



CITY OF ATASCADERO CITY COUNCIL

MINUTES

Tuesday, August 13, 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.

Mayor Moreno called the meeting to order at 6:03 p.m. and Council Member Newsom led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Fonzi, Funk, Newsom, Mayor Pro Tem Bourbeau and Mayor Moreno

Absent: City Treasurer Sibbach

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Public Works Director Nick DeBar, Police Chief Jerel Haley, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, City Attorney Brian Pierik and Deputy City Manager/City Clerk Lara Christensen.

APPROVAL OF AGENDA:

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

- 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.**

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

PRESENTATIONS:

- 1. Presentation of donations to Friends of the Zoo and Parents for Joy by the Kiwanis Club of Atascadero**

Members of the Kiwanis Club presented donations to Friends of the Zoo and Parents for Joy.

A. CONSENT CALENDAR:

- 1. City Council Draft Action Minutes – July 9, 2019, July 11, 2019 and July 26, 2019**
 - Recommendation: Council approve the July 9, 2019, July 11, 2019 and July 26, 2019 Draft City Council Meeting Minutes. [City Clerk]
- 2. June 2019 Accounts Payable and Payroll**
 - Fiscal Impact: \$1,441,492.67
 - Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for June 2019. [Administrative Services]
- 3. June 2019 Investment Report**
 - Fiscal Impact: None
 - Recommendation: Council receive and file the City Treasurer's report for quarter ending June 2019. [Administrative Services]
- 4. Designation of Voting Delegate - League of California Cities' Annual Conference**
 - Fiscal Impact: None.
 - Recommendation: Council designate Council Member Funk as the voting delegate for the Annual Business Meeting of the League of California Cities' Annual Conference in October 2019, and direct the City Clerk to inform the League of the designation. [City Clerk]
- 5. Ordinance to Repeal and Replace Title 6 Chapter 6 "No-Smoking Areas Established in Certain Public Places" and Repeal Title 10, Chapter 1, Section 10-1.34 "Smoking and Tobacco Products"**
 - Fiscal Impact: None.
 - Recommendation: Council adopt on second reading, by title only, Draft Ordinance repealing and replacing Title 6, Chapter 6 "No-Smoking areas established in certain public places" of the Atascadero Municipal Code and deleting in its entirety Title 10, Chapter 1, Section 10-1.34 "Smoking and tobacco products". [Police Department]
- 6. Establishment of Improvement Area No. 1 of Community Facilities District 2005-1 Second Reading**
 - Fiscal Impact: The project will consist of 42 new residential units, each with an annual levy of \$441.90 per unit, resulting in new annual revenue of approximately \$18,600. The levy is subject to annual adjustment based on the Rate and Method of Apportionment.
 - Recommendation: Council adopt on second reading, by title only, Draft Ordinance, authorizing the levy of special taxes in Improvement Area No. 1 of CFD 2005-1. [Community Development]

7. Traffic Way Zone Change (ZCH19-0029) - Atascadero Temple Association

- Fiscal Impact: None.
- Recommendations: Council:
 1. Adopt on second reading, by title only, Draft Ordinance A approving a Zone Map Amendment to 2605, 2607, 3055, and 3255 Traffic Way (APN's 049-063-003, 049-063-004, 049-071-029, 049-071-030), based on findings.
 2. Adopt on second reading, by title only, Draft Ordinance B, approving Planned Development Overlay Zone No. 35 for 2605, 2607, 3055, and 3255 Traffic Way (APN's 049-063-003, 049-063-004, 049-071-029, 049-071-030), based on findings. [Community Development]

8. Resolution of the City Council to Authorize Application for SB 2 Planning Grants Program Funds

- Fiscal Impact: If awarded, this grant will have a positive fiscal impact, as it will reduce the fiscal burden on the General Fund for housing-related expenses.
- Recommendation: Council approve Draft Resolution authorizing an application for Senate Bill 2 Planning Grants Program Funds to the California Department of Housing and Community Development. [Community Development]

