



CITY OF ATASCADERO CITY COUNCIL AGENDA

HYBRID MEETING INFORMATION:

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.

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. 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 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.

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.



CITY OF ATASCADERO CITY COUNCIL

AGENDA

Tuesday, September 26, 2023

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

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

CITY COUNCIL CLOSED SESSION:

1. CLOSED SESSION — PUBLIC COMMENT
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 Real Property Negotiators**
Government Code Sec. 54956.8
Real Property: 6005 Lewis Avenue (APN 029-332-005 – City Property),
6105 Olmeda Avenue (APN 029-091-001 – State of California Property),
Atascadero, California 93422
Agency Negotiator: James R. Lewis, City Manager
Negotiating Parties: State of California
Subject of Negotiations: Purchase price and/or terms of payment
 - c. **Conference with Legal Counsel – Existing Litigation**
Government Code Sec. 54956.9(d)(1)
Name of Case: Sunderland v. City of Atascadero
San Luis Obispo Superior Court Case No. 21CVP-0074
 - d. **Conference with Legal Counsel – Anticipated Litigation**
Significant exposure to litigation pursuant to Government Code
Sec. 54956.9(d)(2): 1 potential case – California Voting Rights Act
4. CLOSED SESSION — ADJOURNMENT
5. COUNCIL RETURNS

6. CLOSED SESSION — REPORT, if any

Announcement(s) of any reportable action(s) taken in Closed Session that occur(s) after the recess of Regular Session will be made at the beginning of the next Regular City Council meeting as Closed Session is not recorded or videotaped.

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

PLEDGE OF ALLEGIANCE: Council Member Dariz

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

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 Minutes – September 12, 2023

- Recommendation: Council approve the September 12, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]

2. August 2023 Accounts Payable and Payroll

- Fiscal Impact: \$4,184,743.25.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for August 2023. [Administrative Services]

3. Downtown District Pavement Rehabilitation Project Phase 2 Construction Contract Award

- Fiscal Impact: \$1,254,513 in Local Transportation Funds for the Base Bid plus Bid Alternate 1.
- Recommendation: Council
 1. Award a construction contract for \$1,254,513 (Base Bid plus Alternate 1) to Souza Construction for Phase 2 of the Downtown District Pavement Rehabilitation Project (Project No. C2021R02[2]); and
 2. Authorize the Director of Administrative Services to allocate an additional \$407,660 in Local Transportation Funds to the Downtown District Pavement Rehabilitation Project budget; and
 3. Authorize staff to include the Traffic Way (Bid Alternate 2) and Olmeda Avenue (Bid Alternate 3) portions of the Downtown District Pavement

Rehabilitation Project with the Traffic Way Pavement Rehabilitation (South) Project scheduled for fiscal year 2025-2026 construction. [Public Works]

4. Affordable Housing Development Impact Fee Deferral Policy Resolution Adoption and Second Reading of Ordinance

- Fiscal Impact: Approximately \$15,000 to \$19,000 in combined deferral of impact and wastewater fees for each residential unit.
- Recommendation: Council:
 1. Adopt Draft Resolution approving a policy to allow deferral of development impact fees and wastewater capacity charges for affordable housing projects in accordance with the City Housing Element Policy; and
 2. Adopt on second reading, by title only, Draft Ordinance to amend the Municipal Code, Title 3-14.070, to include the deferral of impact fees for affordable housing projects as an option for payment for impact fees. [Community Development]

5. Sediment and Erosion Control Work for 2023 Pine Mountain Slide

- Fiscal Impact: \$55,000.
- Recommendation: Council authorize the Director of Administrative Services to allocate \$55,000 in General Fund Reserves toward Sediment and Erosion Control Work for the 2023 Pine Mountain Slide. [Public Works]

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.)

B. PUBLIC HEARINGS: None

C. MANAGEMENT REPORTS:

1. Ordinance Regulating Camping in Areas of the City

- Fiscal Impact: None.
- Recommendation: Council:
 1. Adopt Draft Urgency Ordinance A repealing and replacing, in its entirety, Title 5, Chapter 15 (Prohibited Camping) of the Atascadero Municipal Code, to better define prohibited camping on public and private property; regulate storage of personal property on public property; and establish time, manner, and place regulations for camping by necessity; and

2. Introduce for first reading, by title only, Draft Ordinance B repealing and replacing, in its entirety, Title 5, Chapter 15 (Prohibited Camping) of the Atascadero Municipal Code, to better define prohibited camping on public and private property; regulate storage of personal property on public property; and establish time, manner, and place regulations for camping by necessity. [Police Department]

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 Funk

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

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. Community Action Partnership of San Luis Obispo (CAPSLO)
4. Design Review Committee
5. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. League of California Cities – Council Liaison

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

ADJOURNMENT