



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, December 8, 2020

**City Hall Council Chambers, 4th 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:

Mayor Moreno announced at 5:00 p.m. that the Council was going into Closed Session.

- 1. CLOSED SESSION -- PUBLIC COMMENT - None**
- 2. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION**
- 3. CLOSED SESSION -- CALL TO ORDER**
 - a. Conference with Legal Counsel – Existing Litigation**

Government Code Sec. 54956.9 (d)(1)
Name of Case: City of Atascadero v. Darin A. Vandeventer;
San Luis Obispo Superior Court Case No. 20CV-0046
- 4. CLOSED SESSION -- ADJOURNMENT**
- 5. COUNCIL RETURNS TO CHAMBERS**
- 6. CLOSED SESSION – REPORT**

City Attorney Murphy reported that in accordance with Government Code Sec. 54957.1(a)(3)(b) there was unanimous direction from the City Council to seek settlement for the above referenced case on approved terms. He noted that details of those terms would not currently be made public as they need to first be presented to the other party and following negotiations, the City Attorney's Office will be returning to Council for another Closed Session Conference or reporting about a settlement offer.

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

Mayor Moreno called the meeting to order at 6:03 p.m. and Mayor Pro Tem Bourbeau 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: **By Teleconference** - Treasurer Sibbach

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 Greg Murphy, Deputy City Manager/City Clerk Lara Christensen, and IT Manager Luke Knight

APPROVAL OF AGENDA:

MOTION: By Council Member Newsom 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.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – November 24, 2020

- Recommendation: Council approve the November 24, 2020 Draft City Council Regular Meeting Minutes. [City Clerk]

2. City Council 2021 Meeting Schedule

- Fiscal Impact: None.
- Recommendation: Council approve the City Council meeting schedule for 2021. [City Manager]

3. Reciting the Fact of the November 3, 2020 General Municipal Election

- Fiscal Impact: None.
- Recommendation: Council adopt the Draft Resolution, reciting the fact of the General Municipal Election held on November 3, 2020, declaring the result and such other matters as provided by law. [City Clerk]

4. Adoption of Public Transit Agency Safety Plan for Atascadero Transit

- Fiscal Impact: The City of Atascadero benefits from Federal 5307 capital and operating assistance funding. Federal funds could be withheld from Atascadero Transit should the City fail to submit a PTASP.
- Recommendation: Council approve and adopt the Atascadero Public Transit Agency Safety Plan. [Public Works]

5. Approve Final Map for Tract 3161 (South Mirasol Way)

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution approving the Final Map for Tract 3161. [Public Works]

6. Essential Services Transactions and Use Tax Contracting with the State of California

- Fiscal Impact: The sales tax measure will generate an estimated \$4.5 million in additional annual revenue. Staff anticipates costs to the State to be between \$10,000-40,000 for the Preparatory Fee and on-going administrative costs will be 0.57% of the revenue received from the tax increase. HdL will charge a \$200 monthly fee for the review and analysis services that will be paid from the General Fund, and 25% of the initial amount of new transactions or use tax revenue received by the City as a result of audit and recovery work performed by HdL.
- Recommendations: Council:
 1. Adopt Draft Resolution A authorizing the City Manager to execute agreements with the California Department of Tax and Fee Administration for implementation of a local transactions and use tax.
 2. Adopt Draft Resolution B authorizing representatives of the City of Atascadero to examine confidential transactions and use tax records of the California Department of Tax and Fee Administration (CDTFA) pertaining to transactions and use taxes collected by the CDTFA for the City of Atascadero.
 3. Authorize the City Manager to enter into a contract with Hinderliter, De Llamas and Associates for transactions tax audit and information services related to the Measure D-20 Sales Tax Revenue. [City Manager]

MOTION: By Council Member Funk and seconded by Council Member Newsom to approve the Consent Calendar. (#A-3: Resolution No. 2020-082) (#A-5: Resolution No. 2020-083) (#A-6: Resolution No. 2020-084, Contract Nos. 2020-015, 2020-016, Resolution No. 2020-085, Contract No. 2020-017)
Motion passed 5:0 by a roll-call vote.

B. 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. SLO Council of Governments (SLOCOG)
2. SLO Regional Transit Authority (RTA)

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

OATHS OF OFFICE:

1. Administration of Oaths of Office

- Swearing in of Mayor Heather Moreno and Council Members Charles Bourbeau and Mark Dariz

Deputy City Manager/City Clerk Christensen conducted the Oath of Office for the newly elected officials and distributed the Certificates of Election.

Council Member Dariz joined the meeting at 6:18 p.m.

PRESENTATIONS:

1. Recognition of outgoing City Council Member Roberta Fonzi

City Manager Rickard, on behalf of the City Council and City staff, read a history of Council Member Fonzi and thanked her for her service to Atascadero. Mayor Moreno and the rest of the City Council all thanked Council Member Fonzi for her service and Mayor Moreno presented her with an obelisk listing her years of service.

