



## **CITY OF ATASCADERO CITY COUNCIL AGENDA**

### **\* COVID-19 NOTICE \***

**Consistent with Executive Orders N-25-20 and No. N-29-20 from the Executive Department of the State of California and the San Luis Obispo County Health Official's March 18, 2020 Shelter at Home Order, the City Council Meeting will not be physically open to the public and City Council Members will be teleconferencing into the meeting.**

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

To maximize public safety while still maintaining transparency and public access, the meeting will be live-streamed on SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and on KPRL Radio 1230AM. 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 or by visiting <https://attendee.gotowebinar.com/rt/8539114475191636236>.

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

Members of the public are highly encouraged to call **805-538-2888** to listen and provide public comment via phone, or submit written public comments to [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org) by 5:00 pm on the day of the meeting. Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be read into the record, with a maximum allowance of 3 minutes per individual comment, subject to the Mayor's discretion. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but 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](http://www.atascadero.org).

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 either read into 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 during City Hall business hours once City Hall is open to the public following the termination of the Shelter at Home Order.



# **CITY OF ATASCADERO CITY COUNCIL**

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## **AGENDA**

**Tuesday, October 27, 2020**

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

**City Council Regular Session:**

**6:00 P.M.**

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

**PLEDGE OF ALLEGIANCE:** Council Member Newsom

**ROLL CALL:** Mayor Moreno  
Mayor Pro Tem Bourbeau  
Council Member Fonzi  
Council Member Funk  
Council Member Newsom

**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.

### **PRESENTATIONS:**

**1. Proclamation proclaiming October 2020 Domestic Violence Awareness Month**

**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 – October 13, 2020**

- Recommendation: Council approve the October 13, 2020 Draft City Council Regular Meeting Minutes. [City Clerk]

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

- Fiscal Impact: \$2,606,854.77
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for September 2020. [Administrative Services]

**3. Parcel Map AT 19-0017 9040 San Diego Road and 9081 La Paz Lane**

- Fiscal Impact: None.
- Recommendations: Council:
  1. Approve Parcel Map AT 19-0017.
  2. Accept, on behalf of the public, the offer of dedication for two six-foot Public Utility Easements along San Diego Road and La Paz Lane.
  3. Reject, without prejudice, a twenty-five foot wide offer of dedication for public road purposes on La Paz Lane. [Public Works]

**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. 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. Community Facilities District 2005-1 Annexation No. 21 and 22 (7900 Curbaril Ave.: AT 18-0111 & 4711 El Camino Real: Tract: 3141)**

- Fiscal Impact: Assessments for the Curbaril annexation are estimated to be between \$2,800 - \$3,000 annually beginning in fiscal year 2021-2022, and adjusted each year for inflation. Assessments for the Grand Oaks Paseo annexation are estimated to be between \$19,000 - \$20,000 annually beginning in fiscal year 2021-2022, and adjusted each year for inflation. Deed restricted affordable units are exempt from the special tax.
- Recommendations: Council:
  1. Conduct the public hearings for the proposed annexations.
  2. Adopt Draft Resolution A; authorizing the territory identified in City Council Resolution 2020-067 to be annexed into Community Facilities District No. 2005-1 (Public Services), authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors.
  3. Adopt Draft Resolution B; authorizing the territory identified in City Council Resolution 2020-068 to be annexed into Community Facilities District No. 2005-1 (Public Services), authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors.

4. Direct the City Clerk to conduct a landowner vote of annexations and collect and count the ballots.

**Council to recess until ballots are counted**

5. Adopt Draft Resolution C, declaring the results of a special annexation landowner election for Annexation No. 21, determining the validity of prior proceedings and directing the recording of an amendment to the notice of special tax lien.
6. Adopt Draft Resolution D, declaring the results of a special annexation landowner election for Annexation No. 22, determining the validity of prior proceedings and directing the recording of an amendment to the notice of special tax lien.
7. Introduce for first reading, by title only, Draft Ordinance A, authorizing the levy of special taxes in Community Facilities District 2005-1 (Public Services), for certain annexation territory identified as Annexation No. 21.
8. Introduce for first reading, by title only, Draft Ordinance B, authorizing the levy of special taxes in Community Facilities District 2005-1 (Public Services), for certain annexation territory identified as Annexation No. 22. [Community Development]

**C. MANAGEMENT REPORTS: None.**

**D. DISCUSSION ITEM:** Discussion of COVID 19 issues including oral updates by Mayor Moreno and City Manager Rickard, questions by City Council, public comment and comments by City Council.

1. Coronavirus (COVID-19) update – Mayor Moreno
2. Coronavirus (COVID-19) update – City Manager Rickard

**E. 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. Economic Vitality Corporation, Board of Directors (EVC)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Bourbeau

1. City / Schools Committee
2. City of Atascadero Finance Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

Council Member Fonzi

1. Air Pollution Control District
2. Atascadero Basin Ground Water Sustainability Agency (GSA)
3. City of Atascadero Design Review Committee
4. SLO Local Agency Formation Commission (LAFCo)

Council Member Funk

1. City of Atascadero Finance Committee
2. Homeless Services Oversight Council
3. League of California Cities – Council Liaison

Council Member Newsom

1. California Joint Powers Insurance Authority (CJPIA) Board
2. City / Schools Committee
3. City of Atascadero Design Review Committee
4. Visit SLO CAL Advisory Committee

- F. 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

**ADJOURN**

**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.



# **CITY OF ATASCADERO CITY COUNCIL**

## **DRAFT MINUTES**

**Tuesday, October 13, 2020**

**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.**

### **CITY COUNCIL CLOSED SESSION: 5:00 P.M.**

Mayor Moreno announced at 5:00 p.m. that the Council was going into Closed Session.

- 1. CLOSED SESSION -- PUBLIC COMMENT**
- 2. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION**
- 3. CLOSED SESSION -- CALL TO ORDER**
  - a. Conference With Legal Counsel—Anticipated Litigation**  
Initiation of litigation pursuant to Govt. Code Section 54956.9(d)(4):  
one potential case
- 4. CLOSED SESSION – ADJOURNMENT**
- 5. COUNCIL RETURNS TO CHAMBERS**
- 6. CLOSED SESSION – REPORT**

Mayor Moreno reported that there was no reportable action in Closed Session.

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

Mayor Moreno called the meeting to order at 6:03 p.m. and led the Pledge of Allegiance.

**ROLL CALL:**

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

Absent: None

Others Present: None

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

**APPROVAL OF AGENDA:**

**MOTION:** By Council Member Newsom and seconded by Council Member Fonzi 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. Recognition of outgoing Police Chief Jerel Haley**

The City Council and City Manager Rickard recognized Chief Jerel Haley for his years of service with Atascadero and wished him well in his retirement.

**2. Proclamation proclaiming Fire Prevention Week as October 4-10, 2020**

The City Council presented the proclamation and showed a clip of a fire prevention video put together by, and starring members of, Atascadero Fire and Emergency Services.

**A. CONSENT CALENDAR:****1. City Council Draft Action Minutes – September 22, 2020**

- Recommendation: Council approve the September 22, 2020 Draft City Council Regular Meeting Minutes. [City Clerk]

**2. Revision to the 2020 Speed Survey Update**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution approving the 2020 Speed Survey Update and establishing speed limits on various City streets superseding Resolution No. 2020-063 without rescinding adoption of said Resolution. [Public Works]

**4. Conflict of Interest Code - Biennial Review**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution, updating and amending the Conflict of Interest Code for the City of Atascadero. [City Clerk]

**5. Consider a Professional Engineering Services Agreement for the San Gabriel Road and San Marcos Road Pavement Rehabilitation Project**

- Fiscal Impact: Approving staff recommendations will commit \$95,000 in budgeted Local Transportation Funds and advance commit \$86,100 in Local Transportation Funds that were projected for expenditure on this Project in fiscal year 21/22.
- Recommendations: Council:
  1. Authorize the City Manager to execute a professional services agreement for \$149,817 with Wallace Group to provide design engineering and construction plan preparation services for the San Gabriel Road and San Marcos Road Rehabilitation Project (Project No. C2020R05).
  2. Authorize the Director of Administrative Services to allocate an advance of \$86,100 of Local Transportation Funds to supplement the FY20/21 budget for the San Gabriel Road and San Marcos Road Rehabilitation Project. [Public Works]

Mayor Moreno noted, at the request of the City Clerk, Item #A-4 was being removed from the Consent Calendar for further review and would be brought back to the City Council before the end of the year.

Caller Geoff Auslen requested Item #A-3 be removed from the Consent Calendar for separate discussion and vote.

**MOTION: By Council Member Fonzi and seconded by Council Member Newsom to approve Consent Calendar Items #A-1, #A-2, and #A-5. (#A-2: Resolution No. 2020-072) (#A-5: Contract No. 2020-012)**  
***Motion passed 5:0 by a roll-call vote.***

**3. Del Rio Rd Commercial Area Specific Plan Amendment (AMND18-0079)**

- Fiscal Impact: Projected reduction of Traffic Impact Fee revenue of approximately 2.8 million. The short-term circulation improvements necessary to mitigate the new traffic projections are projected to cost approximately \$15 million less than the mitigation measures included in the original specific plan.
- Recommendation: Council adopt on second reading, by title only, Draft Ordinance amending the Del Rio Road Commercial Area Specific Plan, to modify the list of allowed land uses, associated project descriptions, and related traffic mitigation measures. [Community Development]

Community Development Director Dunsmore answered questions of the caller and Council.

**MOTION: By Council Member Newsom and seconded by Council Member Funk to adopt on second reading, by title only, Ordinance No. 641 amending the Del Rio Road Commercial Area Specific Plan, to**



**modify the list of allowed land uses, associated project descriptions, and related traffic mitigation measures.**

***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 by telephone during Community Forum: Geoff Auslen

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Jean Lang and Mitch Paskin

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

## **C. MANAGEMENT REPORTS:**

### **1. Commitment to Being a Safe, Inclusive and Welcoming Community for Everyone and Facilitation of Voluntary Citizen Action to Redact or Repudiate Racist Deed Verbiage**

- Fiscal Impact: There will be staff time and minor costs associated with facilitating the redaction or repudiation of racially restrictive deed covenants. These costs are expected to be covered with existing budgeted funds.
- Recommendation: Council adopt Draft Resolution to resolve that the City of Atascadero commits to Atascadero being a safe, inclusive and welcoming community for everyone and to facilitate voluntary citizen action to redact or repudiate racist and discriminatory verbiage from their property deeds. [City Manager]

Mayor Moreno, Council Member Funk and Deputy City Manager/City Clerk Christensen gave the presentation and answered questions from the Council.

