

CITY COUNCIL MINUTES

Tuesday, August 6, 2002 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET

PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK

CALL TO ORDER – Library/City Hall Conference Center

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 PM on the above date in the Library/City Hall Conference Center, was called to order by Mayor Frank Mecham.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL Councilmembers Jim Heggarty, Duane Picanco and Mayor Frank Mecham Absent: George Finigan and Gary Nemeth. Councilmember Finigan was seated at 7:37 p.m.

PUBLIC COMMENTS

- Chuck Miller gave an update on the medical condition of Dick Reddick, Editor of the Paso Robles Press, who will be undergoing surgery on August 7th. Anyone wishing to contribute monies to help with the family's medical expenses can do so through a special account at Heritage Bank.
- Betty Miller announced the Estrella Warbirds dinner and dance event *Tales from the South Pacific*, to be held at 6:00 p.m. on Friday, September 20th, and Saturday, September 21st.
- Veeda Cumming, Administrative Services Department Accounting Manager, announced that Ride Share has received a grant from the local Air Pollution Control Board. Funds will be used for a

special, county-wide promotion: fixed route service throughout the County will be provided free of charge during the month of September.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that staff has recommended that Consent Item No. 13 be tabled and No. 22.2 be continued to August 20, 2002. Additionally, Consent Item No. 14 has been pulled from the Agenda and replaced with Agenda Item No. 30.1.

PRESENTATIONS – None

NOTICED HEARINGS

1. Code Amendment 02-008 – Front Yard Setbacks (City-Initiated)

R. Lata, Community Development Director

Consider an amendment to Sections 21.16E.220 and 21.16I.160 of the Zoning Code regarding reducing the front yard setbacks in order to lessen the impacts to grading and oak trees. (This is a proposal to allow the Planning Commission to reduce a front yard setback to as low as five feet, if the reduction would provide for the protection of oak trees and/or the reduction of grading. Approval would be contingent on not disrupting the character of the neighborhood and maintaining a 20-foot setback for a garage door, if it faces the street.)

Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Finigan, seconded by Councilmember Heggarty, moved to introduce Ordinance No. XXX N.S. amending Chapters 21.16E and 21.16I reducing front yard setbacks in order to lessen the impacts to grading and oak trees; and set August 20, 2002, as the date for adoption of said Ordinance. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty and Mecham
NOES: Picanco
ABSTAIN: None
ABSENT: Nemeth

1.1 Specific Plan Amendment (SP 02-003) – City-initiated in Conjunction with Kiessig Family Trust

R. Lata, Community Development Director

Open and continue the public hearing to Council's regular meeting of August 20, 2002. (The 3-part amendment relates to [a] modification of 75-foot landscaped setback from Hwy. 46 East along the southern boundary of the Borkey Area Specific Plan [BASP]; [b] amendment of the 825-foot elevation development restriction within the BASP; and [c] consideration of private ownership versus public ownership of a parcel designated as a future parks and open space parcel in Subarea F of the BASP. SINCE TIME OF RESCHEDULING, ITEM [C] HAS BEEN WITHDRAWN FROM THIS PROPOSED AMENDMENT.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to continue the open public hearing regarding components [a] and [b] to the Council's regular meeting on August 20, 2002. Motion passed by unanimous voice vote.

CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. There no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items No. 2 to 12 and 15, 17 to 18 and 20 to 22 were unanimously approved on a single motion by Councilmember Picanco, seconded by Councilmember Heggarty, with the exception of Items No. 13, 14, 16, 19, 22.1 and 22.2 pulled for separate action.

Those items approved were:

2. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory Committee meeting of June 27, 2002
Housing Authority meeting of July 16, 2002
Parks & Recreation Advisory Committee meeting of June 11 and 18, 2002
Senior Citizen Advisory Committee meeting of June 10, 2002
3. Approve Warrant Register – Warrant Nos. 34217 (7/12/02) – 34672 (7/26/02)
M. Compton, Administrative Services Director
4. Certificate of Recognition – 60th Wedding Anniversary of Bernard and Virginia Henderson
F. Mecham, Mayor
5. Adopt Ordinance No. 833 N.S, amending Chapter 21.31 of Article IIA of the Municipal Code of the City of El Paso de Robles, California, relating to adult businesses (Code Amendment 02-004). FIRST READING JULY 16, 2002.
R. Lata, Community Development Director
6. Adopt Resolution No. 02-153 annexing Tract 2254-2 as part of Subarea 70B to the “Paso Robles Landscape & Lighting District No. 1.” (Tract 2254-2 is phase two of a proposed 87-lot subdivision of a 25.3-acre site, located on the northwesterly corner of the intersection of Creston Road and Beechwood Drive. The first two phases involve the development of 31 lots on 8.25 acres. Applicants guarantee the construction of required public improvements within a one-year period and Payment and Performance Bonds have been submitted and are on file in the office of the City Engineer.) DUE TO CLERICAL OVERSIGHT, THIS RESOLUTION WAS NOT INCLUDED IN THE JULY 2, 2002, AGENDA.
R. Lata, Community Development Director
7. Adopt Resolution No. 02-154 approving an amendment to Newton Construction and Management’s present contract with the City for construction management services for the construction of disabled access improvements to the Carnegie Library Building. (Construction plans for this work have been prepared and accepted by the City, and the project is near going to bid. The expertise of an experienced construction manager is needed to properly supervise the construction process and respond to any necessary technical changes to the plans that may arise. Newton Construction is presently under contract with the City to provide construction management for Measure D projects, and the Carnegie

Library rehabilitation could be added to NCM's assignments with an amendment to their present contract.)

R. Lata, Community Development Director

8. Adopt Resolution No. 02-155 approving the abandonment of nine feet of the existing 15-foot street tree planting easement – APN 009-610-013 (Norton). (Project site is located at 405 Apache Court, at the corner of Rose Lane and Apache Court, in Tract 1118. The 15-foot recorded easement exceeds the City's current requirement. Only a 6-foot wide easement for utilities and planting would be necessary under current code standards. Approval of the abandonment request would allow applicant to expand the existing residence to within 10 feet of the street side property line in accordance with all applicable zoning standards.)
R. Lata, Community Development Director
9. Adopt Resolution No. 02-156 appropriating 2002 Community Development Block Grant (CDBG) funds. (Council adopted Resolution No. 02-38 in March 2002 determining the activities to be funded with the City's 2002 allotment of CDBG funds. The City expects to soon be notified that the US Department of Housing and Urban Development has approved the County of San Luis Obispo's 2002 One-Year Action Plan, which includes the City's proposal for use of 2002 CDBG funds. The City has already budgeted the amount allocated to Administration and Capacity Building [administrative activities], but needs to make appropriations for the non-administrative projects.)
R. Lata, Community Development Director
10. Adopt Resolution No. 02-157 approving an amendment to the Compensation and Benefit Plan for the Police Officers Association effective April 1, 2002, to March 31, 2006. (The P.O.A. bargaining group has ratified a tentative agreement that will establish pay and benefits that are comparable to the City's defined labor market and are internally aligned with the balance of the City work force.)
M. Williamson, Assistant to the City Manager
11. Adopt Resolution No. 02-158 accepting bid from American Star for the sale of surplus transit buses, subject to the removal of the condition that the City perform certain repairs before delivery. (One bid was received from American Star for purchase of transit buses #8 and #9, with condition that City replace the rear engine main seal before taking possession. City's bid instructions stated that buses would be sold "as is." The bidder has agreed to remove the condition.)
M. Compton, Administrative Services Director
12. Adopt Resolution No. 02-159 declaring certain City property as surplus and authorizing their sale by public auction. (Transit bus #5, Police patrol unit #641 and Public Works unit #503A are surplus and no longer being used by the City. Given the lack of space at the City Yard, it is desirable to dispose of said vehicles as quickly as possible. City's fleet manager recommended, consistent with current replacement policy, that the vehicles be declared surplus and be sold at public auction.)
M. Compton, Administrative Services Director
15. Adopt Resolution No. 02-170 approving the assignment of a real estate lease on Lot 2 of Parcel 16 in the Airport Industrial Park from Jim and Karen Reed (current lessees) to John and Marjorie Hamon. (On June 19, 2001, the City entered into a 20-year lease agreement with Jim and Karen Reed for Lot 2 of Parcel 16 at the Municipal Airport. Tenants have requested an assignment of the lease agreement, and provisions within the lease agreement allow for City approval of the requested assignment.)
J. Deakin, Public Works Director

17. Adopt Resolution No. 02-161 approving an addendum to the real estate lease with Nunno Corporation, LTD. at the Municipal Airport. (The City entered into a long-term lease agreement with the Nunno Corporation for Parcel 35 and 54 in the Airport Industrial Park on December 1, 1980. The lease property includes frontage along Dry Creek Road. Lessee agrees to provide for the future widening by contributing the efforts needed to widen Dry Creek Road along the lease frontage and agrees to memorialize the agreement within the lease, via the draft amendment.)
J. Deakin, Public Works Director
18. Adopt Resolution No. 02-162 accepting the recordation of Parcel Map PR 01-360, a two-lot subdivision located on 21st Street, west of Almond Springs Drive. (Applicants John and June Bertoni have requested that Parcel Map PR 01-360 be accepted by the City for recordation. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission on February 12, 2002, have been satisfied.)
R. Lata, Community Development Director
20. Adopt Resolution No. 02-164 accepting the recordation of Parcel Map PR 01-421, a 2-lot subdivision located on Spring Street between 34th and 36th Streets. (Applicants David and Cherie Landon have requested that Parcel Map PR 01-421 be accepted by the City for recordation. The Landon's intend to develop a commercial building on the parcel fronting Park Street. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission on March 12, 2002, have been satisfied.)
R. Lata, Community Development Director
21. Adopt Resolution No. 02-165 accepting the public improvements of Tract 2005 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$18,370. (This subdivision is located on Dallons Drive, west of Golden Hill Road. The public improvements, which the developer JM Wilson Development Corp. was required to install for this subdivision, have been completed. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director
22. Adopt Resolution No. 02-166 accepting the public improvements of Tract 2281-3 (Shadow Canyon) into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$62,910. (This subdivision is located on Red River Drive, northeast of Creston Road. The public improvements, which the developer Bret Whitaker [aka La Ranchita, LLC] was required to install for this subdivision, have been completed. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director

