CITY OF ATASCADERO
CITY COUNCIL

DRAFT ACTION MINUTES

Tuesday, December 14, 2010

City Hall
Council Chambers
6907 El Camino Real, Atascadero, California

Community Redevelopment Agency
Meeting: 6:00 P.M.

City Council
Regular Session: Immediately following the conclusion of the Community Redevelopment Agency meeting

REDEVELOPMENT AGENCY: 6:00 P.M.

REGULAR SESSION – CALL TO ORDER: Immediately following the conclusion of the Community Redevelopment Agency meeting

Mayor Fonzi called the meeting to order at 7:05 p.m. and Council Member Clay led the Pledge of Allegiance.

ROLL CALL:

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

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Absent: Council Member Kelley

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 4:0 by a roll-call vote.*

Mayor Fonzi shared some highlights of the City’s accomplishments during 2010, using a PowerPoint presentation.

A. CONSENT CALENDAR:

1. **City Council Meeting Draft Action Minutes – November 23, 2010**
   - Recommendation: Council approve the City Council Meeting Draft Action Minutes of November 23, 2010. [City Clerk]

2. **Reciting the Fact of the General Municipal Election Held on November 2, 2010.**
   - Fiscal Impact: None.
   - Recommendation: Council adopt the Draft Resolution, reciting the fact of the General Municipal Election held on November 2, 2010, declaring the result and such other matters as provided by law. [City Clerk]

3. **City Council 2011 Meeting Schedule**
   - Fiscal Impact: None.
   - Recommendation: Council approve City Council meeting schedule for 2011. [City Clerk]

4. **October 2010 Accounts Payable and Payroll**
   - Fiscal Impact: $2,325,932.96.
   - Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for October 2010. [Administrative Services]
5. **Parks & Recreation Commission Youth Representative Appointment**
   - **Fiscal Impact:** None.
   - **Recommendation:** Sub-committee recommends: Council appoint Luke Thek to the Parks & Recreation Commission’s Youth Representative position. [City Clerk]

6. **Final Map 2010-0174 (Parcel Map AT 03-0258) 5190 Portola Road (TPM 2004-0057) Ed Nolan**
   - **Fiscal Impact:** None.
   - **Recommendations:** Council:
     1. Adopt and approve Final Parcel Map 2010-0174 (Parcel Map AT 03-0258); and,
     2. Authorize and direct the City Clerk to endorse the Council’s approval on the Map. [Public Works]

7. **Wastewater Treatment Plant Head-works/Bar-screen Project Design Award**
   - **Fiscal Impact:** Approval of this agreement will result in the expenditure of $99,000.00 previously budgeted Wastewater funds for this capital improvement project.
   - **Recommendation:** City Council authorize the City Manager to execute an agreement with AECOM Inc. in the amount of $99,000.00, for engineering design to prepare working drawings, plans and specification for a pre-screening facility at the head-works of the Atascadero Wastewater Treatment Plant. [Public Works]

**MOTION:** By Council Member Clay and seconded by Council Member Béraud to approve the Consent Calendar. *Motion passed 4:0 by a roll-call vote. (#A-2: Resolution No. 2010-076, #A-7: Contract No. 2010-023)*

**OATHS OF OFFICE:**

1. **Administration of Oaths of Office** – Newly-elected Council Members Tom O’Malley and Brian Sturtevant, City Clerk Marcia McClure Torgerson, and City Treasurer Joseph Modica will be sworn in by Deputy City Clerk, Victoria Randall.

   Deputy City Clerk Victoria Randall administered the Oaths of Office.

**PRESENTATION:**

1. **Presentation to Outgoing Council Member Ellen Béraud**
Mayor Fonzi presented an engraved obelisk to outgoing Council Member Béraud expressing appreciation for her service.

