



# CITY OF ATWATER

## CITY COUNCIL

### ACTION MINUTES

**May 24, 2021**

OPEN SESSION: (Council Chambers)

***The City Council of the City of Atwater met in Open Session this date at 5:30 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Mayor Creighton presiding.***

ROLL CALL: (City Council)

***Present: City Council Members Ambriz, Button, Raymond (via teleconference), Mayor Pro Tem Cale, Mayor Creighton***

***Absent: None***

***Staff Present: City Manager Waterman, City Attorney Splendorio, Public Works/Community Development Director Thompson, Deputy City Clerk Martin***

CLOSED SESSION: (Conference Room A)

***Mayor Creighton invited public comment on Closed Session items.***

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

***Mayor Creighton adjourned the meeting to Conference Room A for Closed Session at 5:31 PM. City Council Member Raymond joined the meeting via teleconference, and Closed Session was called to order at 5:35 PM.***

Conference with Legal Counsel – Initiation of Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(4): Number of cases (1)

***Closed Session adjourned at 5:56 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 Creighton presiding.***

PLEDGE OF ALLEGIANCE TO THE FLAG:

***The Pledge of Allegiance was led by Former Atwater Mayor James Price.***

INVOCATION:

***The Invocation was led by Pastor Alfred Perez.***

ROLL CALL:

***Present: City Council Members Ambriz, Button, Raymond (via teleconference), Mayor Pro Tem Cale, Mayor Creighton***

***Absent: None***

***Staff Present: City Manager Waterman, City Attorney Splendorio, CAL FIRE Battalion Chief Ayuso, Police Chief Salvador, Public Works/Community Development Director Thompson, Finance Director Jacobs-Hunter (via teleconference), Information Technology Manager Lamerson (via teleconference), Administrative Assistant Billings, Deputy City Clerk Martin***

SUBSEQUENT NEED ITEMS: ***None***

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

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

MAYOR OR CITY ATTORNEY REPORT OUT FROM CLOSED SESSION:

***City Attorney Splendorio reported that the City Council considered one item of initiation of litigation. Staff was provided direction and no reportable action was taken. The Closed Session agenda was completed.***

CEREMONIAL MATTERS:

National Public Works Week May 16th – 22nd, 2021

**Mayor Creighton presented a Proclamation to the Public Works/Community Development Director Thompson and the Public Works Supervisors, on behalf of the Public Works Department, recognizing the Week of May 16<sup>th</sup> to May 22<sup>nd</sup>, 2021 as National Public Works Week.**

Monthly report by Merced County District 3 Supervisor McDaniel

**Merced County District 3 Supervisor McDaniel reported the following:**

- **Merced County is in preliminary discussions with a short-haul rail company who is interested in coming to Castle Air Force Base.**
- **Merced County Sheriff's Office is working with CALFIRE and local Police Departments to address the issue of individuals lighting illegal fireworks.**

CONSENT CALENDAR:

**Agenda item #4 under Resolutions, "Adopt Resolution No. 3222-21 authorizing submittal of Grant Application to United States Department of Justice Office of Community Oriented Policing Services (COPS) for funding under 2021 COPS Hiring Program (CHP)," was removed from the Consent Calendar for separate discussion and possible action.**

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

WARRANTS:

1. May 24, 2021

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

TREASURER'S REPORT:

2. April 30, 2021

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

MINUTES: (City Council)

3. May 10, 2021 – Regular meeting

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

RESOLUTIONS:

4. Adopt Resolution No. 3222-21 authorizing submittal of Grant Application to United States Department of Justice Office of Community Oriented Policing Services (COPS) for funding under 2021 COPS Hiring Program (CHP) (Police Chief Salvador)

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

5. Resolution No. 3223-21 authorizing submittal of grant application for San Joaquin Air Pollution Control District (SJVAPCD) for Public Benefit Grant, New Alternative Fuel Vehicle Program (City Manager Waterman)

***ACTION: Adopts Resolution No. 3223-21 authorizing submittal of grant application to the San Joaquin Air Pollution Control District Alternative Public Benefit Grant, Fuel Vehicle Program; and to authorize and direct the City Manager to execute all documents on behalf of the City.***

RESOLUTIONS:

