



## **SPECIAL MEETING**

### **CITY OF ATASCADERO CITIZENS' SALES TAX OVERSIGHT COMMITTEE<sup>1</sup>**

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## **AGENDA**

**Thursday, August 9, 2018  
4:00 P.M.**

**City Hall, Room 202  
6500 Palma Avenue, Atascadero, California  
(Enter on Palma Avenue)**

#### **CALL TO ORDER:**

**Oaths of Office: Deputy City Clerk, Amanda Muther, will administer Oaths of Office to the new Citizens' Sales Tax Oversight Committee Members**

#### **ROLL CALL:**

Chairperson Bill Hatch, Atascadero Kiwanis  
Vice-Chairperson Robert "Grigger" Jones, Atascadero Chamber of Commerce  
Committee Member Debbie Argano, Escuela Del Rio  
Committee Member Scott Burgess, At-Large  
Committee Member Lisa Fraser, The Link Family Center  
Committee Member Don Giessinger, Atascadero Rotary Club  
Committee Member Carey Rogers, Senior Citizens United  
Committee Member Michael Shaw, At-Large  
Committee Member Carol Simonin, Quota International

#### **APPROVAL OF AGENDA:**

**PRESENTATIONS: None**

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<sup>1</sup> Established for the oversight of the 2014 Sales Tax Measure

**PUBLIC COMMENT:** (This portion of the meeting is reserved for persons wanting to address the Committee on any matter not on this agenda and over which the Committee has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. The Committee may take action to direct staff to place a matter of business on a future agenda. A maximum of 30 minutes will be allowed for Public Comment, unless changed by the Committee.)

**A. CONSENT CALENDAR: None**

**1. Citizens' Sales Tax Oversight Committee (CSTOC) Draft Action Minutes - December 15, 2017**

- Recommendation: Committee approve the CSTOC Draft Action Minutes of the December 15, 2017 CSTOC meeting. [City Clerk]

**B. INFORMATIONAL ITEMS:**

**1. Review Committee Bylaws and Rules of Procedure**

- Recommendation: Committee review Bylaws and Rules of Procedure for the Citizens' Sales Tax Oversight Committee. [City Clerk]

**C. BUSINESS ITEMS:**

**1. Measure F-14 Program Overview and Project Updates**

- Fiscal Impact: None.
- Recommendation: Receive and file Measure F-14 Program Overview and Project Updates. [Public Works]

**2. Set Next Meeting**

**D. COMMITTEE MEMBER COMMENTS:**

**E. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, **if you need special assistance to participate in a Citizens' Sales Tax Oversight Committee Meeting**, please contact the City Clerk's Office at (805) 470-3400. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

**SPECIAL MEETING**

**CITY OF ATASCADERO  
CITIZENS' SALES TAX  
OVERSIGHT COMMITTEE**



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**DRAFT MINUTES**

**Friday, December 15, 2017  
4:00 P.M.**

**City Hall, Room 202  
6500 Palma Avenue, Atascadero, California  
(Enter on Palma Avenue)**

**CALL TO ORDER:**

Chairperson Hatch called the meeting to order at 4:05 p.m.

**ROLL CALL:**

Present: Committee Members Burgess, Hustace, Shaw, Simonin,  
Vice Chairperson Jones and Chairperson Hatch  
Proposed Atascadero Rotary Club Committee Member Don  
Giessinger

Absent: Committee Members Argano and Greenaway

Staff Present: Public Works Director Nick DeBar, Finance Director Jeri Rangel, and  
Deputy City Clerk Lisa Cava

**APPROVAL OF AGENDA:**

**MOTION: By Vice Chairperson Jones and seconded by Chairperson Hatch  
to approve the agenda.  
*Motion passed 7:0 by a roll-call vote.***

