



CITY OF ATWATER

CITY COUNCIL ACTION MINUTES

May 26, 2020

OPEN SESSION: (Council Chambers)

The City Council of the City of Atwater met in Open Session this date at 5:01 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; May Pro Tem Raymond presiding.

ROLL CALL:

Present: City Council Members Ambriz, Cale, Vierra, Mayor Pro Tem Raymond

Absent: Mayor Creighton

Staff Present: City Manager Waterman, City Attorney Splendorio, Project Manager Lamerson, Deputy City Clerk Martin

CLOSED SESSION: (Conference Room A)

Mayor Pro Tem Raymond invited public comment on Closed Session items.

No one came forward to speak.

Mayor Pro Tem Raymond adjourned the meeting to Conference Room A for Closed Session at 5:02 PM. Closed Session was called to order at 5:05 PM.

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

Closed Session adjourned at 5:48 PM.

REGULAR SESSION: (Council Chambers)

The City Council of the City 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; Mayor Pro Tem Raymond presiding.

ROLL CALL:

Present: City Council Members Ambriz, Cale, Vierra, Mayor Pro Tem Raymond

Absent: Mayor Creighton

Staff Present: City Manager Waterman, City Attorney Splendorio, CAL FIRE Battalion Chief Slate, Police Chief Salvador, Public Works Superintendent Holsinger, Community Development Director Thompson, Project Manager Lamerson, Deputy City Clerk Martin

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by City Council Member Cale.

INVOCATION:

The Invocation was led by Pastor Susan Munoz.

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

City Attorney Splendorio reported that the City Council considered two items of potential litigation and that no reportable action was taken. The Closed Session agenda was completed.

SUBSEQUENT NEED ITEMS:

None.

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: City Council Member Vierra moved to approve the agenda as posted. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Ambriz, Vierra, Cale, Raymond; Noes: None; Absent: Creighton. The motion passed.

CEREMONIAL MATTERS:

Proclamation

National Police Week May 10-16, 2020

Deputy City Clerk Martin read into the record the proclamation recognizing National Police Week May 10-16, 2020. Police Chief Salvador spoke regarding the history of National Police Week.

Certificates

Police Officer and Dispatcher of the Year

Mayor Pro Tem Raymond and Police Chief Salvador presented the certificates of recognition to Police Officer of the Year, Dave Sarginson, and to Dispatcher of the Year, the entire Atwater Dispatch Center.

Mayor Pro Tem Raymond called a recess at 6:19 PM.

The City Council returned to the dais and Mayor Pro Tem Raymond resumed the meeting at 6:22 PM.

PRESENTATIONS:

Monthly verbal report by Merced County District 3 Supervisor McDaniel

Merced County District 3 Supervisor McDaniel provided the following updates:

- ***Information regarding the re-opening of Merced County is updated regularly on reopenmercedcounty.com.***
- ***The Governor's recent statewide modifications allows people to access retail establishments and places of worship. Places of worship are limited to 25% of capacity or 100 people, whichever is more.***
- ***Guidelines for the entertainment industry will be put in place by Merced County by the end of the week. Barbershops and salons are also allowed to re-open.***
- ***Cooling Center guidance is forthcoming.***
- ***Castle Commerce Center is receiving many offers from businesses interested in operating within Castle.***
- ***California Transportation Commission awarded Merced County \$29 million for the Atwater-Merced Expressway Project.***

CONSENT CALENDER

Agenda item #3(c) under Minutes, "May 15, 2020 - Special meeting," was removed from the Consent Calendar for separate discussion and possible action.

MOTION: City Council Member Cale moved to approve the Consent Calendar as amended. The motion was seconded by City Council Member Vierra and the vote was: Ayes: Cale, Ambriz, Vierra, Raymond; Noes: None; Absent: Creighton. The motion passed.

WARRANTS:

1. May 26, 2020

ACTION: Approval of warrants as listed.

TREASURER'S REPORT:

2. April 30, 2020

ACTION: Approval of report as listed.

