

In-person participation by the public will be permitted.

Submit a written public comment prior to the meeting: Public comments submitted to cityclerk@atwater.org by 3:00 p.m. on the day of the meeting will be distributed to the Oversight Committee, and made part of the official minutes but will not be read out loud during the meeting.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the City in advance of the meeting, and as soon as possible, at (209) 357-6241.

CITY OF ATWATER

Citizens' Oversight Committee for Public Safety and Transactions Use Tax

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

September 5, 2023

REGULAR SESSION: (Council Chambers)

CALL TO ORDER:

5:30 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Garner _____, Ingram _____, Kindred-Winzer _____, Perez _____, Santos _____,

SUBSEQUENT NEED ITEMS: (The City Clerk shall announce any requests for items requiring immediate action subsequent to the posting of the agenda. Subsequent need items require a two-thirds vote of the members of the Committee present at the meeting.)

APPROVAL OF AGENDA AS POSTED OR AS AMENDED: (This is the time for the Committee to remove items from the agenda or to change the order of the agenda.)

Staff's Recommendation: Motion to approve agenda as posted or as amended.

NEWLY APPOINTED COMMITTEE MEMBERS' ORIENTATION:

1. **Orientation for newly appointed Committee Members for the Citizens' Oversight Committee for Public Safety Transaction and Use Tax** (City Manager Waterman)

ORGANIZATION OF THE CITIZENS' OVERSIGHT COMMITTEE:

2. **Nomination and Appointment of Citizens' Oversight Committee for Public Safety Transactions and Use Tax (Measure B) Committee Chairperson**

Staff's Recommendation: That the Citizens' Oversight Committee, after opening and closing the nomination period by roll call vote of nominees in motion to appoint one (1) candidate serve as Chairperson, the term of one (1) year, ending on December 31, 2024.

3. **Nomination and Appointment of Citizens' Oversight Committee for Public Safety Transactions and Use Tax (Measure B) Committee Vice Chairperson**

Staff's Recommendation: That the Citizens' Oversight Committee, after opening and closing the nomination period by roll call vote of nominees in motion to appoint one (1) candidate serve as Vice Chairperson, the term of one (1) year, ending on December 31, 2024.

MINUTES:

4. **June 6, 2023 – Regular Meeting**

Staff's Recommendation: Motion to approve minutes as listed.

BUSINESS:

5. **Approving the Citizens' Oversight Committee for Public Safety Transaction and Use Tax (Measure B) By Laws** (City Manager Waterman)

Staff's Recommendation: Motion to approve Citizens' Oversight Committee for Public Safety Transaction and Use Tax (Measure B) By Laws.

REPORTS AND PRESENTATIONS FROM STAFF:

6. **Verbal Financial report** (Finance Director Nicholas)
7. **Verbal Police Department update** (Police Chief Salvador)
8. **Verbal Fire Department update** (CAL FIRE Battalion Chief Ayuso)
9. **Verbal City Manager update** (City Manager Waterman)

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

At this time any person may comment on any item which is not on the agenda. You may state your name and address for the record; however, it is not required. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda. Please limit comments to a maximum of three (3) minutes.

COMMITTEE MATTERS:

Committee member comments

ADJOURNMENT:

CERTIFICATION:

I, Janell Martin, Oversight Recording Secretary of the City of Atwater, do hereby certify that a copy of the foregoing agenda was posted at City Hall a minimum of 72 hours prior to the meeting.



Janell Martin
Oversight Recording Secretary

SB 343 NOTICE

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the office of the City Clerk at City Hall during normal business hours at 750 Bellevue Road.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 750 Bellevue Road.



In compliance with the federal Americans with Disabilities Act of 1990, upon request, the agenda can be provided in an alternative format to accommodate special needs. If you require special accommodations to participate in a City Council, Commission or Committee meeting due to a disability, please contact the City Clerk's Office a minimum of three (3) business days in advance of the meeting at (209) 357-6241. You may also send the request by email to cityclerk@atwater.org.



