



CITY OF ATASCADERO ***CITY COUNCIL***

ACTION MINUTES

Tuesday, April 26, 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 Council Member Fonzi led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Clay, Fonzi, Sturtevant, Mayor Pro Tem Kelley 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, 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 Fonzi and seconded by Council Member Sturtevant to approve the agenda.
Motion passed 5:0 by a roll-call vote.

PRESENTATION:

1. **Presentation of Service Award to Firefighter / EMT Tom Little for Providing Life-Saving Aid While Off-Duty**

Fire Chief Stone presented Firefighter Little with a merit award plaque and a letter of commendation for his life-saving actions.

A. CONSENT CALENDAR:

1. [City Council / Community Redevelopment Agency Special Joint Meeting Draft Action Minutes – March 29, 2011](#)
 - Recommendation: Council approve the City Council / Community Redevelopment Agency Special Joint Meeting Draft Action Minutes of March 29, 2011. [City Clerk]
2. [City Council Draft Action Minutes – April 12, 2011](#)
 - Recommendation: Council approve the City Council Draft Action Minutes of April 12, 2011. [City Clerk]
3. [Alcoholic Beverage Control \(ABC\) License On-site Sale of Beer - PLN 2011-1400 / ABC 2011-0011 5760 & 5780 El Camino Real \(Bru Coffee House\)](#)
 - Description: Request to allow an Alcoholic Beverage Control license for the on-site sale of beer at a new coffee shop in the downtown.
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution A finding that public convenience or necessity would be served by allowing the issuance of a Type 40 Alcohol Beverage Control (ABC) license for the on-site sale of beer at a new coffee house (Bru Coffee House) at 5760 & 5780 El Camino Real. [Community Development]

4. [Alcoholic Beverage Control \(ABC\) License On-Site sale of Beer and Wine PLN 2011-1401 / ABC 2011-0012 7177 El Camino Real \(CalTerra Trattoria\)](#)
 - Description: Request to allow an Alcoholic Beverage Control license for the on-site sale of beer and wine at CalTerra Restaurant.
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution A, finding that public convenience or necessity would be served by allowing the issuance of a Type 41 Alcoholic Beverage Control (ABC) license for the on-site sale of beer and wine at CalTerra Trattoria at 7177 El Camino Real. [Community Development]

5. [Weed/Refuse Abatement Program](#)
 - Fiscal Impact: The City recovers costs for administering this program through the 150% administrative fee, which is placed on the San Luis Obispo County Special Tax Assessment for the fiscal year 2011-2012 Tax Roll.
 - Recommendation: Council adopt the Draft Resolution, declaring vegetative growth and/or refuse a public nuisance, commencing proceedings for the abatement of said nuisances, and placing all abatement fees on the San Luis Obispo County Special Tax Assessment for the fiscal year 2011-2012 Tax Roll. [Fire]

Council Member Fonzi announced that she would be abstaining on Item #A-3.

Citizen Brennler pulled Item #A-2.

MOTION: By Council Member Clay and seconded by Mayor Pro Tem Kelley to approve Items #A-1, 3, 4, & 5 of the Consent Calendar.
Motion passed 5:0 by a roll-call vote. (Item #A-3 passed 4:0 (Fonzi abstained) (#A-3: Resolution No. 2011-014, #A-4: Resolution No. 2011-015, #A-5: Resolution No. 2011-016)

Item #A-2: Mike Brennler commented on the four paragraphs referring to him interrupting the meeting from the audience. He stated the City Council should answer questions asked of them by the audience.

MOTION: By Council Member Clay and seconded by Council Member Fonzi to approve Item #A-2
Motion passed 5:0 by a roll-call vote.

UPDATES FROM THE CITY MANAGER:

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

There was Council consensus to have all Council Members sign the letter to the Water Board tonight.

Mayor O'Malley asked County Supervisor Patterson to speak to the Regional Water Quality Control Board's Water Basin Plan. Mr. Patterson expressed support for Atascadero's concerns.

COMMUNITY FORUM:

The following citizens spoke during Community Forum: John Mark Weeman, Bev Aho, Barbie Butz, Lee Perkins, and Mike Brennler.

Mayor O'Malley closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS: None.

C. MANAGEMENT REPORTS:

1. [Report on Council Options for Meeting with Atascadero Mutual Water Company on Water Conservation](#)
 - Fiscal Impact: None.
 - Recommendation: Council authorize staff to write a letter to the Atascadero Mutual Water Company expressing the concerns of the City regarding water conservation and requesting a joint meeting between the City Council and the Board of Directors of the Water Company. [City Attorney]

City Attorney Brian Pierik gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Kathleen Arragon, Lee Perkins, Tom Comar, Karyn Sturtevant, Mike Brennler, and Ron Rothman.

