



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, March 23, 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 Funk led the Pledge of Allegiance.

ROLL CALL:

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

Absent: Mayor Pro Tem Newsom

Others Present: None

Staff Present: **By Teleconference** – City Manager Rachelle Rickard, Police Chief Bob Masterson, 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 Funk 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 4:0 by a roll-call vote. Newsom absent.

PRESENTATIONS:

1. Proclamation Recognizing March 24, 2021 as Equal Pay Day

The City Council presented a proclamation to Linda Baker with AAUW – Atascadero.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – March 9, 2021 and March 11, 2021

- Recommendation: Council approve the March 9, 2021 Draft City Council Regular Meeting Minutes and the March 11, 2021 Draft City Council Special Meeting Minutes. [City Clerk]

2. February 2021 Accounts Payable and Payroll

- Fiscal Impact: \$2,686,130.43
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for February 2021. [Administrative Services]

3. Lift Station No. 2 Replacement Construction Award

- Fiscal Impact: \$2,079,080
- Recommendations: Council:
 1. Approve a construction contract for \$1,089,460 with Raminha Construction, Inc. for the Lift Station No. 2 Replacement Project (Project No. C2017W01).
 2. Approve a contract for \$120,000 with Gierlich Mitchell to purchase three (3) new submersible sewage pumps for the Lift Station No. 2 Replacement Project.
 3. Authorize the Director of Administrative Services to allocate an additional \$610,000 in Wastewater Enterprise Fund balance to the Lift Station No. 2 Replacement Project. [Public Works]

MOTION: By Council Member Dariz and seconded by Council Member Funk to approve the Consent Calendar. (#A-3 Contract Nos. 2021-010 and 2021-011)

Motion passed 4:0 by a roll-call vote. Newsom absent.

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 or through the webinar during Community Forum: Haley Pinney, Aiden Dugan-Colton, Tori Keen, Geoff Auslen, and Barbara Babka

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Chance Coates and Caitlin K.

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Request for Authorization to Process General Plan Amendment for 2055 El Camino Real (Cal Coastal Communities)

- Fiscal Impact: If developed with lodging, retail and entertainment 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. Consistent with Council fiscal policy, if the project requires legislative approval the residential portion of the project may trigger conditions of approval that require it to be fiscally neutral.
- Recommendation: Council authorize the Cal Coastal Development Team to proceed with a Specific Plan Amendment application to the Del Rio Commercial Area Specific Plan to allow for submittal of a commercial resort concept, while reconfiguring the existing residential zone. [Community Development]

Ex Parte Communications

All Council Members reported speaking with the applicant team regarding this item. Mayor Moreno also reported meeting with Mike Manchak.

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

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Ted Lawton, Mike Manchak, Josh Cross, Geoff Auslen, and Jacob Pickering

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Hardy Nielsen and Scott Huffman

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to authorize the Cal Coastal Development Team to proceed with a General Plan Amendment application and Specific Plan Amendment application to the Del Rio Commercial Area Specific Plan to allow for submittal of a commercial resort concept, while reconfiguring the existing residential zone.
Motion passed 4:0 by a roll-call vote. Newsom absent.

Mayor Moreno recessed the meeting at 8:14 p.m.

Mayor Moreno reconvened the meeting at 8:22 p.m. with all present.

C. MANAGEMENT REPORTS:

1. Proposed Sewer Service Rate Increase

- Fiscal Impact: Approving staff recommendations will generate an estimated \$530,000 in additional revenue from sewer service charges collected in FY21/22 over FY20/21 amounts. The recommendations will also approve

expenditures of up to \$7,500 related to the Proposition 218 majority protest process from the Wastewater Fund in the current fiscal year.

▪ **Recommendations:** Council:

1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
2. Set a Public Hearing on May 25, 2021 for the City Council's consideration of the proposed wastewater rate increases.
3. Approve a budget amendment and authorize the Director of Administrative Services to appropriate \$7,500 from the Wastewater Fund for costs related to the Proposition 218 majority protest process. [Public Works]

Public Works Director DeBar gave the staff 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:

1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
2. Set a Public Hearing on May 25, 2021 for the City Council's consideration of the proposed wastewater rate increases.
3. Approve a budget amendment and authorize the Director of Administrative Services to appropriate \$7,500 from the Wastewater Fund for costs related to the Proposition 218 majority protest process.

Motion passed 4:0 by a roll-call vote. Newsom absent.

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 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. County Mayors Round Table

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Air Pollution Control District

Council Member Funk

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

F. INDIVIDUAL DETERMINATION AND / OR ACTION: None.

Mayor Moreno recessed the meeting at 9:03 p.m. to the Special City Council Meeting. Mayor Moreno reconvened the meeting at 9:31 p.m. with City Council, City Manager Rickard, and City Attorney Pierik present.

