



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, February 9, 2021

**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 6:01 p.m. and Council Member Bourbeau led the Pledge of Allegiance.

ROLL CALL:

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

Absent: None

Others Present: None

Staff Present: **By Teleconference** – City Manager Rachelle Rickard, Police Chief Bob Masterson, 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 Bourbeau and seconded by Council Member Dariz 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:

- 1. Proclamation presented to R.I.S.E. recognizing February as Teen Dating Violence Awareness Month**

The City Council presented a proclamation to Janae Sargent with R.I.S.E.

- 2. Recognition of outgoing Planning Commissioners**

The City Council recognized the outgoing Planning Commissioners.

A. CONSENT CALENDAR:

- 1. City Council Draft Action Minutes – January 26, 2021**

- Recommendation: Council approve the January 26, 2021 Draft City Council Regular Meeting Minutes. [City Clerk]

- 2. Property Acquisition for Santa Lucia Road Bridge Replacement Project**

- Fiscal Impact: The total compensation to be paid at this time is \$25,800, with another approximately \$12,000 expected as part of the final two agreements. The HBRRP grant will cover 100% of the project costs.
- Recommendation: Council adopt Draft Resolution approving compensation payments and Right-of-Way Agreements for property acquisitions located at APNs 054-261-001, 054-261-006, 054-271-003, 054-271-004, and 054-272-016 for the Santa Lucia Road Bridge Replacement Project. [Public Works]

- 3. Atascadero Mall Sewer Condition Improvements Award**

- Fiscal Impact: Total project funding of \$456,000.00 in budgeted Wastewater funds.
- Recommendation: Council authorize the City Manager to execute a construction contract for \$271,876.60 with Rob Reynolds Construction, Inc. for the Atascadero Mall Sewer Condition Improvements Project (Project No. C2019W02). [Public Works]

- 4. Authorization to Enter the County of San Luis Obispo COVID-19 Vaccination Assistance Agreement**

- Fiscal Impact: Staff estimates unreimbursed costs to be between \$5,000 to \$50,000 through June.
- Recommendations: Council:
 1. Authorize the City Manager to execute the County of San Luis Obispo's COVID-19 Vaccination Assistance Agreement.
 2. Authorize the City Manager to execute any future cooperative agreements necessary to provide reimbursement and support for COVID-19 vaccination distribution. [City Manager]

MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Newsom to approve the Consent Calendar. (#A-2 Resolution No. 2021-002, Contract Nos. 2021-003, 2021-004, 2021-005, 2021-006, and 2021-007) (#A-3 Contract No. 2021-008) (#A-4 Contract No. 2021-009) 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: Lauren Handley and Geoff Auslen

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

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Urgency Ordinance Affirming Orders of the State of California, County Emergency Services Director and Public Health Officer

- Fiscal Impact: The adoption of this Urgency Ordinance would not have a fiscal impact to the City. Enforcement of the Urgency Ordinance would have a financial impact to the City depending upon the extent of enforcement required.
- Recommendation: Council adopt an Urgency Ordinance affirming orders of the State of California and the County Emergency Services Director and Public Health Officer and the City Director of Emergency Services. [City Attorney]

Ex Parte Communications

All Council Members reported having no ex parte communications.

City Attorney Pierik gave the staff report and answered questions from the Council. City Manager Rickard also answered questions from the Council.

PUBLIC COMMENT:

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

Mayor Moreno closed the Public Comment period.

- MOTION:** By Council Member Dariz and seconded by Council Member Funk to adopt Urgency Ordinance No. 644 affirming orders of the State of California and the County Emergency Services Director and Public Health Officer and the City Director of Emergency Services with the following change:
- ***Removing the second WHEREAS on page 2 of the Ordinance.***

Deputy City Manager/City Clerk Christensen read the title of the Ordinance:

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, AFFIRMING ORDERS OF THE STATE
OF CALIFORNIA AND THE EMERGENCY SERVICES DIRECTOR AND PUBLIC
HEALTH OFFICER OF THE COUNTY OF SAN LUIS OBISPO AND THE CITY
DIRECTOR OF EMERGENCY SERVICES RELATED TO THE COVID-19 STATE AND
LOCAL EMERGENCY AND EXPRESSLY AFFIRMING SUCH ACTIONS AND ORDERS
AS APPLICABLE AND ENFORCEABLE WITHIN CITY JURISDICTION**