Mayor O'Malley closed the Public Comment period.

There was Council consensus to have Mayor O'Malley appoint Mayor Pro Tem Kelley and Council Member Fonzi to an Ad Hoc Committee to meet with the Atascadero Mutual Water Company Board to discuss Atascadero's concerns regarding water conservation.

2. Atascadero Transit Service Modification and Fare Increase

- Fiscal Impact: The recommended fare increase is anticipated to generate approximately \$25,000 in additional farebox revenue. The cost of additional service hours proposed for the Fixed Route service from Memorial Day to Labor Day is approximately \$5,000.
- Recommendation: Council adopt the Draft Resolution, approving proposed fare increases for both Fixed Route and Dial-A-Ride service effective July 1, 2011; modifications of Weekday Fixed Route service effective July 1, 2011; and modification of Saturday Fixed Route service effective May 28, 2011. [Public Works]

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

PUBLIC COMMENT: None

MOTION: By Council Member Fonzi and seconded by Mayor Pro Tem Kelley to:

1. **Adopt the Draft Resolution, approving proposed fare increases for both Fixed Route and Dial-A-Ride service effective July 1, 2011; modifications of Weekday Fixed Route service effective July 1, 2011; and modification of Saturday Fixed Route service effective May 28, 2011; and,**
2. **Direct staff to provide flexibility on the Saturday program based on the community's needs.**

Motion passed 5:0 by a roll-call vote. (Resolution No. 2011-017)

Mayor O'Malley recessed the meeting at 7:43 p.m.

Mayor O'Malley reconvened the meeting at 7:58 p.m.

3. Stadium Park Fire Study

- Fiscal Impact: No fiscal impact for recommendations listed. If Council chooses to provide ongoing maintenance, cost would be \$1,000 to \$5,000 annually.
- Recommendations: Council:
 1. Receive and file the report and presentation from Dr. Christopher Dicus; and,
 2. Continue to support the current Stadium Park Use Policy; and,
 3. Approve a fuel management plan using the grant funds provided by the San Luis Obispo County Community Fire Safe Council. [Fire]

Fire Chief Kurt Stone gave the staff report and answered questions from the Council. He also introduced Dr. Christopher Dicus who gave a presentation and also answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: Joan O'Keefe, Al Fonzi, Mike Brennler, Bruce Boniface, Irene Bishop, and Jim Patterson.

Mayor O'Malley closed the Public Comment period.

- MOTION:** By Mayor O'Malley and seconded by Mayor Pro Tem Kelley to:
1. Receive and file the report and presentation from Dr. Christopher Dicus; and,
 2. Continue to support the current Stadium Park Use Policy (E.G. Lewis type events); and,
 3. Approve a fuel management plan using the grant funds provided by the San Luis Obispo County Community Fire Safe Council.
 4. Direct staff to post signs as needed, close the Park if necessary, continue to work with ALPS on events, continue to consider options for access, and review improved water options for the future.

Motion passed 5:0 by a roll-call vote.

4. [Celebrating Atascadero's Centennial](#)

- Fiscal Impact: None.
- Recommendations: Council provide direction regarding the Centennial planning process as appropriate. [Community Services]

Community Services Director Brady Cherry gave the staff report and answered questions from the Council. He also introduced Tourism Director Steve Martin who gave a presentation and also answered questions from the Council.

PUBLIC COMMENT:

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

Mayor O'Malley closed the Public Comment period.

There was City Council consensus to add the following community groups to the list of possible interested entities:

- ***Hoteliers***
- ***Music/Dance***
- ***Sport***
- ***Non-profit organizations***

COUNCIL ANNOUNCEMENTS AND REPORTS:

Council Member Kelley suggested the Council re-consider the removal of the two trees in front of the Historic City Hall; as the excavation surrounding the building is larger than originally estimated.

There was Council consensus to have staff bring back this issue to the Council.

Council Member Fonzi asked for staff to return to Council with an update on the Solar projects in Carissa Plains. She mentioned that the Council had discussed providing a staging area for people who will be working on the projects. Council Member Fonzi stated that Atascadero needs to provide a parking area and encourage the workers to eat and shop in Atascadero.

D. COMMITTEE REPORTS:

Council Member Fonzi

1. SLO Local Agency Formation Commission (LAFCo) – alternate – SLO City has annexed an area and the process went smoothly. Council Member Fonzi suggested staff check in with SLO staff on their process.

E. INDIVIDUAL DETERMINATION AND / OR ACTION: None

F. ADJOURNMENT:

Mayor O'Malley adjourned the meeting at 9:45 p.m.

MINUTES PREPARED BY:

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