

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 AND HOUSING SUCCESSOR TO THE ATWATER REDEVELOPMENT AGENCY AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

December 8, 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.)

CEREMONIAL MATTERS:

• **Oath of Office — Police Officer, Police Corporals and Police Sergeant**

Staff's Recommendation: That City Clerk Kory Billings administer the ceremonial oath of office to the newly appointed Police Officer: Davion Bell, Police Corporals: Trevor Phillips and Dave Goodwin and Police Sergeant: Nicholette Mulligan

PRESENTATION:

• **Verbal Update regarding Race Communications ongoing Fiber Installation Project within the City** (Jim Miller, Vice President, Race Communications)

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.) November 20, 2025
b.) November 24, 2025
c.) December 8, 2025**

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

AGREEMENTS:

2. **Approving Agreement affecting Real Property and Outside Service Agreement for Water Service with Property Owner Margarita Sanchez (Evergreen Mobile Home Park)** (Public Works Director Vinson)

Staff's Recommendation: Adoption of Resolution No. 3582-25

approving the Agreement affecting Real Property and Outside Service Agreement for Water Service, in a form approved by the City Attorney, with the property owner Margarita Sanchez (Evergreen Mobile Home Park), APN 146-210-003-000 and authorizes and directs the City Manager, or his designee, to execute the agreement on behalf of the City.

3. **Approving Amendment No.2 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. 3583-25 approving Amendment No.2 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.2 on behalf of the City.

RESOLUTIONS:

4. **Adopting City of Atwater Salary Schedule B-26 Effective January 1, 2026, Conforming to State of California Minimum Wage Increase** (Human Resources Director Sousa)

Staff's Recommendation: Adoption of Resolution No. 3584-25 Adopting City of Atwater Salary Schedule B-26 Effective January 1, 2026, Conforming to State of California Minimum Wage Increase.

5. **Adopting the Recognized Obligation Payment Schedule 26-27 for the July 1, 2026 through June 30, 2027 period and adopting the Administrative Budget for Fiscal Year 2026-27** (Treasurer of the Successor Agency Nicholas)

Staff's Recommendation: Adoption of SA No. 2025-2 adopting the Recognized Obligation Payment Schedule 26-27 for the July 1, 2026 through June 30, 2027 period and adopting the Administrative Budget for Fiscal Year 2026-27.

OTHER ACTIONABLE ITEMS:

6. **Waive the First Reading, by Title only, and Introduce an Ordinance Amending section 8.32.050 (c)(2) of the Atwater Municipal Code to allow for notification to the property owner of Notice and Order to Abate** (Police Chief McEachin)

Staff's Recommendation: Waive the First Reading by Title Only, and introduce Ordinance No. CS 1080 amending section 8.32.050(c)(2) of the Atwater Municipal Code to add a provision allowing for the notification of a Notice and Order to Abate via the property owner's address on file with the City.

7. **Approving a Correction to Lease Purchase Agreement for Kenwood Portable Radios** (Police Chief McEachin)

Staff's Recommendation: Approves a correction to the Lease-Purchase Agreement (Purchase Order) for the purchase of Kenwood portable radios to reflect the full principal and interest amount for the term of the purchase, and authorizes the City Manager to execute the

corrected Agreement (Purchase Order) on behalf of the City.

8. 2026 City Council Reorganization/Mayor's Committee Assignments

- **Mayor Pro Tem**
- **Merced County Association of Governments** (1 representative and 1 alternate)
- **League of California Cities Central Valley Division** (1 representative and 2 alternates)
- **City Audit and Finance Committee** (2 representatives)
- **LAFCO** (1 representative)
- **USP/Atwater Community Liaison Group** (1 representative and 1 alternate)
- **Atwater Community Services/Neighborhood Watch** (1 representative)
- **4th of July Committee** (1 representative)
- **San Joaquin Valley Air Pollution Control District** (1 representative)
- **MIUGSA** (1 Staff representative and 1 alternate)
- **MIRWMA** (1 Staff representative and 1 alternate)
- **ACE Train** (1 Representative and 1 alternate)
- **One Voice** (1 representative and 1 alternate)
- **Atwater Historical Society/Bloss House** (2 representatives)
- **Rules Committee** (3 Representatives)