Items pulled for discussion:

13. Approve request from the American Society of Civil Engineers (ASCE) to display a commemorative banner at the Veterans Memorial Bridge from August 12 to September 10. (ASCE will be celebrating its 150th anniversary. The bridge project was awarded ASCE Chapter "Project of the Year" honors for 2001-2002 Structures Project.)
J. Deakin, Public Works Director

14. Authorize the Mayor to execute an agreement not-to-exceed \$60,000 with the California Conservation Corps for clearing vegetation for flood control mitigation in the Salinas River. (On July 16, 2002, Council approved hiring the California Conservation Corps [CCC] to provide flood control clearing services. The CCC's draft proposal indicates that the \$60,000 maximum amount provides for clearing work to commence as early as August 12, 2002, and proceed through the autumn season. Should the CCC spend less than the full obligation in calendar year 2002, work may be carried over to the 2003-calendar year season.)
J. Deakin, Public Works Director

- 22.2 Adopt Resolution No. 02-xx accepting the public improvements of Tract 2281-5 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$56,257. (This subdivision is located on Grand Canyon Drive, east of Creston Road. The developer has completed all required public improvements to the satisfaction of City staff, with the exception of the submittal of final landscape plans. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to table Item No. 13, replace Item No. 14 with Item No. 30.1 and continued Item No. 22.2 to the Council meeting of August 20, 2002 Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

16. Adopt Resolution 02-160 appropriating \$17,000 from General Fund Reserves to Budget Account No. 100-110-5235-010 to purchase and place 20 decorative trash receptacles for the downtown area. (Council has recognized a need for additional trash capacity in the downtown area and provided direction to purchase receptacles, which are to be consistent with downtown architecture. Additionally, City staff was directed to work with Main Street Association to orchestrate placement of the receptacles.)
J. Deakin, Public Works Director

19. Adopt Resolution No. 02-163 accepting the recordation of Parcel Map PR 01-263, a 2-lot subdivision located on Sherwood Road between Commerce Way and Fontana Road; accepting the offers of dedication for Sherwood Road; and annexing Parcel Map PR 01-263 into the Landscape and Lighting District. (Applicants Phillip and Melinda Parker have requested that Parcel Map PR 01-263 be accepted by the City for recordation. The Parkers intend to develop two commercial/industrial buildings and to move their business, Pacific Metal Finishing, to the site. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission on August 28, 2001, have been satisfied.)
R. Lata, Community Development Director

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett on Item No. 16. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to approve Consent Items No. 16 and 19. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

- 22.1** Adopt Resolution No. 02-167 accepting the public improvements of Tract 2281-4 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$71,848. (This subdivision is on Grand Canyon Drive, northeast of Creston Road. The developer has completed all required public improvements to the satisfaction of City staff, with the exception of the submittal of final landscape plans. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to approve Consent Item No. 22.1. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

PUBLIC DISCUSSION

23. Oak Tree Ordinance Revisions – Municipal Code Amendment 2001-001

R. Lata, Community Development Director

Consider introducing for first reading a revision to the City's Oak Tree Preservation Ordinance. (At its July 16th meeting, Council directed staff to modify the Ordinance and bring it back for a new 1st reading and introduction. The original Planning Commission recommendations are that [1] 6-inch trunk diameter continues to be the threshold for Council review of oak tree removal requests; [2] a list of approved arborists be authorized to provide services to the City; [3] Critical Root Zone replaces the term "drip line"; [4] the level of oak tree protection measure enforcement be increased; [5] the Public Works Department be responsible for approving tree trimming requests; [6] the Community Development Department be responsible for processing tree removal requests; and [7] the City recover costs for processing tree trimming and removal requests. This revised Ordinance reflects provisions that (8) would allow residential property owners, whose property is not involved in a development or entitlement application, to trim their oak trees without the need for a permit and without limitation on the size of limbs, as long as they do not endanger the health of the tree. (9) Provisions have also been included to allow residential property owners to request authorization to remove oak trees that are under the canopy of larger oak trees without the

need to provide replacement trees. A cost recovery proposal will be presented for Council consideration at a future date.)

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to introduce for first reading Ordinance No. XXX N.S. amending Section 10.01 et seq. and related provisions of the Municipal Code (Municipal Code Amendment 2001-001 – Oak Trees.); and set August 20, 2002, as the date for second reading and adoption. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

24. City Web Site Design and Development – Council Decision and Status Report

D. McCue, Information Systems Manager

Receive a web site development status report and choose a preferred design theme. (The web site developer and staff worked together to create a framework for the site that includes the seven departments and their divisions. This site is expected to launch with considerably more than just the City Council and Planning Commission minutes, agendas, ordinances and resolutions. It will include more than 150 web pages of department/division operations and will grow as resources to develop additional functionality are added. Two web site design themes have been created. Council is requested to determine the design theme most appropriate.)

Michael Hull, Chief Executive Office of Ernest & Allen, assisted by graphic designer Cathy Portz, conducted a visual presentation showing two design styles for consideration for the City web site.

Mayor Mecham opened the public hearing. Speaking from the public were Pat Johnson, Dale Gustin and Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Picanco, moved to authorize use of Style 1 for launch of the web site. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

25. All-Way Stop (Temporary) at Niblick Road and Country Club Drive

J. Deakin, Public Works Director

Consider designating the intersection of Niblick Road and Country Club Drive as an all-way stop intersection for one additional year. (On November 20, 2001, the City Council approved installation of a 4-way stop sign at the intersection of Niblick Road and Country Club Drive for an interim period of six months. Council directed staff and the Streets and Utilities Committee to review the six-month effect of the stop signage to determine future intersection needs. On June 28, 2002, the Streets and Utilities Committee directed staff to return to Council with the recommendation to continue to post the all-way stop for one additional year--through June 2003.)

Mayor Mecham opened the public hearing. Speaking from the public were Mike Menath, Dale Gustin, Pat Johnson and Betty Miller. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Picanco, moved to adopt (1) Resolution No. 02-168 designating the intersection of Niblick Road/Country Club Drive as an all-way stop intersection, and require all vehicles to stop at all entrances to the intersection; and (2) a finding that this action is exempt from the California Environment Quality Act (CEQA), pursuant to Title 14 §15301(c). Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, and Picanco
NOES: Mecham
ABSTAIN: None
ABSENT: Nemeth

At 9:00 PM the City Council took a 5-minute break, reconvening at 9:05 PM.

26. Appointment of Council Ad Hoc Committee – Barney Schwartz Park Concession Stand Proposals

B. Partridge, Library & Recreation Services Director

Consider appointment of an ad hoc committee to review Barney Schwartz Park concession operation proposals. (The City will operate the concession stands at Barney Schwartz Park using a contract concessionaire. Request for Proposals for that operation were solicited and three proposals were returned. A committee comprised of Mike Compton, Joe Deakin, Barbara Partridge and Gary Perruzzi reviewed the proposals and ranked them based on required elements within the proposal, experience in concession operations and ability to work effectively with staff. The top two proposers based on committee review are Brett Butterfield and NCI Affiliates, Inc.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco moved to appoint Councilmembers Finigan and Heggarty to a two-member ad hoc committee to review proposal analysis, interview the top two proposals, and report back to full Council by September 3, 2002. Motion failed due to lack of a second.

Councilmember Finigan, seconded by Councilmember Picanco, moved to direct staff to return to Council with their recommendation for a concessionaire to operate the concession stands at Barney Schwartz Park. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

27. Request to Locate Fundraising Advertisement (Portable Billboard) in the Public Right-of-Way

R. Lata, Community Development Director

Consider a request to locate a portable (trailer-mounted) billboard in the public right-of-way for the purpose of advertising a scholarship fundraising event. (The Paso Robles Rotary Club is requesting to park a trailer-mounted portable billboard in the parking lane of Spring Street along the frontage of City Hall. The request is made to support fundraising for local high school scholarships and would be displayed August 7 to 24, 2002.)

Mayor Mecham opened the public hearing. Speaking from the public were Vicki Silva (Chairperson for the Winemaker's Barbecue Cook-Off) and Dale Gustin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Picanco, moved to approve use of the portable billboard in an alternative location based on its purpose of advertising a non-profit fundraising event that benefits local high school scholarships. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

28. Special Event City Sponsorship Criteria

B. Partridge, Library & Recreation Services Director

Adopt criteria by which the City may consider the financial sponsorship of a special event. (Council requested the development of criteria specific to independent special events for City consideration of financial sponsorship. This criteria specifies the unique and significant nature of the event, with the ability to generate more income than expenditures, draw local, state and national attention, participants and spectators, and receive the written endorsement of the Paso Robles Chamber of Commerce, Paso Robles Visitors and Conference Bureau and the Main Street Association. Additionally, at its June 4th meeting, Council directed staff to ensure that there was language that clearly allowed for any local organization to apply for sponsorship.)

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin and Steve Martin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to adopt the City-Sponsored Special Event Criteria, as presented. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham

NOES: None
ABSTAIN: None
ABSENT: Nemeth

DRAFT

29. Water Quality/Wastewater Discharge Compliance

J. Deakin, Public Works Director

Consider City water quality/wastewater discharge compliance and provide direction to staff on next steps to research the issues. (The California Regional Water Quality Control Board [RWQCB] reports that the City's current discharges may already exceed permitted limits for Salts. In addition, the RWQCB warns that the Salts issue will be addressed with greater scrutiny in 2005, thereby increasing the need for the City to understand the issue and develop options for control. In order to prepare for the effluent Salts issue, the City needs to explore the technical, physical and financial aspects relative to the wastewater effluent, the source water, and the potable water uses in the City.)

