



# **CITY OF ATASCADERO CITY COUNCIL**

## **MINUTES**

**Tuesday, December 10, 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 6:01 p.m. and Council Member Fonzi 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, Public Works Director Nick DeBar, Police Lieutenant Robert Molle, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Chief Building Official David Muehlhausen and Battalion Chief Tom Peterson

### **APPROVAL OF AGENDA:**

**MOTION:** By Council Member Fonzi and seconded by Mayor Pro Tem Bourbeau 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 – November 26, 2019**

- Recommendation: Council approve the November 26, 2019 Draft City Council Meeting Minutes. [City Manager]

**2. City Council 2020 Meeting Schedule**

- Fiscal Impact: None.
- Recommendation: Council approve the City Council meeting schedule for 2020. [City Manager]

**3. Destination Marketing Services for the Atascadero Tourism Business Improvement District (ATBID)**

- Fiscal Impact: \$274,667.00
- Recommendation: Council authorize the City Manager to execute a contract with Verdin Marketing Ink, in the amount of \$274,667, for ATBID Destination Marketing Services [City Manager]

**MOTION: By Mayor Pro Tem Bourbeau and seconded by Council Member Newsom to approve the Consent Calendar. (#A-3: Contract No. 2019-018)**

***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. Police Chief Haley gave a brief update on the City's efforts to address issues occurring in the downtown.

**COMMUNITY FORUM:**

The following citizens spoke during Community Forum: Richard Snouffer (Exhibit A), Maggie Payne, Karen McNamara (Exhibit B), Susan Moore (Exhibit C), and Geoff Auslen

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

**B. PUBLIC HEARINGS:**

**1. Approval of Colony Park Master Site Plan Amendment 2019-1**

- Fiscal Impact: None.
- Recommendation: Council adopt Draft Resolution approving Amendment 2019-1 to the Colony Park Master Plan. [Public Works]

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



### Ex Parte Communications

Council Member Funk reported visiting with the Pickleball Club and observing the game being played.

Council Members Fonzi and Newsom and Mayor Moreno reported receiving various emails and calls regarding pickleball and speaking with the Pickleball Club President, Barbara Sims.

Mayor Pro Tem Bourbeau reported visiting with the Pickleball Club and observing the game being played as well as donating to the Club.

### **PUBLIC COMMENT:**

The following citizens spoke on this item: Barbara Sims, Dave Mulvey, Jay Decou, and Sharon Rademacher

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

**MOTION: By Mayor Pro Tem Bourbeau and seconded by Council Member Funk to adopt Draft Resolution approving Amendment 2019-1 to the Colony Park Master Plan.**  
***Motion passed 5:0 by a roll-call vote.***

### **2. 4 Unit Planned Development – 7900 Curbaril Avenue (DEV18-0124)**

- Fiscal Impact: If the project is approved for processing, it should be required to be fiscally neutral so the added residential units fund their own on-site improvements and maintenance, as well as their fair share of off-site improvements and impacts to City emergency services.
- Recommendations:
  1. Introduce for first reading, by title only, Draft Ordinance amending Title 9, Chapter 3 of the Atascadero Municipal Code approving a zoning text change to establish Planned Development Overlay Zone No. 36.
  2. Adopt Draft Resolution to approve a Conditional Use Permit (Master Plan of Development), and Vesting Tentative Parcel Map (AT18-0111) based on findings and subject to Conditions of Approval. [Community Development]

### Ex Parte Communications

Council Members Newsom and Fonzi reported reviewing this project as part of the Design Review Committee.

The other Council Members reported having no communications on this matter.

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

### **PUBLIC COMMENT:**

The following citizens spoke on this item: Robert Mannon and Jay DeCou

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



**MOTION:** By Council Member Fonzi and seconded by Council Member Newsom to:

1. Introduce for first reading, by title only, Draft Ordinance amending Title 9, Chapter 3 of the Atascadero Municipal Code approving a zoning text change to establish Planned Development Overlay Zone No. 36.
2. Adopt Resolution No. 2019-086 to approve a Conditional Use Permit (Master Plan of Development), and Vesting Tentative Parcel Map (AT18-0111) based on findings and subject to Conditions of Approval.