**RECESS:** The Mayor called a recess for the City Council reception.

**RECONVENE:** The Mayor reconvened the City Council at the conclusion of the City Council reception.

**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: Jim Patterson, Grenda Ernst, Steve Martin, and Joanne Main.

*Mayor Fonzi closed the COMMUNITY FORUM period.*

**B. PUBLIC HEARINGS:**

1. **New 2010 California Building and Fire Codes**

   **a. Supplemental Report -Response to Questions from City Council Concerning Recommended Fire Code Modifications**

   - Ex Parte Communications:
   - Fiscal Impact: Staff expects minimal fiscal impact from the adoption of the new building codes as recommended by staff. If the City Council directs staff to make the sprinkler requirements less restrictive than recommended, the size and frequency of fires could increase along with the duration of time staff is committed on these fires, which will result in increased use of overtime.
   - Recommendation: Council accept Staff’s original recommendation on sprinkler requirements, as proposed in the staff report heard by the Council on November 23, 2010. [Fire]

   Fire Chief Kurt Stone gave the staff report and answered questions from the Council.

   **PUBLIC COMMENT:** None
MOTION: By Mayor Pro Tem O’Malley and seconded by Council Member Clay to amend the proposed Ordinance with the following exception under Title 4 regarding sprinklers: Group U occupancy buildings that are open on at least three sides and not greater than 3,000 square feet.  
Motion passed 4:0 by a roll-call vote.

b. Adoption of New 2010 California Building Codes; Modifications to Atascadero Municipal Code: Title 8 Building Regulations and Adoption of the New 2010 California Fire Code; Modifications to the Atascadero Municipal Code: Title 4 Fire Regulations
- Ex Parte Communications:
- Fiscal Impact: Staff expects minimal fiscal impact from the adoption of the new building codes.
- Recommendation: Council introduce for first reading by title only, Draft Ordinance A adopting the mandated California Building Codes, the International Property Maintenance Code, the California Fire Code, and the International Wildland Interface Code with proposed local amendments contained in Title 8 and Title 4 of the Atascadero Municipal Code. [Community Development]

MOTION: By Mayor Pro Tem O’Malley and seconded by Council Member Clay to introduce for first reading by title only, Draft Ordinance A adopting the mandated California Building Codes, the International Property Maintenance Code, the California Fire Code, and the International Wildland Interface Code with proposed local amendments contained in Title 8 and Title 4 of the Atascadero Municipal Code, with the following exception under Title 4 regarding sprinklers: Group U occupancy buildings that are open on at least three sides and not greater than 3,000 square feet.
Motion passed 4:0 by a roll-call vote.

C. MANAGEMENT REPORTS:

1. **2011 Community Development Block Grants – Draft Recommendations**
   - Fiscal Impact: Available funds are estimated at $202,000 for the 2011 cycle.
   - Recommendations: Council develop and adopt draft funding recommendations for the 2011 Community Development Block Grant (CDBG) funds. [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: Rich Wood, Bernadette Bernardi, Eric Michaelson, Terry Sherman, Len Colamarino, Rae Fleming,

**Mayor Fonzi closed the Public Comment period.**

The City Council discussed the requests and submitted their preferences in writing to staff to tabulate.

**Mayor Fonzi recessed the meeting at 8:50 p.m.**  
**Mayor Fonzi reconvened the meeting at 9:00 p.m.**

The City Council reviewed the tabulation and negotiated consensus on each line item (see below).

