



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, September 14, 2021

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

City Council Closed Session: 5:00 P.M.

City Council Regular Session: 6:00 P.M.

COUNCIL CLOSED SESSION: 5:00 P.M.

Mayor Moreno called Closed Session to order at 5:00 p.m.

1. 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, Administrative Services Director Jeri Rangel, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and IT Manager Luke Knight

2. CLOSED SESSION -- PUBLIC COMMENT – None

3. COUNCIL LEAVES TO BEGIN CLOSED SESSION

Deputy City Manager/City Clerk Christensen and IT Manager Knight did not attend this portion of the meeting.

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; Mid-Management/Professional Employees; Non-Represented Professional and Management Workers and Confidential Employees
- c. **Conference with Legal Counsel – Existing Litigation**
Government Code Sec. 54956.9 (d)(1)
Name of Case: Newton v. City of Atascadero, Heather Newsom and Susan Funk
San Luis Obispo Superior Court Case No. 21CVP-0168

5. CLOSED SESSION – ADJOURNMENT

6. COUNCIL RETURNS

7. CLOSED SESSION – REPORT (IF ANY)

a. August 13, 2021

City Attorney Pierik reported that there was no reportable action from Closed Session on August 13, 2021 or on Closed Session items a and c above.

He noted that more time would be needed to complete the discussion on Closed Session Item b and that Council would be recessing Closed Session until after the close of Regular Session.

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

Mayor Moreno called the meeting to order at 6:02 p.m. and Council Member Funk 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, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Public Works Director Nick DeBar, Police Chief Robert Masterson, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Battalion Chief Matt Miranda, Deputy Community Development Director Loreli Cappel and IT Manager Luke Knight

APPROVAL OF AGENDA:

MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom 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.

PRESENTATION:

1. Commute with Confidence – October 2021 (SLOCOG)

Peter Williamson, SLOCOG, gave the presentation to the City Council.

A. CONSENT CALENDAR:

1. **City Council Draft Action Minutes – August 10, 2021 & August 13, 2021**
 - Recommendation: Council approve the August 10, 2021 Draft City Council Regular Meeting Minutes and the August 13, 2021 Draft City Council Special Meeting Minutes. [City Clerk]
2. **July 2021 Accounts Payable and Payroll**
 - Fiscal Impact: \$6,855,314.43
 - Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for July 2021. [Administrative Services]
3. **2022 Measure F-14 Pavement Rehabilitation Project Design Engineering Services Contract**
 - Fiscal Impact: \$212,500.00
 - Recommendation: Council authorize the City Manager to execute a professional services agreement for \$212,500 with Rick Engineering Company to provide design engineering and construction plan preparation services for the 2022 Measure F-14 Pavement Rehabilitation Project (Project No. C2021R01). [Public Works]

4. El Camino Real South Pavement Resurfacing Project Construction Award

- Fiscal Impact: \$1,294,999.00
- Recommendation: Council award a construction contract for \$1,294,999 to Papich Construction Company Inc. for the El Camino Real South Pavement Resurfacing Project (Project No. C2020R04). [Public Works]

Deputy City Manager/City Clerk Christensen noted that a misprint was discovered in the Minutes for August 10, 2021 (Item #A-1) and the roll call for the August 10 Closed Session would be revised to match the Regular Session roll call reflecting those appearing in-person at the Meeting.

MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Newsom to approve the Consent Calendar, with the change to the August 10, 2021 Minutes as noted. (#A-3: Contract No. 2021-025) (#A-4: Contract No. 2021-026)
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.

1. John Neil, Atascadero Groundwater Sustainability Agency, provided an update on the Atascadero Basin Ground Water Sustainability Plan and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Greg Grewal

Mayor Moreno closed the Public Comment period.

2. Public Works Director DeBar provided an update on the striping along Morro Road and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Deborah McKrell and Geoff Auslen

Mayor Moreno closed the Public Comment period.