CITY OF ATWATER

CITIZENS' OVERSIGHT COMMITTEE FOR PUBLIC SAFETY TRANSACTIONS AND USE TAX

ACTION MINUTES

June 6, 2023

REGULAR SESSION: (Council Chambers)

The City of Atwater Citizens' Oversight Committee for Public Safety Transactions and Use Tax met in Regular Session this date at 5:32 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Chairperson Hyler presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Chairperson Hyler.

INVOCATION:

The invocation was led by Police Chaplain Steve Mead.

ROLL CALL:

Present: Vice Chairperson Brice, Committee Members Castro, Dash, Garner, Chairperson Hyler
Absent: Committee Member Brantley, Committee Member Pirtle
Staff Present: City Manager Waterman, Police Lieutenant Novetzke, CAL FIRE Battalion Chief Ayuso, Deputy City Clerk Peralta

SUBSEQUENT NEED ITEMS: **None.**

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: Committee Member Dash moved to approve the agenda as posted. The motion was seconded by Committee Member Garner and the vote was: Ayes: Garner, Dash, Castro, Brice, Hyler; Noes: None; Absent: Brantley and Pirtle. The motion passed.

MINUTES:

1. March 7, 2023 – Regular meeting

MOTION: Committee Member Brice moved to approve the minutes as listed. The motion was seconded by Committee Member Dash and the vote was: Ayes: Garner, Dash, Castro, Garner, Hyler; Noes: None; Absent: Brantley and Pirtle. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Presentation regarding Public Safety Transaction and Use Tax Fiscal Year 2023/24 Expenditure Plan (Finance Director Youmara)

Finance Director Youmara verbally presented the Public Safety Transaction and Use Tax Fiscal Year 2023/24 Expenditure Plan. This included the numbers of Personnel for the Atwater Police Department. She reported about overtime fund, machinery fund, vehicle lease, and radio lease for the Atwater Police Department. She discussed the CAL FIRE budget, including firefighter salary, benefits for their operating budget, and their machinery and equipment.

Committee Member Garner asked about Atwater Police Department staffing and about the drone project.

Police Lieutenant Novetzke provided clarification and informed the drones will be used to scout areas and for officer safety.

Verbal Financial Report (Finance Director Youmara)

Finance Director Youmara provided an update on the current fiscal year, quarter three for the Atwater Police Department and CAL FIRE.

Verbal Police Department Update (Police Lieutenant Novetzke)

Police Lieutenant Novetzke verbally presented an update on the Atwater Police Department and spoke about the camera project around the police station, Fleet 3, flock camera system, notable arrests, code enforcement, and the citizens reporting program which will be available in various languages.

Verbal Fire Department Update (CAL FIRE Battalion Chief Ayuso)

CAL FIRE Battalion Chief Ayuso provided a verbal update on the Fire Department, including inspections, weed abatement, illegal firework activity, and gave an update regarding the Atwater Feed fire.

Committee Member Dash asked how the Public Safety Master Plan will benefit the City.

CAL FIRE Battalion Chief Ayuso provided clarification.

Verbal update (City Manager Waterman)

City Manager Waterman thanked everyone on the committee and spoke about Measure B and the upcoming committee.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

No one came forward to speak.

Chairperson Hyler closed the Public Comment.

COMMITTEE MATTERS:

Committee member comments

Vice Chairperson Brice hopes to continue to serve his community in the future.

Committee Member Garner hopes to also serve his community and says Atwater is a great place to live.

Committee Member Dash is grateful for serving on the committee and thanks Officer Ortiz for rescuing a cat stuck in a car engine. She also discussed the Healthy House program and the assistance given to the unhoused in the community.

Committee Member Castro stated always feeling safe in the committee and wishes to continue to serve in any way he can.

Chairperson Hyler sent prayers to the family of the Atwater Feed business and thanked the staff, committee, and City Manager Waterman.

ADJOURNMENT:

Chairperson Hyler adjourned the meeting at 6:55 PM.

