



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, April 14, 2020

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

CALL TO ORDER:

Mayor Moreno called the Regular Meeting and Special Meeting to order at 6:05 p.m. and recessed the Special Meeting until after Community Forum of the Regular Meeting.

Council Member Newsom led the Pledge of Allegiance.

ROLL CALL:

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

Absent: None

Staff Present: **By Teleconference** - 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, and City Attorney Brian Pierik

APPROVAL OF AGENDA:

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

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – March 24, 2020

- Recommendation: Council approve the March 24, 2020 Draft City Council Meeting Minutes. [City Clerk]

2. Weed/Refuse Abatement Program

- Fiscal Impact: The City recovers costs for administering this program through recovery of the cost of abatement, plus a flat fee of \$260 plus a percentage charge of 166% administrative fee, which is placed on the San Luis Obispo County Special Tax Assessment for the fiscal year 2020-2021 Tax Roll.
- Recommendation: Council adopt Draft Resolution, declaring vegetative growth and/or refuse a public nuisance, commencing proceedings for the abatement of said nuisances, and placing all abatement fees on the San Luis Obispo County Special Tax Assessment for the fiscal year 2020-2021 Tax Roll. [Fire Department]

3. Authorization of Representatives for State Office of Emergency Services

- Fiscal Impact: The updated resolution will allow the City to be eligible for federal and state financial assistance.
- Recommendation: Council adopt Draft Resolution Repealing Resolution No. 2017-003 and Updating the Authorization of Certain City Representatives to Execute State Office of Emergency Services Documents for Certain Financial Assistance. [Administrative Services]

4. Contract Change Order with Bureau Veritas Company for Contract Plan Check Services

- Fiscal Impact: Authorization of the change order will result in the expenditure of \$46,000 in plan check services revenues.
- Recommendation: Council authorize the City Manager to execute a change order for \$46,000 for contract plan check services from \$84,000 to \$130,000 for the 2019/2020 purchasing contract with Bureau Veritas. [Community Development]

MOTION: By Council Member Funk and seconded by Council Member Fonzi to approve the Consent Calendar. (#A-2: Resolution No. 2020-006) (#A-3: Resolution No. 2020-007)
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.

COMMUNITY FORUM:

The following citizens spoke during Community Forum: Geoff Auslen

Emails from the following citizens were read into the record by City Manager Rickard: Eric Greening and Kris Roudebush

Mayor Moreno closed the COMMUNITY FORUM period.

Mayor Moreno recessed the meeting at 6:28 p.m.

Mayor Moreno reconvened the meeting at 6:44 p.m. with all present.

B. PUBLIC HEARINGS:

1. Urgency Ordinance Authorizing Delay of Transient Occupancy Tax (TOT) and Tourism Business Improvement District (TBID) Assessment Penalties and Interest

- **Fiscal Impact:** The fiscal impact of approving the Urgency Ordinance is a temporary reduction in penalties and interest charges attributable to late TOT/ATBID payments in an unknown amount that is dependent on the number of late payments.
- **Recommendation:** Council adopt an Urgency Ordinance authorizing the Administrative Services Director to delay penalties and interest for late Transient Occupancy Tax (TOT) and Atascadero Tourism Business Improvement District (ATBID) assessment revenues received for January, February and March 2020 transient lodging services until August 31, 2020. [City Manager]

City Manager Rickard 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 Council Member Funk and seconded by Council Member Newsom to adopt Urgency Ordinance No. 636 authorizing the Administrative Services Director to delay penalties and interest for late Transient Occupancy Tax (TOT) and Atascadero Tourism Business Improvement District (ATBID) assessment revenues received for January, February and March 2020 transient lodging services until August 31, 2020.

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

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AUTHORIZING THE ADMINISTRATIVE SERVICES DIRECTOR TO DELAY LATE FEES AND PENALTIES FOR DELINQUENT TRANSIENT OCCUPANCY TAX (TOT) AND ATASCADERO TOURISM BUSINESS IMPROVEMENT DISTRICT (ATBID) ASSESSMENT REVENUES RECEIVED FOR JANUARY, FEBRUARY AND MARCH 2020 TRANSIENT LODGING SERVICES UNTIL AUGUST 31, 2020

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

2. Urgency Ordinance Affirming Orders of the Emergency Services Director and Public Health Officer

- Fiscal Impact: The adoption of this Urgency Ordinance would not have a fiscal impact to the City. Enforcement of the Urgency Ordinance would have a financial impact to the City depending upon the extent of enforcement required.
- Recommendation: Council adopt an Urgency Ordinance of the City Council of the City of Atascadero, California Affirming Orders of The Emergency Services Director and Public Health Officer. [City Attorney]

City Attorney Pierik gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Tricia Stanley

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Council Member Fonzi to adopt Urgency Ordinance No. 637 of the City Council of the City of Atascadero, California Affirming Orders of the Emergency Services Director and Public Health Officer.

