



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, March 8, 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 5:03 p.m.

1. ROLL CALL

Present: Council Members Bourbeau, Dariz (by teleconference), Funk, Mayor Pro Tem Newsom and Mayor Moreno

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 Legal – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code

Section 54956.9(d)(2): 1 potential case – California Voting Rights Act

5. CLOSED SESSION – ADJOURNMENT

6. COUNCIL RETURNS

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

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

ROLL CALL:

Present: Council Members Bourbeau, Dariz (by teleconference) 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, Police Chief Bob Masterson, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Public Works Analyst Ryan Betz, 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.

CLOSED SESSION – REPORT (IF ANY)

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

PRESENTATIONS: None.

A. CONSENT CALENDAR:

1. City Council Draft Action Minutes – February 22, 2022

- Recommendation: Council approve the February 22, 2022 Draft City Council Regular Meeting Minutes. [City Clerk]

2. 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.
- Recommendation: Council adopt, on second 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. [City Manager]

3. Budget Amendment to Advance Funding for Street and Storm Drain Maintenance District No. 2 (Las Lomas) Pavement Management

- Fiscal Impact: None.
- Recommendation: Council authorize the Director of Administrative Services to amend the current Fiscal Years 2021-2023 Budget to advance \$374,000 from Fiscal Year 2022/2023 to Fiscal Year 2021/2022 for Street and Storm Drain Maintenance District No. 2 (Las Lomas) Pavement Management. [Public Works]

4. Disposal of Assets – Fire Radios

- Fiscal Impact: Authorizing the donation of 8 radios to Templeton Fire Department and 12 radios to Morro Bay Fire Department will not incur any new expenses. However, disposal of the radios through donation versus sales has a book value loss of about \$13,000.
- Recommendation: Council authorize the Fire Chief to allocate surplus used hand-held radios to Templeton Fire Department and Morro Bay Fire Department. [Fire Department]

**MOTION: By Council Member Bourbeau and seconded by Council Member Funk to approve the Consent Calendar. (#A-2: Ordinance No. 653)
*Motion passed 5:0 by a roll-call vote.***

UPDATES FROM THE CITY MANAGER:

City Manager Rickard gave an update on projects and events within the City.

COMMUNITY FORUM:

The following citizens spoke in-person, by telephone or through the webinar: Wendy Lewis

B. PUBLIC HEARINGS:

1. 2022 Community Development Block Grant Funding Recommendations

- Fiscal Impact: Approval of Atascadero's total 2022 CDBG allocation would result in the estimated revenue and expenditure of \$139,465 of CDBG funds.
- Recommendation: Council review and approve funding recommendations for the 2022 Community Development Block Grant (CDBG) program, as detailed in the staff report, and authorize staff to adjust final award amounts proportionately upon receipt of the final funding amount. [Public Works]

Ex Parte Communications

Council Member Funk reported speaking with directors of all the homeless services agencies. Council Member Bourbeau and Mayor Moreno reported speaking with Wendy Lewis. No other Council Members had anything to report.

Public Works Director DeBar gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke in-person, by telephone or through the webinar on this item: Geoff Auslen and Wendy Lewis

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Mayor Pro Tem Newsom to approve funding recommendations for the 2022 Community Development Block Grant (CDBG) program, as detailed in the staff report, and authorize staff to adjust final award amounts where any additional Public Facility funds will be allocated to the City's Santa Rosa project and any additional Public Services funds will be allocated to ECHO and any reduction would be prorated proportionally upon receipt of the final funding amount.
Motion passed 5:0 by a roll-call vote.

2. SB 1383 – MWELO and CALGreen Requirements

- Fiscal Impact: None.
- Recommendation: Council introduce for first reading, by title only, a Draft Ordinance amending Title 8, (Building Code) Chapter 8 and Chapter 10 of the Atascadero Municipal Code, to implement CALGreen requirements for covered projects and Chapter 10 to establish water efficient landscape and irrigation requirements in compliance with Senate Bill 1383. [City Manager]

Ex Parte Communications

No Council Members had anything to report.

Mayor Moreno recessed the meeting at 6:34 p.m.

Mayor Moreno reconvened the meeting at 6:37 p.m. with all present.

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

PUBLIC COMMENT:

The following citizens spoke in-person, by telephone or through the webinar: None

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Funk and seconded by Council Member Bourbeau to introduce for first reading, by title only, a Draft Ordinance amending Title 8, (Building Code) Chapter 8 and Chapter 10 of the Atascadero Municipal Code, to implement CALGreen requirements for covered

projects (Chapter 8) and to establish water efficient landscape and irrigation requirements (Chapter 10) in compliance with Senate Bill 1383.

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 8, CHAPTERS 8 (GREEN BUILDING CODE) AND 10 (WATER EFFICIENT LANDSCAPE AND IRRIGATION), OF THE ATASCADERO MUNICIPAL CODE ADDING SECTIONS 8-8.102 (CALGREEN RECYCLING REQUIREMENTS) AND 8-10.103 (WATER EFFICIENT LANDSCAPE AND IRRIGATION REQUIREMENTS) REQUIRING COMPLIANCE WITH SPECIFIC SECTIONS OF THE CALIFORNIA GREEN BUILDING CODE AND STATE MODEL WATER EFFICIENT LANDSCAPE AS REQUIRED BY SENATE BILL 1383

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

C. MANAGEMENT REPORTS:

1. Proposed Sewer Service Rate Increase

- Fiscal Impact: Administering the Proposition 218 process will cost approximately \$5,000. If approved the rate increase will generate an estimated \$650,000 in additional sewer service charge revenue.
- Recommendations: Council:
 1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
 2. Set a Public Hearing on May 10, 2022 for the City Council's consideration of the proposed wastewater rate increases. [Public Works]

Public Works Director DeBar gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke in-person, by telephone or through the webinar: Geoff Auslen

Mayor Moreno closed the Public Comment period.

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

1. Direct staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all property owners connected to the municipal sanitary sewer system.
2. Set a Public Hearing on May 10, 2022 for the City Council's consideration of the proposed wastewater rate increases.

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

2. Virtual Meetings – AB 361 Requirements

- Fiscal Impact: None.
- Recommendations: 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]

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

PUBLIC COMMENT:

The following citizens spoke in-person, by telephone or through the webinar: Ryan Burmaster

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Pro Tem Newsom and seconded by Council Member Funk to adopt Resolution No. 2022-006 making findings consistent with the requirements of AB 361 to continue to allow for the conduct of virtual meetings.

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

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

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

Mayor Moreno

1. Regional Economic Action Coalition (REACH)
2. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Newsom

1. City / Schools Committee
2. Design Review Committee

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. Design Review Committee
3. Homeless Services Oversight Council


E. INDIVIDUAL DETERMINATION AND / OR ACTION:

1. Mayor Moreno reported that the Mayors countywide were working together on a statement in support of Ukraine. She noted that this would be a Resolution by the countywide Mayors, not a City of Atascadero Resolution.

F. ADJOURN

Mayor Moreno adjourned the meeting at 7:35 pm.

MINUTES PREPARED BY:



Lara K. Christensen
City Clerk

APPROVED: March 22, 2022