



# CITY OF ATASCADERO CITY COUNCIL AGENDA

## **HYBRID MEETING INFORMATION:**

The City Council meeting will be available via teleconference for those who wish to participate remotely. The City Council meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

## **HOW TO OBSERVE THE MEETING REMOTELY:**

To participate remotely, residents can livestream the meeting on [Zoom](#), SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and listen live on KPRL Radio 1230AM and 99.3FM. The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit:

[https://us02web.zoom.us/webinar/register/WN\\_ZwJ7a031S3KXauEym9ehaA](https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA)

## **HOW TO SUBMIT PUBLIC COMMENT:**

Public comment may be provided in-person or remotely. Call **(669) 900-6833** (Meeting ID: 889 2347 9018) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

Written public comments are accepted at [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org). **Comments should identify the Agenda Item Number in the subject line of the email.** Such comments will be forwarded to the City Council and made a part of the administrative record. ***To ensure distribution to the City Council before consideration of an item, please submit comments not later than 12:00 p.m. the day of the meeting.*** All correspondence will be distributed to the City Council, posted on the City's website, and be made part of the official public record of the meeting. ***Please note, comments will not be read into the record.*** Please be aware that communications sent to the City Council are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under applicable law. Communications will not be edited for redactions and will be printed/posted as submitted.

## **AMERICAN DISABILITY ACT ACCOMMODATIONS:**

Any member of the public who needs accommodations should contact the City Clerk's Office at [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org) or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

## **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:**

Pursuant to Government Code § 84308, City Council Members are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the City Council Member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the City's decision on the agenda item since January 1, 2023. Members of the City Council who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a City Council Member since January 1, 2023, are required to disclose that fact for the official record of the subject proceedings. Disclosures must include the amount of the campaign contribution and identify the recipient City Council Member and may be made either in writing to the City Clerk before the agenda item or by verbal disclosure during consideration.

City Council agendas and minutes may be viewed on the City's website:

[www.atascadero.org/agendas](http://www.atascadero.org/agendas)

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the City Clerk and are available for public inspection on our website, [www.atascadero.org](http://www.atascadero.org). Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the City Council. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Council meetings that are made a part of the record or referred to in their statement will be noted in the Minutes and available for review by contacting the City Clerk's office. All documents will be available for public inspection by appointment during City Hall business hours.



# CITY OF ATASCADERO CITY COUNCIL

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## AGENDA

Tuesday, October 24, 2023

City Hall Council Chambers, Fourth Floor  
6500 Palma Avenue, Atascadero, California

<b><u>City Council Regular Session:</u></b>	<b>6:00 P.M.</b>
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**REGULAR SESSION – CALL TO ORDER: 6:00 P.M.**

**PLEDGE OF ALLEGIANCE:** Mayor Moreno

**ROLL CALL:** Mayor Moreno  
Mayor Pro Tem Funk  
Council Member Bourbeau  
Council Member Dariz  
Council Member Newsom

**ADDITIONS, DELETIONS, AND APPROVAL OF AGENDA:**

Roll Call

Recommendation: Council:

1. Add or remove items, and then approve this agenda.
2. Waive the reading in full of all ordinances appearing on this agenda; titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

**PRESENTATIONS:**

**1. US 101 North San Luis Obispo County Comprehensive Multimodal Corridor Plan**

**A. CONSENT CALENDAR:** (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.)

**1. City Council Draft Minutes – October 10, 2023**

- Recommendation: Council approve the October 10, 2023, Draft City Council Regular Meeting Minutes. [City Clerk]

**2. September 2023 Accounts Payable and Payroll**

- Fiscal Impact: \$4,341,192.99.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for September 2023. [Administrative Services]

**3. 2023 & 2024 Measure F-14 Pavement Rehabilitation Projects**

- Fiscal Impact: Approving staff's recommendations in this report will result in estimated expenditures of \$385,780 from Sales Tax Measure F-14 Funds for the design phase of the 2024 F-14 Project, and \$150,000 in Sales Tax Measure F-14 Funds to the 2023 F-14 Project for road work on Via Avenue and Ensenada Avenue.
- CEQA Determination: The recommended action would not result in a potential direct or reasonably indirect physical change in the environment and, accordingly, does not qualify as a "project" under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; "CEQA") or CEQA Guidelines (14 Cal. Code Regs. §§ 15000, *et seq.*; see 14 Cal. Code Regs. §§ 15061(b)(3) and 15378). Even if the award of contract were to qualify as a project, it would be categorically exempt as a Class 1 or Class 5 project since, at best, it would constitute a minor alteration of existing public structures involving no expansion of use; or a minor alteration in land use limitations (see CEQA Guidelines §§ 15301, 15305).
- Recommendation: Council:
  1. Award a professional services agreement with Rick Engineering Company for \$385,780 to provide design engineering and prepare bidding documents for the 2024 Measure F-14 Pavement Rehabilitation Project (Project No. C2023R01).
  2. Adopt Draft Resolution approving a Change Order to the 2023 Measure F-14 Pavement Rehabilitation Project with Souza Construction to include pavement rehabilitation construction for Via Avenue (from Traffic Way to Ensenada Avenue/Via Avenue Bridge) and Ensenada Avenue (from Via Avenue Bridge to Capistrano Avenue).
  3. Authorize the Administrative Services Director to reallocate \$150,000 in fiscal year 2023-2024 Sales Tax Measure F-14 Funds from the 2024 Measure F-14 Pavement Rehabilitation Project to the 2023 Measure F-14 Pavement Rehabilitation Project for road work on Via Avenue and Ensenada Avenue.
  4. Take such additional, related, action that may be desirable. [Public Works]

**4. Annual Military Equipment Report Pursuant to Assembly Bill 481**

- Fiscal Impact: None.
- Recommendation: Council receive and file the annual Military Equipment Report pursuant to the requirements of Assembly Bill 481; and take such additional, related, action that may be desirable. [Police Department]

**5. Professional Services Agreement for Wastewater Collection System Master Plan Update**

- Fiscal Impact: \$185,400.
- Recommendation: Council award a professional services agreement with Carollo Engineers, Inc. for \$185,400 to provide engineering services and prepare the 2024 Wastewater Collection System Master Plan Update (Project No. C2023W01); and take such additional, related, action that may be desirable. [Public Works]

**6. Authorization to Repair Various Roads Damaged in the 2023 Winter Storms**

- Fiscal Impact: \$250,000.
- CEQA Determination: The recommended action would not result in a potential direct or reasonably indirect physical change in the environment and, accordingly, does not qualify as a “project” under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) or CEQA Guidelines (14 Cal. Code Regs. §§ 15000, et seq.; see 14 Cal. Code Regs. §§ 15061(b)(3) and 15378). Even if the award of contract were to qualify as a project, it would be categorically exempt as a Class 1 or Class 5 project since, at best, it would constitute a minor alteration of existing public structures involving no expansion of use; or a minor alteration in land use limitations (see CEQA Guidelines §§ 15301, 15305).
- Recommendation: Council authorize the Administrative Services Director to allocate \$250,000 in Local Transportation Funds to repair various roads that were damaged during the 2023 winter storms; and take such additional, related, action that may be desirable. [Public Works]

**7. Police Patrol Vehicles Purchase**

- Fiscal Impact: \$421,500.
- Recommendation: Council:
  1. Ratify the purchase of six Dodge Durango replacement patrol vehicles from John Jones Auto Group in the amount of \$297,720.
  2. Authorize the expenditure of \$123,660 for the associated upfitting of these patrol vehicles from Northern California Emergency Vehicle Installations.
  3. Take such additional, related, action that may be desirable.  
[Police Department]

**UPDATES FROM THE CITY MANAGER:** (The City Manager will give an oral report on any current issues of concern to the City Council.)

**COMMUNITY FORUM:** (This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. Comments made during Community Forum will not be a subject of discussion. A maximum of 30 minutes will be allowed for Community Forum, unless changed by the Council. Comments will be allowed for the entire 30-minute period so if the final speaker has finished before the 30 minute period has ended and a member of the public wishes to make a comment after the Council has commenced another item, the member should alert the Clerk within the 30 minute period of their desire to make a comment and the Council will take up that comment upon completion of the item which was commenced. Any members of the public who have questions or need information may contact the City Clerk’s Office, between the hours of 8:30 a.m. and 5:00 p.m. at (805) 470-3400, or [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org).)

**B. PUBLIC HEARINGS: None**

**C. MANAGEMENT REPORTS: None.**

- D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:** (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. The following represent standing committees. Informative status reports will be given, as felt necessary):

Mayor Moreno

1. City Selection Committee
2. County Mayors Round Table
3. Regional Economic Action Coalition (REACH)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. Design Review Committee
3. Homeless Services Oversight Council

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

Council Member Dariz

1. Air Pollution Control District
2. California Joint Powers Insurance Authority (CJPIA) Board
3. Community Action Partnership of San Luis Obispo (CAPSLO)
4. Design Review Committee
5. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. League of California Cities – Council Liaison

- E. INDIVIDUAL DETERMINATION AND / OR ACTION:** (Council Members may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.)

1. City Council
  - a. Mayor Moreno will request Council to direct staff to draft, and authorize the Mayor and City Manager to sign, a letter supporting the El Camino Homeless Organization's (ECHO) funding request, from the County of San Luis Obispo, for the expansion of operations at their Paso Robles facility.
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

**ADJOURNMENT**



# CITY OF ATASCADERO CITY COUNCIL

## DRAFT MINUTES

Tuesday, October 10, 2023

City Hall Council Chambers, Fourth Floor  
6500 Palma Avenue, Atascadero, California

**City Council Regular Session:**

**6:00 P.M.**

### REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:01 p.m. and Council Member Newsom led the Pledge of Allegiance.

### ROLL CALL:

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Jim Lewis, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, Interim Police Chief Joe Allen, Public Works Director Nick DeBar, Interim City Attorney Karl Berger, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager – IT Luke Knight, Deputy Administrative Services Director Cindy Chavez, and Senior Planner Kelly Gleason.

### APPROVAL OF AGENDA:

**MOTION:** By Council Member Bourbeau and seconded by Mayor Pro Tem Funk to:

1. Approve this agenda; and
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

*Motion passed 5:0 by a roll-call vote.*

### CLOSED SESSION REPORT:

a. September 26, 2023

City Attorney Berger noted that there was no reportable action.

**PRESENTATIONS:**

**1. Employee Recognition**

City Manager Lewis presented the following employees with Service Awards:

- **5 Years:** Kyle Nakazawa, Fire Engineer/Paramedic  
Adam Medina, Public Safety Dispatcher  
Jessica Applegate, Permit Technician  
Marc Nobriega, Police Corporal
- **10 Years:** Patti Deirmenjian, Recreation Coordinator
- **15 Years:** Chris Hester, Police Corporal
- **20 Years:** Scott Pipan, Police Corporal  
Jason Carr, Police Commander
- **25 Years:** Jeff Wilshusen, Police Sergeant

**2. Proclamation declaring October 8-14, 2023 as Fire Prevention Week**

The City Council presented a Proclamation to Chief Bryson and members of the Atascadero Fire & Emergency Services Department, declaring October 8-14, 2023, as Fire Prevention Week.

**A. CONSENT CALENDAR:**

**1. City Council Draft Minutes – September 26, 2023**

- **Recommendation:** Council approve the September 26, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]

**4. Revegetation Contract Award for the Santa Lucia Road Bridge Replacement Project**

- **Fiscal Impact:** \$628,027.
- **Recommendation:** Council award a construction contract for \$628,027 to Quincon, Inc. for the revegetation phase of the Santa Lucia Road Bridge Replacement Project (City Project No. C2015B03[2], Federal Project No. BRLO-5423[029]). [Public Works]

**5. Revegetation Contract Award for the Via Avenue Bridge Replacement Project**

- **Fiscal Impact:** \$767,933.
- **Recommendation:** Council award a construction contract for \$767,933 to Quincon, Inc. for the revegetation phase of the Via Avenue Bridge Replacement Project (City Project No. C2015B02[2], Federal Project No. BRLS-5423[032]). [Public Works]

**6. City Attorney Services – Request for Proposals**

- **Fiscal Impact:** None.
- **Recommendation:** Council authorize the City Manager to issue a Request for Proposals for City Attorney services and to appoint Karl Berger, of Burke, Williams & Sorensen, as Interim City Attorney. [City Attorney]

Items #A-2 and #A-3 were removed from the Consent Calendar by a member of the public for separate discussion and vote.

Council Member Bourbeau and Mayor Pro Tem Funk asked questions of and made comments regarding the costs associated with the revegetation contract awards.

**MOTION: By Council Member Bourbeau and seconded by Council Member Newsom to approve Consent Calendar Items #A-1, #A-4, #A-5, and #A-6. (#A-5: Contract No. 2023-033) (#A-6: Contract No. 2023-034)  
*Motion passed 5:0 by a roll-call vote.***

**2. Ordinance Regulating Camping in Areas of the City**

- Fiscal Impact: None.
- Recommendation: Council adopt, on second reading, a Draft Ordinance repealing and replacing, in its entirety, Title 5, Chapter 15 (Prohibited Camping) of the Atascadero Municipal Code, to better define prohibited camping on public and private property; define time, manner, and place for legal camping; regulate storage of personal property on public property; and establish time, manner, and place regulations for camping by necessity.  
[Police Department]

This item was pulled by a member of the public for separate discussion and vote.

