



## **CITY OF ATASCADERO CITY COUNCIL AGENDA**

**Consistent with Executive Order N-29-20 and N-08-21 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](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](mailto:cityclerk@atascadero.org) by 12:00 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 forwarded to the City Council and made a part of the administrative record. If a comment is received after the deadline for submission but before the close of the meeting, the comment will still be included as a part of the administrative record of the meeting but will be forwarded to the City Council the next business day. ***Please note, email comments 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](mailto: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](http://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](http://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**

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## **AGENDA**

**Tuesday, July 13, 2021**

**City Hall Council Chambers, 4th floor  
6500 Palma Avenue, Atascadero, California**

<b><u>City Council Closed Session:</u></b>	<b>5:00 P.M.</b>
<b><u>City Council Regular Session:</u></b>	<b>6:00 P.M.</b>

**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 Real Property Negotiators (Govt. Code 54956.8)**

Real Property: 6009 Del Rio Road (APN 049141038 – City Property), 2000 Ramona Road (APN 049141039 – City Property), 2455 El Camino Real (APN 049151056 – People Self Help Housing Property), 6105 Olmeda Avenue (APN 029091001 – State of California Property), Atascadero, California, 93422

Agency Negotiator: Rachelle Rickard, City Manager

Negotiating Parties: People Self Help Housing and State of California

Subject of Negotiations: Purchase price and/or terms of payment.

**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:** Mayor Pro Tem Newsom

**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:

#### 1. Proclamation declaring July 2021 as Parks Make Life Better month

**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 – June 22, 2021

- Recommendation: Council approve the June 22, 2021 Draft City Council Regular Meeting Minutes. [City Clerk]

#### 2. Approve Parcel Map AT 19-0052 (7850 Curbaril Avenue)

- Fiscal Impact: None.
- Recommendations: Council:
  1. Approve Parcel Map AT 19-0052.
  2. Accept, on behalf of the public, the offer of dedication for a six-foot Public Utility Easement. [Public Works]

**3. Memorandum of Understanding for Service Employees International Union Local 620**

- Fiscal Impact: Changes to the MOU will result in an estimated \$256,000 cost increase for 2021-2022, another \$144,000 for FY 2022-2023 and another \$138,000 for FY 2023-2024 and thereafter. These costs are budgeted as part of the 2021-2023 adopted budget.
- Recommendation: Council approve the Memorandum of Understanding for Service Employees International Union Local 620. [City Manager]

**4. Property Acquisitions from M P Annex, LLC – Del Rio Road @ US 101 Interchange Improvements Project**

- Fiscal Impact: Adopting the Draft Resolution will result in payment of \$70,200 to M P Annex, LLC for the acquisition of the additional right-of-way and wall maintenance easement. This expenditure, along with closing costs, is included in the adopted Budget as part of the Del Rio Road at US 101 Interchange Improvements project and is funded by the Circulation System Fees Fund.
- Recommendation: Council adopt Draft Resolution approving compensation payment and a right-of-way agreement with escrow instructions for property acquisitions with M P Annex, LLC (APNs 049-131-050 and 049-131-083) for Del Rio Road and El Camino Real improvements in the vicinity of US 101 interchange project. [Public Works]

**5. Central Coast Regional Pre-Approved Accessory Dwelling Unit Project Contract Award**

- Fiscal Impact: Award of the contract will use \$158,300 in budgeted Assembly Bill 101 REAP Regional Grant funds. Staff time costs associated with management of this contract and project are anticipated to be covered by the regional REAP funding allocation, not to exceed the total grant award of \$181,000.
- Recommendation: Council authorize the City Manager to execute a contract for \$158,300.00 with Workbench, Inc. to provide planning consultant services for the preparation of the Central Coast Regional Pre-Approved Accessory Dwelling Unit Project. [Community Development]

