

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

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

January 13, 2025

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

By Jaden Mesa, Juniper Elementary Student Body President

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:

1. **Buhach Colony Men's Water Polo team**

Staff's Recommendation: That Mayor Pro Tem Cale on behalf on the City Council present certificates to the Buhach Colony Men's Water Polo Team for winning the Central California League of the Sacramento Joaquin Section title and qualifying for the California Interscholastic Federation (CIF) Norcal playoffs.

2. **Oath of Office - Chief of Police**

Staff's Recommendation: That City Clerk Billings administer the ceremonial oath of office to the newly appointed Chief of Police: Richard McEachin.

3. **Mid Valley Disposal Verbal presentation**

Staff's Recommendation: That Mid Valley Disposal present their annual report and the 2024 Recycler of the Year Award.

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:

4. **a.) December 23, 2024**
b.) January 13, 2025

Staff's Recommendation: Acceptance of warrants as listed.

AGREEMENTS:

5. **Approve a General Services Agreement with Allways Towing, LLC for Police Special Tow Services** (Police Chief McEachin)

Staff's Recommendation: Adoption of Resolution No. 3515-25 awarding a General Service Agreement, in a form approved by the City Attorney, to Allways Towing, LLC, of Winton, CA for Police Special Tow Services, for an amount not to exceed \$30,000 over the course of the contracted three (3) year term; and to authorize and direct the City Manager to execute the Agreement on behalf of the City.

RESOLUTIONS:

6. **Resolution Approving a Budget Amendment to Allocate Funding for City Wide Traffic Signal Synchronization** (Deputy City Manager/Community Development Director Thompson)

Staff's Recommendation: Adoption of Resolution No. 3516-25 approving Budget Amendment No. 8, amending Fiscal year 2024-25 Budget to allocate funding for City Wide Traffic Signals Synchronization in the amount not to exceed \$143,707.00.

END OF CONSENT CALENDARREPORTS AND PRESENTATIONS FROM STAFF:

7. **Resolutions Approving Budget Amendment and Awarding a General Construction Contract for the Castle Sewer Interceptor Rehabilitation/Replacement Project** (Public Works Director Vinson)

Staff's Recommendation: Motion to Adopt Resolution No. 3517-25 approving Budget Amendment No. 9 amending the Fiscal Year 2024-25 budget; and Motion to Adopt Resolution No. 3518-25 awarding a General Construction Agreement, in a form approved by the City Attorney, to Mountain Cascade, Inc. of Livermore, California, for the Castle Sewer Interceptor Rehabilitation/Replacement Project, City Project 19-09, in an amount not to exceed \$1,714,880.00 and authorize construction contract change orders up to an aggregate amount of \$171,488.00 (10%); and authorizes and directs the City Manager or his designee to execute all contract documents on behalf of the City; or

Motion to approve staff recommendations 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:

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

CLOSED SESSION:

Continuation of Closed Session if necessary

CITY MANAGER REPORTS/UPDATES:

8. **Update from the Office of the City Manager**

CLOSED SESSION:

Adjourn to Conference Room A

- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators**
Property: APN 156-060-011
Agency Negotiator: City Manager Hoem
Negotiating Parties: NNN REIT
Under Negotiation: Price and Terms of Payment

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.

A handwritten signature in blue ink, enclosed in a blue oval. The signature reads "Kory J. Billings".

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.