CITY OF ATWATER

CITY COUNCIL
AND
HOUSING SUCCESSOR TO THE ATWATER REDEVELOPMENT AGENCY

ACTION MINUTES

December 9, 2024

REGULAR SESSION: (Council Chambers)

The City Council of the City of Atwater met in Regular Session this date at 6:02 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Nelson presiding.

INVOCATION:

The Invocation was led by Police Chaplain Mead.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by City Council Member Tyler Button.

ROLL CALL: (City Council)

Present:	***City Council Members Ambriz, Button, Cale, Mayor Pro Tem Raymond, and Mayor Nelson***
Absent:	***None***
Staff Present:	***City Manager Hoem, City Attorney Splendorio, Deputy City Manager Thompson, Police Chief Salvador, Finance Director Nicholas, City Clerk Billings, Assistant City Clerk Martin***

CEREMONIAL MATTERS:

- **Special Presentations**

City of Atwater Christmas parade trophies were presented to the following winners:
Third place – McSwain 4-H
Second Place – Castle Family Health Care
First Place – Atwater Youth Football and Cheer

City of Merced, Police Chief Stanfield, Assemblywoman Soria, and Pastor Miller made presentations to Police Chief Salvador regarding his upcoming retirement.

MINUTES: (City Council)

November 12, 2024 – Regular meeting

MOTION: City Council Member Button moved to approve the minutes as listed. The motion was seconded by Mayor Pro Tem Raymond and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.

NOVEMBER 5, 2024 ELECTION RESULTS:

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

City Manager Hoem provided background information on this item.

Mayor Nelson opened public comment regarding this item.

No one came forward to speak.

Mayor Nelson closed public comment.

MOTION: City Council Member Button moved to approve the minutes as listed. The motion was seconded by Mayor Pro Tem Raymond and the vote was: Ayes: Cale, Ambriz, Raymond, Button, Nelson; Noes: None; Absent: None. The motion passed.

OUTGOING CITY COUNCIL MEMBER COMMENTS:

City Council Member Button provided his outgoing comments.

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:

Select community members administered the ceremonial oaths of office to the newly elected City Council Members John G. Cale and Kalisa Rochester, City Clerk Kory J. Billings and City Treasurer Mark Borba.

ROLL CALL: (City Council)

Present:	***City Council Members Ambriz, Cale, Mayor Pro Tem Raymond, Rochester, and Mayor Nelson***
Absent:	***None***
Staff Present:	***City Manager Hoem, City Attorney Splendorio, Deputy City Manager Thompson, Police Chief Salvador, Finance Director Nicholas, City Clerk Billings, Assistant City Clerk Martin***

SUBSEQUENT NEED ITEMS: ***None***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: Mayor Pro Tem Raymond moved to approve the agenda as posted. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Cale, Ambriz, Raymond, Rochester, Nelson; Noes: None; Absent: None. The motion passed.

CEREMONIAL MATTERS:

Oath of Office - Police Officer

Police Chief Salvador administered the ceremonial oath of office to the newly appointed Police Officer: Ana Reyes

CONSENT CALENDAR:

Mayor Nelson opened public comment regarding items on the Consent Calendar.

No one came forward to speak.

Mayor Nelson closed the public comment.

MOTION: Mayor Pro Tem Raymond moved to approve the Consent Calendar as posted. The motion was seconded by City Council Member Cale and the vote was: Ayes: Cale, Ambriz, Raymond, Rochester, Nelson; Noes: None; Absent: None. The motion passed.

WARRANTS

3. a. November 12, 2024

b. December 9, 2024

ACTION: Acceptance of reports as listed.

MINUTES: (Planning Commission)

4. October 16, 2024 – Regular meeting

ACTION: Acceptance of minutes as listed.

AGREEMENTS:

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

ACTION: 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:

6. 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)

ACTION: 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.

7. Adopting City of Atwater Salary Schedule B-25 Effective January 1, 2025, Conforming to State of California Minimum Wage Increase (Human Resources Director Sousa)

ACTION: 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.

