

Pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act, you may observe a livestream of the meeting at [www.atwater.org](http://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](mailto:cityinfo@atwater.org). Email comments will be accepted on or before 5:00 PM 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

**June 8, 2020**

CALL TO ORDER:

**5:00 PM**

ROLL CALL:

Ambriz \_\_\_\_, Cale \_\_\_\_, Raymond \_\_\_\_, Vierra \_\_\_\_, Creighton \_\_\_\_

CLOSED SESSION:

- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases: (3)**
- **Conference with Labor Negotiator – Government Code Section 54957.6. Agency Negotiators: City Manager Waterman, Deputy City Manager Del Real, and City Attorney Splendorio; Bargaining Units: Atwater Police Officers Association and AFSCME Local 2703 – Miscellaneous and Clerical Units**

REGULAR SESSION:

6:00 PM



CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

**Invocation by Pastor Dave Weaver**

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. June 8, 2020**

**Staff's Recommendation:** Approval of warrants as listed.

MINUTES: (City Council)

**2. a) May 15, 2020 – Special meeting  
b) May 26, 2020 – Regular meeting**

**Staff's Recommendation:** Approval of minutes as listed.

**RESOLUTIONS:**

- 3. Approving and ratifying Side Letter of Agreement with Atwater Police Officers Association Bargaining Unit** (City Manager Waterman and Deputy City Manager Del Real)

**Staff's Recommendation:** Adoption of Resolution No. 3149-20 approving and ratifying Side Letter of Agreement, in a form approved by the City Attorney, between the City of Atwater and the Atwater Police Officers Association pertaining to a six (6) months term extension of the MOU, and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

- 4. Calling, Giving Notice of, and Consolidating the 2020 General Municipal Election** (City Clerk Armstrong)

**Staff's Recommendation:** Adoption of Resolution No. 3147-20 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 3, 2020 for the election of the City Clerk, the City Treasurer and two (2) Members of the City Council within the boundaries of District One (1) and District Two (2), as required by the provisions of the laws of the State of California relating to General Law Cities; and requests the Board of Supervisors of the County of Merced consolidate the General Municipal Election to be held on November 3, 2020 with the Presidential General Election to be held on the date pursuant to Section 10403 of the Election Code.

**AGREEMENTS:**

- 5. Awarding a Cooperative Purchase Agreement to Valley Forklift for the purchase of one (1) new Mitsubishi Pneumatic Tire Forklift** (Public Works Superintendent Holsinger)

**Staff's Recommendation:** Awards a Cooperative Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Valley Forklift, Modesto, California, for the purchase of one (1) new Mitsubishi Pneumatic Tire Forklift, in the amount not to exceed \$31,463.89; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

**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 MATTERS:**

**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](mailto:larmstrong@atwater.org).*