**PUBLIC COMMENT:**

The following persons spoke on this item: Geoff Auslen

***Mayor Moreno closed the Public Comment period.***

**MOTION: By Council Member Dariz and seconded by Council Member Bourbeau to adopt, on second reading, Ordinance No. 668 repealing and replacing, in its entirety, Title 5, Chapter 15 (Prohibited Camping) of the Atascadero Municipal Code, to better define prohibited camping on public and private property; define time, manner, and place for legal camping; regulate storage of personal property on public property; and establish time, manner, and place regulations for camping by necessity.  
*Motion passed 5:0 by a roll-call vote.***

**3. Formation of New Positions and Reclassification of Existing Positions Throughout the City**

- Fiscal Impact: Estimated ongoing cost of \$480,000 per fiscal year.
- Recommendation: Council:
  1. Authorize the City Manager to establish new positions, including Senior Recreation Coordinator, Finance Analyst, Planning Manager, and Community Services & Promotions Director; and
  2. Authorize the City Manager to reclassify employees into appropriate pay classifications of Deputy City Manager, Human Resources Manager, Zoo Director, and Police Chief; and
  3. Amend the fiscal year 2023-2024 monthly salary schedule to include new positions as follows:

CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
Community Services & Promotions Director	M57	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Deputy City Manager	M54	11,419.91	11,990.91	12,590.46	13,219.98	13,880.98
Finance Analyst	M39	7,922.68	8,318.81	8,734.75	9,171.49	9,630.06
Human Resources Manager	M46	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Planning Manager	M46	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Police Chief	M64	14,575.03	15,303.78	16,068.97	16,872.42	17,716.04
Senior Recreation Coordinator	24	5,405.39	5,675.66	5,959.44	6,257.41	6,570.28
Zoo Director	M46	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91

4. Adopt Draft Resolution for Non-Represented Professional and Management Workers and Confidential Employees; and
5. Authorize the City Manager to execute a Side Letter with the Local 620 Service Employees International Union (SEIU) for the existing Memorandum of Understanding (MOU), dated July 1, 2021, through June 30, 2024, adding the title of Senior Recreation Coordinator at the salary range shown above; and
6. Authorize the City Manager to approve the Employment Agreement for Terrie Banish to serve as Community Services & Promotions Director; and
7. Authorize the Director of Administrative Services to allocate \$140,000 in salary savings from fiscal year 2023-2024 for labor costs in fiscal year 2024-2025. [City Manager]

This item was pulled by a member of the public for separate discussion and vote.

Mayor Moreno noted that due to a potential conflict of interest resulting from a client being an employee covered by the action on this item, she would need to recuse herself from voting on this item. Mayor Moreno then stepped down from the dais and left the room.

**PUBLIC COMMENT:**

The following persons spoke on this item: Geoff Auslen

**Mayor Pro Tem Funk closed the Public Comment period.**

**MOTION: By Council Member Dariz and seconded by Council Member Bourbeau to:**

1. Authorize the City Manager to establish new positions, including Senior Recreation Coordinator, Finance Analyst, Planning Manager, and Community Services & Promotions Director; and
2. Authorize the City Manager to reclassify employees into appropriate pay classifications of Deputy City Manager, Human Resources Manager, Zoo Director, and Police Chief; and
3. Amend the fiscal year 2023-2024 monthly salary schedule to include new positions as follows:

CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
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Finance Analyst	M39	7,922.68	8,318.81	8,734.75	9,171.49	9,630.06
Human Resources Manager	M46	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Planning Manager	M46	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Police Chief	M64	14,575.03	15,303.78	16,068.97	16,872.42	17,716.04
Senior Recreation Coordinator	24	5,405.39	5,675.66	5,959.44	6,257.41	6,570.28
Zoo Director	M46	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91

4. Adopt Draft Resolution for Non-Represented Professional and Management Workers and Confidential Employees; and

5. Authorize the City Manager to execute a Side Letter with the Local 620 Service Employees International Union (SEIU) for the existing Memorandum of Understanding (MOU), dated July 1, 2021, through June 30, 2024, adding the title of Senior Recreation Coordinator at the salary range shown above; and
6. Authorize the City Manager to approve the Employment Agreement for Terrie Banish to serve as Community Services & Promotions Director; and
7. Authorize the Director of Administrative Services to allocate \$140,000 in salary savings from fiscal year 2023-2024 for labor costs in fiscal year 2024-2025.

*Motion passed 4:0 by a roll-call vote. Mayor Moreno recused.*

Mayor Moreno returned to the dais.

#### **UPDATES FROM THE CITY MANAGER:**

City Manager Lewis gave an update on projects and events within the City.

#### **COMMUNITY FORUM:**

The following persons spoke in-person by telephone or through the webinar: Gary Kirkland, Toni Locicero, Alejandra Prendergast, Geoff Auslen, and Carissa Saragosa

#### **B. PUBLIC HEARINGS:**

##### **1. Appeal of Grand Oaks Paseo Common Area Amendment**

- Fiscal Impact: Minor negative fiscal impact expected if the building is not built due to a lower than planned assessed valuation.
- Recommendation: Council:
  1. Adopt Draft Resolution A, affirming the Planning Commission's approval of amendments to the Grand Oaks Paseo project master plan of development to allow modifications to the common amenity space.
    - a. Modifications to the conditions of approval related to amenities, timing, etc. can be included.

**OR**

2. Adopt Draft Resolution B, reversing the Planning Commission's action and denying amendments to the Grand Oaks Paseo project master plan of development to allow modifications to the common amenity space. [Community Development]

#### **Ex Parte:**

Council Member Bourbeau reported visiting the site and speaking with Megan Kane and Kelly Wills. Mayor Pro Tem Funk reported visiting the site and speaking with Ted Lawton, residents of the development, and the Chair and Vice Chair of the Planning Commission. Council Member Newsom reported speaking to homeowners in the development and serving on the DRC when the project was going through entitlement. Mayor Moreno and Council Member Dariz reported receiving and reviewing the written public comments received by all Council Members ahead of the meeting.

Senior Planner Gleason gave the report and answered questions from the Council.

An updated site plan for the community building lot (Exhibit A), submitted by the applicant to Community Development staff prior to the meeting, was distributed to the City Council at the dais and made available in the public review binder.

*Mayor Moreno recessed the Meeting at 7:38 p.m.*

*Mayor Moreno reconvened the Meeting with all present at 7:45 p.m.*

Ted Lawton, representing the applicant team, made a presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: Cory Jones, Marco Caracas, Aaron & Leanne Alduenda, Kelly Wills, and Luke Wills

***Mayor Moreno closed the Public Comment period.***

**MOTION:** By Council Member Bourbeau and seconded by Council Member Newsom to adopt Resolution 2023-070, reversing the Planning Commission’s action and denying amendments to the Grand Oaks Paseo project master plan of development to allow modifications to the common amenity space.  
***Motion passed 5:0 by a roll-call vote.***

**MOTION:** By Council Member Bourbeau and seconded by Council Member Dariz to authorize the City Manager to release the certificates of occupancy for lots 17-20 in exchange for a security or bond for the improvements to the central common area.  
***Motion passed***

Mr. Lawton, on behalf of the applicant team, acknowledged agreement with the motion and the posting of a surety for the improvements to the central common area within the next week.

***Motion passed 5:0 by a roll-call vote.***

*Mayor Moreno recessed the Meeting at 8:59 p.m.*

*Mayor Moreno reconvened the Meeting with all present at 9:11 p.m.*

**2. Appeal of Conditional Use Permit for RV Storage Facility**

- Fiscal Impact: None.
- Recommendation: Council:
  1. Adopt Draft Resolution A, affirming the Planning Commission’s approval of a conditional use permit to establish an RV storage facility at 6805 Sycamore Road, subject to findings and conditions of approval.

**OR**

2. Adopt Draft Resolution B, reversing the Planning Commission’s action and denying a conditional use permit to establish an RV storage facility at 6805 Sycamore Road, subject to findings.

Ex Parte:

Mayor Pro Tem Funk reported making a site visit and an additional site visit with the Beaver Brigade. Council Member Newsom reported making a site visit. Mayor Moreno reported speaking with John Neil, David Broadwater, the Beaver Brigade and making a site visit. Council Member Bourbeau reported speaking with John Neil, Kris Gustafson, the Beaver Brigade and David Broadwater as well as visiting the site. All Council Members reported receiving and reviewing the written public comments received for this item.

Community Development Director Dunsmore gave the report and answered questions from the Council.

*Mayor Moreno recessed the Meeting at 10:35 p.m.*

*Mayor Moreno reconvened the Meeting with all present at 10:41 p.m.*

As it was nearing 11:00 p.m., Mayor Moreno asked for a motion to extend the meeting past 11:00 p.m.

**MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to extend the City Council Meeting past 11:00 p.m.  
*Motion passed 5:0 by a roll-call vote.***

David Broadwater, appellant, made a presentation to the Council.

Michael Jencks, for appellant BioDiversity First!, made a presentation to the Council.

Amber Davis and Don McAdam, representing the applicant team, gave a presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: Susan Harvey, Doug Chisholm, Alejandra Prendergast, Marty Brown, Laura Afana, Toni Locicero, Hazel Taub-Finlayson, Audrey Taub, Stacey Hunt, Ann Colby, Dolores Howard, Dorothy Jennings, Fred Frank (Exhibit B), Kate Montgomery, Carissa Saragosa, Tom Robinson, Barbara Rose, Devon Haggie, and Cindy Findley

***Mayor Moreno closed the Public Comment period.***

*Mayor Moreno recessed the Meeting at 12:29 a.m.*

*Mayor Moreno reconvened the Meeting with all present at 12:56 a.m.*

**MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to adopt Resolution 2023-071, affirming the Planning Commission's approval of a conditional use permit to establish an RV storage facility at 6805 Sycamore Road, subject to findings and conditions of approval with the following amendments to the conditions of approval:**

10. No cargo containers, inoperable vehicles, inoperable boats or inoperable RVs shall be stored on-site. Only currently registered, operable vehicles or RV's may be stored on-site. **All vehicles will be inspected upon initial storage to ensure vehicle is operable and all stored vehicles shall maintain insurance and provide copy of current insurance to City upon request.**

13. No washing or servicing of vehicles, RV's or Boats or other equipment may occur on-site.
20. The applicant shall submit a landscape and irrigation plan, completed by a qualified professional, with their construction documents. The landscape plan shall be consistent with what is shown in Exhibit D with additional landscaping focused on the following areas: _ Along the Anza Trail realignment to include landscaping that maintains safety and visibility _ In front of the existing construction yard, adjacent to Sycamore Road Landscaping and irrigation shall be installed prior to requesting a Planning Final Inspection.
22. Maximum height of new light poles shall not be taller than 16 feet for each light pole nor exceed the height of the levee to prevent light spillage into the riverbed. The lights shall be set to dim low level light until motion is detected and shall preclude activation by small animal movement.
24. The Use Permit shall be subject to additional review upon receipt of operational complaints including a high number of police calls. Additional mitigation may be warranted upon verification of recurring noise or operational disturbances that impact residential properties. Community Development Department review for compliance with all conditions within 12 months of commencement of business operation.
26. The applicant shall hire a qualified biologist to provide a nesting bird survey and survey for special status species within 3 months prior to construction commencement. This survey shall include a survey for eagle nests within 1 mile of the project site. The applicant shall follow all recommendations of the qualified biologist and shall obtain all permits from the Department of Fish and Wildlife.
27. Trash receptacles shall be provided at or near the access gate, adequately screened as determined by the Community Development Department, and of sufficient size to serve the facility.
28. Overnight occupancy shall be strictly prohibited on site.
29. Private Security shall maintain security at site and shall be the first point of contact for response to any security related issues.
31. Parking spaces are noted to be native material and are susceptible to pollutant discharge from vehicles. At time of building permit submittal, on the plans and with supplemental documents, provide drip pans and spill kits for leaks or other spills under all vehicles at all times, similar to what would be found in a municipal yard. (Reference industrial or municipal stormwater requirements for construction or corporation yard spill prevention.)  A disposal station with spill kit supplies and covered cans for soiled materials shall be located on the site for individuals using the facility and maintained by the company who leases the land and runs the business.  A contact phone number shall be made available to call if a facility user/customer has a spill. Provide copy of a Spill Response Plan to City for review and approval. This plan must be in place to provide a procedure for cleaning up major spills, including sewage or gray water leaks, in a timely manner with contact information for those who would be responsible parties.  Any spills shall be reported to Atascadero Mutual Water Company and the City of Atascadero immediately. The site shall be inspected a minimum of twice weekly to ensure compliance.

**Motion passed 5:0 by a roll-call vote.**

**C. MANAGEMENT REPORTS: None.**

**D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:**

Given the late hour, Mayor Moreno asked Council Members to hold on announcements and reports to the next meeting.

**E. INDIVIDUAL DETERMINATION AND / OR ACTION:** None

Mayor Moreno adjourned the meeting at 1:05 a.m.

