



CITY OF ATASCADERO CITY COUNCIL AGENDA

*** COVID-19 NOTICE ***

Based on the threat of COVID-19 as reflected in Emergency Proclamations issued by the State of California, County of San Luis Obispo and City of Atascadero and consistent with Executive Order N-29-20 the City Council Meeting will not be physically open to the public and City Council Members will be teleconferencing into the meeting.

HOW TO OBSERVE THE MEETING:

To maximize public safety while still maintaining transparency and public access, the meeting will be live-streamed on SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and on KPRL Radio 1230AM and 99.3FM. The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website or by visiting https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA.

HOW TO SUBMIT PUBLIC COMMENT:

Members of the public are highly encouraged to call **805-538-2888** to listen and provide public comment via phone, or submit written public comments to cityclerk@atascadero.org by 5:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Mayor's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read into the record.

AMERICAN DISABILITY ACT ACCOMMODATIONS:

Any member of the public who needs accommodations should contact the City Clerk's Office at cityclerk@atascadero.org or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

City Council agendas and minutes may be viewed on the City's website: www.atascadero.org.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the City Clerk and are available for public inspection on our website, www.atascadero.org. Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the City Council. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Council meetings that are either read into the record or referred to in their statement will be noted in the Minutes and available for review by contacting the City Clerk's office. All documents will be available for public inspection by appointment during City Hall business hours.



CITY OF ATASCADERO CITY COUNCIL

AGENDA

Tuesday, June 8, 2021

**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.

COUNCIL CLOSED SESSION: 5:00 P.M.

1. ROLL CALL

2. CLOSED SESSION -- PUBLIC COMMENT

3. COUNCIL LEAVES TO BEGIN CLOSED SESSION

4. CLOSED SESSION -- CALL TO ORDER

a. Conference With Legal Counsel—Anticipated Litigation

Significant exposure to litigation pursuant to Govt. Code

Section 54956.9(d)(2): 1 potential case - Dove Creek Mini Storage Project

b. Conference with Labor Negotiators (Govt. Code Sec. 54957.6)

Agency designated representatives: Rachelle Rickard, City Manager

Employee Organizations: Atascadero Professional Firefighters, Local 3600;
Atascadero Police Association; Service Employees International Union,
Local 620; Mid-Management/Professional Employees; Non-Represented
Professional and Management Workers and Confidential Employees

5. CLOSED SESSION – ADJOURNMENT

6. COUNCIL RETURNS

7. CLOSED SESSION – REPORT

Announcement(s) of any reportable action(s) taken in Closed Session that occur(s) after the adjournment of Regular Session will be made at the beginning of the next Regular City Council meeting as Closed Session is not recorded or videotaped.

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

PLEDGE OF ALLEGIANCE: Council Member Funk

ROLL CALL: Mayor Moreno
Mayor Pro Tem Newsom
Council Member Bourbeau
Council Member Dariz
Council Member Funk

APPROVAL OF AGENDA: Roll Call

Recommendation: Council:

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.

PRESENTATIONS: None.

A. CONSENT CALENDAR: (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.)

1. City Council Draft Action Minutes – May 25, 2021

- Recommendation: Council approve the May 25, 2021 Draft City Council Regular Meeting Minutes. [City Clerk]

2. Title 9 Planning and Zoning Text Amendments Annual Code Update (ZCH21-0004)

- Fiscal Impact: None.
- Recommendation: Council adopt on second reading, by title only, the Draft Ordinance amending the Atascadero Municipal Code, Title 9 Zoning Ordinance, Section 9-2.112 Permit Time Limits, Section 9-3.230 Agriculture and residential district allowable land uses, Section 9-3.262 Property development standards – RMF, Section 9-3.330 Nonresidential district allowable land uses, Section 9-3.331 Mixed Use residential density, Section 9-3.430 Public districts allowable land uses, Section 9-3.500 Definitions, Section 9-4.107 Side setbacks, Section 9-4.112 Measurement of height, Section 9-4.113 Height limitations, Section 9-4.128 Fencing and screening, Section 9-6.103 Accessory storage, Section 9-6.105 Home Occupations, Section 9-6.106 Residential accessory uses, Section 9-6.112 Farm animal raising, Section 9-6.113 Interim agricultural uses, Section 9-2.102 General Definitions, based on findings and determine this Ordinance is exempt from review under the California Environmental Quality Act. [Community Development]

3. Adoption of Amendments to Title 9 Chapter 17 (Cannabis Activities & Regulations) Municipal Code Amendments to add non-storefront Cannabis delivery services and security provisions (CPP20-0011)

- Fiscal Impact: These zone text amendments may result in slightly positive fiscal impacts as a result of minor increases in cannabis and sales tax revenue.
- Recommendation: Council adopt on second reading, by title only, by title only, Draft Ordinance amending Atascadero Municipal Code Title 9 Chapter 17 (Cannabis Activities & Regulations) and determining this Ordinance is exempt from review under the California Environmental Quality Act, based on findings. [Community Development]

4. Adopting a List of Projects for Fiscal Year 2021-2022 Funded by SB 1: The Road Repair and Accountability Act of 2017

- Fiscal Impact: Approval of the Draft Resolution adopting the list of projects for SB 1 Funding, will allow the City to receive an estimated \$577,404 in 2021-2022 SB 1 funding.
- Recommendation: Council adopt Draft Resolution adopting a list of projects to be funded with Road Maintenance and Rehabilitation Account revenues from SB 1 (The Road Repair and Accountability Act of 2017) for Fiscal Year (FY) 2021-2022. [Public Works]