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

C. MANAGEMENT REPORTS:

1. Comprehensive Financial Strategy

- Fiscal Impact: None.
- Recommendations: Council:
 1. Review and file the Comprehensive Financial Strategy.
 2. Adopt Draft Resolution approving Financial Policies as documented in Section 6 of the Comprehensive Financial Strategy. [Administrative Services]

Administrative Services Director Rangel gave the staff report and answered questions from the Council. City Manager Rickard also answered questions from the City Council.

PUBLIC COMMENT:

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

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Pro Tem Newsom and seconded by Council Member Funk to adopt Resolution No. 2021-003 approving Financial Policies as documented in Section 6 of the Comprehensive Financial Strategy with the following amendments:

- ***Page 44 – Remove the last sentence of the second full paragraph.***
- ***Page 99 – Add a bullet point under Operational Efficiencies that reads “Seek and consider opportunities to reduce future operating and maintenance costs, including energy costs and vehicle maintenance, even when some additional up-front investment may be required;”***
- ***Page 100 – Add a bullet point under Education and Communication with language that, within the within parameters of what the City has committed to already being done for reporting on tax measure funding, annual reports will be user-friendly***

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

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

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

Mayor Pro Tem Newsom

1. Design Review Committee

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. 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 Clerk – Deputy City Manager/City Clerk Christensen asked the City Council for confirmation of appointments to the Design Review Committee. Appointments are necessary for the two members of the Planning Commission and one at-large member resident of the City.

Mayor Moreno announced Jeff van den Eikhof, Dennis Schmidt and Emily Baranek as well as Mayor Pro Tem Newsom as Chair and Council Member Funk as Vice Chair and the Council unanimously ratified the appointments by a voice vote.

G. ADJOURN

Mayor Moreno adjourned the meeting at 8:39 p.m.

MINUTES PREPARED BY:



Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED: February 23, 2021

PUBLIC COMMENT PROVIDED BY EMAIL

COMMUNITY FORUM

SUBMISSION FROM: Hayley Mattson

From: Hayley Mattson | 13 Stars Media <hayley@13starsmedia.com>

Sent: Tuesday, February 9, 2021 4:13 PM

To: City Clerk <cityclerk@atascadero.org>

Cc: Heather Moreno <hmoreno@atascadero.org>

Subject: Public Comment - City Council Meeting Feb 9: Community Forum / City Manager Report

Importance: High

Good afternoon,

I would like to submit the following public comment for tonight's meeting, it is also attached.

Thank you for your time and service.

City Council Meeting Feb. 9

Community Forum / City Manager Report

Subject: Sales Tax Measure D-20 Community Oversight Study Sessions

From: Hayley Mattson

Atascadero Home Owner, Local Business Owner

Dear Atascadero City Council,

On Saturday, Feb 6, I attended the Sales Tax Measure D-20 Community Oversight Study Session. The session started with a video that went over several options that the 1 percent sales tax could be allocated for. The one main point that stood out to me throughout the video was the urgent need for funding that each department is facing. A surprising aspect to the community for those who attended was to see that the money for the 1 percent sales tax which was heavily marketed for Police and Fire was now being considered for other needs that the City sees as a priority.

With that said, the needs that were addressed were not out of line. However, as a tax-paying resident, I feel it is crucial that these funds go directly to Police, Fire and Emergency Services as the City Officials, Police and Fire Associations, and Council Members all stated they would go to and noted as the reason why it was added to the ballot in the first place. I did appreciate the session and felt it was extremely well organized and allowed the community a voice. I thank all who were a part of putting it together; I know it is a lot of work.