Staff's Recommendation: Ratifies the Mayor's Committee Assignments.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

- 9. Adopting an Ordinance adopting Zoning Ordinance Text Amendment No. 25-12-0100 amending Chapter 17.16 "Low Density Residential Districts" of the Atwater Municipal Code to adjust the setbacks for R-1-5 in Section 17.16.050 of this Chapter (City Manager Hoem)**

Staff's Recommendation: Adoption of Ordinance No. CS 1077 adopting Zoning Ordinance Text Amendment No. 25-12-0100 amending Chapter 17.16 "Low Density Residential Districts" of the Atwater Municipal Code to adjust the setbacks for R-1-5 in Section 17.16.050 of this chapter; or

Motion to approve staff's recommendation as presented.

- 10. Adopting an Ordinance adopting Zoning Ordinance Text Amendment No. 25-13-0100 amending Chapter 17.12 "Administration and General Conditions" of the Atwater Municipal Code (City Manager Hoem)**

Staff's Recommendation: Adoption of Ordinance No. CS 1078 adopting Zoning Ordinance Text Amendment No. 25-13-0100 amending Chapter 17.12 "Administration and General Conditions" of the Atwater Municipal Code.

11. **Adopting an Ordinance Adopting Zoning Ordinance Text Amendment No. 25-16-0100 amending Chapter 17.16 “Low Density Residential Districts” of the Atwater Municipal Code to Adjust the Setbacks for Accessory Structures (Carports) in Section 17.16.080 of this Chapter** (City Manager Hoem)

Staff's Recommendation: Adoption of Ordinance No. CS 1079 Adopting Zoning Ordinance Text Amendment No. 25-16-0100 amending Chapter 17.16 “Low Density Residential Districts” of the Atwater Municipal Code to Adjust the Setbacks for Accessory Structures (Carports) in Section 17.16.080 of this Chapter.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

12. **Authorizing the Application and Amending the PLHA Plan for the Permanent Local Housing Allocation Program** (City Manager Hoem)

Staff's Recommendation: Open the public hearing and take any testimony given;

Close the public hearing;

Motion to adopt Resolution No. 3585-25 authorizing the application and approving amendments to the City of Atwater's Permanent Local Housing Allocation (PLHA) Plan; or

Motion to approve staff's recommendation as presented.

REPORTS AND PRESENTATIONS FROM STAFF:

13. **Accepting the 2026 Regular Meeting Schedule** (City Manager Hoem)

Staff's Recommendation: Motion to accept the 2026 Regular Meeting Schedule, selecting either the schedule that has two regularly scheduled City Council meetings in January through June 2026 and one regularly scheduled City Council meeting in July through December 2026, or the status quo schedule that cancels the second regular meeting in July, November, and December 2026; and authorizes and directs the Mayor and/or the City Manager to sign any documents required to maintain essential City services. Said documents shall be reviewed by the City Attorney and be scheduled for ratification by the entire City Council at the next regularly scheduled City Council meeting; or

Motion to accept staff's recommendation as presented.

14. **2026-2030 Strategic Plan Status Check-in** (City Manager Hoem)

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:

- 15. Update from the City Manager**

CLOSED SESSION:

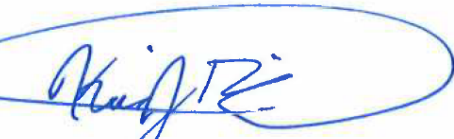
- **Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1): Name of case: City of Atwater v. Robert Hugo Carbajal, et al. (Merced County Superior Court, Case No. 23CV-00807)**

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 at City Hall during normal business hours at 750 Bellevue Road.

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.



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.