Mayor Mecham opened the public hearing. Speaking from the public were Kathy Barnett and Dale Gustin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Finigan, seconded by Mayor Mecham, moved to direct staff to develop and issue a Request for Qualifications (RFQ) for qualified engineers or hydro-geologic firms to research the wastewater effluent/water supply issues and options, investigate possibility of collaborating on this issue with other agencies in San Luis Obispo County, and to report back to Council to award a contract to the most qualified respondent. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

30. Street Names for New Union Road/North River Road Configuration

R. Lata, Community Development Director

Review two options for naming the streets in conjunction with the new configuration of North River Road and Union Road. (With the 13th Street bridge-widening project, the intersection of Union Road and North River Road will be reconfigured and Council direction is needed in naming the streets.)

Mayor Mecham opened the public hearing. Speaking from the public were Bruce White, Dale Gustin and Vicki Silva. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to keep the street names of Union Road and North River Road as shown on Exhibit B, and direct staff to take no further action on the matter. Motion failed by the following roll call vote:

AYES: Picanco and Heggarty
NOES: Finigan and Mecham
ABSTAIN: None
ABSENT: Nemeth

Councilmember Picanco, seconded by Councilmember Finigan, moved to continue this item to the Council meeting of August 20, 2002. Motion passed by unanimous voice vote.

30.1 Use of California Conservation Corps

J. Deakin, Public Works Director

Consider entering an agreement with the California Conservation Corps (CCC) for flood control clearing services. (On July 16, 2002, Council approved a plan to hire the CCC to provide flood control clearing services in the Salinas Riverbed. Council’s action specified allocating \$60,000 for work in Phase I.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-169: (1) finding an exception to the City Purchase Policy that, due to the urgent need for seasonal flood control mitigation, it is in the City’s best interest to hire the California Conservation Corps to clear vegetative matter in the Salinas River; (2) authorizing the Mayor to execute the not-to-exceed \$60,000 agreement with the California Conservation Corps for clearing vegetation for flood control mitigation in the Salinas River; and (3) directing staff to present the City Council with a revision to the City Purchase Policy to provide the means for streamlining contract procedures with other government agencies for project services. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Nemeth

CITY MANAGER

31. Vacancy – Airport Advisory Committee

J. Deakin, Public Works Director

Consider appointing a replacement to fill a vacancy on the Airport Advisory Committee. (A regular member on this Committee has moved out of the area, creating a vacancy. As there are two alternate members, Council may appoint one of the alternates to complete the regular member’s term.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to appoint Suzanne Smith as a regular member of the Airport Advisory Committee to complete the term of Karl Dearie. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty and Mecham
NOES: None
ABSTAIN: Picanco
ABSENT: Nemeth

CORRESPONDENCE

City Manager Jim App announced an urgent information item regarding State Assembly Bill 910, which deals with enforcement of housing elements provisions of general plans and will dramatically expand state control over local governmental housing decisions. This bill and recent amendments will be heard by the Assembly Housing Committee August 7th and the League of California Cities is urging City Council members to call their local Assemblymen and express their opposition to this bill and recent amendments

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

32. **Urban Water Management Plan Implementation – Ad Hoc Committee**

J. Deakin, Public Works Director

Consider extending the duration of the Urban Water Management Plan (UWMP) Implementation ad hoc committee formed on January 3, 2002, to review the City's 2000 UWMP and develop an implementation schedule for the 18 best management practices.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Finigan, moved to extend the duration of the UWMP ad hoc committee to January 23, 2003. Motion passed by unanimous voice vote.

33. **Fees for Service – Ad Hoc Committee**

R. Lata, Community Development Director

Consider extending the duration of the Fees for Service ad hoc committee formed on April 2, 2002, to review the City's fees for services in the Community Development Department.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to extend the duration of the Fees for Service ad hoc committee to December 31, 2002. Motion passed by unanimous voice vote.

COUNCIL COMMENTS

- ❖ Councilmembers Picanco and Heggarty asked for public support in opposition to SB 920.
- ❖ Councilmember Heggarty announced the closing of the Museum of Flying, located at the Santa Monica Airport. He suggested sending a fact-finding team (to include representatives of the Airport Advisory Committee, Chamber of Commerce and Pioneer Museum Board of Directors) to explore the possibility of acquiring some of the museum assets and/or relocating their operation to Paso Robles. Council expressed approval of this approach.

PUBLIC COMMENT ON CLOSED SESSION - None

Council moved to adjourn from regular session at 10:10 PM and re-adjourn to Closed Session. Motion passed by unanimous voice vote.

Deputy City Attorney Michael Seitz announced Council's authority to go into closed session to discuss the items listed on the agenda.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 11:35 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

Deputy City Attorney Michael Seitz announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 11:40 PM.

ADJOURNMENT:

- TO THE GENERAL PLAN PUBLIC WORKSHOP AT 7:00 PM ON THURSDAY, AUGUST 8, 2002, AT THE CULINARY ARTS CENTER, 1900 GOLDEN HILL ROAD;
- TO THE CHANDLER RANCH ALTERNATIVES WORKSHOP AT 7:30 PM ON THURSDAY, AUGUST 13, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET;
- TO THE GENERAL PLAN PUBLIC WORKSHOP AT 7:00 PM ON THURSDAY, AUGUST 15, 2002, AT THE SCHOOL DISTRICT BOARD ROOM, 800 NIBLICK ROAD;
- TO THE AIRPORT MASTER PLAN/LAND USE PLAN WORKSHOP AT 7:00 PM ON MONDAY, AUGUST 19, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET;
- TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, AUGUST 20, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS,
UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.**

DRAFT

MINUTES
CITY COUNCIL
ADJOURNED REGULAR MEETING
**ADVISORY BODY INTERVIEWS & APPOINTMENTS:
HOUSING AUTHORITY &
SENIOR CITIZEN ADVISORY COMMITTEE**

Thursday, September 5, 2002 7:00PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET

CALL TO ORDER

ROLL CALL Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS - None

1. Interviews & Appointments – Housing Authority

E. Gallagher, Housing Manager

Interview and make appointments to the Housing Authority.

Applicants:

Joe Dutra (incumbent)	David Rouff
Leo Fisher	Steven Meixner
Lawrence Foelker	

- 2 vacancies (one 4-year regular term expiring 2/28/06 & one 1-year unexpired term expiring 2/28/03)
- 5 applicants (1 of which is an incumbent)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

All applicants were interviewed. After discussion and deliberation, appointments were made as follows:

- Leo Fisher to a 4-year regular term expiring 2/28/06
- David Rouff to a 1-year term expiring 2/28/03 (to complete Frank Schuh's unexpired term)

Council adjourned for a 10-minute recess at 7:50 PM.

DRAFT

2. Interviews & Appointments – Senior Citizen Advisory Committee

B. Partridge, Library & Recreation Services Director

Interview and make appointments to the Senior Citizen Advisory Committee.

Applicants:

Renee Clark	Judy Rupp
Dale Gustin (incumbent)	Dell Velten (incumbent)
Virginia Harris (incumbent)	Velta Williamson (incumbent)
Nettie O'Brien	

- 5 vacancies (2-year terms expiring 6/30/04)
- 7 applicants (4 of which are incumbents)

Mayor Mecham opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

All applicants were interviewed with the exception of Dell Velten, who was unable to attend the meeting. After discussion and deliberation, appointments were made as follows:

- Renee Clark (alternate) to a 2-year regular term expiring 6/30/04
- Dale Gustin to 2-year regular term expiring 6/30/04
- Virginia Harris to 2-year regular term expiring 6/30/04
- Dell Velten to 2-year regular term expiring 6/30/04
- Velta Williamson to 2-year regular term expiring 6/30/04

Council adjourned from regular session at 8:55 PM.

ADJOURNMENT to THE CHAMBER OF COMMERCE EVENT WAKE-UP PASO ROBLES 7:30 AM ON **TUESDAY, SEPTEMBER 10, 2002**, AT THE PASO ROBLES INN BALLROOM, 1103 SPRING STREET; AND TO THE JOINT COUNTYWIDE COUNCIL MEETING 6:00 PM ON **THURSDAY, SEPTEMBER 12, 2002**, AT THE EMBASSY SUITES, 333 MADONNA ROAD, SAN LUIS OBISPO

FUTURE MEETINGS

- SEPTEMBER 11TH MEMORIAL 7:00 PM ON **WEDNESDAY, SEPTEMBER 11, 2002**, AT DOWNTOWN CITY PARK.
- REGULAR CITY COUNCIL MEETING 7:30 PM ON **TUESDAY, SEPTEMBER 17, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS,
UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.**

CITY COUNCIL MINUTES
Tuesday, September 3, 2002 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Present: Councilmembers George Finigan, Gary Nemeth, Duane Picanco and Mayor Frank Mecham. Absent: Councilmember Jim Heggarty.

PUBLIC COMMENTS - None

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that a Public Notice calling a hearing regarding a code amendment to allow churches in the PM zone will be re-noticed and heard at the Council meeting of September 17, 2002.

PRESENTATIONS – None

NOTICED HEARINGS – None

CONSENT CALENDAR

The Consent items were approved on a single motion by Councilmember Nemeth, seconded by Councilmember Finigan, with Items No. 2 to 3, 7 to 9 and 11 to 17 being passed unanimously, Councilmember Finigan abstaining on Item No. 4 and dissenting on Item No. 6, Councilmember Picanco abstaining on Items No. 1 and 10 and dissenting on Items No. 5 and 6, and Mayor Mecham abstaining on Item No. 1.