**MINUTES PREPARED BY:**

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Lara K. Christensen  
Deputy City Manager / City Clerk

The following exhibits are available for review in the City Clerk's Office:

- Exhibit A – New Site Plan
- Exhibit B – Written comment from Fred Frank

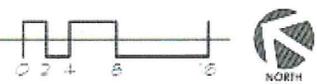
**APPROVED:**

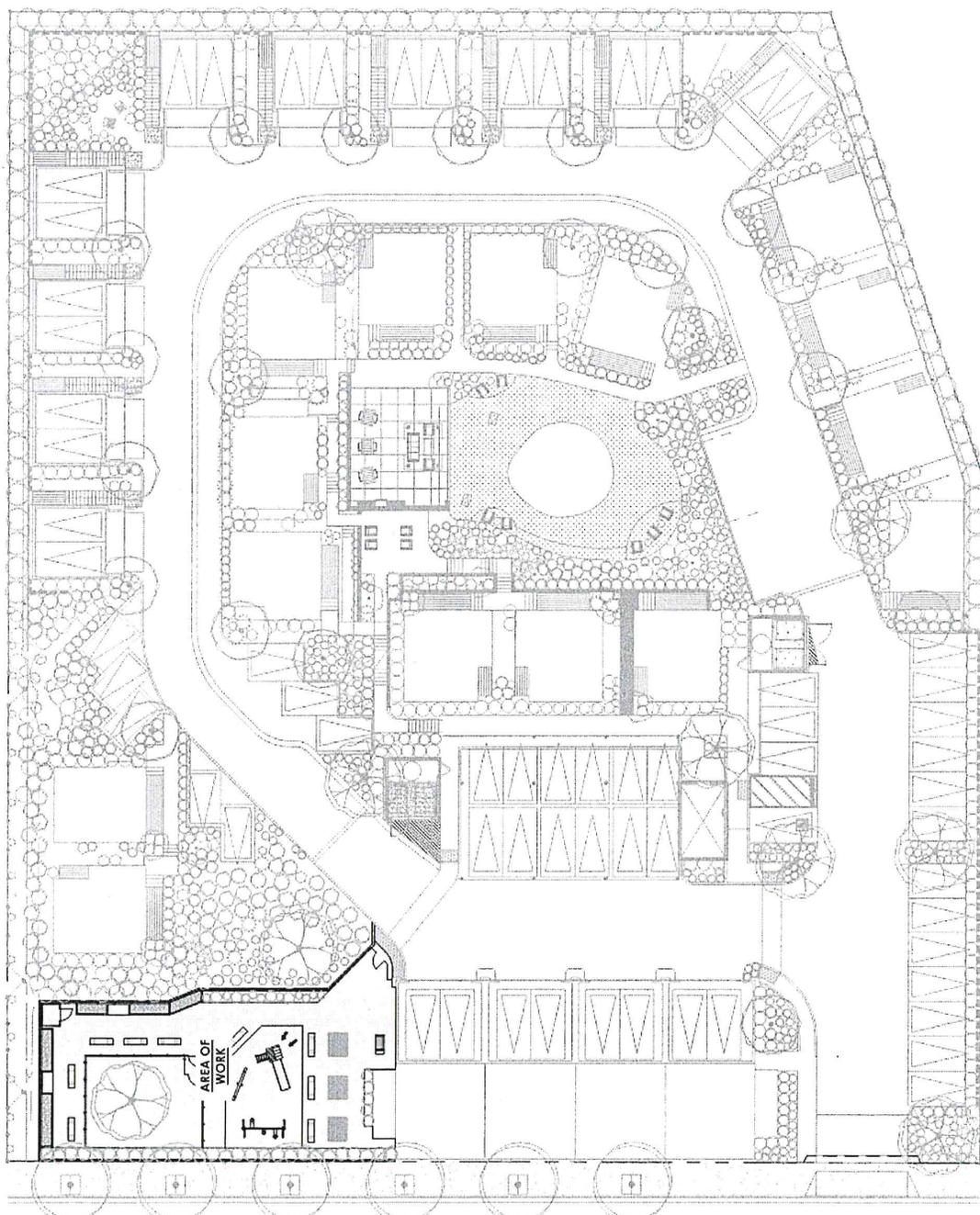
A 10.10.2023  
ITEM B-1

EL CAMINO REAL



A ENLARGED SITE PLAN  
A102 SCALE: 1/8" = 1'-0"





EL CASINO HOTEL



**OVERALL SITE PLAN**

A  
A101  
SCALE: 1" = 20'-0"

① 10.10.2023  
ITEM B-2

## RV storage proposal opposition

October 8, 2023

To the Atascadero City Council.

The Proposed RV Storage facility adjacent to Hwy 41 should be opposed for several reasons.

1. Storing many vehicles in a floodplain may create a liability for the city.  
The area has flooded in the past and future floods are likely to damage stored vehicles.
2. The view entering the city on Highway 41 overlooking dozens of various vehicles would look like a junkyard. It is not an attractive approach to our city.
3. Parking many vehicles in close proximity presents a fire hazard that could be difficult to control. There are many examples of fires spreading from vehicle to vehicle in dense parking lots.
4. The pedestrian access to the River along the road is undesirable.

Please vote to oppose this project.

Yours,



Fred Frank  
Atascadero



# Atascadero City Council

## Staff Report - Administrative Services Department

### September 2023 Accounts Payable and Payroll

**RECOMMENDATION:**

Council approve certified City accounts payable, payroll and payroll vendor checks for September 2023.

**DISCUSSION:**

Attached for City Council review and approval are the following:

Payroll

Dated	9/14/23	Checks # 35883-35893	\$	8,083.96
		Direct Deposits		447,181.03
Dated	9/28/23	Checks # 35894-35902		7,883.58
		Direct Deposits		381,328.85

Accounts Payable

Dated	9/1/23-9/30/23	Checks # 175688 - 175967 & EFTs 4878-4914		<u>3,496,715.57</u>
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**TOTAL AMOUNT** \$ 4,341,192.99

**FISCAL IMPACT:**

Total expenditures for all funds is \$ 4,341,192.99

**CERTIFICATION:**

The undersigned certifies that the attached demands have been released for payment and that funds are available for these demands.

  
 Jeri Rangel  
 Director of Administrative Services

**ATTACHMENT:**

September 2023 Eden Warrant Register in the amount of \$ 3,496,715.57

**City of Atascadero**  
Disbursement Listing

**ITEM NUMBER:** A-2  
**DATE:** 10/24/23  
**ATTACHMENT:** 1

For the Month of September 2023

Check Number	Check Date	Vendor	Description	Amount
4878	09/01/2023	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	106.39
4879	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	23,814.61
4880	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	37,697.75
4881	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	2,781.22
4882	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	2,732.56
4883	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	5,866.70
4884	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	11,668.48
4885	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	16,939.41
4886	09/01/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	23,202.97
4887	09/01/2023	SEIU LOCAL 620	Payroll Vendor Payment	844.18
175688	09/01/2023	WEX BANK - 76 UNIVERSAL	Accounts Payable Check	15,282.09
175689	09/01/2023	WEX BANK - WEX FLEET UNIVERSAL	Accounts Payable Check	11,312.84
175690	09/01/2023	ANTHEM BLUE CROSS HEALTH	Payroll Vendor Payment	207,898.84
175691	09/01/2023	BENEFIT COORDINATORS CORP	Payroll Vendor Payment	9,075.60
175692	09/01/2023	FIDELITY SECURITY LIFE INS CO	Payroll Vendor Payment	1,783.49
175693	09/01/2023	LINCOLN NATIONAL LIFE INS CO	Payroll Vendor Payment	1,970.55
4888	09/05/2023	RABOBANK, N.A.	Payroll Vendor Payment	84,826.64
4889	09/05/2023	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	26,600.81
4890	09/05/2023	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,643.81
175694	09/08/2023	AGP VIDEO, INC.	Accounts Payable Check	4,960.00
175695	09/08/2023	ALLTECH SERVICES, INC.	Accounts Payable Check	1,372.67
175696	09/08/2023	TERRIE BANISH	Accounts Payable Check	262.00
175697	09/08/2023	BATTERY SYSTEMS, INC.	Accounts Payable Check	83.62
175698	09/08/2023	DEEP BLUE INTEGRATION, INC.	Accounts Payable Check	4,805.00
175699	09/08/2023	EL CAMINO VETERINARY HOSP	Accounts Payable Check	15.00
175700	09/08/2023	ENGEL AND GRAY, INC.	Accounts Payable Check	26,127.07
175701	09/08/2023	FERRELL'S AUTO REPAIR	Accounts Payable Check	189.10
175702	09/08/2023	FORNIDA LLC	Accounts Payable Check	2,300.00
175703	09/08/2023	GHS PARTS, INC.	Accounts Payable Check	291.12
175704	09/08/2023	DILLON DEAN JAMES	Accounts Payable Check	228.39
175705	09/08/2023	JEFF & TONY'S DSD, LLC	Accounts Payable Check	1,939.00
175706	09/08/2023	JK'S UNLIMITED, INC.	Accounts Payable Check	1,014.02
175707	09/08/2023	MAILSTREAM, INC.	Accounts Payable Check	412.41
175708	09/08/2023	MWI ANIMAL HEALTH	Accounts Payable Check	73.63
175709	09/08/2023	MXR IMAGING, INC.	Accounts Payable Check	280.00
175710	09/08/2023	OMAHA'S HENRY DOORLY ZOO & AQ	Accounts Payable Check	157.06
175711	09/08/2023	MANNY PALACIOS	Accounts Payable Check	81.45
175712	09/08/2023	WARREN PITTEGER	Accounts Payable Check	550.00
175713	09/08/2023	SLO COUNTY HEALTH AGENCY	Accounts Payable Check	45,300.00
175714	09/08/2023	SMART AND FINAL	Accounts Payable Check	46.61
175715	09/08/2023	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	110,338.37
175716	09/08/2023	SUPERION, LLC	Accounts Payable Check	54,302.00
175717	09/08/2023	UNITED RENTALS (NORTH AM), INC	Accounts Payable Check	1,443.29

**City of Atascadero**  
Disbursement Listing

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For the Month of September 2023

<b>Check Number</b>	<b>Check Date</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
175718	09/08/2023	VISIT SLO CAL	Accounts Payable Check	87,921.15
175719	09/08/2023	13 STARS MEDIA	Accounts Payable Check	199.20
175720	09/08/2023	2 MEXICANS, LLC	Accounts Payable Check	2,223.50
175721	09/08/2023	ALPHA ELECTRIC SERVICE	Accounts Payable Check	905.34
175722	09/08/2023	AMERIGAS	Accounts Payable Check	155.25
175723	09/08/2023	AT&T	Accounts Payable Check	805.11
175724	09/08/2023	AT&T	Accounts Payable Check	403.05
175725	09/08/2023	AT&T	Accounts Payable Check	31.65
175726	09/08/2023	ATASCADERO HAY & FEED	Accounts Payable Check	763.84
175728	09/08/2023	ATASCADERO MUTUAL WATER CO.	Accounts Payable Check	40,219.90
175729	09/08/2023	AVILA TRAFFIC SAFETY	Accounts Payable Check	26.92
175730	09/08/2023	TERRIE BANISH	Accounts Payable Check	110.34
175731	09/08/2023	BASSETT'S CRICKET RANCH, INC.	Accounts Payable Check	427.42
175732	09/08/2023	BELL'S PLUMBING REPAIR, INC.	Accounts Payable Check	951.00
175733	09/08/2023	BERRY MAN, INC.	Accounts Payable Check	725.70
175734	09/08/2023	BLUEPRINTER	Accounts Payable Check	15.23
175735	09/08/2023	CARBON HEALTH MED GROUP OF CA	Accounts Payable Check	70.00
175736	09/08/2023	CASEY PRINTING, INC.	Accounts Payable Check	6,771.86
175737	09/08/2023	DAVID S. CHOCK	Accounts Payable Check	100.00
175738	09/08/2023	CINTAS	Accounts Payable Check	4,335.21
175739	09/08/2023	CORELOGIC SOLUTIONS, LLC.	Accounts Payable Check	1,500.00
175740	09/08/2023	CSG CONSULTANTS, INC.	Accounts Payable Check	1,068.75
175741	09/08/2023	CUESTA POLYGRAPH & INVEST. LLC	Accounts Payable Check	3,494.45
175742	09/08/2023	CULLIGAN SANTA MARIA	Accounts Payable Check	333.44
175743	09/08/2023	GREG C. CUNNINGHAM	Accounts Payable Check	224.00
175744	09/08/2023	NICHOLAS DEBAR	Accounts Payable Check	300.00
175745	09/08/2023	DOOMSDAY SKATE, LLC	Accounts Payable Check	402.00
175746	09/08/2023	PHILIP DUNSMORE	Accounts Payable Check	300.00
175747	09/08/2023	EXECUTIVE JANITORIAL	Accounts Payable Check	1,030.00
175748	09/08/2023	FERRELL'S AUTO REPAIR	Accounts Payable Check	1,497.61
175749	09/08/2023	FIESTA MAHAR MANUFACTURNG CORP	Accounts Payable Check	326.08
175750	09/08/2023	FORNIDA LLC	Accounts Payable Check	8,090.00
175751	09/08/2023	GAS COMPANY	Accounts Payable Check	14.30
175752	09/08/2023	GHS PARTS, INC.	Accounts Payable Check	227.92
175753	09/08/2023	KELLY GLEASON	Accounts Payable Check	128.59
175754	09/08/2023	TRISTAN M. GUILLORY	Accounts Payable Check	84.00
175755	09/08/2023	HANSEN BRO'S CUSTOM FARMING	Accounts Payable Check	10,416.41
175756	09/08/2023	KELLIE K. HART	Accounts Payable Check	485.10
175757	09/08/2023	REBECCA HEREDIA	Accounts Payable Check	173.99
175758	09/08/2023	HIGH COUNTRY OUTDOOR, INC.	Accounts Payable Check	450.00
175759	09/08/2023	RACHEL HUNTER	Accounts Payable Check	103.08
175760	09/08/2023	JEFF & TONY'S DSD, LLC	Accounts Payable Check	1,696.56
175761	09/08/2023	JOE A. GONSALVES & SON	Accounts Payable Check	3,000.00