## **PUBLIC COMMENT:**

The following citizens spoke by telephone during Community Forum: Hailey Pinney, Josh Cross, Tasia Trevino-Hill, Jamie Lewis and Jerry Tanimoto

Emails from the following citizens were read into the record by Deputy City Manager/City Clerk Christensen: Victoria Rose Carranza and Zoe Zappas.

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

**MOTION: By Council Member Funk and seconded by Mayor Moreno to adopt Resolution No. 2020-073 to resolve that the City of Atascadero commits to Atascadero being a safe, inclusive and welcoming community for**

**everyone and to facilitate voluntary citizen action to redact or repudiate racist and discriminatory verbiage from their property deeds.  
*Motion passed 5:0 by a roll-call vote.***

*Mayor Moreno recessed the meeting at 7:54 p.m.*

*Mayor Moreno reconvened the meeting with all present at 8:03 p.m.*

**2. 6th Cycle Housing Element Update Progress Report (CPP19-0067)**

- Fiscal Impact: None.
- Recommendation: Council receive update on the progress of the Housing Element. [Community Development]

Community Development Director Dunsmore gave the presentation and answered questions from the Council. Genevieve Sharow, MIG, also gave a presentation and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

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

**The City Council received and filed the update on the progress of the Housing Element.**

**D. DISCUSSION ITEM:** Discussion of COVID 19 issues including oral updates by Mayor Moreno and City Manager Rickard, questions by City Council, public comment and comments by City Council.

1. Coronavirus (COVID-19) update – Mayor Moreno
2. Coronavirus (COVID-19) update – City Manager Rickard

Mayor Moreno provided updates on Coronavirus (COVID-19) and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None.

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

**E. 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)

Mayor Pro Tem Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Fonzi

1. Air Pollution Control District
2. Atascadero Basin Ground Water Sustainability Agency (GSA)

Council Member Funk

1. Homeless Services Oversight Council
2. League of California Cities – Council Liaison

Council Member Funk reported attending the League of California's virtual Annual Conference.

Council Member Newsom

1. City of Atascadero Design Review Committee
2. Visit SLO CAL Advisory Committee

Council Member Newsom reported attending the League of California's virtual Annual Conference.

**F. INDIVIDUAL DETERMINATION AND / OR ACTION:** None.

**G. ADJOURN**

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

**MINUTES PREPARED BY:**

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Lara K. Christensen  
City Clerk

**APPROVED:**



## **Atascadero City Council**

### **Staff Report - Administrative Services Department**

#### **September 2020 Accounts Payable and Payroll**

##### **RECOMMENDATION:**

Council approve certified City accounts payable, payroll and payroll vendor checks for September 2020.

##### **DISCUSSION:**

Attached for City Council review and approval are the following:

##### **Payroll**

Dated 9/3/20	Checks # 34950 - 34961	\$ 11,235.24
	Direct Deposits	344,606.95
Dated 9/17/20	Checks # 34962 - 34972	9,200.08
	Direct Deposits	364,103.64

##### **Accounts Payable**

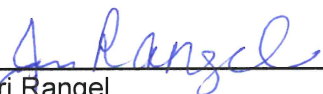
Dated 9/1/20-9/30/20	Checks # 165366 - 165587 & EFTs 3794 - 3821	1,877,708.86
	<b>TOTAL AMOUNT</b>	<b>\$ 2,606,854.77</b>

##### **FISCAL IMPACT:**

Total expenditures for all funds is	\$ 2,606,854.77
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##### **CERTIFICATION:**

The undersigned certifies that the attached demands have been released for payment and that funds are available for these demands.

  
\_\_\_\_\_  
Jeri Rangel  
Director of Administrative Services

##### **ATTACHMENT:**

September 2020 Eden Warrant Register in the amount of	\$ 1,877,708.86
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**City of Atascadero**  
**Disbursement Listing**

ITEM NUMBER: A-2  
DATE: 10/27/20  
ATTACHMENT: 1

For the Month of September 2020

Check Number	Check Date	Vendor	Description	Amount
165366	09/01/2020	ANTHEM BLUE CROSS HEALTH	Payroll Vendor Payment	178,316.31
165367	09/01/2020	LINCOLN NATIONAL LIFE INS CO	Payroll Vendor Payment	1,613.92
165368	09/01/2020	MEDICAL EYE SERVICES	Payroll Vendor Payment	1,682.54
165369	09/01/2020	PREFERRED BENEFITS INSURANCE	Payroll Vendor Payment	8,484.50
3794	09/03/2020	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	8,675.06
165370	09/03/2020	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	60.00
165371	09/03/2020	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	1,916.25
165372	09/03/2020	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,176.50
165373	09/03/2020	ICMA-RC	Payroll Vendor Payment	125.00
165374	09/03/2020	MASS MUTUAL WORKPLACE SOLUTION	Payroll Vendor Payment	7,078.89
165375	09/03/2020	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	1,269.99
165376	09/03/2020	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,600.88
165377	09/03/2020	SEIU LOCAL 620	Payroll Vendor Payment	818.77
165378	09/03/2020	VANTAGEPOINT TRNSFR AGT 106099	Payroll Vendor Payment	357.85
165379	09/03/2020	VANTAGEPOINT TRNSFR AGT 304633	Payroll Vendor Payment	4,996.40
165380	09/03/2020	VANTAGEPOINT TRNSFR AGT 706276	Payroll Vendor Payment	296.00
3795	09/04/2020	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	209.54
3796	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	23,401.40
3797	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	35,067.26
3798	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,802.52
3799	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,824.82
3800	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	3,132.93
3801	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	6,122.03
3802	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	8,436.56
3803	09/04/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	12,648.07
3804	09/08/2020	RABOBANK, N.A.	Payroll Vendor Payment	74,434.73
3805	09/08/2020	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	23,747.27
3806	09/08/2020	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,294.05
165381	09/11/2020	DEPARTMENT OF WATER RESOURCES	Accounts Payable Check	4,088.00
165382	09/11/2020	EN FUEGO EVENTS	Accounts Payable Check	300.00
165383	09/11/2020	IMAGE TREND, INC.	Accounts Payable Check	12,880.00
165384	09/11/2020	IRON MOUNTAIN RECORDS MGMNT	Accounts Payable Check	34.02
165385	09/11/2020	MID-STATE CONCRETE PRODUCTS	Accounts Payable Check	232.25
165386	09/11/2020	REVENUE & COST SPECIALISTS LLC	Accounts Payable Check	11,767.07
165387	09/11/2020	WALLACE GROUP	Accounts Payable Check	18,087.25
165388	09/11/2020	WEST COAST AUTO & TOWING, INC.	Accounts Payable Check	300.00
165389	09/11/2020	ADAMSKI,MOROSKI,MADDEN,	Accounts Payable Check	586.00
165390	09/11/2020	AGM CALIFORNIA, INC.	Accounts Payable Check	1,092.00

**City of Atascadero**  
Disbursement Listing

ITEM NUMBER: A-2  
DATE: 10/27/20  
ATTACHMENT: 1

For the Month of September 2020

Check Number	Check Date	Vendor	Description	Amount
165391	09/11/2020	AIR-LEFT HEATING & AIR CONDT.	Accounts Payable Check	220.00
165392	09/11/2020	ALHOUSE & MEADE, INC.	Accounts Payable Check	270.00
165393	09/11/2020	AMERICAN WEST TIRE & AUTO INC	Accounts Payable Check	776.17
165394	09/11/2020	AMERIGAS	Accounts Payable Check	122.84
165395	09/11/2020	KELLY AREBALO	Accounts Payable Check	340.10
165396	09/11/2020	AT&T	Accounts Payable Check	303.48
165397	09/11/2020	AT&T	Accounts Payable Check	100.15
165399	09/11/2020	ATASCADERO MUTUAL WATER CO.	Accounts Payable Check	30,487.20
165400	09/11/2020	KEITH R. BERGHER	Accounts Payable Check	341.25
165401	09/11/2020	BRANCH SMITH PROPERTIES	Accounts Payable Check	350.00
165402	09/11/2020	BREZDEN PEST CONTROL, INC.	Accounts Payable Check	90.00
165403	09/11/2020	CARQUEST OF ATASCADERO	Accounts Payable Check	406.40
165404	09/11/2020	CERTIF-A-GIFT COMPANY	Accounts Payable Check	2,040.88
165405	09/11/2020	CERTIFIED FOLDER DISPLAY SVC	Accounts Payable Check	4,089.75
165406	09/11/2020	CHARTER COMMUNICATIONS	Accounts Payable Check	2,467.98
165407	09/11/2020	CLEVER CONCEPTS, INC.	Accounts Payable Check	47.95
165408	09/11/2020	COASTAL COPY, INC.	Accounts Payable Check	177.20
165409	09/11/2020	COASTAL REPROGRAPHIC SERVICES	Accounts Payable Check	102.36
165410	09/11/2020	CREWSENSE, LLC	Accounts Payable Check	99.99
165411	09/11/2020	CRYSTAL SPRINGS WATER	Accounts Payable Check	20.00
165412	09/11/2020	NICHOLAS DEBAR	Accounts Payable Check	300.00
165413	09/11/2020	DESTINATION TRAVEL NETWORK	Accounts Payable Check	325.00
165414	09/11/2020	DMV RENEWAL	Accounts Payable Check	136.00
165415	09/11/2020	PHILIP DUNSMORE	Accounts Payable Check	300.00
165416	09/11/2020	EARTH SYSTEMS PACIFIC	Accounts Payable Check	310.00
165417	09/11/2020	EIKHOF DESIGN GROUP, INC.	Accounts Payable Check	33,096.15
165418	09/11/2020	FARM SUPPLY COMPANY	Accounts Payable Check	178.49
165419	09/11/2020	FEDEX	Accounts Payable Check	6.57
165420	09/11/2020	FGL ENVIRONMENTAL	Accounts Payable Check	81.00
165421	09/11/2020	FUNFLICKS CENTRAL COAST	Accounts Payable Check	125.00
165422	09/11/2020	HELIXSTORM, INC.	Accounts Payable Check	5,500.00
165424	09/11/2020	HOME DEPOT CREDIT SERVICES	Accounts Payable Check	1,631.44
165425	09/11/2020	IMAGE TREND, INC.	Accounts Payable Check	12,880.00
165426	09/11/2020	IRON MOUNTAIN RECORDS MGMNT	Accounts Payable Check	115.50
165427	09/11/2020	JK'S UNLIMITED, INC.	Accounts Payable Check	10,424.18
165428	09/11/2020	JOURNAL PLUS MAGAZINE	Accounts Payable Check	900.00
165429	09/11/2020	LIFE ASSIST, INC.	Accounts Payable Check	7,163.96
165430	09/11/2020	MADRONE LANDSCAPES, INC.	Accounts Payable Check	1,077.00

