



CITY OF ATASCADERO CITY COUNCIL

AGENDA

Tuesday, September 11, 2018

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

| | |
|---|------------------|
| <u>City Council Closed Session:</u> | 5:00 P.M. |
| <u>City Council Regular Session:</u> | 6:00 P.M. |

CITY COUNCIL CLOSED SESSION:

1. CLOSED SESSION -- PUBLIC COMMENT
2. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION
3. CLOSED SESSION -- CALL TO ORDER
 - a. **Conference with Labor Negotiators** (Govt. Code Sec. 54957.6)
Agency designated representatives: Rachelle Rickard, City Manager
Employee Organizations: Atascadero Professional Firefighters, Local 3600; Atascadero Police Association; Service Employees International Union, Local 620; Mid-Management/Professional Employees; Non-Represented Professional and Management Workers and Confidential Employees
 - b. **Conference with Legal Counsel – Existing Litigation**
Government Code Sec. 54956.9 (d)(1)
Name of Case: Castlerock Development et.al. v. City of Atascadero
San Luis Obispo Superior Court Case No. 16CVP-0324
 - c. **Conference with Legal Counsel – Anticipated Litigation**
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
- one case
4. CLOSED SESSION -- ADJOURNMENT
5. COUNCIL RETURNS TO CHAMBERS

6. CLOSED SESSION – REPORT

ADJOURNMENT

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

PLEDGE OF ALLEGIANCE: Council Member Moreno

ROLL CALL: Mayor O'Malley
Mayor Pro Tem Fonzi
Council Member Bourbeau
Council Member Moreno
Council Member Sturtevant

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. **Pledge to Make a Smart Commute Choice During Rideshare Week, October 1-5, 2018 - Presentation by Peter Williamson of San Luis Obispo**

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 – August 14, 2018**

- Recommendation: Council approve the City Council Draft Action Minutes of the August 14, 2018, City Council meeting. [City Clerk]

2. **July 2018 Accounts Payable and Payroll**

- Fiscal Impact: \$3,597,704.35
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for July 2018. [Administrative Services]

3. **June 2018 Investment Report**

- Fiscal Impact: None
- Recommendation: Council receive and file the City Treasurer's report for quarter ending June 2018. [Administrative Services]

4. Homes2Suites Hilton Hotel - Request for Deferred Payment of Development Fees

- Fiscal Impact: If approved, receipt of impact fees would be delayed. Because these fees would be paid over time, the development fees would not be immediately available. However, the interest charged is expected to yield a neutral fiscal impact to the City. The hotel facility is expected to bring an overall increase in revenue to the General Fund.
- Recommendations: Council:
 1. Approve the proposal from North County Hospitality Group, LLC to defer payment of development fees over a period of five years for construction of the new Home2Suites Hilton brand hotel.
 2. Authorize the City Manager to enter into an agreement with North County Hospitality Group, LLC to defer the impact fees over a five year period. [Community Development]

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 470-3400, or cityclerk@atascadero.org.)

B. PUBLIC HEARINGS: None

C. MANAGEMENT REPORTS:

1. Atascadero Native Tree Ordinance Update

- Fiscal Impact: None.
- Recommendation: Council receive staff's update report on the Atascadero Native Tree Ordinance. [Community Development]

2. Purchase and Sale Agreement and Joint Escrow Instructions for Property Located at 6009 Del Rio Road, Atascadero

- Fiscal Impact: The purchase of the Property would require about \$610,000 (purchase price plus estimated closing costs) of budgeted Circulation System Fee Funds.
- Recommendation: Council adopt Draft Resolution approving Purchase and Sale Agreement and Joint Escrow Instructions for property located at 6009 Del Rio Road, Atascadero. [City Attorney]

3. Staffing for Adequate Fire and Emergency Response (SAFER) Grant

- Fiscal Impact: Accepting the SAFER grant for partial funding of one new firefighter position is estimated to save the City a net of approximately \$30,700 over the three year term of the grant.
- Recommendation: Council approve and accept the SAFER Grant. [Fire Department]

COUNCIL ANNOUNCEMENTS AND REPORTS: (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. 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.)

D. COMMITTEE REPORTS: (The following represent standing committees. Informative status reports will be given, as felt necessary):

Mayor O'Malley

1. City / Schools Committee
2. County Mayors Round Table
3. SLO Council of Governments (SLOCOG)
4. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Fonzi

1. Air Pollution Control District
2. Oversight Board for Successor Agency to the Community Redevelopment Agency of Atascadero
3. SLO Local Agency Formation Commission (LAFCo)
4. City of Atascadero Design Review Committee
5. Atascadero Basin Ground Water Sustainability Agency (GSA)

Council Member Bourbeau

1. City of Atascadero Design Review Committee
2. Homeless Services Oversight Council
3. City of Atascadero Finance Committee
4. SLO County Water Resources Advisory Committee (WRAC)
5. Integrated Waste Management Authority (IWMA)

Council Member Moreno

1. California Joint Powers Insurance Authority (CJPIA) Board
2. City of Atascadero Finance Committee (Chair)
3. Economic Vitality Corporation, Board of Directors (EVC)

Council Member Sturtevant

1. City / Schools Committee
2. League of California Cities – Council Liaison

E. INDIVIDUAL DETERMINATION AND / OR ACTION:

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.

I, Amanda Muther, Deputy City Clerk of the City of Atascadero, declare under penalty of perjury that the foregoing agenda for the September 11, 2018 Regular Session of the Atascadero City Council was posted on September 6, 2018, at the Atascadero City Hall, 6500 Palma Avenue, Atascadero, CA 93422 and was available for public review at that location.

Signed this 6th day of September 2018, at Atascadero, California.

Amanda Muther, Deputy City Clerk
City of Atascadero

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. Meetings are also broadcast on radio station KPRL AM 1230. Contact the City Clerk for more information (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. 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.