



CITY OF ATASCADERO CITY COUNCIL

DRAFT MINUTES

Tuesday, April 8, 2008

REGULAR SESSION:

Mayor Brennler called the meeting to order at 6:37 p.m. and members of Boy Scout Troops 101, 226, 155 and Pack 155 led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Béraud, Clay, Luna, O'Malley, and Mayor Brennler

Absent: None

Others Present: City Clerk / Assistant to City Manager Marcia McClure Torgerson

Staff Present: City Manager Wade McKinney, Assistant City Manager Jim Lewis, Administrative Services Director Rachelle Rickard, Community Services Director Brady Cherry, Community Development Director Warren Frace, Police Chief Jim Mulhall, Fire Chief Kurt Stone, Public Works Director Steve Kahn, and City Attorney Brian Pierik.

APPROVAL OF AGENDA:

MOTION: By Council Member Luna and seconded by Council Member O'Malley to approve the agenda with the following change: Move the Council Report concerning the Resolution of Support for naming State Highway 41 The Robert Nimmo Highway prior to the Community Forum.
Motion passed 5:0 by a roll-call vote.

PRESENTATIONS:

1. Boy Scouts of America – on Scouting’s Impact in the City of Atascadero

Ingrid Olson, District Executive of the Del Norte District of the Los Padres Council Boy Scouts of America, expressed appreciation for the community’s support and gave an overview of the local chapter Boy Scout history. She introduced the four units represented; Troop 101, Troop 226, Troop 155 and Pack 155.

Michael Peach, Boy Scout Troop 226, also expressed his troop’s appreciation for the support of scouting activities within the community. He thanked Geoff English and Jim Lewis for going above and beyond to help each scout.

Ingrid Olson, District Executive of the Del Norte District of the Los Padres Council Boy Scouts of America, distributed to the Council a copy of the Los Padres Council’s 2007 Annual Report and also welcomed interested individuals to the Boy Scouts wine and chocolate tasting fundraiser on May 8th. She thanked Council Member O’Malley for being an honorary chair and for hosting this event. (Handout, Exhibit A)

2. Employee Service Awards

City Manager Wade McKinney presented Employee Service Awards to Michelle Schamber, Scott Pipan, and Jason Smith. He also recognized Thomas Gandy for his achievements.

A. CONSENT CALENDAR:

1. City Council Meeting Minutes – February 26, 2008

- City Clerk Recommendation: Council approve the City Council Meeting Minutes of February 26, 2008. [City Clerk]

2. October 2007 Investment Report

- Fiscal Impact: None.
- Recommendation: Council approve the City Treasurer’s report for October 2007. [City Treasurer]

3. January 2008 Accounts Payable and Payroll

- Fiscal Impact: \$2,060,974.55.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for January 2008. [Administrative Services]

4. Temporary Road Closure – Waterfest 2008

- Fiscal Impact: Waiver of \$190.00 road closure fee.
- Recommendation: Council approve a request by the Public Works Department for the closure of Palma Avenue between East Mall and West Mall, on Saturday, May 3, 2008, from 7:00 a.m. to 8:00 p.m. for Waterfest 2008. [Public Works]

5. Atascadero SCADA System Project – Engineering Design Services

- Fiscal Impact: \$42,500 in budgeted Wastewater Funds.
- Recommendation: Council authorize the City Manager to execute a contract with Freitas Plus Freitas Engineering and Planning Consultants, Inc., in the amount of \$42,500.00 for Preparation of Technical Specifications and Construction Phase Services for a new Supervisory Control And Data Acquisition system (SCADA) for the City's wastewater collection system. [Public Works]

6. Final Map 2008-0162 (Parcel Map AT 07-0074) – 5440 Traffic Way (TPM 2007-0088) – Habitat for Humanity

- Description: Final Map approves the division of a 9,345 square foot lot into four lots.
- Fiscal Impact: None.
Recommendations: Council:
 1. Adopt and approve Final Parcel Map 2008-0162 (Parcel Map AT 07-0074); and
 2. Authorize and direct the City Clerk to endorse the Council's approval on the Map. [Public Works]

Items pulled: Council Member O'Malley pulled Item #A-6.

**MOTION: By Council Member Luna and seconded by Council Member Clay to approve Items #A-1, 2, 3, 4, and 5.
*Motion passed 5:0 by a roll-call vote.***

Item #A-6:

Council Member O'Malley announced that he owns property within 500 feet of this Final Map and will need to abstain from voting and is required to leave the room during the Council's vote.

Council Member O'Malley left the room.

PUBLIC COMMENT – None.

MOTION: By Mayor Pro Tem Béraud and seconded by Council Member Luna to approve Item #A-6.
Motion passed 4:0 by a roll-call vote. (O'Malley abstained)

Council Member O'Malley rejoined the hearing.

COUNCIL ANNOUNCEMENTS AND REPORTS:

1. Council Member O'Malley

- a. Resolution of Support** – for naming State Highway 41, from 101 east to Creston Road the Robert & Pat Nimmo Highway

Council Member O'Malley explained that Assemblyman Sam Blakeslee and many of the former Mayors of Atascadero are requesting the Atascadero City Council submit a Resolution of Support for the naming of State Highway 41, from 101 east to Creston Road the Robert & Pat Nimmo Highway.

PUBLIC COMMENT

Ray Johnson, former Mayor, gave a brief history of Robert Nimmo's service to local, state and national communities. He asked for the Council's support for the naming of the Highway.

Eddie Knight, spoke for Pat Nimmo and asked that she be added to the Resolution.

Bob Wilkins, former Mayor, encouraged the Council to approve this Resolution as both Pat and Robert Nimmo served our community well.

