



# **CITY OF ATASCADERO CITY COUNCIL**

## **MINUTES**

**Tuesday, November 12, 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 6:00 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: None

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, Planner Kelly Gleason, Fire Captain Tom Peterson, City Attorney Brian Pierik and Deputy City Clerk Amanda Muther

### **APPROVAL OF AGENDA:**

**MOTION:** By Council Member Fonzi and seconded by Council Member Funk 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: None.**

**A. CONSENT CALENDAR:**

**1. City Council Draft Action Minutes – October 22, 2019**

- Recommendation: Council approve the October 22, 2019 Draft City Council Meeting Minutes. [City Clerk]

**2. Network Switch Replacement Project**

- Fiscal Impact: \$118,820.00
- Recommendations: Council:
  1. Authorize the City Manager to execute a contract with Helixstorm for a total of \$110,779.38 for the purchase of network switching infrastructure, licensing, and implementation and configuration services.
  2. Council authorize the Administrative Service Director to appropriate \$49,820 from the Technology Fund. [Technology]

**3. Zoo Garden Event Center Construction Award**

- Fiscal Impact: \$630,000.00
- Recommendations: Council:
  1. Award a construction contract for \$630,000 to Newton Construction & Management, Inc. for the Zoo Garden Event Center (City Project No. C2016M01).
  2. Authorize the City Manager to execute a contract with Newton Construction & Management, Inc. in the amount of \$630,000 for the construction of the Zoo Garden Event Center project.
  3. Authorize the Director of Administrative Services to appropriate an additional \$167,240 in Public Facilities Fees Fund balance for FY19/20 toward the Zoo Garden Event Center project. [Public Works]

Council Member Funk requested that Item A4 be pulled from the Consent Calendar for discussion. Mayor Moreno called for a motion on the remaining items.

**MOTION: By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to approve the Consent Calendar Items A1 through A3. (#A-2: Contract No. 2019-015) (#A-3: Contract No. 2019-016)  
*Motion passed 5:0 by a roll-call vote.***

**4. Housing Element and Inclusionary Housing Ordinance Contract**

- Fiscal Impact: None.
- Recommendations: Council:
  1. Authorize the City Manager to execute a contract for \$94,000 with MIG to provide planning consultant services for the preparation of the 6th cycle General Plan Housing Element update and Inclusionary Housing Ordinance.
  2. Authorize the Administrative Services Director to budget an additional \$25,000 in SB 2 grant funds and to appropriate an additional \$25,000 in grant funds for the Development of Housing Element and Inclusionary Housing Policy. [Community Development]



## **PUBLIC COMMENT:**

The following citizens spoke on this item: Mark Capozzoli

***Mayor Moreno closed the Public Comment period.***

**MOTION: By Council Member Funk and seconded by Council Member Newsom to approve Consent Calendar Item A4. (Contract No. 2019-017)  
*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: Susan Macari, Jan Maitzen, Jim Wilkins, Mark Capozzoli, Maggie Payne, Icey Campbell, Deacon Jim Arnold, Steve Lefler

***Mayor Moreno closed the COMMUNITY FORUM period.***

## **B. PUBLIC HEARINGS:**

### **1. Micro Community Project - Grand Oaks Paseo Residential Development (DEV19-0049)**

- Ex-Parte Communications:
- Fiscal Impact: If the project is approved for processing, it shall be required to be annexed into the existing CFD so the added residential units fund impacts to City police, fire, and parks services.
- Recommendations: Council.
  1. Introduce for first reading, by title only, Draft Ordinance approving Title 9 Zone Text Amendments to the Planned Development Overlay Zone No. 27 (PD-27), based on findings.
  2. Adopt Draft Resolution, approving a Conditional Use Permit (Master Plan of Development) and Vesting Tentative Tract Map (Tract 3141) based on findings and subject to Conditions of Approval. [Community Development]

### Ex Parte Communications

Council Member Newsom reported having spoken with the applicant and familiarity with the project as a Design Review Committee Member.

Mayor Pro Tem Bourbeau reported having no communications on this item.

Mayor Moreno reported speaking with the applicant and a member of the public.

Council Member Fonzi reported speaking with the applicant, members of the public, and familiarity with the project as a Design Review Committee Member.

Council Member Funk reported speaking with the applicant and vendors at a tiny home expo.

Planner Gleason gave the presentation and she and Community Development Director Dunsmore answered questions from the Council. Applicant Ted Lawton and project designer Eddie Herrera also answered questions from the Council.