1. Approve City Council minutes of June 18, 2002.
D. Fansler, City Clerk

Due to lack of a majority vote, this item will be returned to Council on September 17, 2002.
2. Receive and file Advisory Body Committee minutes as follows:
Senior Citizen Advisory Committee meeting of July 8, 2002
Pioneer Museum Board meeting of August 8, 2002
3. Approve Warrant Register – Warrant Nos. 34927 (8/16/02) – 35276 (8/23/02)
M. Compton, Administrative Services Director
4. Adopt Ordinance No. 836 N.S, amending the Borkey Area Specific Plan to modify required setbacks from Highway 46 East and remove development height restriction (Applicant – City of Paso Robles) – Specific Plan Amendment 02-003. FIRST READING AUGUST 20, 2002.
R. Lata, Community Development Director
5. Adopt Ordinance No. 837 N.S, amending the Zoning Map established by reference in Section 21.12.020 of the Zoning Code (Title 21) – Rezone 02-005, northeast corner of Creston Road and Sherwood Road – Hastings/Food 4 Less. FIRST READING AUGUST 20, 2002.
R. Lata, Community Development Director
6. Adopt Ordinance No. XXX N.S, amending the Zoning and Building Titles of the Municipal Code regarding allowing drive through uses within the C-1 Zoning District with a Conditional Use Permit (Code Amendment 02-010) FIRST READING AUGUST 20, 2002.
R. Lata, Community Development Director

Due to lack of a majority vote, this item will be returned to Council on September 17, 2002.
7. Proclamation – Grapes of Wrath Month, October 2002
F. Mecham, Mayor
8. Proclamation – James Founders Day, September 14, 2002
F. Mecham, Mayor
9. Adopt Resolution No. 02-187 approving a salary adjustment for the City Manager in accordance with the City Manager Employment Contract. (Based on the annual review of the City Manager's performance recently conducted by the City Council, Council approved an adjustment to the base salary of the City Manager effective September 1, 2002. The annual base salary paid under contract shall be increased to \$117,656.)
I. Yang, City Attorney

10. Approve a request by Heritage Oaks Bank to place a temporary mobile billboard at the intersection of 12th and Spring Streets from 7:00 a.m. to 10:00 a.m. on Sunday, September 29, 2002, during the Heritage Oaks "Family Fun Run" 5th annual event. (Streets surrounding downtown City Park, including most of Spring Street, will be closed off during this event. In addition to giving recognition to sponsors of the event, the billboard will serve as a large marker leading to the finish line of the Run.)
R. Lata, Community Development Director
11. Adopt Resolution No. 02-188 accepting the recordation of Parcel Map 01-273, a two-lot subdivision located on Walnut Drive, north of Shannon Hill Drive. (Recordation of the Parcel Map is a step toward finalizing development plans for a residential development and subdivision at this location. The Parcel Map was tentatively approved by the Planning Commission on February 12, 2001, and all conditions imposed have been satisfied. Applicants: Frank and Victoria Teague).
R. Lata, Community Development Director
12. Adopt Resolution No. 02-189 accepting and approving the execution and recordation of the Final Map and Subdivision Agreement for Tract 1632-9 (Pioneer Land Development Company and North County Partners, LLC); and adopt Resolution No. 02-xx annexing Tract 1632-9 as part of Subareas 70A and 70B to the Paso Robles Landscape & Lighting District No. 1. (Tract 1632-9 is the ninth phase of a proposed 391-lot subdivision of a 100-acre site, located north of Meadowlark Road and east of Creston Road. This tract was tentatively approved by the Planning Commission in January 1989. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission have been satisfied. Applicants have signed a Subdivision Improvement Agreement guaranteeing construction of these improvements within a one-year period.)
R. Lata, Community Development Director
13. Adopt Resolution No. 02-190 awarding a bid for bus stop map display units to low bidder Transit Information Products. (The installation map displays is the last improvement identified by the adopted Short Range Transit Plan. The displays will be installed at all fixed-route bus locations. Bids were public noticed and set to all known potential interested parties. Two bids were received, with Transit Information Products being the low bidder at \$8,610.50.)
M. Compton, Administrative Services Director
14. Adopt Resolution No. 02-191 approving a budget appropriation for the City's solid waste incentive payment to Pacific Waste Services (PWS) in accordance with the current contractual agreement. (Council previously approved a landfill operations agreement with PWS, which included provision for an annual revenue incentive payment based upon total revenues exceeding 4% growth rate. Based on the growth of revenue collections during the period August 1, 2001, through July 31, 2002, a payment of \$188,726 is now due to PWS. As the Solid Waste Operations Fund was de-commissioned as an enterprise fund beginning with the fiscal year 2002, and franchise fee payments are now deposited into the General Fund, it is necessary to appropriate funds from the General Fund for the incentive payment.)
M. Compton, Administrative Services Director
15. Adopt Resolution No. 02-192 approving an appropriation limit for the fiscal year 2002-03; operating and maintenance budget. (Article XIII B of the State Constitution requires state and local governments to annually adopt an appropriations limit. The limit may be adjusted annually by a factor comprised of the change in population combined with either the change in California per capita personal income or the change in the local assessment roll due to local non-residential construction.)
M. Compton, Administrative Services Director

16. Adopt Resolution No. 02-193 rejecting all bids for Salinas riverbed clearing using goats. (Bids were opened on June 20, 2002, for using goats to clear the Salinas riverbed. The apparent low bid was submitted by Bob Blanchard/Mitch Roth of Paso Robles. Upon further study and review, Council directed that the funds originally approved for riverbed clearing using goats be instead used to retain the services of the California Conservation Corps to do vegetative clearing.)
J. Deakin, Public Works Director
17. Adopt Resolution No. 02-194 awarding the contract for the annual sidewalk replacement project (DPW Project No. 02-15) to Brinar Construction of San Luis Obispo and allocating \$7,500 to Budget Account No. 205-310-5452-162 for \$36,369.50. (At the bid opening on August 22, 2002, two bids were received, with the low bid submitted by Brinar Construction.)
J. Deakin, Public Works Director

ROLL CALL VOTE

PUBLIC DISCUSSION

18. **Acceptance of Methodology for Reimbursement for Installation of a Traffic Signal at the Intersection of Niblick Road and Nicklaus Drive (Oak Creed Commons, Tract 2404 and PD 00-016)**
R. Lata, Community Development Director

Consider authorizing a reimbursement to the developer of Tract 2404 and PD 00-016 for the installation of a traffic signal at the intersection of Niblick Road and Nicklaus Drive in accordance with Methodology No. 2 as outlined in the Traffic Engineer's report of June 2002. (In November 2000, the Planning Commission adopted resolutions approving Tract 2404 and PD 00-016. As a condition of that approval, the developer is required to install a traffic signal at the intersection of Niblick Road and Nicklaus Drive and may request the City Council to authorize reimbursement for a portion of the installation costs. The developer has provided a report recommending that the developer's share of the costs of installation be 9.13 percent.)

Mayor Mecham opened the public hearing. Speaking from the public were John McCarthy (McCarthy & Associates) and Mike Menath. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-195 authorizing a reimbursement to the developer of Tract 2404 and PD 00-016 of 90.87 percent of the cost of design and installation of a traffic signal at the intersection of Niblick Road and Nicklaus Drive, with a change to Section 1 of the resolution to articulate a "9.13 percent" share of the design and construction cost. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
 NOES: None
 ABSTAIN: None
 ABSENT: Heggarty

19. Update Citywide Speed Zone Survey

J. Deakin, Public Works Director

Consider awarding a contract to Omni-Means of Roseville, California, to update the Citywide Speed Zone Survey. (The City is required to update its Speed Zone Survey every five years as mandated by State law. The Survey is used to establish and post speed limit signs in City streets. The last Survey was completed and adopted in 1998. A Request for Proposal was issued to three consultants. Two firms responded to the City's request, with Omni-Means being the low bidder at \$12,960.)

Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Nemeth, moved to adopt Resolution No. 02-196 appropriating \$15,000 to Budget Account No. 100-310-5235-162 and awarding a professional services contract to Omni-Means of Roseville for a not-to-exceed fee of \$12,960. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

CITY MANAGER

20. Advisory Body Appointments – Youth Commission

B. Partridge, Library & Recreation Services Director

Accept recommendations from Mayor Mecham and Councilmember Finigan for making appointments to fill current Youth Commission vacancies. (Interviews of applicants to the Youth Commission were conducted at the Council meeting of August 22, 2002, by Mayor Mecham and Councilmember Finigan. As there was not a quorum of the Council present, appointments could not be made at the meeting.)

- 5 vacancies (2-year terms expiring 7/1/04)
- 5 applicants (1 of which is an incumbent)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to appoint the following applicants to the Youth Commission, each to a 2-year term expiring 7/1/04. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

COUNCIL COMMENTS - None

City Attorney Iris Yang announced Council's authority to go into closed session to discuss the items listed on the agenda.

PUBLIC COMMENT ON CLOSED SESSION

- Dale Gustin expressed support for a full-service Superior Court government center in Paso Robles. (Mr. Gustin also announced the opening of the new Senior Center on Friday, September 6th and invited the public to attend)

Council moved to adjourn from regular session at 8:04 PM and thereupon adjourned to Closed Session. Motion passed by unanimous voice vote.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 9:13 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Yang announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 9:15 PM.

ADJOURNMENT: TO THE SENIOR CITIZEN AND HOUSING AUTHORITY ADVISORY INTERVIEWS/APPOINTMENTS 7:00 PM ON **THURSDAY, SEPTEMBER 5, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO THE OPENING OF THE SENIOR CENTER AT 5:30 PM ON **FRIDAY, SEPTEMBER 6, 2002**, AT THE SENIOR CENTER, 270 SCOTT STREET; AND TO THE CHAMBER OF COMMERCE EVENT *WAKE-UP PASO ROBLES* 7:30 AM ON **TUESDAY, SEPTEMBER 10, 2002**, AT THE PASO ROBLES INN BALLROOM, 1103 SPRING STREET.

