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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 4:00 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

**September 27, 2021**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

**6:00 PM**

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Pastor Rich Miller

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:

Proclamation

- **Isabella's Day - September 26, 2021**

**Staff's Recommendation:** That Mayor Creighton present the proclamation to Rafael Cornejo, owner of Isabella's Bar & Grill, recognizing the day of September 26, 2021 as Isabella's Day.

PRESENTATIONS:

- **Monthly report by Merced County District 3 Supervisor McDaniel**

**\*\*\*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. **September 27, 2021**

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

TREASURER'S REPORT:

**2. August 31, 2021**

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

MINUTES: (City Council)

**3. September 13, 2021 - Regular meeting**

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

MINUTES: (Planning Commission)

**4. August 18, 2021 - Regular meeting**

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

RESOLUTIONS:

**5. Approving Budget Amendment No. 10 amending Fiscal Year 2021-22 Budget regarding appropriation of funds to complete needed renovation projects at City Hall (Police Chief Salvador)**

**Staff's Recommendation:** Adoption of Resolution No. 3256-21 approving Budget Amendment No. 10 amending Fiscal Year 2021-22 Budget regarding appropriation of General Fund Capital funds to complete the City Emergency Power Project and the City Hall ADA Bathroom Remodel Project; and amends the 5-Year Capital Improvement Program to reflect the budget amendments contained in Resolution No. 3256-21.

**6. Approving Budget Amendment No. 11 amending Fiscal Year 2021-22 Budget regarding the 5-Year Capital Improvement Program (Finance Director Youmara)**

**Staff's Recommendation:** Adoption of Resolution No. 3258-21 approving Budget Amendment No. 11 amending the 2021-2022 Fiscal Year Budget pertaining to the 5-Year Capital Improvement Program; and amends the 5-Year Capital Improvement Program to reflect the budget amendments contained in Resolution No. 3258-21.

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

PUBLIC HEARINGS:

7. **Waiving the first reading and introducing an ordinance amending Title 1, "General Provisions," Section 1.01.110, and Title 8 "Health and Safety," Sections 8.16.290, 8.32.070, 8.48.060, and 8.50.050 of the Atwater Municipal Code to update various Violation and Penalty Provisions to be consistent with State Law (Police Chief Salvador)**

**Staff's Recommendation:** Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to waive the first reading and introduce Ordinance No. CS 1039 amending Title 1, "General Provisions," Section 1.01.110, and Title 8 "Health and Safety," Sections 8.16.290, 8.32.070, 8.48.060, and 8.50.050 of the Atwater Municipal Code to update various Violation and Penalty Provisions to be consistent with State Law; 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. 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:

In memory of Bobby Vasquez

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.



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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.*



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