

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

July 14, 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.)

PRESENTATIONS:

- **Oath of Office - Police Sergeant**

Staff's Recommendation: That City Clerk Billings administer the oath of office to the newly appointed Police Sergeant: Robert Vargas

- **Proclamation of Recognition - Chante Dobbins, Exhortation to Unity**

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. **July 14, 2025**

Staff's Recommendation: Acceptance of warrants as listed.

AGREEMENTS:

2. **Approving a Special Services Agreement with Merced County for Animal Services** (Police Chief McEachin)

Staff's Recommendation: Adoption of Resolution No. 3551-25 approves a Special Services agreement, in a form approved by the City Attorney, with the County of Merced, from July 1, 2025, to June 30, 2027, for Animal Services at an annual amount not exceeding \$55,719.15, plus fees incurred per animal as outlined in the agreement; and authorizes and directs the City Manager to execute all contract documents on behalf of the City.

3. **Approving a Purchase Agreement with California Turf Equipment & Supply Inc. for the purchase of a 2025 Exmark Lazer Lawn Mower** (Public Works Director Vinson)

Staff's Recommendation: Approving a Purchase Agreement (Purchase Order) to California Turf Equipment & Supply Inc. of Tulare, California for the purchase of an Exmark Lazer Lawn Mower, in an amount not to exceed \$48,061.92; and authorizes and directs the City Manager or his designee to execute the Agreement (Purchase Order) on behalf of the City.

4. **Approving a Purchase Agreement (Purchase Order) with Carbon Supply**

Inc. for Granulated Activated Carbon Exchange at Well 18 (Public Works Director Vinson)

Staff's Recommendation: Approves a Purchase Agreement (Purchase Order) to Carbon Supply Inc. of Bell Gardens, California for Granulated Activated Carbon Exchange (GAC) at Well 18, for an amount not to exceed \$127,650.00; and authorizes and directs the City Manager or his designee to execute the Agreement (Purchase Order) on behalf of the City.

RESOLUTIONS:

5. **Approving Budget Amendment Amending Fiscal Year 2025-26 Budget Regarding the Purchase of Genesis 14C SL3 Combination Tool** (CAL Fire Battalion Chief Randol)

Staff's Recommendation: Adoption of Resolution No. 3552-25 approving Budget Amendment No. 1, which amends the Fiscal Year 2025-26 budget by increasing the appropriation of general ledger account number 0004-2030-6021 in the amount of \$16,673.

6. **Approving Budget Amendment Amending Fiscal Year 2025-26 Budget to Establish a New Fund for an Approved Capital Improvement Project** (Finance Director Nicholas)

Staff's Recommendation: Adoption of Resolution No. 3553-25 approving Budget Amendment No. 2 amending Fiscal Year 2025-26 to establish Fund 1014 for the Carbon Reduction Program Fund, Capital Improvement Project, as previously approved in the FY 2025-26 Capital Improvement Program, and authorizing the City Manager or their designee to implement the budget entry and establish the fund.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

7. **Adoption of an Ordinance approving a Zoning Ordinance Text Amendment, amending Chapter 17.63 "Parking Requirements" of the Atwater Municipal Code** (City Manager Hoem)

Staff's Recommendation: Adoption of Ordinance No. CS 1071 approving a Zoning Ordinance Text Amendment, amending Chapter 17.63 "Parking Requirements" of the Atwater Municipal Code.

8. **Adoption of an Ordinance approving an Amendment to the Development Agreement by and between the City of Atwater and the Ferrari Ranch Owners, to clarify the responsible parties for the construction of water, sewer, and storm water infrastructure for the development located at APNS: 005-120-045 & 005-120-046** (City Manager Hoem)

Staff's Recommendation: Adoption of Ordinance No. CS 1072 approving an Amendment to the Development Agreement by and between the City of Atwater and the Ferrari Ranch Owners, to clarify the responsible parties for the construction of water, sewer, and storm water infrastructure for the development located at APNS: 005-120-045 & 005-120-046.

PUBLIC HEARINGS:

9. **Confirming the Engineer's Reports and Ordering the Annual Levy for the Lighting and Drainage and Landscape Maintenance Assessment Districts for Fiscal Year 2025/26** (City Manager Hoem)

Staff's Recommendation: Opening the Public Hearing and taking any testimony given:

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

Adopt Resolution No. 3554-25 Confirming and/or amending the Engineer's Reports and Ordering the Continued Maintenance of the City of Atwater Lighting and Drainage and Landscape Assessment Maintenance Districts and Levy of Assessments for Fiscal Year 2025/26; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

10. **Accepting the Water Meter Installation Project as complete** (Public Works Director Vinson)

Staff's Recommendation: Motion to accept work done under the contract for Water Meter Installation Project, City Project 24-10; and authorizes and directs the City Manager to sign a Notice of Completion and have it recorded on behalf of the City; or

Motion to approve staff's recommendation as presented.

11. **Adopting the City of Atwater Strategic Plan for 2026-2030** (City Manager Hoem)

Staff's Recommendation: Motion to Adopt Resolution No. 3555-25 Approving the City of Atwater Strategic Plan for 2026-2030; or

Motion to approve staff's recommendation as presented.

12. **Discussion and Possible Direction Regarding a Vacant Commercial Building Ordinance as requested by City Council Member Rochester** (Community Development Director O'Connor)

13. **Quarterly update from Police Chief McEachin**

14. **Quarterly update from CAL Fire Battalion Chief Randol**

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:

15. Update from the City Manager

CLOSED SESSION:

Adjourn to Conference Room A

- **Pursuant to Government Code Section 54957, Public Employee Performance Evaluation; Title: City Manager**

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.