



# **CITY OF ATASCADERO CITY COUNCIL**

## **MINUTES**

**Tuesday, April 26, 2022**

**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 – CALL TO ORDER: 5:00 P.M.**

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

#### **1. ROLL CALL**

Present: Council Members Bourbeau, Dariz, Funk, Mayor Pro Tem Newsom and Mayor Moreno

Others Present: None

Staff Present: City Manager Rachelle Rickard, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen and IT Manager Luke Knight

#### **2. CLOSED SESSION -- PUBLIC COMMENT – None**

#### **3. COUNCIL RECESS INTO CLOSED SESSION**

IT Manager Knight did not attend this portion of the meeting.

#### **4. CLOSED SESSION**

##### **a. Conference with Legal – Anticipated Litigation**

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): 1 potential case – California Voting Rights Act

##### **b. Conference with Legal Counsel – Existing Litigation**

Government Code Sec. 54956.9(d)(1)  
Name of Case: Newton v. City of Atascadero

**5. CLOSED SESSION – ADJOURNMENT**

**6. COUNCIL RETURNS**

**7. CLOSED SESSION REPORT**

City Attorney Pierik noted that, with respect to Closed Session Item B, the City has been reviewing the issue of whether or not to change from at-large to district elections, however the City has not yet made a decision in that regard. He reported that if the City were to decide to change to district elections, there is a substantial public process required and this process would not be completed for the November 2022 election, and the first election where there could be districts, if the City chose to go to districts, would be the November 2024 election.

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

Mayor Moreno called the meeting to order at 6:01 p.m. and Council Member Dariz led the Pledge of Allegiance.

**ROLL CALL:**

Present: Council Members Bourbeau, Dariz, and Funk, Mayor Pro Tem Newsom and Mayor Moreno

Absent: None

Others Present: None

Staff Present: Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, Police Chief Bob Masterson, 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 Bourbeau 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.*

**PRESENTATIONS:**

1. Proclamation declaring April as Sexual Assault Action Month



The City Council presented a proclamation to Jennifer Adams, CEO of Lumina Alliance, proclaiming April as Sexual Assault Action Month.

**A. CONSENT CALENDAR:**

1. **City Council Draft Action Minutes – April 12, 2022**
  - Recommendation: Council approve the April 12, 2022 Draft City Council Regular Meeting Minutes and the Draft Special Closed Session Meeting Minutes. [City Clerk]
2. **March 2022 Accounts Payable and Payroll**
  - Fiscal Impact: \$4,666,915.54
  - Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for March 2022. [Administrative Services]
3. **Radio Repeater Replacement**
  - Fiscal Impact: \$332,500.00
  - Recommendation:
    1. Authorize the City Manager to execute a contract with Applied Technology Group, Inc. in the amount of \$287,529 for the purchase and installation of radio repeater equipment and related hardware for the City's radio communication system.
    2. Authorize the Director of Administrative Services to appropriate up to \$12,500 in Dial-a-Ride funds for the local match. [Information Technology]
4. **Revision (or Update) to Deed Restriction Requirements on Affordable Housing Moderate-Income Unit Resale**
  - Fiscal Impact: No immediate fiscal impact; however, this change in policy could reduce the total number of moderate-income units available within the City's Affordable Housing Program.
  - Recommendation: Council adopt Draft Resolution giving the City Manager or designee the authority to waive the requirement to record an affordable housing deed restriction on moderate-income units upon sale to a qualified buyer when the sales price and appraised value are within 2% or below the maximum applicable moderate-income sales price, consistent with the current San Luis Obispo County's Affordable Housing Standard. [Administrative Services]

Council Member Funk asked a clarifying question on Consent Calendar Item #A-4, which Administrative Services Director Rangel answered.

**MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to approve the Consent Calendar. (#A-3: Contract No. 2022-006)(#A-4: Resolution No. 2022-011)**  
***Motion passed 5:0 by a roll-call vote.***

**UPDATES FROM THE CITY MANAGER:**

Deputy City Manager Christensen gave an update on projects and events within the City.