**PRESENTATIONS: None.**

**PUBLIC COMMENT: None.**

**A. CONSENT CALENDAR:**

**1. Citizens Sales Tax Oversight Committee (CSTOC) Draft Action Minutes of December 14, 2016 and October 5, 2017**

- Recommendation: Committee approve the CSTOC Draft Action Minutes of the December 14, 2016 and the October 5, 2017 CSTOC meetings. [City Clerk]

Vice Chairperson Jones asked that the Minutes of the October 5, 2017 meeting be amended to include previous discussion regarding amending the CSTOC Bylaws to allow non-residents of Atascadero, who work in Atascadero to be Committee Members. (*The Committee's request to amend the Bylaws is reflected in the Motion of the October 5, 2017 Minutes.*)

**MOTION: By Committee Member Shaw and seconded by Committee Member Hustace to approve the CSTOC Draft Action Minutes of the December 14, 2016 and the October 5, 2017 CSTOC meetings with the following addition to the Draft Action Minutes of December 14, 2016 meeting:**

Staff Present: Public Works Director Nick DeBar,  
Assistant City Clerk Lara Christensen,  
**Administrative Services Director Jeri Rangel** and Deputy City Clerk Amanda Muther

**Motion passed: 7:0 by a voice vote.**

**B. INFORMATIONAL ITEMS: None.**

**C. BUSINESS ITEMS:**

**1. Approval of Fiscal Year 2017 Annual Road Report**

- Fiscal Impact: None.
- Recommendation: Committee approve the Fiscal Year 2017 Annual Road Report. [Administrative Services]

Administrative Services Director Rangel gave the presentation, and answered questions from the Committee. Public Works Director DeBar also answered questions from the Committee. The Committee offered suggestions for improvement to future Annual Road Reports.

**By consensus, the Committee approved the 2017 Annual Road Report.**

**2. Fiscal Year 2017 Community Road Report**

- Fiscal Impact: Distribution of the 2017 Community Road Report is estimated to cost approximately \$3,500 in budgeted General Funds.
- Recommendation: Committee review and endorse the Fiscal Year 2017 Community Road Report. [Public Works]

Public Works Director DeBar gave the presentation and answered questions from the Committee. Administrative Services Director Rangel also answered questions from the Committee. The Committee offered suggestions for improvement to the 2017 Community Road Report.

**By consensus, the Committee endorsed the 2017 Community Road Report.**

**3. Set Next Meeting**

The next meeting was tentatively set for 4:00 p.m. on Thursday, July 19th, 2018.

**D. COMMITTEE MEMBER COMMENTS:**

The Committee requested:

- Staff provide before and after pictures of all projects to the Committee.
- Provide all pertinent Committee documents and documentation to new Committee Members, to bring them up to speed.
- Committee Member Burgess requested that his email address be checked and verified, as he didn't receive the agenda notice.

**E. ADJOURNMENT**

Chairperson Hatch adjourned the meeting at 5:30 p.m.

**MINUTES PREPARED BY:**

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Lisa Cava  
Deputy City Clerk/Administrative Assistant



## ***Citizens' Sales Tax Oversight Committee***

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### ***Staff Report – City Clerk's Office***

#### **Review Bylaws and Rules of Procedure for the Citizens' Sales Tax Oversight Committee**

#### **RECOMMENDATION:**

Committee review Bylaws and Rules of Procedure for the Citizens' Sales Tax Oversight Committee.

#### **DISCUSSION:**

The Bylaws and Rules of Procedure for the Citizen's Sales Tax Oversight Committee were presented and approved at a meeting held on August 31, 2015. The Bylaws were created to facilitate the process of meetings and establish rules for the Citizens' Sales Tax Oversight Committee.

**FISCAL IMPACT:** None

#### **ATTACHMENT:**

Bylaws and Rules of Procedure

**CITIZENS' SALES TAX OVERSIGHT COMMITTEE  
CITY OF ATASCADERO  
SALES TAX MEASURE F-14**

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**BYLAWS AND RULES OF PROCEDURE**

**ARTICLE I – THE CITIZENS' SALES TAX OVERSIGHT COMMITTEE**

Name of Authority

The official name shall be the “Citizens’ Sales Tax Oversight Committee” (herein referred to as “Committee”).

