



# CITY OF ATASCADERO CITY COUNCIL

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## MINUTES

Tuesday, May 28, 2024

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

<u>City Council Regular Session:</u>	6:00 P.M.
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### REGULAR SESSION — CALL TO ORDER: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:00 P.M. and Council Member Dariz led the Pledge of Allegiance.

### ROLL CALL:

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

Absent: None

Others Present: Treasurer Sibbach

Staff Present: City Manager James R. Lewis, Deputy City Manager/City Clerk Lara Christensen, Administrative Services Director Jeri Rangel, Fire Chief Casey Bryson, Police Chief Dan Suttles, Public Works Director Nick DeBar, Community Development Director Phil Dunsmore, Community Services & Promotions Director Terrie Banish, City Attorney Dave Fleishman, Deputy City Manager – IT Luke Knight, and Planning Manager Kelly Gleason.

### CLOSED SESSION – REPORT (IF ANY)

#### a. May 14, 2024

City Attorney Fleishman reported there was no reportable action.

### A. CONSENT CALENDAR:

#### 1. City Council Draft Minutes – May 14, 2024 Special and Regular Meeting

- Recommendation: Council approve the May 14, 2024, Draft City Council Special and Regular Meeting Minutes. [City Clerk]

## **2. April 2024 Accounts Payable and Payroll**

- **Fiscal Impact:** \$2,449,550.40.
- **Recommendation:** Council approve certified City accounts payable, payroll and payroll vendor checks for April 2024. [Administrative Services]

## **3. Apple Valley Assessment Districts**

- **Fiscal Impact:** Annual assessments for 2024/2025 will total \$38,500 for road/drainage system maintenance and \$63,000 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in Apple Valley. Contributions of \$11,000 for half the cost of the park will be made from the City's General Fund, and an equal revenue source will be recognized from contributions made by the developer.
- **Recommendation:** Council:
  1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) for fiscal year 2024/2025.
  2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley).
  3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) in fiscal year 2024/2025, and to appoint a time and place for the public hearing on these matters.
  4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2024/2025 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code.
  5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2024/2025.
  6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2024/2025.  
[Administrative Services]

## **4. De Anza Estates Assessment Districts**

- **Fiscal Impact:** Annual assessments for 2024/2025 will total \$30,562 for road/drainage system maintenance and \$15,875 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in De Anza Estates. The City General Fund will contribute \$1,400 for the fiscal year 2024/2025 for half of the maintenance costs of the trails and open space.
- **Recommendation:** Council:
  1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) for fiscal year 2024/2025.
  2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates).

3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) in fiscal year 2024/2025, and to appoint a time and place for the public hearing on these matters.
4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2024/2025 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code.
5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2024/2025.
6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2024/2025.  
[Administrative Services]

**5. Las Lomas (Woodridge) Assessment Districts**

- Fiscal Impact: Annual assessments for 2024/2025 will total \$101,506 for road/drainage system maintenance and \$76,014 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in Las Lomas (Woodridge). The City General Fund will contribute \$2,600 for the fiscal year 2024/2025 for 25% of the maintenance costs of the trails and open space.
- Recommendation: Council:
  1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2024/2025.
  2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]).
  3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]) in fiscal year 2024/2025, and to appoint a time and place for the public hearing on these matters.
  4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2024/2025 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code.
  5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2024/2025.
  6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2024/2025.  
[Administrative Services]



**6. March 2024 Investment Report**

- Fiscal Impact: None.
- Recommendation: Council receive and file the City Treasurer's report for quarter ending March 31, 2024. [City Treasurer]

**7. 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 11, 2024. [Community Services & Promotions]

**8. Atascadero Tourism Business Improvement District (ATBID) Assessment**

- Fiscal Impact: None.
- Recommendation: Council:
  1. Approve the ATBID Annual Report.
  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 11, 2024. [Community Services & Promotions]

**9. Annual Military Equipment Report Pursuant to Assembly Bill 481**

- Fiscal Impact: None.
- Recommendation: Council receive and file the annual Military Equipment Report pursuant to the requirements of Assembly Bill 481. [Police Department]

**10. Purchase of CCTV Inspection Vehicle for Wastewater Operations**

- Fiscal Impact: \$274,961 of budgeted wastewater funds.
- Recommendation: Council approve the purchase of one Envirosight High Definition Rover X CCTV Inspection Vehicle from Haaker Equipment Company for \$274,961 for wastewater collection system maintenance and operations. [Public Works]

**11. Update on Local Emergency Proclamation Related to Early February 2024 Storms**

- Fiscal Impact: There is no fiscal impact related to staff's recommendation. Continuation of the local emergency proclamation is necessary in order to qualify for FHWA Emergency Repair funding for the San Marcos Road landslide repairs. Total costs for this project are estimated to be in the range of \$800,000 to \$1,000,000.
- Recommendation: Council continue the proclamation of the existence of a local emergency related to early February 2024 storms. [Public Works]

**12. El Camino Real Downtown Infrastructure Enhancement Project Construction Award**

- Fiscal Impact: Approving staff recommendations will result in estimated combined expenditures up to \$10,824,490 from LTF, Circulation System Fund, General Fund, State Legislative Grant, USHA, RSHA, and 2010 Bond Master Agreement Funds; and up to \$1,118,930 in Wastewater Funds.
- Recommendation: Council:
  1. Award a construction contract to Souza Construction for the Base Bid and Bid Additive Alternate 1 and 4 schedules for a combined total of \$9,490,234 for the El Camino Real Downtown Infrastructure Enhancement Project, Project No. C2017T01 ("Project").

