



# **CITY OF ATASCADERO CITY COUNCIL**

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## **AGENDA**

**Tuesday, April 23, 2019**

**City Hall Council Chambers, 4th floor  
6500 Palma Avenue, Atascadero, California  
(Entrance on Lewis Ave.)**

**City Council Regular Session:**

**6:00 P.M.**

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

**PLEDGE OF ALLEGIANCE:** Council Member Fonzi

**ROLL CALL:** Mayor Moreno  
Mayor Pro Tem Bourbeau  
Council Member Fonzi  
Council Member Funk  
Council Member Newsom

**APPROVAL OF AGENDA:** Roll Call

**Recommendation:** Council:

1. Approve this agenda; and
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

**PRESENTATIONS:**

1. Proclamation recognizing the Atascadero Kiwanis 50 year anniversary
2. Presentation by SLOCOG/Rideshare about Commuter Challenges in May 2019 including Bike to School Day (May 8th) Bike to Coffee Day (May 11th) and Bike to Work Day (May 17th)

**A. CONSENT CALENDAR:** (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.)

**1. City Council Draft Action Minutes – April 9, 2019**

- Recommendation: Council approve the April 9, 2019 Draft City Council Meeting Minutes. [City Clerk]

**2. March 2019 Accounts Payable and Payroll**

- Fiscal Impact: \$2,578,619.40
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for March 2019. [Administrative Services]

**3. 2019 Pavement Resurfacing Project Construction Award**

- Fiscal Impact: \$592,000.00
- Recommendations: Council:
  1. Award a construction contract for \$502,665 to American Asphalt South, Inc. for the 2019 Pavement Resurfacing Project (Project No. C2018R03).
  2. Authorize the City Manager to execute a contract with American Asphalt South, Inc. for \$502,665 for the construction of the 2019 Pavement Resurfacing Project.
  3. Authorize the Director of Public Works to file a Notice of Completion with the County Recorder upon satisfactory completion of the project. [Public Works]

**4. Alcoholic Beverage Control (ABC) License for On-site Alcohol Sales at 5840 Traffic Way “Raconteur Room” (Type 42 License)(Dole/TSAM LLC)**

- Fiscal Impact: A slight positive fiscal impact expected from increased sales tax.
- Recommendation: Council adopt Draft Resolution finding that a public convenience would be served by allowing the issuance of a Type 42 ABC, On-Sale Beer and Wine for Public Premises License for Raconteur Room, a bar located at 5840 Traffic Way. [Community Development]

**5. Adopting a List of Projects for Fiscal Year 2019-2020 Funded by SB1**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution adopting a list of projects to be funded with Road Maintenance and Rehabilitation Account revenues from SB1 (The Road Repair and Accountability Act of 2017) for Fiscal Year 2019-2020. [Public Works]

**UPDATES FROM THE CITY MANAGER:** (The City Manager will give an oral report on any current issues of concern to the City Council.)

**COMMUNITY FORUM:** (This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. Comments made during Community Forum will not be a subject of discussion. A maximum of 30 minutes will be allowed for Community Forum, unless changed by the Council. Any members of the public who have questions or need information may contact the City Clerk's Office, between the hours of 8:30 a.m. and 5:00 p.m. at (805) 470-3400, or [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org).)

## **B. PUBLIC HEARINGS:**

### **1. Title 9 and Title 11 Planning and Zoning Text Amendments - Annual Code Update (ZCH19-0023)**

- Ex-Parte Communications:
- Fiscal Impact: Potential savings of staff time.
- Recommendation: Council introduce for first reading, by title only, the Draft Ordinance amending the Atascadero Municipal Code, Title 9 Planning & Zoning, Section 9-1.110 Public hearings, Section 9-3.330 Nonresidential district allowable land uses, Sections 9-3.340 through 9-3.345 and 9-3.348 through 9-3.349 Property development standards, Section 9-6.112 Farm animal raising, Section 9-6.174 Seasonal or temporary sales, Section 9-12.104 Required approvals and Title 11 Subdivisions, Section 11-4.06 Noticing of planning commission hearing on tentative map and determining this Ordinance is exempt from review under the California Environmental Quality Act. [Community Development]

## **C. MANAGEMENT REPORTS:**

### **1. Sphere of Influence Review**

- Fiscal Impact: None.
- Recommendation: Council review the City's Sphere of Influence and provide staff with feedback towards a future Sphere of Influence and City/County MOU update. [Community Development]

### **2. Amendment to the Contract Between the City Council of the City of Atascadero and the Board of Administration of the California Public Employees' Retirement System (CalPERS)**

- Fiscal Impact: None.
- Recommendations: Council:
  1. Adopt Draft Resolution of Intention to approve an amendment to the contract between the City Council of the City of Atascadero and the Board of Administration of the California Public Employees' Retirement System; and
  2. Introduce for first reading by title only, the Draft Ordinance authorizing the Mayor to execute an amendment to the contract between the City Council of the City of Atascadero and the Board of Administration of the California Public Employees' Retirement System. [City Manager]

