



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, November 24, 2020

**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.

Mayor Moreno called the meeting to order at 6:00 p.m. and Council Member Fonzi led the Pledge of Allegiance.

ROLL CALL:

Present: **By Teleconference** - Council Members Fonzi, Funk, and Newsom, Mayor Pro Tem Bourbeau, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: **By Teleconference** – City Manager Rachelle Rickard, Interim Police Chief Bob Molle, Fire Chief Casey Bryson, Administrative Services Director Jeri Rangel, Public Works Director Nick DeBar, Community Development Director Phil Dunsmore, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and IT Manager Luke Knight

APPROVAL OF AGENDA:

- MOTION:** By Council Member Fonzi and seconded by Council Member 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.

PRESENTATIONS: None.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – November 10, 2020

- Recommendation: Council approve the November 10, 2020 Draft City Council Regular Meeting Minutes. [City Clerk]

2. October 2020 Accounts Payable and Payroll

- Fiscal Impact: \$2,764,004.52
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for October 2020. [Administrative Services]

3. Conflict of Interest Code - Biennial Review

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution, updating and amending the Conflict of Interest Code for the City of Atascadero. [City Clerk]

4. Amendment to the San Luis Obispo Regional Transit Authority Joint Powers Agreement

- Fiscal Impact: None.
- Recommendation: Council approve Draft Resolution authorizing execution of the amended and restated Joint Powers Agreement for the San Luis Obispo Regional Transit Authority allowing consolidation of South County Transit into the San Luis Obispo Regional Transit Authority. [City Manager]

MOTION: By Council Member Newsom and seconded by Council Member Funk to approve the Consent Calendar. (#A-3: Resolution No. 2020-080)(#A-4: Resolution No. 2020-081)
Motion passed 5:0 by a roll-call vote.

UPDATES FROM THE CITY MANAGER:

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

COMMUNITY FORUM:

The following citizens spoke by telephone during Community Forum: None.

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Mitch Paskin

B. PUBLIC HEARINGS: None.

C. MANAGEMENT REPORTS:

1. Discussion of Proposed Pickleball Courts at Colony Park

- Fiscal Impact: None.
- Recommendation: Council provide feedback and staff direction regarding the proposed Pickleball Courts at Colony Park.[Public Works]

Public Works Director DeBar gave the presentation and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone on this item: Colleen Avery, Barbara Sims, and Edmund Temple

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: John Goers

Mayor Moreno closed the Public Comment period.

There was Council consensus for the City to contribute \$150,000 towards the construction of the Pickleball Courts with the potential for additional monies to be appropriated dependent on the soils report and the thickness of concrete required.

Mayor Moreno recessed the Meeting at 7:47 p.m.

Mayor Moreno reconvened the Meeting at 7:57 p.m. with all present.

2. Cannabis Regulations Update Discussion (CPP 2020-0011)

- Fiscal Impact: None.
- Recommendation: Council direct staff to conduct further analyses on commercial cannabis uses and/or draft ordinance language to amend Title 9-Chapter 15 of the Zoning Regulations to allow for limited commercial cannabis uses. [Community Development]

Community Development Director Dunsmore gave the presentation and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Pro Tem Bourbeau and seconded by Mayor Moreno to direct staff to return at a future date with information providing the necessary guidance for the operation of non-store front cannabis delivery businesses in the City.

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

3. CDBG Traffic Way Sidewalk Accessibility and Pedestrian Ramp Project Construction Award

- Fiscal Impact: \$386,296.00
- Recommendations: Council:
 1. Reject the bid protest of JJ Fisher Construction, Inc. and award the contract for the construction of the CDBG Traffic Way Sidewalk Accessibility and Pedestrian Ramp Project to G. Sosa Construction, Inc.
 2. Authorize the City Manager to execute a contract with G. Sosa Construction, Inc. for \$286,385 to construct the CDBG Traffic Way Sidewalk Accessibility and Pedestrian Ramp Project. [Public Works]

Public Works Director DeBar gave the presentation and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone on this item: None.

Deputy City Manager/City Clerk Christensen noted that an email had been received by David Geffen, and at his request, would not be read into the record but forwarded to the City Council and made a part of the Minutes.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Council Member Newsom to:

1. Reject the bid protest of JJ Fisher Construction, Inc. and award Contract No. 2020-015 for the construction of the CDBG Traffic Way Sidewalk Accessibility and Pedestrian Ramp Project to G. Sosa Construction, Inc.
2. Authorize the City Manager to execute Contract No. 2020-015 with G. Sosa Construction, Inc. for \$286,385 to construct the CDBG Traffic Way Sidewalk Accessibility and Pedestrian Ramp Project.
3. Approve the request by R. Burke Corporation to withdraw their bid proposal.