City Attorney Brian Pierik read the title of the Ordinance:

AN URGENCY ORDINANCE OF THE CITY COUNCILOF THE CITY OF ATASCADERO, CALIFORNIAAFFIRMING ORDERS OF THE EMERGENCY SERVICES DIRECTOR AND PUBLIC HEALTH OFFICER OF THE COUNTY OF SAN LUIS OBISPO RELATED TO THE COVID-19 STATE AND LOCAL EMERGENCY, INCLUDING A TEMPORARY MORATORIUM ON CERTAIN RESIDENTIAL AND COMMERCIAL EVICTIONS AND SHELTER IN PLACE ORDERS, AND EXPRESSLY AFFIRMING SUCH ACTIONS AND ORDERS AS APPLICABLE AND ENFORCEABLE WITHIN CITY JURISDICTION

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

C. MANAGEMENT REPORTS:

1. 6th Cycle Housing Element Update (CPP19-0067)

- Fiscal Impact: None.
- Recommendation: Council receive an update and provide feedback to staff and the Housing Element Consultant regarding housing opportunity sites and policies for inclusion in the Housing Element Update. [Community Development]

Consultant Genevieve Sharrow presented the item and answered questions from the Council. Community Development Director Dunsmore also answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Peter Laughlin and Max Zappas

Mayor Moreno closed the Public Comment period.

Council received the update from staff and provided feedback.

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. SLO Council of Governments (SLOCOG)
2. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Bourbeau

1. Mobile Home Rent Stabilization ad hoc Committee
2. League of Cities Revenue and Tax Committee
3. Home Builders Association of the Central Coast (HBACC)

Council Member Fonzi

1. SLO Local Agency Formation Commission (LAFCo)

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee

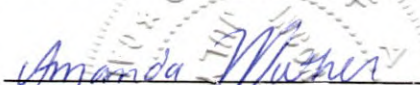
E. INDIVIDUAL DETERMINATION AND / OR ACTION:

Council Member Funk expressed a concern about an increase in domestic violence and the categorization of licensed firearm dealers as an essential business.

F. ADJOURN

Mayor Moreno adjourned the meeting at 9:04 p.m.

MINUTES PREPARED BY:


Amanda Muther
Deputy City Clerk

APPROVED: April 28, 2020

PUBLIC COMMENT PROVIDED BY EMAIL

COMMUNITY FORUM:

SUBMISSION FROM: Eric Greening

CONDENSED SUBMISSION (*Approved by Mr. Greening, to better fit the maximum 3-minute public comment allowance during Community Forum*)

Hello!

I am very grateful that we in Atascadero are able to "shelter in place" with access to the open space areas that allow us to keep our health and our morale. I am grateful that Atascadero has resisted the punitive urge some other jurisdictions have indulged in, creating a vicious cycle: A FEW users of an open space are observed not properly social distancing; it is then closed to ALL users, increasing pressure and congestion in remaining open spaces. I ask that Atascadero continue to resist this injustice to those who DO observe social distancing, and keep open spaces available for walking and hiking.

We don't close highways to everyone because some people speed on them!

Covid-19 is new enough that there are no true experts, just people trying to learn all they can. Certain sensational claims get pulled out of context by the media and create panic, and people in panic are easily stampeded into counterproductive policies. While Covid-19 IS highly contagious, the notion that it can be transmitted outdoors in glancing encounters by people passing each other on a trail is not supported by current evidence. I would urge Council members and staff to look up World Health Organization Scientific Brief: "Modes of Transmission of Virus Causing Covid-19: Implications for IPC Precaution Recommendations." A summary quote: "In an analysis of 75,465 Covid-19 cases in China, airborne transmission was not reported." People walking in our outdoor spaces are safe from acquiring harmful viral loads, and our immune systems benefit from the exercise, exposure to sunlight, and the peace of mind that comes with the sheer normality of having access to our outdoor treasures at a time when nearly everything else in our lives feels shockingly abnormal. Please continue your wise policy of keeping these spaces open!

Many thanks, and STAY WELL!!

ORIGINAL SUBMISSION (*Not read into Public Comment during the meeting*)

On Apr 10, 2020, at 15:18, Eric Greening <dancingsilverowl@gmail.com> wrote:

Hello!

I am Eric Greening, with a comment for items not on the agenda for the April 14th meeting. I am very grateful that we in Atascadero are able to "shelter in place" with access to the open space areas that allow us to keep our health and our morale. I am grateful that Atascadero has resisted the punitive urge some other jurisdictions have indulged in, creating a vicious cycle: A FEW users of an open space are observed not properly social distancing; it is then closed to ALL users, increasing pressure and congestion in remaining open spaces. I ask that Atascadero continue to

resist this injustice to those who DO observe social distancing, and keep open spaces available for walking and hiking.