9. 2019 Measure F-14 Pavement Rehabilitation Construction Award

- Fiscal Impact: Up to \$2,800,000
- Recommendations: Council:
 1. Award a construction contract for \$2,072,826 to Souza Construction, Inc. for the 2019 Measure F-14 Pavement Rehabilitation Project (Project No. C2018R01).
 2. Authorize the City Manager to execute a construction contract with Souza Construction, Inc. for \$2,072,826 for the 2019 Measure F-14 Pavement Rehabilitation Project.
 3. Authorize the City Manager to execute a contract for Construction Management and Materials Testing Services for a total not to exceed \$150,000.
 4. Authorize the Director of Administrative Services to allocate an additional \$274,700 in Measure F-14 Fund balance to the 2019 Measure F-14 Pavement Rehabilitation Project.
 5. Authorize the Director of Public Works to file a Notice of Completion with the County Recorder upon satisfactory completion of the Project. [Public Works]

10. 2019 Storm Drain Culvert Replacements Construction Award

- Fiscal Impact: Up to \$385,000.00.
- Recommendations: Council:
 1. Reject the bid protest and waive bid variances, if any, in the bid by AAAA Engineering Contracting, Inc. as inconsequential.
 2. Award a construction contract for \$288,838 to AAAA Engineering Contracting, Inc. for the 2019 Storm Drain Culvert Replacements Project (Project No. C2017E01).
 3. Authorize the City Manager to execute a contract for \$288,838 with AAAA Engineering Contracting, Inc. for construction of the 2019 Storm Drain Culvert Replacements Project.

4. Authorize the Director of Administrative Services to reallocate up to \$37,000 in Drainage Facilities Fees from the Storm Drain and Culvert Improvement Program in the event that total project costs exceed \$348,000 for the 2019 Storm Drain Culvert Replacements Project.
5. Authorize the Director of Public Works to file a Notice of Completion with the County Recorder upon satisfactory completion of the project. [Public Works]

11. Delegating Authority to City Engineer

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution delegating authority to City Engineer to take the actions set forth in California Civil Code Section 9204, California Government Code Section 830.6 and California Public Contract Code Section 22039. [Public Works]

MOTION: By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to approve the Consent Calendar. (#A-5: Ordinance No. 623) (#A-6: Ordinance No. 624) (#A-7: Ordinance Nos. 625 and 626) (#A-8: Resolution No. 2019-068) (#A-9: Contract No. 2019-006) (#A-10: Contract No. 2019-007) (#A-11: Resolution No. 2019-069)
Motion passed 5:0 by a roll-call vote.

UPDATES FROM THE CITY MANAGER:

City Manager Rachelle Rickard gave an update on projects and issues within the City.

COMMUNITY FORUM:

The following citizens spoke during Community Forum: Jake White, Ellen Beraud, Richard Moen, Steve Morrison, Fred Frank, Kate Montgomery, and Barbara Simms (Exhibit A)

Mayor Moreno closed the COMMUNITY FORUM period.

B. PUBLIC HEARINGS:

1. Confirming the Cost of Vegetative Growth and/or Refuse Abatement

- Ex-Parte Communications:
- Fiscal Impact: The City will receive \$42,624.78 from the 2019/2020 property tax rolls in weed abatement / refuse abatement assessments.
- Recommendation: Council adopt Draft Resolution, confirming the cost of vegetative growth (weeds) and/or refuse (rubbish) abatement. [Fire Department]

Ex Parte Communications

There were no communications on this item.

Fire Chief Bryson gave the staff report and answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Pro Tem Bourbeau and seconded by Council Member Funk to adopt Resolution 2019-070, confirming the cost of vegetative growth (weeds) and/or refuse (rubbish) abatement.
Motion passed 5:0 by a roll-call vote.

