CITY OF ATASCADERO
CITY COUNCIL

DRAFT MINUTES

Tuesday, February 27, 2007, 7:00 P.M.

PARKS & RECREATION COMMISSION INTERVIEWS AND APPOINTMENT:
5:30 P.M.

1. Parks and Recreation Commission Interviews & Appointment
   ▪ City Clerk Recommendation: Council interview the three candidates and select, by ballot two citizens for the Parks and Recreation Commission.

Mayor Luna reported that three candidates were interviewed by the City Council for two positions on the Parks and Recreation Commission. He announced that Jonalee Istenes and Barbie Butz were selected to fill the positions.

REGULAR SESSION: 7:00 P.M.

Mayor Luna called the meeting to order at 7:00 p.m. and Council Member Béraud led the Pledge of Allegiance.

ROLL CALL:

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

Absent: None

Others Present: City Clerk / Assistant to City Manager Marcia McClure Torgerson, Deputy City Clerk Grace Pucci

Staff Present: City Manager Wade McKinney, Assistant City Manager Jim Lewis, Administrative Services Director Rachelle Rickard, Community
Development Director Warren Frace, Community Services Director Brady Cherry, Public Works Director Steve Kahn, Fire Chief Kurt Stone, Deputy Community Development Director Steve McHarris, Deputy Executive Director of Redevelopment Marty Tracey, Deputy Public Works Director Geoff English, Associate Planner Kelly Gleason, and City Attorney Patrick Enright.

COMMUNITY FORUM:

Pastor Tom Farrell, Atascadero Bible Church, led those present in prayer.

Robert Winslow, Project Manager EDA Design Professionals representing Wal Mart, read from a prepared statement reporting on events that occurred over the weekend and explaining that Wal Mart would be resubmitting a revised application along with that of the Rottman Group for the Annex Project.

Eric Greening commented on the following topics: 1) the recent Strategic Planning Session, 2) looking at opportunities for acquiring and maintaining open space, and 3) the Carrizo Plans National Monument Advisory Committee.

Tom Comar, spokesperson for Oppose Wal Mart, explained that they support good economic development at the Annex, and feel a Wal Mart super center is opposed to this philosophy. He urged the City Council to look at a Big Box Ordinance again.

Joan O'Keefe spoke about applause and heckling at City Council meetings and its divisive nature. She urged Council to follow the format of the Board of Supervisors and make it clear that there are rules of decorum and ask people to leave if they don’t follow those rules.

Mayor Luna closed the Community Forum period.

Council Member O’Malley reported on the weekend demonstration at the State Hospital and the Council’s commitment to support the employees of the city’s largest employer.

APPROVAL OF AGENDA:

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

PRESENTATIONS:

1. Proclamation declaring March 2007 as “Grand Jury Awareness Month.”
Mayor Pro Tem Brennler read the Proclamation and presented it to Sandra Parker who spoke about the Grand Jury function and purpose. David Claus, current Grand Jury member, reported on the Grand Jury and explained their mission.

2. Employee Service Award Presentations

City Manager Wade McKinney presented Employee Service Awards to Zoo Director Alan Baker and Administrative Services Director Rachelle Rickard.

COUNCIL ANNOUNCEMENTS AND REPORTS:

Mayor Luna reported on a meeting scheduled for March 9th at City Hall dealing with the problems taking place at Atascadero State Hospital, and announced that he has appointed Mayor Pro Tem Brennler and Council Member O’Malley to attend.

Council Member Béraud reported on the Strategic Planning Session.

Council Member Clay stated it is important that the public treat city staff in a respectful way.

Mayor Luna read from the Municipal Code regarding public decorum during Council meetings.

A. CONSENT CALENDAR:

   - City Clerk Recommendation: Council approve the City Council meeting minutes of January 23, 2007. [City Clerk]

