

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

August 11, 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:

- **Proclamation of Recognition - 4th of July Committee**
- **Certificate of Recognition - Michael Gonzales**

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. a.) **July 28, 2025**
- b.) **August 11, 2025**

Staff's Recommendation: Acceptance of warrants as listed.

MINUTES: (City Council)

2. **May 31, 2025 - Special meeting**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. **Approving Amendment to Joint Powers Agreement of the Central San Joaquin Valley Risk Management Authority** (Human Resources Director Sousa)

Staff's Recommendation: Adoption of Resolution No. 3558-25 approves the amended Joint Powers Agreement, in a form approved by the City Attorney, with the Central San Joaquin Valley Risk Management Authority; and authorizes and directs the City Manager to execute all documents on behalf of the city.

4. **Approving a General Construction Contract with Taylor Backhoe Service, Inc. for the Replacement of a Water Service Line Located at 325-329 E. Bellevue Road** (Public Works Director Vinson)

Staff's Recommendation: Adoption of Resolution No. 3559-25 awarding a General Construction Contract, in a form approved by the City Attorney, to Taylor Backhoe Service, Inc. of Atwater, California for the replacement of a water service line located at 325-329 E. Bellevue

Road, in an amount not to exceed \$35,515.17 and construction contingency change orders up to an aggregate of an additional \$3,551.52 (10%); and authorizes and directs the City Manager, or his designee, to execute the Contract on behalf of the City.

5. **Approving Agreement between City of Atwater and Atwater Elementary School District for School Resource Officer for 2025-26 School Year** (Police Chief McEachin)

Staff's Recommendation: Adoption of Resolution No. 3560-25 approving the School Resource Officer agreement, in a form approved by the City Attorney, Atwater Elementary School District and the City of Atwater for the 2025-26 school year; and authorizes and directs the City Manager to execute all contract documents on behalf of the City.

6. **Approving Budget Amendment Amending Fiscal Year 2024-2025 Budget to Establish a New Fund for an Approved Capital Improvement Project, Downtown Pedestrian Improvements Project- Phase 2** (City Manager Hoem)

Staff's Recommendation: Adoption of Resolution No. 3546-25 approving Budget Amendment No.16 amending Fiscal Year 2024-25 to establish Fund 1014 for the Carbon Reduction Program (CRP) Fund, Capital Improvement Project, for the Downtown Pedestrian Improvements Project-Phase 2, City Project No. 20-8, Federal Project No. CML-5254(031) and CRP-5254(031), as previously approved in the FY 2024-25 Capital Improvement Program, and authorizing the City Manager or his designee, to implement the budget entry and establish the fund.

AGREEMENTS:

7. **Approving a Purchase Agreement with Xybix Systems, Inc. for Purchase and Installation of Dispatch furniture** (Police Chief McEachin)

Staff's Recommendation: Approving a Purchase Agreement (Purchase Order) to Xybix Systems, Inc. for the purchase and installation of three dispatch workstations, in an amount not to exceed \$60,000.;and authorizes and directs the City Manager or his designee to execute the Agreement (Purchase Order) on behalf of the City.

8. **Approving a Lease Agreement with Enterprise Fleet Management for four (4) Ford Police Interceptor Utility vehicles** (Police Chief McEachin)

Staff's Recommendation: Adoption of Resolution No. 3561-25 approving a Lease Agreement, in a form approved by the City Attorney, with Enterprise Fleet Management for the lease of four (4) Ford Police Interceptor Utility patrol vehicles, at an amount of \$1,202.03 per month per vehicle, for a total annual cost of \$57,697.44 for six years; and authorizes and directs the City Manager or his designee to execute all contract documents on behalf of the City.

9. **Awarding a Cooperative State and Local Government Agreement for File Conversion Services and Cloud-Based Document Management Software** (City Manager Hoem)

Staff's Recommendation: Adoption of Resolution No. 3562-25 awarding a Cooperative State and Government Agreement for File

Conversion Services with UBEO in the amount of \$48,107.43 and Cloud-Based Document Management Software with Laserfiche; and to authorize the City Manager to execute any and all documents regarding the project on behalf of the City.

OTHER ACTIONABLE ITEMS:

10. Awarding a Sole Source Purchase From JWC Environmental For One (1) Rotor and Gearbox Assembly for “Muffin Monster” Wastewater Influent Screenings Washer Compactor for the Wastewater Treatment Plant (Public Works Director Vinson)

Staff's Recommendation: Awards a sole source purchase to JWC Environmental for the purchase of 1 Rotor and Gearbox Assembly for Screenings Washer Compactor “Muffin Monster” for the Influent headworks for the wastewater Treatment Plant in an amount of \$28,527.87 plus shipping, and handling charges; and authorizes and directs the City Manager to execute the purchase order on behalf of the City.

11. Approving specifications and authorizing advertising and Call for Bids for the purchase of an Electric Street Sweeper (Public Works Director Vinson)

Staff's Recommendation: Approving plans and specifications and authorizing advertising and calling for bids for Electric Street Sweeper Project, City Project No. 25-02 Bid Call No. 734-25.

END OF CONSENT CALENDAR

REPORTS AND PRESENTATIONS FROM STAFF:

12. Adopting the City of Atwater Public Safety Transactions and Use Tax Program Guidelines (City Manager Hoem)

Staff's Recommendation: Motion to Adopt Resolution No. 3563-25 approving the City of Atwater Public Safety Transactions and Use Tax Program Guidelines; or

Motion to approve staff's recommendation 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**

CITY MANAGER REPORTS/UPDATES:

13. **Update from the City Manager**

CLOSED SESSION:

Adjourn to Conference Room A

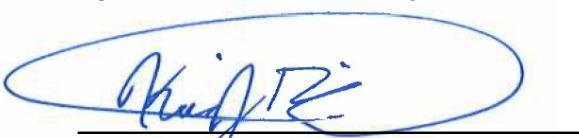
- **Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases (2)**
- **Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiations regarding property price and terms of payment. Agency Negotiators: City Manager Hoem and Public Works Director Vinson. Negotiating Parties: National Retail Properties,LP Property Location: 303 E. Bellevue Road, Atwater, CA 95301 APN 156-060-011**
- **Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1): Name of case:City of Atwater v. Robert Hugo Carbajal, et al. (Merced County Superior Court, Case No. 23CV-00807)**

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.