Covid-19 is new enough that there are no true experts, just people trying to learn all they can. Certain sensational claims get pulled out of context by the media and create panic, and people in panic are easily stampeded into counterproductive policies. While Covid-19 IS highly contagious, the notion that it can be transmitted outdoors in glancing encounters by people passing each other on a trail is not supported by current evidence. I would urge Council members and staff to look up World Health Organization Scientific Brief: "Modes of Transmission of Virus Causing Covid-19: Implications for IPC Precaution Recommendations." A summary quote: "In an analysis of 75,465 Covid-19 cases in China, airborne transmission was not reported." Droplet transmission is the main mechanism; the sensational notion that the virus can remain viably infectious in dry air for up to three hours was based on a laboratory experiment in which aerosols were generated by something called a "three-jet Collision nebulizer" and fed into something called a "Goldberg drum." This had nothing to do with even normal indoor conditions, much less outdoor ones. People walking in our outdoor spaces are safe from acquiring harmful viral loads, and our immune systems benefit from the exercise, exposure to sunlight, and the peace of mind that comes with the sheer normality of having access to our outdoor treasures at a time when nearly everything else in our lives feels shockingly abnormal. Please continue your wise policy of keeping these spaces open!

Many thanks, and STAY WELL!!

Eric Greening

SUBMISSION FROM: Kris Roudebush, We Are the Care

From: Kris Roudebush <kroudebush@first5slo.org>

Sent: Thursday, April 2, 2020 12:06 PM

To: City Council

Subject: We Are the Care Public Comment - April 2020

Dear City Council Members,

For the last several months representatives from the We Are the Care Initiative have come to numerous city council meetings to give public comment to the council on the work being done in SLO County to address the Child Care Crisis. As we will not be attending meetings this month, we would like to share our April comment with you. Now more than ever the importance and challenge of providing accessible and affordable child care is before us. Please consider taking 3 minutes to read our statement, listed below and attached.

Sincerely,

Kris Roudebush

First 5 San Luis Obispo County

Hello from the We Are the Care Initiative,

We are a group of early childhood professionals, people from the business community, government employees and officials, and families who are partnering to address our local childcare crisis. Now more than ever, we are reminded that access to quality and affordable care is vital for our community to function and support our economy. We can clearly see that child care professionals are now, and always have been, a crucial part of our workforce.

We are currently living in trying times as the COVID-19 pandemic impacts nearly every aspect of our daily lives. Our essential workers now find themselves in a situation that many in our community experience on a regular basis: needing to work, but also needing quality care for their children. There has been a call from our local Public Health Director for child care centers and providers to stay open, to continue to offer care, and to be there for our essential workers during this time of need. This places child care professionals at a much greater risk, while also asking them to adhere to strict health and safety requirements, all while still continuing to provide quality care for children.

A majority of family child care homes and child care centers are small businesses, and they are suffering. A small, but immense need for care by the essential workers is not outweighed by the fractional attendance many child care sites are seeing day-to-day. This reduction in numbers is due to a large group of families that now find themselves out of work, or working from home, due to the outbreak, and they are keeping their children home, as well. This means a minute amount of income, less hours for the already underpaid staff to work, and less chance that these centers will financially survive. The ultimate irony of this situation is that the entire system of private child care could be decimated, all while being called to be on the front-lines in combating this outbreak. We must find a way to value child care, to value our child care workforce, and to support these small businesses through this time of monumental hardship.

The San Luis Obispo Child Care Planning Council is working to connect child care providers with essential workers in need of child care. When you visit

<http://www.sanluischildcare.org>, you will find two links: one for families who are seeking care, and one for providers who are offering care. Our hope is that these efforts will help support child care and the families who are in desperate need. Please help us to share this information!



SLO County Child Care Planning Council

www.sanluischildcare.org

SLO County Child Care Planning Council

April is Month of the Child and Child Abuse Prevention Month, and no time is more appropriate to celebrate and recognize the children in our world. These children are growing and developing in a time of vast uncertainty and unease among the adults around them. We must ensure that their experiences now will help them become resilient and strong adults, and that the wonder and magic of childhood is not lost. It is our job to support the children and families of SLO County in a time of need, and now more than ever, they need our help.

Be on the lookout for more information about our Child Care Awareness Day on Thursday, April 30th, as well! While we desperately need more quality care options in our community, we also celebrate the amazing providers that already support children and families here in San Luis Obispo County! If you want to learn more about the We Are the Care Initiative or would like to get involved, please contact First 5 San Luis Obispo County or find more information on their website, www.first5slo.org/we-are-the-care.php

--

Kris Roudebush, Special Projects Administrator

First 5 San Luis Obispo County
3220 S. Higuera Street #232
San Luis Obispo, CA 93401
805-781-4058 <http://www.first5slo.org/>