

## CORONAVIRUS DISEASE (COVID-19) ADVISORY

Pursuant to Assembly Bill (AB) 361, the meeting will be held via teleconference/electronically and the City Council may participate via teleconference/electronically. In-person participation by the public will be permitted. In addition, remote public participation and public comment is available in the following ways:

1. Livestream online at [www.atwater.org](http://www.atwater.org) (Please be advised that there is a broadcasting delay. If you would like to participate in public comment, please use the options below).
2. Join the electronic meeting at <https://atwater-org.zoom.us/j/89554963092> (Webinar ID: 89554963092). Members of the public participating electronically via this link and wishing to speak may do so during public comment, by using the "raised hand" feature in the Zoom webinar.
3. Submit a written public comment prior to the meeting: Public comments submitted to [cityinfo@atwater.org](mailto:cityinfo@atwater.org) by 4:00 p.m. on the day of the meeting will be distributed to the City Council, and made part of the official minutes. In view of the other public comment opportunities listed above, email/written comments will not be read out loud during the meeting.

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

**October 11, 2021**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

**6:00 PM**

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Jim McClellan

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.

**\*\*\*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. October 11, 2021**

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

MINUTES: (City Council)

**2. September 27, 2021 - Regular meeting**

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

MINUTES: (Audit and Finance Committee)

**3. August 23, 2021 - Regular meeting**

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

RESOLUTIONS:

**4. Making the Required Findings Authorizing Remote Teleconference/Virtual Meetings of the Legislative Bodies of the City of Atwater (City Attorney Splendorio)**

**Staff's Recommendation:** Adoption of Resolution No. 3259-21 making the required findings authorizing remote teleconference/virtual meetings of the legislative bodies of the City of Atwater.

AGREEMENTS:

**5. Approving a Contract Change Order to the Progressive Design-Build Contract with WM Lyles of Fresno for the 1,2,3-TCP Remediation Project (Public Works/Community Development Director Thompson)**

**Staff's Recommendation:** Approval of Change Order No. 1 to the Progressive Design-Build Contract with WM Lyles of Fresno for the 1,2,3-TCP Remediation Project, in the amount of \$91,190.00, for a total general maximum price of \$23,415,808.00; and authorizes and directs the City Manager to execute the change order on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

**6. Waiving the second reading and adopting 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:** Waives the second reading and adopts 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.

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

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).*