**City of Atascadero**  
Disbursement Listing

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Check Number	Check Date	Vendor	Description	Amount
165431	09/11/2020	MARBORG INDUSTRIES	Accounts Payable Check	62.28
165432	09/11/2020	CRAIG MARTINEAU	Accounts Payable Check	77.00
165433	09/11/2020	MCMASTER-CARR SUPPLY CO.	Accounts Payable Check	1,864.16
165434	09/11/2020	MCMILLAN LAND SURVEYS	Accounts Payable Check	16,400.00
165435	09/11/2020	MEDPOST URGENT CARE-ATASCADERO	Accounts Payable Check	100.00
165436	09/11/2020	VOID	Accounts Payable Check	0.00
165437	09/11/2020	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	410.75
165438	09/11/2020	MIG	Accounts Payable Check	1,369.31
165439	09/11/2020	MINER'S ACE HARDWARE	Accounts Payable Check	277.44
165440	09/11/2020	MISSION UNIFORM SERVICE	Accounts Payable Check	215.72
165441	09/11/2020	MOSS, LEVY, & HARTZHEIM LLP	Accounts Payable Check	5,000.00
165442	09/11/2020	MULLAHEY CDJR	Accounts Payable Check	91.83
165443	09/11/2020	OFFICE DEPOT INC.	Accounts Payable Check	88.12
165444	09/11/2020	TARA ORLICK	Accounts Payable Check	32.20
165447	09/11/2020	PACIFIC GAS AND ELECTRIC	Accounts Payable Check	66,980.62
165448	09/11/2020	PEAKWIFI, LLC	Accounts Payable Check	650.00
165449	09/11/2020	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	446.44
165450	09/11/2020	PVP COMMUNICATIONS, INC.	Accounts Payable Check	1,684.70
165451	09/11/2020	SHIRLEY L. RADCLIFF-BRUTON	Accounts Payable Check	96.60
165452	09/11/2020	RAINSCAPE, A LANDSCAPE SVC CO.	Accounts Payable Check	7,666.26
165453	09/11/2020	JERI RANGEL	Accounts Payable Check	300.00
165454	09/11/2020	REVENUE & COST SPECIALISTS LLC	Accounts Payable Check	4,861.87
165455	09/11/2020	RACHELLE RICKARD	Accounts Payable Check	500.00
165456	09/11/2020	SIGTRONICS CORP.	Accounts Payable Check	316.73
165457	09/11/2020	SLO COUNTY HEALTH AGENCY	Accounts Payable Check	81,104.50
165458	09/11/2020	SOUTH COAST EMERGENCY VEH SVC	Accounts Payable Check	84.13
165459	09/11/2020	SPEAKWRITE, LLC.	Accounts Payable Check	303.42
165460	09/11/2020	SPECIALIZED EQUIPMENT REPAIR	Accounts Payable Check	844.32
165461	09/11/2020	STANLEY CONVERGENT SECURITY	Accounts Payable Check	637.50
165462	09/11/2020	SUNLIGHT JANITORIAL, INC.	Accounts Payable Check	1,700.00
165463	09/11/2020	TERRA VERDE ENVIRONMENTAL CONS	Accounts Payable Check	63.75
165464	09/11/2020	TURF STAR, INC.	Accounts Payable Check	310.42
165469	09/11/2020	U.S. BANK	Accounts Payable Check	43,535.43
165470	09/11/2020	U.S. POSTAL SERVICE	Accounts Payable Check	3,000.00
165471	09/11/2020	ULTREX BUSINESS PRODUCTS	Accounts Payable Check	43.74
165472	09/11/2020	UNITED STAFFING ASSC., INC.	Accounts Payable Check	2,423.52
165473	09/11/2020	VERDIN	Accounts Payable Check	6,771.89
165474	09/11/2020	VERIZON WIRELESS	Accounts Payable Check	2,823.25

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165475	09/11/2020	VISITOR TELEVISION LLC	Accounts Payable Check	595.00
165476	09/11/2020	WALLACE GROUP	Accounts Payable Check	12,426.60
165477	09/11/2020	WELL SEEN SIGN CO., LLC	Accounts Payable Check	204.73
165478	09/11/2020	WEST COAST AUTO & TOWING, INC.	Accounts Payable Check	140.00
165479	09/11/2020	WEST COAST SAFETY CONSULTANTS	Accounts Payable Check	1,519.00
165480	09/11/2020	WEX BANK - 76 UNIVERSL	Accounts Payable Check	8,896.54
165481	09/11/2020	WEX BANK - WEX FLEET UNIVERSAL	Accounts Payable Check	5,644.20
165482	09/11/2020	WHITLOCK & WEINBERGER TRANS.	Accounts Payable Check	6,331.25
165483	09/11/2020	WILKINS ACTION GRAPHICS	Accounts Payable Check	224.11
165484	09/11/2020	WOODS HUMANE SOCIETY	Accounts Payable Check	4,750.00
165485	09/11/2020	ZOOM IMAGING SOLUTIONS, INC.	Accounts Payable Check	977.83
3807	09/15/2020	BANK OF NEW YORK MELLON	Accounts Payable Check	618,500.90
3808	09/17/2020	ANTHEM BLUE CROSS HSA	Payroll Vendor Payment	7,475.06
165486	09/17/2020	ATASCADERO MID MGRS ORG UNION	Payroll Vendor Payment	60.00
165487	09/17/2020	ATASCADERO POLICE OFFICERS	Payroll Vendor Payment	1,916.25
165488	09/17/2020	ATASCADERO PROF. FIREFIGHTERS	Payroll Vendor Payment	1,176.50
165489	09/17/2020	MASS MUTUAL WORKPLACE SOLUTION	Payroll Vendor Payment	6,971.38
165490	09/17/2020	NATIONWIDE RETIREMENT SOLUTION	Payroll Vendor Payment	1,246.36
165491	09/17/2020	NAVIA BENEFIT SOLUTIONS	Payroll Vendor Payment	1,600.88
165492	09/17/2020	SEIU LOCAL 620	Payroll Vendor Payment	803.02
165493	09/17/2020	VANTAGEPOINT TRNSFR AGT 106099	Payroll Vendor Payment	357.85
165494	09/17/2020	VANTAGEPOINT TRNSFR AGT 304633	Payroll Vendor Payment	4,777.32
165495	09/17/2020	VANTAGEPOINT TRNSFR AGT 706276	Payroll Vendor Payment	296.00
3809	09/18/2020	STATE DISBURSEMENT UNIT	Payroll Vendor Payment	209.54
3810	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	23,622.47
3811	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	36,355.56
3812	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,788.14
3813	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	1,652.63
3814	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	3,132.93
3815	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	5,916.58
3816	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	8,203.43
3817	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Payroll Vendor Payment	12,131.86
3818	09/18/2020	CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM	Accounts Payable Check	2,800.00
3819	09/22/2020	RABOBANK, N.A.	Payroll Vendor Payment	82,817.79
3820	09/22/2020	EMPLOYMENT DEV DEPARTMENT	Payroll Vendor Payment	26,854.50
3821	09/22/2020	EMPLOYMENT DEV. DEPARTMENT	Payroll Vendor Payment	2,264.29
165496	09/25/2020	13 STARS MEDIA	Accounts Payable Check	41.58
165497	09/25/2020	A SUPERIOR CRANE, LLC	Accounts Payable Check	480.00



