

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

February 9, 2026

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:

- **Oath of Office - Police Officer**

Recommendation: That City Clerk Billings give the ceremonial oath of office to the newly appointed Police Officer Robert Freese.

- **Measure V Regional Funding Progress Report (Stacie Guzman, Executive Director, Merced County Association of Governments)**
- **Unpermitted Food Vending (Mark Mimms, Director of Economic Development and Amanda Duran, Deputy Director of Environmental Health of Merced County)**

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.

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. **November 30, 2025**

Staff's Recommendation: Acceptance of report as listed.

WARRANTS:

2. a.) **January 22, 2026**

b.) **January 29, 2026**

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

MINUTES: (City Council)

3. a.) **January 12, 2026 - Special meeting**
b) **January 12, 2026 - Regular meeting**

Staff's Recommendation: Approval of minutes as listed.

RESOLUTIONS:

4. **Approving Amendment No. 1 to the Use Agreement with Atwater Police Activities League (PAL)** (Public Works Director Vinson)

Staff's Recommendation: Adoption of Resolution No. 3592-26 approving Amendment No. 1 to the Use Agreement in a form approved by the City Attorney, with Atwater Police Activities League for the use of Osborn Park and Veterans Memorial Park softball, soccer field and concession for organized activities, and authorizes and directs the City Manager, or his designee, to execute the Amendment No. 1 on behalf of the City.

END OF CONSENT CALENDAR

PUBLIC HEARINGS:

5. **Resolution Approving the Closeout Report on the 2022 CDBG Owner-Occupied Rehabilitation (22-CDBG-PI-00004) Program Income Award** (City Manager Hoem)

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

Close the public hearing; and

Motion to Adopt Resolution No. 3594-26, Accepting and approving the closeout report on the 2022 CDBG Owner-Occupied Rehabilitation (22-CDBG-PI-00004) Program Income award.

REPORTS AND PRESENTATIONS FROM STAFF:

6. **Approving a Resolution which Adopts the Mid-Year Budget Revenue and Expense Amendments for Fiscal Year 2025-26** (Finance Director Nicholas)

Staff's Recommendation: Motion to adopt Resolution No. 3595-26, which includes Budget Amendment No. 9 amending the Fiscal Year 2025-26 Budget based upon mid-year review; or

Motion to adopt staff's recommendation as presented.

7. **Discussion Regarding Proposed Transportation Priorities for Potential Use of RSTP Exchange Funds** (City Manager Hoem)

8. Community Development Director Employment Agreement (City Manager Hoem)

Staff's Recommendation: Motion to adopt Resolution No. 3593-26 to ratify the Community Development Director Employment Agreement in the annual amount of \$149,562.92 plus benefits with Jonnie Hanson Lan, in a form approved by the City Attorney; and authorize and direct the City Manager to execute the Agreement on behalf of the City; or

Motion to adopt staff's recommendation as presented.

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:

9. Update from the City Manager

CLOSED SESSION:

- **Conference with Labor Negotiators - Government Code Section 54957.6, Agency Negotiators: City Manager Hoem; Unrepresented employees; Department Heads**
- **Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Number of cases (1)**

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.