**City of Atascadero**  
Disbursement Listing

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175762	09/08/2023	JOEBELLA COFFEE ROASTERS	Accounts Payable Check	87.50
175763	09/08/2023	COLETTE LAYTON	Accounts Payable Check	241.50
175764	09/08/2023	JAMES R. LEWIS	Accounts Payable Check	1,437.80
175765	09/08/2023	LIFE ASSIST, INC.	Accounts Payable Check	3,926.33
175766	09/08/2023	MADRONE LANDSCAPES, INC.	Accounts Payable Check	474.38
175767	09/08/2023	MCCLATCHY SHARED SERVICES, LLC	Accounts Payable Check	549.54
175768	09/08/2023	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	792.46
175769	09/08/2023	MIG	Accounts Payable Check	97,815.92
175770	09/08/2023	MINER'S ACE HARDWARE	Accounts Payable Check	452.51
175771	09/08/2023	MISSION UNIFORM SERVICE	Accounts Payable Check	230.11
175772	09/08/2023	MV TRANSPORTATION, INC.	Accounts Payable Check	7,777.88
175773	09/08/2023	KELLYE R. NETZ	Accounts Payable Check	149.00
175774	09/08/2023	NORTH CO SEPTIC SERVICE, INC.	Accounts Payable Check	4,760.00
175775	09/08/2023	NORTH COAST ENGINEERING INC.	Accounts Payable Check	1,640.00
175776	09/08/2023	ODP BUSINESS SOLUTIONS, LLC	Accounts Payable Check	95.55
175777	09/08/2023	KENNETH OVIEDO	Accounts Payable Check	90.87
175780	09/08/2023	PACIFIC GAS AND ELECTRIC	Accounts Payable Check	86,894.08
175781	09/08/2023	PLAYING WITH PLAYS, LLC	Accounts Payable Check	1,671.60
175782	09/08/2023	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	835.15
175783	09/08/2023	RAINSCAPE, A LANDSCAPE SVC CO.	Accounts Payable Check	7,242.00
175784	09/08/2023	JERI RANGEL	Accounts Payable Check	300.00
175785	09/08/2023	RESCUE SOURCE & RESCUE 3 INTL	Accounts Payable Check	8,874.53
175786	09/08/2023	BRIAN S. RICKS	Accounts Payable Check	112.00
175787	09/08/2023	CORBIN J. ROSSI	Accounts Payable Check	252.00
175788	09/08/2023	SCHINDLER ELEVATOR CORP	Accounts Payable Check	982.00
175789	09/08/2023	SECURITAS TECHNOLOGY CORPORATN	Accounts Payable Check	304.71
175790	09/08/2023	SERVICE SYSTEMS ASSC, INC.	Accounts Payable Check	2,500.00
175791	09/08/2023	THE SHERWIN-WILLIAMS COMPANY	Accounts Payable Check	170.32
175792	09/08/2023	SITEONE LANDSCAPE SUPPLY, LLC	Accounts Payable Check	629.12
175793	09/08/2023	SLO COUNTY HEALTH AGENCY	Accounts Payable Check	101,742.84
175794	09/08/2023	SOUTH COAST EMERGENCY VEH SVC	Accounts Payable Check	193.76
175795	09/08/2023	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	77,675.57
175796	09/08/2023	SUNBELT RENTALS, INC.	Accounts Payable Check	889.53
175797	09/08/2023	SUNLIGHT JANITORIAL, INC.	Accounts Payable Check	1,650.00
175798	09/08/2023	SUPERION, LLC	Accounts Payable Check	360.00
175799	09/08/2023	MADLINE M. TAYLOR	Accounts Payable Check	216.00
175800	09/08/2023	WILLIAM L. TEDONE	Accounts Payable Check	84.00
175801	09/08/2023	CHRISTOPHER DANIEL THOMAS	Accounts Payable Check	196.00
175802	09/08/2023	THOMSON ELECTRIC COMPANY	Accounts Payable Check	204.25
175803	09/08/2023	TIGER LEGAL AND CONSULTING	Accounts Payable Check	29.00
175804	09/08/2023	TOWN SQUARE PUBLICATIONS LLC	Accounts Payable Check	1,190.00
175805	09/08/2023	UNITED RENTALS (NORTH AM), INC	Accounts Payable Check	474.30
175806	09/08/2023	UNIVAR SOLUTIONS USA, INC.	Accounts Payable Check	5,848.80

**City of Atascadero**  
Disbursement Listing

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For the Month of September 2023

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175807	09/08/2023	USA BLUE BOOK	Accounts Payable Check	328.93
175808	09/08/2023	VERIZON WIRELESS	Accounts Payable Check	3,199.15
175809	09/08/2023	VINO VICE, INC.	Accounts Payable Check	258.00
175810	09/08/2023	VITAL RECORDS CONTROL	Accounts Payable Check	184.09
175811	09/08/2023	WALLACE GROUP	Accounts Payable Check	26,579.00
175812	09/08/2023	KAREN B. WYKE	Accounts Payable Check	819.60
175813	09/08/2023	ZOO MED LABORATORIES, INC.	Accounts Payable Check	575.41
4892	09/13/2023	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	9,037.43
4891	09/14/2023	BANK OF NEW YORK MELLON	Accounts Payable Check	579,484.58
4893	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	23,731.49
4894	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	38,156.10
4895	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,756.82
4896	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,726.10
4897	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	5,866.70
4898	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	11,360.45
4899	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	16,883.55
4900	09/14/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	22,889.29
175814	09/14/2023	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	40.00
175815	09/14/2023	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	2,249.75
175816	09/14/2023	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,151.80
175817	09/14/2023	EMPOWER ANNUITY INS CO	Payroll Vendor Payment	8,164.15
175818	09/14/2023	IAFF MERP	Payroll Vendor Payment	1,800.00
175819	09/14/2023	MISSIONSQUARE	Payroll Vendor Payment	9,163.51
175820	09/14/2023	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	2,283.24
175821	09/14/2023	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,338.86
4901	09/18/2023	SEIU LOCAL 620	Payroll Vendor Payment	844.18
4902	09/19/2023	RABOBANK, N.A.	Payroll Vendor Payment	89,570.53
4903	09/19/2023	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	29,715.96
4904	09/19/2023	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,593.22
175822	09/22/2023	ALLAN HANCOCK COLLEGE	Accounts Payable Check	31.50
175823	09/22/2023	DIMES MEDIA CORPORATION	Accounts Payable Check	755.00
175824	09/22/2023	FENCE FACTORY ATASCADERO	Accounts Payable Check	2,738.00
175825	09/22/2023	W.A. DAVIDSON OF JAX, INC.	Accounts Payable Check	2,065.00
175826	09/22/2023	13 STARS MEDIA	Accounts Payable Check	1,599.00
175827	09/22/2023	2 MEXICANS, LLC	Accounts Payable Check	466.00
175828	09/22/2023	A & F SOUVENIR	Accounts Payable Check	1,887.49
175829	09/22/2023	AGM CALIFORNIA, INC.	Accounts Payable Check	3,086.00
175830	09/22/2023	AIRGAS USA, LLC	Accounts Payable Check	250.78
175831	09/22/2023	ALLIANT INSURANCE SERVICES INC	Accounts Payable Check	185.00
175832	09/22/2023	ALTHOUSE & MEADE, INC.	Accounts Payable Check	1,039.41
175833	09/22/2023	AMERICAN WEST TIRE & AUTO INC	Accounts Payable Check	4,085.72
175834	09/22/2023	ANCIENT PEAKS WINERY	Accounts Payable Check	644.79
175835	09/22/2023	KELLY AREBALO	Accounts Payable Check	196.04

**City of Atascadero**  
Disbursement Listing

For the Month of September 2023

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175837	09/22/2023	AT&T	Accounts Payable Check	1,670.19
175838	09/22/2023	AT&T	Accounts Payable Check	126.68
175839	09/22/2023	ATASCADERO HAY & FEED	Accounts Payable Check	1,459.77
175840	09/22/2023	AURORA WORLD, INC.	Accounts Payable Check	1,247.00
175841	09/22/2023	AVILA TRAFFIC SAFETY	Accounts Payable Check	6,716.52
175842	09/22/2023	BASSETT'S CRICKET RANCH,INC.	Accounts Payable Check	209.21
175843	09/22/2023	CHRIS BELAND	Accounts Payable Check	300.00
175844	09/22/2023	KEITH R. BERGHER	Accounts Payable Check	472.50
175845	09/22/2023	BERRY MAN, INC.	Accounts Payable Check	974.15
175846	09/22/2023	BOUND TREE MEDICAL, LLC	Accounts Payable Check	405.36
175847	09/22/2023	BRENDLER JANITORIAL SERVICE	Accounts Payable Check	770.00
175848	09/22/2023	BURT INDUSTRIAL SUPPLY	Accounts Payable Check	44.97
175849	09/22/2023	CAL-COAST MACHINERY, INC	Accounts Payable Check	202.52
175850	09/22/2023	CAL-COAST REFRIGERATION, INC	Accounts Payable Check	592.33
175851	09/22/2023	CANNON	Accounts Payable Check	30,194.25
175852	09/22/2023	CG VISUAL SOLUTIONS CORP.	Accounts Payable Check	917.16
175853	09/22/2023	CHARTER COMMUNICATIONS	Accounts Payable Check	2,616.01
175854	09/22/2023	CITY CLERKS ASSC OF CALIF	Accounts Payable Check	250.00
175855	09/22/2023	CLEATH-HARRIS GEOLOGISTS, INC.	Accounts Payable Check	4,410.00
175856	09/22/2023	CLEVER CONCEPTS, INC.	Accounts Payable Check	189.95
175857	09/22/2023	CO OF SAN LUIS OBISPO SART PRG	Accounts Payable Check	2,620.00
175858	09/22/2023	COASTAL COPY, INC.	Accounts Payable Check	497.90
175859	09/22/2023	COLE FARMS, INC.	Accounts Payable Check	192.00
175860	09/22/2023	COLOR CRAFT PRINTING	Accounts Payable Check	648.37
175861	09/22/2023	CONSOR NORTH AMERICA, INC.	Accounts Payable Check	24,706.08
175862	09/22/2023	CRYSTAL SPRINGS WATER	Accounts Payable Check	20.00
175863	09/22/2023	CUESTA POLYGRAPH & INVEST. LLC	Accounts Payable Check	2,050.00
175864	09/22/2023	CULLIGAN SANTA MARIA	Accounts Payable Check	114.64
175865	09/22/2023	CULLIGAN/CENTRAL COAST WTR TRT	Accounts Payable Check	70.00
175866	09/22/2023	GREG C. CUNNINGHAM	Accounts Payable Check	168.00
175867	09/22/2023	CHRISTOPHER DEATON	Accounts Payable Check	195.74
175868	09/22/2023	DEPARTMENT OF JUSTICE	Accounts Payable Check	272.00
175869	09/22/2023	DRIVE CUSTOMS	Accounts Payable Check	5,037.90
175870	09/22/2023	EARTH SYSTEMS PACIFIC	Accounts Payable Check	46,750.00
175871	09/22/2023	EN FUEGO EVENTS	Accounts Payable Check	20,000.00
175872	09/22/2023	ESCRIBE SOFTWARE LTD	Accounts Payable Check	18,875.00
175873	09/22/2023	EXECUTIVE JANITORIAL	Accounts Payable Check	750.00
175874	09/22/2023	FENCE FACTORY ATASCADERO	Accounts Payable Check	2,142.10
175875	09/22/2023	FIESTA MAHAR MANUFACTURNG CORP	Accounts Payable Check	752.21
175876	09/22/2023	FORNIDA LLC	Accounts Payable Check	27,205.09
175877	09/22/2023	FOSTER & FOSTER, INC.	Accounts Payable Check	1,950.00
175878	09/22/2023	FRAME PERFECT MEDIA	Accounts Payable Check	1,350.00
175879	09/22/2023	GAS COMPANY	Accounts Payable Check	340.28

