



# CITY OF ATASCADERO CITY COUNCIL

## MINUTES

Tuesday, May 23, 2023

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

City Council Closed Session: 5:00 P.M.

City Council Regular Session: 6:00 P.M.

**CITY COUNCIL CLOSED SESSION: 5:00 P.M.**

Mayor Moreno called Closed Session to order at 5:02 p.m.

### 1. ROLL CALL

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

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and Deputy City Manager – IT Luke Knight

### 2. CLOSED SESSION -- PUBLIC COMMENT – None

### 3. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION

Deputy City Manager – IT Knight did not attend this portion of the meeting.

### 4. CLOSED SESSION -- CALL TO ORDER

- a. **Conference with Labor Negotiators** (Govt. Code Sec. 54957.6)  
Agency designated representatives: Rachelle Rickard, City Manager

Employee Organizations: Atascadero Professional Firefighters, Local 3600; Atascadero Police Association; Service Employees International Union, Local 620; Mid-Management/Professional Employees; Non-Represented Professional and Management Workers and Confidential Employees

**5. CLOSED SESSION – ADJOURNMENT**

**6. COUNCIL RETURNS TO CHAMBERS**

**7. CLOSED SESSION – REPORT**

City Attorney Pierik reported that there was no reportable action from Closed 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 Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Acting Police Chief Bob Molle, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager – IT Luke Knight, Battalion Chief Matt Miranda, Deputy Economic and Community Development Director Loreli Cappel, Public Works Analyst Ryan Betz and Associate Planner Mariah Gasch

**APPROVAL OF AGENDA:**

**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 Action Minutes – May 9, 2023**

- Recommendation: Council approve the May 9, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]

2. **April 2023 Accounts Payable and Payroll**
  - **Fiscal Impact:** \$1,560,437.43
  - **Recommendation:** Council approve certified City accounts payable, payroll and payroll vendor checks for April 2023. [Administrative Services]
3. **Downtown Parking and Business Improvement Area (DPBIA) Assessment**
  - **Fiscal Impact:** None.
  - **Recommendation:** Council adopt Draft Resolution, declaring intent to levy the annual Downtown Parking and Business Improvement Area assessment, and set a public hearing for June 13, 2023. [City Manager]
4. **Atascadero Tourism Business Improvement District (ATBID) Annual Assessment**
  - **Fiscal Impact:** None.
  - **Recommendation:** Council:
    1. Approve the ATBID Annual Report; and
    2. Adopt Draft Resolution, declaring intent to levy an annual Business Improvement District assessment on lodging businesses within the Atascadero Tourism Business Improvement District, and set a public hearing for June 13, 2023. [City Manager]
5. **Atascadero Tourism Business Improvement District (ATBID) Board Appointment of Two Board Members for New Term**
  - **Fiscal Impact:** None.
  - **Recommendation:** Council appoint Corina Ketchum and Tom O'Malley to the ATBID Advisory Board for the term expiring June 30, 2025. [City Manager]
6. **Annexation of the Marketplace Project into Community Facilities District 2005-1, Annexation No. 25**
  - **Fiscal Impact:** Assessment revenue will range between \$0 and \$71,677 each year, with annual adjustments for inflation.
  - **Recommendation:** Council adopt Draft Resolution, declaring intent to annex territory into Community Facilities District 2005-1 (Public Services) as Annexation No. 25, and to authorize the levy of special taxes therein (Marketplace). [Community Development]
7. **Adopting a List of Projects for Fiscal Year 2023-2024 Funded by SB 1: the Road Repair and Accountability Act of 2017**
  - **Fiscal Impact:** \$760,910 in 2023-2024 SB 1 funding.
  - **Recommendation:** Council adopt Draft Resolution, adopting a list of projects to be funded with Road Maintenance and Rehabilitation Account revenues from SB 1 (The Road Repair and Accountability Act of 2017) for fiscal year 2023-2024. [Public Works]
8. **Broadband Strategy Implementation Services**
  - **Fiscal Impact:** \$90,000.
  - **Recommendation:** Council approve a contract with TeleworX on a time and materials basis, not to exceed \$90,000, for North County Broadband Strategy Implementation Services. [Community Development]

**MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to approve the Consent Calendar Items. (#A-3: Resolution No.**

**2023-033) (#A-4: Resolution No. 2023-034) (#A-6: Resolution No. 2023-035) (#A-7: Resolution No. 2023-036) (#A-8: Contract No. 2023-013)**

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

**UPDATES FROM THE CITY MANAGER:**

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

**COMMUNITY FORUM:**

The following persons spoke in-person by telephone or through the webinar: Twila Martin and Geoff Auslen.