*Mayor Moreno recessed the meeting at 7:58 p.m.*

*Mayor Moreno reconvened the meeting at 8:07 p.m. with all present.*

**PUBLIC COMMENT:**

The following citizens spoke on this item: Gregg Cobarr, Chris Kovall, John Wilbanks

***Mayor Moreno closed the Public Comment period.***

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

1. Introduce for first reading, by title only, Draft Ordinance approving Title 9 Zone Text Amendments to the Planned Development Overlay Zone No. 27 (PD-27), based on findings.
2. Adopt Resolution No. 2019-082, approving a Conditional Use Permit (Master Plan of Development) and Vesting Tentative Tract Map (Tract 3141) based on findings and subject to Conditions of Approval.

Deputy City Clerk Muther read the title of the Ordinance:

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF ATASCADERO, CALIFORNIA,  
AMENDING TITLE 9, ARTICLE 28, PLANNED DEVELOPMENT  
OVERLAY DISTRICT NO. 27 (9-3.672)**

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

**2. Road Abandonment to Summarily Vacate an Undeveloped Portion of San Cayetano Road Right-of-Way**

- Ex-Parte Communications:
- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution recommending the City of Atascadero summarily vacate an unconstructed portion of right-of-way on San Cayetano Road based on findings consistent with the State of California Streets and Highways Code and the City's General Plan. [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: Claudia Berkman

***Mayor Moreno closed the Public Comment period.***



**MOTION:** By Council Member Fonzi and seconded by Council Member Newsom to adopt Resolution No. 2019-083 recommending the City of Atascadero summarily vacate an unconstructed portion of right-of-way on San Cayetano Road based on findings consistent with the State of California Streets and Highways Code and the City's General Plan.  
*Motion passed 5:0 by a roll-call vote.*

**C. MANAGEMENT REPORTS:**

**1. Voter Opinion Survey on Feasibility of Potential Future Tax Ballot Measure**

- Fiscal Impact: Approving staff recommendations will result in an appropriation of \$25,000 in General Fund reserves toward the City Manager budget for professional services.
- Recommendation: Council authorize the Administrative Services Director to appropriate \$25,000 in General Fund Reserves for consulting services with True North Research to conduct a voter opinion survey on the feasibility of a potential future tax ballot measure. [City Manager]

City Manager Rickard gave the staff report and answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: Ron Overacker, Dr. Eric Anderson

***Mayor Moreno closed the Public Comment period.***

**MOTION:** By Mayor Pro Tem Bourbeau and seconded by Council Member Funk authorizing the Administrative Services Director to appropriate \$25,000 in General Fund Reserves for consulting services with True North Research to conduct a voter opinion survey on the feasibility of a potential future tax ballot measure.

*Motion passed 4:1 by a roll-call vote. Fonzi "NO"*

**2. Animal Shelter Services Agreement – Amendment to the Current Animal Services Memorandum of Agreement**

- Fiscal Impact: The proposed changes to the Agreement will increase costs for the City of Atascadero animal shelter to approximately \$166,000 annually.
- Recommendation: Council authorize the City Manager to execute Amendment No. 2 to the Agreement for Allocation of Construction and Financing Costs for an Animal Services Shelter. [City Manager]

City Manager Rickard gave the staff report and answered questions from the Council. San Luis Obispo County, Animal Services Director Dr. Anderson and Design Division Manager Jeff Werst also answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: Steve Neer

***Mayor Moreno closed the Public Comment period.***

**MOTION:** By Council Member Fonzi and seconded by Council Member Newsom authorizing the City Manager to execute Amendment No. 2 (Contract No. 2019-017-A2) to the Agreement for Allocation of Construction and Financing Costs for an Animal Services Shelter.  
*Motion passed 5:0 by a roll-call vote.*

**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)
2. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee

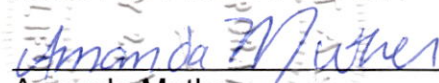
**E. INDIVIDUAL DETERMINATION AND / OR ACTION:**

Council Member Funk asked if Police Chief Haley could provide an update on how the enforcement process under the "vaping" Ordinance was going. Chief Haley advised it is working very well and proving effective.

**F. ADJOURN**

Mayor Moreno adjourned the meeting at 10:12 p.m.

**MINUTES PREPARED BY:**



Amanda Muther  
Deputy City Clerk

**APPROVED:** November 26, 2019