



# CITY OF ATWATER

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## JOINT SPECIAL MEETING CITY COUNCIL, COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION, AND CITIZENS' OVERSIGHT COMMITTEE FOR PUBLIC SAFETY TRANSACTIONS AND USE TAX

### ACTION MINUTES

September 10, 2018

#### CALL TO ORDER:

*The City Council, the Community Development and Resources Commission, and the Citizens' Oversight Committee for Public Safety Transactions and Use Tax of the City of Atwater met in Joint Special Session this date at 9:30 AM in the Jessie Frago Room located at the Atwater Community Center, 760 East Bellevue Road, Atwater, California; Mayor Price presiding.*

#### PLEDGE OF ALLEGIANCE:

*The Pledge of Allegiance was led by Mayor Price.*

#### ROLL CALL:

(City Council)

**Present:** *City Council Members Creighton, Raymond, Vierra, Mayor Pro Tem Vineyard, Mayor Price*

**Absent:** *None*

**Staff Present:** *City Manager Waterman, City Attorney White, City Clerk Hyler III, Finance Director Deol, General Services Manager/Chief Building Official Pereida, Human Resources Director Del Real (10:25 AM), Interim Police Chief Bessinger (2:04 PM), Interim Public Works Director Shaw (2:05 PM), Recreation Supervisor*

*Rahn (2:05 PM), Deputy City Clerk Bengtson-Jennings (12:29 PM), Recording Secretary Rasmussen*

(Community Development and Resources Commission)

**Present:** *Commissioners Dash, Daugherty, Murphy III, McWatters*  
**Absent:** *Commissioner Warchol, Chair Brice*

(Citizens' Oversight Committee for Public Safety Transactions and Use Tax)

**Present:** *Committee Members Maurer, McCormick, Pirtle*  
**Absent:** *Committee Members Kane, Taylor*

PUBLIC COMMENT:

*Notice to the public was read.*

*No one came forward to speak.*

WORKSHOP:

Draft City Officials' Handbook

*Mayor Price opened the workshop for discussion and potential changes to the Draft City Officials' Handbook.*

*During the workshop, by consensus the City Council, the Community Development and Resources Commission, and the Citizens' Oversight Committee for Public Safety Transactions and Use Tax provided staff with suggested changes to the Draft City Officials' Handbook.*

*Deputy City Attorney Hallinan left the meeting at 10:12 AM.*

*Deputy City Attorney Goldstein arrived at the meeting at 10:12 AM.*

*City Council Member Creighton left the meeting at 10:28 AM and returned to the meeting at 10:29 AM.*

*Committee Member McCormick left the meeting at 10:29 AM and returned to the meeting at 10:31 AM.*

*City Clerk Hyler III left the meeting at 10:33 AM and returned to the meeting at 10:35 AM.*

*Mayor Pro Tem Vineyard left the meeting at 10:38 AM and returned to the meeting at 10:43 AM.*

**City Council Member Vierra left the meeting at 10:49 AM and returned to the meeting at 10:51 AM.**

**Commissioner Murphy III left the meeting at 10:51 AM and returned to the meeting at 10:55 AM.**

**Committee Member Pirtle left the meeting at 10:52 AM and returned to the meeting at 10:55 AM.**

**City Manager Waterman left the meeting at 11:00 AM and returned to the meeting at 11:06 AM.**

**Commissioner McWatters left the meeting at 11:12 AM and returned to the meeting at 11:15 AM.**

**City Council Member Creighton left the meeting at 11:41 AM.**

**City Council Member Raymond left the meeting at 11:55 AM and returned to the meeting at 11:58 AM.**

**Mayor Price called a recess at 12:02 PM.**

**Mayor Price resumed the meeting at 12:31 PM. The Citizens' Oversight Committee for Public Safety Transactions and Use Tax no longer had a quorum due to the departure of Committee Member McCormick at 12:25 PM. City Clerk Hyler III left the meeting at 12:29 PM and Deputy City Clerk Bengtson-Jennings resumed the role of City Clerk.**

**City Council Member Raymond left the meeting at 12:33 PM and returned to the meeting at 12:36 PM.**

**Commissioner McWatters left the meeting at 1:45 PM resulting in a lack of a quorum for the Community Development and Resources Commission.**

**Mayor Price called a recess at 2:09 PM.**

**The City Council returned and Mayor Price resumed the meeting at 2:31 PM.**

**BUSINESS:**

**CONSENT CALENDAR:**

**One person spoke requesting clarification regarding two items under Warrants, "September 10, 2018."**

**MOTION: Mayor Pro Tem Vineyard moved to approve the consent calendar as listed. The motion was seconded by City Council Member Raymond and the vote**

**was: Ayes: Raymond, Vierra, Vineyard, Price; Noes: None; Absent: Creighton. The motion passed.**

WARRANTS:

1. September 10, 2018

**ACTION: Approval of warrants as listed.**

MINUTES: (City Council)

2. August 13, 2018 Regular meeting

**ACTION: Approval of minutes as listed.**

AGREEMENTS:

3. Approving Agreement(s) with Atwater Elementary School District regarding School Resource Officer Program and Crossing Guard Program (Interim Police Chief Bessinger, Human Resources Director Del Real)

**ACTION: Approval of Agreement, in a form approved by the City Attorney, with the Atwater Elementary School District regarding the School Resource Officer Program; approval of Agreement, in a form approved by the City Attorney, with the Atwater Elementary School District regarding the Crossing Guard Program; and authorizes and directs the City Manager to execute the Agreement(s) on behalf of the City.**

CITY ATTORNEY REPORTS/UPDATES:

Possible amendment to Chapter 5.60 of Atwater Municipal Code, Section 5.60.040 "Cannabis Dispensaries"

***One person spoke in favor of increasing the number of cannabis dispensaries allowed in the City.***

**MOTION: Mayor Pro Tem Vineyard moved to continue the item to the next regular City Council meeting on September 24, 2018. The motion was seconded by City Council Member Raymond and the vote was: Ayes: Vineyard Vierra, Raymond, Price; Noes: None; Absent: Creighton. The motion passed.**

CLOSED SESSION:

***Mayor Price announced the change of venue for Closed Session to the Jessie Frago Room of the Atwater Community Center.***

***Mayor Price invited public comments on Closed Session items.***

***No one came forward to speak.***

***Mayor Price adjourned the meeting to the Jessie Frago Room for Closed Session at 3:02 PM. Closed Session was called to order at 3:04 PM.***

Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9(2)(d): Number of cases: (2)

Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator regarding Property Disposition. Agency Negotiator: City Manager Waterman

Property Location: Drain ditch off Atwater Boulevard  
adjacent to APN No. 001-111-004

***Closed Session adjourned at 3:40 PM.***

ADJOURNMENT: (City Council)

***Mayor Price adjourned the meeting at 3:41 PM.***

  
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Don Hyler III, City Clerk

  
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Kim Bengtson-Jennings, Deputy City Clerk

By: Lesa Rasmussen,  
Recording Secretary