2. Final Map 2006-0141 (Parcel map AT 05-0043) 7195 Santa Ysabel (TPM 2005-0079) (Eddings)
   - Description: The conversion of one existing dwelling to an airspace condominium and the establishment of two additional airspace units on one common lot.
   - Fiscal Impact: None.
   - Recommendations: Council:
     1. Accept Final Parcel Map 2006-0141 (Parcel Mat AT 05-0043); and,
     2. Reject, without prejudice to future acceptance, the offers of dedication for Streets and Public Utility Easement on behalf of the public; and,
     3. Authorize and direct the City Clerk to endorse the Council’s approval on the Map. [Public Works]
3. **Final Map 2006-0142 (Tract 2757) 5547 Tunitas Avenue (TTM 2005-0075) (Gustafson)**
   - **Description:** This subdivision creates four airspace condominiums on one common lot.
   - **Fiscal Impact:** None.
   - **Recommendations:** Council:
     1. Adopt and Approve Final Map 2006-0142 (Tract 2757); and,
     2. Reject, without prejudice to future acceptance, the offer of dedication for Public Utility Easement on behalf of the public; and,
     3. Authorize and direct the City Clerk to endorse the Council’s approval on the Map. [Public Works]

4. **Final Map 2006-0150 (Parcel Map AT 05-0114) 10665 & 10675 Realito Ave. (LLA 2006-0079) (Ioppini, Bevans Family Trust, Rasband Family Trust)**
   - **Description:** A lot line adjustment changing the configuration of three lots. No additional lots were created.
   - **Fiscal Impact:** None.
   - **Recommendations:** Council accept and approve Final Parcel Map 2006-0150 (Parcel Map AT 06-0114). [Public Works]

5. **Final Acceptance of Public Improvements for Tract 2002-0026 / Landscape Maintenance Award and Park Maintenance Agreement (Apple Valley)**
   - **Fiscal Impact:** The City is responsible for 50% (estimated at $35,210 per year) of the cost of maintaining the park. The Landscaping contracts are estimated at $35,400 per year. The funding agreement will reimburse the City $125,000 over five years.
   - **Recommendations:** Council:
     1. Adopt Draft Resolution, accepting the public improvements, certifying completion of the required public improvements, and releasing the bonds for Tract 2002-0026; and,
     2. Authorize the City Manager to execute an agreement with Gilberts Landscape’s for the maintenance and upkeep of landscaping in the Apple Valley, Landscape and Lighting Assessment District; and,
     3. Authorize the City Manager to execute a five-year funding agreement with Midland Pacific Building Corporation for the maintenance and upkeep of Apple Valley Park. [Public Works]

**MOTION:** By Council Member Clay and seconded by Council Member Béraud to approve Items #A-1, 2, 3, 4, and 5. Motion passed 5:0 by a roll-call vote. (Item #A-5.1 Resolution No. 2007-006, Item #A-5.2 Contract No. 2007-003, Item #A-5.3 Contract No. 2007-004)
B. MANAGEMENT REPORTS:

1. Historic Atascadero Printery Building Restoration Strategy Update
   - Fiscal Impact: None.
   - Recommendations: Council receive and file the attached report.
[Community Development]

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

Mayor Luna announced he is appointing Parks and Recreation Commissioner Rick Mathews, Planning Commissioner Pam Heatherington, and Lon Allen of the Atascadero Historical Society, to the Printery Working Group.

PUBLIC COMMENT

Kelly Gearhart, applicant, answered questions of Council and explained his vision for the Printery as a community event center.

Joan O'Keefe expressed her concern for the interior of the building and urged that the condition of the windows be addressed. She asked several questions including who would be responsible for the cost of the Historic Consultant, whether this the same or a new permit, and whether the building is still up for sale.

Mayor Luna closed the Public Comment period.

Director Frace reported that the Redevelopment Agency is hiring the Historic Consultant, and the permit is the same.

2. Community Facilities District 2005-1 Annexation Nos. 7, 8, 9 and 10
   - Description: Adoption of these Resolutions is part of the final necessary steps for the establishment of annexation Nos. 7, 8, 9, and 10 (the Annexations) to fund new police, fire, and park services for these developments.
   - Fiscal Impact: Approval of these annexations will generate an annual revenue to the City of $462 per house, which is subject to an annual escalator.
   - Recommendations: Council:
     1. Conduct the public hearings on each proposed annexation, and direct the City Clerk to collect and count the ballots; and,

     Council to recess until ballots are counted.
2. Adopt Draft Resolution A, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2005-1 (Public Services), Annexation No. 7 (Navajoa Ave Planned development); and,

3. Adopt Draft Resolution B, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2005-1 (Public Services), Annexation No. 8 (Villages at Oakhaven); and,

4. Adopt Draft Resolution C, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2005-1 (Public Services), Annexation No. 9 (Santa Ysabel Planned Development); and,

5. Adopt Draft Resolution D, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2005-1 (Public Services), Annexation No. 10 (Chico Road Planned Development). [Community Development]

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

PUBLIC COMMENT – No public comment was received for any of the annexations.

