



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, September 13, 2022

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.

COUNCIL CLOSED SESSION – CALL TO ORDER: 5:00 P.M.

Mayor Moreno called Closed Session to order at 5:00 p.m.

1. ROLL CALL

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

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and IT Manager Luke Knight

2. CLOSED SESSION -- PUBLIC COMMENT - None

3. COUNCIL RECESS INTO CLOSED SESSION

IT Manager Knight did not attend this portion of the meeting.

4. CLOSED SESSION

a. Conference with Real Property Negotiators

Pursuant to Government Code §54956.8

Real Property: 5970 El Camino Real (APN 030181031)

Agency Negotiator: Rachelle Rickard, City Manager

Negotiating Parties: Fred C. Pflum Revocable Trust

Subject of Negotiations: Purchase price and/or terms of payment

b. Public Employee Release/Dismissal/Discipline
Pursuant to Government Code §54957(b)

5. CLOSED SESSION – ADJOURNMENT

6. COUNCIL RETURNS

7. CLOSED SESSION REPORT

City Attorney Pierik reported there was no reportable action from Closed Session.

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

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

ROLL CALL:

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

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, Acting Police Chief Jason Carr, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Deputy Community Development Director David Muehlhausen, Senior Planner Kelly Gleason, and IT Manager Luke Knight

APPROVAL OF AGENDA:

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

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

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

PRESENTATIONS:

1. Proclamation proclaiming September 15 to October 15 as National Hispanic Heritage Month.

The City Council presented a proclamation to Francisco Ramirez with the Latino Outreach Council proclaiming September 15 through October 15, 2022 as National Hispanic Heritage Month.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – August 9, 2022

- Recommendation: Council approve the August 9, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]

2. July 2022 Accounts Payable and Payroll

- Fiscal Impact: \$6,676,406.09.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for July 2022. [Administrative Services]

3. Virtual Meetings – AB 361 Requirements

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution making findings consistent with the requirements of AB 361 to continue to allow for the conduct of virtual meetings. [City Manager]

4. Formation of New Positions and Reclassification of Existing Positions Throughout the City

- Fiscal Impact: An estimated \$27,000 to \$70,900 per year of budget funds; a portion of these costs may be offset by other personnel changes that have occurred.
- Recommendation:
 1. Authorize the City Manager to establish new positions, including Zoo Supervisor, Human Resources Manager, and Senior Building Inspector.
 2. Authorize the City Manager to establish the new titles of Network Analyst, Lead Maintenance Worker, and Permit Technician.
 3. Authorize the City Manager to reclassify employees into appropriate classifications of Deputy City Manager, Deputy Director of Public Works, Lead Maintenance Worker, Maintenance Worker II, Permit Technician, Human Resources Manager, Network Analyst, Senior Building Inspector, and Zoo Supervisor based on job duties and level of experience.
 4. Amend the fiscal year 2022-2023 monthly salary schedule to include new positions as follows:

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Human Resources Manager	\$ 6,582.94	\$ 6,912.09	\$ 7,257.69	\$ 7,620.57	\$ 8,001.60
Lead Maintenance Worker	\$ 4,491.33	\$ 4,715.90	\$ 4,951.70	\$ 5,199.29	\$ 5,459.25
Network Analyst	\$ 5,875.50	\$ 6,169.28	\$ 6,477.74	\$ 6,801.63	\$ 7,141.71
Permit Technician	\$ 4,175.61	\$ 4,384.39	\$ 4,603.61	\$ 4,833.79	\$ 5,075.48
Senior Building Inspector	\$ 6,635.75	\$ 6,967.54	\$ 7,315.92	\$ 7,681.72	\$ 8,065.81
Zoo Supervisor	\$ 4,603.61	\$ 4,833.79	\$ 5,075.48	\$ 5,329.25	\$ 5,595.71

5. Adopt Draft Resolution for Non-Represented Professional and Management Workers and Confidential Employees.
6. Authorize the City Manager to execute a side letter with the Local 620 Service Employees International Union (SEIU) for the existing Memorandum of Understanding (MOU), dated July 1, 2021 through June 30, 2024, adding the title of Network Analyst, Permit Technician, Zoo Supervisor, Lead Maintenance Worker, and Senior Building Inspector at the salary range shown above. [City Manager]

5. 2023 Measure F-14 Pavement Rehabilitation Project Design Engineering Services Contract

- Fiscal Impact: \$238,021.
- Recommendation: Council award a professional services agreement with Wallace Group for \$238,021 to provide design engineering and prepare bidding documents for the 2023 Measure F-14 Pavement Rehabilitation Project (Project No. C2022R01). [Public Works]

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to approve the Consent Calendar. (#A-3: Resolution No. 2022-068) (#A-4: Resolution No. 2022-069) (#A-5: Contract No. 2022-014) Motion passed 5:0 by a roll-call vote.

UPDATES FROM THE CITY MANAGER:

City Manager Rickard gave updates on projects and issues within the City.

COMMUNITY FORUM:

The following citizens spoke by telephone or through the webinar on this item: Jim Wilkins, Geoff Auslen, Wendy Lewis, and Zach Jackson

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Accessory Dwelling Unit Text Amendments (AMC Title 9)

- Fiscal Impact: The addition of ADUs and JADUs in accordance with state law will have a significant negative long-term fiscal impact to the City, its infrastructure, and its capacity to serve its citizens.
- Recommendations: Planning Commission recommends that City Council:
 1. Introduce, for first reading, by title only, Draft Ordinance A repealing and replacing Chapter 5 of Title 9, of the Atascadero Municipal Code (Accessory Dwelling Units); and
 2. Introduce, for first reading, by title only, Draft Ordinance B amending Title 9 for consistency with updated Chapters 5 and 18 related to accessory dwelling units and urban dwelling units. [Community Development]

Council Member Dariz noted that he is an architect and he has or may have clients who are building ADUs, JADUs, and/or UDUs, which creates a potential conflict of interest. He stepped down from the dais, recusing himself from the discussion and vote for this item and item #B-2.

