

3. December 18, 2019 – Regular meeting

ACTION: Acceptance of minutes as listed.

RESOLUTIONS:

4. Certifying the canvassing of votes in the March 2020 Special Municipal Election and declaring results (City Clerk Armstrong)

ACTION: Adoption of Resolution No. 3141-20 certifying the canvassing of votes in the March 2020 Special Municipal Election and declaring the results.

5. Accepting grant funds from the Bureau of Justice Assistance 2020 Coronavirus Emergency Supplemental Funding Program and resolution approving a budget amendment related to the Program (Police Chief Salvador)

ACTION: Adoption of Resolution No. 3143-20 accepting grant funds in the amount of \$44,376 from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance 2020 Coronavirus Emergency Supplemental Funding Program; authorizes and directs the City Manager and Mayor to execute the Grant Agreement, any and all amendments, any and all other documents related to the grant, on behalf of the City, including administration; and adopts Resolution No. 3144-20 approving Budget

Amendment No. 8 regarding 2020 Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding Program.

AGREEMENTS:

6. Approving an increase to Purchase Order with Calgon Carbon Corporation to include sales tax for replacement of the Carbon Media at Well 15 (Public Works Superintendent Holsinger)

ACTION: Approval of an increase to Purchase Order No. 14701 with Calgon Carbon Corporation, Moon Township, PA, to include sales tax in the amount of \$7,986 for replacement of the Carbon Media at Well 15, for a total cost of \$150,258; and authorizes and directs the City Manager to execute the increase to the Purchase Order.

REPORTS AND PRESENTATIONS FROM STAFF:

Approving Progressive Design-Build delivery method for the 1,2,3-TCP Remediation Project (City Engineer Hayes and Public Works Superintendent Holsinger)

City Engineer Hayes presented a PowerPoint review of the scope of the Progressive Design-Build delivery method for the 1,2,3-TCP Remediation Project.

MOTION: Mayor Creighton moved to approve the Progressive Design-Build Delivery method for the 1,2,3-TCP Remediation Project. The motion was seconded by Mayor Pro Tem Raymond and the vote was: Ayes: Ambriz, Vierra, Raymond, Cale, Creighton; Noes: None; Absent: None. The motion passed.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

City Attorney Splendorio clarified that no comments were received prior to the meeting regarding any agenda items.

Deputy City Clerk Martin reported that one comment was received expressing his thanks and appreciation to the medical personnel and all first responders related to the Covid-19 emergency. He also thanked the Mayor and City Council Members for their leadership. Mayor Creighton reported that the full comment will be placed in the record.

CITY COUNCIL MATTERS:

Nominating one representative for re-appointment to serve on the Measure V – Merced County’s Transportation Expenditure Plan – Citizens Oversight Committee for a term of two (2) years, term ending May 2022

MOTION: Mayor Pro Tem Raymond moved to nominate one (1) representative, Ron Daugherty, for re-appointment by MCAG Governing Board to represent the City of Atwater on the Measure V Citizens Oversight Committee for a term of two (2) years, term ending May 2022. The motion was seconded by City Council Member Cale and the vote was: Ayes: Vierra, Cale, Raymond, Ambriz, Creighton; Noes: None; Absent: None. The motion passed.

City Council comments

City Council Member Vierra had no comments.

City Council Member Cale had no comments.

City Council Member Ambriz urged everyone to continue being safe and exercising all cautions.

Mayor Pro Tem Raymond thanked Pastor Miller for his comments. He also praised all pastors and all citizens involved in prayers for those affected by the Covid-19 emergency.

Mayor Creighton expressed his pride and pleasure at how the citizens of Atwater are responding to the Covid-19 emergency.

CLOSED SESSION: (Video Conferencing)

Mayor Creighton adjourned the Regular Session to continuation of Closed Session at 6:30 PM.

Closed Session resumed at 6:34 PM.

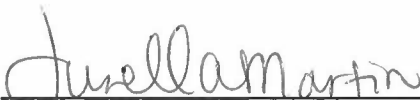
Pursuant to Government Code Section 54957, Public Employee Performance Evaluation – City Manager

Closed Session adjourned at 6:52 PM.

City Attorney Splendorio reported that no reportable action was taken. The Closed Session agenda was completed.

ADJOURNMENT:

The meeting adjourned at 6:53 PM.



JANELL MARTIN,
DEPUTY CITY CLERK

By: Lesa Rasmussen
PM Transcription Services