

*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](http://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](mailto: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

**September 22, 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.

TREASURER'S REPORT:

**1. July 31, 2025**

**Staff's Recommendation:** Acceptance of report as listed.

WARRANTS:

**2. September 22, 2025**

**Staff's Recommendation:** Approval of report as listed.

MINUTES: (City Council)

**3. August 11, 2025 - Regular meeting**

**Staff's Recommendation:** Approval of minutes as posted.

RESOLUTIONS:

**4. Approving a General Services Agreement with Joe's Landscaping and Concrete Inc. for Landscape Maintenance Services in Landscape Maintenance Assessments (Public Works Director Vinson)**

**Staff's Recommendation:** Adoption of Resolution No. 3569-25 approving a General Services Agreement, in a form approved by the City Attorney, to Joe's Landscaping and Concrete of Newman, California for Landscape Maintenance in the Maintenance Districts; and authorizes and directs the City Manager to execute an agreement on behalf of the City.

**5. Opposition to California Proposition 50**

**Staff's Recommendation:** Adoption of Resolution No. 3570-25 opposing California Proposition 50 and directing the City Clerk's office to transmit copies of the Resolution to the Governor of California and the California Secretary of State.

\*\*\*END OF CONSENT CALENDAR\*\*\*

PUBLIC HEARINGS

6. **Waive the First Reading by Title only, and introduce an Ordinance Approving Zoning Ordinance Text Amendment No. 25-09-0100 Amending Chapter 17.71 "Conditional Use Permit" of the Atwater Municipal Code** (City Manager Hoem)

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

Close the public hearing; and

Motion to waive the first reading by title only, and introduce Ordinance No. CS 1073 approving Zoning Ordinance Text Amendment No. 25-09-0100 amending Chapter 17.71 "Conditional Use Permit" of the Atwater Municipal Code.

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

7. **Adopting the City of Atwater Public Safety Master Plan** (CAL Fire Battalion Chief Randol and Police Chief McEachin)

**Staff's Recommendation:** Motion to adopt Resolution No. 3571-25 approving the City of Atwater Public Safety Master Plan as prepared by Griffin Structures, Inc; or

Motion to approve staff's recommendation as presented.

8. **Vacant Commercial Building and Property Ordinance or Enhanced Enforcement of the Atwater Municipal Code** (City Manager Hoem)

**Staff's Recommendation:** Direct staff to prepare a Vacant Commercial Building and Property Ordinance establishing requirements for registration, maintenance, and security of abandoned commercial properties; or

Direct staff to prioritize enhanced enforcement of the existing provisions of the Atwater Municipal Code related to property maintenance, nuisance abatement, and commercial blight: or

Continue current operations to address both new and ongoing code enforcement violations.

9. **Discussion and Possible Action on Modifying the Review Process for the City's Warrant Register** (City Manager Hoem)

**Staff's Recommendation:** Discuss and provide direction on modifying the City's warrant register review process to remove it as a standing approval item on the City Council agenda.

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**

CLOSED SESSION:

- **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 § 54956.9(d)(1)) Name of cases: US Bankruptcy Court, Southern District of New York Case. No. 19-23649 and US District Court, Northern District of Ohio Eastern Division Case No. 1:17-md-2804 (National Opioid Class Action Settlements)**
- **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.

  
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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](mailto: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.*