



## CITY OF ATASCADERO CITY COUNCIL AGENDA

### **HYBRID MEETING INFORMATION:**

In accordance with City Council Resolution No. 2022-073 and the requirements of AB 361, 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:**

Individuals who wish to provide public comment in-person may attend the meeting in the City Council Chambers. Individuals who wish to participate remotely may 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.

If you wish to comment but not via a live platform, please email public comments to [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org). Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be forwarded to the City Council and made a part of the administrative record. ***To ensure distribution to the City Council prior to consideration of the agenda, the public is encouraged to submit comments no later than 12:00 p.m. the day of the meeting.*** Those comments, as well as any comments received after that time, but before the close of the item, will be distributed to the City Council, posted on the City's website, and will be made part of the official public record of the meeting. ***Please note, email comments will not be read into the record.***

### **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.

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, December 13, 2022

City Hall Council Chambers, 4th floor  
6500 Palma Avenue, Atascadero, California

**City Council Regular Session:**

**6:00 P.M.**

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

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Newsom

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

**APPROVAL OF AGENDA:** Roll Call

Recommendation: Council:

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.

**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 Action Minutes – November 22, 2022**

- Recommendation: Council approve the November 22, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]

**2. AB 361 Requirements for Virtual Meetings**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution making findings consistent with the requirements of AB 361 to continue to allow for the conduct of virtual meetings. [City Manager]

**3. City Council 2023 Meeting Schedule**

- Fiscal Impact: None.
- Recommendation: Council approve the City Council meeting schedule for 2023. [City Manager]

**4. Reciting the Fact of the November 8, 2022 General Municipal Election**

- Fiscal Impact: None.
- Recommendation: Council adopt the Draft Resolution, reciting the fact of the General Municipal Election held on November 8, 2022, declaring the result and such other matters as provided by law. [City Clerk]

**5. Santa Lucia Road Over Graves Creek Bridge Replacement Project Construction Phase Award**

- Fiscal Impact: \$4,295,914 in Federal Highway Bridge Replacement and Rehabilitation Program funds.
- Recommendation: Council:
  1. Award a construction contract for \$3,561,685 to Souza Construction for the Santa Lucia Road Bridge Replacement Project (City Project No. C2015B02, Federal Project No. BRLO-5423[029]).
  2. Approve a professional services contract for \$644,229 with Filippin Engineering, Inc. to provide construction engineering and inspection services for the Santa Lucia Road Bridge Replacement Project.
  3. Approve a professional services contract amendment for \$90,000 with Consor Engineers (previously Quincy Engineering) to provide construction design support services for the Santa Lucia Road Bridge Replacement Project. [Public Works]

**6. Purchase of Restrictive Covenant/Deed Restriction for 5970 El Camino Real**

- Fiscal Impact: \$120,000.
- Recommendation: Council approve purchase of the right to eliminate the grandfathered non-conforming automotive uses on 5970 El Camino Real, in the form of a restrictive covenant/deed restriction, for a total of \$120,000, and authorize the City Manager to execute all documents necessary to effectuate such purchase. [Community Development]

**OATHS OF OFFICE:**

**1. Administration of Oaths of Office**

- Swearing in of Mayor Heather Moreno, Council Members Susan Funk and Heather Newsom, and Treasurer Gere Sibbach.

**CITY COUNCIL REORGANIZATION:**

**1. Council Appointment of Mayor Pro Tem**

- Accept nominations from the Council Members and appoint a Mayor Pro Tem for a two-year term ending December 2024.

**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:**

**1. General Plan Update Project – Phase 2 (GPA21-0067)**

- Fiscal Impact: None.
- Recommendation: Council provide preliminary input on a series of questions designed to support the background data and receive an update on the General Plan Update Project. [Community Development]

**2. Restaurant Development Incentive Loan Program**

- Fiscal Impact: \$1,000,000 in General Fund balances for the loans and third-party loan administration, with interest income received back into the program.
- Recommendation: Council:
  1. Approve a Restaurant Development Incentive Loan Program to catalyze food-serving establishments and the revitalization of underutilized or vacant properties in the Downtown Zoning District in the amount of \$1,000,000.
  2. Authorize the Administrative Services Director to appropriate \$1,000,000 in General Funds to the Restaurant Development Incentive Loan Program.
  3. Authorize the City Manager to execute a contract with Economic Development Collaborative (EDC) for loan administrative services. [Community Development]

**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 Newsom

1. City / Schools Committee
2. Design Review Committee
3. League of California Cities – Council Liaison
4. Visit SLO CAL Advisory Committee

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. City of Atascadero Finance Committee
4. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Funk

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

**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
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

**F. ADJOURNMENT**