



## CITY OF ATASCADERO CITY COUNCIL AGENDA

### **HYBRID MEETING INFORMATION:**

In accordance with City Council Resolution No. 2022-038 and the requirements of AB 361, the City Council Meeting will be available via teleconference for those who wish to participate remotely. The City Council meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

### **HOW TO OBSERVE THE MEETING REMOTELY:**

To participate remotely, residents can livestream the meeting on [Zoom](#), SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and listen live 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 and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit [https://us02web.zoom.us/webinar/register/WN\\_ZwJ7a031S3KXauEym9ehaA](https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA).

### **HOW TO SUBMIT PUBLIC COMMENT:**

Individuals who wish to provide public comment in-person may attend the meeting in the City Council Chambers. Individuals who wish to participate remotely may call **(669) 900-6833** (Meeting ID: 889 2347 9018) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

If you wish to comment but not via a live platform, please email public comments to [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org). 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. ***To ensure distribution to the City Council prior to consideration of the agenda, the public is encouraged to submit comments no later than 12:00 p.m. the day of the meeting.*** Those comments, as well as any comments received after that time, but before the close of the item, will be distributed to the City Council, posted on the City's website, and will be made part of the official public record of the meeting. ***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/agendas](http://www.atascadero.org/agendas).

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 made a part of 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, June 14, 2022**

**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  
the conclusion of the City  
Council Regular Session**

**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.

**CLOSED SESSION – REPORT (IF ANY)**

1. May 24, 2022

- 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 24, 2022**
    - Recommendation: Council approve the May 24, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]
  2. **March 2022 Investment Report**
    - Fiscal Impact: None.
    - Recommendation: Council receive and file the City Treasurer’s report for quarter ending March 31, 2022. [City Treasurer]
  3. **2022-2023 Annual Spending Limit**
    - Fiscal Impact: None.
    - Recommendation: Council adopt the attached Draft Resolution establishing the annual spending limit for fiscal year 2022-2023. [Administrative Services]
  4. **Authorizing Temporary Road Closures for 2022 Hot El Camino Cruise Nite and Colony Days Parade Route**
    - Fiscal Impact: Cruise Nite incurs no net fiscal impact. The City cost of conducting the event is approximately \$15,000 and is included in the adopted budget. It is anticipated that these costs will be fully recovered through budgeted sponsorships and entry fees.
    - Recommendation: Council:
      1. Adopt Draft Resolution A authorizing temporary road closures and restrictions on August 19, 2022 for the Hot El Camino Cruise Nite.
      2. Adopt Draft Resolution B authorizing temporary road closures and restrictions on October 1, 2022 for the Colony Days Parade Route. [Public Works]
  5. **2022 Measure F-14 Pavement Rehabilitation Construction Award**
    - Fiscal Impact: \$2,761,237.
    - Recommendations: Council:
      1. Award a construction contract for \$2,761,237 to Souza Construction for the 2022 Measure F-14 Pavement Rehabilitation Project (Project No. C2021R01).
      2. Authorize the Director of Administrative Services to allocate an additional \$600,000 in Measure F-14 fund balance to the 2022 Measure F-14 Pavement Rehabilitation Project. [Public Works]
  6. **General Municipal Election – November 8, 2022**
    - Fiscal Impact: \$40,000.
    - Recommendations: Council adopt the following Resolutions for the purpose of electing a Mayor, two members to the City Council, and a City Treasurer:
      1. Draft Resolution A, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2022 for the election of a Mayor, two Council Members, and a City Treasurer

2. Draft Resolution B, requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 8, 2022. [City Clerk]

**7. AB 481 – Military Equipment Policy**

- Fiscal Impact: None.
- Recommendation: Council adopt on second reading, by title only, a Draft Ordinance adopting a Military Equipment Policy in accordance with Assembly Bill 481. [Police Department]

**8. 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]

**9. Centennial Plaza Surplus Land Declaration Zone Change (ZCH) 22-0022 5901 West Mall**

- Fiscal Impact: None.
- Recommendation: Council adopt a Resolution declaring the vacant parcels of land surrounding Centennial Plaza location in Downtown and owned by the City of Atascadero as surplus land. [Community Development]