<table>
<thead>
<tr>
<th>CDBG 2011</th>
<th>Requested</th>
<th>Consensus</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Facilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Atascadero – Handicapped Accessibility - Barrier Removal Projects</td>
<td>150,000</td>
<td>108,300</td>
</tr>
<tr>
<td>North County Women’s Shelter – Restroom Renovation</td>
<td>13,000</td>
<td>13,000</td>
</tr>
<tr>
<td>North County Connection – Sober Living Center</td>
<td>5,000</td>
<td>-</td>
</tr>
<tr>
<td>People’s Self Help Housing – Improvement to existing facility</td>
<td>23,687</td>
<td>10,000</td>
</tr>
<tr>
<td><strong>TOTAL PUBLIC FACILITIES</strong></td>
<td>191,687</td>
<td>131,300</td>
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<tr>
<td><strong>Public Services – Limited to 15% of 2011 Allocation ($30,300)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Atascadero Community Services Foundation – Youth Activity Scholarships</td>
<td>8,000</td>
<td>2,300</td>
</tr>
<tr>
<td>Atascadero Loaves and Fishes – Operation of Food Pantry</td>
<td>15,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Big Brothers Big Sisters – Operating Expenses, Mentor Program</td>
<td>5,000</td>
<td>-</td>
</tr>
<tr>
<td>CAPSLO – Senior Health Screening</td>
<td>2,750</td>
<td>-</td>
</tr>
<tr>
<td>CAPSLO – Forty Wonderful Program</td>
<td>2,750</td>
<td>-</td>
</tr>
<tr>
<td>CAPSLO – Teen Academic Parenting Program</td>
<td>2,750</td>
<td>-</td>
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<tr>
<td>El Camino Homeless Organization – Operations</td>
<td>15,000</td>
<td>15,000</td>
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<tr>
<td>Literacy Council – Atascadero Program*</td>
<td>4,000</td>
<td>1,000</td>
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<tr>
<td>Senior Nutrition Program for SLO County – Hot Lunch for Seniors</td>
<td>5,000</td>
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<tr>
<td>Transitional Food and Shelter – Shelter for Medically Fragile</td>
<td>5,000</td>
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<tr>
<td><strong>TOTAL PUBLIC SERVICES</strong></td>
<td>65,250</td>
<td>30,300</td>
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<tr>
<td><strong>Economic Development – Charged against 20% Administrative Cap</strong></td>
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<tr>
<td>Mission Community Services – Women’s Business Program</td>
<td>5,000</td>
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</table>
**Administration – Limited to 20% of 2011 Allocation ($40,400)**

<table>
<thead>
<tr>
<th>City Program Administration Costs</th>
<th>40,400</th>
<th>40,400</th>
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<tbody>
<tr>
<td><strong>TOTAL ECONOMIC DEVELOPMENT/ADMINISTRATION</strong></td>
<td>45,400</td>
<td>40,400</td>
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<tr>
<td>Total Funds Requested / Recommendations</td>
<td>302,337</td>
<td>202,000</td>
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<tr>
<td>Estimated Total Funding Available</td>
<td>202,000</td>
<td>-</td>
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</tbody>
</table>

**MOTION:** By Mayor Pro Tem O’Malley and seconded by Council Member Sturtevant to adopt draft funding recommendations for the 2011 Community Development Block Grant (CDBG) funds (see above).

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

2. **Fiscal Year 2009-2010 Audit**

- **Fiscal Impact:** None.
- **Recommendation:** Council review and accept the financial audit for the period ended June 30, 2010. [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 O’Malley and seconded by Council Member Clay to accept the financial audit for the period ended June 30, 2010.

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

**COUNCIL ANNOUNCEMENTS AND REPORTS:**

Council Member Clay asked everyone to visit shut-ins or people in convalescent homes during the holiday season; it means a lot to them.

Mayor Fonzi suggested Brian Sturtevant attend the CAPSLO dinner on December 16th.

City Manager McKinney announced that staff has prepared a letter to be signed by the Mayor in opposition to the Census’ desire to reduce the jump distance from 2 ½ to 1 ½ miles between cities.
There was Council consensus to direct staff to prepare a letter to be signed by the Mayor regarding the City’s position concerning the Paso Robles Groundwater Basin.

D. COMMITTEE REPORTS:

Mayor Fonzi
Air Pollution Control District (APCD) – They have renewed the contract with their Director, Larry Allen.
County Mayor’s Roundtable – Mary Ann Reiss is no longer the Mayor of Pismo Beach, and has been appointed by the Governor to the Coastal Commission.

Mayor Pro Tem O’Malley
SLO Regional Transit Authority, President (SLORTA) – Paso Robles has had some difficulties achieving some requirements regarding transportation, and this has impacted our bus route. Staff is looking into the issue.
SLO Council of Governments, President (SLOCOG) – SLOCOG is concerned about the Census’ desire to reduce the jump distance from 2 ½ to 1 ½ miles between cities. This would lump us with Templeton and Paso Robles. This could result in a $600,000 loss to Atascadero and Paso Robles of Federal funds for transportation.
California Council of Governments (CALCOG) – Pretty gloomy; hard decision to be made.

E. INDIVIDUAL DETERMINATION AND / OR ACTION:

City Clerk
City Clerk Torgerson announced she is accepting applications for the Planning Commission and Parks and Recreation Commission.

F. ADJOURNMENT:

Mayor Fonzi adjourned the meeting at 9:30 p.m.

MINUTES PREPARED BY:

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