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

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING TITLE 9, CHAPTER 3 OF THE ATASCADERO MUNICIPAL CODE, APPROVING A ZONING TEXT CHANGE TO ESTABLISH PLANNED DEVELOPMENT OVERLAY ZONE NO. 36 (9-3.681) AND AMENDING THE OFFICIAL ZONING DISTRICT DESIGNATION FOR APN 031-231-003 FROM RESIDENTIAL MULTI-FAMILY - 10 (RMF-10) TO RESIDENTIAL MULTI-FAMILY - 10 WITH A PLANNED DEVELOPMENT NO. 36 OVERLAY ZONING DESIGNATION (RMF-10 / PD36)**

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

**3. 2020 Community Development Block Grant Draft Recommendations**

- Fiscal Impact: \$164,833.00.
- Recommendation: Council develop and adopt draft recommendations for the 2020 Community Development Block Grant (CDBG) funds. [Public Works]

Ex Parte Communications

All Members reported speaking with Loaves and Fishes regarding expansion needs.

Council Members Funk, Fonzi, Bourbeau and Mayor Moreno reported also speaking with representatives of People's Self Help Housing.

Council Members Fonzi and Funk also disclosed making donations to some of the applicant organizations.

Council Member Funk reported speaking with Jan Price, who owns a piece of property, who has been approached by Loaves and Fishes regarding acquisition for a new facility.

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

*Mayor Moreno recessed the meeting at 7:52 p.m.*

*Mayor Moreno reconvened the meeting at 8:03 p.m. with all present.*

**PUBLIC COMMENT:**

The following citizens spoke on this item: Geoff Auslen

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



**MOTION:** By Mayor Moreno and seconded by Mayor Pro Tem Bourbeau to adopt the following draft recommendations for the 2020 Community Development Block Grant (CDBG) funds:

Accessibility & Barrier Removal Project	\$115,808.00
City Youth Activities Scholarships	\$ 12,500.00
El Camino Homeless Organization	\$ 8,511.00
City Program Administration Costs	\$ 9,805.00
County Program Administration Costs	<u>\$ 18,209.00</u>
<b>TOTAL 2019:</b>	<b>\$164,833.00</b>

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

**4. 2019 Municipal Code Updates - Title 4, Title 8, Title 9 and Title 11 (CPP19-0080)**

- Fiscal Impact: Staff expects minimal fiscal impact to the City from the adoption of the new building codes and proposed code text amendments.
- Recommendations:
  1. Introduce for first reading, by title only, Draft Ordinance A repealing and replacing Title 4, Public Safety, Chapter 7, Fire Code, for consistency with the 2019 California Building and Fire Codes.
  2. Introduce for first reading, by title only, Draft Ordinance B repealing and replacing Title 8, Building Code, of the Atascadero Municipal Code for consistency with the 2019 California Building Code.
  3. Introduce for first reading, by title only, Draft Ordinance C approving amendments to Title 9, Planning and Zoning, Chapters 2, 3, 4, and 6 of the Atascadero Municipal Code for minor text corrections.
  4. Introduce for first reading, by title only, Draft Ordinance D approving amendments to Title 11, Subdivisions, Section 11-4.23 for minor text corrections. [Community Development]

Ex Parte Communications

All Council Members reported having no communications on this matter.

Community Development Director Dunsmore gave the staff report and answered questions from the Council. Chief Building Official David Muehlhausen and Battalion Chief Peterson also answered questions from the Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: Geoff Auslen

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

**MOTION:** By Council Member Fonzi and seconded by Council Member Funk to:

1. Introduce for first reading, by title only, Draft Ordinance A repealing and replacing Title 4, Public Safety, Chapter 7, Fire Code, for consistency with the 2019 California Building and Fire Codes.
2. Introduce for first reading, by title only, Draft Ordinance B repealing and replacing Title 8, Building Code, of the



Atascadero Municipal Code for consistency with the 2019 California Building Code.

3. Introduce for first reading, by title only, Draft Ordinance C approving amendments to Title 9, Planning and Zoning, Chapters 2, 3, 4, and 6 of the Atascadero Municipal Code for minor text corrections.
4. Introduce for first reading, by title only, Draft Ordinance D approving amendments to Title 11, Subdivisions, Section 11-4.23 for minor text corrections.