FUTURE MEETINGS

- SEPTEMBER 11TH MEMORIAL 7:00 PM ON **WEDNESDAY, SEPTEMBER 11, 2002**, AT DOWNTOWN CITY PARK.
- JOINT COUNTYWIDE COUNCIL MEETING 6:00 PM ON **THURSDAY, SEPTEMBER 12, 2002**, AT THE EMBASSY SUITES, 333 MADONNA ROAD, SAN LUIS OBISPO
- REGULAR CITY COUNCIL MEETING 7:30 PM ON **TUESDAY, SEPTEMBER 17, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Cindy Pilg, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS,
UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.**

CITY COUNCIL MINUTES

Friday, August 23, 2002 3:00 PM

CLOSED SESSION

MEETING LOCATION: PASO ROBLES CITY HALL
LARGE CONFERENCE ROOM, 2ND FLOOR, 1000 SPRING STREET

CALL TO ORDER

ROLL CALL Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS - None

City Attorney Iris Yang (in teleconference) announced Council's authority to go into closed session to discuss the item listed on the agenda.

1. **Public Employee Performance Evaluation**

Government Code Section 54957

Title: City Manager

The City Council returned to Regular Session at 6:13 PM.

City Attorney Yang announced that no reportable action had been taken.

By unanimous voice vote, Council moved to adjourn at 9:15 PM.

ADJOURNMENT TO THE GENERAL PLAN ALTERNATIVES WORKSHOP AT 7:30 PM ON TUESDAY, **AUGUST 27, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE CHANDLER RANCH HEARING AT THE PLANNING COMMISSION MEETING AT 7:30 PM ON TUESDAY, **AUGUST 29, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk

Approved:

**THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS,
UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.**

DRAFT

CITY COUNCIL MINUTES

Thursday, August 22, 2002 7:00PM

ADVISORY BODY INTERVIEWS & APPOINTMENTS: YOUTH COMMISSION & PARKS AND RECREATION ADVISORY COMMITTEE

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET

CALL TO ORDER

ROLL CALL Present: Councilmember George Finigan and Mayor Frank Mecham Absent: Councilmembers Jim Heggarty, Gary Nemeth and Duane Picanco. Councilmember Nemeth joined deliberations at 7:30 PM.

PUBLIC COMMENTS - None

CITY MANAGER

1. **Advisory Body Interviews & Appointments – Youth Commission**

B. Partridge, Library & Recreation Services Director

Interview and make appointments to the Youth Commission.

- 5 vacancies (2-year terms expiring 7/1/04)
- 5 applicants (1 of which is an incumbent)

Applicants:

Tianna Miller	Christina Escobar*
Mary Joynt (incumbent)	Jonathan Spencer*
Sandra Smith*	

*Unable to attend meeting; asked to be considered

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Mayor Mecham and Councilmember Finigan interviewed all applicants present. As there was not a quorum of the Council present, appointments could not be made at the meeting. It was the consensus of Council to make recommendations to the full Council at the September 3, 2002, meeting and make appointments at that time.

Council took a break at 7:25 PM, reconvening at 8:00 PM.

2. Advisory Body Interviews & Appointments – Parks and Recreation

B. Partridge, Library & Recreation Services Director

Interview and make appointments to the Parks and Recreation Advisory Committee.

- 4 vacancies (2-year terms expiring 6/30/04)
- 7 applicants (3 of which are incumbents)

Applicants:

Donna Berg (incumbent)	Paul Manni*
Darwin Curry (incumbent)	Robin Fairbairn (incumbent)
Randy Stinchfield	Stephen Gregory
Don Durfee	

*Unable to attend meeting; asked to be considered

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

After interviewing each applicant, there was a consensus of Council to appoint the following applicants to the Parks and Recreation Advisory Committee, each to a 2-year term expiring 6/30/04:

Darwin Curry	Randy Stinchfield
Robin Fairbairn	Stephen Gregory

Council moved to adjourn from regular session at 9:15 PM. Motion passed by unanimous voice vote.

ADJOURNMENT to A CLOSED SESSION MEETING RE CITY MANAGER PERFORMANCE EVALUATION 3:00-6:00 PM ON FRIDAY, **AUGUST 23, 2002**, IN THE 2ND FLOOR CONFERENCE ROOM AT THE LIBRARY CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE GENERAL PLAN ALTERNATIVES WORKSHOP AT 7:30 PM ON TUESDAY, **AUGUST 27, 2002**, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS, UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.

CITY COUNCIL MINUTES
Tuesday, August 20, 2002 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

CALL TO ORDER – Library/City Hall Conference Center

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 PM on the above date in the Library/City Hall Conference Center, was called to order by Mayor Frank Mecham.

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers Jim Heggarty, George Finigan, Gary Nemeth, Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS

- Pastor Pat Sheehan announced that a Memorial service would be held on September 11th at 7:00 p.m. in the City Park.
- Betty Miller announced the Estrella Warbirds dinner and dance event Tales from the South Pacific, to be held at 6:00 p.m. on Friday, September 20th and Saturday, September 21st.
- Mike Compton, Director of Administrative Services, announced that all fixed route bus services throughout the County will be provided free of charge during the month of September.
- Dan Miroballi, Vice President of the Nacimiento Regional Water Management Advisory Committee, asked for Council support of a law suit filed against Monterey County's Salinas Water Project, which would take water from Lake Nacimiento and greatly reduce the water level of the lake.
- Dale Gustin asked for Council's support of the same issue.

ITEMS TO BE DEFERRED

City Manager Jim App stated that Item No. 1 has been recommended for continuance.

Mayor Mecham announced that the Department of Emergency Services has recently added four new firefighters to the Department: Josh Cazier, Ross Porter, Chris Reneau and Robert Smith. This brings the number of full-time staff to fifteen.

Birthday wishes were expressed to Meg Williamson, Assistant to the City Manager.

Councilmember Gary Nemeth, recently returned a trip to the Los Angeles area, encouraged all residents to be thankful for the way of life we enjoy in Paso Robles and the things our community affords us.

PRESENTATIONS – None

NOTICED HEARINGS

1. Code Amendment 02-007 - Signs

R. Lata, Community Development Director

Open and continue the noticed public hearing for Code Amendment 02-007. (This Code Amendment is designed to update the City's sign ordinance to reflect current legal parameters for all types of signs, including, but not limited to, those of a non-commercial nature.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to continue the open public hearing to November 19, 2002. Motion passed by the unanimous voice vote.

2. Downtown Design Guidelines – Final Components

R. Lata, Community Development Director

Consider approving an expanded set of development design guidelines for areas of the downtown. (Design guidelines divide the Downtown District into four sub-components: Historic Districts "A" and "B", the Riverside Avenue District, and the Spring Street District. Council adopted guidelines for the first two districts in 1994 and 1999 respectively and drafts of the final two components were reviewed by the Development Review Committee and Planning Commission in July 2002.)

Mayor Mecham opened the public hearing. Speaking from the public were Normal Duncan (PAC and Main Street Association), Randy Sulkie, Hazel Moore and Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Finigan, seconded by Councilmember Nemeth, moved to adopt Resolution No. 02-186 approving the Spring Street and Riverside Avenue Design Guidelines and the appendix common to all districts (with amendments as recommended by the Planning Commission) to complete the final components of the downtown Design Guidelines, with the exception that the

language regarding mansard roofs, instead of being stricken, would be changed to “mansard roofs are discouraged.” Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

3. Petition for Partial Cancellation of California Land Conservation Act Contract (Williamson Act) – Kiessig Family Trust

R. Lata, Community Development Director

Consider a request by Steve Gregory, acting on behalf of the Kiessig Family Trust, for a partial cancellation of an agricultural contract (Williamson Act) and its associated environmental impact negative declaration. (Property currently held under land conservation contracts is a 117-acre site located east of North River Road, west of Buena Vista Road and immediately south of the City’s northern boundary. Applicants have filed a Planned Development Conceptual Master Plan application, which is a phased resort development designed to be completed over an approximate 10-year period. To facilitate the early phases of the Master Plan, a partial cancellation of two portions of the contract land is necessary. The first portion is approximately 4.97 acres, proposed for development of 20 cottage units during Phase 1; the second portion is approximately 2.47 acres and is proposed to be developed with a portion of a convention center and parking during Phase 3 of the proposed Master Plan.)

Mayor Mecham opened the public hearing. Speaking from the public were Kathy Barnett and Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed. City Attorney Yang provided an overview of the Williamson Act.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution No. 02-171 approving Negative Declaration status for the proposed cancellation request. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-172 certifying the Cancellation Fee to the County Auditor and granting Tentative Cancellation Status for 7.44 acres under Land Conservation Contract. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

4. Rezone 02-005 and Code Amendment 02-010 – Hastings/Food 4 Less

R. Lata, Community Development Director

Consider a series of options regarding appropriateness of drive-through uses for property at the northeast corner of Sherwood Drive and Creston Roads. (In July 2002, Council approved General Plan Amendment 02-001(2), which changed the designation of the property from NC [Neighborhood Commercial] to CC [Community Commercial]. In conjunction with GPA 02-001 (2), Rezone 02-002 was before the Council to change the zoning of the property from CP [Neighborhood Commercial] to C2 [Highway Commercial] in order to provide for drive-through uses. Council denied the rezone request and asked staff to return with additional options.)

Mayor Mecham opened the public hearing. Speaking from the public were Nick Gilman, Dale Gustin, Tom Rusch and Newlin Hastings. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution No. 02-xx adopting a Negative Declaration for Rezone 02-005 and Code Amendment 02-010 applications. Councilmember Picanco withdrew his second. Motion failed for lack of a second.

Councilmember Finigan, seconded by Councilmember Picanco, moved to (1) adopt Resolution No. 02-xx adopting a Negative Declaration for Rezone 02-005 applications; and (2) introduce Ordinance No. XXX N.S. approving Rezone 02-005 changing the zoning designation from CP-PD (Neighborhood Commercial – Planned Development) to C1-PD (General Commercial – Planned Development); and set September 3, 2002, as the date for adoption of said Ordinance. Councilmember Picanco withdrew his second. Motion failed for lack of a second.