**City of Atascadero**  
Disbursement Listing

For the Month of September 2023

**ITEM NUMBER:** A-2  
**DATE:** 10/24/23  
**ATTACHMENT:** 1

<b>Check Number</b>	<b>Check Date</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
175880	09/22/2023	GHS PARTS, INC.	Accounts Payable Check	288.97
175881	09/22/2023	TRISTAN M. GUILLORY	Accounts Payable Check	112.00
175882	09/22/2023	HANSEN BRO'S CUSTOM FARMING	Accounts Payable Check	7,181.65
175883	09/22/2023	HARRIS STAGE LINES, LLC	Accounts Payable Check	900.00
175884	09/22/2023	BRETT HILDEBRAND	Accounts Payable Check	99.00
175886	09/22/2023	HOME DEPOT CREDIT SERVICES	Accounts Payable Check	2,251.48
175887	09/22/2023	IMAGE TREND, INC.	Accounts Payable Check	12,058.90
175888	09/22/2023	ZACHARIAH JACKSON	Accounts Payable Check	880.00
175889	09/22/2023	JEFF & TONY'S DSD, LLC	Accounts Payable Check	505.56
175890	09/22/2023	JK'S UNLIMITED, INC.	Accounts Payable Check	959.10
175891	09/22/2023	KEY TERMITE & PEST CONTROL, INC	Accounts Payable Check	305.00
175892	09/22/2023	KNECHT'S PLUMBING & HEATING	Accounts Payable Check	5,119.94
175893	09/22/2023	KPRL 1230 AM	Accounts Payable Check	920.00
175894	09/22/2023	LAYNE LABORATORIES, INC.	Accounts Payable Check	2,843.81
175895	09/22/2023	LEE WILSON ELECTRIC CO. INC	Accounts Payable Check	2,118.00
175896	09/22/2023	LIFE ASSIST, INC.	Accounts Payable Check	1,307.27
175897	09/22/2023	LINDE GAS & EQUIPMENT INC.	Accounts Payable Check	67.20
175898	09/22/2023	LUCAS LIND-WHITE	Accounts Payable Check	22.85
175899	09/22/2023	MARGARITA ADVENTURES, LLC	Accounts Payable Check	140.00
175900	09/22/2023	MEDINA LIGHT SHOW DESIGNS	Accounts Payable Check	520.00
175901	09/22/2023	MICHAEL K. NUNLEY & ASSC, INC.	Accounts Payable Check	7,639.27
175902	09/22/2023	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	644.32
175903	09/22/2023	MIG	Accounts Payable Check	84,394.20
175904	09/22/2023	MILLER EVENT MANAGEMENT, INC.	Accounts Payable Check	1,740.00
175905	09/22/2023	MINER'S ACE HARDWARE	Accounts Payable Check	278.12
175906	09/22/2023	MATTHEW J. MIRANDA	Accounts Payable Check	135.00
175907	09/22/2023	MISSION UNIFORM SERVICE	Accounts Payable Check	144.46
175908	09/22/2023	MOBILE SMALL ENGINE REPAIR	Accounts Payable Check	400.00
175909	09/22/2023	KATIE MULDER	Accounts Payable Check	162.24
175910	09/22/2023	PAUL NETZ	Accounts Payable Check	96.00
175911	09/22/2023	NEW TIMES	Accounts Payable Check	2,074.00
175912	09/22/2023	NEXUS ENERGY SYSTEMS	Accounts Payable Check	163.69
175913	09/22/2023	NORTH CO SEPTIC SERVICE, INC.	Accounts Payable Check	2,380.00
175914	09/22/2023	NORTH COAST ENGINEERING INC.	Accounts Payable Check	1,567.50
175915	09/22/2023	PASO ROBLES SAFE & LOCK, INC.	Accounts Payable Check	1,208.63
175916	09/22/2023	PEAKWIFI, LLC	Accounts Payable Check	650.00
175917	09/22/2023	PENGUIN RANDOM HOUSE, LLC	Accounts Payable Check	299.41
175918	09/22/2023	PERRY'S PARCEL & GIFT	Accounts Payable Check	50.00
175919	09/22/2023	PLANETERIA MEDIA, LLC	Accounts Payable Check	5,850.00
175920	09/22/2023	PORTER CONSTRUCTION, INC.	Accounts Payable Check	32,120.00
175921	09/22/2023	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	955.99
175922	09/22/2023	PRP COMPANIES	Accounts Payable Check	766.85
175923	09/22/2023	BRIAN S. RICKS	Accounts Payable Check	84.00

**City of Atascadero**  
Disbursement Listing

For the Month of September 2023

**ITEM NUMBER:** A-2  
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<b>Check Number</b>	<b>Check Date</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
175924	09/22/2023	ROLSON MUSIC & SOUND	Accounts Payable Check	600.00
175925	09/22/2023	CORBIN J. ROSSI	Accounts Payable Check	308.00
175926	09/22/2023	SAFARI LTD.	Accounts Payable Check	369.18
175927	09/22/2023	SCOTT O'BRIEN FIRE & SAFETY CO	Accounts Payable Check	359.86
175928	09/22/2023	SECURITAS TECHNOLOGY CORPORATN	Accounts Payable Check	396.38
175929	09/22/2023	THE SHERWIN-WILLIAMS COMPANY	Accounts Payable Check	28.00
175930	09/22/2023	SHI INTERNATIONAL CORP.	Accounts Payable Check	3,069.87
175931	09/22/2023	SOPHIE SIMMONS	Accounts Payable Check	43.07
175932	09/22/2023	SLO COUNTY HEALTH AGENCY	Accounts Payable Check	93,685.00
175933	09/22/2023	SOUTH COAST EMERGENCY VEH SVC	Accounts Payable Check	2,184.54
175934	09/22/2023	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	374,120.80
175935	09/22/2023	SPEAKWRITE, LLC.	Accounts Payable Check	389.57
175936	09/22/2023	JEREMY A. SPEARS	Accounts Payable Check	3,466.60
175937	09/22/2023	SPECIALIZED EQUIPMENT REPAIR	Accounts Payable Check	2,832.80
175938	09/22/2023	SUNBELT RENTALS, INC.	Accounts Payable Check	1,404.93
175939	09/22/2023	TARANTULA HILL BREWING CO. LLC	Accounts Payable Check	402.00
175940	09/22/2023	CHRISTOPHER DANIEL THOMAS	Accounts Payable Check	112.00
175941	09/22/2023	THOMSON REUTERS - WEST	Accounts Payable Check	201.99
175942	09/22/2023	TIN CITY CIDER, LLC	Accounts Payable Check	90.00
175948	09/22/2023	U.S. BANK	Accounts Payable Check	40,997.21
175949	09/22/2023	ULTREX BUSINESS PRODUCTS	Accounts Payable Check	58.03
175950	09/22/2023	UNDERGROUND SERVICE ALERT OF	Accounts Payable Check	4,079.00
175951	09/22/2023	UNITED RENTALS (NORTH AM), INC	Accounts Payable Check	863.48
175952	09/22/2023	VERDIN	Accounts Payable Check	9,484.11
175953	09/22/2023	VERITONE, INC.	Accounts Payable Check	3,400.00
175954	09/22/2023	VINO VICE, INC.	Accounts Payable Check	430.00
175955	09/22/2023	WILD FIELDS BREWHOUSE, LLC	Accounts Payable Check	284.00
175956	09/22/2023	WORKBENCH	Accounts Payable Check	4,375.00
175957	09/22/2023	YEH AND ASSOCIATES, INC.	Accounts Payable Check	6,537.50
175958	09/22/2023	ZOLL MEDICAL CORPORATION	Accounts Payable Check	69,113.24
175959	09/22/2023	ZOOM IMAGING SOLUTIONS, INC.	Accounts Payable Check	986.91
4906	09/28/2023	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	283.84
4907	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	23,155.21
4908	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	37,853.52
4909	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,951.98
4910	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	2,726.10
4911	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	5,866.70
4912	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	12,305.96
4913	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	16,772.96
4914	09/28/2023	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	23,114.81
175960	09/28/2023	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	40.00
175961	09/28/2023	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	2,249.75
175962	09/28/2023	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,151.80

City of Atascadero  
Disbursement Listing

For the Month of September 2023

ITEM NUMBER:  
DATE:  
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A-2  
10/24/23  
1

<u>Check Number</u>	<u>Check Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
175963	09/28/2023	EMPOWER ANNUITY INS CO	Payroll Vendor Payment	44,749.59
175964	09/28/2023	IAFF MERP	Payroll Vendor Payment	1,900.00
175965	09/28/2023	MISSIONSQUARE	Payroll Vendor Payment	40,467.66
175966	09/28/2023	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	1,280.24
175967	09/28/2023	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,338.86
				<u>\$ 3,496,715.57</u>



# ***Atascadero City Council***

## ***Staff Report – Public Works Department***

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### **2023 & 2024 Measure F-14 Pavement Rehabilitation Projects**

#### **RECOMMENDATIONS:**

Council:

1. Award a professional services agreement with Rick Engineering Company for \$385,780 to provide design engineering and prepare bidding documents for the 2024 Measure F-14 Pavement Rehabilitation Project (Project. No. C2023R01).
2. Adopt Draft Resolution approving a Change Order to the 2023 Measure F-14 Pavement Rehabilitation Project with Souza Construction to include pavement rehabilitation construction for Via Avenue (from Traffic Way to Ensenada Avenue/Via Avenue Bridge) and Ensenada Avenue (from Via Avenue Bridge to Capistrano Avenue).
3. Authorize the Administrative Services Director to reallocate \$150,000 in fiscal year 2023-2024 Sales Tax Measure F-14 Funds from the 2024 Measure F-14 Pavement Rehabilitation Project to the 2023 Measure F-14 Pavement Rehabilitation Project for road work on Via Avenue and Ensenada Avenue.
4. Take such additional, related, action that may be desirable. [Public Works]

#### **DISCUSSION:**

##### Background:

Sales Tax Measure F-14 was approved by voters in November 2014 to fund the repair, maintenance, and rehabilitation of City-maintained local roadways with a one-half cent sales tax over twelve years. A list of projects to be funded with Measure F-14 revenue is developed for the Five-Year Capital Improvement Plan (CIP) with each two-year budget cycle by employing the Critical Point Management technique with the City's Pavement Management Program. The below list of roadway segments was selected by this process and included with the 2024 Measure F-14 Pavement Rehabilitation Project (2024 F-14 Project). A project map is also attached for reference.

The list includes both urban and rural roadways in two general locations. The first set is more urban (curb and gutter, sidewalk, higher density, etc.) and located off El Camino Real between San Diego Way and Santa Rosa Road. Most of these roads are relatively short in length and any adjacent pedestrian curb ramps will most likely need to be brought into compliance with current Americans with Disabilities Act (ADA) requirements if substantial pavement repairs are completed. The second set of roads in the list is more rural and located on the central west side. There will also be challenges

with these roads, especially with Bella Vista Road, which is a narrow, hilly, and a longer dead-end street.

**Road Segments in 2024 Measure F-14 Pavement Rehabilitation Project**

Road Segment	From	To	Length (ft)	Area (sf)	2019 PCI
Ash St	Catalpa St	El Camino Real	447	13,410	22
Bella Vista Rd	San Marcos Rd	End	3,080	61,600	16
Birch St	Catalpa St	End	266	7,980	28
Carmelita Ave	San Andres Ave	Curbaril Ave	2,550	53,550	38
Catalpa St	North End	San Rafael Ct	1,225	36,750	27
Cuesta Ct	San Rafael Rd	End	720	23,760	31
<i>Ensenada Ave*</i>	<i>Via Ave</i>	<i>Capistrano Ave</i>	<i>540</i>	<i>11,340</i>	<i>33</i>
Flores Rd	Santa Lucia Rd	Los Gatos Rd	1,102	20,040	20
Hermosa Ave	Navarette Ave	San Clemente Ave	1,010	19,190	29
La Lomas Ave	Principal Ave	El Bordo Ave	1,480	32,560	30
Maple St	Catalpa St	El Camino Real	447	13,410	26
Monita Rd	San Gabriel Rd	Sierra Vista Rd	1,019	29,551	42
Montecito Ave	East Front St	El Camino Real	510	13,260	41
Montecito Ave	El Camino Real	Las Lomas Ave	355	9,230	38
Pinewood Ct	Catalpa St	End	244	7,320	22
San Diego Way	El Camino Real	Us 101 NB Ramp	1,268	35,504	42
San Gabriel Rd	East Front St	El Camino Real	615	15,375	31
San Rafael Ct	West End	El Camino Real	650	21,450	49
Sierra Vista Rd	San Marcos Rd	Monita Rd	1,510	49,830	45
Willow Ct	West End	El Camino Real	150	4,950	20
<i>Via Ave*</i>	<i>Traffic Way</i>	<i>Ensenada Ave</i>	<i>590</i>	<i>24,190</i>	<i>45</i>

Total 19,780 504,250  
 3.75 miles

*\*Ensenada Avenue and Via Avenue were originally part of the 2023 F-14 Project but were postponed due to Via Avenue Bridge Construction and reprogrammed with the 2024 F-14 Project.*

Earth Systems Pacific (ESP) was hired by the City to perform pavement deflection testing, coring, rehabilitation recommendations, and prepare a summary report for the 2024 F-14 Project. Various options for roadway rehabilitation were included in the ESP report based upon an assessment of the existing roadway condition and structural sufficiency. Several roadway segments have failed conditions and are structurally insufficient and require full reconstruction. For roadways determined to be structurally sufficient, selection of treatment type is based upon existing pavement conditions, subgrade soils, and traffic loading. This information was compiled in a final report by ESP and will be used during the design phase to determine final pavement treatments.

Via Avenue (Traffic Way to Ensenada Ave.) and Ensenada Avenue (Via Ave. to Capistrano Ave.) were originally included with the 2023 Measure F-14 Pavement Rehabilitation Project (2023 F-14 Project) and bookmark both sides of the Via Avenue Bridge. These two roadway segments were officially moved to the 2024 F-14 Project list as part of the fiscal year 2023-2025 budget process to avoid conflict with the construction of the Via Avenue Bridge Replacement Project, which includes significant approach work and realignment.

Analysis:

A Request for Proposals (RFP) was issued for the design phase of the 2024 F-14 Project in September 2023 with a work scope that includes topographic surveying, survey monument research, pavement engineering analysis, preparation of construction plans, specifications, cost estimates (PS&E), and providing engineering assistance during the bid process. Two proposals were received from Rick Engineering Company (Rick) and Diversified Project Services International (DPSI), both with local offices in San Luis Obispo. Rick and DPSI are both qualified consultants with experience on similar projects.

A technical selection committee independently reviewed and scored each proposal, considering experience with similar projects, responsiveness to City needs, experience of key personnel, and other factors. Both proposals demonstrated the ability to complete the work, but Rick Engineering provided the best overall proposal for this project. Rick has a successful track record with the City, including completing design work for roughly half of the previous F-14 projects. A detailed fee estimate worksheet was submitted with Rick's proposal, and staff believes Rick's fee is reasonable considering the extensive topographic surveying and intersection design that is needed. If awarded, Rick's compensation will be based upon actual labor hours worked plus reimbursable expenses and subconsultant fees.

Design work is anticipated to take approximately six months to complete. Staff anticipates a public bid around May 2024 with construction occurring in the June through November 2024 timeframe.

