



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 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 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.

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. 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

AGENDA

Tuesday, December 8, 2020

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

<u>City Council Closed Session:</u>	5:00 P.M.
<u>City Council Regular Session:</u>	6:00 P.M.

CITY COUNCIL 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 – Existing Litigation**
Government Code Sec. 54956.9 (d)(1)
Name of Case: City of Atascadero v. Darin A. Vandeventer;
San Luis Obispo Superior Court Case No. 20CV-0046
- 4. CLOSED SESSION -- ADJOURNMENT**
- 5. COUNCIL RETURNS TO CHAMBERS**
- 6. CLOSED SESSION – REPORT**

ADJOURNMENT

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

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Bourbeau

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.

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 – November 24, 2020

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

2. City Council 2021 Meeting Schedule

- Fiscal Impact: None.
- Recommendation: Council approve the City Council meeting schedule for 2021. [City Manager]

3. Reciting the Fact of the November 3, 2020 General Municipal Election

- Fiscal Impact: None.
- Recommendation: Council adopt the Draft Resolution, reciting the fact of the General Municipal Election held on November 3, 2020, declaring the result and such other matters as provided by law. [City Clerk]

4. Adoption of Public Transit Agency Safety Plan for Atascadero Transit

- Fiscal Impact: The City of Atascadero benefits from Federal 5307 capital and operating assistance funding. Federal funds could be withheld from Atascadero Transit should the City fail to submit a PTASP.
- Recommendation: Council approve and adopt the Atascadero Public Transit Agency Safety Plan. [Public Works]

5. Approve Final Map for Tract 3161 (South Mirasol Way)

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution approving the Final Map for Tract 3161. [Public Works]

6. Essential Services Transactions and Use Tax Contracting with the State of California

- Fiscal Impact: The sales tax measure will generate an estimated \$4.5 million in additional annual revenue. Staff anticipates costs to the State to be between \$10,000-40,000 for the Preparatory Fee and on-going administrative costs will be 0.57% of the revenue received from the tax increase. HdL will charge a \$200 monthly fee for the review and analysis services that will be paid from the General Fund, and 25% of the initial amount of new transactions or use tax revenue received by the City as a result of audit and recovery work performed by HdL.

- Recommendations: Council:
 1. Adopt Draft Resolution A authorizing the City Manager to execute agreements with the California Department of Tax and Fee Administration for implementation of a local transactions and use tax.
 2. Adopt Draft Resolution B authorizing representatives of the City of Atascadero to examine confidential transactions and use tax records of the California Department of Tax and Fee Administration (CDTFA) pertaining to transactions and use taxes collected by the CDTFA for the City of Atascadero.
 3. Authorize the City Manager to enter into a contract with Hinderliter, De Llamas and Associates for transactions tax audit and information services related to the Measure D-20 Sales Tax Revenue. [City Manager]

B. 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

OATHS OF OFFICE:

1. Administration of Oaths of Office

- Swearing in of Mayor Heather Moreno and Council Members Charles Bourbeau and Mark Dariz

PRESENTATIONS:

1. Recognition of outgoing City Council Member Roberta Fonzi

CITY COUNCIL REORGANIZATION:

1. Council Appointment of Mayor Pro Tem

- Accept nominations from the Council Members and appoint a Mayor Pro Tem for a two-year term ending December 2023.

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.)

C. PUBLIC HEARINGS:

1. Tentative Parcel Map 2930, 2945 Ramona Road (SBDV 20-0047)

- Fiscal Impact: Approval of the map creating one additional residential unit will have a slight negative fiscal impact on the City.
- Recommendation: Council adopt Draft Resolution approving Tentative Parcel Map AT 20-0013, including an abandonment of a portion of Ramona Road right-of-way and dedication of new right-of-way, based on findings and conditions of approval. [Community Development]

2. 2021 Community Development Block Grant Draft Recommendations

- Fiscal Impact: Approval of Atascadero's total 2021 CDBG allocation would result in the estimated revenue and expenditure of \$144,792 of CDBG funds.
- Recommendation: Council develop and adopt draft recommendations for the 2021 Community Development Block Grant (CDBG) funds. [Public Works]

D. MANAGEMENT REPORTS:

1. Confirm the Appointment of Police Chief

- Fiscal Impact: The Police Chief's monthly salary of \$13,466.96, at Step E, is included in the Police Department budget for fiscal year 2020-2021.
- Recommendation: Council concur and confirm the appointment of Robert (Bob) Masterson as Atascadero's new Police Chief. [City Manager]

2. Council Policy Discussion Drive-Through Businesses, Fuel Stations and Other High Traffic Producing Uses

- Fiscal Impact: Discussion of the current Drive-Through Businesses, Fuel Station, and Other High Traffic Producing Uses Policy has no direct fiscal impact; however, any future action by the Council to amend the Policy may have a significant effect on City revenues.
- Recommendation: Council reaffirm the "Drive-Through Businesses, Fuel Station, and Other High Traffic Producing Uses Policy" to guide use permit applications and traffic impact fees to ensure orderly development in the City.[Community Development]

3. Draft Response to Grand Jury Report "Joint Agency Dispatch – Better Together?"

- Fiscal Impact: None.
- Recommendation: Council approve the Draft Response to the Grand Jury Report Form and authorize the City Manager to execute the document on the City Council's behalf. [City Manager]

E. 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

F. COMMITTEE REPORTS: (The newly elected Mayor will assign Council Members to standing committees.)

G. 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.