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Check Number	Check Date	Vendor	Description	Amount
165498	09/25/2020	AMERICAN WEST TIRE & AUTO INC	Accounts Payable Check	2,817.53
165499	09/25/2020	KELLY AREBALO	Accounts Payable Check	228.90
165501	09/25/2020	AT&T	Accounts Payable Check	1,072.45
165502	09/25/2020	AT&T	Accounts Payable Check	272.92
165503	09/25/2020	ATASCADERO HAY & FEED	Accounts Payable Check	1,782.91
165504	09/25/2020	ATASCADERO POLICE OFFICERS	Accounts Payable Check	624.00
165505	09/25/2020	ATASCADERO PROF. FIREFIGHTERS	Accounts Payable Check	408.00
165506	09/25/2020	ATASCADERO UNIFIED SCHOOL DIST	Accounts Payable Check	3,592.00
165507	09/25/2020	BASSETT'S CRICKET RANCH, INC.	Accounts Payable Check	470.46
165508	09/25/2020	BELL'S PLUMBING REPAIR, INC.	Accounts Payable Check	1,150.00
165509	09/25/2020	BERRY MAN, INC.	Accounts Payable Check	1,141.28
165510	09/25/2020	BIG BUBBA'S BAD BBQ	Accounts Payable Check	182.50
165511	09/25/2020	JUSTIN BLACK	Accounts Payable Check	200.00
165512	09/25/2020	BREZDEN PEST CONTROL, INC.	Accounts Payable Check	164.00
165513	09/25/2020	BUREAU VERITAS NORTH AMERICA	Accounts Payable Check	32,008.25
165514	09/25/2020	BURT INDUSTRIAL SUPPLY	Accounts Payable Check	336.72
165515	09/25/2020	CALPORTLAND COMPANY	Accounts Payable Check	278.01
165516	09/25/2020	CAL-STATE AUTO & TRUCK GLASS	Accounts Payable Check	308.18
165517	09/25/2020	CARQUEST OF ATASCADERO	Accounts Payable Check	99.09
165518	09/25/2020	CCCICBO	Accounts Payable Check	60.00
165519	09/25/2020	CENTRAL COAST TAXPAYER ASSC.	Accounts Payable Check	126.00
165520	09/25/2020	CHARTER COMMUNICATIONS	Accounts Payable Check	114.98
165521	09/25/2020	JERRY L. CLAY	Accounts Payable Check	129.53
165522	09/25/2020	CO OF SAN LUIS OBISPO SART PRG	Accounts Payable Check	563.00
165523	09/25/2020	CPRS DISTRICT 8	Accounts Payable Check	50.00
165524	09/25/2020	RODGER L. CROSS	Accounts Payable Check	3,200.00
165525	09/25/2020	CULLIGAN/CENTRAL COAST WTR TRT	Accounts Payable Check	70.00
165526	09/25/2020	DAN BIDDLE PEST CONTROL SERVIC	Accounts Payable Check	135.00
165527	09/25/2020	DARRYL'S LOCK AND SAFE	Accounts Payable Check	100.00
165528	09/25/2020	DEPARTMENT OF JUSTICE	Accounts Payable Check	700.00
165529	09/25/2020	DOCUTEAM	Accounts Payable Check	138.96
165530	09/25/2020	EARTH SYSTEMS PACIFIC	Accounts Payable Check	937.50
165531	09/25/2020	ECS IMAGING, INC.	Accounts Payable Check	14,193.00
165532	09/25/2020	EL CAMINO CAR WASH	Accounts Payable Check	90.00
165533	09/25/2020	EL CAMINO SELF STORAGE	Accounts Payable Check	475.00
165534	09/25/2020	ELECTRICRAFT, INC.	Accounts Payable Check	169.50
165535	09/25/2020	EN FUEGO EVENTS	Accounts Payable Check	199.00
165536	09/25/2020	FERRELL'S AUTO REPAIR	Accounts Payable Check	432.65

**City of Atascadero**  
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Check Number	Check Date	Vendor	Description	Amount
165537	09/25/2020	FGL ENVIRONMENTAL	Accounts Payable Check	350.00
165538	09/25/2020	FRANCHISE TAX BOARD	Accounts Payable Check	175.50
165539	09/25/2020	GAS COMPANY	Accounts Payable Check	491.80
165540	09/25/2020	HAMNER, JEWELL & ASSOCIATES	Accounts Payable Check	3,817.43
165541	09/25/2020	JK'S UNLIMITED, INC.	Accounts Payable Check	2,118.45
165542	09/25/2020	JOE A. GONSALVES & SON	Accounts Payable Check	9,000.00
165543	09/25/2020	RAY JOHNSON	Accounts Payable Check	107.01
165544	09/25/2020	JOCELYN KATZAKIAN	Accounts Payable Check	88.88
165545	09/25/2020	KEY TERMITE & PEST CONTROL, INC.	Accounts Payable Check	555.00
165546	09/25/2020	KPRL 1230 AM	Accounts Payable Check	160.00
165547	09/25/2020	KRITZ EXCAVATING & TRUCKNG INC	Accounts Payable Check	1,396.44
165548	09/25/2020	KW CONSTRUCTION	Accounts Payable Check	9,685.00
165549	09/25/2020	LIFE ASSIST, INC.	Accounts Payable Check	284.08
165550	09/25/2020	MARBORG INDUSTRIES	Accounts Payable Check	900.00
165551	09/25/2020	BECKY MAXWELL	Accounts Payable Check	50.03
165552	09/25/2020	MCCROMETER, INC.	Accounts Payable Check	2,142.00
165553	09/25/2020	MICHAEL K. NUNLEY & ASSC, INC.	Accounts Payable Check	5,327.12
165554	09/25/2020	MID-COAST MOWER & SAW, INC.	Accounts Payable Check	61.82
165555	09/25/2020	MINER'S ACE HARDWARE	Accounts Payable Check	451.27
165556	09/25/2020	MISSION UNIFORM SERVICE	Accounts Payable Check	531.30
165557	09/25/2020	MONSOON CONSULTANTS	Accounts Payable Check	4,500.00
165558	09/25/2020	RICKY D. MONTIJO	Accounts Payable Check	300.00
165559	09/25/2020	JULIAN A. MORA	Accounts Payable Check	105.00
165560	09/25/2020	MV TRANSPORTATION, INC.	Accounts Payable Check	6,846.68
165561	09/25/2020	MY805TIX	Accounts Payable Check	776.63
165562	09/25/2020	NEW TIMES	Accounts Payable Check	548.00
165563	09/25/2020	NORTH COAST ENGINEERING INC.	Accounts Payable Check	637.00
165564	09/25/2020	OFFICE DEPOT INC.	Accounts Payable Check	768.50
165565	09/25/2020	O'REILLY AUTOMOTIVE, INC.	Accounts Payable Check	36.83
165566	09/25/2020	PACIFIC CNTRL COAST HLTH CTRS	Accounts Payable Check	150.00
165567	09/25/2020	PROCARE JANITORIAL SUPPLY, INC.	Accounts Payable Check	539.48
165568	09/25/2020	SHIRLEY L. RADCLIFF-BRUTON	Accounts Payable Check	65.39
165569	09/25/2020	READYREFRESH BY NESTLE	Accounts Payable Check	557.27
165570	09/25/2020	REVENUE & COST SPECIALISTS LLC	Accounts Payable Check	4,111.25
165571	09/25/2020	JAMES STEVEN ROBINSON DVM	Accounts Payable Check	1,200.00
165572	09/25/2020	SAM'S TREE 805, INC.	Accounts Payable Check	150.00
165573	09/25/2020	SERVICE SYSTEMS ASSC, INC.	Accounts Payable Check	2,500.00
165574	09/25/2020	THE SHERWIN-WILLIAMS COMPANY	Accounts Payable Check	39.13

**City of Atascadero**  
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165575	09/25/2020	SLO COUNTY SHERIFF'S OFFICE	Accounts Payable Check	212.00
165576	09/25/2020	SOUZA CONSTRUCTION, INC.	Accounts Payable Check	8,972.92
165577	09/25/2020	STEVEN STUCKY	Accounts Payable Check	462.00
165578	09/25/2020	THOMSON REUTERS - WEST	Accounts Payable Check	170.00
165579	09/25/2020	THE TRIBUNE	Accounts Payable Check	220.22
165580	09/25/2020	UNITED STAFFING ASSC., INC.	Accounts Payable Check	1,211.76
165581	09/25/2020	VERIZON WIRELESS	Accounts Payable Check	325.13
165582	09/25/2020	WALSH ENGINEERING	Accounts Payable Check	495.00
165583	09/25/2020	WCJ PROPERTY SERVICES	Accounts Payable Check	526.50
165584	09/25/2020	WEBB MUNICIPAL FINANCE, LLC	Accounts Payable Check	4,500.00
165585	09/25/2020	WEST COAST AUTO & TOWING, INC.	Accounts Payable Check	150.00
165586	09/25/2020	YEH AND ASSOCIATES, INC.	Accounts Payable Check	2,760.00
165587	09/25/2020	ZOO MED LABORATORIES, INC.	Accounts Payable Check	497.12
				<u><u>\$ 1,877,708.86</u></u>



# **Atascadero City Council**

## **Staff Report – Public Works Department**

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### **Parcel Map AT 19-0017 9040 San Diego Road and 9081 La Paz Lane**

#### **RECOMMENDATIONS:**

Council:

1. Approve Parcel Map AT 19-0017.
2. Accept, on behalf of the public, the offer of dedication for two six-foot Public Utility Easements along San Diego Road and La Paz Lane.
3. Reject, without prejudice, a twenty-five foot wide offer of dedication for public road purposes on La Paz Lane.

#### **DISCUSSION:**

Tentative Parcel Map AT 19-0017 (City File SBDV19-0024) was approved by the Planning Commission on October 1, 2020 (PC Resolution No. 2019-0024). The Tentative Parcel Map conditionally authorizes the subdivision of one 9.72 acre residential parcel into two residential parcels if conditions of approval are met prior to Council adoption. Parcel 1 is 6.34 acres (net) and fronts San Diego Road, while Parcel 2 is 2.86 acres (net) and fronts La Paz Lane. Staff has coordinated with the applicant (Whitaker) to ensure that conditions of approval have been satisfied. A copy of the parcel map is included as Attachment 1.

##### *Requirements for Off-site Improvements*

Off-site improvements required for the subdivision are limited to new utility services to serve the new parcel on La Paz Lane.

##### *Easements and Offers of Dedication*

Offers of dedication for Public Utility Easements are included on the Parcel Map. Two six (6) foot wide Public Utility Easements are located over the private frontages for placement of public utilities. *Staff recommends that this offer of a public utility easement be accepted.* Acceptance of this easement benefits all public utility companies and has no impact on or imparts any liability upon the City of Atascadero.

A 25-foot offer of dedication for public road purposes along La Paz Lane is also included on the Parcel Map. This offer will produce a 45-foot wide right-of-way for La

Paz Lane adjacent to the new parcel. *Staff recommends this offer of dedication for public road purposes be rejected without prejudice to future acceptance.*

The Parcel Map also delineates a private open space preservation easement on a portion of Parcel 1 to prevent disturbance of a blue line creek. This easement is controlled by the Declaration of Covenant for Private Open Space Preservation Easement to be recorded concurrently with the Parcel Map.