Membership

The Committee shall be composed of nine (9) members, two (2) of which shall be appointed by the City Council of the City of Atascadero (the “Council”) and seven (7) of which shall be appointed by individual Atascadero community groups. Appointees shall be residents of the City; however, no member of the Committee shall be an elected official. Committee members may serve consecutive terms with no term limits.

Place of Meeting

The office and regular place of meeting of the Committee shall be at the Atascadero City Hall, 6500 Palma Avenue, Atascadero, California. The Committee may hold its meetings at such other locations as the Committee may from time to time designate.

Powers

The Committee shall annually review revenues and expenditures from the collection of the tax created by the adoption of Ordinance No. 581, and shall also review the Annual Road Report prepared by the City. The Committee shall, through the City Manager or her designee, submit the Committee’s findings and conclusions to the City Council.

**ARTICLE II - SELECTION OF COMMUNITY GROUP MEMBERS  
OF THE COMMITTEE**

**1. Groups (not Individuals)**

Community groups are selected to make appointments to the Committee by the process described below. Once selected, each Community Group shall make their own appointment through whatever method the group deems is appropriate which shall include a process for

removal of the person appointed to the Committee by the Community Group.

**2. Eligibility:**

Community Groups that meet all of the following criteria are eligible to enter the selection process for appointing a representative to the Committee.

- a. Registered non-profit group
- b. Serve the community of Atascadero
- c. Non-partisan
- d. Non-secular (non-religious)

**3. Standing Member:**

The Chamber of Commerce shall have the right to appoint a member of the Committee. This right shall continue through the term of the Sales Tax Measure.

**4. Selection Process for Other Community Groups:**

The Selection Process for Other Community Groups (“Selection Process”) shall be as follows. The City shall advertise that vacancies exist on the Citizens’ Sales Tax Oversight Committee and that they are seeking community groups interested in appointing a member to the Committee. Interested groups that do not have a current appointment to the Committee shall notify of the City of their interest within the posted time frame.

- a. If the number of Community Groups interested in appointing a member exceeds the number of vacancies, the name of each community group will be entered into a drawing. The drawing will be open to the public.
- b. If the number of Community Groups interested in appointing a member is less than the number of vacancies. Those that have submitted a notice of interest will make an appointment to the Committee. The City will then extend the time period and re-advertise for the remaining vacancies.
  - i. If there are more interested groups than vacancies, a drawing will be held.
  - ii. If the number of interested Community Groups is still less than the number of vacancies, those groups that have an existing appointment to the Committee may notify the City of their



interest in appointing a second member to the Committee. A drawing will then be held to fill the vacancies

5. **Terms:** Terms of the Committee Members shall be as follows:

- a. All terms shall expire on January 31<sup>st</sup> of the year designated.
- b. One (1) Community Group member shall be appointed by the Chamber of Commerce for twelve (12) years
- c. Two (2) Community Group members shall be appointed for a two year term.
- d. Two (2) Community Group members shall be appointed for a three year term.
- e. Two (2) Community Group members shall be appointed for a four year term.
- f. Two (2) City Council appointed members shall be appointed for two year terms. The term shall start on February 1 of odd number years and extend through January 31 of the subsequent odd number year.
- g. There shall be no term limits.
- h. The term shall be held by the appointing Community Groups rather than the individual appointed by the Community Group. If a member appointed by a community group must step down in the middle of his/her term, then the community group may appoint another individual to complete the term.
- i. Upon the expiration of the term of a Community Group, the Selection Process as described above will be used to select the Community Group that will serve the next term.

## **ARTICLE III - OFFICERS**

### Officers and Officials

The members of the Committee shall select one of their members as the chairperson and select one of their members as the vice chairperson, both of whom shall serve one year terms in the designated office.

### Chairperson

The Chairperson of the Committee shall preside at all meetings of the Committee.

