DRAFT ACTION MINUTES

Tuesday, January 11, 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 6:00 p.m. and Mayor Pro Tem Kelley led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Clay, Fonzi, Kelley, Sturtevant and Mayor O'Malley

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, 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 Council Member Clay to approve the agenda.  
Motion passed 5:0 by a roll-call vote.

A. CONSENT CALENDAR:

   Recommendation: Council approve the City Council Meeting Draft Action Minutes of December 14, 2010. [City Clerk]

2. City Council 2011 Meeting Schedule (Revised)  
   Fiscal Impact: None.  
   Recommendation: Council approve the revised City Council meeting schedule for 2011. [City Manager]

3. Traffic Signal Maintenance Services Award  
   Fiscal Impact: $1,428.00 per month between January 1, 2011, and January 3, 2014.  
   Recommendation: Council authorize the City Manager to execute a contract with Lee Wilson Electric in the amount of $51,408.00 to provide monthly traffic signal maintenance services for three years. [Public Works]

4. Las Lomas Landscape and Lighting District – Landscape Maintenance Services Award  
   Fiscal Impact: The City’s share for Open Space Maintenance is currently estimated at $1,800.00 per year.  
   Recommendation: Council authorize the City Manager to execute an agreement with Madrone Landscapes, Inc., in the amount of $47,292.00 for annual landscape maintenance services in the Las Lomas Landscape and Lighting Assessment District. [Public Works]

5. Reject Streetscape Phase III Bids (City Bid No. 2009-014)  
   Fiscal Impact: The fiscal impact of rejecting the bids is minimal as there are no changes to the existing plans, specifications and contracts which have already been developed. Minor staff time and minimal advertisement costs will be the only proposed expenses to re-bid the project.  
   Recommendations: Council:  
   1. Reject all bids for the Streetscape Phase III project; and,  
   2. Authorize the Public Works Director to re-bid the project. [Public Works]
Council Member Kelley pulled Item #A-2.

**MOTION:** By Council Member Clay and seconded by Council Member Sturtevant to approve Items #A-1, 3, 4, & 5 of the Consent Calendar.  
*Motion passed 5:0 by a roll-call vote. (#A-3: Contract No. 2011-001, #A-4: Contract No. 2011-002)*

**Item #A-2:** Council Member Kelley suggested that the Council meet the second and fourth Tuesdays in July and August instead of just one meeting per month.

**MOTION:** By Council Member Fonzi and seconded by Council Member Sturtevant to approve Consent Calendar #2 as recommended.  
*Motion passed 5:0 by a voice vote.*

**UPDATES FROM THE CITY MANAGER:**

City Manager Wade McKinney gave an update on projects and issues within the City. Mr. McKinney introduced Mark Curran, of Piper Jaffray, who reviewed what the effects of the Governor’s State budget proposal could have on Atascadero.

Mr. McKinney asked the Council to call a Special Joint Meeting on Friday to allow staff to bring to the Council and RDA Board options regarding the Governor’s proposal to eliminate Redevelopment Agencies.

*There was Council consensus to call the Special Meeting for Friday concerning the Governor’s proposal to eliminate Redevelopment agencies.*

**COMMUNITY FORUM:**

The following citizens spoke during Community Forum: Terry Mathis, Marty Brown (Exhibit A), Lee Perkins, Judy Vick, Linda Ekata, Marty Gurdis, Ken Mallett, Grenda Ernst, Leslie Halls, Mike Brennler, Richard Grise, and Jim Patterson.

*Mayor O’Malley closed the COMMUNITY FORUM period.*
B. PUBLIC HEARINGS:

1. **Second Reading Title 4 / Title 8 Local Building Code and Fire Protection Code Adoption (City of Atascadero)**
   - Ex Parte Communications:
   - Fiscal Impact: There are no significant fiscal impacts.
   - Recommendation: Council adopt on second reading, by title only, Draft Ordinance A, repealing Title 8 (Building Regulations) and Chapter 7 of Title 4 (Fire Code), and amending Title 8 and Chapter 7 of Title 4 of the Municipal Code to adopt and amend the latest editions of the Construction and Fire Codes, and adopt findings of facts to support the imposition of requirements greater than the requirements established by or pursuant to the California Building Standards Code. [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 Clay to adopt on second reading, by title only, Draft Ordinance A, repealing Title 8 (Building Regulations) and Chapter 7 of Title 4 (Fire Code), and amending Title 8 and Chapter 7 of Title 4 of the Municipal Code to adopt and amend the latest editions of the Construction and Fire Codes, and adopt findings of facts to support the imposition of requirements greater than the requirements established by or pursuant to the California Building Standards Code, will the following amendment:

903.2 Exception #2 will read, “Group B and M occupancies whenever single or multiple additions will not exceed 1,000 square feet (92.9 m2) beyond the size of the structure on the effective date of this regulation or the total combined floor area will not exceed 5,000 square feet (464.5 m2), and provided a second story or greater is not added, and/or the occupancy is not changed to a more hazardous use.”

