

CORONAVIRUS DISEASE (COVID-19) ADVISORY

Pursuant to Assembly Bill (AB) 361, 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 (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 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.

NOTICE OF SPECIAL MEETING CITY COUNCIL OF THE CITY OF ATWATER

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Atwater will be held on **Monday, November 15, 2021 at 6:00 PM**, or as soon thereafter as may be held. This meeting will be held in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California.

AGENDA

SPECIAL MEETING CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INVOCATION:

Invocation by Pastor Rich Miller

ROLL CALL:

Ambriz ____, Button ____, Cale ____, Raymond ____, Creighton ____



CEREMONIAL MATTERS:

- **Oath of Office – Police Lieutenant**

Staff’s Recommendation: That Mayor Creighton administer the oath of office to the newly appointed Police Lieutenant William Novetzke.

RECESS TO BRIEF RECEPTION:

PRESENTATIONS:

- **Project progress update regarding 1,2,3-TCP Remediation Project** (Michael Beerends, GHD Engineer)

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, citizens wishing to address the City Council regarding **only the items on the agenda may do so when the item is read for consideration.** You may state your name and address for the record; however, it is not required. Please limit comments to three (3) minutes or less. Under the provisions of the California Government Code, the City Council may not discuss or take action on any item that is not on the agenda.

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. **November 8, 2021**

Staff’s Recommendation: Approval of warrants as listed.

MINUTES: (City Council)

2. **October 25, 2021 – Regular meeting**

Staff’s Recommendation: Approval of minutes as listed.

MINUTES: (Audit and Finance Committee)

3. **September 27, 2021 – Regular meeting**

Staff’s Recommendation: Acceptance of minutes as listed.

CALL FOR BIDS:

4. **Approving plans and specifications and authorizing advertising and calling for bids for the Applegate Sewer Pump Station Rehabilitation Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Approval of plans and specifications and authorizes advertising and calling for bids for the Applegate Sewer Pump Station Rehabilitation Project, City Project No. 20-16, Bid Call No. 711-21.

RESOLUTIONS:

5. **Making the required findings authorizing the continuation of Remote Teleconference/Virtual Meetings of the Legislative Bodies of the City of Atwater** (City Attorney Splendorio)

Staff's Recommendation: Adoption of Resolution No. 3269-21 making the required findings authorizing the continuation of Remote Teleconference/Virtual Meetings of the Legislative Bodies of the City of Atwater.

6. **Approving Budget Amendment amending the 5-Year Capital Improvement Program allocating funding for Phase 4 Pedestrian Improvements to Connect with Downtown Project; and authorizing and directing City Manager to execute all agreements or documents required for Project** (Public Works/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3268-21 approving Budget Amendment No. 16 amending Fiscal Year 2021-22 Budget to amend the 5-Year Capital Improvement Program to allocate funding for Phase 4 Pedestrian Improvements to Connect with Downtown Project, in an amount not to exceed \$203,350; and adoption of Resolution No. 3267-21 authorizing and directing the City Manager, or her designee, to execute all agreements or documents required for Federal Aid (CMAQ) Project No. CML-5254(033), Phase 4 Pedestrian Improvements to Connect with Downtown Project, on behalf of the City.

AGREEMENTS:

7. **Approving Use Agreement with Atwater Senior Social Club regarding use of Evelyn Chambers Senior Room located in Atwater Community Center** (City Manager Waterman)

Staff's Recommendation: Approval of a Use Agreement, in a form approved by the City Attorney, with the Atwater Senior Social Club for the use of the Evelyn Chambers Senior Room located in the Atwater Community Center for Atwater Senior Social Club meetings; and authorizes and directs the City Manager, or her designee, to execute the Use Agreement and modify meeting dates and times, on behalf of the City.

CLOSED SESSION:

Adjourn to Conference Room A

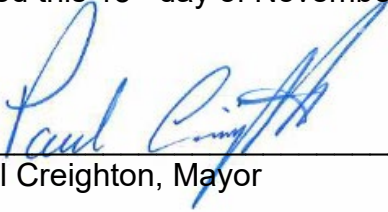
- **Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases (2)**
- **Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(d)(1): Name of case: Joseph LaGrand v. City of Atwater; Case No. 21CV-03460.**

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

ADJOURNMENT:

In memory of Dr. Edward Vanek

Dated this 15th day of November 2021.



Paul Creighton, Mayor

pc: Mayor and City Council Members
Atwater Signal/Merced Sun Star
Atwater New Times