By telephone, 5th District Supervisor Debbie Arnold presented a commendation to Council Member Fonzi. Speaking from the public by telephone, Geoff Auslen and Tom O'Malley each thanked Council Member Fonzi for her service.

Council Member Fonzi retired from service at left the meeting at 6:38 p.m.

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 2022.

**MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to nominate Heather Newsom for the position of Mayor Pro Tem.
*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: Geoff Auslen

Mayor Moreno closed the COMMUNITY FORUM period.

C. PUBLIC HEARINGS:

1. Tentative Parcel Map 2930, 2945 Ramona Road (SBDV 20-0047)

- Fiscal Impact: Approval of the map creating one additional residential unit will have a slight negative fiscal impact on the City.
- Recommendation: Council adopt Draft Resolution approving Tentative Parcel Map AT 20-0013, including an abandonment of a portion of Ramona Road right-of-way and dedication of new right-of-way, based on findings and conditions of approval. [Community Development]

Ex Parte Communications

The Council Members reported having no communications on this matter. Council Member Dariz did note previously reviewing this item as a Planning Commissioner.

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

PUBLIC COMMENT:

The following citizens spoke by telephone on this item: Dennis Schmidt

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom to adopt Resolution No. 2020-086 approving Tentative Parcel Map AT 20-0013, including an abandonment of a portion of Ramona Road right-of-way and dedication of new right-of-way, based on findings and conditions of approval.
Motion passed 5:0 by a roll-call vote.

2. 2021 Community Development Block Grant Draft Recommendations

- Fiscal Impact: Approval of Atascadero's total 2021 CDBG allocation would result in the estimated revenue and expenditure of \$144,792 of CDBG funds.
- Recommendation: Council develop and adopt draft recommendations for the 2021 Community Development Block Grant (CDBG) funds. [Public Works]

Ex Parte Communications

The Council Members reported having no communications on this matter.

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

PUBLIC COMMENT:

The following citizens spoke by telephone on this item: Geoff Auslen

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Janna Nichols and Joanna Balsamo-Illien.

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Moreno and seconded by Mayor Pro Tem Newsom to adopt the following draft recommendations for the 2021 Community Development Block Grant (CDBG) funds:

Accessibility & Barrier Removal Project	\$ 68,615.00
Family Care Network, Inc.	\$ 25,500.00
City Youth Activities Scholarships	\$ 10,700.00
El Camino Homeless Organization	\$ 7,199.00
Court Appointed Special Advocates	\$ 2,500.00
5 Cities Homeless Coalition	\$ 1,320.00
City Program Administration Costs	\$ 10,135.00
County Program Administration Costs	\$ 18,823.00
TOTAL 2021:	\$144,792.00

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

Mayor Moreno recessed the meeting at 8:18 p.m.

Mayor Moreno reconvened the meeting with all present at 8:26 p.m.

D. MANAGEMENT REPORTS:

1. Confirm the Appointment of Police Chief

- Fiscal Impact: The Police Chief's monthly salary of \$13,466.96, at Step E, is included in the Police Department budget for fiscal year 2020-2021.
- Recommendation: Council concur and confirm the appointment of Robert (Bob) Masterson as Atascadero's new Police Chief. [City Manager]

City Manager Rickard gave the presentation and answered questions from the Council. Chief Masterson also addressed the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom to concur and confirm the appointment of Robert (Bob) Masterson as Atascadero's new Police Chief.

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

2. Council Policy Discussion Drive-Through Businesses, Fuel Stations and Other High Traffic Producing Uses

- Fiscal Impact: Discussion of the current Drive-Through Businesses, Fuel Station, and Other High Traffic Producing Uses Policy has no direct fiscal impact; however, any future action by the Council to amend the Policy may have a significant effect on City revenues.
- Recommendation: Council reaffirm the “Drive-Through Businesses, Fuel Station, and Other High Traffic Producing Uses Policy” to guide use permit applications and traffic impact fees to ensure orderly development in the City.[Community Development]

Community Development Director Dunsmore gave the presentation and answered questions from the Council. City Manager Rickard also answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Geoff Auslen

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Pro Tem Newsom and seconded by Council Member Funk to reaffirm the “Drive-Through Businesses, Fuel Station, and Other High Traffic Producing Uses Policy” to guide use permit applications and traffic impact fees to ensure orderly development in the City.
Motion passed 5:0 by a roll-call vote.

3. Draft Response to Grand Jury Report “Joint Agency Dispatch – Better Together?”

- Fiscal Impact: None.
- Recommendation: Council approve the Draft Response to the Grand Jury Report Form and authorize the City Manager to execute the document on the City Council’s behalf. [City Manager]

Deputy City Manager Christensen gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to approve the Draft Response to the Grand Jury Report Form and authorize the City Manager to execute the document on the City Council’s behalf.
Motion passed 5:0 by a roll-call vote.

E. 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

Mayor Moreno and City Manager Rickard 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.