*Motion passed 5:0 by a roll-call vote. (Ordinance No. 553)*
C. MANAGEMENT REPORTS:

1. **Eagle Ranch Annexation and Specific Plan EIR Consultant Qualification Listing**
   - **Fiscal Impact:** None. The entire EIR consultant contract will be funded by the project applicant.
   - **Recommendations:** Council:
     1. Approve Exhibit A, ranking the top three qualified consultants to prepare an environmental impact report for the Eagle Ranch Specific Plan; and,
     2. Authorize the City Manager to negotiate and execute a contract with Michael Brandman & Associates, the number one ranked consultant. If an acceptable contract cannot be reached, the City Manager is authorized to negotiate with the next qualified consultant on the list.

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

**PUBLIC COMMENT:**

The following citizens spoke on this item: Jim Patterson and Len Colamarino.

*Mayor O’Malley closed the Public Comment period.*

**MOTION:** By Council Member Sturtevant and seconded by Council Member Clay to:

1. Approve Exhibit A, ranking the top three qualified consultants to prepare an environmental impact report for the Eagle Ranch Specific Plan; and,
2. Authorize the City Manager to negotiate and execute a contract with Michael Brandman & Associates, the number one ranked consultant. If an acceptable contract cannot be reached, the City Manager is authorized to negotiate with the next qualified consultant on the list.

*Motion passed 5:0 by a roll-call vote. (Contract No. 2011-003)*
2. **Historic City Hall Project Contract Awards: ACH-01 Deputy Inspection Services, and Hazardous Materials Consultant Services, and Construction Management / Project Management Services**

   - **Fiscal Impact:** The fiscal impact of the three recommended contracts total $3,338,872.00 in budgeted funds from the Historic City Hall Rehabilitation Fund.

   - **Recommendations:** Council authorize the City Manager to:
     1. Execute a contract with Earth Systems Pacific in the amount of $386,991 for the ACH-01 Deputy Inspection Services for the Historic City Hall Project; and,
     2. Execute a contract addendum with Meca Consulting, Inc. (dba Millennium Consulting Associates) in the amount of $75,319 for Phase 3 of Hazardous Materials Abatement Consulting and Monitoring Services for the Historic City Hall Project; and,
     3. Execute a contract addendum with Bernards in the amount of $2,876,562 for the remaining Construction Management / Project Management services for the Historic City Hall Project.

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. Execute a contract with Earth Systems Pacific in the amount of $386,991 for the ACH-01 Deputy Inspection Services for the Historic City Hall Project; and,
2. Execute a contract addendum with Meca Consulting, Inc. (dba Millennium Consulting Associates) in the amount of $75,319 for Phase 3 of Hazardous Materials Abatement Consulting and Monitoring Services for the Historic City Hall Project; and,
3. Execute a contract addendum with Bernards in the amount of $2,876,562 for the remaining Construction Management / Project Management services for the Historic City Hall Project.

*Motion passed 5:0 by a roll-call vote. (Contract No. 2011-004)*

*Mayor O’Malley recessed the meeting at 7:50p.m.*
*Mayor O’Malley reconvened the meeting at 8:00p.m.*
3. **Strategic Planning 2011 - Finance Issues**
   - **Fiscal Impact:** None.
   - **Recommendation:** Council review and accept report. [Administrative Services]

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

**PUBLIC COMMENT:**

The following citizens spoke on this item: Mike Brennler (Exhibit B)

*Mayor O’Malley closed the Public Comment period.*

*Council reviewed and accepted the report.*

4. **Strategic Planning 2011 – Staffing and Labor Issues**
   - **Fiscal Impact:** None.
   - **Recommendation:** Council review this staff report and provide direction to staff. [City Manager’s Office]

Assistant City Manager Jim Lewis gave the staff report and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: Mike Brennler

*Mayor O’Malley closed the Public Comment period.*

*The Council received and filed this report.*

**COUNCIL ANNOUNCEMENTS AND REPORTS:**

Council Member Fonzi announced that she has appointed Beth Wingett to the Planning Commission.

All the Council Members stated that they regularly receive positive comments about the City Council and the progress they see throughout the City.

**D. COMMITTEE REPORTS:** None
E. **INDIVIDUAL DETERMINATION AND / OR ACTION:** None

F. **ADJOURNMENT:**

Mayor O’Malley adjourned the meeting at 9:05 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 – Marty Brown, prepared statement
Exhibit B – Mike Brennler, City Manager Salary Survey