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

Mayor Fonzi called the meeting to order at 6:02 p.m. and Boy Scout Troup #155 led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Clay, O’Malley, Kelley, Béraud and Mayor Fonzi

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

MOTION: By Council Member Clay and seconded by Council Member Béraud to approve the agenda.  
Motion passed 5:0 by a roll-call vote.

PRESENTATION:

1. Savor the Central Coast Recap, by Steve Martin, City of Atascadero Marketing Consultant

Mr. Martin gave the City Council a summary of the event held at the Santa Margarita Ranch, September 30th through October 2nd.

A. CONSENT CALENDAR:

1. City Council Meeting Draft Action Minutes – September 14, 2010
   - Recommendation: Council approve the City Council Meeting Draft Action Minutes of September 14, 2010. [City Clerk]

2. City Council Meeting Draft Action Minutes – September 28, 2010
   - Recommendation: Council approve the City Council Meeting Draft Action Minutes of September 28, 2010. [City Clerk]

3. City Council / Parks & Recreation Commission Special Joint Meeting Draft Action Minutes – September 28, 2010
   - Recommendation: Council approve the City Council / Parks & Recreation Commission Special Joint Meeting Draft Action Minutes of September 28, 2010. [City Clerk]

4. August 2010 Accounts Payable and Payroll
   - Fiscal Impact: $2,504,745.25.
   - Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for August 2010. [Administrative Services]

5. Atascadero Lake Park Watercraft and Recreation Equipment Concession Operation
   - Fiscal Impact: A revenue of $2500.00 plus 9% of their gross receipts.
   - Recommendation: Council authorize the City Manager to execute an agreement with Atascadero Kayak and Sail for concession operation at Atascadero Lake Park for a period of two years. [Community Services]
6. **Pre-Qualification Procedure for Ach-08 Bid on Historic City Hall Project**
   - **Fiscal Impact:** The authorization of a pre-qualification process for the Historic City Hall Bid Package ACH-08 will result in no fiscal impact to the City. It may, however, reduce the risk of a potential loss of FEMA funding and exposure to other claims.
   - **Recommendation:** Council adopt the attached Draft Resolution, authorizing the procedure for pre-qualification of contractors for Bid Package ACH-08 on the Historic City Hall Project. [Public Works]

   **MOTION:** By Mayor Pro Tem O’Malley and seconded by Council Member Kelley to approve the Consent Calendar.
   *Motion passed 5:0 by a roll-call vote, (#A-5: Contract No. 2010-019, #A-6: Resolution No. 2010-069)*

**UPDATES FROM THE CITY MANAGER:**

City Manager Wade McKinney gave an update on projects and issues within the City.

**COMMUNITY FORUM:**

The following citizens spoke during Community Forum: Joanne Main, Ron Wreeseman, Jim Wilkins, and Steve Martin.

**B. PUBLIC HEARINGS:** None.

**C. MANAGEMENT REPORTS:**

1. **PPN 2004-0141 Amendment - Atascadero City Hall Repair and Rehabilitation Project Certification of Amended Mitigated Negative Declaration (City of Atascadero)**
   - **Ex Parte Communications:**
   - **Fiscal Impact:** Costs associated with the tree removals are unknown at this time. Bernard’s will be releasing a request for proposal to obtain bids for the five tree removals.
   - **Recommendation:** Council adopt Draft Resolution A, certifying the historic Atascadero City Hall Rehabilitation and Rehabilitation Project Amended Mitigated Negative Declaration 2006-0038, which includes removal of four Deodar Cedar trees and one Italian Cypress tree with incorporated mitigation. [Community Development]**
Community Development Director Warren Frace gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Michael Bova, Cory Meyer, Rick Mathews, Dan Huff (spoke twice), Anthony Verde, Jim Wilkins, and Tom Lewis.

Mayor Fonzi closed the Public Comment period.

MOTION:  By Council Member Clay and seconded by Mayor Pro Tem O’Malley to adopt Draft Resolution A, certifying the historic Atascadero City Hall Rehabilitation and Rehabilitation Project Amended Mitigated Negative Declaration 2006-0038, which includes removal of four Deodar Cedar trees and one Italian Cypress tree with incorporated mitigation.

There was Council discussion regarding the effects on the construction timeline if they were to change their direction on which trees they want removed, and which trees they want to remain.

Staff asked for a recess to confer.

Mayor Fonzi recessed the meeting at 7:30 p.m.

Mayor Fonzi reconvened the meeting at 7:40 p.m.

City Manager McKinney explained to the City Council that if the Council chose to remove different trees than they had originally directed, or chose to remove all the trees, it would delay the project at least 6 weeks to re-circulate the mitigated negative declaration, and additional time to rewrite and re-circulate the bid packages that have already been circulated and are returning from contractors.

MOTION:  By Council Member Clay and seconded by Mayor Pro Tem O’Malley to adopt Draft Resolution A, certifying the historic Atascadero City Hall Rehabilitation and Rehabilitation Project Amended Mitigated Negative Declaration 2006-0038, which includes removal of four Deodar Cedar trees and one Italian Cypress tree with incorporated mitigation. Motion passed 4:1 by a roll-call vote. (Béraud opposed) (Resolution No. 2010-070)
2. **Council Review and Direction - California Green Building Standards Code (CALGreen)**
   - **Fiscal Impact:** Although there will be a modest increase in plancheck review items and additional field inspection verification items, Staff anticipates no increased staffing or fees to cover the additional workload.
   - **Recommendation:** Council review the requirements in the upcoming California Green Building Code, and direct Staff to prepare a draft ordinance that does not include adoption of the optional CALGreen appendices. [Community Development]

Community Development Building Official Ken Forman gave the staff report and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: Joanne Main, and Len Colamarino.

*Mayor Fonzi closed the Public Comment period.*

*There was unanimous consensus of the Council to direct Staff to prepare a draft ordinance that does not include adoption of the optional CALGreen appendices.*

**COUNCIL ANNOUNCEMENTS AND REPORTS:** None

**D. COMMITTEE REPORTS:**

*Mayor Fonzi*

County Mayors Round Table - Mayors discussed Proposition 22

*Mayor Pro Tem O'Malley*

League of California Cities – Council Liaison and CITIPAC Board Member – Mayor Pro Tem O'Malley announced that there was a League meeting last night concerning Proposition 22 and it went well.

SLO Council of Governments, President (SLOCOG) – Discussed CalTrans' desire to expand Highway 101 to 6 lanes in the future.

SLO Regional Transit Authority, President (SLORTA) – Council Member O'Malley asked for input from the community on the transit system.
Council Member Kelley  
Atascadero Youth Task Force – The first meeting of the school year was this week. Council Member Kelley suggested to the youth representatives to get more involved with government.

E. INDIVIDUAL DETERMINATION AND / OR ACTION: None

F. ADJOURNMENT:

Mayor Fonzi adjourned the meeting at 8:10 p.m.

MINUTES PREPARED BY:

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