**B. PUBLIC HEARINGS:**

**1. Proposition 218 Majority Protest Process Relative to Proposed Increase to Wastewater (Sewer) Rates**

- Fiscal Impact: \$750,000 in additional revenue from increased sewer service charges.
- Recommendation: Council:
  1. Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218; and
  2. Adopt one of the following resolutions certifying the protest results:
    - A. For a non-majority protest – Draft Resolution A, certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.
    - OR**
    - B. For a majority protest – Draft Resolution B, certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase.
  3. If no majority protest exists, adopt Draft Resolution C, approving proposed wastewater rates effective July 1, 2023. [Public Works]

Ex Parte: None

Public Works Analyst Betz gave the report and answered questions from the Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: None

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

**MOTION: By Council Member Bourbeau and seconded by Council Member Funk to adopt Resolution No. 2023-037 certifying that the number**

of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase and adopt Resolution No. 2023-038 approving proposed wastewater rates effective July 1, 2023.  
*Motion passed 5:0 by a roll-call vote.*

**2. Amendments to Fee Schedule**

- Fiscal Impact: Operating revenue from the CPI increase will be offset by increases in costs to provide the services.
- Recommendation: Council adopt Draft Resolution, adopting amended fees and deposits to offset costs incurred in planning services, and a schedule of fees and charges for City services. [Administrative Services]

Ex Parte: None

Administrative Services Director Rangel 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 Council Member Dariz to adopt Resolution No. 2023-039, adopting amended fees and deposits to offset costs incurred in planning services, and a schedule of fees and charges for City services with the following changes:

- Amend 23-055 and 23-055A keeping the percentages from the approved 2022 Fee Schedule.
- Amend 23-131A to waive nominal amounts up to \$25.

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

**C. MANAGEMENT REPORTS:**

**1. El Camino Real Downtown Infrastructure Enhancement Project**

- Fiscal Impact: None.
- Recommendation: Council review and approve the final concept plan for the El Camino Real Downtown Infrastructure Enhancement Plan, and direct staff and design consultant to move forward with preparation of final construction bid package. [Public Works]

Public Works Director DeBar gave a brief summary of the report and introduced the design consultant, Sarah Huffman with Wallace Group, who 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 approve the final concept plan for the El Camino Real Downtown Infrastructure Enhancement Plan and direct staff and design consultant to move forward with preparation of final construction bid package.**

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

**2. Discussion of Potential Text Amendments to Titles 3 and 9, Planning and Zoning**

- Fiscal Impact: None.
- Recommendation: Council review and discuss potential text amendments to Titles 3 and 9, Planning and Zoning, and direct staff regarding which amendments to bring forward at this time. [Community Development]

Community Development Director Dunsmore gave the report and answered questions from the Council. Associate Planner Gash also answered question from Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: None

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

**MOTION: By Council Member Newsom and seconded by Mayor Pro Tem Funk to direct staff to bring forward all 14 potential text amendments to Titles 3 and 9, Planning and Zoning, of the Atascadero Municipal Code, giving staff discretion to prioritize when and which amendments to bring forward to Council for review, discussion, and adoption.**

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

**D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:**

Mayor Moreno

1. County Mayors Round Table
2. SLO Council of Governments (SLOCOG)

Mayor Pro Tem Funk

1. Design Review Committee
2. Homeless Services Oversight Council

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Air Pollution Control District
3. Community Action Partnership of San Luis Obispo (CAPSLO)
4. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Design Review Committee

Council Member Newsom reported attending the CJPIA Elected Official Summit from May 15-17, 2023 in Paso Robles.


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

1. City Council – Mayor Moreno announced that Council Member Dariz would take Council Member Newsom's place on DRC and Mayor Pro Tem Funk would be the new Chair of DRC.

**F. ADJOURN**

Mayor Moreno adjourned the meeting at 8:55 p.m.

**MINUTES PREPARED BY:**



Lara K. Christensen  
Deputy City Manager / City Clerk

**APPROVED:** June 13, 2023