



# **CITY OF ATASCADERO CITY COUNCIL**

## **MINUTES**

**Tuesday, March 24, 2020**

**City Hall Council Chambers, 4th floor  
6500 Palma Avenue, Atascadero, California  
(Entrance on Lewis Ave.)**

**City Council Regular Session:**

**6:00 P.M.**

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

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

### **ROLL CALL:**

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

**Absent:** None

**Staff Present:** City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Public Works Director Nick Debar, Police Chief Jerel Haley, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, City Attorney Brian Pierik and Deputy City Manager/City Clerk Lara Christensen

Council Members Fonzi, Funk, and Newsom as well as staff members Rangel, Dunsmore, Bryson, Pierik and Christensen were present by teleconference.

### **APPROVAL OF AGENDA:**

**MOTION:** By Mayor Pro Tem Bourbeau and seconded by Council Member Funk 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: None.**

**A. CONSENT CALENDAR:**

**1. City Council Draft Action Minutes – March 10, 2020 and March 17, 2020**

- Recommendation: Council approve the March 10, 2020 Draft City Council Meeting Minutes and the March 17, 2020 Draft City Council Special Meeting Minutes. [City Clerk]

**2. February 2020 Accounts Payable and Payroll**

- Fiscal Impact: \$2,062,897.06
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for February 2020. [Administrative Services]

**3. 2020 Pavement Resurfacing Project Construction Award**

- Fiscal Impact: \$569,213.00
- Recommendations: Council:
  1. Award a construction contract for \$569,213 to Souza Engineering Contracting, Inc. for the 2020 Pavement Resurfacing Project and the remaining portion of the F-14 Pavement Rehabilitation Project.
  2. Authorize the City Manager to execute a contract with Souza Engineering Contracting, Inc. for \$569,213 for the construction of the 2020 Pavement Resurfacing Project and the remaining portion of the F-14 Pavement Rehabilitation Project. [Public Works]

**4. San Anselmo Road (West) Pavement Rehabilitation Construction Award**

- Fiscal Impact: \$479,775.00
- Recommendations: Council:
  1. Award a construction contract for \$368,755 to Papich Construction Company, Inc. for the San Anselmo Road (West) Pavement Rehabilitation Project (Project No. C2019R01).
  2. Authorize the City Manager to execute a contract for \$368,755 with Papich Construction Company, Inc. to construct the San Anselmo Road (West) Pavement Rehabilitation Project.
  3. Authorize the Director of Administrative Services to allocate an additional \$111,000 in Local Transportation Funds to the San Anselmo Road (West) Pavement Rehabilitation Project. [Public Works]

**5. Temporary Change of Cancellation Policy for Facility Rentals**

- Fiscal Impact: Although the City is experiencing significant downturns in facility rental income and recreation income, allowing refunds versus requiring the renters to book another date will only have a slight negative impact on City revenues.
- Recommendation: Council authorize the City Manager to allow refunds for facility rentals that were cancelled due to concerns regarding COVID-19 Coronavirus. [City Manager]

Mayor Moreno noted that Item #A-5 is a temporary change to allow refunds for those who need to cancel rentals as a result of orders, directives and closures due to COVID-19.

**MOTION: By Council Member Fonzi and seconded by Council Member Newsom to approve the Consent Calendar. (# A-3 Contract No. 2020-003)(# A-4 Contract No. 2020-004)**  
***Motion passed 5:0 by a roll-call vote.***

#### **UPDATES FROM THE CITY MANAGER:**

City Manager Rickard gave updates on COVID-19 and discussed City actions in response to COVID-19.

Mayor Moreno asked for the Council's consideration of a temporary suspension and/or waiver of late fees for the payment of Transient Occupancy Taxes (TOT) as some of the other cities in the County have done or are currently considering.

Attorney Pierik reported that the item was not on the Agenda so the Council could not discuss or take action regarding any temporary suspension or waiver of late fees for TOT payments. He did note that the City Manager, as the Director of Emergency Services, could take action to temporarily suspend or waive late fees for the late payment of TOT and the City Council could ratify that action at the next City Council Meeting.

#### **COMMUNITY FORUM:**

The following citizens spoke during Community Forum: Geoff Auslen

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

#### **B. PUBLIC HEARINGS: None.**

#### **C. MANAGEMENT REPORTS:**

##### **1. Results of Voter Opinion Survey on Feasibility of a Potential Future Tax Ballot Measure**

- Fiscal Impact: None.
- Recommendation: Council receive and file the Revenue Measure Feasibility Survey Summary Report prepared by True North Research. [City Manager]

Deputy City Manager/City Clerk Christensen introduced Dr. Timothy McLarney of True North Research who gave the presentation and answered questions from the Council. Attorney Pierik and Deputy City Manager/City Clerk Christensen also answered questions from the Council.

#### **PUBLIC COMMENT:**

The following citizens spoke on this item: Geoff Auslen and Ron Di Carli

City Clerk Christensen read comments received by email prior to the start of the meeting from Ron Overacker and Brandon Roberts into the record.

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



**The City Council received and filed the Revenue Measure  
Feasibility Survey Summary Report.**

**2. Proposed Sewer Service Rate Increases**

- Fiscal Impact: Approving staff recommendations will generate an estimated \$430,000 in additional revenue from sewer service charges collected in FY20/21 over FY19/20 amounts.
- Recommendations: Council:
  1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
  2. Set a Public Hearing on May 26, 2020 for the City Council's consideration of the proposed wastewater rate increases.
  3. Approve a budget amendment and authorize the Director of Administrative Services to appropriate \$7,500 from the Wastewater Fund for costs related to the Proposition 218 majority protest process. [Public Works]

Public Works Director DeBar gave the staff report and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

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

**MOTION:** By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to:

1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
2. Set a Public Hearing on May 26, 2020 for the City Council's consideration of the proposed wastewater rate increases.
3. Approve a budget amendment and authorize the Director of Administrative Services to appropriate \$7,500 from the Wastewater Fund for costs related to the Proposition 218 majority protest process.

***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:

Mayor Moreno

1. County Mayors Round Table
2. Economic Vitality Corporation, Board of Directors (EVC)
3. SLO Council of Governments (SLOCOG)

Mayor Pro Tem Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Fonzi

1. City of Atascadero Design Review Committee

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee

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

1. City Attorney – City Attorney Pierik noted that earlier in the meeting the Mayor brought up the suspension or waiver of penalty fees/interest for late payment of TOT. He reported that he did some research and found that Pismo Beach adopted an urgency ordinance to extend the time for the payment of TOT for February and March through August 31, 2020 and believes that rather than having the City Manager issue an order as director of Emergency Services, the better approach would be to have it brought back to the Council as an urgency ordinance at April 14 meeting.

**There was Council consensus to have an urgency ordinance brought back at the April 14, 2020 Council Meeting, delegating to the City Manager the authority to determine appropriate extensions for application of the suspension/waiver of penalty fees/interest for payment of the first quarter TOT and presenting those parameters to the City Council as part of the urgency ordinance.**

**F. ADJOURN**

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

**MINUTES PREPARED BY:**

  
for Lara K. Christensen  
Deputy City Manager / City Clerk

**APPROVED:** April 14, 2020