

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

October 27, 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. **October 27, 2025**

Staff's Recommendation: Receive and file the report as listed.

MINUTES: (City Council)

2. a.) **September 22, 2025 — Regular meeting**
b.) **September 30, 2025 — Special meeting**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

3. **Approving Bargaining Unit Modification to Combine City's Clerical and Miscellaneous Bargaining Units, and Approving Consolidated Memorandum of Understanding (MOU) for Newly Combined Unit (Human Resources Director Sousa)**

Staff's Recommendation: Adoption of Resolution No. 3575-25 approving Bargaining Unit Modification to Combine City's Clerical and Miscellaneous Bargaining Units, and Approving Consolidated Memorandum of Understanding (MOU) for Newly Combined Unit.

AGREEMENTS:

4. **Approving Amendment No.1 to Task Order No.1 between City of Atwater and CCME, Inc. for the Race Communication Fiber Installation Project (City Manager Hoem)**

Staff's Recommendation: Adoption of Resolution No. 3576-25 approving Amendment No.1 with CCME, Inc., in a form approved by

the City Attorney, by increasing the not-to-exceed amount by an additional \$100,000 for Race Communication Fiber Installation Project; and authorizing the City Manager to execute Amendment No.1 on behalf of the City.

5. **Approving an Encroachment Agreement between the City of Atwater and Mohan S. Sodhi and Juginder K. Sodhi for Use and Improvement of the City Alley and Drain Ditch Area Adjacent to APN 001-011-004** (City Manager Hoem)

Staff's Recommendation: Adoption of Resolution No. 3577-25 approving an Encroachment Agreement between the City of Atwater and Mohan S. Sodhi and Juginder K. Sodhi, in a form approved by the City Attorney, for the use and improvement of the City alley and drain ditch area adjacent to APN 001-011-004; and authorizes and directs the City Manager to execute the agreement on behalf of the City.

6. **Approving a Purchase Agreement (Purchase Order) with Axon Enterprise, Inc. for Two (2) Fleet 3 cameras for New Patrol Cars** (Police Chief McEachin)

Staff's Recommendation: Approves a Purchase Agreement (Purchase Order) with Axon Enterprise, Inc. of Scottsdale, Arizona for two (2) Axon Fleet 3 cameras to be installed into new patrol vehicles, in the total amount of \$60,479.43; and authorizes and directs the City Manager to execute the Agreement (Purchase Order) on behalf of the City.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

7. **Waive the First Reading by Title only, and Introduce an Ordinance Amending Chapter 2.44.050 Emergency Organization** (CAL Fire Battalion Chief Randol)

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 1074 Amending Chapter 2.44.050 of the Atwater Municipal Code to Maintain Consistency regarding Emergency Organization.

Motion to approve staff's recommendation as presented.

8. **Waive the First Reading by Title only, and Introducing an Ordinance Repealing and Re-enacting Title 15, "Buildings and Construction" of the Atwater Municipal Code, and setting a Public Hearing Date** (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 1075 Repealing and Re-enacting Title 15 "Buildings and Construction" of the Atwater Municipal Code, and setting a public hearing date for adoption of Ordinance No CS 1075 on November 10, 2025; or

Motion to approve staff's recommendation as presented.

9. Waive the First Reading by Title only and Introduce an Ordinance amending Chapter 17.16 "Low Density Residential Districts" of the Atwater Municipal Code to adjust the Minimum Lot Depth (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 1076 amending Chapter 17.16 "Low Density Residential Districts" of the Atwater Municipal Code to adjust the Minimum Lot Depth in Section 17.16.050 of this chapter and add definitions for knuckle lots and cul-de-sac lots in Chapter 17.06); 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:

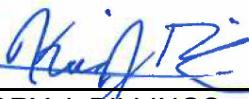
10. Update from the City Manager

CLOSED SESSION:

- **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.