Vice-Chairperson

The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson.

Secretary

The City Manager, or her designee, shall designate a person to serve as the Secretary to the Committee. The Secretary shall keep the records of the Committee, shall act as secretary at meetings of the Committee, shall record all votes, keep a record of the proceedings of the Committee in a journal of proceedings to be kept for such purpose and shall perform all duties incident to the office.

Vacancies

When a seat on the Committee becomes vacant, the position will be filled by the agency or organization that originally appointed the former member.

Compensation

Committee members shall serve without compensation or reimbursement for expenses.

**ARTICLE IV – RULES OF PROCEDURE**

The Committee shall abide by these Rules of Procedure. The Rules of Procedure may be amended by a majority vote of the whole Committee from time to time as deemed necessary by the Committee.

Section 1. Regular Meetings

Regular meetings of the Committee shall be held twice a year. Special meetings may be scheduled as needed. The meetings will be held at Atascadero City Hall, Atascadero, California, or at such other locations as the Committee may from time to time designate by resolution or in the notice of call of any special meeting. In the event a day of meeting shall be a legal holiday, said meeting shall be held on the next business day unless otherwise determined by the Committee.

Section 2. Quorum

Five (5) members of the Committee shall constitute a quorum for the purpose of conducting its business and exercising its powers. Every official act of the Committee shall be adopted by a majority vote of those members present.

Section 3. Order of Business

Agenda. The order of business of each meeting shall be as contained in the Agenda prepared by the Committee Secretary. The Agenda shall be a listing by topic of the subjects which shall be taken up for consideration in the following order:

- Call to Order
- Roll Call

Approval of Agenda  
Public Comment  
Consent Agenda  
Informational Items  
Business Items  
Committee Member Comments  
Adjournment

Preparation of Agenda: The staff of the City shall be responsible for the preparation of the Agenda. The Committee, by a majority vote, may direct an issue within the subject matter jurisdiction of the Committee to be placed upon a future agenda.

Delivery of Agenda: The Agenda and related staff reports will ordinarily be delivered to the Committee members via e-mail at least 72 hours preceding the meeting to which it pertains. The Agenda and staff reports shall also be available to the general public at the time they are delivered to the Committee members.

Call to Order: The meeting of the Committee shall be called to order by the Chairperson, or in his/her absence, by the Vice Chairperson. In the absence of both the Chairperson and the Vice Chairperson, the meeting shall be called to order by the secretary to the Committee and the Committee shall select a Temporary Chairperson, who shall serve as the Chairperson for the meeting.

Public Comment: Pursuant to Government Code 54954.3, each agenda for a regular meeting shall provide an item entitled "Public Comment." The purpose of such item shall be to provide an opportunity for members of the public to directly address the Committee on items of interest to the public that are within the subject matter jurisdiction of the Committee. In order to assure that the intent of Government Code 54954.3 is carried out, three (3) minutes is the amount of time allocated for each individual speaker.

Consent Agenda: Items of routine nature, and non-controversial, shall be placed on the consent agenda. All items may be approved by one blanket motion upon unanimous consent. Prior to review of the consent agenda, any Committee member may request that any item be withdrawn from the consent agenda for separate consideration.

Maintenance of Order: The Chairperson is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chairperson. All questions and remarks shall be addressed to the Chairperson.

Section 4. Rules, Decorum and Order

Decorum and Order - Committee Members: Any Committee member desiring to speak shall address the Chairperson and, upon recognition by the Chairperson, shall confine himself or herself to the question under debate.

A Committee member, once recognized, shall not be interrupted while speaking unless called to order by the Chairperson; unless a Point of Order is raised by another Committee member; or unless the speaker chooses to yield to questions from another Committee member.

Any Committee member called to order while he or she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he or she shall be permitted to proceed. If ruled to be not in order, he or she shall remain silent or shall alter his or her remarks so as to comply with rules of the Committee.

