



# CITY OF ATASCADERO CITY COUNCIL

## MINUTES

Tuesday, November 14, 2023

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

City Council Regular Session:

6:00 P.M.

City Council Closed Session:

Immediately  
following conclusion  
of the City Council  
Regular Session

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

Mayor Moreno called the meeting to order at 6:00 p.m. and Mayor Pro Tem Funk 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, Administrative Services Director Jeri Rangel, 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 and Senior Planner Kelly Gleason.

### APPROVAL OF AGENDA:

City Manager Lewis noted that the Fiscal Impact on the Agenda for Consent Calendar Item #A-2 should read “Approving staff recommendations will result in estimated expenditures of \$6,620,008 in Wastewater Funds and \$1,300,000 in Road Repair and Accountability Act Funds (SB 1).”

**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.***

**A. CONSENT CALENDAR:**

**1. City Council Draft Minutes – October 24, 2023**

- Recommendation: Council approve the October 24, 2023, Draft City Council Regular Meeting Minutes. [City Clerk]

**2. Lift Station No. 13 and Force Main Replacement Project Construction Award**

- Fiscal Impact: \$TBD
- 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 CEQA Guidelines §§ 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, and authorize the City Manager to execute, a construction contract for \$5,859,340 to Hartzell General Engineering Contractor, Inc. for the Lift Station No. 13 and Force Main Replacement Project (Project No. C2020W02).
  2. Award, and authorize the City Manager to execute, a professional services contract for \$585,668 with Filippin Engineering, Inc. for construction management and materials testing services for the Lift Station No. 13 and Force Main Replacement Project.
  3. Approve the procurement of three (3) new submersible sewage pumps for the Lift Station No. 13 and Force Main Replacement Project for \$175,000 with Gierlich Mitchell.
  4. Authorize the Director of Administrative Services to allocate an additional \$500,000 in in Road Repair and Accountability Act Funds to the Traffic Way Pavement Rehabilitation (North) project work being constructed with the Lift Station No. 13 and Force Main Replacement Project.
  5. Take such additional, related, action that may be desirable.

**MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Funk to approve the Consent Calendar. (#A-2: Contract Nos. 2023-039 and 2023-040)**

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

**UPDATES FROM THE CITY MANAGER:**

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

## COMMUNITY FORUM:

The following persons spoke in-person by telephone or through the webinar: Dawn Boulanger, Geoff Auslen, and Wendy Lewis

***Mayor Moreno closed the COMMUNITY FORUM period.***

## B. PUBLIC HEARINGS:

### 1. Ordinance Amending the Definitions of “Hotels” and “Motels” in Title 9 of the Atascadero Municipal Code

- Fiscal Impact: None.
- CEQA Determination: The proposed Ordinance is exempt from further environmental review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it can be seen with certainty that there is no possibility that the enactment of this Ordinance would have a significant effect on the environment (CEQA § 21065; CEQA Guidelines §§ 15378(b)(5), 15061(b)(3)).
- Recommendation: Council:
  1. Introduce and waive first reading of Draft Ordinance entitled: “An Ordinance Amending the Definitions of ‘Hotels’ and ‘Motels’ in Title 9 of the Atascadero Municipal Code, Entitled Planning & Zoning”.
  2. Take such additional, related, action that may be desirable.

Ex Parte: None

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

## PUBLIC COMMENT:

The following persons spoke on this item: Geoff Auslen

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

**MOTION:** By Council Member Bourbeau and seconded by Mayor Pro Tem Funk to introduce and waive first reading of Draft Ordinance entitled: “An Ordinance Amending the Definitions of ‘Hotels’ and ‘Motels’ in Title 9 of the Atascadero Municipal Code, Entitled Planning & Zoning”.

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

## C. MANAGEMENT REPORTS: None.

## D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members gave brief update reports on their committees since their last Council meeting:

Mayor Moreno

1. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Funk

1. Homeless Services Oversight Council

2. Integrated Waste Management Authority (IWMA)

Mayor Pro Tem noted she attended the IWMA Board Meeting, as alternate, in Council Member Bourbeau's absence.

Council Member Newsom

1. City / Schools Committee

**E. INDIVIDUAL DETERMINATION AND / OR ACTION:**

1. City Council
  - a. Council Member Bourbeau reported that he received an email from Brenda May looking for volunteers for the annual Coats for Kids drive. He asked that anyone interested in volunteering email him for more information.
  - b. Mayor Pro Tem Funk requested reporting on an annual basis for Parks and Recreation updates.

City Manager Lewis noted that staff would welcome the opportunity to provide updates to the City Council and there was Council consensus to direct staff to provide annual updates on Parks and Recreation activities in the City.

**F. RECESS REGULAR MEETING TO CLOSED SESSION**

Mayor Moreno recessed the Regular Meeting and called the Closed Session Meeting to order at 6:42 p.m.

**CITY COUNCIL CLOSED SESSION:**

1. **CLOSED SESSION — PUBLIC COMMENT: None**
2. **COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION**
3. **CLOSED SESSION — CALL TO ORDER**
  - a. **Conference with Legal Counsel – Existing Litigation**

Conference with legal counsel pursuant to Government Code Sec. 54956.9(d)(1): 1 case – Estate of Douglas A. Breeze, et al. v. Board of Administration of the California Public Employees' Retirement System (CalPERS), et al. (filed September 29, 2022) Sacramento Superior Court Case No. 34-2022-80003799.
4. **CLOSED SESSION — ADJOURNMENT**

**G. ADJOURN**

Following Closed Session, the meeting was adjourned at 6:48pm; no reportable action.

**MINUTES PREPARED BY:**

  
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Lara K. Christensen  
City Clerk

**APPROVED:** November 28, 2023