APPROVED:

Don Hyler III, Chairperson

BY: Gisela Peralta
Oversight Recording Secretary



CITY OF ATWATER ESTABLISHMENT OF CITIZENS OVERSIGHT COMMITTEE FOR PUBLIC SAFETY TRANSACTIONS AND USE TAX (MEASURE B) BY LAWS

1. PURPOSE:

The purpose of the Citizens Oversight Committee (C.O.C.) is to monitor incoming Specific Tax Revenues and outgoing Specific Tax Expenditures. These revenues are specifically identified for use by the City of Atwater Public Safety Departments (Police and Fire). These Special Tax Revenues are administered by the California State Board of Equalization.

2. MEMBERS:

The Citizens' Oversight Committee members are appointed by the City Manager. The C.O.C. requirements are to develop a proactive process to keep the City Council and the residents informed of the Special Tax Revenues use.

The C.O.C. members will not be current City of Atwater Employees, officials, contractors, or vendors of the City of Atwater. The City Manager and City Attorney will determine if a perspective member has a conflict of interest.

The first C.O.C. members will be appointed for two-year and three-year terms. Future C.O.C. members would be appointed for three-year terms. No member may serve more than two consecutive three year terms. An exception may be granted by the City Manager if needed.

Each C.O.C. member will have one (1) vote on all matters brought to a vote during regular or called meetings. A quorum is a majority of voting members present.

The C.O.C. is selected through the City of Atwater adopted recruitment process. These applications are reviewed by the City Manager.

3. JURISDICTION:

The C.O.C. will review generated revenues and expended revenues collected from the California State Board of Equalization. The C.O.C. will determine if these funds are expended for the purpose identified by the Public Safety Measure B, Police, and Fire Departments Expenditure Plan.

The C.O.C. will issue reports on their findings to the Citizens of Atwater, Atwater City Council quarterly as adopted by ordinance (meeting dates determined and voted on by the Committee annually) or more frequently as needed.

The C.O.C. will also review the annual financial performance audits from an independent auditor.

4. MEETINGS:

The C.O.C. will meet quarterly when reports are generated for the Citizens of Atwater, City Council, and City Manager. The members may meet more frequently as they deem necessary.

5. OPERATIONS:

The C.O.C. will select members to serve as chair and vice chair of the committee. The police consultant will also attend meetings. In addition, a city staff person will be appointed by the City Manager to serve as secretary and provide administrative assistance.

6. VACANCIES:

A member of the C.O.C. may be removed from the committee by the City Manager for repeated absence, for malfeasance, for failing to meet qualifications, (Ord.3.45.160, section D), or inability to complete their duties as a member.

If a member is removed or resigns the City Manager will appoint a person to fill the vacancy.

7. DUTIES OF OFFICERS:

The chairperson presides at all meetings and is eligible to vote on all matters coming before the committee. The chairperson conducts meetings in an orderly manner.

The vice-chairperson performs all duties and assumes all responsibilities of the chairperson in an absence.

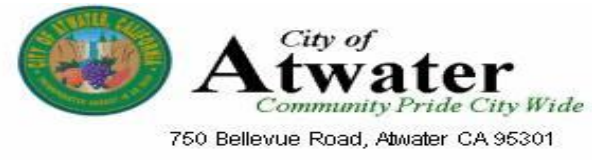
8. ATTENDANCE:

Members will attend all scheduled C.O.C. meetings. When a member cannot attend a meeting, an alternate may be substituted. The alternate will have the same voting privileges as a member. A member who fails to attend two (2) consecutive meetings (without being excused) is considered to have vacated the position.

9. MISCELLANEOUS:

A complete copy of City of Atwater Ordinance No. CS 1050 and 1061 will be provided to C.O.C. members for additional clarification of duties and responsible areas.