*The City Engineer and Community Development Director have reviewed the Parcel Map and Conditions of Approval and find the Parcel Map to be in substantial conformance with the approved Tentative Parcel Map. Pursuant to California Government Code Title 7, Division 2, the approving legislative body (City Council) shall not deny a Parcel Map provided it find the Parcel Map is in substantial conformance with the previously approved Tentative Parcel Map.*

If adopted, the Parcel Map will be recorded at the County Recorder's Office within ten business days.

**FISCAL IMPACT:**

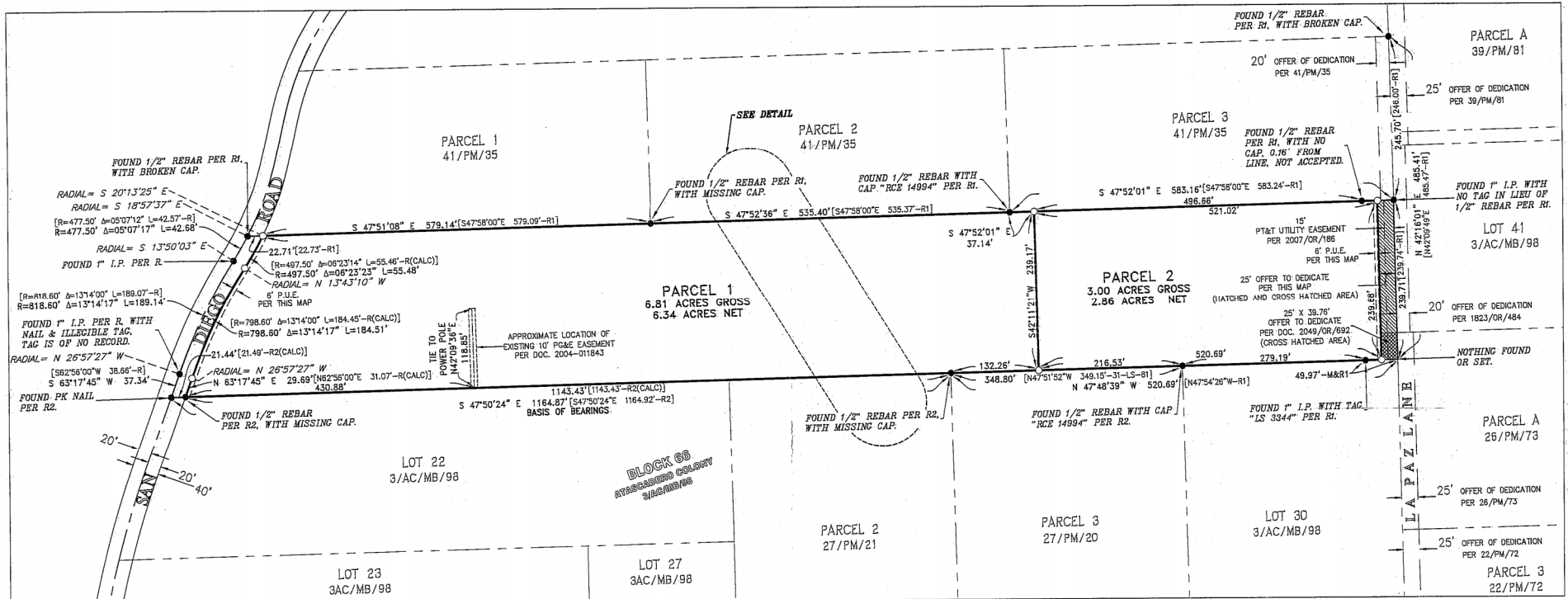
None.

**ATTACHMENT:**

Parcel Map AT 19-0017

**PARCEL MAP AT 19-0017**

BEING A DIVISION OF LOT 21, IN BLOCK 66 OF ATASCADERO COLONY,  
 IN THE CITY OF ATASCADERO,  
 AS FILED IN BOOK 3AC, PAGE 98, OF MAPS  
 IN THE OFFICE OF THE COUNTY RECORDER,  
 COUNTY OF SAN LUIS OBISPO,  
 STATE OF CALIFORNIA.

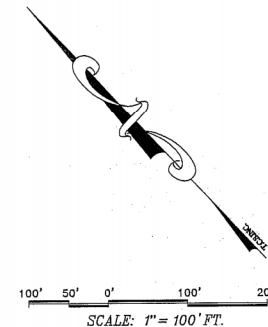
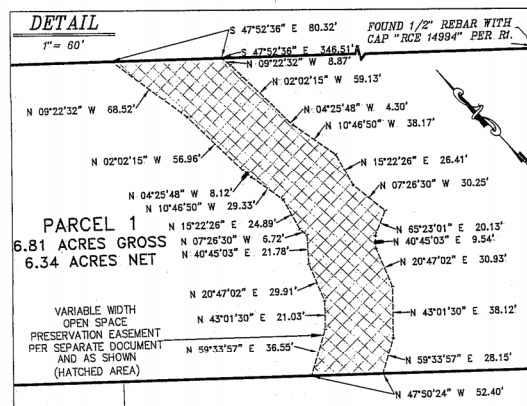


**LEGEND**

- = FOUND MONUMENT AS NOTED
- = SET 1" IRON PIPE WITH BRASS TAG STAMPED "LS 4845"
- (CALC) = CALCULATED FROM RECORD
- R = 3/AC/MB/98 (1994)
- R1 = 41/PM/35 (1987)
- R2 = 91/LS/6 (2005)
- I.P. = IRON PIPE
- P.U.E. = PUBLIC UTILITY EASEMENT
- [...] = RECORD DATA

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS MAP AND SURVEY IS THE LINE BETWEEN TWO FOUND MONUMENTS LOCATED ALONG THE NORTHEASTERLY LINE OF LOT 22 PER 3/AC/MB/98 AND PARCEL 2 PER 27/PM/21, AND SHOWN ON 91/LS/6 [R2] AND HEREON AS S 47°50'24" E.



**TWIN CITIES SURVEYING, INC.**  
 615-C S. MAIN STREET / P.O. BOX 777  
 TEMPLETON, CALIFORNIA 93465-0777  
 (805) 434-1834  
 SHEET 2 OF 2 JN 18208



# **Atascadero City Council**

## **Staff Report – Community Development Department**

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### **Community Facilities District 2005-1 Annexation No. 21 and 22 (7900 Curbaril Ave.: AT 18-0111 & 4711 El Camino Real: Tract: 3141)**

#### **RECOMMENDATIONS:**

Council:

1. Conduct the public hearings for the proposed annexations.
2. Adopt Draft Resolution A; authorizing the territory identified in City Council Resolution 2020-067 to be annexed into Community Facilities District No. 2005-1 (Public Services), authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors.
3. Adopt Draft Resolution B; authorizing the territory identified in City Council Resolution 2020-068 to be annexed into Community Facilities District No. 2005-1 (Public Services), authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors.
4. Direct the City Clerk to conduct a landowner vote of annexations and collect and count the ballots.

#### **Council to recess until ballots are counted**

5. Adopt Draft Resolution C, declaring the results of a special annexation landowner election for Annexation No. 21, determining the validity of prior proceedings and directing the recording of an amendment to the notice of special tax lien.
6. Adopt Draft Resolution D, declaring the results of a special annexation landowner election for Annexation No. 22, determining the validity of prior proceedings and directing the recording of an amendment to the notice of special tax lien.
7. Introduce for first reading, by title only, Draft Ordinance A, authorizing the levy of special taxes in Community Facilities District 2005-1 (Public Services), for certain annexation territory identified as Annexation No. 21.
8. Introduce for first reading, by title only, Draft Ordinance B, authorizing the levy of special taxes in Community Facilities District 2005-1 (Public Services), for certain annexation territory identified as Annexation No. 22.

## DISCUSSION:

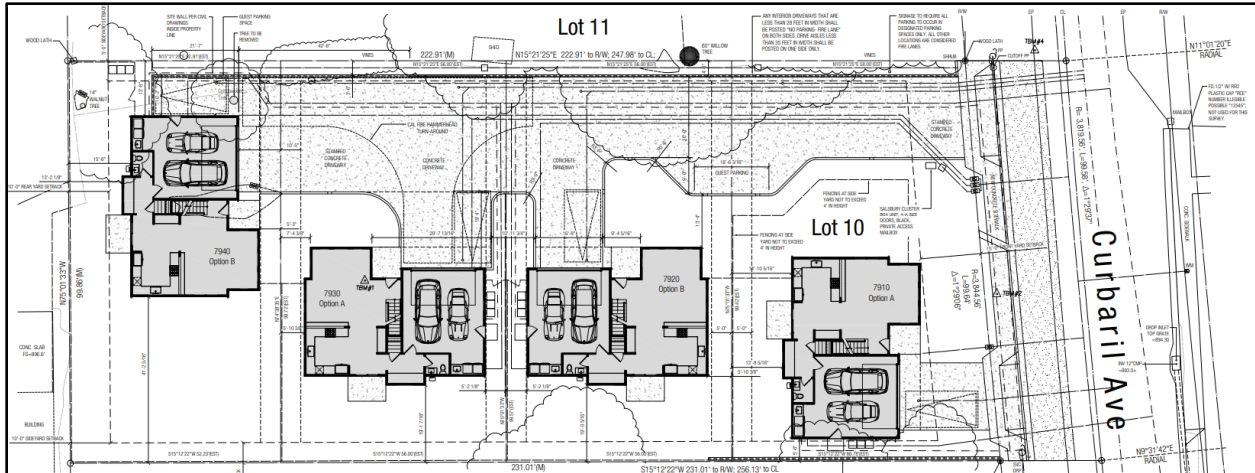
In July 2004, as a key part of the adoption of the City's Comprehensive Financial Strategy, the Council addressed the need to recover all costs associated with new residential development by directing the formation of a Community Facilities District (CFD). California law allows the formation of such districts for the purpose of recovering the cost of providing public safety services, including police and fire services, and park services for new developments. CFDs ensure that new homeowners pay special taxes in an amount equal to the actual cost of the City services they are expected to receive. Without such special taxes in place, new residential units have a negative impact on the General Fund.