Mayor Brennler closed the Public Comment period.

MOTION: By Council Member Clay and seconded by Council Member O'Malley to support the naming of State Highway 41, from 101 east to Creston Road, The Robert & Pat Nimmo Highway, and submit a Resolution of Support.
Motion passed 5:0 by a roll-call vote.

COMMUNITY FORUM:

Joan O'Keefe, read from an email she had sent Warren Frace back in November inquiring about the property along Traffic Way that Gearhart was going to donate to the Vets Memorial. She asked at what point the issue with the title will be taken care of so that it can be recorded properly at the County Assessor's office. She also inquired when the \$30,000 in Redevelopment Funds, approved back in February 2007 to be used to hire a historic consultant, would be brought to the Council for appropriate action.

Tom Gaddis, Ministerial Association and 33 year community member, thanked the Council for their service and expressed his care and concern for the community. He led the meeting with a prayer.

Mayor Brennler closed the Community Forum period.

Community Development Director Warren Frace answered Ms. O'Keefe's question pertaining to the Gearhart property. He said there was a recording problem with the property and that staff is working with the City Attorney to get it resolved. This item will be presented on the next agenda.

City Manager Wade McKinney responded to Ms. O'Keefe's inquiry about the historic consultant. He said that it will be part of the Redevelopment Agency budget amendments that will be presented to the Board on May 13th.

C. MANAGEMENT REPORTS:

1. Economic Development Strategy Consultant Selection

- Fiscal Impact: Depending on the consultant selected and the level of public outreach and input, the cost of developing the strategy will range from \$43,000-\$122,000. Related support costs and costs for the public process are estimated to be \$20,000. Funding has been appropriated in the Redevelopment Agency budget for this purpose.
- Recommendation: Council select an economic development consultant to update the City's Economic Development Strategy and authorize the City Manager to execute a contract with the selected consultant. [City Manager's Office]

Mayor Brennler announced that one of the applicants, PMC, missed their flight and is unable to attend.

Assistant City Manager Jim Lewis read the email received at 1:00 p.m. today from Kendall Flint, Project Manager with PMC. (Exhibit B)

There was Council consensus to continue with the interviews.

Council Member O'Malley asked that the letter sent to the City by Chabin, the firm that has declined to be interviewed by the Council, be read into the record by the City Clerk.

After discussion, there was Council consensus to have the Chabin letter read into the record.

City Clerk Marcia McClure Torgerson read the Chabin letter into the record. (Exhibit C)

Assistant City Manager Jim Lewis gave a brief orientation on the background and process for selecting the consultant and answered questions of the Council.

Council Member O'Malley asked questions of the City Attorney and the City Manager concerning Council policy on the selection of consultants.

Mayor Brennler recessed the meeting at 7:35 p.m.

Mayor Brennler called the meeting back to order at 7:50 p.m.

Alan Cox, TIP Strategies, gave his presentation in conjunction with Dan Houston, Civic Economics, for the Economic Development Strategy Consultant position and answered questions of Council.

Dan Houston, Civic Economics, gave his presentation in conjunction with Alan Cox, TIP Strategies, for the Economic Development Strategy Consultant position and answered questions of Council.

Mayor Brennler recessed the meeting at 9:15 p.m.

Mayor Brennler called the meeting to order at 9:25 p.m.

Doug Svensson, Applied Development Economics (ADE), gave his presentation for the Economic Development Strategy Consultant position and answered questions of Council.

Kathie Studwell, Applied Development Economics (ADE), gave her presentation for the Economic Development Strategy Consultant position and answered questions of Council.

Irv Hamilton, Applied Development Economics (ADE), gave his presentation for the Economic Development Strategy Consultant position and answered questions of Council.

PUBLIC COMMENT

Chuck Ward, said that he has changed his mind, and he now recommends that the Council hire a consultant for this study. He also asked that the household and business study address the issue of why Atascadero has such a poor business friendly reputation.

Jim Shannon stated he encourages the Council to hire Applied Development Economics. He strongly disagrees that the public is responsible for the perception of our City; he believes that the City Council is responsible for that perception.

Mayor Brennler closed the Public Comment period.

A discussion ensued amongst the Council Members.

MOTION: By Council Member O'Malley and seconded by Council Member Luna to select Applied Development Economics as the Economic Development Strategy Consultant, including the survey.
Motion passed 5:0 by a roll-call vote.

MOTION: By Council Member Luna and seconded by Council Member Clay to go past 11:00 p.m.
Motion failed 2:3 by a roll-call vote. (Béraud, Brennler and O'Malley opposed)

2. City of Atascadero Employee Ethics Survey and Follow-up

- Fiscal Impact: \$5,000.
- Recommendation: Council receive and file this report. [City Manager's Office]

This item was continued.

3. Planning Commission Requests

- Fiscal Impact: Will depend on Council's direction.
- Recommendation: Council give staff direction on interpretation of abstention vote, drive-through policy development, and tree mitigation fee review. [City Manager's Office]

This item was continued.

C. COMMITTEE REPORTS: None.

D. INDIVIDUAL DETERMINATION AND/OR ACTION: None.

E. ADJOURNMENT:

Mayor Brennler adjourned the meeting at 11:00 p.m. to the next regularly scheduled meeting of the City Council on April 22, 2008.

MINUTES PREPARED BY:

Marcia McClure Torgerson, C.M.C., City Clerk

The following exhibits are available for review in the City Clerk's office:

Exhibit A – Los Padres Council, Boy Scouts of America, 2007 Annual Report

Exhibit B – Email from Kendall Flint, of PMC, dated April 8, 2008

Exhibit C – Letter from Audrey E. Taylor, of Chabin, dated February 29, 2008