



# CITY OF ATASCADERO CITY COUNCIL

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## MINUTES

Tuesday, August 13, 2024

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

<b><u>City Council Closed Session:</u></b>	<b>5:00 P.M.</b>
<b><u>City Council Regular Session:</u></b>	<b>6:00 P.M.</b>

Mayor Moreno called the meeting to order at 5:00 P.M.

### ROLL CALL:

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

Absent: None

Others Present: None

Staff Present: City Manager James R. Lewis and City Attorney Dave Fleishman

### CITY COUNCIL CLOSED SESSION:

Mayor Moreno called the Closed Session Meeting to order at 5:01 P.M.

1. **CLOSED SESSION — PUBLIC COMMENT: None**
2. **COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION**
3. **CLOSED SESSION — CALL TO ORDER**
  - a. **Public Employee Performance Evaluation**  
Government Code Sec. 54957  
Title: City Manager
  - b. **Conference with Legal Counsel – Existing Litigation**  
Government Code Sec. 54956.9(d)(1)  
Name of case: Newton v. City of Atascadero, California Court of Appeal, Second District, Division 6, Case No. B333543.

**4. CLOSED SESSION — RECESS** – until after the adjournment of the Regular Session

**5. COUNCIL RETURNS**

**6. CLOSED SESSION — REPORT, if any**

Mayor Moreno noted that more time would be needed to complete the discussion on Closed Session Item 3b and that Council would be recessing Closed Session until after the close of Regular Session.

City Attorney Fleishman reported that there was no reportable action from Closed Session on Item 3a.

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

Mayor Moreno called the meeting to order at 6:01 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 James R. Lewis, Deputy City Manager/City Clerk Lara Christensen, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Public Works Director Nick DeBar, City Attorney Dave Fleishman, Police Chief Dan Suttles, Fire Chief Casey Bryson, and Technical Support Specialist II Abby Getahun

**PRESENTATIONS:**

**1. Employee Recognition Awards**

City Manager Lewis presented the following employees with Service Awards:

- **5 Years:** Krys Clark, Accounting Specialist  
Robert Hammer, Police Officer
- **10 Years:** Sam Rodriguez, Police Sergeant
- **20 Years:** Timm Cleaver, Operations Manager

**A. CONSENT CALENDAR:**

**1. AP & Payroll**

- **Fiscal Impact:** \$4,084,911.28
- **Recommendation:** Council approve certified accounts payable, payroll and payroll vendor checks for June 2024. [Administrative Services]

2. **2024 F-14 Resurfacing Project Construction Award**
  - Fiscal Impact: \$450,000 in Measure F-14 monies.
  - Recommendation: Council:
    1. Award a construction contract in the amount of \$376,442 to Souza Construction for the 2024 Measure F-14 Pavement Resurfacing Project (Project No. C2024R02).
    2. Authorize the Director of Administrative Services to allocate an additional \$50,000 in Measure F-14 Fund balance to the 2024 Measure F-14 Pavement Resurfacing Project. [Public Works]
3. **Santa Rosa Road CDBG Sidewalk and Ramp Improvement Project Construction Award**
  - Fiscal Impact: \$386,808 in budgeted CDBG funds.
  - Recommendation: Council award a construction contract in the amount of \$289,105 to Souza Construction for the Santa Rosa Road CDBG Sidewalk and Ramp Improvements Project (Project No. C2019M02). [Public Works]
4. **League of California Cities (CalCities) Voting Delegate**
  - Fiscal Impact: None.
  - Recommendation: Council designate Council Member Newsom as the voting delegate and City Manager Jim Lewis as the alternate for the General Assembly at the Cal Cities Annual Conference and Expo in October 2024 and direct the City Clerk to inform Cal Cities of the designation. [City Clerk]
5. **Amendment to Grand Oaks Paseo Master Plan of Development**
  - Fiscal Impact: Added units above the community center are required to be automatically included within the special tax district, providing fiscal neutrality for the amended project site. Other requested changes will have no effect.
  - Recommendation: Council adopt on second reading, by title only, Draft Ordinance amending Planned Development Overlay Zone #27 for the Grand Oaks Paseo project, based on findings. [Community Development]
6. **Water Recycling Funding Program Planning Grant**
  - Fiscal Impact: None.
  - Recommendation: Adopt Draft Resolution authorizing the City Manager to submit a grant application to the State Water Resources Control Board for the Water Recycling Funding Program Planning Grant. [Public Works]

**PUBLIC COMMENT:**

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

The following persons spoke on this item: None.