The Citywide CFD was established in 2005. Consistent with this policy a number of projects have been annexed into the CFD as a requirement prior to recordation of a final map. On September 22, 2020, the City Council initiated the process for the Curbaril Residential Planned Development and the Grand Oaks Paseo project to be annexed in to the Citywide CFD by adopting resolutions of intent (Resolution Nos. 2020-067 & 2020-068) and set the date of the public hearing.

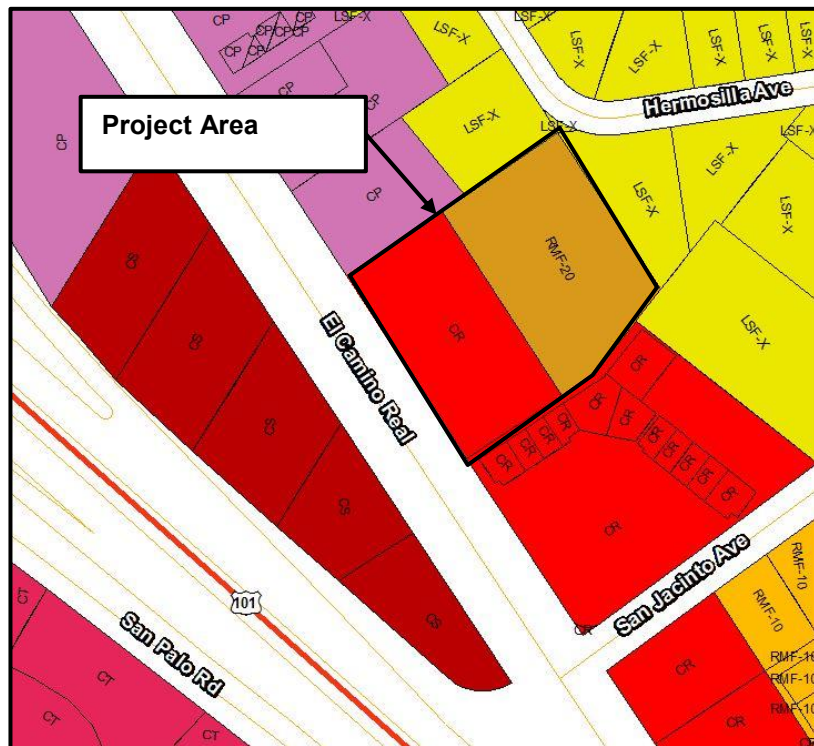
The Curbaril Residential Planned Development project was approved in January of 2020 as Parcel Map AT18-0111. The project includes four residential units within the PD 36 overlay zone. The applicant has submitted the final map for review and recordation.







The Grand Oaks Paseo project at 4711 El Camino Real was approved in November of 2019 as Tract 3141. The project includes 30 residential units, four of which are live-work units facing El Camino Real. Three of the units will be deed restricted for moderate income households and will not be assessed this additional tax during the time period that they remain restricted. The project also includes a 1,900 square-foot community building and 1,600 square-feet of commercial space broken up into four 400 square-foot tenant spaces attached to the residential live-work units. The applicant has submitted the final map for review and recordation.





The Draft Resolutions before Council tonight (Attachments 1 & 2) are the final step to annex the Curbaril Residential Planned Development (Annexation No. 21) and the Grand Oaks Paseo project (Annexation No. 22) into the existing Citywide CFD (CFD 2005-1) to fund new police, fire, and park services associated with the developments. The Special Tax levied against Single-Family Residential parcels for Fiscal Year 2020-2021 was \$706.68 annually per residential parcel, which is subject to an annual escalator. The money collected can only be used to fund new public services authorized to be funded by the Mello-Roos Act and identified within the Rate and Method of Apportionment.

After the close of the Public Hearing, the City Council may adopt Draft Resolutions A and B (Attachments 1 & 2), which officially establish the annexation of territory to Community Facilities District 2005-1. If approved, the Resolutions authorize the levy of special taxes within such annexation areas.

Following adoption of Draft Resolutions A and B, the City Clerk will hold a landowner election, verifying the property owner's wishes to annex into the City's CFD. If the landowners elect to annex into the CFD, the City Council will certify the election by adopting Draft Resolutions C and D and introduce for first reading, by title only, Draft Ordinance A and B (Attachments 5 and 6), authorizing the special taxes for Annexations No. 21 and 22. It is important to note that the Draft Ordinances are separated to allow each project to proceed independently should one project vote not to annex.

The developments proposed for annexation into the CFD were conditioned to be fiscally neutral through annexation into the existing Citywide CFD (CFD 2005-1 – Public Services). If any of the annexations are not approved, the project will not be able to meet the conditions of approval.

### **ALTERNATIVE:**

Council could require the developers to meet the fiscal neutrality condition of approval through some other mechanism.

### **FISCAL IMPACT:**

Assessments for the Curbaril annexation are estimated to be between \$2,800 - \$3,000 annually beginning in fiscal year 2021-2022, and adjusted each year for inflation. Assessments for the Grand Oaks Paseo annexation are estimated to be between \$19,000 - \$20,000 annually beginning in fiscal year 2021-2022, and adjusted each year for inflation. Deed restricted affordable units are exempt from the special tax.

### **ATTACHMENTS:**

1. Draft Resolution A, authorizing the annexation of territory identified in City Council Resolution 2020-067 to be annexed into the Community Facilities District No. 2005-1, authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors. (Annexation No. 21, Curbaril)
2. Draft Resolution B, authorizing the annexation of territory identified in City Council Resolution 2020-068 to be annexed into the Community Facilities District No. 2005-1, authorizing the levy of a special tax and submitting the levy of a special tax to qualified electors. (Annexation No. 22, Grand oaks Paseo)
3. Draft Resolution C, declaring the results of a special annexation landowner election for Annexation No. 21, determining the validity of the prior proceedings and directing the recording of an amendment to the notice of special tax lien.
4. Draft Resolution D, declaring the results of a special annexation landowner election for Annexation No. 22, determining the validity of the prior proceedings and directing the recording of an amendment to the notice of special tax lien.
5. Draft Ordinance A, authorizing the levy of special taxes in Community Facilities District 2005-1 for certain annexation territory (Annexation No. 21).
6. Draft Ordinance B, authorizing the levy of special taxes in Community Facilities District 2005-1 for certain annexation territory. (Annexation No. 22)

**DRAFT RESOLUTION A**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, AUTHORIZING THE ANNEXATION  
OF TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO.  
2005-1 (PUBLIC SERVICES), AUTHORIZING THE LEVY OF A  
SPECIAL TAX, AND SUBMITTING THE LEVY OF SPECIAL TAX  
TO QUALIFIED ELECTORS**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the City Council of the City of Atascadero (the “City”) previously conducted proceedings to establish the City of Atascadero Community Facilities District No. 2005-1 (Public Services) (the “District”), and

**WHEREAS**, this City Council on September 22, 2020, adopted its Resolution No. 2020-067 entitled “Resolution of the City Council of the City of Atascadero, California, Declaring its Intention to Annex Territory into Community Facilities District No. 2005-1 (Public Services) as Annexation No. 21, and to Authorize the Levy of Special Taxes Therein” (the “Resolution of Intention”) stating its intention to annex the territory to the District pursuant to the Act; and

**WHEREAS**, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the District, stating the services to be funded by the District and the rate and method of apportionment of the special tax to be levied within the District to pay for the services is on file with the City Clerk and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein; and

**WHEREAS**, on the date hereof, this City Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the District; and

**WHEREAS**, at the hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the District and the levy of special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

**WHEREAS**, prior to the closing of the hearing, no written or oral protests had been made against the proposed annexation of territory to the District by (i) any registered voter residing in the existing District, (ii) any registered voter residing in the territory proposed to be annexed to the District, (iii) any of the owners of land in the existing District, or (iv) any of the owners of land in the territory proposed to be annexed to the District; and

**WHEREAS**, Annexation Map No. 21 to the District has been filed with the County Recorder of the County of San Luis Obispo, which map shows the territory to be annexed in these proceedings, and a copy of the map is on file with the City Clerk and incorporated herein by this reference.



**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** All prior proceedings taken by this City Council with respect to the District and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.

**SECTION 3.** The boundaries of the territory to be annexed to the District, as set forth in the map entitled “Annexation Map No. 21 of Community Facilities District No. 2005-1 (Public Services)” on file with the City Clerk and heretofore recorded in the San Luis Obispo County Recorder’s Office on September 30, 2020, in Book 6 at Page 29 of Maps of Assessment and Community Facilities Districts are hereby finally approved, are incorporated herein by this reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.

**SECTION 4.** The provisions of the Resolution of Intention is, by this reference incorporated herein, as if fully set forth herein.

**SECTION 5.** Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the qualified electors of the area to be annexed to the District at an election called therefor as hereinafter provided.

**SECTION 6.** This City Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the public hearing heretofore conducted and concluded by this City Council for the purposes of these annexation proceedings. Accordingly, and pursuant to Section 53326 of the Act, this City Council finds that the qualified electors for purposes of the annexation election are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.

**SECTION 7.** This City Council hereby calls a special election to consider the measure described in Section 5 above, which election shall be held in the meeting room of the City Council immediately following adoption of this Resolution. The City Clerk is hereby designated as the official to conduct said election. It is hereby acknowledged that the City Clerk has on file the Resolution of Intention, a certified map of the proposed boundaries of the territory to be annexed to the District, and a sufficient description to allow the City Clerk to determine the boundaries of the territory to be annexed to the District.

The voted ballots shall be returned to the City Clerk no later than immediately following the adoption of this Resolution; and when the qualified electors have voted the election shall be closed.

Pursuant the Act, the election shall be conducted by mail ballot under Section 4000 of the California Elections Code, provided, however, that for purposes of setting the date for the election, Sections 53326 and 53327 of the Act shall govern.

This City Council acknowledges that the City Clerk has caused to be delivered to the qualified electors of the District a ballot in the form set forth in Exhibit "A" hereto. The ballot indicates the number of votes to be voted by each landowner.

The ballot was accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot was enclosed with the ballot, had the return postage prepaid, and contained the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing City Council.

Analysis and arguments with respect to the ballot measures are hereby waived, as provided in Section 53327(b) of the Act.