Committee members shall accord the utmost courtesy to each other, to City or Committee employees, and to the public appearing before the Committee and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

Except where specifically authorized by Committee action, no Committee member shall make any statement or give the appearance or indicate in any way that he or she is representing the Committee.

Decorum and Order - Employees: Members of the administrative staff of the Committee shall observe the same rules of procedure and decorum applicable to Committee members. The City Manager shall ensure that all Committee employees observe such decorum. Any staff members, including the City Manager, desiring to address the Committee or members of the public shall first be recognized by the Chairperson. All remarks shall be addressed to the Chairperson and not to any one individual Committee member, staff member or member of the public, unless otherwise permitted by the Chairperson.

Decorum and Order - Public: Members of the public attending Committee meetings shall observe the same rules of order and decorum applicable to the Committee. Any person making impertinent and slanderous remarks that disrupt the proceedings and/or prevent the orderly conduct of the meeting shall be removed from the room, and such persons may be barred from further audience before the Committee. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Chairperson.

Conflict of Interest: All Committee members are subject to the provisions of California Law, such as Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest, and to the Conflicts of Interest Code adopted by the City.

Dissents and Protests: Any Committee member shall have the right to express dissent from, or protest to, any action of the Committee and have the reason entered in the minutes. If such dissent or protest is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons . . . "

Rulings of Chairperson Final Unless Overruled: In presiding over Committee meetings, the Chairperson shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Committee members present and voting.

Section 5. Addressing the Committee

Manner of Addressing the Committee: Any member of the public desiring to address the Committee shall wait to be recognized by the Chairperson. After being recognized, the Chairperson may request, but not require, that he/she state his/her name for the record.

All remarks and questions shall be addressed to the Chairperson and not to any individual Committee member, staff member or other person. No person shall enter into any discussion without being recognized by the Chairperson.

Addressing the Committee After Motion Is Made: After a motion has been made, no member of the public shall address the Committee without first securing permission by a majority vote of the Committee.

Limitations Regarding Public Comments and Reports: The making of oral communications to the Committee by any member of the public during the "Public Comments" portion of the agenda shall be subject to a three (3) minute time limit.

Section 6. Motions

Processing of Motions: When a motion is made and seconded, it shall be stated by the Chairperson before debate. A motion so stated shall not be withdrawn by the maker of the motion without the consent of the person seconding it.

Motion to Adjourn: (not debatable) A motion to adjourn shall be in order at any time, except as follows:

- When repeated without intervening business or discussion;
- When made as an interruption of a Committee member while speaking;
- When discussion has been ended, and vote on a motion is pending; and,
- While a vote is being taken.

Section 7. Voting Procedure

Voting Procedure: In acting upon every motion, the vote shall be taken by roll call. The vote on each motion shall then be entered in full upon the record. The Secretary shall call the names of all members seated for a roll call vote. Members shall respond 'aye,' 'no' or 'abstain.'

Reconsideration: Any Committee member who voted with the majority may move a reconsideration of any action at the same meeting. If the motion to reconsider passes, then the original item may be reconsidered at that time or agendaized for the next

meeting which meets any applicable noticing requirements. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Committee.

Section 8. Rules Directory

To the extent not required by State laws, these rules of procedure shall be considered directory only; and compliance herewith shall not be considered mandatory or jurisdictional.

Section 9. Use of Alternative Rules

In absence of a rule set forth in these Rules of Procedure to address a given circumstance at a Committee meeting, the Chairperson may employ Rosenberg's Rules of Order, to the extent allowed by applicable law.



# ***Citizens' Sales Tax Oversight Committee***

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

### **Measure F-14 Program Overview and Project Updates**

#### **RECOMMENDATION:**

Receive and file Measure F-14 Program Overview and Project Updates.

#### **DISCUSSION:**

Staff will present updates to the Committee on the following items:

- Measure F-14 Program Overview
- Measure F-14 Project Updates

A presentation and other material will be provided at the meeting.

#### **FISCAL IMPACT:**

None

#### **ATTACHMENTS:**

None