CITY OF ATASCADERO
CITY COUNCIL

DRAFT ACTION MINUTES

Tuesday, April 12, 2011

City Hall
Council Chambers
6907 El Camino Real, Atascadero, California
6:00 P.M.

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

Mayor O'Malley called the meeting to order at 6:03 p.m.

Mayor O'Malley introduced Scoutmaster John Marc Wiemann of Troup 101 who led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Fonzi, Sturtevant, Mayor Pro Tem Kelley and Mayor O’Malley

Absent: Council Member Clay

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 Development Director Warren Frace, Public Works Director Russ Thompson, Community Services Director Brady Cherry, Acting Police Chief Steve Gesell, Fire Chief Kurt Stone, and City Attorney Brian Pierik.
APPROVAL OF AGENDA: Roll Call

MOTION: By Council Member Sturtevant and seconded by Mayor Pro Tem Kelley to approve the agenda.  

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

A. CONSENT CALENDAR:

   • Recommendation: Council approve the City Council Draft Action Minutes of March 8, 2011. [City Clerk]

   • Recommendation: Council approve the City Council Draft Action Minutes of March 22, 2011. [City Clerk]

3. February 2011 Accounts Payable and Payroll
   • Fiscal Impact: $1,845,104.38.
   • Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for February 2011. [Administrative Services]

4. Downtown Transit Center Design Contract Change Order
   • Fiscal Impact: $15,355.00 for Change Order No. 3, to be paid from budgeted Transit Center Design funds.
   • Recommendations: Council:
     1. Authorize the City Manager to sign Change Order #3 for $15,355.00 with Wallace Group, Inc. for design of streetscape improvements to Capistrano Ave; and,
     2. Authorize the City Manager to approve any minor additional change orders up to $3,000.00. [Public Works]

MOTION: By Council Member Fonzi and seconded by Mayor Pro Tem Kelley to approve the Consent Calendar.  

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

UPDATES FROM THE CITY MANAGER:

City Manager Wade McKinney and Public Works Director Russ Thompson gave an update on projects and issues within the City. (Exhibit A)

Council Member Fonzi asked for Council consensus to have staff prepare a letter to Supervisor Patterson asking him to stand with the residents of Atascadero against the
unfunded mandates and against the issues put forth by the Regional Water Quality Control Board.

There was Council consensus to direct staff to prepare a letter to Supervisor Patterson asking him to stand with the residents of Atascadero against the unfunded mandates and against the issues put forth by the Regional Water Quality Control Board.

COMMUNITY FORUM:


Mayor O’Malley closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS: None.

C. MANAGEMENT REPORTS:

1. **Historic City Hall Project Bid Awards: ACH-05 Concrete Piles, Structural Foundation, Earthwork and Cast-in-Place Concrete (Structural Stabilization)**
   - Fiscal Impact: $3,703,000 in budgeted City Hall Project Funds including funding from FEMA, CalEMA and the Atascadero Community Redevelopment Agency.
   - Recommendations: Council:
     1. Award bid to, and authorize the City Manager to execute a contract with, Wysong Construction in the amount of $3,703,000.00 for the ACH-05 Structural Stabilization services for the Historic City Hall Project; and,
     2. Authorize the Director of Public Works to file a Notice of Completion with the County Recorder upon satisfactory completion of the project. [Administrative Services]

Administrative Services Director Rachelle Rickard gave the staff report and answered questions from the Council.

PUBLIC COMMENT: None
MOTION: By Mayor Pro Tem Kelley and seconded by Council Member Fonzi to:
1. Award bid to, and authorize the City Manager to execute a contract with, Wysong Construction in the amount of $3,703,000.00 for the ACH-05 Structural Stabilization services for the Historic City Hall Project; and,
2. Authorize the Director of Public Works to file a Notice of Completion with the County Recorder upon satisfactory completion of the project.

Motion passed 4:0 by a roll-call vote. (Contract #2011-012)

2. Water Conservation Plan for Atascadero Parks
   - Fiscal Impact: Implementation of the above recommended water conservation measures will result in the potential reduced expenditures of as much as $15,500 for irrigation purposes in calendar year 2011.
   - Recommendations: Council:
     1. Approve the proposed water conservation Action measures for various turf areas in Atascadero City operated parks; and,
     2. Authorize City staff to impose supplemental irrigation charges, up to 15% of the 2010 AMWC charges, to user groups for specialized turf areas where the 15% water conservation target is not met. [Public Works]

Public Works Director Russ Thompson gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Lee Perkins, Jim Wilkins, Mike Brennler and Tom Comar.

