

In-person participation by the public will be permitted. In addition, remote public participation 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 option below).*
- 2. Submit a written public comment prior to the meeting: Public comments submitted to cityclerk@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 but 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) 357-6241.

CITY OF ATWATER

CITY COUNCIL

AND

HOUSING SUCCESSOR TO THE

ATWATER REDEVELOPMENT AGENCY

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

December 9, 2024

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL: (City Council)

Ambriz ____, Button ____, Cale ____, Raymond ____, Nelson ____

CEREMONIAL MATTERS:

- **Special Presentation**

MINUTES: (City Council)

1. **November 12, 2024 - Regular meeting**

Staff's Recommendation: Approval of minutes as presented.

NOVEMBER 5, 2024 ELECTION RESULTS:

2. **Certifying the Canvassing of Votes in the November 5, 2024, General Municipal Election (City Manager Hoem)**

Staff's Recommendation: Motion to adopt Resolution No. 3511-24
Certifying the canvassing of the votes in the November 5, 2024,
General Municipal Election; or

Motion to approve staff's recommendation as presented.

OUTGOING CITY COUNCIL MEMBER COMMENTS:

- **City Council Member Tyler Button**

CEREMONIAL MATTERS:

- **Presentation of plaque to Tyler Button for his years of service as City Council Member to the City of Atwater.**

OATH OF OFFICE:

3. **Oath of Office - City Council Members, City Clerk, City Treasurer**

Staff's Recommendation: That select community members
administer the ceremonial oaths of office to the newly elected City
Council Members, City Clerk and City Treasurer: John G. Cale, Kalisa
Rochester, Kory J. Billings and Mark Borba.

ROLL CALL:

Ambriz ____, Cale ____, Raymond ____, Rochester ____, Nelson ____

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.)

CEREMONIAL MATTERS:

OATH OF OFFICE:

4. Oath of Office - Police Officer

Staff's Recommendation: That Police Chief Salvador administer the ceremonial oath of office to the newly appointed Police Officer: Ana Reyes

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 a Councilmember requests separate discussion on any item, that item will be removed from the Consent Calendar for separate action.

WARRANTS:

- 5. a. November 25, 2024
b. December 9, 2024**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Planning Commission)

- 6. October 16, 2024 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as presented.

AGREEMENTS:

- 7. Approve a Purchase Agreement (Purchase Order) with Aqueous Vets for Granulated Activated Carbon Exchange at Central Site (Public Works Director Vinson)**

Staff's Recommendation:

Approving a Purchase Agreement (Purchase Order) to Aqueous Vets of Danville, California for Granulated Activated Carbon (GAC) Exchange at Central Site, in an amount not to exceed \$77,400.24; and authorizes and directs the City Manager or his designee to execute

the Agreement (Purchase Order) on behalf of the City.

RESOLUTIONS:

8. **Adopting the Recognized Obligation Payment Schedule 25-26 for the July 1, 2025 through June 30, 2026 period and adopting the Administrative Budget for Fiscal Year 2025-26** (Treasurer of the Successor Agency Nicholas)
Staff's Recommendation: Adoption of SA No. 2024-2 adopting the Recognized Obligation Payment Schedule 25-26 for the July 1, 2025 through June 30, 2026 period and adopting the Administrative Budget for Fiscal Year 2025-26.
9. **Adopting City of Atwater Salary Schedule B-25 Effective January 1, 2025, Conforming to State of California Minimum Wage Increase** (Human Resources Director Sousa)
Staff's Recommendation: Adoption of Resolution No. 3512-24 Adopting City of Atwater Salary Schedule B-25 Effective January 1, 2025, Conforming to State of California Minimum Wage Increase.
10. **Amending Resolution No. 3073-19 Regarding the Time for Audit and Finance Committee Meetings** (City Manager Hoem)
Staff's Recommendation: Adoption of Resolution No. 3510-24 Amending Resolution No. 3073-19 Regarding the Time for Audit and Finance Committee meetings.