2. Emergency Shelter Overlay Zone Update ZCH19-0060 (El Camino Homeless Organization)

- Ex-Parte Communications:
- Fiscal Impact: None.
- Recommendations: Council:
 1. Introduce for first reading, by title only, Draft Ordinance A approving amendments to Atascadero Municipal Code Title 9 Chapter 3 Article 23 ES (Emergency Shelter) Overlay Zone text, based on findings, and
 2. Adopt Draft Resolution A approving a Conditional Use Permit for daytime programming at the existing shelter.
 3. Adopt Draft Resolution B approving the revised El Camino Homeless Organization (ECHO) Operations and Management Plan. [Community Development]

Ex Parte Communications

Council Member Fonzi reported receiving emails from persons in favor of the recommendations. All other Council Members reported speaking with the Executive Director of ECHO. Council Member Funk further reported speaking with residents of the shelter as well as others in favor of the proposal. Mayor Moreno and Mayor Pro Tem Bourbeau also reported speaking with the President of ECHO.

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

PUBLIC COMMENT:

The following citizens spoke on this item: Eric Gobler, Wendy Lewis, Lon Allen and Elisa Becerra

Mayor Moreno closed the Public Comment period.

MOTION: By Mayor Moreno and seconded by Council Member Funk to:

1. Introduce for first reading, by title only, Draft Ordinance approving amendments to Atascadero Municipal Code Title 9 Chapter 3 Article 23 ES (Emergency Shelter) Overlay Zone text, based on findings.
2. Adopt Resolution No. 2019-071 approving a Conditional Use Permit for daytime programming at the existing shelter with the following changes to Exhibit A:

Condition #4 is revised to read – Daytime services shall be open to resident clients only. Non-residents may be permitted on-site outside of evening shelter and meal program hours in accordance with the ES zoning text and the Operations and Management Plan.

Condition #8 is revised to read – Program management and clients shall comply with all rules and regulations established by the most current Operations Agreement approved by the City. The Use Permit includes the additional activities outlined in the Operations and Management Plan.

3. Adopt Resolution No. 2019-072 approving the revised El Camino Homeless Organization (ECHO) Operations and Management Plan.

Deputy City Manager/City Clerk Christensen read the title of the Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING THE ATASCADERO MUNICIPAL CODE TITLE 9, CHAPTER 3, ARTICLE 23 (EMERGENCY SHELTER OVERLAY ZONE) AND DETERMINING THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Mayor Moreno recessed the Meeting at 7:23 p.m.

Mayor Moreno reconvened the Meeting at 7:31 p.m. will all present.

C. MANAGEMENT REPORTS:

1. Balboa Road Repairs for Emergency Access

- Fiscal Impact: Up to \$10,000 in Local Transportation Funds. In addition, a City work crew of three is expected to spend two days performing driving surface maintenance with City equipment.
- Recommendations: Council:
 1. Authorize culvert repairs and driving surface maintenance work on Balboa Road between Otero Road and Llano Road for emergency access.
 2. Authorize the Director of Administrative Services to appropriate \$10,000 in Local Transportation Funds for the culvert repairs and driving surface maintenance work on Balboa Road between Otero Road and Llano Road for emergency access.
 3. Direct the Director of Public Works to install traffic signage to notify motorists that Balboa Road between Otero Road and Llano Road is an emergency access only and to deter its use during non-emergency evacuation conditions.
 4. Direct the Director of Public Works to evaluate the feasibility of accepting Balboa Road, between Otero Road and Llano Road into the City's Roadway System as an emergency evacuation route and bring back potential actions necessary for the acceptance of the road. [Public Works]

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

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

- MOTION:** By Council Member Funk and seconded by Council Member Fonzi to:
1. Authorize culvert repairs and driving surface maintenance work on Balboa Road between Otero Road and Llano Road for emergency access.
 2. Authorize the Director of Administrative Services to appropriate \$10,000 in Local Transportation Funds for the culvert repairs and driving surface maintenance work on Balboa Road between Otero Road and Llano Road for emergency access.
 3. Direct the Director of Public Works to install traffic signage to notify motorists that Balboa Road between Otero Road and Llano Road is an emergency access only and to deter its use during non-emergency evacuation conditions.
 4. Direct the Director of Public Works to evaluate the feasibility of accepting Balboa Road, between Otero Road and Llano Road into the City's Roadway System as an emergency evacuation route and bring back potential actions necessary for the acceptance of the road.

