



# CITY OF ATASCADERO CITY COUNCIL

## MINUTES

Tuesday, November 23, 2021

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

**City Council Regular Session:**

**6:00 P.M.**

**City Council Closed Session:**

**Immediately Following  
Regular Session**

### **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 and Funk, Mayor Pro Tem Newsom, and Mayor Moreno

Absent: Council Member Dariz

Others Present: None

Staff Present: **By Teleconference** – City Manager Rachelle Rickards, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Public Works Director Nick DeBar, 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 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 4:0 by a roll-call vote. Dariz absent.*

## **CLOSED SESSION – REPORT (IF ANY)**

### **a. November 9, 2021**

City Attorney Pierik reported that there was no reportable action from Closed Session on November 9, 2021.

**PRESENTATIONS: None.**

## **A. CONSENT CALENDAR:**

### **1. City Council Draft Action Minutes – November 9, 2021**

- Recommendation: Council approve the November 9, 2021 Draft City Council Regular Meeting Minutes. [City Clerk]

### **2. October 2021 Accounts Payable and Payroll**

- Fiscal Impact: \$3,552,746.20
- Recommendation: Council approve accounts payable, payroll and payroll vendor checks for October 2021. [Administrative Services]

### **3. Sunken Gardens Tree Replanting and Protection**

- Fiscal Impact: \$16,500.00
- Recommendation: Council authorize the Administrative Services Director to appropriate \$16,500 of General Fund Reserves for the replanting and protection of eight trees at Sunken Gardens. [Public Works]

### **4. Resolution Authorizing City Manager to Execute Participation Agreements Regarding the Settlement of the National Opioid Litigation**

- Fiscal Impact: The fiscal impact, assuming there is 100% participation by the counties and cities in California will be \$20,584.44 per year paid to the City from the distributors for 18 years and \$10,292.22 per year from Janssen for 9 years. There will be costs incurred by the City in administering the funds to ensure spending for authorized purposes and also costs for complying with the reporting requirements. If the City directs the funds to the County, then the County will spend the funds and be responsible for the reporting requirements.
- Recommendation: Council adopt Draft Resolution authorizing the City Manager to execute participation agreements regarding the settlement of the National Opioid Litigation. [City Attorney]

### **5. Virtual Meetings – AB 361 Requirements**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution making findings consistent with the requirements of AB 361 to continue to allow for the conduct of virtual meetings. [City Manager]



**MOTION: By Council Member Bourbeau and seconded by Council Member Funk to approve the Consent Calendar. (#A-4: Resolution No. 2021-072) (#A-5: Resolution No. 2021-073)**  
***Motion passed 4:0 by a roll-call vote. Dariz 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 on this item: None.

***Mayor Moreno closed the COMMUNITY FORUM period.***

**B. PUBLIC HEARINGS:**

**1. SB9 Urgency Ordinance (CPP21-0095)**

- Fiscal Impact: None.
- Recommendations: Council continue the public hearing to the December 14, 2021 City Council Meeting to allow additional time for drafting and review of proposed guidance and local objective standards for the implementation of SB9 (urban lot splits and urban dwelling units). [Community Development]

Ex Parte Communications

No Council Members had anything to report.

Community Development Director Dunsmore briefed the City Council on this item.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

***Mayor Moreno noted that the item would be continued to the December 14, 2021 Regular City Council Meeting.***

**C. MANAGEMENT REPORTS:**

**1. Sale of Chicago Grade Landfill**

- Fiscal Impact: None.
- Recommendations: Council authorize the City Manager to send a letter to Chicago Grade Landfill, Inc. providing written consent from the City of Atascadero for the sale of Chicago Grade Landfill to Waste Connections. [City Manager]

Deputy City Manager Christensen gave the report and answered questions from the Council.

## **PUBLIC COMMENT:**

The following citizens spoke by telephone or through the webinar on this item: Sue VanDelinder and Jeff Clarin

***Mayor Moreno closed the Public Comment period.***

**MOTION: By Council Member Bourbeau and seconded by Council Member Funk to authorize the City Manager to send a letter to Chicago Grade Landfill, Inc. providing written consent from the City of Atascadero for the sale of Chicago Grade Landfill to Waste Connections.  
*Motion passed 4:0 by a roll-call vote. Dariz absent.***

## **D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:**

The following Council Members gave brief update reports on their committees since their last Council meeting:

### Mayor Moreno

1. Regional Economic Action Coalition (REACH)

### Mayor Pro Tem Newsom

1. Design Review Committee

### Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

### Council Member Funk

1. Design Review Committee
2. Homeless Services Oversight Council

## **E. INDIVIDUAL DETERMINATION AND / OR ACTION:**

1. City Council

Council Member Bourbeau noted the San Luis Obispo County Board of Supervisors is in the redistricting process and has two maps they are considering. He noted his concern with both maps and asked the Council Members to look at the maps and consider reaching out to the Board of Supervisors with any concerns. Council Member Funk reported attending and speaking at a Board of Supervisor's meeting regarding the maps.

## **F. RECESS REGULAR MEETING TO CLOSED SESSION**

Mayor Moreno recessed the Regular Meeting at 7:02 p.m. and convened the Closed Session Meeting.

## **CITY COUNCIL CLOSED SESSION:**

1. CLOSED SESSION -- PUBLIC COMMENT - None

**2. COUNCIL LEAVES TO BEGIN CLOSED SESSION**

**3. CLOSED SESSION -- CALL TO ORDER**

**a. Conference with Real Property Negotiators (Govt. Code 54956.8)**

Real Property: 9510 Calle Milano, Atascadero, CA 93422

Agency Negotiator: Rachelle Rickard, City Manager

Negotiating Parties: Curtis J. Coleman and Julie A. Coleman

Subject of Negotiations: Price and terms of payment.


**4. CLOSED SESSION – ADJOURNMENT**

**5. CLOSED SESSION – REPORT (IF ANY)**

**G. ADJOURN**

Following Closed Session, the meeting was adjourned at 7:30 pm; no reportable action.

**MINUTES PREPARED BY:**

  
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Lara K. Christensen  
City Clerk

**APPROVED:** December 14, 2021