Mayor O'Malley closed the Public Comment period.

Council Member Fonzi suggested that the Council direct staff to return to the Council meeting of April 26, 2011 with options that are available to the Council including the Council meeting with the Water Board and include the public.

There was Council consensus to direct staff to return to the Council meeting of April 26, 2011 with options that are available to the Council, including meeting with the Mutual Water Board in a joint meeting to discuss a partnership with them for maintaining the community’s parks.

Council Member Fonzi asked staff to forward the Mutual Water Company’s Mission Statement to the Council.
Mr. Brennler interrupted the meeting, speaking from the audience, stating that his question was not answered.

City Attorney Pierik stated that the Council should not allow members of the public to speak from the audience without being recognized.

Mayor O’Malley acknowledged Mr. Pierik’s comment, and asked Administrative Services Director Rickard to answer Mr. Brennler’s question, which she did.

Council Member Fonzi asked that it be included in the record that Mr. Brennler left the meeting before hearing the answer to his question.

   - **Fiscal Impact:** None.
   - **Recommendation:** Planning Commission recommends the City Council:
     - Direct staff to submit the attached 2010 Housing Element Annual Progress Report to the State of California Department of Housing and Community Development. [Community Development]

Community Development Director Warren Frace gave the staff report and answered questions from the Council.

**PUBLIC COMMENT:** None

**MOTION:** By Council Member Fonzi and seconded by Council Member Sturtevant to direct staff to submit the attached 2010 Housing Element Annual Progress Report to the State of California Department of Housing and Community Development. *Motion passed 4:0 by a roll-call vote.*

4. **Strategic Planning 2011 Council Goals and Action Plan**
   - **Fiscal Impact:** While there is no direct impact as a result of the approval of this work plan, future budgets will be based on these goals, and specific projects may require the expenditure of funds or additional resources.
   - **Recommendations:** Council:
     1. Adopt the goals selected at the Strategic Planning Workshop of January 28-29, 2011; and,
     2. Approve the related action plans implementing Council Goals. [City Manager]

City Manager Wade McKinney gave the staff report and answered questions from the Council.
There was Council consensus to prioritize in the list of commercial hot spots, the Kmart property (vacant lot at the corner of El Camino Real and San Anselmo) as with the City’s assistance in developing alternatives to access to the site, the development of the property will be more successful.

There was Council consensus regarding the list of goals under Stabilize the City’s Finances, to expand the goal “Oppose State Takeaways” to include, “and State generated unfunded mandates.”

PUBLIC COMMENT: None

MOTION: By Mayor O’Malley and seconded by Council Member Sturtevant to:
1. Adopt the goals selected at the Strategic Planning Workshop of January 28-29, 2011; and,
2. Approve the related action plans implementing Council Goals.

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

COUNCIL ANNOUNCEMENTS AND REPORTS:

Mayor O’Malley announced that May is Bike Month and he wants the Council to do something to recognize the designation. He stated that on Friday, May 13th he plans on starting at Santa Rosa School and biking down Santa Rosa to the Veterans’ Memorial. He invited the other Council Members to participate and asked staff to invite the Bike Plan Committee members too.

D. COMMITTEE REPORTS:

Mayor O’Malley
1. County Mayors Round Table – next meeting is in San Luis Obispo. Mayor Pro Tem Kelley will be attending for the Mayor.
2. SLO Council of Governments (SLOCOG) – following up on landscaping funding for the 101/41 project.
3. SLO Regional Transit Authority (SLORTA) – Executive meeting tomorrow in Paso Robles.

Mayor Pro Tem Kelley
1. Homeless Services Oversight Council – shared the Urban Futures report on affordable housing.
Council Member Fonzi  
1. Air Pollution Control District – discussed lawsuit that will limit cap and trade. Also, Oceano dunes continues to be discussed regarding the dust created by off-road vehicles.

Council Member Sturtevant  
1. City / Schools Committee – discussed the School District’s Bond sales and the options available to them.

E. INDIVIDUAL DETERMINATION AND / OR ACTION: None

F. ADJOURNMENT:

Mayor O’Malley adjourned the meeting at 8:27 p.m.

MINUTES PREPARED BY:

____________________________________
Marcia McClure Torgerson, C.M.C.
City Clerk / Assistant to the City Manager

The following exhibit is available for review in the City Clerk’s office:

Exhibit A – Comment letter to Central Coast Regional Water Control Board, dated April 12, 2011