

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 12, 2025

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.)

CEREMONIAL MATTERS:

- **National Peace Officers Memorial Day, May 15, 2025 and National Police Week, May 11 - May 17, 2025**

Staff's Recommendation: That Mayor Nelson present the proclamation to Police Chief McEachin, on behalf of the Police Department, recognizing the day of May 15, 2025 as National Peace Officers Memorial Day and the week of May 11 - May 17, 2025 as National Police Week.

- **National Public Works Week, May 18 - May 24, 2025**

Staff's Recommendation: That Mayor Nelson present the proclamation to Public Works Director Vinson, on behalf of the Public Works Department, recognizing the week of May 18 - 24, 2025 as National Public Works Week.

- **Certificate of Recognition - 2024 Police Officer, Dispatcher, and Firefighter of the Year**

Staff's Recommendation: That Mayor Nelson, Police Chief McEachin and CAL Fire Battalion Chief Ayuso present the certificates of recognition to Police Officer Nikki Muligan, Dispatcher December Hunter, and Firefighter Taylor Holden.

PRESENTATIONS:

- **Verbal Update regarding Merced County's Implementation Plan regarding the \$3.2 Million Grant Award and Collaboration with the City of Atwater** (John Ceccoli, Merced County Deputy Director of Human Services Agency)
- **Verbal Update regarding Water Quality** (Daniel Boone, Miller & Axline)

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:

1. May 12, 2025

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Audit and Finance)

2. March 24, 2025 - Regular meeting

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (City Council)

3. April 28, 2025 - Joint Special meeting

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

4. Approving a Budget Amendment and Agreement with Peregrine for Access to their Data Integration Information Technology Platform (Police Chief McEachin)

Staff's Recommendation: Adoption of Resolution No. 3531-25 Approving Budget Amendment No. 14 amending the Fiscal Year 2024-25 budget; and Adoption of Resolution No. 3532-25 Approving a three-year agreement, in a form approved by the City Attorney, between the City of Atwater and Peregrine of San Francisco, California for a subscription to their data integration platform in the amount of \$37,500 annually; and authorizes and directs the City Manager to execute the agreement on behalf of the City.

5. Approving Amendment No. 1 with Raftelis Financial Consultants for the Water and Sewer Rate Study (Public Works Director Vinson)

Staff's Recommendation: Adoption of Resolution No. 3533-25 approving Amendment No. 1 to the Professional Services Agreement, in a form approved by the City Attorney, to Raftelis Financial Consultants, Inc. of Los Angeles, California for a Water and Sewer Rate Study, in an amount not to exceed \$21,466 for a total contract value of \$145,739; and authorizes and directs the City Manager or his designee to execute all contract documents on behalf of the City.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

6. Reporting on City of Atwater Vacancies and Recruitment and Retention Efforts in Relation to Assembly Bill ("AB") 2561 (Human Resources Director Sousa)

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

Close the public hearing; and

Receive the report on City of Atwater Vacancies and Recruitment and Retention Efforts in Relation to Assembly Bill ("AB") 2561.

REPORTS AND PRESENTATIONS FROM STAFF:

7. **Accepting the City of Atwater Police Department 2024 Annual Military Equipment Use Report** (Police Chief McEachin)
Staff's Recommendation: Motion to accept the City of Atwater Police Department 2024 Annual Military Equipment Use Report as presented; or

Motion to approve staff's recommendation as presented.
8. **Receiving the Housing Element Annual Progress Report for Calendar Year 2024** (City Manager Hoem)
Staff's Recommendation: Motion to receive and file the Housing Element Annual Progress Report ("APR") for calendar year 2024; and direct the City Manager to submit the APR to the California Department of Housing and Community Development ("HCD") and the Governor's Office of Planning and Research ("OPR"); or

Motion to approve staff's recommendation as presented.
9. **Approving Budget Amendment and Approving Change Order No. 9 to General Construction Contract to George Reed Inc. for the Fruitland Avenue Reconstruction Project Phase 3** (City Manager Hoem)
Staff's Recommendation: Motion to Adopt Resolution No. 3534-25 approving Budget Amendment No. 15 amending the Fiscal Year 2024-25 Budget regarding Fruitland Avenue Reconstruction Project Phase 3; and

Motion to approve Change Order No. 9 to General Construction Contract to George Reed Inc. for the Fruitland Avenue Reconstruction Project Phase 3 in an amount of \$576,201.75; and authorize construction contract change order up to an aggregate amount of \$862,353.96; and to authorize and direct the City Manager to execute the Change Order.
10. **Presentation by JLB Engineering regarding the Fruitland-Chardonnay Intersection, with possible direction from the City Council**

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**

CITY MANAGER REPORTS/UPDATES:

11. Update from the City Manager

CLOSED SESSION:

Adjourn to Conference Room A


- **Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): Number of cases (1)**

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.