5. 2021 Measure F-14 Pavement Rehabilitation Construction Award

- Fiscal Impact: \$2,355,339.70
- Recommendations: Council:
 1. Award a construction contract for \$2,355,339.70 to Souza Construction, Inc. for the 2021 Measure F-14 Pavement Rehabilitation Project (Project No. C2020R02).
 2. Authorize the City Manager to execute a contract with Souza Construction, Inc. for \$2,355,339.70 to construct the 2021 Measure F-14 Pavement Rehabilitation Project. [Public Works]

6. Council Norms and Procedures - Consideration of Amendments

- Fiscal Impact: None.
- Recommendation: Council review, amend and adopt change(s) to the Council Norms and Procedures. [City Manager]

UPDATES FROM THE CITY MANAGER: (The City Manager will give an oral report on any current issues of concern to the City Council.)

COMMUNITY FORUM: (This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation Comments made during Community Forum will not be a subject of discussion. A maximum of 30 minutes will be allowed for Community Forum, unless changed by the Council. Any members of the public who have questions or need information may contact the City Clerk's Office, between the hours of 8:30 a.m. and 5:00 p.m. at (805) 470-3400, or cityclerk@atascadero.org.)

B. PUBLIC HEARINGS:

1. Apple Valley Assessment Districts

- Fiscal Impact: Annual assessments for 2021/2022 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.
- Recommendations: Council:
 1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2021/2022.
 2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2021/2022 for Street and Storm Drain Maintenance District No. 01 (Apple Valley).
 3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2021/2022.
 4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2021/2022 for Landscaping and Lighting District No. 01 (Apple Valley). [Administrative Services]

2. De Anza Estates Assessment Districts

- Fiscal Impact: Annual assessments for 2021/2022 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 2021/2022 for half of the maintenance costs of the trails and open space.
- Recommendations: Council:
 1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto for fiscal year 2021/2022.
 2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2021/2022 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates).
 3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2021/2022.
 4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2021/2022 for Landscaping and Lighting District No. 03 (De Anza Estates). [Administrative Services]

3. Woodridge (Las Lomas) Assessment Districts

- Fiscal Impact: Annual assessments for 2021/2022 will total \$94,322 for road/drainage system maintenance and \$66,976 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 2021/2022 for 25% of the maintenance costs of the trails and open space.

- Recommendations: Council:
 1. Adopt Draft Resolution A approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto for Fiscal Year 2021/2022.
 2. Adopt Draft Resolution B ordering the levy and collection of assessments for Fiscal Year 2021/2022 for Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas).
 3. Adopt Draft Resolution C approving the final Engineer's Report regarding the Landscaping and Lighting District No. 02 – Woodridge (Las Lomas), and the levy and collection of annual assessments related thereto in Fiscal Year 2021/2022.
 4. Adopt Draft Resolution D ordering the levy and collection of assessments for Fiscal Year 2021/2022 for Landscaping and Lighting District No. 02 – Woodridge (Las Lomas). [Administrative Services]

4. Atascadero Tourism Business Improvement District Confirmation of Annual Assessment (Fiscal Year 2021-2022)

- Fiscal Impact: Annual assessments for 2021-2022 are expected to be approximately \$292,320 and will be assessed as 2% of the rent charged on the occupied rooms and spaces for transient occupancies.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2021-2022). [City Manager]

5. Downtown Parking and Business Improvement Area Confirmation of Annual Assessment (FY 2021-2022)

- Fiscal Impact: Adopting the staff recommendation will result in the collection of approximately \$12,750 and expenditure of \$14,480 in budgeted DPBIA funds.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2021-2022). [City Manager]

C. MANAGEMENT REPORTS:

1. 2021-2023 Operating and Capital Budget

- Fiscal Impact: The total revenues for all funds are budgeted at \$48,051,980 and \$51,035,620 for fiscal years 2021-2022 and 2022-2023, respectively. Total expenditures for all funds are budgeted at \$63,220,890 and \$59,475,030 for fiscal years 2021-2022 and 2022-2023, respectively.
- Recommendations: Council:
 1. Adopt Draft Resolution adopting the budgets for the 2021-2022 and 2022-2023 fiscal years and delegating to the City Manager the authority to implement same.
 2. Adopt Draft Resolution amending fiscal year 2020-2021 budget.
 3. Adopt Draft Resolution adopting the fiscal year 2021-2022 annual spending limit.

4. Adopt Draft Resolution reaffirming the necessity of Development Impact Fees.
5. Approve the 2021-2023 City of Atascadero Draft Action Plan implementing Council Goals. [Administrative Services]

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS: (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. The following represent standing committees. Informative status reports will be given, as felt necessary):

Mayor Moreno

1. City Selection Committee
2. County Mayors Round Table
3. Regional Economic Action Coalition (REACH)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Newsom

1. City / Schools Committee
2. Design Review Committee
3. League of California Cities – Council Liaison
4. Visit SLO CAL Advisory Committee

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

Council Member Dariz

1. Air Pollution Control District
2. California Joint Powers Insurance Authority (CJPIA) Board
3. City of Atascadero Finance Committee

Council Member Funk

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

E. 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
 - a) Council Member Dariz will request Council direction whether or not to have staff draft a proclamation recognizing First Responders for presentation at the June 22, 2021 City Council Meeting.
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

ADJOURN

Please note: Should anyone challenge any proposed development entitlement listed on this Agenda in court, that person may be limited to raising those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to this public hearing. Correspondence submitted at this public hearing will be distributed to the Council and available for review in the City Clerk's office.