



# CITY OF ATWATER

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**CITY COUNCIL,  
FIRE PROTECTION DISTRICT,  
AND  
SUCCESSOR AGENCY TO THE ATWATER  
REDEVELOPMENT AGENCY**

**ACTION MINUTES**

**June 14, 2021**

REGULAR SESSION: (Council Chambers)

*The City Council of the City of Atwater, the Board of Directors of the Fire Protection District, and the Governing Board of the Successor Agency to the Atwater Redevelopment Agency met in Regular Session this date at 6:02 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor/Board President/Board Chair Creighton presiding.*

PLEDGE OF ALLEGIANCE TO THE FLAG:

*The Pledge of Allegiance was led by Public Works/Community Development Director Thompson.*

INVOCATION:

*The Invocation was led by Pastor Jose Fuentes.*

ROLL CALL:

**Present:** *City Council Members/Board Members Ambriz, Button, Raymond (via teleconference), Mayor Pro Tem/Board Vice President/Board Vice Chair Cale, Mayor/Board President/Board Chair Creighton*

**Absent:** None  
**Staff Present:** City Manager/Executive Director Waterman, City Attorney Splendorio, Deputy City Manager Del Real, CAL FIRE Battalion Chief Ayuso, Police Chief Salvador, Public Works/Community Development Director Thompson, Finance Director/Treasurer Jacobs-Hunter, Administrative Assistant Billings, Information Technology Manager Lamerson, Deputy City Clerk/Board Clerk/Board Secretary Martin

SUBSEQUENT NEED ITEMS: None.

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

CEREMONIAL MATTERS:

Certificate of Recognition - Army Second Lieutenant Ryan Timothy Benz

Mayor Pro Tem/Board Vice President/Board Vice Chair Cale presented Army Second Lieutenant Ryan Timothy Benz with a Certificate of Recognition recognizing his academic achievements and dedication to serve the country.

Mayor/Board President/Board Chair Creighton called a recess at 6:17 PM. The City Council, Fire Protection District, and Successor Agency to the Atwater Redevelopment Agency returned to the dais, and Mayor/Board President/Board Chair Creighton resumed the meeting at 7:20 PM.

Oath of Office – Police Officer

Mayor/Board President/Board Chair Creighton administered the oath of office to the newly appointed Police Officer David Goodwin.

CONSENT CALENDAR:

**MOTION:** City Council Member/Board Member Raymond moved to approve the Consent Calendar as listed. The motion was seconded by Mayor Pro Tem/Board Vice President/Board Vice Chair Cale and the vote was: Ayes: Button, Cale, Raymond, Ambriz, Creighton; Noes: None; Absent None. The motion passed.

WARRANTS:

1. June 14, 2021

**ACTION:** Approval of warrants as listed.

MINUTES: (City Council)

2. May 24, 2021 – Regular meeting

**ACTION: 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

**ACTION: 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)

**ACTION: 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)

**ACTION: Adopts 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)

**ACTION: 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)

***ACTION: 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)

***ACTION: 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.***

PUBLIC HEARINGS:

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)

***City Manager/Executive Director Waterman provided background information on this item.***

***Mayor/Board President/Board Chair Creighton opened the public hearing for this item.***

***No one came forward to speak, and Mayor/Board President/Board Chair Creighton closed the public hearing.***

***Finance Director/Treasurer Jacobs-Hunter presented a PowerPoint presentation discussing the Fiscal Year 2021-2022 Proposed Budget.***

***The City Council, Fire Protection District, and Successor Agency to the Atwater Redevelopment Agency thanked staff for their hard work on completing the Fiscal Year 2021-22 proposed budget.***

***MOTION:*** *City Council Member/Board Member Raymond moved to adopt Joint Authority Resolution No. 3224-21, Resolution No. AFPD 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. The motion was seconded by Mayor Pro Tem/Board Vice President/Board Vice Chair Cale and the vote was: Ayes: Ambriz, Cale, Button, Raymond, Creighton; Noes: None; Absent: None. The motion passed.*

CITY MANAGER REPORTS/UPDATES:

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

***City Manager/Executive Director Waterman provided background information on the item.***

***MOTION:*** *Mayor Pro Tem/Board Vice President/Board Vice Chair Cale moved 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. The motion was seconded by City Council Member/Board Member Button and the vote was: Ayes: Button, Ambriz, Raymond, Cale, Creighton; Noes: None; Absent: None. The motion passed.*

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

***One person spoke thanking the current City Council and prior City Council for their work on taking the City out of debt.***

***One person spoke regarding their support for the Mayor and City Council.***

***One person spoke regarding civil standbys with the Police Department.***

***No one else came forward to speak.***

CITY COUNCIL MATTERS:

City Council comments

***City Council Member/Board Member Raymond thanked everyone for their hard work and support, and wish everyone a Happy Father's Day.***

**Mayor Pro Tem/Board Vice President/Board Vice Chair Cale thanked City Staff for their hard work on successfully completing the Fiscal Year 2021-2022 Budget. He also congratulated the Atwater High School and Buhach Colony High School sports teams for winning championships, and also congratulated all of the graduating high school seniors.**

**City Council Member/Board Member Button welcomed back Officer Goodwin to the City and congratulated Army Second Lieutenant Ryan Timothy Benz. He also spoke regarding the Public Safety Transactions and Use Tax and the need to find a solution prior to its expiration in 2023.**

**City Council Member/Board Member Ambriz thanked City staff for their hard work on preparing the Fiscal Year 2021-2022 Budget and requested that Department Directors be seated in the front at the next Budget. He also encouraged the public to participate in the City's Drop-In Program.**

**Mayor/Board President/Board Chair Creighton spoke regarding his condolences to Merced County District 3 Supervisor McDaniel for the passing of Supervisor McDaniel's mother. Mayor/Board President/Board Chair Creighton also invited the public to attend the July 4<sup>th</sup> event at downtown Atwater.**

ADJOURNMENT:

**City Council Member/Board Member Raymond adjourned the meeting in memory of Meredith May Belle McDaniel at 7:21 PM.**



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JANELL MARTIN  
DEPUTY CITY CLERK

By: Richard Vang  
Recording Secretary