Adopt Resolution No. 3222-21 authorizing submittal of Grant Application to United States Department of Justice Office of Community Oriented Policing Services (COPS) for funding under 2021 COPS Hiring Program (CHP) (Police Chief Salvador)

***Police Chief Salvador provided background information on this item.***

***ACTION: City Council Member Raymond moved to adopt Resolution No. 3222-21 authorizing submittal of Grant Application to United States Department of Justice Office of Community Oriented Policing Services (COPS) for funding under 2021 COPS Hiring Program (CHP); and to provide staff direction to apply for grant to fund two (2) new Police Officer positions; and to authorize and direct the City Manager, or her designee, to execute any agreements or documents relating to participation and administration of grant, if awarded, on behalf of the City. The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Raymond, Button, Cale, Ambriz, Creighton; Noes: None; Absent: None. The motion passed.***

REPORTS AND PRESENTATIONS FROM STAFF:

Waiving the second reading and adopting an ordinance approving a Zone Change for property located at 1901 Avenue One, Atwater (APN 005-410-003) (Public Works/Community Development Director Thompson)

***Public Works/Community Development Director Thompson provided background information on this item.***

***MOTION: City Council Member Raymond moved to waive the second reading and adopt Ordinance No. CS 1037 approving Zone Change No. 21-06-0100 for property located at 1901 Avenue One, Atwater (APN 005-410-003). The motion was seconded by City Council Member Ambriz and the vote was: Ayes: Button, Raymond, Ambriz, Cale, Creighton; Noes: None; Absent: None. The motion passed.***

Presentation regarding City's Downtown Pedestrian Improvement Project (Public Works/Community Development Director Thompson)

***Public Works/Community Development Director Thompson presented a PowerPoint presentation regarding the City's Downtown Pedestrian Improvement Project.***

Presentation regarding City's Recreation and Community Events Update (Administrative Assistant Billings)

***Administrative Assistant Billings presented a PowerPoint presentation regarding the City's Recreation and Community Events.***

COMMENTS FROM THE PUBLIC:

***Notice to the public was read.***

***Two people spoke regarding their discontent with the City.***

***One person spoke about Memorial Day.***

***One person spoke regarding the Atwater-Winton Lions Club's fundraiser event at Corbin Cash Distillery and invited the community to attend.***

***One person spoke regarding the accusations made against the Mayor and the City.***

***Deputy City Clerk Martin read into the record three comments received by email commenting on their support for Mayor Creighton.***

***Three people spoke regarding the accusations made against the Mayor and their support for the Mayor.***

***One person spoke thanking the Police Department for their work enforcing the law.***

***CAL FIRE Battalion Chief Ayuso and CAL FIRE Chief Pimentel spoke regarding CAL FIRE Chief Pimentel's new position with Merced County Fire Department.***

***One person spoke regarding the Fourth of July event in the City.***

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

CITY COUNCIL MATTERS:

City Council comments

***City Council Member Button thanked the Fourth of July Committee for their hard work on coordinating the Fourth of July event, thanked the Graffiti Abatement contractors, and wished everyone a Happy Memorial Day.***

***City Council Member Raymond commended Code Enforcement Manager Garcia for his hard work on assisting the homeless with acquiring the COVID vaccine, welcomed CAL FIRE Chief Pimentel back to the City of Atwater, wished everyone a Happy Memorial Day also, and thanked CAL FIRE Battalion Chief Ayuso for all of his help.***


***Mayor Pro Tem Cale commented on Memorial Day, thanked the Public Works Department and Police Department for their hard work, and congratulated the graduating class of 2021.***

***City Council Member Ambriz thanked Victory Baptist Church for hosting a law enforcement event, thanked the Public Works Department for their hard work, and wished his daughter a Happy Belated Birthday.***

***Mayor Creighton wished City Council Member Ambriz' daughter, thanked Victory Baptist Church for hosting the law enforcement event, thanked the men and women of the military for their service, and thanked everyone who is showing support for him.***

ADJOURNMENT:

***Mayor Creighton adjourned the meeting at 7:44 PM.***



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JANELL MARTIN  
DEPUTY CITY CLERK

By: Richard Vang  
Recording Secretary