

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 25, 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:

- **Monthly report by Merced County District 3 Supervisor McDaniel**

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. **August 25, 2025**

Staff's Recommendation: Approval of warrants as listed.

MINUTES: (Planning Commission)

2. **June 18, 2025 - Regular meeting**

Staff's Recommendation: Acceptance of minutes as listed.

MINUTES: (City Council)

3. a.) **June 9, 2025 - Regular meeting**

b.) **June 23, 2025 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

4. **Approving Budget Amendment for Previously Approved Purchase of Type I Fire Engine** (Finance Director Nicholas)

Staff's Recommendation: Adoption of Resolution No. 3564-25 approving Budget Amendment No. 3, which amends the Fiscal Year 2025-26 budget by increasing the appropriation of general ledger account number 1093-2030-6021 in the amount of \$285,786 and reducing the appropriation of general ledger account number 0001-2030-6021 in the amount of \$285,786 for an amended line item budget amount of \$348,214.

5. **Approving Memorandum of Understanding with the County of Merced Office of Emergency Services for the State Homeland Security Grant**

Programs Funding for Equipment, Planning, Administration, Training and Exercises (CAL FIRE Battalion Chief Randol)

Staff's Recommendation: Adoption of Resolution No. 3565-25 approving the Memorandum of Understanding, in a form approved by the City Attorney, with the County of Merced Office of Emergency Services for the State Homeland Security Grant Programs Funding for Equipment, Planning, Administration, Training and Exercises; and authorizes and directs the City Manager, or designee, to execute any and all documents related to the Memorandum of Understanding on behalf of the City.

6. Adopting the City of Atwater Emergency Operations Plan and Emergency Operations Center Annex (CAL FIRE Battalion Randol)

Staff's Recommendation: Adoption of Resolution No. 3566-25 adopting the City of Atwater Emergency Operations Plan and Emergency Operations Center Annex.

OTHER ACTIONABLE ITEMS:**7. Approving Fee Waiver Requested by Merced County Registrar of Voters to Use Atwater Community Center as a Voting Assistance Center for the 2025 Statewide Special Election (City Clerk Billings & Merced County Registrar of Voters)**

Staff's Recommendation: Approval of a fee waiver requested by the Merced County Registrar of Voters to use the Atwater Community Center from October 24, 2025 to November 4, 2025 for the Election; and authorizes and directs the City Manager, or designee, to execute any and all documents necessary to waive the facility rental fees associated with Merced County Registrar of Voters using the Atwater Community Center as a Voting Assistance Center.

8. 2025 City Council Reorganization / Mayor's Committee Assignments – Committee Assignment Updates and Appointments

Staff's Recommendation: Receive the Mayor's 2025 Committee Assignments; approve updates to existing committee assignments and appointments as presented.

END OF CONSENT CALENDARREPORTS AND PRESENTATIONS FROM STAFF:**9. Accepting the Fruitland Avenue Reconstruction Phase 3 as Complete (City Manager Hoem)**

Staff's Recommendation: Motion to accept work done under the contract for Fruitland Avenue Reconstruction Phase 3, City Project 16-2-3; 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.

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:

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

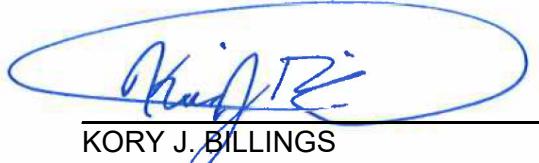
CITY MANAGER REPORTS/UPDATES:

10. Update from the City Manager

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.