8. Amending Resolution No. 3073-19 Regarding the Time for Audit and Finance Committee Meetings (City Manager Hoem)

ACTION: Adoption of Resolution No. 3510-24 Amending Resolution No. 3073-19 Regarding the Time for Audit and Finance Committee meetings.

OTHER ACTIONABLE ITEMS:

9. 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)

ACTION: 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.

10. 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)

ACTION: Ratifies the Mayor's Committee Assignments.

PUBLIC HEARINGS:

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)

Mayor Nelson opened the public hearing on this item and provided direction to the City Council and audience on the hearing procedure.

Deputy City Manager/Community Development Director Thompson provided background information on this item.

Pat Corrigan (appellant) spoke regarding the item.

City Council provided their questions to City staff and the appellant.

Andy Krotik spoke regarding the project.

Bell Crossing Community Member spoke regarding the project.
Seth Fisher spoke regarding the project.

Ernie Ochoa spoke regarding the project.

Sally Moss spoke regarding the project.

Donna Perring spoke regarding the project.

Jose spoke regarding the project.

Adam Reed spoke regarding the project.

Robert spoke regarding the project.

Bell Crossing Community Member spoke regarding the project.

No one else came forward to speak.

Pat Corrigan (appellant) provided a rebuttal argument.

City Council Members provided further questions to staff.

Mayor Nelson closed the public hearing.

MOTION: Mayor Pro Tem Raymond moved to Grant 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). The motion was seconded by City Council Member Cale and the vote was: Ayes: Cale, Raymond, Rochester, Nelson; Noes: Ambriz; Absent: None. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

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

City Manager Hoem provided background information on this item.

Mayor Nelson opened public comment regarding this item.

Roger Wood spoke regarding the project

Jim Price spoke regarding the project

Kory Billings spoke regarding the project.

No one else came forward to speak.

Mayor Nelson closed public comment.

MOTION: City Council Member Ambriz moved adopt a resolution 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. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Ambriz; Noes: Cale, Raymond, Rochester, Nelson; Absent: None. The motion failed.

Police Chief Employment Agreement (City Manager Hoem)

City Manager Hoem provided background information on this item.

Mayor Nelson opened public comment regarding this item.

No one came forward to speak.

Mayor Nelson closed public comment.

MOTION: City Council Member Rochester moved to adopt Resolution No. 3513-24 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. The motion was seconded by Mayor Pro Tem Raymond and the vote was: Ayes: Cale, Ambriz, Raymond, Rochester, Nelson; Noes: None; Absent: None. The motion passed.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

Mayor Nelson clarified that under the Brown Act, members of the public are entitled to directly address the City Council and are not entitled to address their comments

to other members of the public or to staff.

Mayor Nelson opened public comment.

Sally Moss spoke regarding roads in the city.

Linda Dash spoke regarding a public records request.

Chief Michael Salvador spoke regarding his career at the City of Atwater.

Jim Price spoke regarding Measure B.

Pastor Rich Miller gave a Welcome and Thank you to various staff.

Chi Chi Wood spoke regarding the Christmas Parade.

Kory Billings spoke regarding the elections process.

Mayor Nelson closed the public comment.

CITY COUNCIL REPORTS/UPDATES:

City Council comments

City Council Cale spoke regarding the Christmas parade and all that prepared for it. He thanked Chief Salvador, City Council Member Button and reminded all to remember the reason for the season.

City Council Member Ambriz spoke regarding the Christmas parade and thanked Chief Salvador.

Mayor Nelson spoke regarding the Tri Tip fundraiser and wished best of luck to Chief Salvador.

Mayor Pro Tem Raymond welcomed everyone, thanked Chief Salvador and reminded all to remember the reason for the season.

City Council Member Rochester spoke regarding the Remembering Loved One Ceremony.

CITY MANAGER REPORTS/UPDATES:

Updates from the Office of the City Manager

City Manager Hoem reported the following:

- ***Atwater City Fire Department Open House***

- ***Reminder to drive careful in the fog***

ADJOURNMENT:

Mayor Nelson adjourned the meeting at 8:45 PM.

APPROVED:

MIKE NELSON
MAYOR

ATTEST:

JANELL MARTIN
ASSISTANT CITY CLERK