Consideration to Move Via Ave. and Ensenada Ave. from 2024 to 2023 F-14 Project:

Staff is asking Council to consider moving the Via Avenue and Ensenada Avenue road segments listed with the 2024 F-14 Project back to the 2023 F-14 Project. As previously mentioned, these road segments flank both sides of the Via Avenue Bridge and were placed on the 2024 F-14 Project in an effort to have this road work occur after bridge construction to avoid heavy construction traffic loading on planned road improvements and staging conflicts with bridge construction. However, the 2023 F-14 Project is just now getting started and the Via Avenue bridge construction is nearing completion, and work for both projects is being performed by Souza Construction. This provides an opportunity to have the Via Avenue and Ensenada Avenue road improvements done concurrently with the Via Avenue bridge approach work, which results in a seamless new road surface and reduced costs due to increased efficiency.

Geotechnical evaluations were performed on Via Avenue and Ensenada Avenue as part of the 2023 F-14 Project, which included localized full depth pavement repairs (dugouts and pavebacks) where pavement has failed, followed by a mill and overlay on the entire road surface (not bridge approaches). At the time of this report, staff is negotiating with Souza on final unit pricing and estimated quantities, but work is estimated to cost between \$110,000 to \$150,000.

**CEQA DETERMINATION:**

The recommended action would not result in a potential direct or reasonably indirect physical change in the environment and, accordingly, does not qualify as a "project"

under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) or CEQA Guidelines (14 Cal. Code Regs. §§ 15000, et seq.; see 14 Cal. Code Regs. §§ 15061(b)(3) and 15378). Even if the award of contract were to qualify as a project, it would be categorically exempt as a Class 1 or Class 5 project since, at best, it would constitute a minor alteration of existing public structures involving no expansion of use; or a minor alteration in land use limitations (see CEQA Guidelines §§ 15301, 15305).

**FISCAL IMPACT:**

Approving staff’s recommendations in this report will result in estimated expenditures of \$385,780 from Sales Tax Measure F-14 Funds for the design phase of the 2024 F-14 Project, and \$150,000 in Sales Tax Measure F-14 Funds to the 2023 F-14 Project for Via Avenue and Ensenada Avenue road work. The adopted Budget includes \$1,200,000 in fiscal year 2023-2024 for the 2024 F-14 Project, with a total project budget of \$4,050,000. Staff is requesting that a total of \$150,000 be reallocated from the 2024 F-14 Project to the 2023 F-14 Project for work on Via Avenue and Ensenada Avenue.

<b>ESTIMATED EXPENDITURES</b>	
Preliminary Design Work (Geotechnical, costing, staff time, etc.)	\$ 50,000
Final Design Work (Rick Engineering)	385,780
Construction Contract	2,700,000
Coordination, Inspection and Support @ 8%	224,220
Construction Contingency @ 20%	540,000
<b>Total:</b>	<b>\$ 3,900,000</b>

<b>PROPOSED FUNDING</b>	
Sales Tax Measure F-14 Fund: 2024 Pavement Rehab. Project	\$ 4,050,000
Sales Tax Measure F-14 Fund: Reallocation to 2023 Pavement Rehab. Project for Via Ave. and Ensenada Ave. Road Work	\$ (150,000)
<b>Total:</b>	<b>\$ 3,900,000</b>

<b>Projected Net Surplus / (Shortfall)</b>	<b>\$ -</b>
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**ALTERNATIVES:**

1. Council could choose not to approve recommendations above related to moving Via Avenue and Ensenada Avenue road work from the 2024 F-14 Project to the 2023 F-14 Project; or
2. Council can direct staff to resolicit for design engineering services for the project, but staff does not recommend this alternative since the top proposals received were highly qualified and were very competitive.

**ATTACHMENT:**

1. Draft Resolution
2. 2024 Measure F-14 Project Street Locations

**DRAFT RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING A  
CHANGE ORDER TO THE 2023 MEASURE F-14 PAVEMENT  
REHABILITATION PROJECT WITH SOUZA CONSTRUCTION TO  
INCLUDE PAVEMENT IMPROVEMENTS TO  
VIA AVENUE AND ENSENADA AVENUE**

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

**SECTION 1. Findings:** The City Council finds and declares as follows:

- A. A replacement bridge on Via Avenue over Atascadero Creek is under construction by Souza Construction and bridge work is scheduled to be completed by the end of December 2023.
- B. Pavement improvements to Via Avenue from Traffic Way to Ensenada Avenue (Via Avenue Bridge), and to Ensenada Avenue from Via Avenue Bridge to Capistrano Avenue, were planned to be completed as part of the 2023 Measure F-14 Pavement Rehabilitation Project (2023 F-14 Project) but removed and added to the 2024 Measure F-14 Pavement Rehabilitation Project (2024 F-14 Project) as to not interfere with construction of the Via Avenue Bridge.
- C. Souza Construction was awarded a construction contract for \$2,851,397 by the City Council on July 11, 2023, for the 2023 F-14 Project and a Notice to Proceed was issued on August 11, 2023, with an estimated completion date of January 2, 2024.
- D. Significant bridge approach work on Via Avenue and Ensenada Avenue is included with the Via Avenue Bridge Replacement Project due to roadway/bridge realignment, which leaves a portion of the planned pavement improvements to Via Avenue and Ensenada Avenue remaining to be completed.
- E. The City Engineer recommends that adding pavement improvements for the remaining portions of Via Avenue and Ensenada Avenue to the 2023 F-14 Project will result in cost savings, less disruption to the public, and better pavement continuity.
- F. The estimated costs to add Via Avenue and Ensenada Avenue to the 2023 F-14 Project is \$110,000 to \$150,000 and would, ordinarily, require the City to publicly bid this work separately to comply with the competitive bidding requirements set forth in the California Public Contracts Code for this work.
- G. The facts and circumstances of the City's current projects, however, demonstrate that separate competitive bids would be unavailing or would not produce an advantage, and the advertisement for competitive bid would thus be undesirable and impractical for the following reasons:

1. The 2023 F-14 Project was competitively bid in accordance with California Public Contract Code and included pavement improvements that are similar or in-kind to those planned improvements for Via Avenue and Ensenada Avenue.
2. Souza Construction is registered with the Department of Industrial Relations (“DIR”); has the required insurance and bonding; is properly licensed; and is under separate contracts with the City for the 2023 F-14 Project and Via Avenue Bridge Replacement Project.
3. A change order to add the Via Avenue and Ensenada Avenue pavement improvements to the 2023 F-14 Project is less than the 25% threshold of the contract amount and complies with contract document requirements.
4. In waiving the competitive bid requirements otherwise required by the Public Contract Code, the City Council takes note of the analysis and decisions set forth in *Graydon v. Pasadena Redevelopment Agency* (1980) Cal.App.3d 631; *Hodgeman v. City of San Diego* (1942) 53 Cal. App.2nd 610; *Orange County Water Dist. v. Bennett* (1958) 156 Cal. App.2nd 745; and *Los Angeles G&E Corp. v. City of Los Angeles* (1922) 188 Cal. 307.

**SECTION 2. Environmental Assessment:** This work is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The Project results in minor alterations to existing public facilities involving no significant expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

**SECTION 3. Actions, Authorizations:** The City Council takes the following actions:

- A. Pavement improvements to Via Avenue (from Traffic Way to the Via Bridge) and Ensenada Avenue (from Via Bridge to Capistrano Avenue) shall be constructed as part of the 2023 Measure F-14 Pavement Rehabilitation Project (Project No. C2022R01); and
- B. The City Manager, or designee, is authorized to execute a change order to the 2023 Measure F-14 Pavement Rehabilitation Project with Souza Construction, Inc. for Via Avenue and Ensenada Avenue pavement improvements in accordance with the terms of the construction contract documents approved by the City Council on July 11, 2023, as necessary to complete the Project.

**SECTION 4. Severability:** If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

**SECTION 5. Effective Date:** This Resolution will become effective immediately upon adoption.

ITEM NUMBER: A-3  
DATE: 10/24/23  
ATTACHMENT: 1

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, Deputy City Manager / City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Karl H. Berger, City Attorney

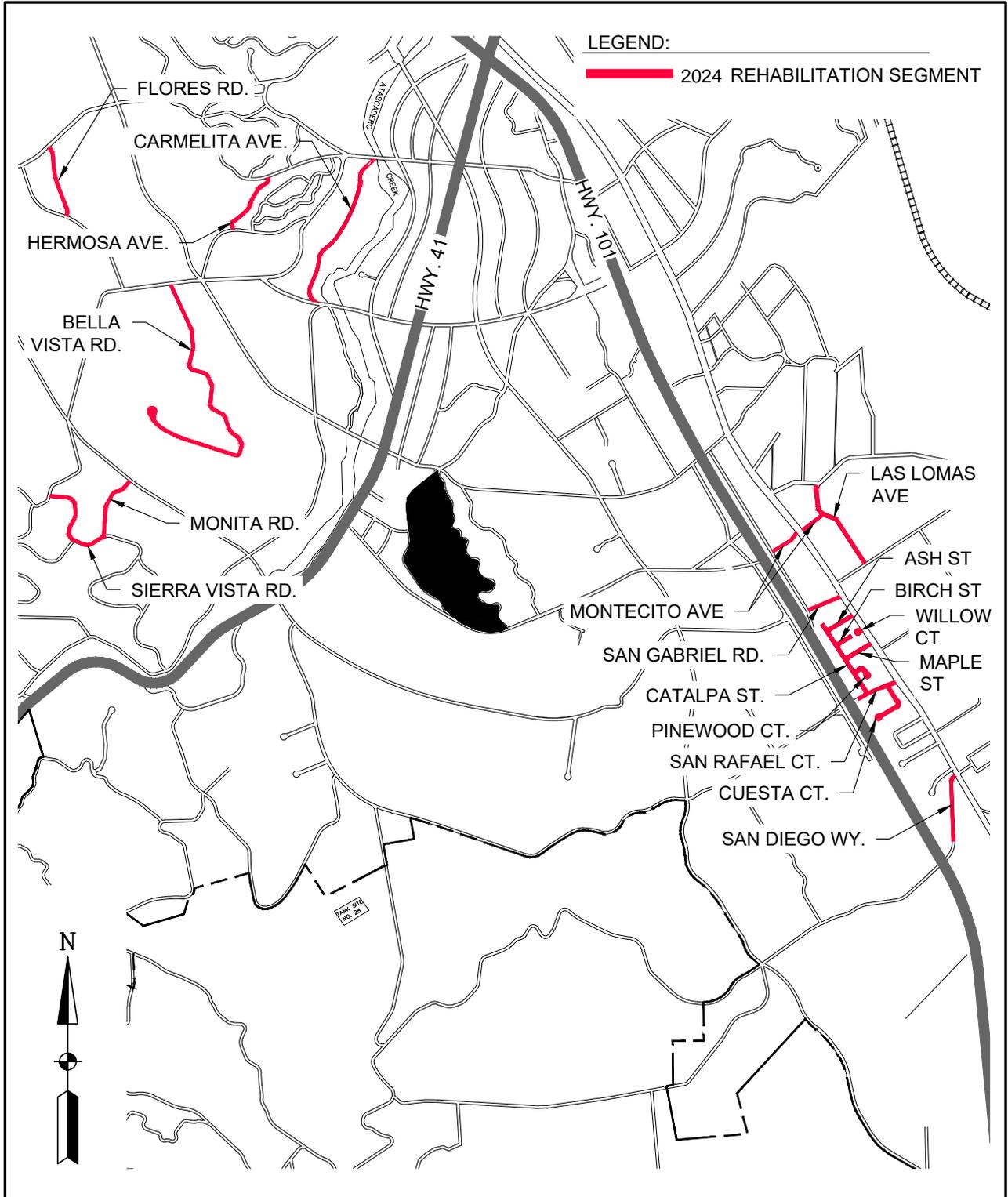


EXHIBIT  
 2024 F-14 PMP PROJECT  
 STREET LOCATIONS

DRAWN BY:	R. HAYES
DATE:	5/5/2023
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PAGE NO:	1 OF 1



# ***Atascadero City Council***

## ***Staff Report – Police Department***

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### **Annual Military Equipment Report Pursuant to Assembly Bill 481**

#### **RECOMMENDATION:**

Council receive and file the annual Military Equipment Report pursuant to the requirements of Assembly Bill 481; and take such additional, related, action that may be desirable.

#### **DISCUSSION:**

On September 30, 2021, California Assembly Bill 481 (AB 481) was signed into law, which codified California Government Code Sections 7070 to 7075. AB 481 requires law enforcement agencies to obtain approval of, by ordinance at a regular meeting, a military equipment policy related to any funding, acquisition, or use of military equipment. The items considered to be “military equipment” are defined under Government Code Section 7070(c), and include such things as weapons using .50 caliber rounds or greater and flashbang grenades. AB 481 also requires the City Council to annually review and approve any military equipment policy adopted by ordinance. Any proposed policy must be posted on the City’s website at least 30 days before that annual review and approval.

On June 14, 2022, the City Council adopted Ordinance No. 656 adopting a Military Equipment Policy in accordance with AB 481. Pursuant to Ordinance No. 656, staff must return to Council annually to provide a report on the City’s Military Equipment Policy, including quantity of items possessed, costs, results on any internal audits, and report on any complaints or concerns regarding the use of the equipment.

There are no complaints or concerns received regarding the use of the equipment and it has been determined that there are no violations of the policy. The updated attachment to the Military Equipment Policy details the type of equipment, quantity possessed, and related costs.

#### **FISCAL IMPACT:**

None.