MINUTES: (City Council)

3. a) April 27, 2020 – Regular meeting
b) May 11, 2020 – Regular meeting

ACTION: Approval of minutes as listed.

- c) May 15, 2020 – Special meeting

This item was removed from the Consent Calendar for separate discussion and possible action.

AGREEMENTS:

4. Approving Measure V Local Funding Agreement between Merced County Association of Governments and the City of Atwater (Community Development Director Thompson)

ACTION: Approves Measure V Local Funding Agreement, in a form approved by the City Attorney, between Merced County Association of Governments and the City of Atwater; and authorizes and directs the City Manager to execute the Agreement on behalf of the City.

ORDINANCES (WAIVING SECOND READING AND ADOPTION):

5. Waiving the second reading and adopting an ordinance approving Global Greenz Development Agreement regarding Cannabis Business Pilot Program for cannabis retail business located at 370 Airpark Road (Community Development Director Thompson)

ACTION: Waives the second reading and adopts Ordinance No. CS 1028 approving Global Greenz Development Agreement, in a form approved by the City Attorney, regarding Cannabis Business Pilot Program for cannabis retail business located at 370 Airpark Road (APN: 056-400-027).

6. Waiving the second reading and adopting an ordinance approving Sycamore Manufacturing, LLC Development Agreement regarding Cannabis Business Pilot Program for cannabis retail, manufacturing, and distribution business located at 1715 Sycamore Avenue (Community Development Director Thompson)

ACTION: Waives the second reading and adopts Ordinance No. CS 1007 approving Sycamore Manufacturing, LLC Development Agreement, in a form approved by the City Attorney, regarding Cannabis Business Pilot Program for cannabis retail, manufacturing, and distribution business located at 1715 Sycamore Avenue (APN: 001-145-003).

MINUTES: (City Council)

May 15, 2020 – Special meeting

MOTION: City Council Member Ambriz moved to have the minutes for the Special meeting on May 15, 2020 be revised to include the comments received by email and brought back to the next regular City Council meeting for approval. The motion was seconded by City Council Member Cale and the vote was: Ayes: Cale, Ambriz, Vierra, Raymond; Noes: None; Absent: Creighton. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Verbal update regarding Veterans Park Water Playground Project (Community Development Director Thompson and Public Works Superintendent Holsinger)

Community Development Director Thompson provided an update that the City has completed a segment of the Water Playground Project and has received notification of the shipment of the water playground equipment.

Public Works Superintendent Holsinger also reported that the project is making progress and operating under budget.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

One person voiced his concerns with the City becoming a Sanctuary City and made requests to the City Council to provide safety guidelines.

Two people spoke thanking the City for its efforts to re-open and for making improvements to City streets.

Two comments were received by email which stated their concerns on the City becoming a Sanctuary City for businesses without implementing or following the proper health and safety guidelines. Deputy City Clerk Martin read the comments into the record.

No one else came forward to speak.

CITY COUNCIL MATTERS:

City Council comments

City Council Member Cale reminded everyone to always thank first responders for their service. He also stated that the City Council is receiving positive and negative comments regarding the City's decision to become a Sanctuary City and explained the City's reasoning behind their decision.

City Council Member Vierra further explained the City's reasoning behind their decision on becoming a Sanctuary City and asked for the Community's continued effort to try and understand one another.

City Council Member Ambriz thanked the City Council and Mayor Creighton for the well wishes to his family. He described his recent experience at a hospital and further explained why the City made their decision to become a Sanctuary City.

Mayor Pro Tem Raymond shared his personal experiences since the City passed the Sanctuary City resolution. He stated that the City has received support and donations from all over the nation and is proud to be a part of that. He wished his co-worker, Alfonso Mendoza, a Happy Birthday.

ADJOURNMENT:

Mayor Pro Tem Raymond adjourned the meeting at 6:58 PM.

Janell A. Martin

JANELL MARTIN,
DEPUTY CITY CLERK

By: Richard Vang
Deputy City Clerk