Public Safety Transactions & Use Tax Fund
Fund 0004
Budget Status Report (Unaudited)
FY 2022-23 Q4 (APR-JUN 2023)



<u>Account Number</u>	<u>Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>YTD Amount</u>	<u>YTD Variance</u> (Over/Under)	<u>Encumbered</u> Amount	<u>Available</u>
REVENUE							
0004-0000-1031	Sales & Use Tax	2,382,094.00	795,572.27	2,420,781.39	-38,687.39	0.00	-38,687.39
0004-0000-6001	Interest Earned	1,000.00	0.00	4,587.94	-3,587.94	0.00	-3,587.94
	Revenue Totals:	2,383,094.00	795,572.27	2,425,369.33	-42,275.33	0.00	-42,275.33

EXPENDITURES

Dept 1050	Non-departmental						
0004-1050-4089	Employee Benefits Charges	30,367.28	7,591.75	30,367.00	0.28	0.00	0.28
Non-departmental Expense Sub Totals:		30,367.28	7,591.75	30,367.00	0.28	0.00	

Dept 2020	Police Administration						
E10	<u>Salaries</u>						
0004-2020-1001	Salaries & Wages, Regular	42,776.00	36,739.41	36,739.41	6,036.59	0.00	6,036.59
0004-2020-1003	Leave Accrual Buy-Out	0.00	2,156.43	2,156.43	-2,156.43	0.00	-2,156.43
0004-2020-1004	Overtime	0.00	1,552.15	1,552.15	-1,552.15	0.00	-1,552.15
0004-2020-1005	Holiday Pay	3,455.00	2,746.14	2,746.14	708.86	0.00	708.86
0004-2020-1008	In-Lieu Of Insurance Benefit	0.00	0.00	0.00	0.00	0.00	0.00
0004-2020-1012	Fica/Medicare	3,537.00	3,241.32	3,241.32	295.68	0.00	295.68
0004-2020-1013	Retirement	16,640.00	2,949.54	2,949.54	13,690.46	0.00	13,690.46
0004-2020-1014	Health Insurance	17,919.00	0.00	0.00	17,919.00	0.00	17,919.00
0004-2020-1015	Worker's Compensation	2,688.00	2,671.70	2,671.70	16.30	0.00	16.30
	Salaries Sub Totals:	87,015.00	52,056.69	52,056.69	34,958.31	0.00	34,958.31

E50	<u>Expenses</u>						
0004-2020-6021	Machinery & Equipment	248,320.00	247,738.26	247,738.26	581.74	11,447.21	-10,865.47
	Expenses Sub Totals:	248,320.00	247,738.26	247,738.26	581.74	11,447.21	-10,865.47
Police Administration Expense Sub Totals:		335,335.00	299,794.95	299,794.95	35,540.05	11,447.21	24,092.84

Public Safety Transactions & Use Tax Fund
Fund 0004
Budget Status Report (Unaudited)
FY 2022-23 Q4 (APR-JUN 2023)



<u>Account Number</u>	<u>Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>YTD Amount</u>	<u>YTD Variance</u>	<u>Encumbered</u>	<u>Available</u>
Dept 2021	Police Field Services						
E10	<u>Salaries</u>						
0004-2021-1001	Salaries & Wages, Regular	746,344.00	191,149.45	643,546.12	102,797.88	0.00	102,797.88
0004-2021-1002	Salaries & Wages, Parttime	10,000.00	1,243.00	4,931.30	5,068.70	0.00	5,068.70
0004-2021-1003	Leave Accrual Buy-Out	25,000.00	7,458.54	25,659.18	-659.18	0.00	-659.18
0004-2021-1004	Overtime	80,000.00	27,995.81	101,984.86	-21,984.86	0.00	-21,984.86
0004-2021-1005	Holiday Pay	57,920.00	12,308.25	47,171.00	10,749.00	0.00	10,749.00
0004-2021-1006	Stand By Pay	2,600.00	1,100.00	1,940.00	660.00	0.00	660.00
0004-2021-1007	Special Duty	15,759.00	1,472.78	3,428.31	12,330.69	0.00	12,330.69
0004-2021-1008	In-Lieu Of Insurance Benefit	29,950.00	0.00	5,585.95	24,364.05	0.00	24,364.05
0004-2021-1012	Fica/Medicare	74,264.00	17,855.08	58,044.35	16,219.65	0.00	16,219.65
0004-2021-1013	Retirement	452,788.00	116,701.46	436,930.01	15,857.99	0.00	15,857.99
0004-2021-1014	Health Insurance	114,681.00	32,614.86	98,398.03	16,282.97	0.00	16,282.97
0004-2021-1015	Worker's Compensation	79,431.00	13,990.84	52,731.66	26,699.34	0.00	26,699.34
0004-2021-1024	Additional Duty	3,196.32	221.05	823.34	2,372.98	0.00	2,372.98
	Salaries Sub Totals:	1,691,933.32	424,111.12	1,481,174.11	210,759.21	0.00	210,759.21
E30	<u>Services</u>						
0004-2021-3031	Communications	2,400.00	278.84	1,220.17	1,179.83	0.00	1,179.83
0004-2021-3034	Rents & Leases	152,000.00	29,187.73	146,566.91	5,433.09	-1,674.65	7,107.74
	Services Sub Totals:	154,400.00	29,466.57	147,787.08	6,612.92	-1,674.65	8,287.57
E50	<u>Expenses</u>						
0004-2021-6021	Machinery & Equipment	125,000.00	0.00	15,795.80	109,204.20	0.00	109,204.20
	Expenses Sub Totals:	125,000.00	0.00	15,795.80	109,204.20	0.00	109,204.20
Police Field Services Expense Sub Totals:		1,971,333.32	453,577.69	1,644,756.99	326,576.33	-1,674.65	328,250.98