Deputy City Manager/City Clerk read the titles of the Ordinances:

**Draft Ordinance A**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, REPEALING AND REPLACING TITLE 4, PUBLIC SAFETY, CHAPTER 7, FIRE CODE, OF THE ATASCADERO MUNICIPAL CODE (CPP19-0080)**

**Draft Ordinance B**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, REPEALING AND REPLACING TITLE 8, BUILDING CODE, OF THE ATASCADERO MUNICIPAL CODE AMENDING THE LATEST EDITIONS OF THE CONSTRUCTION CODES, AND ADOPTING FINDINGS OF FACT TO SUPPORT THE IMPOSITION OF REQUIREMENTS GREATER THAN THE REQUIREMENTS ESTABLISHED BY, OR PURSUANT TO, THE CALIFORNIA BUILDING STANDARDS CODE (CPP19-0080)**

**Draft Ordinance C**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING TITLE 9, PLANNING AND ZONING, CHAPTERS 2, 3, 4, AND 6 OF THE ATASCADERO MUNICIPAL CODE (CPP19-0080)**

**Draft Ordinance D**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AMENDING SECTION 11-4.23 OF THE ATASCADERO MUNICIPAL CODE (CPP19-0080)**

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

**C. MANAGEMENT REPORTS: None.**

**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. County Mayors Round Table
2. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Bourbeau

1. Integrated Waste Management Authority (IWMA)
2. Mobile Home Rent Stabilization ad hoc Committee

Council Member Fonzi

1. City of Atascadero Design Review Committee

Council Member Funk

1. Homeless Services Oversight Council

Council Member Newsom

1. City of Atascadero Design Review Committee
2. Visit SLO CAL Advisory Committee

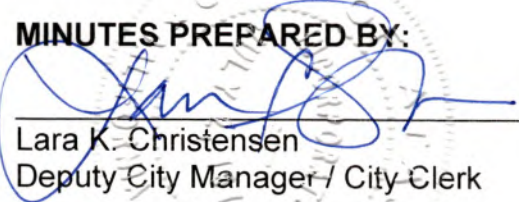
**E. INDIVIDUAL DETERMINATION AND / OR ACTION:**

1. City Council
  - a. Mayor Moreno reported that she plans to appeal the Planning Commission's decision on the Human Bean coffee shop on El Camino Real. She noted that she had concern with a condition on neighborhood compatibility and whether or not the use of loud speakers and hours of operation had been adequately addressed by the Planning Commission prior to approval of the project.

**F. ADJOURN**

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

**MINUTES PREPARED BY:**

  
\_\_\_\_\_  
Lara K. Christensen  
Deputy City Manager / City Clerk

**APPROVED:** January 14, 2020

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

- Exhibit A – Community Forum Comments
- Exhibit B – Information on becoming a Certified Local Government
- Exhibit C – Special Edition of Time Magazine – The Science of Addiction



I'm Richard Snouffer, 5220 Aguila Ave.

I've started working for the Census Bureau, get ready at the local level for the next nationwide census.

Census data by law must be updated every 10 years. It will be collected next spring and summer. The Census Bureau hopes that many people will complete their census forms on-line, by phone, or by mail, but there will still be a need for local, individual census takers to knock on doors to help some people fill in the forms.

I'd like to ask the city to support the Census Bureau in any way possible. We may ask to use conference rooms to train census takers. We will need to identify where folks can get access to computers to complete their surveys.

Accurate census data is important for many reasons. For example, it helps local businesses, the planning commission, schools, and so on to make good decisions about growth and investments in our community.

The Census Bureau needs to hire roughly 500 people here in the North County for short term work as "census takers". We need people to apply right away for the work that will be done in the Spring. The pay is \$20 per hour and the hours are flexible.

Anyone interested simply needs to go on-line to the website [2020census.gov/jobs](https://2020census.gov/jobs) or call [1-855-562-2020](tel:1-855-562-2020) for more information.

I'll be happy to answer any questions. Thank you.





# Why Become a Certified Local Government (CLG)?

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What's in it for the local jurisdiction? Why would you want to associate your local preservation program with state and federal programs? Would you be giving up autonomy?

