



CITY OF ATASCADERO CITY COUNCIL AGENDA

HOW TO OBSERVE AND PARTICIPATE IN THE MEETING:

To observe and/or participate in the Special City Council Meeting, the public may attend the meeting in Council Chambers, on the Fourth Floor of City Hall, and will be given an opportunity to provide public comment.

HOW TO SUBMIT PUBLIC COMMENT:

Individuals who wish to provide public comment on the Special City Council Meeting agenda items may attend the meeting in the City Council Chambers. Individuals who wish to comment but not in-person may email public comments to cityclerk@atascadero.org. The comments will be forwarded to the City Council, posted on the City's website, and made a part of the administrative record. To ensure distribution to the City Council prior to consideration of the Special City Council agenda, the public is encouraged to submit comments no later than 12:00 p.m. the day of the meeting.

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at 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

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. 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.

NOTICE OF SPECIAL MEETING

ATASCADERO CITY COUNCIL

Tuesday, May 14, 2024, 5:30 P.M.

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

INTERVIEWS AND APPOINTMENT

Atascadero Tourism Business Improvement District (ATBID) Advisory Board

ROLL CALL:

INTERVIEWS AND APPOINTMENTS:

1. Interview Process

- *City Clerk recommendation: Council discuss process for conducting ATBID Advisory Board interviews.*

2. ATBID Advisory Board Appointment

- *City Clerk recommendation: Council:*
 1. *Appoint Amar Sohi and Patricia Harden, who were duly nominated, to a 2-year term on the ATBID Advisory Board beginning July 1, 2024, and ending June 30, 2026.*
 2. *Interview Jeffrey Lemus and Sarah Maggelet and appoint either applicant to a 2-year term on the ATBID Advisory Board beginning July 1, 2024, and ending June 30, 2026.*

3. Announcement of Appointment

PUBLIC COMMENT:

ADJOURNMENT:

The City Council will adjourn to the next Regular Session scheduled on Tuesday, May 14, 2024, at 6:00 P.M.



CITY OF ATASCADERO

CITY COUNCIL STAFF REPORT

Item SP A1

Department: Community Services & Promotions
Date: 5/14/24 SP
Placement: Consent

TO: JAMES R. LEWIS, CITY MANAGER

FROM: TERRIE BANISH, COMMUNITY SERVICES & PROMOTIONS DIRECTOR

PREPARED BY: DILLON JAMES, ADMINISTRATIVE ASSISTANT/DEPUTY CITY CLERK

SUBJECT: Submission and Review of 2024 ATBID Advisory Board Nominations

RECOMMENDATION:

Council:

1. Appoint Amar Sohi and Patricia Harden, who were duly nominated, to a 2-year term on the ATBID Advisory Board beginning July 1, 2024, and ending June 30, 2026.
2. Interview Jeffrey Lemus and Sarah Maggelet and appoint either applicant to a 2-year term on the ATBID Advisory Board beginning July 1, 2024, and ending June 30, 2026.

DISCUSSION:

Any lodging owner operating within the Atascadero Tourism Business Improvement District (ATBID), who is also current with their Transient Occupancy Tax (TOT) payments to the City, is eligible to attend the annual ATBID Lodging Owners Nomination Meeting and may vote and/or nominate themselves and/or another lodging owner to be recommended as the next appointee to the ATBID Advisory Board.

On November 18, 2023, then-ATBID Advisory Board Member Deana Alexander, representing The Carlton at the time, informed City staff that she was resigning from the ATBID Advisory Board effective immediately and leaving her position with The Carlton. This action created a temporary vacancy on the Advisory Board.

On February 14, City staff mailed a letter to all eligible ATBID lodging owners, inviting any interested parties to attend the annual ATBID Lodging Owners Nomination Meeting, to be held on February 29 at City Hall. At the February 29 ATBID Lodging Owners Nomination Meeting, the ATBID lodging owners present voted to re-nominate Patricia Harden, representing SpringHill Suites, and Amar Sohi, representing Holiday Inn Express. ATBID lodging owners tied their vote for the third nomination between Jeffrey Lemus, representing The Carlton, and Sarah Maggelet, representing short-term rentals.

To facilitate a tiebreaking vote, ATBID lodging owners conducted a second Lodging Owners Nomination Meeting, held on March 20, to determine whether Mr. Lemus or Ms. Maggelet would receive the third nomination. At this meeting, the composition of lodging owners was

substantially different than the first meeting, and a majority of short-term rental owners in attendance voted to nominate Ms. Maggelet over Mr. Lemus. At this meeting, owners were asked to individually introduce themselves when receiving a ballot but there was not a process of verification of who could actually vote.

After the meeting, City staff examined the lodging owners' nomination process and the vagueness of ATBID's bylaws. The ATBID bylaws are silent and do not include any specific provisions related to conduct of the Lodging Owners Nomination Meeting nor the process by which individuals are verified prior to voting or are nominated by said lodging owners and submitted to City Council for consideration and approval. They also do not outline a process in the event of a tied vote.

Currently, the ATBID Advisory Board is composed of five members, one of whom owns and operates a short-term rental. There is no provision in the bylaws for consideration of local hotels' substantial contribution to TOT compared to individual short-term rental owners, nor of their experience and depth of knowledge in tourism marketing. Council may wish to consider a nominee's background, their contributions to events, promotions, industry involvement, past participation with the ATBID Board and partnerships in the community.

Upon further reflection, discussion, and consideration of the ATBID's bylaws' vague language, lack of ownership validation, and the voting process itself, City staff is presenting both Jeffrey Lemus and Sarah Maggelet as possible appointees for the third ATBID Advisory Board position. Council may interview and appoint either applicant.

In addition, to avoid this situation in the future and to offer more clarity to the process, staff will be proposing amendments to the bylaws for the ATBID Advisory Board for Council consideration at a future meeting.


FISCAL IMPACT:

None.

REVIEWED BY OTHERS:

This item has been reviewed by the Director of Community Services & Promotions.

REVIEWED AND APPROVED FOR COUNCIL AGENDA



James R. Lewis, City Manager

ATTACHMENT(S):

None.