Mayor Luna asked City Clerk Marcia McClure Torgerson the following questions for each of the annexations:

- Have any written protests been received and if so do they constitute a majority protest? Response – No.
- Are there less than 12 voters in the district? Response – Yes.
- Have the property owners consented to election? Response – Yes.
- Does the City Clerk concur with the holding of the election? Response – Yes.

Mayor Luna recessed the hearing at 8:00 p.m.

Mayor Luna called the meeting back to order at 8:06 p.m.

City Clerk Marcia McClure Torgerson reported the following election results:

- Resolution A – Yes on both A and B
- Resolution B – No on A and yes on B (Council will be unable to vote on this item)
- Resolution C – Yes on both A and B
- Resolution D – Yes on both A and B

MOTION: By Council Member O’Malley and seconded by Council Member Clay to adopt Draft Resolution A, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2005-1, Annexation No. 7 (Navajoa Ave Planned development); and, adopt Draft Resolution C, making certain findings, certifying
the results of an election and adding property to Community Facilities District No. 2005-1, Annexation No. 9 (Santa Ysabel Planned Development); and, adopt Draft Resolution D, making certain findings, certifying the results of an election and adding property to Community Facilities District No. 2005-1 (Public Services), Annexation No. 10 (Chico Road Planned Development).

Motion passed 5:0 by a roll-call vote. (Item #B-2.2 Resolution No. 2007-007, Item #B-2.4 Resolution No. 2007-008, Item #B-2.5 Resolution No. 2007-009)

3. **2007 Community Development Block Grant (CDBG) Allocation**
   - **Fiscal Impact:** Available funds are estimated at $191,570 for the 2007 cycle. In addition, prior year funds in the amount of $50,000 are recommended for reallocation.
   - **Recommendation:** Council forward to the County Board of Supervisors allocation recommendations for the 2007 Community Development Block Grant (CDBG) funds. [Public Works]

Public Works Director Steve Kahn gave the staff report and answered questions of Council.

**PUBLIC COMMENT**

Wanda McFarlane, Director of Caring Callers, spoke about the program and its activities in assisting area seniors.

John Lauffer, President El Camino Homeless Organization (ECHO), thanked Council for their continued support and spoke about the services offered at the shelter.

Sylvia Bernard, Executive Director Good Samaritan Shelter, stated they are collaborating with ECHO regarding substance abuse issues and explained the services they offer on site to help their families become self sufficient.

Kayla Wilburn, EOC Health Services, thanked Council for their past support, spoke about the services they offer, and asked Council to reconsider funding their program.

Joan O’Keefe asked about the Good Samaritan Shelter, what is involved with the development plan and what will be the accountability.

Sylvia Bernard addressed the questions raised by Mrs. O’Keefe.

*Mayor Luna closed the Public Comment period.*
MOTION: By Council Member O’Malley and seconded by Council Member Béraud to adopt the recommendations of the Finance Committee and forward them to the County Board of Supervisors as recommended.  
Motion passed 5:0 by a roll-call vote.

4. City Wayfinding Program (Citywide, City of Atascadero) PLN 2006-1180

- **Description:** Review and approval of Wayfinding Committee recommendations concerning signage to provide vehicular and pedestrian guidance to destinations of interest throughout the City.
- **Fiscal Impact:** There is no proposed phasing or funding of the wayfinding program included with this report.
- **Recommendation:** The Wayfinding Committee recommends Council approve Draft Resolution A, adopting the Atascadero Wayfinding Program, to be implemented as funding becomes available. [Community Development]

Deputy Community Development Director Steve McHarris gave the staff report and answered questions of Council.

Pierre Rademaker, consultant, gave the design presentation and answered questions of Council.

**PUBLIC COMMENT**

Jay DeCou spoke about the importance of signage and stated that the sign on the Freeway is too small. He recommended a gift catalogue campaign to raise funds.

Steve Martin, Executive Director Atascadero Main Street, stated Main Street supports this type of program for the downtown and commented that this type of signage is essential for promoting tourism as a revenue source for the city.

Joanne Main, Executive Director Atascadero Chamber of Commerce stated she served on this committee, is proud of their work, and explained the importance of giving Atascadero an identity.