## **Credibility**

When your local preservation program is consistent with federal and state standards and regulations you have the backing of programs that have stood the test of time. The National Historic Preservation Act has been around since 1966. The National Register of Historic Places and its criteria are widely recognized and they have been tested legally (reviewed, refined by adoption into regulations, tested and upheld in courts). Although the California Register of Historical Resources is much newer (1992), its criteria and procedures parallel the National Register.

When your local survey and designation program is consistent with the National Register and California Register you know you are on safe ground. Similarly, in project review or adoption of Certificates of Appropriateness, the adoption and use of the Secretary of the Interior's Standards provides criteria for project evaluation that, again, have stood the tests of time, reasonableness, and the courts. It insulates the local preservation program from charges of being arbitrary and capricious. Becoming a CLG provides the local program the added value of prestige and cachet.

## **Technical Assistance**

A perquisite for becoming a CLG is access to a listserv hosted by the State Office of Historic Preservation. Membership to the listserv is limited to SHPO staff, CLG coordinators, members of CLG boards/commission, and other interested staff in the CLG. It is a communication tool that offers the Office of Historic Preservation and CLGs the opportunity to submit suggestions or questions to other members of the listserv. SHPO staff also uses the listserv to forward information about training opportunities, publications, grants, and a variety of technical assistance to CLGs.

## **Streamlining**

The use of the National Register/California Register criteria and the Secretary of the Interior Standards integrates local, state, and federal levels of review. It brings clarity to the question of what resources are significant when it comes to CEQA and Section 106 of the National Historic Preservation Act. Adopting the Secretary of the Interior's Standards will allow the use of categorical exemptions under CEQA, and likely result of findings of no adverse effect under Section 106. The use of these criteria and standards make environmental review faster, more efficient, and reduces costs and delays.

## **Involvement**



The CLG program brings local preservation boards and commissions into broader land use planning and project approval processes. CLGs are obligated to involve their boards/commissions in the CEQA and Section 106 review process, as well.

### **Funding**

Each state is required to pass through 10% of its annual Historic Preservation Fund grant from the National Park Service to CLGs to fund their preservation activities. In California, the CLG grant program is competitive for a wider variety of preservation planning activities. This funding is not a large amount, but it can support important activities including completion of a preservation element or plan, a survey, preparation of a National Register district application, or the update of an ordinance. When work is carried out under the CLG grant program, there is the assurance that the work conforms to time-tested state and federal standards.

### **Autonomy**

When your local governments decides to become a CLG, it agrees to carry out the intent of the NHPA and the Secretary of the Interior's Standards. OHP's role is advisory. Recognizing that individual local governments and individuals employed by those local governments often do not have all the background, training, and skills to achieve a good balance between development and preservation, OHP reviews the structure and processes of the local preservation program, and may comment on or make suggestions about strategies a local government can use to accomplish its goals and objectives. Beyond that, neither the NPS nor OHP have any regulatory authority over local governments.

Neither the NPS nor OHP dictate the content of historic preservation plans or ordinances; neither the NPS nor OHP review nor is their approval needed prior to the selection and appointment of individual local preservation commissioners by local government officials. In no way is the autonomy of a local government decreased by becoming a CLG. However, a CLG may be decertified if it establishes policies or adopts practices that violate the intent of the National Historic Preservation Act.

### **Economic Benefits**

Although there are no direct economic benefits to being a CLG other than the opportunity to compete for CLG grants, your CLG's commitment to historic preservation does result in multiple economic benefits. Where preservation is supported by local government policies and incentives, designation can increase property values and pride of place. Revitalization of historic downtowns and adaptive reuse of historic districts and buildings conserves resources, uses existing infrastructure, generates local jobs and purchasing, supports small business development and heritage tourism and enhances quality of life and community character.

## **Related Pages**

[Certified Local Government Program \(CLG\).\(/?page\\_id=21239\)](#)

[CLG Grant Program \(/?page\\_id=24493\)](#)

[CLG Program Q & A \(/?page\\_id=24494\)](#)

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SPECIAL

TIME

EDITION

This Exhibit is available for review in the office of the City Clerk

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