COMMUNITY FORUM:

The following citizens spoke by telephone or through the webinar on this item: Eric Daniels, Brighton Hushing-Kline, and Geoff Auslen

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Ordinance to Amend Title 11, Subdivisions, of the Atascadero Municipal Code Related to Dedications, Tentative Maps, Parcel and Final Maps, and Subdivision Improvement Requirements

- Fiscal Impact: Proposed amendments to Title 11 are expected to streamline parcel and final map approvals and reduce staff time. No fiscal impact will occur with continuing the public hearing to the next regular Council meeting.
- Recommendation: Council continue the public hearing to the September 28, 2021 regular City Council meeting to allow additional time for drafting and reviewing proposed amendments to Title 11, Subdivisions, of the Atascadero Municipal Code related to dedications, tentative maps, parcel and final maps, and subdivision improvement requirements. [Public Works]

Ex Parte Communications

No Council Members had anything to report.

PUBLIC COMMENT:

The following citizens spoke on this item: None

Mayor Moreno closed the Public Comment period.

***Mayor Moreno noted that the item would be continued to the
September 28, 2021 Regular City Council Meeting.***

C. MANAGEMENT REPORTS:

1. East Mall at Centennial Plaza Vacant Lots Study Session

- Fiscal Impact: There is no specific fiscal impact associated with the analysis of future options and disposition of the properties as surplus land.
- Recommendation: Council provide staff direction regarding and authorize staff to proceed with, a PD rezoning of the City owned vacant Centennial Plaza lots to refine the building envelope and land uses consistent with the General Plan, City Council Action Plan, and Downtown Revitalization Plan. [Community Development]

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

Mayor Moreno recessed the meeting at 8:44 p.m.

Mayor Moreno reconvened the meeting at 8:55 p.m. with all present.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Deborah McKrell and Christina Asdel Cisneros

Mayor Moreno closed the Public Comment period.

Council provided direction to staff to demolish the existing vacant structure on the vacant City owned Centennial Plaza lots and draft a PD overlay zone for development of the City owned vacant Centennial Plaza lots to refine the building envelope and land uses consistent with the General Plan, City Council Action Plan, and Downtown Revitalization Plan.

2. Title 9 Planning and Zoning Text Amendments Annual Code Update

- **Fiscal Impact:** Since the proposed Zoning clarifications are intended to refine consistency with the General Plan, there is a potential small savings of staff time.
- **Recommendation:** Council adopt, by title only, Ordinance No. 646 (as introduced on May 25, 2021), 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. [Community Development]

Community Development Director Dunsmore and Deputy City Manager/City Clerk Christensen briefed the City Council on the staff report.

PUBLIC COMMENT:

The following citizens spoke on this item: None

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Pro Tem Newsom and seconded by Council Member Funk to adopt, by title only, Ordinance No. 646 (as introduced on May 25, 2021), 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.

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

D. 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:

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Funk

1. Homeless Services Oversight Council

E. INDIVIDUAL DETERMINATION AND / OR ACTION: None

F. ADJOURN

Mayor Moreno recessed the Regular Meeting at 10:17 p.m. and reconvened the Closed Session Meeting at 10:18 p.m.

The meeting was adjourned at 11:09 pm; no reportable action.

MINUTES PREPARED BY:



Lara K. Christensen
City Clerk

APPROVED: September 28, 2021

9.14.21 City Council Meeting Emailed Public Comments

From: Amoreena & Scott [REDACTED]
Sent: Tuesday, September 14, 2021 12:15 PM
To: Susan Funk <sfunk@atascadero.org>; Heather Moreno <hmoreno@atascadero.org>; City Clerk <cityclerk@atascadero.org>; Charles Bourbeau <cbourbeau@atascadero.org>; Mark Dariz <mdariz@atascadero.org>; Heather Newsom <hnewsom@atascadero.org>
Subject: East Mall at Centennial Plaza

FOR PUBLIC COMMENT
Hello City Council Members

I am writing regarding the agenda item to review the East Mall at Centennial Plaza. You have a wonderful opportunity to craft an area that will be useful for residents and visitors alike. As our restaurant and retail space expands downtown, this area would be a terrific place for a family-friendly space to mingle while waiting on a table or to enjoy a scoop of ice cream after a movie.

