

In-person participation by the public will be permitted. In addition, remote public participation is available in the following ways:

- *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).*
- *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

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

May 26, 2026

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL: (City Council)

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.)

PRESENTATIONS:

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

- **Certificate of Recognition - Genevieve Royal**

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.

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.

TREASURER'S REPORT:

1. **April 30, 2026**
Staff's Recommendation: Acceptance of report as listed.

WARRANTS:

2. **a.) May 14, 2026**
b.) May 21, 2026
Staff's Recommendation: Receive and file the reports as listed.

MINUTES: (Planning Commission)

3. **a.) August 20, 2026 - Regular meeting**
b.) October 15, 2025 - Regular meeting
c.) November 19, 2025 - Regular meeting
Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (City Council)

4. a.) April 27, 2026 - Regular meeting
b.) May 18, 2026 - Special meeting
Staff's Recommendation:

RESOLUTIONS:

5. **Awarding a Sole Source Purchase of Trojan Technologies, Corp. for the purchase of UV Lamps Cartridges for the Wastewater Treatment Plant** (Public Works Director Vinson)
Staff's Recommendation: Award a sole source purchase to Trojan Technologies, Corp. for the purchase of 400 UV Lamps for the Trojan Technologies UV 3000 Plus UV disinfection system for the Effluent Disinfection system for the wastewater Treatment Plant in an amount of \$146,619.94 plus any shipping and taxes; and authorizes and directs the City Manager to execute the purchase order on behalf of the City.
6. **Approving Budget Amendment and Awarding a Purchase Agreement (Purchase Order) to Key Code Media, Inc. for the SB 707 Audio Visual City Council Chambers Upgrades** (Public Works Director Vinson)
Staff's Recommendation: Adoption of Resolution No. 3615-26 approving Budget Amendment No. 14 amending Fiscal Year 2025-26 Budget regarding the SB 707 Audio Visual City Council Chambers Upgrades Project; and awards a Purchase Agreement (Purchase Order), in a form approved by the City Attorney, to Key Code Media, Inc. of Burbank, CA in an amount not to exceed \$77,020.95 and authority to contract change orders up to an aggregate amount of \$7,702.10(10%), and authorizes and directs the City Manager, or his designee, to execute the Purchase Order on behalf of the City.
7. **Approving a General Services Agreement with Merced Area Sports Officials** (Public Works Director Vinson)
Staff's Recommendation: Adoption of Resolution No. 3616- 26 approving a General Services Agreement, in a form approved by the City Attorney, with Merced Area Sports Officials of Merced, California, for managing the scheduling of the sports officials, plus a separate cost per sports official per athletic activity, as outlined in the fee structure; and authorizes and directs the City Manager, or their designee, to execute the agreement on behalf of the City.
8. **Approving an Amendment to the Cloudpermit, Inc Agreement** (Community Development Director Hanson Lan)
Staff's Recommendation: Adoption of Resolution No. 3617-26 approving Amendment No. 1, in a form approved by the City Attorney, with Cloudpermit, Inc, of Reston, Virginia, for integration of Cloudpermit permitting platform with Bluebeam software to enhance electronic plan review, streamline permitting operations, improve interdepartmental collaboration, in an amount not to exceed \$9,200 annually, for a five-year subscription; and authorizes and directs the City Manager to sign the agreement on behalf of the City.

OTHER ACTIONABLE ITEMS:

9. **Nominating Gene D. Johnson Jr. for Appointment to Serve on the Measure V - Merced County's Transportation Expenditure Plan - Citizens Oversight Committee for a Term of Two (2) years, Term Ending May, 2028**

Staff's Recommendation: Nominate one (1) candidate for appointment by MCAG Governing Board to represent the City of Atwater on the Measure V Citizens Oversight Committee for a term of two (2) years, term ending May, 2028.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

10. **Waive the First Reading, by Title only, and Introduce an Ordinance Adopting a Zoning Ordinance Text Amendment No. 26-5-0100 amending Chapter 17.34 "Office Commercial District", Chapter 17.35 "Neighborhood Commercial District", Chapter 17.36 "Central Commercial District", Chapter 17.37 "Thoroughfare Commercial District" and Chapter 17.38 "General Commercial District" of the Atwater Municipal Code to adjust the development standards and administration of the approvals and entitlements listed in these chapters (Community Development Director Hanson Lan)**

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

Close the public hearing; and

Motion to waive the first reading by title only, and introduce Ordinance No. CS 1081 adopting Zoning Ordinance Text Amendment No. 26-5-0100 amending Chapter 17.34 "Office Commercial District", Chapter 17.35 "Neighborhood Commercial District", Chapter 17.36 "Central Commercial District", Chapter 17.37 "Thoroughfare Commercial District" and Chapter 17.38 "General Commercial District" of the Atwater Municipal Code; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

11. **Presentation of the Draft Fiscal Year 2026-27 Proposed Budget (Finance Director Nicholas)**

Staff's Recommendation: The Fiscal Year 2026-27 Proposed Budget will be presented to the City Council in June of 2026, for adoption and subsequent implementation beginning July 1, 2026. City of Atwater's fiscal years begin July 1st and run through June 30th of the following year. The fiscal year for 2026-27 spans from July 1, 2026-June 30, 2027. The draft budget is provided for review in advance of the adoption date, which allows for an opportunity for public comment and further direction from the City Council in addition to what has been

provided for during the budget process.

12. Police Chief Employment Agreement (City Manager Hoem)

Staff's Recommendation: Motion to adopt Resolution No. 3618-26 to ratify Police Chief Employment Agreement in the annual amount of \$166,202.33 plus benefits with William Novetzke, 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.

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:

13. Update from the City Manager

CLOSED SESSION:

- **Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases (1)**


Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1): Name of case: Jake LeBeaux v. City of Atwater, et al.; Case No. 26CV-01949

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

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 during normal business hours at 1160 Fifth Street, Atwater, California.

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, Atwater, California.



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.