2. Award a professional services contract to Filippin Engineering, Inc. for \$729,718 to perform construction management, inspection, and materials testing services for the Project.
3. Authorize the Director of Administrative Services to allocate an additional \$118,930 in Wastewater Fund Reserves toward the Project for FY2024/25. [Public Works]

**13. Charles Paddock Zoo Funding for AZA Accreditation Budget**

- Fiscal Impact: \$305,000.
- Recommendation: Council authorize the Director of Administrative Services to appropriate \$305,000 in General Fund reserves to the Charles Paddock Zoo's Budget for the Association of Zoos and Aquariums (AZA) accreditation process. [Community Services & Promotions]

**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:** Newsom

1. **Approve Consent Calendar (#A-3: Resolution Nos. 2024-009 through 014) (#A-4: Resolution Nos. 2024-015 through 020) (#A-5: Resolution Nos. 2024-021 through 026) (#A-7: Resolution No. 2024-027) (#A-8: Resolution No. 2024-028) (#A-10: Contract No. 2024-004) (#A-12: Contract Nos. 2024-005 through 006).**

**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 by telephone or through the webinar: Nicole Bryant, Jessica Applegate, Darcy Price, Geoff Auslen, Will Everett, Sam Mountain, and Kelly Arebalo.

**B. PUBLIC HEARINGS:**

**1. Amendments to Fee Schedule**

- Fiscal Impact: There will be an increase in operating revenue resulting from the CPI increase, with an offsetting increase in costs to provide the services.
- Recommendation: Council adopt Draft Resolution, adopting amended fees and deposits to offset costs incurred in planning services, and adopt 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 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 Draft Resolution, adopting amended fees and deposits to offset costs incurred in planning services, and adopt a schedule of fees and charges for City services, with the clarification to Fee 24-055B as presented by City staff.**

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

***Passed 5-0***

**C. MANAGEMENT REPORTS:**

**1. Request for Authorization for Amendments to Del Rio Ranch**

- **Fiscal Impact:** If developed with lodging, retail and tourist-oriented uses, this site is likely to become a positive fiscal contribution to the City and may act as a catalyst to attract additional head of household jobs and other tax revenue supporting land uses within the Del Rio vicinity.
- **Recommendation:** Council consider authorization for the applicant team to proceed with amendments to the General Plan Map, Zoning Map, Specific Plan, and Master Plan of Development (Use Permit) for the Del Rio Ranch project site to allow for an RV and glamping resort on the 25-acre site.  
[Community Development]

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

**PUBLIC COMMENT:**

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

The following persons spoke on this item: Irene Dolan, Geoff Auslen, Will Everett

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

**MOTION BY:** Bourbeau  
**SECOND BY:** Dariz

- 1. Authorize the applicant team to proceed with amendments to the General Plan Map, Zoning Map, Specific Plan, and Master Plan of Development (Use Permit) for the Del Rio Ranch project site to allow for an RV and glamping resort on the 25-acre site.**

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

***Passed 5-0***



Mayor Moreno recessed the meeting at 8:15 P.M.

Mayor Moreno reconvened the meeting at 8:27 P.M.

**2. Appointive City Treasurer Ballot Measure**

- Fiscal Impact: The addition of a ballot measure to the November 2024 ballot is estimated to be \$3,000-\$6,000. If the ballot measure is successful, savings from the elimination of the stipends and health benefit costs for the elected position is estimated to be about \$16,800 annually.
- Recommendation: Council direct the City Clerk to bring back to the Council in June 2024 the Resolution required for placing a ballot measure on the ballot for the General Municipal Election to be held on Tuesday, November 5, 2024, asking voters “Shall the City Treasurer be appointive?”.  
[Administrative Services]

Administrative Services Director Rangel gave the report and answered questions from 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. **Direct the City Clerk to bring back in June 2024 the resolution required for placing a ballot measure on the ballot for the General Municipal Election to be held on Tuesday, November 5, 2024, asking voters, “Shall the City Treasurer be appointive?”**

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

***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

2. County Mayors Round Table

Mayor Pro Tem Funk

3. Homeless Services Oversight Council

Council Member Newsom

2. City / Schools Committee

E. INDIVIDUAL DETERMINATION AND / OR ACTION: None.

**ADJOURNMENT**

**MINUTES PREPARED BY:**

A handwritten signature in blue ink, appearing to be 'Lara K. Christensen', written over a horizontal line.

Lara K. Christensen  
City Clerk

**APPROVED:** June 11, 2024