Ex Parte Communications

All Council Members acknowledged receipt of email communications from members of the public.

Council Member Funk and Mayor Pro Tem Newsom also reported reviewing this information as members of the Design Review Committee.

Council Member Funk reported reviewing the information through the Homeless Services Oversight Council and speaking with Planning Commissioner van den Eikhof.

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

Mayor Moreno recessed the meeting at 8:08 p.m.

Mayor Moreno reconvened the meeting at 8:18 p.m. with all present. Dariz recused.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Geoff Auslen, Harry Hamilton, and Sierra Steele.

Mayor Moreno closed the Public Comment period.

Mayor Moreno recessed the meeting at 9:00 p.m.

Mayor Moreno reconvened the meeting at 9:07 p.m. with all present. Dariz recused.

Following discussion by the Council, there was consensus to continue the item to October 11, 2022. The Council directed staff to bring back the Ordinance for introduction, by first reading, with the following changes/clarifications:

- ***Updating language to clarify units permitted when an Urban Lot Split has been approved.***
- ***Looking at potential changes to provide for more specific requirements for two story ADUs and potential "overlook" into adjacent properties.***
- ***Ensuring the updated Code is not designed to incentive second stories.***
- ***Increasing attached garage or other unconditioned space to 300 square feet or 500 square feet on lots 1 acre or greater and up to 500 square feet for an attached accessory structure above or below the ADU.***
- ***Increasing parcel size to 0.75 gross acres or greater for construction of ADUs not required to connect to wastewater.***
- ***Clarifying mixed-use definition.***
- ***Removing language regarding size of existing structure for determining size of ADU.***
- ***Providing language for discussion to allow for flexibility for ADUs up to 1,200 square feet.***

2. Ordinance Adopting Standards for the Implementation of SB 9: Urban Dwelling Units and Urban Lot Splits

- **Fiscal Impact:** It is expected that this State-required action will have a significant negative fiscal impact on the City. For any applications submitted,

standard fees will be charged, and the State recognizes that this law imposes an unfunded State-mandated local program.

- **Recommendations:** Planning Commission recommends that City Council:
 1. Introduce for first reading, by title only, Draft Ordinance A amending Title 9: Planning and Zoning, to add Chapter 18: Urban Dwelling Units; and
 2. Introduce for first reading, by title only, Draft Ordinance B amending Title 11: Subdivisions, establishing standards for Urban Lot Splits. [Community Development]

Ex Parte Communications

All Council Members acknowledged receipt of email communications from members of the public and referenced their communications from item #B-1.

Community Development Director Dunsmore and Senior Planner Kelly Gleason gave the presentation and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Geoff Auslen and Sierra Steele.

Mayor Moreno closed the Public Comment period.

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

1. Introduce, for first reading, by title only, Draft Ordinance A amending Title 9: Planning and Zoning, to add Chapter 18: Urban Dwelling Units with the following changes:
 - *Increasing attached garage or other unconditioned space to 300 square feet and up to 500 square feet for an attached accessory structure above or below the UDU.*
 - *Increasing parcel size to 0.75 gross acres or greater for construction of UDUs not required to connect to wastewater.*
2. Introduce, for first reading, by title only, Draft Ordinance B amending Title 11: Subdivisions, establishing standards for Urban Lot Splits.

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 TITLE 9, PLANNING AND
ZONING, TO ADD CHAPTER 18, URBAN DWELLING UNITS, TO THE
ATASCADERO MUNICIPAL CODE
URBAN DWELLING UNITS**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ATASCADERO, CALIFORNIA, AMENDING TITLE 11, SUBDIVISIONS,
RELATED TO URBAN LOT SPLITS
ZONING CODE UPDATE**

Motion passed 4:0 by a roll-call vote. Dariz recused.

Mayor Moreno recessed the meeting at 10:03 p.m.

Mayor Moreno reconvened the meeting at 10:07 p.m. with all present.

Council Member Dariz returned to the dais at 10:07 p.m.

3. 2022 Economic Hardship Program: Time Extensions for Construction Permits

- Fiscal Impact: None.
- Recommendations: Council adopt Draft Resolution authorizing staff to allow for one-year extensions to construction permits that meet eligibility standards. [Community Development]

Ex Parte Communications

All Council Members stated they have had no communications on this item.

Community Development Director Dunsmore and Deputy Community Development Director Muehlhausen gave the presentation and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke by telephone or through the webinar on this item: Sierra Steele.

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Newsom to adopt Resolution No. 2022-070 authorizing staff to allow for one-year extensions to construction permits that meet eligibility standards.

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

C. MANAGEMENT REPORTS: None.

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members gave brief update reports on their committees since the last Council meeting:

Mayor Moreno

1. County Mayors Round Table

Mayor Pro Tem Newsom

1. League of California Cities – Council Liaison
 - a. Mayor Pro Tem Newsom reported attending the League Annual Conference in Long Beach from September 7-9, 2022.

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Funk

1. Homeless Services Oversight Council


E. INDIVIDUAL DETERMINATION AND / OR ACTION:

Council Member Dariz expressed his thanks to both the Police and Public Works Department for their clean-up efforts on the corner of El Camino Real and Santa Rosa Road.

F. ADJOURNMENT

Mayor Moreno adjourned the meeting at 10:22 p.m.

MINUTES PREPARED BY:



Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED: September 27, 2022