### **3. Santa Lucia Road Pavement Rehabilitation Construction Award**

- Fiscal Impact: Total project funding of \$1,005,000.00
- Recommendations: Council:
  1. Award a construction contract for \$720,527 to Souza Engineering Contracting, Inc. for the Santa Lucia Road Pavement Rehabilitation Project (Project No. C2017R03).
  2. Authorize the City Manager to execute a contract with Souza Engineering Contracting, Inc. in the amount of \$720,527 for the construction of the Santa Lucia Road Pavement Rehabilitation Project.
  3. Authorize the Director of Administrative Services to appropriate an additional \$425,000 in Local Transportation Fund (LTF) balance toward the Santa Lucia Road Pavement Rehabilitation Project.
  4. Authorize the Director of Public Works to file a Notice of Completion with the County Recorder upon satisfactory completion of the project. [Public Works]

**D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:** (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. The following represent standing committees. Informative status reports will be given, as felt necessary):

#### Mayor Moreno

1. City Selection Committee
2. County Mayors Round Table
3. Economic Vitality Corporation, Board of Directors (EVC)
4. SLO Council of Governments (SLOCOG)
5. SLO Regional Transit Authority (RTA)

#### Mayor Pro Tem Bourbeau

1. City / Schools Committee
2. City of Atascadero Finance Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

#### Council Member Fonzi

1. Air Pollution Control District
2. Atascadero Basin Ground Water Sustainability Agency (GSA)
3. City of Atascadero Design Review Committee
4. SLO Local Agency Formation Commission (LAFCo)

#### Council Member Funk

1. City of Atascadero Finance Committee
2. Homeless Services Oversight Council
3. League of California Cities – Council Liaison

#### Council Member Newsom

1. California Joint Powers Insurance Authority (CJPIA) Board
2. City / Schools Committee
3. City of Atascadero Design Review Committee
4. Visit SLO CAL Advisory Committee

**E. INDIVIDUAL DETERMINATION AND / OR ACTION:** (Council Members may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.)

1. City Council
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

**F. ADJOURN**

**Please note:** Should anyone challenge any proposed development entitlement listed on this Agenda in court, that person may be limited to raising those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to this public hearing. Correspondence submitted at this public hearing will be distributed to the Council and available for review in the City Clerk's office.

## City of Atascadero

### **WELCOME TO THE ATASCADERO CITY COUNCIL MEETING**

The City Council meets in regular session on the second and fourth Tuesday of each month at 6:00 p.m. Council meetings will be held at the City Hall Council Chambers, 6500 Palma Avenue, Atascadero. Matters are considered by the Council in the order of the printed Agenda. Regular Council meetings are televised live, audio recorded and videotaped for future playback. Charter Communication customers may view the meetings on Charter Cable Channel 20 or via the City's website at [www.atascadero.org](http://www.atascadero.org). Meetings are also broadcast on radio station KPRL AM 1230. Contact the City Clerk for more information at [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org) or (805) 470-3400.

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the City Clerk and are available for public inspection during City Hall business hours at the Front Counter of City Hall, 6500 Palma Avenue, Atascadero, and on our website, [www.atascadero.org](http://www.atascadero.org). Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the City Council. The minutes of this meeting will reflect these numbers. All documents submitted by the public during Council meetings that are either read into the record or referred to in their statement will be noted in the minutes and available for review in the City Clerk's office.

In compliance with the Americans with Disabilities Act, **if you need special assistance to participate in a City meeting or other services offered by this City**, please contact the City Manager's Office or the City Clerk's Office, both at (805) 470-3400. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

#### **TO SPEAK ON SUBJECTS NOT LISTED ON THE AGENDA**

Under Agenda item, "COMMUNITY FORUM", the Mayor will call for anyone from the audience having business with the Council to approach the lectern and be recognized.

1. Give your name for the record (not required)
2. State the nature of your business.
3. All comments are limited to 3 minutes.
4. All comments should be made to the Mayor and Council.
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present

This is the time items not on the Agenda may be brought to the Council's attention. A maximum of 30 minutes will be allowed for Community Forum (unless changed by the Council). If you wish to use a computer presentation to support your comments, you must notify the City Clerk's office at least 24 hours prior to the meeting. Digital presentations must be brought to the meeting on a USB drive or CD. You are required to submit to the City Clerk a printed copy of your presentation for the record. Please check in with the City Clerk before the meeting begins to announce your presence and turn in the printed copy.

#### **TO SPEAK ON AGENDA ITEMS (from Title 2, Chapter 1 of the Atascadero Municipal Code)**

Members of the audience may speak on any item on the agenda. The Mayor will identify the subject, staff will give their report, and the Council will ask questions of staff. The Mayor will announce when the public comment period is open and will request anyone interested to address the Council regarding the matter being considered to step up to the lectern. If you wish to speak for, against or comment in any way:

1. You must approach the lectern and be recognized by the Mayor
2. Give your name (not required)
3. Make your statement
4. All comments should be made to the Mayor and Council
5. No person shall be permitted to make slanderous, profane or negative personal remarks concerning any other individual, absent or present
6. All comments limited to 3 minutes

The Mayor will announce when the public comment period is closed, and thereafter, no further public comments will be heard by the Council.