OTHER ACTIONABLE ITEMS:

11. **Accepting the 2025 Regular Meeting Schedule which cancels the second City Council meeting of the month in July, November and December** (Assistant City Clerk Martin)
Staff's Recommendation: Accepts the 2025 Regular Meeting Schedule which cancels the second meeting of the month in July, November and December 2025; and authorizes and directs the Mayor and/or the City Manager to sign any documents required to maintain essential City services. Said documents shall be reviewed by the City Attorney and be scheduled for ratification by the entire City Council at the next regularly scheduled City Council meeting.
12. **2025 City Council Reorganization/Mayor's Committee Assignments**
 - **Mayor Pro Tem**
 - **Merced County Association of Governments** (1 representative and 1 alternate)
 - **League of California Cities Central Valley Division** (1 representative and 2 alternates)
 - **City Audit and Finance Committee** (2 representatives)
 - **LAFCO** (1 representative)
 - **USP/Atwater Community Liaison Group** (1 representative and 1 alternate)
 - **Atwater Community Services/Neighborhood Watch** (1 representative)
 - **4th of July Committee** (1 representative)

- **San Joaquin Valley Air Pollution Control District** (1 representative and 1 alternate)
- **MIUGSA** (1 Staff representative and 1 alternate)
- **MIRWMA** (1 Staff representative and 1 alternate)
- **ACE Train** (1 Representative and 1 alternate)
- **One Voice** (1 representative and 1 alternate)
- **Atwater Historical Society/Bloss House** (2 representatives)
- **City Christmas Parade** (2 representatives)

Staff's Recommendation: Ratifies the Mayor's Committee Assignments.

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

PUBLIC HEARINGS:

- 13. Appeal of the Planning Commission non approval on November 20, 2024 regarding application for a Conditional Use Permit No. 24-24-0100 and Site Plan No. 24-24-0200 for mini storage, located at Bell Drive between Truckee Drive and Shasta Drive, Atwater (APN 001-134-012)**
(Deputy City Manager/Community Development Director Thompson)

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

Close the public hearing; and,

By Motion, render a decision to approve or deny the appeal of the Planning Commission decision of November 20, 2024 regarding an application for Conditional Use Permit No. 24-24-0100 and Site Plan No. 24-24-0200 for mini storage, located at Bell Drive between Truckee Drive and Shasta Drive, Atwater (APN 001-134-012).

REPORTS AND PRESENTATIONS FROM STAFF:

- 14. Request City Council Direction on Potential Modifications to the Existing Improvement Plans for the Fruitland Avenue Phase 3 Reconstruction Project** (City Manager Hoem)

Staff's Recommendation: Motion to proceed with the on-going construction of the improvements approved by City Council for the Fruitland Ave Phase 3 Reconstruction project with no change of scope or design; or

Motion to adopt Resolution No. XXXX-24 authorizing the change to design and construction as depicted in the attached exhibit and authorizes and directs the City Manager to execute a funding agreement with the property owner at 1200 Fruitland Avenue wherein said property owner would pay for the actual costs associated with design and construction modifications.

- 15. Police Chief Employment Agreement** (City Manager Hoem)

Staff's Recommendation: Motion to adopt Resolution No. 3513 to

ratify Police Chief Employment Agreement in the annual amount of \$174,512.45 plus benefits with Richard McEachin, in a form approved by the City Attorney; and authorize and direct the City Manager to execute the Agreement on behalf of the City; 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 REPORTS/UPDATES:

- **City Council Member Cale, District 1**
- **City Council Member Rochester, District 2**
- **City Council Member Ambriz, District 3**
- **City Council Member Raymond, District 4**
- **Mayor Nelson**

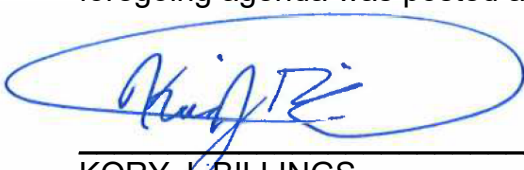
CITY MANAGER REPORTS/UPDATES:

16. City Manager Updates

ADJOURNMENT:

CERTIFICATION:

I, Kory J. Billings, 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.



KORY J. BILLINGS
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) 357-6241. You may also send the request by email to cityclerk@atwater.org.

Unless otherwise noted, City Council actions include a determination that they are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), and therefore, that CEQA does not apply to such actions.

LEVINE ACT PUBLIC PARTY/APPLICANT DISCLOSURE OBLIGATIONS:

Applicants, parties, and their agents who have made campaign contributions totaling more than \$250 (aggregated) to a Councilmember over the past 12 months, must publicly disclose that fact for the official record of that agenda item. Disclosures must include the amount of the campaign contribution aggregated, and the name(s) of the campaign contributor(s) and Councilmember(s). The disclosure may be made either in writing to the City Clerk prior to the agenda item consideration, or by verbal disclosure at the time of the agenda item consideration.

The foregoing statements do not constitute legal advice, nor a recitation of all legal requirements and obligations of parties/applicants and their agents. Parties and agents are urged to consult with their own legal counsel regarding the requirements of the law.