

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC

In order to minimize the spread of the COVID-19 virus, this meeting will be conducted pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act and will not be physically open to the public. You may observe a livestream of the meeting at www.atwater.org.

If you wish to make either a general public comment or to comment on a specific agenda item, please submit your comment (include Agenda Item Number in the subject line), to the City Clerk at cityinfo@atwater.org. All comments will be shared with the Council and placed in the record. Every effort will be made to read your comment into the record, but some comments may not be read, in whole or in part, due to the 3-minute time limitation or other time limitations.

Email comments will be accepted on or before 5:00PM of the meeting date.

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)357-6300.

CITY OF ATWATER CITY COUNCIL

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

April 13, 2020

CALL TO ORDER:

4:30 PM

ROLL CALL:

Ambriz ____ , Cale ____ , Raymond ____ , Vierra ____ , Creighton ____

CLOSED SESSION:

- **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**

REGULAR SESSION:



6:00 PM

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Don Borgwardt

ROLL CALL:

Ambriz ____ , Cale ____ , Raymond ____ , Vierra ____ , Creighton ____

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 discussion is requested on any item, that item will be removed from the Consent Calendar for separate action.

WARRANTS:

1. **April 13, 2020**

Staff's Recommendation: 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**

Staff’s Recommendation: Approval of minutes as listed.

MINUTES: (Planning Commission)

- 3. **December 18, 2019 – Regular meeting**

Staff’s Recommendation: Approval of minutes as listed.

RESOLUTIONS:

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

Staff’s Recommendation: 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)**

Staff’s Recommendation: 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)**

Staff’s Recommendation: 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:

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

Staff's Recommendation: Motion to approve Progressive Design-Build Delivery method for the 1,2,3-TCP Remediation Project; 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. See special Public Comment Notice at the top of the agenda.

CITY COUNCIL MATTERS:

8. **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**

Recommendation: That the City Council, by motion, 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.

City Council comments

CLOSED SESSION:

Continuation of Closed Session if necessary

ADJOURNMENT:

CERTIFICATION:

I, Lucy Armstrong, 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.



LUCY ARMSTRONG
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) 357-6317. You may also send the request by email to larmstrong@atwater.org.