The City Clerk shall accept the ballots of the qualified electors in the City of Atascadero City Council meeting room upon and prior to the adoption of this Resolution, whether the ballot is personally delivered or is received by mail. The City Clerk shall have ballots available which may be marked at said location on the election day by the qualified electors.

**SECTION 8.** This City Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days following the adoption of this Resolution to elapse before said special election is for the protection of the qualified electors of the territory to be annexed to the District. The ballots to be executed by the qualified electors of the area to be annexed to the District contains a waiver of any time limit pertaining to the conduct of the election and a waiver of any requirement for ballot measure analysis and arguments in connection with the election. Accordingly, this City Council finds and determines that, to the extent that the qualified elector submits its ballot, the qualified elector will have been fully apprised of and have agreed to the shortened time for the election and waiver of ballot measure analysis and arguments, and will have thereby been fully protected in these proceedings. This City Council also finds and determines that the City Clerk has concurred in the shortened time for the election.

**SECTION 9.** This Resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the 27th day of October, 2020.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney

ITEM NUMBER: B-1  
DATE: 10/27/20  
ATTACHMENT: 1A

**OFFICIAL SPECIAL TAX BALLOT**

Name & Address of Property Owner:	Assessor's Parcel Number(s):
Robert C. Mannon P.O. Box 2359 Atascadero, CA 93423	031-231-003

ANNEXATION OF TERRITORY TO  
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (SERVICES)  
ANNEXATION NO. 21

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT

<p><u>SPECIAL TAX BALLOT MEASURE</u></p> <p>Shall the City Council of the City of Atascadero be authorized to levy a special tax on an annual basis at the rates and apportioned as described in Resolution No. 2020-067 adopted by the City Council on September 22, 2020 (the "Resolution"), which is incorporated herein by this reference, within the territory identified on the map entitled "Annexation Boundary Map No. 21 of Community Facilities District No. 2005-1 (Public Services) City of Atascadero, County of San Luis Obispo, State of California" to finance certain services as set forth in Section 4 to the Resolution (including incidental expenses).</p>	<p>MARK "YES" OR "NO" WITH AN "X":</p> <p>YES _____</p> <p>NO _____</p>
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Certification for Special Election Ballot

The undersigned is an authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_, 2020.

Robert C. Mannon

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title



**DRAFT RESOLUTION B**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, AUTHORIZING THE ANNEXATION  
OF TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO.  
2005-1 (PUBLIC SERVICES), AUTHORIZING THE LEVY OF A  
SPECIAL TAX, AND SUBMITTING THE LEVY OF SPECIAL TAX  
TO QUALIFIED ELECTORS**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the City Council of the City of Atascadero (the “City”) previously conducted proceedings to establish the City of Atascadero Community Facilities District No. 2005-1 (Public Services) (the “District”), and

**WHEREAS**, this City Council on September 22, 2020, adopted its Resolution No. 2020-068 entitled “Resolution of the City Council of the City of Atascadero, California, Declaring its Intention to Annex Territory into Community Facilities District No. 2005-1 (Public Services) as Annexation No. 22, and to Authorize the Levy of Special Taxes Therein” (the “Resolution of Intention”) stating its intention to annex the territory to the District pursuant to the Act; and

**WHEREAS**, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the District, stating the services to be funded by the District and the rate and method of apportionment of the special tax to be levied within the District to pay for the services is on file with the City Clerk and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein; and

**WHEREAS**, on the date hereof, this City Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the District; and

**WHEREAS**, at the hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the District and the levy of special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

**WHEREAS**, prior to the closing of the hearing, no written or oral protests had been made against the proposed annexation of territory to the District by (i) any registered voter residing in the existing District, (ii) any registered voter residing in the territory proposed to be annexed to the District, (iii) any of the owners of land in the existing District, or (iv) any of the owners of land in the territory proposed to be annexed to the District; and

**WHEREAS**, Annexation Map No. 22 to the District has been filed with the County Recorder of the County of San Luis Obispo, which map shows the territory to be annexed in these proceedings, and a copy of the map is on file with the City Clerk.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** All prior proceedings taken by this City Council with respect to the District and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.

**SECTION 3.** The boundaries of the territory to be annexed to the District, as set forth in the map entitled “Annexation Map No. 22 of Community Facilities District No. 2005-1 (Public Services)” on file with the City Clerk and heretofore recorded in the San Luis Obispo County Recorder’s Office on September 30, 2020, in Book 6 at Page 30 of Maps of Assessment and Community Facilities Districts are hereby finally approved, are incorporated herein by this reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.

**SECTION 4.** The provisions of the Resolution of Intention is, by this reference incorporated herein, as if fully set forth herein.

**SECTION 5.** Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the qualified electors of the area to be annexed to the District at an election called therefor as hereinafter provided.

**SECTION 6.** This City Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the public hearing heretofore conducted and concluded by this City Council for the purposes of these annexation proceedings. Accordingly, and pursuant to Section 53326 of the Act, this City Council finds that the qualified electors for purposes of the annexation election are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.

**SECTION 7.** This City Council hereby calls a special election to consider the measure described in Section 5 above, which election shall be held in the meeting room of the City Council immediately following adoption of this Resolution. The City Clerk is hereby designated as the official to conduct said election. It is hereby acknowledged that the City Clerk has on file the Resolution of Intention, a certified map of the proposed boundaries of the territory to be annexed to the District, and a sufficient description to allow the City Clerk to determine the boundaries of the territory to be annexed to the District.

The voted ballots shall be returned to the City Clerk no later than immediately following the adoption of this Resolution; and when the qualified electors have voted the election shall be closed.

Pursuant the Act, the election shall be conducted by mail ballot under Section 4000 of the California Elections Code, provided, however, that for purposes of setting the date for the election, Sections 53326 and 53327 of the Act shall govern.

This City Council acknowledges that the City Clerk has caused to be delivered to the qualified electors of the District a ballot in the form set forth in Exhibit "A" hereto. The ballot indicates the number of votes to be voted by each landowner.

The ballot was accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot was enclosed with the ballot, had the return postage prepaid, and contained the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing City Council.

Analysis and arguments with respect to the ballot measures are hereby waived, as provided in Section 53327(b) of the Act.

The City Clerk shall accept the ballots of the qualified electors in the City of Atascadero City Council meeting room upon and prior to the adoption of this Resolution, whether the ballot is personally delivered or is received by mail. The City Clerk shall have ballots available which may be marked at said location on the election day by the qualified electors.

**SECTION 8.** This City Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days following the adoption of this Resolution to elapse before said special election is for the protection of the qualified electors of the territory to be annexed to the District. The ballots to be executed by the qualified electors of the area to be annexed to the District contains a waiver of any time limit pertaining to the conduct of the election and a waiver of any requirement for ballot measure analysis and arguments in connection with the election. Accordingly, this City Council finds and determines that, to the extent that the qualified elector submits its ballot, the qualified elector will have been fully apprised of and have agreed to the shortened time for the election and waiver of ballot measure analysis and arguments, and will have thereby been fully protected in these proceedings. This City Council also finds and determines that the City Clerk has concurred in the shortened time for the election.

**SECTION 9.** This Resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the 27th day of October, 2020.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney

ITEM NUMBER: B-1  
DATE: 10/27/20  
ATTACHMENT: 2A

**OFFICIAL SPECIAL TAX BALLOT**

Name & Address of Property Owner:	Assessor's Parcel Number(s):
Cal Coastal Holding LLC Attn: Ted Lawton 242 El Dorado Way Pismo Beach, CA 93449	029-271-001

ANNEXATION OF TERRITORY TO  
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (SERVICES)  
ANNEXATION NO. 22

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT

<u><b>SPECIAL TAX BALLOT MEASURE</b></u>  Shall the City Council of the City of Atascadero be authorized to levy a special tax on an annual basis at the rates and apportioned as described in Resolution No. 2020-068 adopted by the City Council on September 22, 2020 (the "Resolution"), which is incorporated herein by this reference, within the territory identified on the map entitled "Annexation Boundary Map No. 22 of Community Facilities District No. 2005-1 (Public Services) City of Atascadero, County of San Luis Obispo, State of California" to finance certain services as set forth in Section 4 to the Resolution (including incidental expenses).	MARK "YES" OR "NO" WITH AN "X":  YES _____  NO _____
---	---

**Certification for Special Election Ballot**

The undersigned is an authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on \_\_\_\_\_, 2020.

Ted Lawton

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

## **DRAFT RESOLUTION C**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the City Council of the City of Atascadero (the “City”) previously conducted proceedings to establish the City of Atascadero Community Facilities District No. 2005-1 (Public Services) (the “District”), and

**WHEREAS**, in proceedings conducted by this City Council pursuant to the Act, this City Council has adopted a Resolution entitled “Resolution of the City Council of the City of Atascadero, California, Authorizing the Annexation of Territory into Community Facilities District No. 2005-1 (Public Services), Authorizing the Levy of a Special Tax, and Submitting the Levy of Special Tax to Qualified Electors” (the “Resolution of Annexation”), which called for a special election of the qualified landowner electors in the territory of land proposed to be annexed to the District; and

**WHEREAS**, pursuant to the terms of the Resolution of Annexation, which is by this reference incorporated herein, the special election has been held and the City Clerk has on file a Canvass and Statement of Results of Election, (the “Canvass”) a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, this City Council has been informed of the Canvass, finds it appropriate, and wishes to complete its proceedings for the annexation of territory into the District.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** The issue presented at the special election was the levy of a special tax within the territory annexed to the District, to be levied in accordance with the formula heretofore approved by this City Council, all as described in Resolution No. 2020-067, entitled “Resolution of the City Council of the City of Atascadero, California, Declaring its Intention to Annex Territory into Community Facilities District No. 2005-1 (Public Services) as Annexation No. 21, and to Authorize the Levy of Special Taxes Therein” adopted by this City Council on September 22, 2020.

**SECTION 3.** Pursuant to the Canvass on file with the City Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the District by more than two-thirds (2/3) of the votes cast at the special election.