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

D. DISCUSSION ITEM: Discussion of COVID 19 issues including oral updates by Mayor Moreno and City Manager Rickard, questions by City Council, public comment and comments by City Council.

1. Coronavirus (COVID-19) update – Mayor Moreno
2. Coronavirus (COVID-19) update – City Manager Rickard

City Manager Rickard and Mayor Moreno provided updates on Coronavirus (COVID-19) and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

E. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members made brief announcements and gave brief update reports on their committees since their last Council meeting:

Mayor Moreno

1. Economic Vitality Corporation, Board of Directors (EVC)

Mayor Pro Tem Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee

F. 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

Mayor Pro Tem Bourbeau requested that discussion on non-owner occupied short-term rentals come before the Council for discussion. Given the current priorities of the Council, and the limited staff resources, there was not consensus for staff to return to the Council with an item for discussion at this time.

G. ADJOURN

Mayor Moreno adjourned the meeting at 9:48 p.m.

MINUTES PREPARED BY:



Lara K. Christensen
Deputy City Manager/City Clerk

The following exhibit is available for review in the City Clerk's office:

- Exhibit A – Email from David Geffen

APPROVED: December 8, 2020

PUBLIC COMMENT PROVIDED BY EMAIL

COMMUNITY FORUM:

SUBMISSION FROM: Mitch Paskin

From: Mitch Paskin <atownslo@gmail.com>

Sent: Tuesday, November 24, 2020 12:16 PM

To: City Council <CityCouncil@atascadero.org>; City Clerk <cityclerk@atascadero.org>

Subject: Community Forum - November 24, 2020

Ms. Christensen,

Please read the attached statement at tonight's Community Forum portion of the City Council meeting.

I have finished a number of projects and would like to resolve some of my CPRA requests and submit a few more.

Thank you in advance.

A Happy Thanksgiving to you and yours.

--

Mitch Paskin

atownslo@gmail.com



Please read this message during the Community Forum portion of the City Council meeting on November 24, 2020

Mitch Paskin

atownslo@gamil.com



I am submitting this statement in reference to the Oak Ridge Estates residential project in 3F Meadows.

First of all, congratulations to the mayor and the elected members of the City Council. I am sure that everyone is very happy that the whole election is over, I know I am. Now we can enjoy the Thanksgiving holiday.

But now is also the time to act and move forward with securing the safety of the people of 3F Meadows.

I have a couple of issues that are more process than substance.

I would like my submissions to the Community Forum to be published with the minutes of the City Council meeting. When I read the minutes all it says is that Mitch Paskin spoke. That shuts out the people of Atascadero from issues affecting their lives. The Community Forum offerings used to be part of the minutes until a past administration didn't want the people of Atascadero to know what issues were being raised during the council meetings and how the city was handling them. I hope the current administration doesn't have that same opinion.

I want to invite the mayor and the members of the City Council to visit the area of 3F Meadows that is being affected by the Oak Ridge Estates project. I think a visit will make my concerns more apparent.

I see that more houses are going up at Oak Ridge Estates. I will say again that building permits for Phase 2 were conditioned on the completion of Cenegal Road. Since that road is not opened that condition has not been met. Again, the city is more concerned with the builder's profits than the safety of the people of Atascadero by not following the conditions of approval laid out in PD-11.

And, by the way, Cenegal Road has not been stripped so it isn't really complete.

The word on the street is that Cenegal Road will never be opened to traffic. That will make San Marcos and Los Altos Roads very dangerous. And it will make the project out of conformity with the conditions of approval.

This issue is not going away.

For more information about Oak Ridge Estates please go to WWW.ROADTO41.COM.

Again - WWW.ROADTO41.COM.

Thank you.

C. MANAGEMENT REPORTS

Item C-1

SUBMISSION FROM: John Goers

From: John W F Goers <jgoers@calpoly.edu>

Sent: Monday, November 23, 2020 10:17 AM

To: City Clerk <cityclerk@atascadero.org>

Subject: C.1. Management Reports. Discussion of Proposed Pickle Ball Courts at Colony Park

Atascadero City Council members:

I hope all of you will vote to fund the proposed permanent outside Pickle ball courts at Colony Park. The City needs increased recreational opportunities for both current and prospective citizens of our town. Pickle ball is one of the fastest growing sports for all age groups, and is

especially accessible to the older, rapidly growing portion of the City's population. As the population continues to grow these courts will be sorely needed to address people's desire for healthy outdoor sports.

Sincerely, John Goers

Atascadero citizen for 40 years