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

**MOTION BY:** Bourbeau

**SECOND BY:** Funk

1. **Approve Consent Calendar (#A-2: Contract No. 2024-014) (#A-5: Ordinance No. 675) (#A-6: Resolution No. 2024-057).**

AYES (5): Bourbeau, Dariz, Newsom, Funk, and Moreno

***Passed 5-0***

**UPDATES FROM THE CITY MANAGER:**

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

**COMMUNITY FORUM:**

The following persons spoke: Geoff Auslen, John Sanders, and Wade Cohen.

**B. PUBLIC HEARINGS:**

**1. Confirming Cost of Weed/Vegetative Growth Abatement**

- Fiscal Impact: Approximately \$93,840.14.
- Recommendation: Council adopt the Draft Resolution, confirming the cost of vegetative growth (weeds) and/or refuse (rubbish) abatement. [Fire]

Ex-Parte: None. Council noted receiving a letter at the dais that had been received after the cut off for written comment.

Fire Chief Bryson gave the report and answered questions from the Council.

**PUBLIC COMMENT:**

*Mayor Moreno opened the Public Comment period.*

The following persons spoke on this item: None.

*Mayor Moreno closed the Public Comment period.*

**MOTION BY:** Bourbeau

**SECOND BY:** Funk

**1. Adopt Resolution No. 2024-058, confirming the cost of vegetative growth (weeds) and/or refuse (rubbish) abatement.**

AYES (5): Bourbeau, Dariz, Funk, Newsom, and Moreno

ABSENT (0):

***Passed 5-0***

**C. MANAGEMENT REPORTS:**

**1. Community Cleanliness Update**

- Fiscal Impact: Unknown
- Recommendation: Council:
  1. Introduce, for first reading by title only, Draft Ordinance entitled, “An Ordinance of the City Council of the City of Atascadero, California, Adding Title 5, Chapter 17 Regulating Shopping Carts”, to reduce the number of abandoned shopping carts in public spaces, enhancing the community’s safety and aesthetics.
  2. Pursue a graffiti abatement program on a trial basis for private property that relies on donations from paint suppliers and labor from service clubs to abate graffiti. [Police]

Police Chief Suttles gave the report and answered questions from the Council.

**PUBLIC COMMENT:**

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

The following persons spoke on this item: None

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

**MOTION BY:** Bourbeau

**SECOND BY:** Dariz

1. Introduce, for first reading by title only, Draft Ordinance entitled, “An Ordinance of the City Council of the City of Atascadero, California, Adding Title 5, Chapter 17 Regulating Shopping Carts”, to reduce the number of abandoned shopping carts in public spaces, enhancing the community’s safety and aesthetics striking subsection D of Section 5-17.070.
2. Pursue a graffiti abatement program on a trial basis for private property that relies on donations from paint suppliers and labor from service clubs to abate graffiti.

AYES (5): Bourbeau, Dariz, Newsom, Funk, and Moreno

ABSENT (0): None

***Passed 5-0***

**2. Centennial Plaza Proposals and Selection**

- Fiscal Impact: One-time payment of \$7,500 to the candidate not selected. Purchase and Development Agreements are yet to be negotiated and will be considered by Council at a later date.
- Recommendation: Council:
  1. Select the Herrera/Weyrick Team as preferred candidate. Provide general design and project direction on selected candidate’s proposal.
  2. Direct the City Manager to work with the selected candidate on a final design, purchase agreement, and development agreement to return to City Council for final approval. [Community Development]

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

**PUBLIC COMMENT:**

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

The following persons spoke on this item: Eddie Herrera

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

**MOTION BY:** Bourbeau

**SECOND BY:** Funk

1. Select the Herrera/Weyrick Team as preferred candidate. Provide general design and project direction on selected candidate’s proposal.
2. Direct the City Manager to work with the selected candidate on a final design, purchase agreement, and development agreement to return to City Council for final approval.

AYES (5): Bourbeau, Dariz, Funk, Newsom, and Moreno  
ABSENT (0): None

**Passed 5-0**

**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. League of California Cities – Channel Counties Division

Mayor Pro Tem Funk

1. Homeless Services Oversight Council

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Community Action Partnership of San Luis Obispo (CAPSLO)
2. Design Review Committee

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


**ADJOURNMENT**

Mayor Moreno adjourned the Regular Meeting at 7:55 pm; Council returned to the previously recessed Closed Session Meeting.

**CLOSED SESSION:**

Closed Session was reconvened at 7:58 pm and adjourned at 8:27 pm; no reportable action.

**MINUTES PREPARED BY:**



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Lara K. Christensen  
City Clerk

**APPROVED:** September 10, 2024