**SECTION 4.** Pursuant to the voter approval, the annexed territory is hereby declared to be

fully annexed to and part of the District and this City Council may levy special taxes therein as heretofore provided in these proceedings.

**SECTION 5.** It is hereby found that all prior proceedings and actions taken by this City Council with respect to the District and the territory annexed thereto were valid and in conformity with the Act.

**SECTION 6.** Within 15 days of the date of adoption hereof, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of San Luis Obispo, an Amendment to Notice of Special Tax Lien, as required by Section 53328.3 of the Act.

**SECTION 7.** This Resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the 27th day of October, 2020.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney





**DRAFT RESOLUTION D**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, DECLARING THE RESULTS  
OF A SPECIAL ANNEXATION LANDOWNER ELECTION,  
DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND  
DIRECTING THE RECORDING OF AN AMENDMENT TO  
NOTICE OF SPECIAL TAX LIEN**

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the “Act”), the City Council of the City of Atascadero (the “City”) previously conducted proceedings to establish the City of Atascadero Community Facilities District No. 2005-1 (Public Services) (the “District”), and

**WHEREAS**, in proceedings conducted by this City Council pursuant to the Act, this City Council has adopted a Resolution entitled “Resolution of the City Council of the City of Atascadero, California, Authorizing the Annexation of Territory into Community Facilities District No. 2005-1 (Public Services), Authorizing the Levy of a Special Tax, and Submitting the Levy of Special Tax to Qualified Electors” (the “Resolution of Annexation”), which called for a special election of the qualified landowner electors in the territory of land proposed to be annexed to the District; and

**WHEREAS**, pursuant to the terms of the Resolution of Annexation, which is by this reference incorporated herein, the special election has been held and the City Clerk has on file a Canvass and Statement of Results of Election, (the “Canvass”) a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, this City Council has been informed of the Canvass, finds it appropriate, and wishes to complete its proceedings for the annexation of territory into the District.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** The issue presented at the special election was the levy of a special tax within the territory annexed to the District, to be levied in accordance with the formula heretofore approved by this City Council, all as described in Resolution No. 2020-068, entitled “Resolution of the City Council of the City of Atascadero, California, Declaring its Intention to Annex Territory into Community Facilities District No. 2005-1 (Public Services) as Annexation No. 22, and to Authorize the Levy of Special Taxes Therein” adopted by this City Council on September 22, 2020.

**SECTION 3.** Pursuant to the Canvass on file with the City Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the District by more than two-thirds (2/3) of the votes cast at the special election.

**SECTION 4.** Pursuant to the voter approval, the annexed territory is hereby declared to be

fully annexed to and part of the District and this City Council may levy special taxes therein as heretofore provided in these proceedings.

**SECTION 5.** It is hereby found that all prior proceedings and actions taken by this City Council with respect to the District and the territory annexed thereto were valid and in conformity with the Act.

**SECTION 6.** Within 15 days of the date of adoption hereof, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of San Luis Obispo, an Amendment to Notice of Special Tax Lien, as required by Section 53328.3 of the Act.

**SECTION 7.** This Resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the 27th day of October, 2020.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney

EXHIBIT A

City of Atascadero  
Community Facilities District No. 2005-1  
(Public Services)  
Annexation No. 22

CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on October 27, 2020, I canvassed the returns of the election held on October 27, 2020, for the City of Atascadero Community Facilities District No. 2005-1 (Public Services) Annexation No. 22 and the total number of votes cast in such election and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	<b>Qualified Landowner Votes</b>	<b>Votes Cast</b>	<b>Votes YES</b>	<b>Votes NO</b>
City of Atascadero Community Facilities District No. 2005-1 (Public Services) Annexation No. 22 Special Tax Election, October 27, 2020	<u>2</u>	_____	_____	_____

**BALLOT MEASURE:** Shall the City Council of the City of Atascadero be authorized to levy a special tax on an annual basis at the rates and apportioned as described in Resolution No. 2020-068 adopted by the City Council on September 22, 2020 (the "Resolution"), which is incorporated herein by this reference, within the territory identified on the map entitled "Annexation Boundary Map No. 22 of Community Facilities District No. 2005-1 (Public Services) City of Atascadero, County of San Luis Obispo, State of California" to finance certain services as set forth in Section 4 to the Resolution (including incidental expenses).

YES: \_\_\_\_\_

NO: \_\_\_\_\_

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on October 27, 2020.

By: \_\_\_\_\_  
Lara K. Christensen, City Clerk City of Atascadero

**DRAFT ORDINANCE A**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF ATASCADERO, CALIFORNIA, AUTHORIZING THE  
LEVY OF SPECIAL TAXES IN COMMUNITY  
FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES),  
INCLUDING CERTAIN ANNEXATION TERRITORY**

**WHEREAS**, the City of Atascadero (the “City”) has conducted proceedings pursuant to the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1 Division 2, Title 5 of the Government Code of the State of California (the “Act”) and the City of Atascadero Community Facilities District No. 2005-1 (Public Services) Ordinance enacted pursuant to the powers reserved by the City of Atascadero under Sections 3, 5, and 7 of Article XI of the Constitution of the State of California (the “CFD Ordinance”) (the Act and the CFD Ordinance may be referred to collectively as the “Community Facilities District Law”), to establish the City of Atascadero Community Facilities District No. 2005-1 (Public Services) (the “District”) for the purpose of financing police services, fire protection and suppression services, and park services (the “Services”) as provided in the Act; and

**WHEREAS**, the rate and method of apportionment of special tax for the District is set forth in Exhibit B to the City Council Resolution entitled “A Resolution of the City Council of the City of Atascadero, California, For the Formation of Community Facilities District No. 2005-1 (Public Services)” (the “Resolution of Formation”), which was adopted on May 24, 2005; and

**WHEREAS**, the City has conducted proceedings to annex territory into the District and, with respect to the proceedings, following an election of the qualified electors in the territory proposed for annexation (the “Annexation Territory”), the City Council, on October 27, 2020, adopted a Resolution entitled “Resolution of the City Council of the City of Atascadero, California, Declaring the Results of Special Annexation Landowner Election, Determining Validity of Prior Proceedings, and Directing the Recording of an Amendment to Notice of Special Tax Lien.”

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATASCADERO  
HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** By the passage of this Ordinance, the City Council hereby authorizes and levies the special tax within the District, including the Annexation Territory, pursuant to the Community Facilities District Law, at the rate and in accordance with the rate and method of apportionment of special tax set forth in the Resolution of Formation, which rate and method is on file in the City Clerk’s Office and incorporated herein by reference. The special tax has previously been levied in the original territory of the District beginning in Fiscal Year 2006-07 pursuant to Ordinance No. 478 passed and adopted by the City Council on July 12, 2005 and the special tax is hereby levied commencing in Fiscal Year 2021-22 in the District, including the Annexation Territory, and in each fiscal year thereafter to pay for the Services for the District and all costs of administering the District.

**SECTION 3.** The City's Finance Director or designee or employee or consultant of the City is hereby authorized and directed each fiscal year to determine the specific special tax to be levied for the next ensuing fiscal year for each parcel of real property within the District, including the Annexation Territory, in the manner and as provided in the Resolution of Formation.

**SECTION 4.** Exemptions from the levy of the special tax shall be as provided in the Resolution of Formation and the applicable provisions of the Community Facilities District Law. In no event shall the special tax be levied on any parcel within the District in excess of the maximum special tax specified in the Resolution of Formation.

**SECTION 5.** All of the collections of the special tax shall be used as provided in the Community Facilities District Law and in the Resolution of Formation, including, but not limited to, the payment of the costs of the Services, the payment of the costs of the City in administering the District, and the costs of collecting and administering the special tax.

**SECTION 6.** The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes; provided, however, that the City Council may provide for other appropriate methods of collection by resolution(s) of the City Council. The Finance Director of the City is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of San Luis Obispo in order to effect proper billing and collection of the special tax, so that the special tax shall be included on the secured property tax roll of the County of San Luis Obispo for Fiscal Year 2021-22 and for each fiscal year thereafter until no longer required to pay for the Services or until otherwise terminated by the City.

**SECTION 7.** If for any reason any portion of this Ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the District, including the Annexation Territory, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the District, including the Annexation Territory, shall not be affected.

**SECTION 8.** A summary of this Ordinance, approved by the City Attorney, together with the ayes and noes, shall be published twice: at least five days prior to its final passage and before the expiration of fifteen (15) days after its final passage, in accordance with California law. A copy of the full text of this Ordinance shall be on file in the City Clerk's Office on and after the date following introduction and passage and shall be available to any interested member of the public.

**SECTION 9.** This Ordinance shall take effect 30 days from the date of final passage.

**INTRODUCED** at a regular meeting of the City Council held on October 27, 2020 and **PASSED** and **ADOPTED** by the City Council of the City of Atascadero, State of California, on \_\_\_\_\_, 2020

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney

**DRAFT ORDINANCE B**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF ATASCADERO, CALIFORNIA, AUTHORIZING THE  
LEVY OF SPECIAL TAXES IN COMMUNITY  
FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES),  
INCLUDING CERTAIN ANNEXATION TERRITORY**

**WHEREAS**, the City of Atascadero (the “City”) has conducted proceedings pursuant to the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1 Division 2, Title 5 of the Government Code of the State of California (the “Act”) and the City of Atascadero Community Facilities District No. 2005-1 (Public Services) Ordinance enacted pursuant to the powers reserved by the City of Atascadero under Sections 3, 5, and 7 of Article XI of the Constitution of the State of California (the “CFD Ordinance”) (the Act and the CFD Ordinance may be referred to collectively as the “Community Facilities District Law”), to establish the City of Atascadero Community Facilities District No. 2005-1 (Public Services) (the “District”) for the purpose of financing police services, fire protection and suppression services, and park services (the “Services”) as provided in the Act; and

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**INTRODUCED** at a regular meeting of the City Council held on October 27, 2020 and **PASSED** and **ADOPTED** by the City Council of the City of Atascadero, State of California, on \_\_\_\_\_, 2020

CITY OF ATASCADERO

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian A. Pierik, City Attorney