

*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,**  
**Fire Protection District,**  
**And**  
**Successor Agency To The Atwater**  
**Redevelopment Agency**

**AGENDA**

Council Chambers  
750 Bellevue Road  
Atwater, California

**June 14, 2021**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

**6:00 PM**

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Jose Fuentes

ROLL CALL:

Ambriz \_\_\_\_\_, Button \_\_\_\_\_, Cale \_\_\_\_\_, Raymond \_\_\_\_\_, Creighton \_\_\_\_\_

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 - Army Second Lieutenant Ryan Timothy Benz**

**Staff's Recommendation:** That Mayor Creighton present a certificate of recognition to Army Second Lieutenant Ryan Timothy Benz for his academic achievements at West Point and dedication to serve the Country.

- **Oath of Office - Police Officer**

**Staff's Recommendation:** That Mayor Creighton administer the oath of office to the newly appointed Police Officer David Goodwin.

**\*\*\*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 14, 2021**

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

MINUTES: (City Council)**2. May 24, 2021 - Regular meeting**

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

MINUTES: (Citizens' Oversight Committee)

- 3. a) March 26, 2019 - Regular meeting  
b) February 20, 2020 - Regular meeting  
c) May 25, 2021 - Regular meeting**

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

RESOLUTIONS:

- 4. Approving the Statement of Investment Policy for Fiscal Year 2021-22 and delegating authority to the City Treasurer to invest funds accordingly (Finance Director/Treasurer Jacobs-Hunter)**

**Staff's Recommendation:** Adoption of Resolution No. 3225-21 approving the Statement of Investment Policy for Fiscal Year 2021-22 and delegating authority to the City Treasurer to invest funds in accordance with the Statement of Investment Policy.

- 5. Acknowledging receipt of 2021 Annual City of Atwater Fire Inspection Compliance Report (CAL FIRE Battalion Chief Ayuso)**

**Staff's Recommendation:** Adopt Resolution No. 3229-21 acknowledging receipt of 2021 annual City of Atwater Fire Inspection Compliance Report as mandated by California Senate Bill 1205.

AGREEMENTS:

- 6. Approving the First Amendment to the Communications Site Lease with Metro PCS at Cedar Avenue and Park Street (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Approves the First Amendment to Communications Site Lease with Metro PCS at Cedar Ave and Park St, in a form approved by the City Attorney; and authorizes and directs the City Manager, or her designee, to execute the lease amendment on behalf of the City.

7. **Awarding a Sole Source Purchase of New “Muffin Monster” Wastewater Influent Screenings Washer Compactor Cartridges for the Wastewater Treatment Plant** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Awards a sole source purchase to JWC Environmental for the purchase of Rebuild Cartridges for Screenings Washer Compactor “Muffin Monster” for the Influent headworks for the wastewater Treatment Plant in an amount of \$52,575.98 plus taxes, shipping, and handling charges; and authorizes and directs the City Manager to execute the purchase order on behalf of the City.

**PUBLIC IMPROVEMENTS:**

8. **Approving a Contract Change Order to General Construction Contract with Teichert Construction for the Emergency Repairs at Canal Creek Bridge, Project No. 21-01, and accepting the Emergency Repairs at Canal Creek Bridge Project as complete** (Public Works/Community Development Director Thompson)

**Staff's Recommendation:** Approves Contract Change Order No. 1 to General Construction Contract with Teichert Construction in the amount of \$82,338.45 for a total contract amount of \$194,526.32 for the Emergency Repairs at Canal Creek Bridge, Project No. 21-01; and accepts work done under the contract for the emergency repairs at Canal Creek Bridge as complete; and authorizes and directs the City Manager, or her designee, to sign the Change Order and Notice of Completion, and have the Notice of Completion recorded on behalf of the City; and authorizes a final payment in the amount of \$194,526.32.

**\*\*\*END OF CONSENT CALENDAR\*\*\***

**PUBLIC HEARINGS:**

9. **Resolutions adopting 2021-22 Fiscal Year Budget including Five-Year Capital Improvement Plan and approving Fund Expenditures and Fund Transfers; establishing appropriations limitations; and amending Classification Plan and approving Salary Schedule A-22, effective June 24, 2021** (City Manager/Executive Director Waterman/Finance Director/Treasurer Jacobs-Hunter)

**Staff's Recommendation:** Open the public hearing and receive any testimony given regarding the proposed 2021-22 Fiscal Year Budget;

Close the Public Hearing;

Review the Fiscal Year 2021-22 Proposed Budget; and

Motion to adopt Joint Authority Resolution No. 3224-21, Resolution No. AFD 1-2021, and Resolution No. SA 2021-1 adopting the 2021-22 Fiscal Year Budget, approving Fund Expenditures and Fund Transfers, and 5-Year Capital Improvement Program with any modifications from the budget review and public hearing; to adopt Resolution No. 3226-21 establishing Fiscal Year 2021-22 Appropriations Limitation; to adopt Resolution No. 3230-21 amending the City of Atwater Classification Plan and adopting City of Atwater Salary Schedule A-22, effective June 24, 2021; or

Motion to approve staff's recommendation as presented.

**Alternative Recommendation:** If the City Council, Board of Directors, and Governing Board are not able to adopt Joint Authority Resolution No. 3224-21, Resolution No. AFD 1-2021, and Resolution No. SA 2021-1 at this meeting, it is recommended that the City Council, Board of Directors, and Governing Board:

Motion to continue to the public hearing to the regular City Council meeting of June 28, 2021; or

Motion to approve alternative recommendation as presented.

**CITY MANAGER REPORTS/UPDATES:**

**10. Employment Agreement Finance Director (City Manager Waterman/Deputy City Manager Del Real)**

**Staff's Recommendation:** Motion to ratify Finance Director Employment Agreement, in a form approved by the City Attorney, with Delilah Youmara; and authorize and direct the City Manager to execute the Agreement 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

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).*