Understanding budgets and finances, I voted against the 1 percent sales tax and not because I am against Police and Fire; on the contrary, I am 100 percent in support of Police, Fire and Emergency Services. What I am not in favor of is having an open tax measure with no oversight, terms, or sunset clause that allows residents to know exactly where the money is allocated to nor a time frame to use it. No mention of who is accountable for reporting the use of funds to the community, what tracking system will be used to measure it, and when it will end. I am not comfortable with the notion of "trusting the Council will do the right thing," as one Council Member stated.

As the City's business partner (which all the residents of Atascadero are), we all have a part in the decisions that are made, hence the oversight sessions. These are the same questions I would ask if I was investing in any other company. Why would I invest in a business that is not financially sound or has the ability to be transparent with its records? I would not.

What I ask for today is, when you are considering all the feedback from the study sessions that (1) you make good on what was sold to the residents during the election and allocate these funds directly to Police, Fire, and Emergency Services. (2) Create a game plan with an end or a sunset clause to re-address the 1 percent sales tax. If the tax is still needed, address that with the community, celebrate what was completed for Police and Fire, and then present the other needs the tax could support. (3) Have a clear transparent separate accounting for these funds and the reserves so that it is never questioned where the money is or spent. Report on it monthly or quarterly, and be sure it is on the agenda, so people know when it was addressed.

Thank you all for doing your part and investing your time and skillsets in our community.

*Stronger together,
Hayley*

Hayley E. Mattson

Co-Founder, President & CFO | 13 Stars Media

Direct (805)703.3164 | Office (805)466.2585

SUBMISSION FROM: Mitch Paskin

From: Mitch Paskin <atownslo@gmail.com>

Sent: Tuesday, February 9, 2021 3:01 PM

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

Subject: Community Forum - City Council Meeting - February 9, 2021

Ms. Christensen,

Please read this submission at the Community Forum tonight.

Thank you in advance.

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Mitch Paskin



Please read this message during the Community Forum portion of the City Council meeting on February 9, 2021 (Please help me out and fix any grammatical errors I have made.)

Mitch Paskin



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

The construction at Oak Ridge Estates has continued. I still contend that the City issued building permits without Castlerock Development meeting the conditions of approval.

The PD-11 reads, “The following roads shall be fully improved to a Rural Hillside Collection Section (City Std. 404, or as approved by the City engineer prior to the issuance of building permits. The structural section shall be based on a T.I. = 5.0.

b. San Marcos Road from the project boundary to the intersection of Cenegal Road (prior to Phase I)

a. Cenegal Road from the project boundary to the intersection of San Marcos Road (prior to Phase II)”.

(There is a typo that reverses the first and second subsections.)

Again, I don’t believe that the City staff that wrote this section didn’t intend for Cenegal Road to be open to traffic. This issue shows that the City is continuing to show Castlerock Development preference.

Maybe it will take a judge to determine the city staff’s intent.

Personally I would prefer that Cenegal Road be kept closed and the size of the project be limited by San Marcos Road’s capacity of 500 average daily trips. That would restrict the number of houses built to fifty.

I have been following Oak Ridge Estates for the last fifteen years. I didn’t realize until recently that 75% of the houses in the project are to be built in Phase 1 and Phase 2. The completion of Phase 2 triggers Castlerock Development’s obligation to restore and repair San Marcos Road.

My new projection is that Castlerock Development never completes Phase 2 and thus avoids its obligation to rebuild San Marcos Road. This projection is made more viable by the fact that there are a number of un-buildable lots within the project. Castlerock Development will have to balance its profits on the number of houses it can build against how much it will take to bring San Marcos Road back up to standard.

Castlerock Development will leave the City of Atascadero, in other words the people of Atascadero, to bring the road back up to standard.

This is of course on top of the need for the City to rebuild Los Altos Road, which is in very bad condition due to Castlerock Construction traffic. The City approved the Oak Ridge Estate

project without any consideration for the money it would take to rebuild offsite infrastructure and totally ignoring the safety of it's citizens.

One more quick thing: The k-rails that are holding back the landslide on San Marcos Road are restricting traffic. They are on a blind curve and making the road dangerous. The situation should be rectified for the safety of those driving and walking on that section of San Marcos Road.

These issues aren't going away.

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

Again - WWW.ROADTO41.COM.

Thank you.