



**CITY OF ATWATER
COMMUNITY DEVELOPMENT
AND RESOURCES
COMMISSION**

ACTION MINUTES

July 18, 2018

CALL TO ORDER:

The Community Development and Resources Commission of Atwater met in Regular Session this date at 6:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Vice Chair Murphy III presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Vice Chairperson Murphy.

INVOCATION:

The Invocation was led by Police Chaplain Mead.

ROLL CALL:

Present: Commissioners Dash, Daugherty, McWatters, Warchol, Murphy III, Pinto

Absent: Chair Brice

Staff Present: Chief Building Official Pereida, Senior Planner Thompson, Recreation Supervisor Rahn, Recording Secretary Saavedra

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: Commissioner Dash moved to approve the agenda as posted. The motion was seconded by Commissioner Pinto and the vote was: Ayes: Dash, Daugherty, McWatters, Warchol Murphy III; Noes: None; Absent: Brice. The motion passed.

CEREMONIAL MATTERS: *None*

PUBLIC COMMENTS:

Notice to the public was read.

ERIC LEE, Atwater, spoke regarding the condition of City Parks and requested assistance for the Community Services Department.

MIKE AKERS, spoke regarding the water now working at Veterans Memorial Park.

No one else came forward to speak.

APPROVAL OF MINUTES: *None*

PETITIONS AND COMMUNICATIONS: *None*

REPORTS AND PRESENTATIONS FROM STAFF:

Verbal presentation by staff on Planned Development Districts in the City of Atwater and the Legacy Estates Project

Senior Planner Thompson presented a verbal report regarding Planned Development Districts and discussed options that can be taken at the Legacy Estates Project.

This item will come back to this commission as an action item with a recommendation.

City Officials' Handbook

MOTION: *Commissioner Dash moved to not accept the City Officials' Handbook as presented and to continue using the current manual. The motion was seconded by Commissioner Pinto. No vote was taken.*

MIKE AKERS, Atwater, spoke regarding the City Officials Handbook contents and the similarity to the language of the late 70's early 80's era employee handbooks which were legally challenged and resulted in a lot of the content being thrown out in court proceedings. He stated he did not agree with some of the content, and felt the current handbook being was more useful. He referenced California Government Code Section 3302, "Except as otherwise provided by law, or whenever on duty or in uniform, no public safety officer shall be prohibited from engaging, or be coerced or required to engage, in political activity" and stated that the handbook including references to telling off duty people what they can do, in regards to campaigning, can result in ACLU lawsuits. He believes correcting the proposed handbook will be costly.

ERIC LEE, Atwater, stated the complication of the proposed handbook will result in bringing a lawyer in to review for legality and the current handbook should be amended and not make the process so difficult. He took exemption to the

proposed handbook signaling out the Mayor in references and believes the Mayor references should be included with City Council and agrees with the motion to request a joint workshop.

AMENDED MOTION: *Commissioner Dash rescinded her first motion and moved to request City Council approve a joint workshop to include City Council, Commissions, Committees and author of the handbook to review and discuss the City Officials' Handbook; after completion of the workshop bring this item back for consideration. The motion was seconded by Commissioner Pinto and the vote was: Ayes: Dash, Daugherty, McWatters, Warchol, Murphy III; Noes: None; Absent: Brice. The motion passed.*

COMMISSIONER MATTERS:

Commissioner Dash questioned the Community Development and Resources Commission minutes not being completed in a timely manner.

Commissioner Daugherty commented he has emailed and left messages, for the Public Works Department, regarding the missing cover plate leaving exposed wires on the traffic pole located at Five Corners, he stated he was told "no parking signs" were placed at Olive Avenue/Winton Way but the location shows no evidence that "no parking signs" were ever located there and he is not getting a response to these issues. He is concerned about the liability these items can cause the City.

Commissioner Pinto stated he receives emails from the City, Churchwell White and Tom Hallinan, and questioned if other Commissioners were receiving the emails and if the City is incurring a cost for the emails and asked for clarification why he is receiving them.

Commissioner McWatters had no comments.

Commissioner Warchol had no comments.

Commissioner Murphy III stated he recently applied for a City Business License and had difficulties with MuniServices, LLC and was disappointed with the level of service, he spent half an hour on the phone correcting the information they had that pertained to an old business he once owned. He questioned if contracting the services has resulted in a cost savings.

Commissioner Dash stated MuniServices is not following up on collecting the past due accounts. She suggested bringing in a part-time employee.

ADJOURNMENT:

The meeting adjourned at 7:05 PM.


James Murphy III, Vice Chairperson

for 
Margarita Saavedra,
Recording Secretary