Public Safety Transactions & Use Tax Fund
Fund 0004
Budget Status Report (Unaudited)
FY 2022-23 Q4 (APR-JUN 2023)



<u>Account Number</u>	<u>Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>YTD Amount</u>	<u>YTD Variance</u>	<u>Encumbered</u>	<u>Available</u>
Dept 2030	Fire						
E10	<u>Salaries</u>						
0004-2030-1002	Salaries & Wages, Parttime	10,000.00	0.00	0.00	10,000.00	0.00	10,000.00
0004-2030-1012	Fica/Medicare	765.00	0.00	0.00	765.00	0.00	765.00
0004-2030-1015	Worker's Compensation	581.00	0.00	0.00	581.00	0.00	581.00
	Salaries Sub Totals:	11,346.00	0.00	0.00	11,346.00	0.00	11,346.00
E20	<u>Supplies</u>						
0004-2030-2021	Special Departmental Expense	7,500.00	6,638.16	6,638.16	861.84	0.00	861.84
	Supplies Sub Totals:	7,500.00	6,638.16	6,638.16	861.84	0.00	861.84
E30	<u>Services</u>						
0004-2030-3030	Professional Services	805,572.00	142,252.86	805,572.00	0.00	0.00	0.00
0004-2030-3031	Communications	1,500.00	0.00	0.00	1,500.00	0.00	1,500.00
0004-2030-3034	Rents & Leases	87,916.00	0.00	87,916.14	-0.14	0.00	-0.14
0004-2030-3063	Reserve Fire Fighter Program	6,864.00	3,320.62	3,320.62	3,543.38	0.00	3,543.38
	Services Sub Totals:	901,852.00	145,573.48	896,808.76	5,043.24	0.00	5,043.24
E40	<u>Expenses</u>						
0004-2030-4088	Risk Management Charges	805.95	188.25	753.00	52.95	0.00	52.95
	Expenses Sub Totals:	805.95	188.25	753.00	52.95	0.00	52.95
E50	<u>Expenses</u>						
0004-2030-6021	Machinery & Equipment	160,000.00	149,302.66	149,302.66	10,697.34	0.00	10,697.34
	E50 Expenses Sub Totals:	160,000.00	149,302.66	149,302.66	10,697.34	0.00	10,697.34
Fire Department Expense Sub Totals:		1,081,503.95	301,702.55	1,053,502.58	28,001.37	0.00	28,001.37

TOTALS	Public Safety Trans. & Use Tax Fund Rev. Totals:	2,383,094.00	795,572.27	2,425,369.33	-42,275.33	0.00	-42,275.33
	Public Safety Expense Totals:	3,418,539.55	1,062,666.94	3,028,421.52	390,118.03	9,772.56	380,345.47