

*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](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 option below).*
- 2. Submit a written public comment prior to the meeting: Public comments submitted to [cityclerk@atwater.org](mailto: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

**June 24, 2024**

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

**6:00 PM**

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL: (City Council)

**Ambriz \_\_\_\_\_, Button \_\_\_\_\_, Cale \_\_\_\_\_, Raymond \_\_\_\_\_, Nelson \_\_\_\_\_**

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

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.

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

TREASURER'S REPORT:

1. **May 31, 2024**

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

WARRANTS:

2. **June 24, 2024**

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

MINUTES: (Citizens' Oversight Committee)

3. **March 12, 2024 - Regular meeting**

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

MINUTES: (Planning Commission)

4. a.) **April 17, 2024 - Regular meeting**  
b.) **May 22, 2024 - Special meeting**

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

MINUTES: (City Council) :

5. **June 10, 2024 - Regular meeting**

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

AGREEMENTS:

6. **Approving Amendment No. 1 to the Special Services Contract with Merced County for Animal Services** (Police Chief Salvador)

**Staff's Recommendation:** Approves Amendment No. 1 to the Special Services Contract , in a form approved by the City Attorney, for Animal Services with Merced County; and authorizes and directs the City Manager to sign the Agreement on behalf of the City.

RESOLUTIONS:

7. **Calling, Giving Notice of, and Consolidating the 2024 General Municipal Election** (City Clerk Billings)

**Staff's Recommendation:** Adoption of Resolution No. 3368-24 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 5, 2024, for the election of the City Clerk, the City Treasurer and two (2) Members of the City Council within the boundaries of District One (1) and District Two (2), as required by the provisions of the laws of the State of California relating to General Law Cities; and requesting the Board of Supervisors of the County of Merced consolidate the General Municipal Election to be held on November 5, 2024, with the Presidential General Election to be held on the date pursuant to Section 10403 of the Election Code.

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

PUBLIC HEARINGS:

8. **Resolution Approving Rate Study and Adopting New Rates for Water and Sewer Services** (Public Works Director Vinson)

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

Close the public hearing receive the City Clerk's findings to determine if the City received protest from a majority of property owners pursuant to the requirements of Proposition 218; and if appropriate

Motion to adopt Resolution 3469-24 approving Raftelis Water and Sewer Rate Study dated April 29, 2024, and adopting new rates for solid waste services effective July 1, 2024; or

Motion to approve staff's recommendation as presented.

9. **Confirming the Engineer's Reports and Ordering the Annual Levy for the Lighting and Drainage and Landscape Maintenance Assessment Districts for Fiscal Year 2024/25** (Interim City Manager Thompson)

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

Close the Public Hearing and consider comments from the public; and

Adopt Resolution No. 3470-24 Confirming the Engineer's Reports and Ordering the Continued Maintenance of the City of Atwater Lighting and Drainage and Maintenance Assessment Districts and Levy of Assessments for Fiscal Year 2024/25; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

- 10. Update regarding Fireworks and Nail Em App'**(Battalion Chief/Fire Marshal Lopes and Chief Salvador)

**Staff's Recommendation:**

CITY ATTORNEY REPORTS:

- 11. Approving City Manager Employment Agreement with Chris Hoem** (City Attorney Splendorio)

**Staff's Recommendation:** Motion to approve City Manager Employment Agreement, in a form approved by the City Attorney, with Chris Hoem; and authorize and direct the Mayor to execute the agreement on behalf of the City.

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.

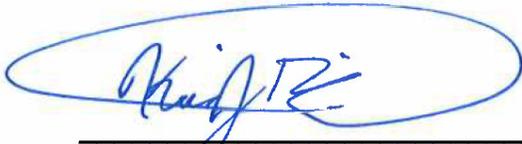
CITY COUNCIL REPORTS/UPDATES:

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

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.



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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](mailto: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.*