In order to make this space suitable for these type of events, a public restroom and an interactive play space would be ideal. This would allow visitors and residents alike to spend more time downtown, and thus likely generate more revenue.

As Atascadero continues to grow, family-friendly public spaces are going to help set the tone that will bring families to live and work in Atascadero.

Sincerely,
The Anker Family

On Sep 14, 2021, at 10:41, Liz Enriquez-Phillips [REDACTED] wrote:

Esteem members of the City Council,

What a great opportunity to make the Centennial Plaza area in the Sunken Gardens more suitable for our community as a whole and attractive for tourists and events.

A playground with a public bathroom and outside additional electricity access, like you see in other successful urban parks in Paso Robles or San Diego, would be ideal and essential. It will bring more visitors downtown, provide restroom facilities for families and events, and create a gathering area that will increase attendance and revenue at local businesses.

A sculpture playground that not only looks good aesthetically, but is educational and provides an area for families to gather. Together with the public restroom with a family accommodation....families can use this area more often and it will help keep the area clean and safe for all.

The sculpture playground could be spread out in three or four areas, like a trail and each location could incorporate natural elements of our creek and oak forest community that makes Atascadero very

special. It would also tie into the mural at Bru Coffehouse. Helping to increase awareness of our unique natural resources for our community and visitors.

Keeping this an outdoor spot for everyone to use would ensure that the common green spaces are protected and is much needed to preserve the character of our town.

Sincerely,

Elizabeth Enriquez-Phillips

On Sep 14, 2021, at 09:13, Laurie Ferguson, Psy.D. [REDACTED] wrote:

Dear City Council,

It's an exciting opportunity to make the Centennial Plaza area in the Sunken Gardens a magnet for families, travelers, and our community. A playground with public bathroom, similar to Paso Robles, brings more people downtown, provides restroom facilities for events and the farmers' market, and creates a gathering spot that will increase revenue in local businesses.

Increase community engagement by welcoming various ages and uses, with picnic benches to eat a lunch purchased at one of our many nearby restaurants, big kid swings, electricity for events, a small stage area that could be rented out to school groups and private parties (with rotating interactive art exhibits at other times, like SLO Mission Plaza does during holidays, such as "selfie walls" of flowers during Mother's Day), and ADA access to all areas.

Creating something unique, such as an unusual play sculpture to climb on or other features that no other playground has in the county, would draw visitors to our town.

Keeping this an outdoor spot that is for everyone to use would also honor the original spot where Colony Days Tent City was held.

Thank you!

Laurie Ferguson, PsyD
Licensed Clinical Psychologist PSY20842
Director, Spark Psychological Services
Laurie Ferguson, Psychologist, Inc.
Member and former Ethics Chair, Central Coast Psychological Association
Former Board Member, Central Coast Autism Spectrum Center
5975 Entrada Avenue
Atascadero, CA 93422

[REDACTED]
website: www.SparkPsych.com

[REDACTED]
follow me on Twitter @DrLFerguson

Pronouns: She/Her/Hers

From: Museum <[REDACTED]>

Sent: Tuesday, September 14, 2021 5:46 PM

To: Lara Christensen <lchristensen@atascadero.org>

Cc: Rachelle Rickard <rrickard@atascadero.org>; Phil Dunsmore <pdunsmore@atascadero.org>

Subject: City owned lot on East Mall

Good evening Lara,

I'd like to express my views on the two city owned lots on the east mall in front of the Colony Museum. I think a parking lot would be best suited for that location, with an enhancement to the centennial Plaza, possibly more seating or landscaping in the parking lot area.

A commercial structure would put an privately owned Business in between Centennial Plaza and the current city-owned parking lot.

Restrooms even though they're desperately needed downtown, Would only add a better draw to more encampments to set up in the location where we already have issues.

Again I think a parking lot with enhancements to Centennial Plaza would give the city and the community the best visual enhancement to that area.

Thanks for your time

Jim Wilkins
President
Atascadero historical society