Councilmember Picanco, seconded by Councilmember Finigan, moved to 1) adopt Resolution No. 02-xx adopting a Negative Declaration for Rezone 02-005 and Code Amendment 02-010 applications; (2) introduce Ordinance No. XXX N.S. approving Rezone 02-005 changing the zoning designation from CP-PD (Neighborhood Commercial – Planned Development) to C1-PD (General Commercial – Planned Development); and set September 3, 2002, as the date for adoption of said Ordinance; and (3) introduce Ordinance No. XXX N.S. approving Code Amendment 02-010 changing Section 21.16.200 of the Zoning Code to allow drive-through uses in the C1 zone with the approval of a Conditional Use Permit, with a change in wording to the Amendment restricting fast food drive-through uses, and set September 3, 2002, as the date for adoption of said Ordinance. Councilmember Finigan withdrew his section. Motion failed for lack of a second.

At 9:05 PM the City Council took a 5-minute break, reconvening at 9:10 PM.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-173 adopting a Negative Declaration for Rezone 02-005 and Code Amendment 02-010 applications. Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Councilmember Nemeth, seconded by Councilmember Finigan, moved to introduce Ordinance No. XXX N.S. approving Rezone 02-005 changing the zoning designation from CP-PD (Neighborhood Commercial – Planned Development) to C1-PD (General Commercial – Planned Development); and set September 3, 2002, as the date for adoption of said Ordinance. Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to introduce Ordinance No. XXX N.S. approving Code Amendment 02-010 changing Section 21.16.200 of the Zoning Code to allow drive through uses in the C1 zone with the approval of a Conditional Use Permit; and set September 3, 2002, as the date for adoption of said Ordinance. Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth and Mecham
NOES: Finigan and Picanco
ABSTAIN: None
ABSENT: None

Councilmember Nemeth, seconded by Councilmember Finigan, moved to direct staff to bring back to Council overlays to protect the other C1 zones and limit the uses of the drive-through fast food requirements of the C1 zone. Motion passed on the following unanimous roll call vote:

AYES: Heggarty, Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

5. Specific Plan Amendment (SP 02-003) – City-initiated

R. Lata, Community Development Director

Consider an amendment to the Borkey Area Specific Plan and its associated Negative Declaration. (This 2-part amendment relates to (1) modification of the 75-foot landscaped setback from Highway 476 East, within Subarea E of the BASP and (2) amendment of development height restrictions, including the 825-foot elevation restriction within Subarea D of the BASP. The proposed changes are consistent with the provisions of the City's General Plan and Zoning Code.)

Councilmember Finigan stepped down from the dais and refrained from voting on Item No. 5 making a declaration of conflict.

Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-174 approving Negative Declaration status for Specific Plan Amendment 02-003. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: Finigan
ABSENT: None

Councilmember Picanco, seconded by Councilmember Heggarty, moved to introduce for first reading Ordinance No. XXX N.S. amending the Borkey Area Specific Plan, with a change in wording to restrict the setback modification to Subarea E only; and set September 3, 2002, as the date for adoption of said Ordinance.. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: Finigan
ABSENT: None

Councilmember Finigan returned to deliberations.

CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items No. 6 to 9, 11 to 12 and 14 to 18 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty, with the exception of Items No. 10 and 13, which were pulled for discussion.

Those items approved were:

6. Approve City Council minutes of July 2 and July 16, 2002.
D. Fansler, City Clerk
7. Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meetings of June 13 and July 11, 2002
8. Approve Warrant Register – Warrant Nos. 34673 (8/2/02) – 34926 (8/9/02)
M. Compton, Administrative Services Director
9. Adopt Ordinance No. 834 N.S, amending the zoning titles of the Municipal Code regarding front yard setbacks (Code Amendment 02-008). FIRST READING AUGUST 6, 2002.
R. Lata, Community Development Director
11. Extend duration of ad hoc committee formed May 7, 2002, to review service contracts of Visitor/Conference Bureau and Main Street Association to October 22, 2002.
J. App, City Manager
12. Adopt Resolution No. 02-175 approving an amendment to the Compensation and Benefit Plan for Confidential, Professional and Management employees effective April 1, 2002.

through March 31, 2006. (Confidential, professional and management employees have ratified a tentative agreement amending the compensation and benefit plan over 4 years.)
J. App, City Manager

DRAFT

14. Award a professional services contract to Cannon Associates of San Luis Obispo to design a ferric chloride storage tank at Lift Station No. 12 for a not-to-exceed fee of \$23,000. (Sewer odors from the Airport interceptor are associated with gaseous sulfur compounds, a typical wastewater issue. Adding ferric chloride to the collection system will reduce odors and help in the treatment process. A Request for Proposal for design services for this project was issued; two consultants responded and submitted a proposal. Staff determined that Cannon Associates had the broader technical expertise for this type of work, employing both civil engineers and mechanical engineers on full-time staff.)
J. Deakin, Public Works Director
15. Adopt Resolution No. 02-177 appropriating \$10,000 to Budget Account No. 114-710-5226-217 to cover the cost of education of Building/Engineering Personnel for fiscal year 2002/03. (The Building Division collects development fees to cover the cost of this state-mandated program. The collected fees are accrued until they are appropriated by Council to the Building Division Budget, where they are used to offset the cost of education in a specific fiscal year.) R. Lata, Community Development Director
16. Adopt Resolution No. 02-178 accepting the public improvements of Tract 2281-5 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$56,257. (This subdivision is located on Grand Canyon Drive, east of Creston Road. The developer has completed all required public improvements to the satisfaction of City staff, with the exception of the submittal of final landscape plans. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director
17. Adopt Resolution No. 02-179 accepting the public improvements of Tract 2223-2 (Sub-phase 3) into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$133,571.70. (This subdivision is located west of Prospect Avenue and south of Highway 46. The developer [Bella Vista Estates, LLC] has completed all required public improvements to the satisfaction of City staff. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.) R. Lata, Community Development Director
18. Adopt Resolution No. 02-180 approving a budget appropriation in the amount of \$66,500 from General Fund reserves for the incentive payment to the Chamber of Commerce/Visitor & Conference Bureau. (In May 1999, the City and Chamber of Commerce entered into a 4-year agreement that became effective 7/1/98. The agreement calls for a base annual payment, plus an incentive payment, based upon transient occupancy tax collections. Based on TOT collections for FY 2002, the VCB is eligible to receive \$66,423.)
M. Compton, Administrative Services Director

Items pulled for discussion:

10. Adopt Ordinance No. XXX N.S, amending Section 10.01 et seq. and related provisions of the Municipal Code (Municipal Code Amendment 2001-001 – oak trees). FIRST READING
AUGUST 6, 2002.
R. Lata, Community Development Director

Mayor Mecham opened the public hearing. Speaking from the public was Tom Rusch. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Finigan, moved to adopt Ordinance No. 835 N.S, amending Section 10.01 et seq. and related provisions of the Municipal Code (Municipal Code Amendment 2001-001 – oak trees). . Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC DISCUSSION

19. **Second Baptist Church's Homeless Ministry: Proposed Change of Use for 2001 Community Development Block Grant (CDBG) Funds**

R. Lata, Community Development Director

Consider a request made by the Second Baptist Church to allow the full amount of the \$36,150 in CDBG funds to support their homeless ministry programs to be used for purchasing equipment, supplies and food. (In March 2001, Council approved an allocation of CDBG funds for the Church to expand their kitchen and dining room facilities [where meals would be provided to the homeless] and to purchase a new range/oven and refrigerator. Federal CDBG regulations place very strict limitations on the use of funds by churches, even when the CDBG funds are used for a secular purpose. These regulations would present difficult administrative and financial consequences for the Church. Additionally the City's Streets and Sidewalks Code requires that any addition valued at more than \$10,000 would trigger installation of curbs, gutters and sidewalks along the 19th Street frontage of the property. It was determined that the cost of compliance with federal regulations and City Code requirements to construct improvements make the proposed kitchen and dining room expansion project infeasible.)

Mayor Mecham opened the public hearing. Speaking from the public was Lillian Judd, Planning Director of the Economic Opportunity Commission. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to approve Second Baptist Church's request to use the \$36,150 in 2001 CDBG funds for the purchase of equipment, supplies and food for their homeless ministry. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

20. **Contract Concessionaire Award for Barney Schwartz Park**

B. Partridge, Library and Recreation Services Director

Consider awarding concessionaire contract for operation of concession stands at Barney Schwartz Park. (Requests for Proposals for operation of concession stands at BSP were solicited. Three were returned. A committee reviewed and ranked the proposals in order of preference. On August 6th, Council directed staff to return to Council with their concession selection recommendation. Staff rates Brett Butterfield as best overall proposer, based on

food service experience, understanding of the City's request for service, and past experience working with City staff.)

Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to direct staff to negotiate and execute a contract agreement with Brett Butterfield for the operation of concession stands at Barney Schwartz Park. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

21. Street Names for New Union Road and North River Road Configuration

R. Lata, Community Development Director

Review two options for naming the streets in conjunction with the new configuration of North River Road and Union Road. (With the 13th Street bridge-widening project, the intersection of Union Road and North River Road will be reconfigured and Council direction is needed in naming the streets.)

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin and Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Picanco, moved to keep the street names of Union Road and North River Road as shown on Exhibit "B," and direct staff to take no further action on the matter. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: Finigan
ABSENT: None

22. Request to Remove Oak Tree – 2501 Beechwood (City-initiated)

R. Lata, Community Development Director

Consider removal of one 28-inch Native Blue Oak tree located at 2501 Beechwood (Virginia Peterson School). (Arborist report dated June 2002 indicates that the tree has irreversibly declined to a point of non-viability. The tree is on the line between the street right-of-way and the school property. City and School District plan to share the cost of tree removal.)

Mayor Mecham opened the public hearing. Speaking from the public was Mike Menath. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 02-181 approving the oak tree removal request (based on the arborist's determination that the tree's health is in decline) to remove the 28-inch diameter Native Blue Oak tree located at 2501 Beechwood Drive, and install seven 1.5-inch diameter Blue Oak Trees (or equivalent, based on no tree less than 1.5-inch caliper) on School District property and City property as determined by the Parks Supervisor and representatives from the School District. . Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

23. Request to Remove Oak Tree – Lot 121 of Tract 2281 – 517 Grand Canyon Drive (Ron Gentry)

R. Lata, Community Development Director

Consider a request from Ron Gentry to remove one double-stem 16-inch Native Blue Oak tree. (Applicant requests removal of the tree to accommodate the construction of a new house on the parcel. Arborist report rates the tree as a 1 on a scale of 1-10. The tree is reported to be in very poor condition.)