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

2. Contract for Animal Care and Control Services Fiscal Years 2019-2022

- Fiscal Impact: \$297,281 in budgeted General Funds for the first year.
- Recommendations: Council authorize the City Manager to execute a three-year contract with the County of San Luis Obispo for the continued provision of Animal Control Services from July 1, 2019 to June 30, 2022, in the amount of \$297,281 for the first year, with annual adjustments based on the service levels provided to the City for each year thereafter. [City Manager]

Deputy City Manager Christensen gave the staff report and she and City Manager Rickard answered questions from the Council. Dr. Eric Anderson, SLO County Animal Services Manager, also answered questions from the Council.

PUBLIC COMMENT:

The following citizens spoke on this item: None.

Mayor Moreno closed the Public Comment period.

- MOTION:** By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to authorize the City Manager to execute a three-year contract with the County of San Luis Obispo for the continued provision of Animal Control Services from July 1, 2019 to June 30, 2022, in the amount of \$297,281 for the first year, with annual adjustments based on the service levels provided to the City for each year thereafter.

Motion passed 5:0 by a roll-call vote. (Contract No. 2019-008)

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

The following Council Members made brief announcements and gave brief update reports on their committees since their last Council meeting:

Mayor Moreno

1. SLO Council of Governments (SLOCOG)

Mayor Pro Tem Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Fonzi

1. City of Atascadero Design Review Committee
2. SLO Local Agency Formation Commission (LAFCo)

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee

E. INDIVIDUAL DETERMINATION AND / OR ACTION:

1. Council Member Fonzi
 - a. Expressed concern regarding the number of drive-thru restaurants in town and proposed that an item be placed on the agenda to discuss a moratorium for the banning of drive-thrus in town.

There was Council consensus to direct staff to bring back an item to the Council to explore possibilities regarding the approval of drive-thru restaurants in the City.

- b. Announced that she will be appealing the Planning Commission decision on August 8, 2019, regarding the Mini Storage approval.

F. ADJOURN

Mayor Moreno adjourned the meeting at 8:44 p.m.

MINUTES PREPARED BY:


Lara K. Christensen
Deputy City Manager / City Clerk

The following exhibit is available for review in the City Clerk's office:

- Exhibit A – Pickleball Sponsorship Packet

APPROVED: September 10, 2019



SPONSORSHIP PACKET

Atascadero Pickleball Club, Inc.

*Sponsorship Opportunities for
the Development of Permanent
Pickleball Courts at Colony Park,
Atascadero*

YOUR DOLLARS. YOUR COMMUNITY.

Atascadero is a city defined by its diversity, creativity and culture. Deeper still is its sense of community—something which has kept this small town “north of the grade” feeling small. With new developments and incentives for growth, it is ever more important that we hold fast to this priority.

The Atascadero Pickleball Club, Inc., a registered 501(c)(3), needs your help. The city has encouraged the club to begin soliciting donations to build permanent courts at Colony Park Community Center. They have pledged to change the park’s master plan and amend it to include these courts as soon as we have raised funds. We have spoken to several council members who are very positive about building these courts for the entire community to use.

There’s something in it for you, too! Quite a lot, actually...



Colleen Avery
Community Sponsorships Representative
Atascadero Pickleball Club, Inc.



ATASCADERO PICKLEBALL CLUB, INC.

First, What is This Sport with the Funny Name?