F. COMMITTEE REPORTS:

Mayor Moreno announced her appointments to the various standing committees:

CITY COUNCIL STANDING COMMITTEES		
COMMITTEE	APPOINTEE	ALTERNATE
Air Pollution Control District	Dariz	Bourbeau
Basin Groundwater Sustainability Agency	Funk	Moreno
California Joint Powers Insurance Authority	Dariz	Staff: Rickard, Rangel
City / Schools Committee	Bourbeau / Newsom	Funk
City Selection Committee	Moreno	Bourbeau
County Mayors Round Table	Moreno	Newsom
Design Review Committee	Newsom (Chair) / Funk	None
Economic Vitality Corporation	Moreno	Newsom
Finance Committee	Bourbeau (Chair) / Dariz	None
Homeless Services Oversight Council	Funk	Bourbeau
Integrated Waste Management Authority	Bourbeau	Funk
League of California Cities–Council Liaison	Newsom	Bourbeau
SLO Council of Governments (SLOCOG)	Moreno	Bourbeau
SLO Regional Transit Authority (RTA)	Moreno	Bourbeau
Water Resources Advisory Committee (WRAC)	Bourbeau	None
Visit SLO CAL Advisory Committee	Newsom	Moreno

G. INDIVIDUAL DETERMINATION AND / OR ACTION:

1. City Clerk – Deputy City Manager/City Clerk Christensen gave an update on the Commission and Committee appointments.

H. ADJOURN

Mayor Moreno adjourned the meeting at 10:14 p.m.

MINUTES PREPARED BY:


Lara K. Christensen
Deputy City Manager/City Clerk

APPROVED: January 12, 2021

PUBLIC COMMENT PROVIDED BY EMAIL

C. PUBLIC HEARINGS

Item C-2

SUBMISSION FROM: Joanna Balsamo-lilien

From: Joanna Balsamo-Lilien <jlilien@fcni.org>

Sent: Tuesday, December 8, 2020 2:40 PM

To: City Clerk <cityclerk@atascadero.org>

Subject: 12/8 City Council Meeting Agenda Item C.2. Public Comment

Good Afternoon,

Please see the attached Public Comment from Family Care Network regarding tonight's agenda item C.2. 2021 Community Development Block Grant Draft Recommendations.

Thank you for your consideration.

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JOANNA BALSAMO-LILIEN

Property Management Specialist

Phone | (805) 503-6268

Mobile | (805) 270-9386

Email | jlilien@fcni.org





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**FAMILY CARE
NETWORK**

Jan...

FAMILY CARE NETWORK, INC.

805.781.3535  805.503.6499  www.fcni.org
 1255 Kendall Road, San Luis Obispo, California 93401

SUBMISSION FROM: Janna Nichols

From: Janna Nichols <janna.nichols@5chc.org>

Sent: Tuesday, December 8, 2020 3:18 PM

To: City Clerk <cityclerk@atascadero.org>

Subject: AGENDA ITEM C-2: 2021 COMMUNITY DEVELOPMENT BLOCK GRANT

Honorable Mayor and Council Members,

I want to thank you for your consideration of our request as part of your CDBG considerations, under item C-2. I am unable to be with you this evening due to a prior work commitment. As such, I would like to offer this written comment regarding our request.

5Cities Homeless Coalition began its work with a focus of serving south county, as such we have 5Cities in our name. That said, as our agency has grown over the last 11 years, we have worked to provide a breadth of services without duplication of our partners. **5CHC has strengthened its housing program to provide deposit and rental assistance (with supportive services) countywide for those who are homeless and facing homelessness.** Working with our community partners, 5CHC receives referrals from throughout the county to assist those who are in need of deposit assistance or are striving to prevent eviction and needing rental support. **Most of this financial assistance for deposit and rent is funded through CDBG and Emergency Solutions Grants.** This year, in addition to the CDBG funds we normally receive from the County, and some Cities, we have decided to apply to each jurisdiction that we serve, including the City of Atascadero. Thus far for this grant request, we have received recommendations for funding from the County and City of Paso Robles, so there is no concern of meeting the minimum \$8,000 threshold mentioned in the staff report.

Our request before you this evening focuses on providing emergency subsistence assistance (rent) for those who are at risk of losing their housing, and for deposit assistance to help those who are homeless to obtain housing. We couple the direct financial assistance with case planning, budget and financial coaching, and other supportive services. Through 10 months of this year, we have helped 3 homeless households from Atascadero to move into housing, and 1 with eviction prevention assistance; spending a total of \$4,300 in direct financial assistance (apart from case management and other agency expenses). Most eviction prevention assistance has been limited this year, due to the eviction moratorium; however, these numbers are expected to grow in the coming months once the moratorium is lifted in January. And while there will be some CARES act funding available, not all families will qualify due to the COVID- related restrictions.

We appreciate your staff's work in preparing this report, and thank you for your consideration of our request. Should you have questions, or want to learn more of our programs, please contact me.

Sincerely,

Janna Nichols
Executive Director
5Cities Homeless Coalition
(805) 574-1638 Office
(805) 471-7404 Cell