Mayor Mecham opened the public hearing. . There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, based on applicant's request to construct a single story home of greater than 1500 square feet and the fact that there are eight other trees on the lot that will be preserved, moved to adopt Resolution No. 02-182 approving the request to remove the 16-inch Native Blue Oak and install "like species" at a replacement ratio of 4 inches, e.g. 25 percent of the diameter of the tree proposed for removal. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

24. Request to Remove Oak Tree – Lot 122 of Tract 2281 – 519 Grand Canyon Drive (Gary Mulholland)

R. Lata, Community Development Director

Consider a request from Gary Mulholland to remove one 14-inch Native Blue Oak tree to accommodate the construction of a new house on the parcel located on Lot 122 of Tract 2281. (Subject property is approximately 21,150 square feet and has approximately 21 oak trees that are greater than 6 inches in diameter. Arborist report identifies the tree as being 64 percent, or in good condition.)

Mayor Mecham opened the public hearing. Speaking from the public were Kathy Barnett, Gary Mulholland (applicant) and Mike Menath. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Mayor Mecham, based on applicant's request to construct a single story home of greater than 1500 square feet and the fact that there are eight other trees on the lot that will be preserved, moved to adopt Resolution No. 02-183 approving the request to remove the 16-inch Native Blue Oak and install "like species" at a replacement ratio of 4 inches, e.g. 25 percent of the diameter of the tree proposed for removal. Motion passed by the following roll call vote:

AYES: Nemeth, Picanco and Mecham
NOES: Finigan and Heggarty
ABSTAIN: None
ABSENT: None

25. Templeton Sewer Re-bid

J. Deakin, Public Works Director

Consider awarding a contract for the Templeton Interceptor Sewer Upgrades, Reaches 2 & 4 and Calle Propano – Project No. 01-01. (In January 2001, Council hired Cannon Associates to design improvements to the Templeton Interceptor. Using Cannon's completed design package, the City advertised for bids and all bids received were opened on March 7, 2002. The City subsequently received bid protests related to the apparent low bidder's compliance with the experience requirement. On April 30, 2002, Council approved the rejection of all bids and directed staff to re-advertise, directing staff to modify the contract documents to clarify the requirements for utilizing third parties to help satisfy the experience requirement. On June 20, 2002, bids were opened on the re-advertised project. Bid protests were again filed. The City Attorney's office reviewed the bid protests and bid materials and has made recommendations as reflected in the Option A below.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-184 granting the protests of the bid submitted by John Madonna Construction, rejecting the bid submitted by John Madonna Construction, rejecting all other bid protests and awarding the Templeton Interceptor Sewer Project to Specialty Construction in the amount of \$2,062,475. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

26. Award Contract for Improvements to Sludge Beds

J. Deakin, Public Works Director

Consider awarding a contract for constructing improvements to the Wastewater Treatment Facility sludge drying area. (The December 2000 Capacity Evaluation Study determined the need to provide additional and improved sludge treatment and handling facilities. The City advertised for bids and all bids received were opened on July 25, 2002. The apparent low bidder was Papich Construction. Viborg Sand & Gravel, Inc., the second low bidder, filed a protest of the Papich bid. The City Attorney's office reviewed the issues of the bid protest and has made recommendations as reflected in the Option A below.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-185 granting the protest filed by Viborg Sand & Gravel, Inc., rejecting the bid submitted by Papich Construction, and awarding a contract to upgrade the sludge beds to Viborg Sand and Gravel, Inc. of Paso Robles in the amount of \$251,302.50. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

CONSENT ITEMS PULLED FOR DISCUSSION

13. Adopt Resolution No. 02-xx adopting a Disadvantaged Business Enterprise (DBE) Program. (In order to satisfy the Federal requirement to have a DBE Program, a DBE program has been drafted after the model Caltrans program. Upon adoption, staff will solicit public comments through advertising in the local newspaper.)
J. Deakin, Public Works Director

Mayor Mecham opened the public hearing. Speaking from the public was Paul Viborg. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-176 adopting a Disadvantaged Business Enterprise (DBE) Program. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, and Mecham
NOES: Heggarty and Picanco
ABSTAIN: None
ABSENT: None

CITY MANAGER

27. **Highway 46 West / 101 Interchange – Ad Hoc Committee**

R. Lata, Community Development Director

Consider forming an ad hoc committee to work with Community Development and Public Works Department staff on traffic capacity and design issues relating to the Highway 46 West / Hwy. 101 Interchange. The scope would include potential modifications to the current multi-agency Cooperative Agreement relating to the Interchange.

It was the general consensus of the Council to appoint an ad hoc committee consisting of Mayor Mecham and Councilmember Finigan committee to work with Community Development and Public Works Department staff on traffic capacity and design issues relating to the Highway 46 West / Hwy. 101 Interchange, including possible modifications to the current Cooperative Agreement; and report back to the full City Council by February 18, 2003.

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

COUNCIL COMMENTS - None

PUBLIC COMMENT ON CLOSED SESSION - None

Council moved to adjourn from regular session at 11:55 PM and thereupon adjourned to Closed Session. Motion passed by unanimous voice vote.

City Attorney Iris Yang announced Council's authority to go into closed session to discuss the items listed on the agenda.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 1:00 AM on Wednesday, August 21, 2002.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Yang announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 1:05 AM on Wednesday, August 21, 2002.

ADJOURNMENT: TO THE YOUTH COMMISSION & PARKS AND RECREATION ADVISORY INTERVIEWS AT 7:00 PM ON **THURSDAY, AUGUST 22, 2002**, LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO A CLOSED SESSION RE CITY MANAGER PERFORMANCE EVALUATION 3:00-6:00 PM ON **FRIDAY, AUGUST 23, 2002**, IN THE 2ND FLOOR CONFERENCE ROOM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

FUTURE MEETINGS

- GENERAL PLAN ALTERNATIVES WORKSHOP AT 7:30 PM ON **TUESDAY, AUGUST 27, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- CHANDLER RANCH HEARING AT THE PLANNING COMMISSION MEETING AT 7:30 PM ON **THURSDAY, AUGUST 29, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.
- REGULAR CITY COUNCIL MEETING AT 7:30 PM ON **TUESDAY, SEPTEMBER 3, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS,
UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.**

CITY COUNCIL MINUTES
Tuesday, June 18, 2002 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

CALL TO ORDER – Library/City Hall Conference Center

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 PM on the above date in the Library/City Hall Conference Center, was called to order by Mayor Frank Mecham.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL Councilmembers Jim Heggarty, George Finigan, and Mayor Pro Tem Gary Nemeth.
Absent: Councilmember Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS - None

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that the June 4th Council minutes were inadvertently excluded from Agenda Item No. 3 and will be presented to Council for approval in the July 2, 2002, agenda.

PRESENTATIONS – None

NOTICED HEARINGS

1. Code Amendment 02-005 (City-Initiated)

R. Lata, Community Development Director

Consider a code amendment to clarify and define the accessory uses allowed for social halls, clubs, and lodges. (Proposed amendment would allow for food service and/or the sale of alcohol to members and guests only, with a valid Type 51 or Type 52 Club Liquor License

from the ABC, Alcoholic Beverage Control. Modifying the definition of social halls, clubs, etc. to include these common accessory uses would avoid a conflict with ABC regulations.) Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to introduce for first reading Ordinance No. XXX N.S. amending Section 21.16.200.C.10 of the Zoning Code to define allowable accessory uses for social halls, clubs, lodges and fraternal organization to include food and/or bar services for members, and set July 2, 2002, for second reading of the Ordinance, deleting Item "d" from the sixth "Whereas" paragraph. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

2. General Plan Amendment 1-02, Borkey Area Specific Plan Amendment 02-001 and Rezones No. 01-006, 02-002, 02-003 and 02-006

R. Lata, Community Development Director

Consider opening and continuing the subject public hearing. The General Plan Amendment relates to four different locations and is accompanied by a specific plan amendment and three zone change applications. (As the Planning Commission's recommendation regarding the General Plan Amendment, Borkey Area Specific Plan Amendment and related Re-zone applications is scheduled for consideration on June 18th and because there will only be three Councilmembers present at the June 18th Council meeting, staff suggests that this hearing be opened and continued to the next regularly scheduled meeting of July 2, 2002.)

Mayor Pro Tem Nemeth opened the public hearing. There were no comments from the public, either written or oral.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to continue the opened public hearing to July 2, 2002. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

CONSENT CALENDAR

Mayor Pro Tem Nemeth called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items No. 3 through 14 were unanimously approved on a single motion by Councilmember Finigan, seconded by Councilmember Heggarty, with the exception of Item No. 6 pulled for discussion by Councilmember Heggarty.