**10. Priority Legislative Budget Project – Delegation of Authority Downtown Infrastructure Enhancement Plan Project**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution approving delegation of authority to the City Manager or her designee for executing Priority Legislative Budget Project documents associated with the Downtown Infrastructure Enhancement Plan Project. [Public Works]

**11. Legal Services Budget**

- Fiscal Impact: \$100,000 in FY 21-22 and \$135,000 in FY 22-23.
- Recommendation: Council authorize the Director of Administrative Services to appropriate an additional \$100,000 in General Fund Reserves for legal services in FY 21-22 and \$135,000 in FY 22-23. [City Attorney]

**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. Comments will be allowed for the entire 30-minute period so if the final speaker has finished before the 30 minute period has ended and a member of the public wishes to make a comment after the Council has commenced another item, the member should alert the Clerk within the 30 minute period of their desire to make a comment and the Council will take up that comment upon completion of the item which was

commenced. 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. Apple Valley Assessment Districts**

- Fiscal Impact: Annual assessments for 2022/2023 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 2022/2023.
  2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2022/2023 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 2022/2023.
  4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 01 (Apple Valley). [Administrative Services]

### **2. De Anza Estates Assessment Districts**

- Fiscal Impact: Annual assessments for 2022/2023 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 2022/2023 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 2022/2023.
  2. Adopt Draft Resolution B ordering the levy and collection of assessments for fiscal year 2022/2023 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 2022/2023.
  4. Adopt Draft Resolution D ordering the levy and collection of assessments for fiscal year 2022/2023 for Landscaping and Lighting District No. 03 (De Anza Estates). [Administrative Services]

**3. Woodridge (Las Lomas) Assessment Districts**

- Fiscal Impact: Annual assessments for 2022/2023 will total \$99,189 for road/drainage system maintenance and \$70,452 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 2022/2023 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 2022/2023.
  2. Adopt Draft Resolution B ordering the levy and collection of assessments for Fiscal Year 2022/2023 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 2022/2023.
  4. Adopt Draft Resolution D ordering the levy and collection of assessments for Fiscal Year 2022/2023 for Landscaping and Lighting District No. 02 – Woodridge (Las Lomas). [Administrative Services]

**4. Downtown Parking & Business Improvement Area (DPBIA) Confirmation of Annual Assessment (FY 2022-2023)**

- Fiscal Impact: Adopting the staff recommendation will result in the collection of approximately \$12,800 and expenditure of \$12,820 in budgeted DPBIA funds.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2022-2023). [City Manager]

**5. Atascadero Tourism Business Improvement District (ATBID) Confirmation of Annual Assessment (Fiscal Year 2022-2023)**

- Fiscal Impact: Annual assessments for 2022-2023 are expected to be approximately \$298,170 (or higher based on the current trend) and will be assessed as 2% of the rent charged on the occupied rooms and spaces for transient services.
- Recommendation: Council adopt Draft Resolution confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2022-2023). [City Manager]

**6. Amendments and Additions to Fee Schedule**

- Fiscal Impact: The fiscal impact of the fee update is unknown; however, revenues are expected to increase with adoption of the draft fee schedule and fees will be more fairly allocated based changes that have occurred in the economy, City staffing, City procedures, and regulations since the last Cost Study was completed.
- Recommendation: Council adopt Draft Resolution A establishing a schedule of Fees and Charges for City Services. [Administrative Services]

- C. 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
4. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Funk

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

- D. 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

- E. RECESS TO CLOSED SESSION FOLLOWING CONCLUSION OF CITY COUNCIL REGULAR SESSION**

## **COUNCIL CLOSED SESSION:**

- 1. CLOSED SESSION -- PUBLIC COMMENT**
- 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: 5970 El Camino Real (APN 030181031)  
Agency Negotiator: Rachelle Rickard, City Manager  
Negotiating Parties: Fred C. Pflum Revocable Trust  
Subject of Negotiations: Purchase price and/or terms of payment
- 4. CLOSED SESSION – ADJOURNMENT**

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.

**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.