#### **ATTACHMENTS:**

1. Updated attachment to the Military Equipment Policy
2. Atascadero Police Department’s Lexipol Policy 708

**ATASCADERO POLICE DEPARTMENT POLICY MANUAL  
 ATTACHMENT TO POLICY MANUAL SECTION 708  
 INVENTORY LIST OF AB 481 DEFINED MILITARY EQUIPMENT**

<b>Equipment Name:</b> 5.56mm Semi-Automatic Rifles and Ammunition - CA Govt. Code §7070(c)(10)	
<b>Quantity Owned/Sought:</b> 7 owned	<b>Lifespan:</b> Approximately 15 years
<b>Equipment Capabilities:</b> Semi-automatic rifles that fire a 5.56mm projectile.	
<b>Manufacturer Product Description:</b>	
<p><b>Purpose/Authorized Uses:</b> Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to:</p> <ul style="list-style-type: none"> <li>● Situations where the officer reasonably anticipates an armed encounter.</li> <li>● When an officer is faced with a situation that may require accurate and effective fire at long range.</li> <li>● Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.</li> <li>● When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.</li> <li>● When an officer reasonably believes that a suspect may be wearing body armor.</li> <li>● When authorized or requested by a supervisor.</li> </ul>	
<b>Fiscal Impacts:</b> The initial cost of equipment is approximately \$1,100 per rifle. The ongoing costs for ammunition vary, and maintenance is performed by Department staff.	
<b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force and Firearms including Atascadero Police Department Policy Manual sections: 300, 305, 310, 312, 314.7.3, 433.	
<b>Training Required:</b> Officers must successfully complete a CA POST certified 24-hour patrol rifle course as well as regular department firearms training and qualifications as required by law and policy.	

<b>Equipment Name:</b> 5.56mm Semi-automatic Rifles and Ammunition - CA Govt. Code §7070(c)(10)	
<b>Quantity Owned/Sought:</b> 17 owned	<b>Lifespan:</b> Approximately 15 years
<b>Equipment Capabilities:</b> Semi-automatic rifle capable of firing a 5.56mm projectile.	
<b>Manufacturer Product Description:</b> Bushmaster XM15-E2S Patrolman Rifle. Short barreled carbine for patrol operations	
<p><b>Purpose/Authorized Uses:</b> Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to:</p> <ul style="list-style-type: none"> <li>● Situations where the officer reasonably anticipates an armed encounter.</li> <li>● When an officer is faced with a situation that may require accurate and effective fire at long range.</li> <li>● Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.</li> </ul>	

**ATASCADERO POLICE DEPARTMENT POLICY MANUAL  
 ATTACHMENT TO POLICY MANUAL SECTION 708  
 INVENTORY LIST OF AB 481 DEFINED MILITARY EQUIPMENT**

<ul style="list-style-type: none"> <li>• When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.</li> <li>• When an officer reasonably believes that a suspect may be wearing body armor.</li> <li>• When authorized or requested by a supervisor.</li> </ul>
<p><b>Fiscal Impacts:</b> The initial cost of equipment is approximately \$1,100 per rifle. The ongoing costs for ammunition vary, and maintenance is performed by Department staff.</p>
<p><b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force and Firearms including Atascadero Police Department Policy Manual sections: 300, 305, 310, 312, 314.7.3, 433.</p>
<p><b>Training Required:</b> Officers must successfully complete a CA POST certified 24-hour patrol rifle course as well as regular department firearms training and qualifications as required by law and policy.</p>

<p><b>Equipment Name:</b> 5.56mm Semi-Automatic Rifles and Ammunition - CA Govt. Code §7070(c)(10)</p>		
<p><b>Quantity Owned/Sought:</b> 3 owned</p>		<p><b>Lifespan:</b> Approximately 15 years</p>
<p><b>Equipment Capabilities:</b> Semi-automatic rifles that fire a 5.56mm projectile.</p>		
<p><b>Manufacturer Product Description:</b> Heckler and Koch G36C is a compact deployable patrol rifle ideal for compact carry locations such as motor vehicles and motorcycles.</p>		
<p><b>Purpose/Authorized Uses:</b> Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Situations where the officer reasonably anticipates an armed encounter.</li> <li>• When an officer is faced with a situation that may require accurate and effective fire at long range.</li> <li>• Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.</li> <li>• When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.</li> <li>• When an officer reasonably believes that a suspect may be wearing body armor.</li> <li>• When authorized or requested by a supervisor.</li> </ul>		
<p><b>Fiscal Impacts:</b> The initial cost of equipment is approximately \$1,100 per rifle. The ongoing costs for ammunition vary, and maintenance is performed by Department staff.</p>		
<p><b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force and Firearms including Atascadero Police Department Policy Manual sections: 300, 305, 310, 312, 314.7.3, 433.</p>		
<p><b>Training Required:</b> Officers must successfully complete a CA POST certified 24-hour patrol rifle course as well as regular department firearms training and qualifications as required by law and policy.</p>		

<p><b>Equipment Name:</b> 40 caliber and 9mm Semi-Automatic Rifles and Ammunition - CA Govt. Code §7070(c)(10)</p>
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**ATASCADERO POLICE DEPARTMENT POLICY MANUAL  
 ATTACHMENT TO POLICY MANUAL SECTION 708  
 INVENTORY LIST OF AB 481 DEFINED MILITARY EQUIPMENT**

<b>Quantity Owned/Sought:</b> 2 owned	<b>Lifespan:</b> Approximately 15 years
<b>Equipment Capabilities:</b> Semi-automatic rifles that fire a 40 caliber and 9mm projectile.	
<b>Manufacturer Product Description:</b> Heckler and Koch MP5 sub machine gun made to cover a wide variety of different tactical requirements for specialized teams.	
<b>Purpose/Authorized Uses:</b> Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to: <ul style="list-style-type: none"> <li>● Situations where the officer reasonably anticipates an armed encounter.</li> <li>● When an officer is faced with a situation that may require accurate and effective fire at long range.</li> <li>● Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.</li> <li>● When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.</li> <li>● When an officer reasonably believes that a suspect may be wearing body armor.</li> <li>● When authorized or requested by a supervisor.</li> </ul>	
<b>Fiscal Impacts:</b> The initial cost of equipment is approximately \$1,100 per rifle. The ongoing costs for ammunition vary, and maintenance is performed by Department staff.	
<b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force and Firearms including Atascadero Police Department Policy Manual sections: 300, 305, 310, 312, 314.7.3, 433.	
<b>Training Required:</b> Officers must successfully complete a CA POST certified 24-hour patrol rifle course as well as regular department firearms training and qualifications as required by law and policy.	

<b>Equipment Name:</b> .308 caliber bolt-action Rifle and Ammunition - CA Govt. Code §7070(c)(10)	
<b>Quantity Owned/Sought:</b> 1 owned	<b>Lifespan:</b> Approximately 15 years
<b>Equipment Capabilities:</b> The Remington 700 Sniper Rifle fires a .308 caliber projectile at extended distances.	
<b>Manufacturer Product Description:</b> The Remington 700 is the number one bolt-action of all time, proudly made in the U.S.A. For over 50 years, more Model 700s have been sold than any other bolt-action rifle before or since. The legendary strength of its 3-rings-of-steel receiver paired with a hammer-forged barrel, combine to yield the most popular bolt-action rifle in history.	
<b>Purpose/Authorized Uses:</b> This rifle is exclusively authorized for use by a sniper-trained SWAT officer, and may be deployed in circumstances where the officer can articulate a reasonable expectation that the rifle may be necessary. Examples of some general guidelines for deploying the rifle may include but are not limited to: <ul style="list-style-type: none"> <li>● Situations where the officer reasonably anticipates an armed encounter.</li> </ul>	

**ATASCADERO POLICE DEPARTMENT POLICY MANUAL  
 ATTACHMENT TO POLICY MANUAL SECTION 708  
 INVENTORY LIST OF AB 481 DEFINED MILITARY EQUIPMENT**

<ul style="list-style-type: none"> <li>• When the officer is faced with a situation that may require accurate and effective fire at long range.</li> <li>• Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.</li> <li>• When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.</li> <li>• When an officer reasonably believes that a suspect may be wearing body armor.</li> <li>• When authorized or requested by a supervisor.</li> </ul>
<p><b>Fiscal Impacts:</b> \$1,604.12 per rifle. The ongoing costs for ammunition vary, and maintenance is performed by Department staff.</p>
<p><b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force including Atascadero Police Department Policy Manual sections 300, 305, 310, 312, 314.7.3.</p>
<p><b>Training Required:</b> In addition to patrol rifle and standard SWAT Operator training, SWAT Snipers must successfully complete a CA POST certified sniper course as well as regular SWAT Sniper training and qualifications as required by law and policy.</p>

<p><b>Equipment Name:</b> 40mm Less Lethal Launchers and Kinetic Energy Munitions - CA Govt. Code §7070(c)(14)</p>	
<p><b>Quantity Owned/Sought:</b> 9 owned</p>	<p><b>Lifespan:</b> Approximately 15 years</p>
<p><b>Equipment Capabilities:</b> The 40mm Less Lethal Launcher is capable of firing 40mm Kinetic Energy Munitions.</p>	
<p><b>Manufacturer Product Description:</b></p>	
<p><b>Purpose/Authorized Uses:</b> To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application. The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a "less lethal" use of force option, which serves as an additional option to mitigate the possibility of using lethal force.</p>	
<p><b>Fiscal Impacts:</b> \$3,400 initial purchase per launcher, \$2,500 initial purchase of 40mm projectiles. The ongoing cost for munitions will vary.</p>	
<p><b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force, primarily Atascadero Police Department Policy Manual sections 300 and 308.</p>	
<p><b>Training Required:</b> Initial orientation course including qualifications are provided by Department members who have attended a POST-certified instructor's course; annual recertification, including qualifications by demonstrated use in a training environment are required of all operators.</p>	

**ATASCADERO POLICE DEPARTMENT POLICY MANUAL  
 ATTACHMENT TO POLICY MANUAL SECTION 708  
 INVENTORY LIST OF AB 481 DEFINED MILITARY EQUIPMENT**

<b>Equipment Name:</b> - .556 AR-15 Patrol Rifles, CA Govt. Code §7070(c)(10)	
<b>Quantity Owned/Sought:</b> 16	<b>Lifespan:</b> 15 years
<b>Equipment Capabilities:</b> Semi-automatic rifle capable of firing a 5.56mm projectile.	
<b>Manufacturer Product Description:</b> .556 Sionic AR-15 Patrol Rifles for patrol operations and SWAT Team deployment.	
<p><b>Purpose/Authorized Uses:</b> Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to:</p> <ul style="list-style-type: none"> <li>● These Patrol Rifles are replacing the aging Patrol Rifle inventory.</li> <li>● Situations where the officer reasonably anticipates an armed encounter.</li> <li>● When an officer is faced with a situation that may require accurate and effective fire at long range.</li> <li>● Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.</li> <li>● When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.</li> <li>● When an officer reasonably believes that a suspect may be wearing body armor and when authorized or requested by a supervisor.</li> </ul> <p>These Patrol Rifles are replacing the aging Patrol Rifle inventory.</p>	
<b>Fiscal Impacts:</b> The initial cost of equipment is approximately \$2,350 per rifle. The ongoing costs for ammunition vary, and maintenance is performed by Department staff.	
<b>Legal/Procedural Rules Governing Use:</b> All applicable State, Federal and Local laws governing police use of force. Various Atascadero Police Department Policies on Use of Force, primarily Atascadero Police Department Policy Manual sections 300 and 308.	
<b>Training Required:</b> Officers must successfully complete a CA POST certified 24-hour patrol rifle course as well as regular department firearms training and qualifications as required by law and policy.	

## Military Equipment

### 708.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

#### 708.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing body** – The elected or appointed body that oversees the Department.

**Military equipment** – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

## Atascadero Police Department

Atascadero PD Policy Manual

Atascadero PD Policy Manual

### *Military Equipment*

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#### **708.2 POLICY**

It is the policy of the Atascadero Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

#### **708.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Atascadero Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  1. Publicizing the details of the meeting.
  2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

#### **708.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department:

[See attachment: AB 481 Military Equipment List Attachment A Policy 708.pdf](#)

#### **708.5 APPROVAL**

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.

## Atascadero Police Department

Atascadero PD Policy Manual

Atascadero PD Policy Manual

### *Military Equipment*

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- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

#### **708.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

#### **708.7 ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

#### **708.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.



# ***Atascadero City Council***

## ***Staff Report – Public Works Department***

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### **Professional Services Agreement for Wastewater Collection System Master Plan Update**

#### **RECOMMENDATION:**

Council award a professional services agreement with Carollo Engineers, Inc. for \$185,400 to provide engineering services and prepare the 2024 Wastewater Collection System Master Plan Update (Project No. C2023W01); and take such additional, related, action that may be desirable. [Public Works]

#### **BACKGROUND:**

The City provides wastewater collection and treatment service for most non-residential properties and a portion of the City's residential population serving a combined area consisting of approximately 2,000 acres of the roughly 15,000 acres within the City boundary. Customers of the wastewater collection and treatment system are comprised of approximately 5,000 parcels that include residential, commercial, and light industrial customers.

The City assumed ownership and operation of the wastewater collection and treatment system from the Atascadero County Sanitation District in 1982 shortly after incorporation (1979). While there was a portion of the City core that had been sewered since the 1930's, the majority of the City's sewer collection system was constructed as part of the 1969 Assessment District #1 expansion, with three additional Assessment Districts further expanding the system between 1974 and 1986. In total, the City of Atascadero now owns and operates a sewer collection system consisting of more than 63 miles of gravity sewer main and trunk lines, and an additional 6.8 miles of force mains, which collectively convey an average daily flow of 1.3 million gallons per day (MGD). Additionally, the City owns and operates twelve lift stations.

The City prepares individual master plans for the wastewater collection system and wastewater treatment facility at ten-year intervals. Master plans for collection systems incorporate existing and planned land uses, measured flows and future flow projections to assess system capacity and identify deficiencies with recommend improvements. The focus of the effort is the development of a 20-year capital improvement program, split into 5-year increments, that will inform a new wastewater rate study scheduled to be completed in 2024.

