



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, February 22, 2022

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.

Mayor Moreno called the meeting to order at 6:00 p.m. and Council Member Funk led the Pledge of Allegiance.

ROLL CALL:

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

Absent: None

Others Present: None

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

APPROVAL OF AGENDA:

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to:

1. Approve this agenda; and,
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

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

CLOSED SESSION – REPORT (IF ANY)

a. February 8, 2022

City Attorney Pierik reported that there was no reportable action from Closed Session on February 8, 2022.

b. February 16, 2022

This meeting was cancelled.

PRESENTATIONS:

1. Employee Recognition

A pre-recorded presentation of Employee Recognition Awards was shown during the City Council Meeting. City Manager Rickard presented the following employees with Service Awards:

- **20 Years:** Alan Baker, Charles Paddock Zoo Director
Matt Miranda, Fire Battalion Chief
David Muehlhausen, Deputy Comm. Dev. Dir. & Chief Building Official

2. Proclamation recognizing the 100-year anniversary of Fire & Emergency Services in Atascadero

The City Council presented a proclamation to Chief Casey Bryson.

Zach Jackson, Atascadero Firefighters Association President, thanked the City Council for the proclamation.

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 – January 28, 2022 & February 8, 2022

- Recommendation: Council approve the January 28, 2022 Draft City Council Special Meeting Minutes, the January 28, 2022 Draft City Council Joint Special Meeting Minutes & the February 8, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]

2. January 2022 Accounts Payable and Payroll

- Fiscal Impact: \$2,691,925.33
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for January 2022. [Administrative Services]

3. Community Choice Aggregation

- **Fiscal Impact:** There is a \$6,000 fee for the administrative filing. Any potential rate savings provided by 3CE would apply to the City as well as residential and commercial customers. Actual cost savings are unknown at this time.
- **Recommendation:** Council adopt, on second reading, a Draft Ordinance authorizing the implementation of a community choice aggregation program in the City of Atascadero through participation in 3CE's community choice aggregation program. [City Manager]

**MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom to approve the Consent Calendar. (#A-3: Ordinance No. 652)
*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 or through the webinar on this item: None

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Ratification of Approval of Hazardous Tree Removal

- **Fiscal Impact:** Costs to the City to assist with the replanting of a replacement native oak tree will be a maximum of \$3,500.
- **Recommendations:** Council:
 1. Adopt Draft Resolution ratifying staff's approval of the removal of one, 55-inch DBH, hazardous Heritage Coast Live Oak previously located at 5955 East Mall, subject to conditions of approval and mitigation, including replanting on site; and
 2. Authorize the Director of Administrative Services to use Tree Plant Funds to reimburse the property owner up for select costs incurred towards the stump removal and replanting of one Coast Live Oak in accordance with Condition #6. [Community Development]

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

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: None

Mayor Moreno closed the Public Comment period.

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

1. **Adopt Resolution No. 2022-002 ratifying staff's approval of the removal of one, 55-inch DBH, hazardous Heritage Coast Live Oak previously located at 5955 East Mall, subject to conditions of approval and mitigation, including replanting on site.**
2. **Authorize the Director of Administrative Services to use Tree Plant Funds to reimburse the property owner up for select costs incurred towards the stump removal and replanting of one Coast Live Oak in accordance with Condition #6.**

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

C. MANAGEMENT REPORTS:

1. SB 1383 – New Solid Waste Requirements

- Fiscal Impact: None. SB 1383 Regulations call for multiple changes to collection, monitoring, education, purchasing, and reporting that will lead to an increase to the City's solid waste rates.
- Recommendations: Council:
 1. Introduce for first reading, by title only, a Draft Ordinance amending Title 6, Chapter 4 (Solid Waste Collection) in its entirety in conformity with Assembly Bills 939, 341, 1826, and Senate Bill 1383.
 2. Adopt a Draft Resolution authorizing the submittal, to CalRecycle, of a notification of intent to comply with the requirements of Senate Bill 1383 and to secure administrative civil penalty relief under the provisions of Senate Bill 619. [City Manager]

Deputy City Manager Christensen gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Liz Gomez and Geoff Auslen

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to:

1. Introduce for first reading, by title only, a Draft Ordinance amending Title 6, Chapter 4 (Solid Waste Collection) in its entirety in conformity with Assembly Bills 939, 341, 1826, and Senate Bill 1383 with the following revisions to Section 6-4.102 (Definitions):
 - Delete the word *tires* from (c) "Bulky Items"
 - Edit the third paragraph of (eee) "Recyclable Materials" to read, *Recyclable Materials shall include, but not be limited to, newspaper, aluminum, tin and bi-metal cans, clear and colored glass containers, plastic containers, corrugated cardboard, mixed paper (including white and colored*

~~ledger paper, chipboard, junk mail, magazines and phone books) Paper Products, Printing and Writing Papers, and motor oil and filters (which shall be collected separate from the Recycling Container).~~

- Add a new definition as (cccc) "Yard Trimmings" means those Discarded Materials that will decompose and/or putrefy, including, but not limited to, green trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings, dead trees, small pieces of unpainted and untreated wood. Yard Trimmings does not include items herein defined as Excluded Waste. Yard Trimmings are a subset of Organic Materials. Acceptable Yard Trimmings may be added to or removed from this list from time to time by mutual consent or at the sole discretion of the City.
2. Adopt Resolution No. 2022-005 authorizing the submittal, to CalRecycle, of a notification of intent to comply with the requirements of Senate Bill 1383 and to secure administrative civil penalty relief under the provisions of Senate Bill 619.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING IN ITS ENTIRETY TITLE 6, CHAPTER 4 (SOLID WASTE COLLECTION), OF THE ATASCADERO MUNICIPAL CODE IN CONFORMANCE WITH ASSEMBLY BILLS 939, 341, 1826, AND SENATE BILL 1383.

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

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members made brief announcements and gave brief update reports on their committees since their last Council meeting:

Council Member Funk

1. Homeless Services Oversight Council


E. INDIVIDUAL DETERMINATION AND / OR ACTION:

Mayor Moreno and the rest of the Council wished Deputy City Manager Christensen a Happy Birthday.

F. ADJOURN

Mayor Moreno adjourned the Meeting at 7:41 p.m.

MINUTES PREPARED BY:



Lara K. Christensen
City Clerk

APPROVED: March 8, 2022