**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](mailto:cityclerk@atascadero.org).)

## **B. PUBLIC HEARINGS:**

### **1. Community Facilities District 2005-1 Annexation No. 23**

- Fiscal Impact: Assessments are estimated to be between \$45,000 - \$47,000 annually beginning in fiscal year 2022-2023, and adjusted each year for inflation. Deed restricted affordable units are exempt from the special tax.
- Recommendations: Council:
  1. Conduct the public hearing for the proposed annexation.
  2. Adopt Draft Resolution A; authorizing the territory identified in City Council Resolution 2021-030 to be annexed into Community Facilities District No. 2005-1, authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors.
  3. Direct the City Clerk to conduct a landowner vote of annexation and collect and count the ballots.  
**Council to recess until ballots are counted**
  4. Adopt Draft Resolution B, declaring the results of a special annexation landowner election, determining the validity of prior proceedings and directing the recording of an amendment to the notice of special tax lien.
  5. Introduce for first reading, by title only, Draft Ordinance, authorizing the levy of special taxes in Community Facilities District 2005-1 for certain annexation territory identified as Annexation No. 23. [Community Development]

## **C. MANAGEMENT REPORTS:**

### **1. Pickleball Courts at Colony Park Construction Award**

- Fiscal Impact: Award of the bid to Kirk Construction will result in the expenditure of \$173,143 and a potential total project cost of \$240,000. Funding sources are expected to include \$150,000 in Parkland Facilities Impact Fees, \$30,000 in donations from the Atascadero Pickleball Club and \$60,000 in funds to be identified by the Council at the meeting.
- Recommendations: Council:
  1. Reject the bid protest of R. Burke Corporation and award a contract to Kirk Construction for \$173,143 to construct the Pickleball Courts at Colony Park Project and authorize the City Manager to execute the contract on behalf of the City Council.
  2. Discuss and direct staff on desired alternative for funding sources for amounts exceeding appropriated amount for the Pickleball Courts at Colony Park Project.
  3. Authorize the Director of Administrative Services to appropriate \$60,000 for the Pickleball Courts at Colony Park Project from a funding source to be identified. [Public Works]

### **2. Del Rio Ranch General Plan, Zoning Map, and Specific Plan Amendments and Master Plan of Development (AMND21-0020)**

- Fiscal Impact: The proposed project is a large scale retail and lodging focused development which is expected to bring in significant revenues, especially to lodging uses. The development is required to annex into the city-wide CFD. With annexation into the CFD, overall, the project will be fiscally positive.
- Recommendation: Council adopt on second reading, by title only, Draft Ordinance approving a Zoning Map Amendment and amendments to the Del Rio Road Commercial Area Specific Plan, based on findings. [Community Development]

**3. General Plan Update Preliminary Discussion (GPA21-0067)**

- Fiscal Impact: The City has budgeted \$450,000 for FY 2021-22 and \$635,000 for FY 2022-23. Staff will be continuing to seek grant funding opportunities to cover project costs.
- Recommendation: Council receive report on the overview of the upcoming Citywide General Plan update. [Community Development]

**4. Improvement and Reimbursement Agreement with M P Annex, LLC – Del Rio Road @ US 101 Interchange Improvements Project**

- Fiscal Impact: The latest cost estimate for the Reimbursable Improvements is \$733,000 and includes a 20% contingency. Actual costs will be based on actual work completed, similar to many City capital improvement projects, and is anticipated not to exceed this amount. This work and related expenditures were planned to be part of the Del Rio Road and El Camino Real Improvements in the vicinity of US 101 Interchange Project. This expenditure is included in the adopted Budget as part of the Del Rio Road at US 101 Interchange Improvements project and is funded by the Circulation System Fees Fund.
- Recommendation: Council approve the Improvement and Reimbursement Agreement with M P Annex, LLC to construct a portion of the Del Rio Road and El Camino Real Improvements in the vicinity of US 101 Interchange Project. [Public Works]

**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
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.