Previously completed master plans provide guidance as a starting point for the master plan update, as well as an opportunity to look back and make adjustments as

necessary. The timing for this master plan update is excellent since it coincides with the General Plan Update and will incorporate any changes in land uses and zoning that is used to project future flows to the collection system and which components of the system that will require upsizing to accommodate these future flows, along with a proposed schedule and cost of those improvements.

## **DISCUSSION:**

Staff issued a Request for Proposals (RFP) for the wastewater collection system master plan update in September 2023. The work scope in the RFP included data collection and review, land use and population analysis, wastewater flow modeling and projections, infiltration and inflow (I/I) analysis, hydraulic model calibration, preparation of a rehabilitation and repair plan, development of the capital improvement plan, and an evaluation of needing existing and future staffing. In addition, the work scope includes preliminary layout and flow analysis of the five sewer extension (expansion) areas that were identified with the City's Local Area Management Plan (LAMP). Analysis of the sewer extension areas is required to determine impacts to downstream facilities. All findings will be combined into a final Master Plan Report.

Public Works staff is also working with a separate consultant to complete income surveys for two sewer extension areas for grant funding consideration, and it is anticipated that preliminary design and costs will be needed for those grant applications. A future feasibility study will be completed for one of more sewer extension areas that will incorporate the master plan work and provide further analysis including financing and funding options.

Two proposals were received from Carollo Engineers, Inc. (Carollo) and MKN & Associates, Inc. (MKN). Both consultants have extensive experience with similar projects and prior experience with the City of Atascadero's wastewater systems. The proposals were individually reviewed and scored by a technical selection committee according to experience with similar projects, responsiveness to City needs, experience of key personnel and other factors. The committee was particularly interested in the ability of the consultants to evaluate the impacts of the January 2023 storm events and provide recommendations for lowering the impacts to the collection system from flooding events. Both proposals demonstrated the ability to complete the work and the selection committee felt there were significant strengths for both consultants. In the end, the committee agreed that Carollo submitted the proposal that best met the intent of the RFP and provided the best value to the City.

A detailed fee estimate worksheet was included with Carollo's proposal that included labor hours/costs, reimbursable expenses, and subconsultant fees for the work scope identified in the RFP. Staff reviewed the fee estimate worksheet and find the fee estimate to be reasonable for the scope of work. If awarded, the basis of compensation will be actual labor hours worked plus reimbursable expenses and subconsultant fees.

This project is anticipated to take approximately five months to complete, which is a compressed timeline necessary to provide CIP cost estimates for the wastewater rate study.

**FISCAL IMPACT:**

Approving staff’s recommendation will result in estimated expenditures of \$215,000 from the Wastewater Fund; \$185,400 for professional services and \$29,600 in City staff time and support services. The adopted Budget for FY23/24 includes \$175,000 for Wastewater Master Plan Updates and \$190,000 for Collection System Expansion Feasibility Study. The Wastewater Master Plan Updates budget was intended to include master plans for the wastewater collection and treatment systems; however, the master plan for the WWTP will be completed in conjunction with the WWTP Retrofit and Secondary Treatment Improvements Project.

As mentioned above, a future feasibility study may be performed for one or more of the sewer extension areas that will incorporate master planning findings and provide analysis of funding and financing. It is anticipated that a future feasibility study will be less than budgeted due to savings from master planning efforts. The following is a summary of the estimated expenditures and proposed funding:

<b>ESTIMATED EXPENDITURES</b>	
Collection System Master Plan Update Agreement (Carollo)	\$ 185,400
City staff time/support for Collection System MP Update	\$ 29,600
Collection System Expansion Feasibility Study (Future)	150,000
<b>Total Estimated Expenditures:</b>	<b>\$ 365,000</b>

<b>PROPOSED FUNDING</b>	
Wastewater Funds - Wastewater Master Plan Updates	\$ 175,000
Wastewater Funds - Collection System Exp. Feasibility Study	\$ 190,000
<b>Total Estimated Funding Sources</b>	<b>\$ 365,000</b>

<b>Projected Net Surplus / (Shortfall)</b>	<b>\$ -</b>
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**ALTERNATIVES:**

Council may direct staff to resolicit for engineering services for the project, but staff does not recommend this alternative since the top proposals received were highly qualified and were very competitive.

**ATTACHMENT:**

None



# ***Atascadero City Council***

## ***Staff Report - Public Works Department***

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### **Authorization to Repair Various Roads Damaged in the 2023 Winter Storms**

#### **RECOMMENDATION:**

Council authorize the Administrative Services Director to allocate \$250,000 in Capital Project Funds to repair various roads that were damaged during the 2023 winter storms; and take such additional, related, action that may be desirable.

#### **DISCUSSION:**

##### Background:

Following the March 2023 storm events, multiple roadways in town began showing full pavement failures as a result of supersaturation of the pavement subgrade. Hot-mixed asphalt pavement is a flexible pavement and relies on the underlying soils to absorb loads that are transferred through the asphalt pavement surfacing. When underlying subgrade soils are fully saturated, the subgrade soils are unable to resist loading and deform, resulting in pavement failures (potholes, wheel rutting, etc.). These failures included roadway subsidence, pavement heaving, pavement undermining, and slope slide embankment failures. Staff identified the roadway segments and locations that were damaged the most from the storms and prepared bidding documents for a public bid solicitation with the intent of hiring one contractor to perform all road repairs. This project was publicly bid on July 20, 2023, for a minimum of 30 days in accordance with State Contracting Laws and City of Atascadero Purchasing Policies, culminating in a public bid opening on August 24, 2023. No bids were received for the project.

Receiving very few or no bids on projects has been a common problem for many local agencies in 2023, owing primarily to the extremely high volume of work and limited availability of contractor staff. The problem is particularly acute on the Central Coast, where there is already a limited number of contractors.

Following the failed bid, staff re-evaluated the project locations and identified those areas that are affecting roadway functionality or are likely to fail further or completely during the upcoming rainy season, if left unrepaired. These locations were then split back into individual locations and cost proposals were requested from contractors for locations grouped based on geographic location.

Analysis:

Several contractors declined to provide proposals for work due to current workload and small repair scope. However, two contractors already doing work in town (allowing for efficiency of work) did provide proposals. The table below lists contractors and not to exceed costs for each of the locations identified by staff as essential to be completed prior to the upcoming winter season.

*Porter Construction*

15505 Santa Ana Rd	Embankment reconstruction, 2,700 sf 6" deep lift paving	\$58,565
8270 Hermosa Ave	1000 sf 6" deep lift paving, 500 sf 3" mill and overlay	\$37,065

*Souza Construction*

9835 Laurel Rd	1000 sf 6" deep lift paving, 1,500 sf 3" mill and overlay	\$32,800
3380 Chico Rd	50 sf 6" digout and deep lift paving	\$5,000
3889 Orillas Way	300 sf 6" digout and deep lift paving	\$10,000

\$143,430

Costs for all locations have been reviewed and staff concluded that these prices are fair and reasonable for the work scope. Souza's proposed cost for Laurel Road is particularly cost effective, as they will be able to utilize equipment already in close proximity, completing paving work for the Santa Lucia Bridge replacement project. There are additional roadway repairs that City staff are actively working on addressing and requesting Council to approve funding, including the following:

*Del Rio Road Repairs at US 101* \$75,000

The 2023 winter storms also did significant damage to Del Rio Road pavement near the US 101 interchange, particularly at the intersection with the southbound ramps. The worst damage is within Caltrans right-of-way, however, the City is responsible to maintain Del Rio Road pavement up to the overpass bridge decking through a Caltrans maintenance agreement. These maintenance agreements are standard operating procedures for maintenance responsibilities where local roads intersect Caltrans facilities.

Quotes were also solicited from qualified contractors to perform limited repairs on Del Rio Road at US 101; but one contractor declined, one could not schedule prior to December 2023, and one provided a quote just under \$150,000 – which triggers a more formal public bidding procedure. To complicate matters, Caltrans will require an encroachment permit from any general contractor hired by the City and it is estimated to take two months to issue. Staff is re-evaluating the scope of these repairs and considering performing a portion of the work as the general contractor to capitalize on the blanket encroachment permit that the City has with Caltrans for work in their right-of-way. This approach will allow the repairs to occur much sooner due to the City's blanket encroachment permit and is estimated to cost \$75,000. It should be noted that these repairs will not address all the pavement deficiencies on Del Rio Road, just the worst areas; this work is anticipated to begin prior to the end of November 2023.

The City is in the design phase for the Del Rio Road/US 101 Interchange Improvements Project that includes realigning Ramona Road, adding a right-turn lane from westbound Del Rio Road to northbound US 101, and additional pavement repairs on both sides of the overpass bridge and extending to Monterey Road. Construction for this project is currently estimated to occur in 2025.

*9650 Santa Cruz Road* \$25,000

Significant erosion of the roadway embankment occurred near 9650 Santa Cruz Road during the 2023 winter storms that also requires repair to prevent further degradation and a potential of a portion of Santa Cruz Road from collapsing. Yeh and Associates recently provided the City with geotechnical recommendations to mitigate further erosion and remediate damage that includes rock slope protection. Yeh recommends this work occur prior to the upcoming winter rains and staff is in the process of obtaining quotes for this work, which is estimated to cost \$25,000.

All activities and costs in will be documented in accordance with FEMA and California OES requirements for reimbursement of eligible costs associated with the March 2023 storms, and staff will actively seek reimbursement of these costs.

**CEQA DETERMINATION:**

The recommended action would not result in a potential direct or reasonably indirect physical change in the environment and, accordingly, does not qualify as a “project” under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) or CEQA Guidelines (14 Cal. Code Regs. §§ 15000, et seq.; see 14 Cal. Code Regs. §§ 15061(b)(3) and 15378). Even if the award of contract were to qualify as a project, it would be categorically exempt as a Class 1 or Class 5 project since, at best, it would constitute a minor alteration of existing public structures involving no expansion of use; or a minor alteration in land use limitations (see CEQA Guidelines §§ 15301, 15305).

**FISCAL IMPACT:**

Costs to repair road damages are expected to be \$250,000 in unbudgeted Capital Project Funds, and reimbursement of these storm-related costs will be sought through FEMA and CalOES.

**ATTACHMENTS:**

None



# ***Atascadero City Council***

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## ***Staff Report – Police Department***

### **Police Patrol Vehicles Purchase**

#### **RECOMMENDATIONS:**

Council:

1. Ratify the purchase of six Dodge Durango replacement patrol vehicles from John Jones Auto Group in the amount of \$297,720.
2. Authorize the expenditure of \$123,660 for the associated upfitting of these patrol vehicles from Northern California's Emergency Vehicle Installations.
3. Take such additional, related, action that may be desirable.

#### **DISCUSSION:**

The Atascadero Police Department (APD) depends on a fleet of patrol vehicles as one of many tools used to help keep the community safe. The department has been trying but unable to purchase authorized replacement patrol vehicles since September 2021 due to lack of availability of these vehicles. Three Ford Interceptors have been "on order" since that time, with several different cancellations of said order by Ford Motor Company. The department has experienced significant delays and uncertainties related to the delivery of these vehicles due to various external factors, including the COVID-19 pandemic, auto manufacturer shutdowns, a microchip shortage, and the recent United Auto Workers (UAW) strike. As a result of these challenges, the police department has been unable to maintain its patrol vehicle fleet. The vehicle fleet is in desperate need of new patrol vehicles to replace vehicles that should have rotated out of service years ago. Due to the issues mentioned above, those aging patrol vehicles have continued to be used in our fleet. This has created significant issues related to increased vehicle maintenance costs as well as having to remove vehicles from use due to safety concerns. The aforementioned issues with vehicle availability has expanded APD's search into other states, a problem common among all law enforcement agencies right now.

In light of these challenges, staff has diligently explored alternative options to ensure the continued efficiency and effectiveness of the patrol fleet. After extensive research and evaluation, a reputable vendor has been identified, John Jones Auto Group in Indiana, with Dodge Durango Police Pursuit Vehicles in stock and ready for immediate sale. The vehicles are selling fast, and APD had to act fast. As a result, staff contracted to

purchase six of these vehicles under Section 3.1(b) of the City of Atascadero Purchasing Policy, which allows for the purchase under conditions where time is of the essence, requiring a subsequent report to Council for retroactive approval of the purchase, and confirming the need to act expeditiously. The cost of each vehicle, including shipping from Indiana, is \$49,640, plus California sales tax and registration costs. There are also additional costs outside of this contract that include graphics and technology equipment. These costs are reasonable given the purchasing environment, and in line with the newly adopted budgeted replacement amounts per vehicle.

Patrol vehicles need to be “upfitted” with equipment and markings in order to be put into service by officers. Upfitters are experiencing similar industry-wide impacts, further lengthening vehicle delivery timelines. APD has found a new vendor, Northern California’s Emergency Vehicle Installations (NorCalEVI), that can upfit the vehicles within a relatively short timeframe from vehicle purchase. Pricing from NorCalEVI is reasonable given the purchasing environment, and in line with anticipated costs in the budgeted replacement amounts. The cost to upfit each vehicle is approximately \$20,610.

Staff recommends Council ratifies the purchase of six (6) Dodge Durango pursuit vehicles from John Jones Auto Group, and that Council approves the complete upfitting of these units from NorCalEVI.

**FISCAL IMPACT:**

The cost to purchase and upfit six vehicles is \$421,500 in budgeted General Funds and Supplemental Law Enforcement Services Funds.

**ATTACHMENTS:**

None.