_Mayor Luna closed the Public Comment period._

MOTION: By Council Member O’Malley and seconded by Council Member Clay to approve Draft Resolution A, adopting the Atascadero Wayfinding Program, to be implemented as funding becomes available, and to continue to work on a plan to have this funded through public/private partnerships when possible.

*Motion passed 5:0 by a roll-call vote. (Resolution No. 2007-010)*
5. Fiscal Year 2005-2006 Audit

Fiscal Impact: None.

Recommendation: Council review and accept the financial audit for the period ended June 30, 2006. [Administrative Services]

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

Kathy Nifineger, Glenn Burdette Phillips and Bryson, independent CPAs, spoke about the audit process and answered questions of Council.

PUBLIC COMMENT – None

6. Financial Reserve Policy

Description: This report has been compiled, in preparation for the upcoming budget cycle, to assist in evaluating the City’s fiscal position and the level of appropriate reserves.

Fiscal Impact: None.

Recommendation: Council provide direction to staff regarding the financial reserve policy. [Administrative Services]

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

PUBLIC COMMENT – None

Council Member Clay stated he believes the city has had a good policy in recent years and spoke in favor of staying the course.

Council Member O’Malley expressed concern with the current financial situation in terms of the recent economic downturn and recommended the city not reduce its reserves at this time.

Council Member Béraud indicated the city should stay the course in terms of maintaining a large reserve to complete projects currently underway.

Mayor Luna stated he concurs with retaining a large reserve, which can give the city opportunities such as Paloma Park. He stated the economy is going south and the city must have a conservative fiscal policy.

Mayor Pro Tem Brennler stated that continuing a substantial reserve is the prudent thing to do.
7. **Request to Rename Traffic Way**
   - **Description:** Atascadero Main Street Association Board of Directors has requested that the City change the name of Traffic Way between El Camino Real and Tunitas Avenue.
   - **Fiscal Impact:** Unknown at this time.
   - **Recommendation:** Council direct staff on how to proceed with the request from the Atascadero Main Street Association to rename Traffic Way. [City Manager]

   **MOTION:** By Council Member Clay and seconded by Council Member O’Malley to continue Item #B-7 to the March 13, 2007 City Council Meeting.  
   *Motion passed 5:0 by a voice vote.*

C. **COMMITTEE REPORTS:**

**Mayor Luna**
1. Finance Committee: Discussed the CDBG funds last week.

**Mayor Pro Tem Brennler**
1. Air Pollution Control District (APCD): There will be new state requirements for agricultural engines, and on March 1, 12:00 noon at the APCD office there will be a workshop where the community can learn about the new state requirements and available grant information.

**Council Member Béraud**
1. City / Schools Committee: Learned about the school lunch program; the state has adopted healthier guidelines. The Atascadero Athletic Foundation is considering two projects: a pool and putting in artificial turf for the upper fields above the stadium.

**Council Member Clay**
1. City / Schools Committee: Regarding developing ball fields at San Benito, they spoke with the Youth Football organization and asked them to prepare something for their school board meeting. To date they have not heard back.

**Council Member O’Malley**
1. S.L.O. Council of Governments (SLOCOG) / S.L.O. Regional Transit Authority (SLORTA): The 101/41 interchange is on target, and the city is getting some help for landscaping costs. At the state level there is support for the local recommendation to put major funding into Highway 46. There is also support from SLOCOG for the regional transit application.
2. Economic Vitality Corporation, Board of Directors (EVC): Emphasis has been on tourism, and a sub committee is producing a wine study. There will also be a presentation tomorrow from John King regarding a Black Ranch Resort
and conference center. Council Member O’Malley will be distributing a brochure at the meeting highlighting activities and public/private partnerships in Atascadero.

D. INDIVIDUAL DETERMINATION AND/OR ACTION:

City Manager

City Manager Wade McKinney asked for two volunteers for the next Business visit scheduled for March 9th.

An email will be sent tomorrow to remind Council that there will be a California Summit for Safe Communities scheduled for March 19th in Sacramento.

Mr. McKinney distributed his follow up notes from the Strategic Planning Session, reviewed these and stated staff will be developing action plans from this with ideas that can be used for all departments that will further these objectives.

E. ADJOURNMENT:

Mayor Luna adjourned the meeting at 10:12 p.m. to the next regularly scheduled meeting of the City Council on March 13, 2007

MINUTES PREPARED BY:

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Grace Pucci, Deputy City Clerk