Those items approved were as follows:

3. Approve City Council minutes of May 21, May 29 and June 4, 2002.
D. Fansler, City Clerk
(June 4, 2002, minutes will be presented to Council for approval in the July 2, 2002 agenda.)
4. Receive and file Advisory Body Committee minutes as follows:
Housing Authority Board meeting of May 14, 2002
Transit Advisory Committee meeting of March 6, 2002
5. Approve Warrant Register.
M. Compton, Administrative Services Director
7. Adopt Resolution No. 02-109 approving an addendum to the Airport Farming Lease with Pierre Lahargou, extending the lease term. (The current lease was entered into in January 1986 to conduct dry-land farming operations on certain undeveloped airport areas. Farming in these areas provides revenue to the City, while the lessee pays all expenses. The Airport Lease ad hoc committee reviewed Mr. Lahargou's lease at its meeting on March 1st, indicating support for the lease renewal.)
J. Deakin, Public Works Director
8. Adopt Resolution No. 02-110 authorizing the director of Administrative Services to execute a Professional Services Agreement with Maximus, Inc. and authorize a one-time budget appropriating of \$5,000 for fiscal year 2002-2003 for said agreement. (The State legislature established the Incorrect Reduction Claim [IRC] as the method to challenge the State Controller's Office's reduction of any amount claimed by a local governmental agency. These claims must be filed with the Commission on State Mandates within three years and the statute of limitations will expire this fall. IRC claims are very complicated and require substantial amounts of time by staff. In addition to being the original preparer of the City's claims, Maximus, Inc., has the expertise and ability to represent the City throughout the claim process.)
M. Compton, Administrative Services Director
9. Adopt Resolution No. 02-111 declaring certain City property as surplus and authorize their sale by consignment. (This resolution declares certain City property as surplus and authorizes its sale by consignment. The adopted budget included the acquisition of three transit buses. The new buses have arrived and have been placed into active service, resulting in two surplus buses. Sale of surplus transit buses by consignment sale has proven to generate higher sale income to the City than the traditional sale by public auction.)
M. Compton, Administrative Services Director
10. Extend duration of the ad hoc committee formed in January 2002 to review design alternatives and options to re-stripe Niblick Road to four lanes from River Road to Creston Road. (In order to allow adequate time for City and School District staff to develop design alternatives and options, it is recommended that the Committee's duration be extended.)
J. Deakin, Public Works Director
11. Extend duration of the ad hoc committee formed in December 2001 to review energy conservation proposals, specifically for a solar generation project on the City landfill property. (Proposals are still being developed and reviewed as the Committee requested additional information. It is anticipated that the Committee's will be continuing on the current proposal for approximately 90 days. It is recommended that the duration be extended to September 17, 2002.)
J. Deakin, Public Works Director

12. Adopt Resolution No. 02-112 appropriating \$237,000 to Budget Account No. 216-910-5452-426 to upgrade the playground structure at Sherwood Park. (In July 2001, Council authorized staff to file for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water and Coastal Protection Bond Act of 2000. City succeeded in receiving this grant for \$207,000. In May, REC, Inc. presented a check to the City for \$15,000 and the Council agreed to provide a matching amount from the Park Development Fund.)
B. Partridge, Library & Recreation Services Director
13. Adopt Resolution No. 02-113 authorizing acceptance of \$500,000 from Roberti-Z'Berg-Harris Urban Open Space and Recreation Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 for the enhancement of Centennial Park, and establish budget appropriation. (In October 2001, Council authorized staff to file for the Roberti Z-Berg Harris competitive program. City succeeded in receiving this grant in the amount of \$500,000, for a total project cost of \$714,000. The match requirement is \$214,000; the contract for acceptance must be signed and returned to the State by June 23, 2002.)
B. Partridge, Library & Recreation Services Director
14. Adopt Resolution No. 02-114 approving group insurance plan renewal for health insurance. (The City's group employee health insurance provider is Lifeguard Health Care; they have underwritten the policy for the last 7 years. The current contract expires June 30, 2002. The City Health Committee has recommended a modified Lifeguard plan contract, with an approximate 13% cost increase. All represented worker associations [POA, SEIU and Fire] have endorsed the Health Committee's recommendation.)
M. Williamson, Assistant to the City Manager

The following item was pulled for discussion:

6. Adopt Ordinance No. XXX N.S. amending Section 10.01 et seq. and related provisions of the Municipal Code (Municipal Code Amendment 2001-001 – Oak Trees). (The proposed ordinance amends the Code as follows: [1] 6-inch trunk diameter continue to be the threshold for Council review of oak tree removal requests; [2] a list of approved arborists be authorized to provide services to the City; [3] replace term "drip line" with Critical Root Zone; [4] the level of oak tree protection measure enforcement be increased; [5] the Public Works Department be responsible for approving tree trimming requests; [6] the Community Development Department be responsible for processing tree removal requests.) First reading held June 4, 2002.)
R. Lata, Community Development Director

Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to continue Consent Item No. 6 to July 2, 2002. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
 NOES: None
 ABSTAIN: None
 ABSENT: Picanco and Mecham

PUBLIC DISCUSSION

15. **Main Street Association Service Agreement**

J. App, City Manager

Consider authorizing a July 2002 release of the first quarter payment for services to be rendered under a forthcoming fiscal year 2002/2003 agreement between the City and Main Street Association. (The City has contracted for downtown business promotion services from the Main Street Association for over ten years and the current multi-year agreement expires on June 30, 2002. A new agreement, structured like earlier contracts, is currently under consideration and is anticipated for Council consideration in July or August.)

Mayor Pro Tem Nemeth opened the public hearing. Speaking from the public was Dale Gustin. There being no further comments from the public, either written or oral, the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Heggarty, moved to authorize payment of fiscal year 2002/2002 first quarter payment of \$18,750 in July 2002. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

16. **Engineering Inspection: Temporary Contract Services**

R. Lata, Community Development Director

Consider funding for temporary engineering and public works inspections during absence of City's Senior Engineering Inspector. (The City Engineering/Public Works Inspector absence may extend as late as June 2003. The City advertised for a contract position to provide inspection coverage during this interim period. Two companies agreed to provide the City with candidates; however, only Penfield & Smith successfully provided a candidate who completed the interview process.)

Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Councilmember Finigan, seconded by Mayor Pro Tem Nemeth, moved to adopt Resolution No. 02-115 appropriating \$150,000 to retain engineering inspections service from Penfield & Smith through June 2003. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

17. Design Contract for 21st Street Reservoir Rehabilitation

J. Deakin, Public Works Director

Consider awarding a design contract to Boyle Engineering to design a roof replacement for the 21st Street Reservoir. (This reservoir is a fundamental element in the City's water distribution system. To maintain its reliability, structural improvements need to be designed. Boyle Engineering prepared the City's Water Master Plan and has technical expertise in water reservoir siting, construction and rehabilitation.)

Mayor Pro Tem Nemeth opened the public hearing. Speaking from the public was Dale Gustin. There being no further comments from the public, either written or oral, the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-116 authorizing award of design services to replace the roof of the 21st Street Reservoir to Boyle Engineering for a not-to-exceed fee of \$75,000 and direct the City Manager to enter a Professional Services Agreement. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

CITY MANAGER

18. Schedule Date for Applicant Interviews & Appointments - Housing Authority

J. App, City Manager

Select an August 2002 date for conducting interviews and making appointments for vacancies on the Housing Authority advisory committee.

2 vacancies / 6 applicants

1 appointment to complete Frank Schuh's term expiring 2/28/03

1 regular appointment for term expiring 2/28/06

Applicants:

Don Durfee Lawrence Foelker
Joe Dutra (incumbent) Steven Meixner
Leo Fisher David Rouff

Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Heggarty, moved to continue Item No 18 to July 2, 2002. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None

ABSENT: Picanco and Mecham

19. Schedule Date for Applicant Interviews & Appointments – Parks & Recreation Advisory Committee

J. App, City Manager

Schedule date for conducting interviews and making appointments for vacancies on the Parks and Recreation Advisory Committee.

4 vacancies / 8 applicants

4 vacancies for terms ending 6/30/04

Applicants:

Donna Berg (incumbent)	Scott Graefen (incumbent)
Darwin Curry (incumbent)	Stephen Gregory
Don Durfee	Paul Manni
Robin Fairbairn (incumbent)	Randy Stinchfield

Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Heggarty, moved to continue Item No 19 to July 2, 2002. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

20. Schedule Date for Applicant Interviews & Appointments – Senior Citizen Advisory Committee

J. App, City Manager

Schedule date for conducting interviews and making appointments for vacancies on the Senior Citizen Advisory Committee.

5 vacancies / 7 applicants

5 vacancies for terms ending 6/30/04

Applicants:

Olive Renee Clark	Judy Rupp
Dale Gustin (incumbent)	Dell Velten (incumbent)
Virginia Harris (incumbent)	Velta Williamson (incumbent)
Nettie O'Brien	

Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Councilmember Finigan, seconded by Mayor Pro Tem Nemeth, moved to continue Item No 20 to July 2, 2002. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

21. Schedule Date for Applicant Interviews & Appointments – Library Board of Trustees

J. App, City Manager

Consider re-appointing incumbent applicant, Betsy Watson, to fill one committee vacancy on the Library Board of Trustees.

1 vacancy for term ending 6/30/05

Applicant (1): Betsy Watson

Mayor Pro Tem Nemeth opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Finigan, moved to re-appoint incumbent applicant Betsy Watson to fill a vacancy on the Library Board of Trustees, term ending June 30, 2005. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty and Nemeth
NOES: None
ABSTAIN: None
ABSENT: Picanco and Mecham

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

COUNCIL COMMENTS

- Mayor Pro Tem Nemeth requested a budget update regarding acceleration of Emergency Services staffing.

PUBLIC COMMENT ON CLOSED SESSION - None

CLOSED SESSION

Council moved to adjourn from regular session at 8:08 PM and re-adjourn to Closed Session. Motion passed by unanimous voice vote.

Deputy City Attorney Jon Seitz announced Council's authority to go into closed session to discuss the items listed on the agenda.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room at 8:13 PM.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 8:45 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

Deputy City Attorney Seitz announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at **8:50 PM**.

ADJOURNMENT: to THE PASO ROBLES ECONOMIC FORECAST MEETING AT 8:00 AM ON WEDNESDAY, JUNE 26, 2002, IN THE GRAND BALLROOM OF THE PASO ROBLES INN, 1103 SPRING STREET, PASO ROBLES; TO THE MIDSUMMER MAGIC 2002 EVENT AT 7:00 PM ON SATURDAY, JUNE 29, 2002, AT THE PUBLIC LIBRARY, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, JULY 2, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Cindy Pilg, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL, NOR A PERMANENT PART OF THE RECORDS,
UNTIL APPROVED BY THE CITY COUNCIL AT THE NEXT REGULAR MEETING.**