



CITY OF ATWATER

SPECIAL MEETING CITY COUNCIL ACTION MINUTES

May 15, 2020

CALL TO ORDER:

The City Council of the City of Atwater met in Special Session this date at 12:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Creighton presiding.

ROLL CALL:

Present: City Council Members Cale, Vierra, Mayor Pro Tem Raymond, Mayor Creighton
Absent: City Council Member Ambriz
Staff Present: City Manager Waterman, Community Development Director Thompson, Public Works Superintendent Holsinger, Police Chief Salvador, Deputy City Clerk Martin

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Pastor Don Borgwardt.

INVOCATION:

The invocation was led by Pastor Don Borgwardt.

PUBLIC COMMENT:

Notice to the public was read.

Twenty-one people spoke in support of adopting Resolution No. 3148-20 allowing businesses to re-open.

One person spoke in opposition of adopting Resolution No. 3148-20.

No one else came forward to speak.

Four people emailed their comments which read in full:

RON DANIEL, Atwater, Dear City Leaders, I write this today to show my support of our local leadership. In these unsettling times, I am very thankful to have City Leaders that will do what is necessary to protect the business's and citizens of our City. As a long standing Business in Atwater, I am very troubled by what has been going on. I am currently operating at 50%, but I am thankfully I at least have that. The many Businesses that have had zero income for the past two months and are needing your voice. In the beginning I feel we all agreed with the closures, until solid data became available. We now have this available data, and its nothing like they projected, at least in our County. The State however, still wants to put us all under one umbrella. This is not only unfair, its unjust. It's not the Governments not job to protect our health, it's the Governments job to protect our right. And our rights are slipping away. Allowing us to reopen at our digression is absolutely the right call. If you think about it, most small business are family ran. We care about our employees and patrons/customers more so that any large corporate business ever will. We are smart people who are faced with daily challenges. We survive because we are accustomed to making open minded, well thought out decisions to keep our dreams alive and well. We must to be giving the right to decide how we want to operate our business. I know the vast majority of us will be extremely mindful for the safety and well being of our employees, customers, and friends. And if one feels that they are not comfortable being in a establishment that reopens, by all means, stay home, that is your right. Thank you very much City Leaders, I appreciate all you are doing for us."

ILEISHA SANDERS, Atwater, "I'm a resident and taxpayer of Atwater and I'm writing to strongly oppose the staff recommendation to break the law and defy the California health order. 1st, I fear that opening the city up too soon with cause a spike in the positive cases, especially with neighbors to the north being so reckless. The point of a readiness plan is to attest that we are ready. We don't meet the criteria as a county. We are not ready. The case count is going up, especially in kids. I have kids. How will you make sure they are protected? What happens if there is a spike? If we don't agree with the all of the components of the readiness criteria then, challenge the readiness criteria..don't just break the law. Have you thought through what your plan is to rescind the recommendation should the case count spike? In my professional and trained opinion, you need to identify a trigger

point to which the city decides that it will reimplement the health order. We may get to a point where we have to double back and shouldn't waste time if we get there deciding what that number will be. We need to know ahead of time...ie. If there are xxx spike in cases we will reimplement the health order. 2nd we may jeopardize future and needed recovery funding for our defiance and the most vulnerable will suffer. 3rd. Don't compare us to sanctuary cities. We are collectively experiencing something unlike anything we have ever seen before. It deserves it's own name. Plus, the word illegals is offensive, please erase that from your vocabulary. It's comparable to the words:blacks, whites, electeds....adding a "s" to the end of an adjective dehumanizes the noun. I'm closing , as a proud Atwater resident I don't want to be known as a business sanctuary city. I want to be known as a city who used innovation to get through this. I've seen an Atwater business show their clothes online by going live, trying on clothes, which almost makes you feel like you have a personal shopper...some of these mom and pops have figured it out. It's easy to sign a paper allowing businesses their constitutional privilege to open. It's far more innovative and needed to band together as a community and find a way to support each other ...and that's the job of city council. Help us find a way to be innovative. For example, partner with the entrepreneur lab to provide technical assistance to business...to work through this digital age. I have faith we can do this...let's help each other. Let's get in the headlines as a model city of innovation, not a politicizedbecause of the word.... sanctuary city. Create an Atwater online shopping platform. I'd pledge to shop locally and support our businesses. Please support businesses AND residents because we both matter. Sincerely, A hopeful citizen."

RONALD DAUGHERTY, Atwater, "As you know I am pro business and only have one question in regards to this resolution. Will it open the city to liability if we declare ourselves a sanctuary for business and someone contacts COVID19 afterwards? Since we would be against what the state and feds are suggesting? Ron Daughtery."

TED TORRES, Atwater, "To Atwater Mayor & City Council, This meeting is nothing more than a formality as it is widely known the city council will unanimously vote in favor of labeling the City of Atwater as a "sanctuary city for business" in defiance of Governor Gavin Newsome's Stay at Home order. While I do not agree with this decision and will continue to only make necessary trips, I accept there is no changing the minds or hearts of council members. I visited a local big box store yesterday for the first time since the pandemic started to get some toilet paper. Most people were good about keeping a distance. An estimated 50% of people were wearing masks; there is no way I can validate the 50% claim. However, I did see a family with two toddlers in the store without masks. I would like to ask the city council to consider passing an ordinance requiring all citizens to wear a mask when in public as recommended by the Center of Disease Control. Obviously, the stay at home order is working as Atwater has only recorded 12 cases of the coronavirus, two being added yesterday. Following the CDC's recommendations can and will continue to protect the citizens of Atwater as we open up our community and begin interacting at more locations. We already know some local

businesses will not be requiring their customers to wear masks. This small inconvenience will help protect those who may be immunocompromised and must still be out in public to obtain necessities. Together we can make this work and keep citizens safe."

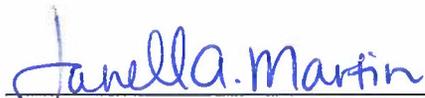
RESOLUTION:

Affirming the City's commitment to fundamental constitutional rights and declaring the City of Atwater a sanctuary city for all businesses

MOTION: Mayor Pro Tem Raymond moved to adopt Resolution No. 3148-20 affirming the City's commitment to fundamental constitutional rights and declaring the City of Atwater a sanctuary city for all businesses. The motion was seconded by City Council Member Cale and the vote was: Ayes: Vierra, Raymond, Cale, Creighton; Noes: None; Absent: Ambriz. The motion passed.

ADJOURNMENT:

The Special Meeting adjourned at 12:52 PM.



JANELL MARTIN, DEPUTY CITY CLERK

By: Richard Vang
Deputy City Clerk