## COMMUNITY FORUM:

The following persons spoke in-person, by telephone or through the webinar: Nancy, Maggie Payne, Anthony Vasquez, Jody Smith, Josh Cross, Kathy Redden, Anne Colby, Sandy Obermeyer, Wendy Lewis, Geoff Auslen, and Deborah McKrell

### B. PUBLIC HEARINGS:

#### 1. Centennial Plaza Planned Development - Zone Change (ZCH) 22-0022 - 5901 East Mall

- Fiscal Impact: None.
- Recommendation: Council introduce for first reading, by title only, a Draft Ordinance, amending the Atascadero Municipal Code, Title 9 Planning & Zoning, Section 9-3, Article 26, adding Section 9-3.682 to add a new Planned Development Overlay Zone 37 for the five vacant lots surrounding Centennial Plaza and including Centennial Plaza (lots 12-17), based on findings and subject to the future approval of a Master Plan of Development. [Community Development]

#### Ex Parte Communications

No Council Members had anything to report.

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

*Mayor Moreno recessed the meeting at 7:49 p.m.*

*Mayor Moreno reconvened the meeting with all present at 8:02 p.m.*

### PUBLIC COMMENT:

The following persons on this item: Geoff Auslen

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

**MOTION:** By Mayor Pro Tem Newsom and seconded by Council Member Funk to introduce for first reading, by title only, a Draft Ordinance, amending the Atascadero Municipal Code, Title 9 Planning & Zoning, Section 9-3, Article 26, adding Section 9-3.682 to add a new Planned Development Overlay Zone 37 for the five vacant lots surrounding Centennial Plaza and including Centennial Plaza (lots 12-17), based on findings and subject to the future approval of a Master Plan of Development with the following change to Exhibit A, Section (E)(10):

*10. Public Restrooms: Public restrooms shall be provided in one or more of the ground floor buildings within the PD. Restrooms shall be open to the public for hours to be determined by the City in a location that is accessible from the ground floor.*

Deputy City Manager/City Clerk Christensen read the title of the Ordinance:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING TITLE 9 PLANNING 7 ZONING, SECTION 9-3, ARTICLE 26, ADDING SECTION 9-3.682 TO ADD A NEW PLANNED DEVELOPMENT OVERLAY**



**ZONE NO. 37 FOR THE FIVE VACANT LOTS SURROUNDING CENTENNIAL PLAZA  
(LOTS 12-17), AND DETERMINING THIS ORDINANCE IS EXEMPT FROM REVIEW  
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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

**C. MANAGEMENT REPORTS:**

**1. Fiscal Update**

- Fiscal Impact: None.
- Recommendations: Council receive and file fiscal update. [Administrative Services]

Administrative Services Director Rangel gave the report and answered questions from the Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: Geoff Auslen

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

**The City Council received and filed the report.**

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

- Fiscal Impact: None.
- Recommendations: Council review and receive the proposed 2022-2023 Military Equipment Policy in accordance with AB 481. [Police Department]

Police Chief Masterson gave the report and answered questions from the Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: None

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

**The City Council reviewed and received  
the proposed Military Equipment Policy.**

**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. City Selection Committee
2. County Mayors Round Table
3. Regional Economic Action Coalition (REACH)
4. SLO Regional Transit Authority (RTA)

**Council Member Bourbeau**

1. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Funk

1. Design Review Committee
2. Homeless Services Oversight Council

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

1. City Council

- a) Council Member Funk will present information regarding the work of the HSOC Steering Committee developing the Countywide Strategic Plan to Address Homelessness. Council will discuss, receive public comment and provide input/feedback to Councilmember Funk on the San Luis Obispo County Strategic Plan to Address Homelessness for her to share with the Steering Committee.

Council Member Funk and Joe Dzvonik, Principal Homeless Analyst for the County of San Luis Obispo, gave the presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following persons spoke on this item: Elizabeth Helgersen and Christina Asdel Cisneros

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

**F. ADJOURN**

Mayor Moreno adjourned the meeting at 9:54 pm.

**MINUTES PREPARED BY:**

  
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Lara K. Christensen  
City Clerk

**APPROVED: May 10, 2022**