G. ADJOURN

Mayor Moreno adjourned the meeting at 9:31 p.m.

MINUTES PREPARED BY:



Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED: April 13, 2021

PUBLIC COMMENT PROVIDED BY EMAIL

COMMUNITY FORUM

SUBMISSION FROM: Chance Coates

From: Chance Coates <chcoates@calpoly.edu>

Sent: Tuesday, March 23, 2021 4:24 PM

To: City Clerk <cityclerk@atascadero.org>

Subject: COMMUNITY FORUM

Dear City Council members,

I am a member of the public of Atascadero and I am emailing in order to highlight some concerns. Over the time of mid-to-late March, 2021, numerous members of the houseless community within Atascadero have been arrested or issued citations by the law within the city. Not only are such actions highly disruptive of the mere life of a marginalized group within the city, it is also highly irrational to target the houseless community during a pandemic (and, really, at any time). Rather than allowing for such irrational methods of violence work (also known as policing) to continue, I urge the City Council to:

- 1) Provide accessible bathrooms that are open to the public at Sunken Gardens park;
- 2) Permanently cease the police sweeps of houseless encampments;
- 3) Require the cops to wear masks when interacting with any member of the public at any time;
- 4) To stop referring to the houseless as "transient";
- 5) To require that police NOT intrude into houseless encampments without **explicit** permission from the members of that encampment at any time;
- 6) To defund the police.

Thank you,

C. C.

SUBMISSION FROM: Caitlin K.

From: Caitlin K. <cak9842@gmail.com>

Sent: Tuesday, March 23, 2021 4:50 PM

To: City Clerk <cityclerk@atascadero.org>

Subject: COMMUNITY FORUM

Hello I'm a resident and voter in Atascadero. I was wondering how each of you are using your position to help our houseless community members, and how you're ensuring that they are actually being helped and not just unnecessarily and overzealously criminalized?

B. PUBLIC HEARINGS

Item B-1

SUBMISSION FROM: Hardy Nielsen

From: Hardy Nielsen <hardyn432@gmail.com>
Sent: Monday, March 22, 2021 10:29 AM
To: Phil Dunsmore <pdunsmore@atascadero.org>
Subject: Del Rio Specific Plan.

City Council Members,

I understand that the March 23, 2021 meeting is to give general feedback to the applicant related to the submitted project. Following the general discussion the applicant will determine either to proceed with or abandon the project.

The project is very intense, little information has been made available so many questions exist. More information is needed before any valid observations can be made.

Some issues.

What is the entertainment center? How does it function?

What is the convention center? How does it function?

Are there horses to be kept on site?

How will outdoor theater operate? Will noise and lights impact the neighborhood?

Can 50 to 60 feet long recreational vehicles safely maneuver on to and off of site?

Why does project put its back to the street?

The off-set intersection at Del Rio and Obispo will be dangerous

The parking garage when full (475 cars) can generate 1,200 to 1,500 people. That number of people will devastate the site.

There are too many activities being proposed for this site. The applicant needs to rethink the project. The project as proposed does not benefit residents of Atascadero.

SUBMISSION FROM: Scott J. Huffman

From: Scott Huffman <shuffman@readinvestments.com>
Sent: Tuesday, March 23, 2021 3:12 PM
To: Kelly Gleason <kgleason@atascadero.org>; City Clerk <cityclerk@atascadero.org>
Cc: Kasara Mena <kmena@readinvestments.com>
Subject: RE: General Plan Amendment for 2055 El Camino Real

Hi Kelly,

We own and manage the Mission Oaks Plaza shopping center directly across the street from this project. We have reviewed the staff report to City Council and while are generally supportive of the modifications

described, we would like to ensure the following issues are addressed in the event staff is directed to process this application:

1. Calibration of the phasing will be essential to the success of the project and we recommend the City mandate the amount of each product type that can be developed before other portions must commence construction (resort vs. residential vs. commercial). We also suggest the city include a timeframe for when the parking garage would need to be constructed in any phasing matrix. A stand-alone RV resort without any of the commercial development proposed, would not benefit the City or surrounding residents very much.
2. We believe the Neighborhood Meeting and Study Session would be excellent opportunities for community engagement and input.
3. The prior "Collector Road" designed by Wal-Mart included a signalized intersection where it meets El Camion Real. With full size RVs (some Class A models are 40' long) and public access at this driveway, we feel it is important to ensure a signal continues to be a requirement of this project.

Does the City know if Wal-Mart has approved of these land uses? Presuming staff is directed to process this application, when will the applicant close escrow on the land?

Thank you for including these comments as part of the public comments.

Regards,

Scott J. Huffman



(510) 704-5702 Office