Pickleball is a paddle sport that features elements of badminton, tennis and table tennis. Two or four players use solid paddles made of wood or composite materials to hit a ball, similar to a Wiffle Ball, over a net. Pickleball combines the benefits of badminton, tennis and table tennis, resulting in a great workout, a fun sport to play, and an inclusive sporting experience for everyone involved.

About the Club

[Atascadero Pickleball Club, Inc.](#) is a registered 501(c)(3) non-profit. The revenue we collect is shared with the City of Atascadero for the use of park services. The club fundraises for equipment needs and the construction of future permanent courts.

Mission Statement

The Atascadero Pickleball Club, Inc. is dedicated to playing and promoting the game of pickleball to benefit players of all ages and walks of life. We encourage and support good sportsmanship, healthy competition, camaraderie, health, social fitness and fun for all.



PROJECT/CONSTRUCTION OVERVIEW

ANTICIPATED COSTS / WHERE WE COULD USE YOUR HELP!

Civil Engineering	\$2,500
Structural Engineering	\$2,500
Soil Report & Testing	\$4,000
Excavation	\$15,000
Concrete Court Slab	\$89,000
Court Fencing	\$14,000
Court Nets & Poles	\$4,500
Court Paint	\$10,800
TOTAL	\$142,300



SPONSORSHIP OPPORTUNITIES

PLATINUM SPONSOR: \$25,000

- Permanent signage at new pickleball facility
- Recognition as a **Platinum Sponsor** at facility launch event and in all public relations materials
- (25) complimentary one-year membership passes
- Permanent recognition as a **Platinum Sponsor** at the new pickleball facility
- (5) custom pickleball paddles displaying company logo/advertisement, utilized as paddles for beginners

Be one of the first five Platinum Sponsors to have a **court named after your company!**

GOLD SPONSOR: \$10,000

- Recognition as a **Gold Sponsor** at facility launch event and in all public relations materials
- (10) complimentary one-year membership passes
- Permanent recognition as a **Gold Sponsor** at the new pickleball facility
- (3) custom pickleball paddles displaying company logo/advertisement, utilized as paddles for beginners



SILVER SPONSOR: \$5,000

- (5) complimentary one-year membership passes
- Permanent recognition as a **Silver Sponsor** at the new pickleball facility

INDIVIDUAL SPONSOR: \$1,000

A common, individual contribution that is tax-deductible, Individual Sponsors are a critical component to reaching our fundraising goals. Individual Sponsors benefit from:

- (1) complimentary one-year membership pass
- Permanent recognition as an **Individual Sponsor** at the new pickleball facility



A Familiar Voice

DAN PRY

Former Atascadero High Wrestling Coach &
CIF Southern Section Hall of Fame Inductee

"As a high school health science teacher, I ended each day with 'Make Healthy Choices.' This is an opportunity for our community to make healthy choices. Let's do this together!"

SPONSORSHIP OPTIONS:

Platinum	\$25,000
Gold	\$10,000
Silver	\$5,000
Individual	\$1,000
In-Kind	Construction supplies, labor, etc. are welcomed!
Other Cash Amount	Want to offer a different amount? We still would love your support, and we appreciate whatever amount you are able to give.

FOR MORE INFORMATION: Ms. Barbara Sims, (805) 440-3914, BarbaraLSims@gmail.com

First Name: _____ Last Name: _____

Company Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Email Address: _____ Phone: _____

Website: _____

SPONSORSHIP TOTAL: \$ _____

Comments, or In-Kind Donation Details: _____

May we share information about your sponsorship on social media? Yes ☐ No ☐

PAYING BY CREDIT CARD?

Card Number _____ Exp Date _____ CCV _____

Name on Card _____

Authorized Signature _____

PLEASE MAKE CHECKS PAYABLE TO:

Atascadero Pickleball Club, Inc.

RETURN FORM/CHECK TO:

Atascadero Pickleball Club, Inc.
P.O. Box 1154
Atascadero, CA 93423

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