

# **CITY COUNCIL MINUTES**

**Tuesday, January 18, 2005 7:30 PM**

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

---

## **7:30 PM – CONVENE REGULAR MEETING**

**CALL TO ORDER** – Downstairs Conference Center

## **PLEDGE OF ALLEGIANCE**

Led by Scout Wyatt Hix, Boy Scouts of America, Troop 60 of Paso Robles.

## **INVOCATION**

**ROLL CALL** Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, and Mayor Frank Mecham

## **PUBLIC COMMENTS**

- Chester Zinn presented a public records request for documents regarding all action that has been taken on the rezoning and general plan change for Tract 2611.

**AGENDA ITEMS TO BE DEFERRED (IF ANY)** - None

## **PRESENTATIONS - None**

*Councilmember Strong stepped down from the dais and abstained from voting on Item No. 1 due to a possible conflict of interest in that one of the principals was a source of income during the past year.*

## **PUBLIC HEARINGS**

### **1. Rezone 04-007 (Applicant: North Coast Engineering / Woody Woodruff)**

R. Lata, Community Development Director

Reconsider an application filed by North Coast Engineering on behalf of Woody Woodruff to rezone a 6.73-acre site in conformance with the General Plan Land Use designation. (Property is located at the northwest corner of Creston and Rolling Hills Road. The subject parcels are currently zoned Office Professional [OP]. The General Plan calls for a change in land use to high density multi-family residential, allowing up to 20 dwelling units per acre.)

Mayor Mecham opened the public hearing. Speaking from the public was Steve Sylvester (North Coast Engineering), James "Jocko" Cutter, Dale Gustin, Tom Hardwick, and Kathy Barnett. 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 (1) conclude that there is no need for any additional environmental analysis in conjunction with the proposed rezone since the rezone was anticipated in the Final EIR that was certified on December 16, 2003, and find that the proposed rezone would be consistent with the City's General Plan and conclude that the City's Planned Development process would provide adequate tools through which the City can insure that the proposed use of the property can be accommodated on this site without having an adverse effect on adjacent properties and that the proposed design would insure that the density can be accommodated through sensitive site and building design; and (2) introduce for first reading Ordinance No. XXX N.S. approving the Rezone; and set February 1, 2005, as the date for second reading of said ordinance.

Motion passed by the following roll call vote:

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

*Councilmember Strong returned to deliberations.*

### **2. Traffic Calming Program**

R. Lata, Community Development Director

Consider a Traffic Calming Program designed to address the specific needs of both local and arterial/collector streets to maintain safe and efficient streets in the City. (The City Council Traffic Calming ad hoc committee and the Planning Commission support the Program as presented.)

Susan Zaleschuck, City Planner, conducted an overview of the Traffic Calming Program.

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

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 05-008 approving the Traffic Calming Program.

Motion passed by the following unanimous roll call vote:

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

### 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 Nos. 3 – 12 and 14 - 15 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Nemeth, with Item No. 13 being pulled for separate discussion.

3. Approve City Council minutes of January 4 and 5, 2004  
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 52451 – 52518 (12/29/04) and 52519 – 51691 (1/7/05)  
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:  
Housing Authority Board meeting of December 14, 2004
6. Read, by title only, and adopt Ordinance No. 892 N.S. amending Title 21 of the Zoning Code of the Municipal Code to approve Rezone 04-008 to rezone a 11-acre site to bring the zoning into conformance with the General Plan (Applicant J.M. Wilson Development – APN 009-815-002). (Property is located at 1650 South River Road. In conjunction with Tract 2611, the applicant submitted an application to change the Zoning designation of the lower property from R1,B3 to R1,PD-4, and change the Zoning designation of the upper property from R1,B3 to R1,PD-6, and establish Planned Development Overlay zoning over the site.)  
1ST READING JANUARY 4, 2005  
R. Lata, Community Development Director
7. Adopt Resolution No. 05-009 appropriating \$2,500 from the Senior Endowment Fund Account No. 401-411-5454-185 to purchase a commercial refrigerator for the Senior Center. (The larger capacity refrigerator will accommodate all needs of the Senior Center, including the Senior Nutrition Program.)  
B. Partridge, Library & Recreation Services Director
8. Adopt Resolution No. 05-010 accepting Negotiated Exchange of Property Tax Revenue and Annual Tax Increment between the County of San Luis Obispo and the City – Annexation No. 88. (Subject property is approximately 31 acres along the City's easterly boundary, located north of Linne Road, and generally east of a northward extension of Airport

Road (aka "Our Town"). Based on the residential zoning of the subject property, the terms of a proposed agreement are that there will be no shift of the base and that the City would receive approximately 11% of the future property tax increment.)

R. Lata, Community Development Director

9. Adopt Resolution No. 05-011 annexing PD 02-017 (Gateway Center) into the Landscape and Lighting District (L&LD). (This development located at 1<sup>st</sup> and Vine Streets was originally approved by the Planning Commission in May 2003, with the condition that the property be annexed into the L&LD. Applicants [Rite III, Inc.] have signed a petition and voted in favor of the annexation.)  
R. Lata, Community Development Director
10. Adopt Resolution No. 05-012 accepting the public improvements of Tract 2411 into the City's maintenance system. (Developer: CS Nino Construction. This subdivision is located on the west side of Vine Street, between 36<sup>th</sup> Street and Fein Street. All public improvements have been constructed to the satisfaction of the City Engineer.)  
R. Lata, Community Development Director
11. Adopt Resolution No. 05-013 accepting the public improvements of Tract 2350-3 (Lots 92-137) into the City's maintenance system. (Developer & Subdivider: Weyrich Development Company. This subdivision is located along Solida Del Sol and Vista Cerro Drive, west of Golden Hill Road and south and east of Rolling Hills Road. All public improvements have been constructed to the satisfaction of the City Engineer.)  
R. Lata, Community Development Director
12. Adopt Resolution No. 05-014 (1) transferring \$40,000 of the existing budget appropriation from Budget Account No. 600-910-5254-500 to Budget Account No. 600-910-5452-565; (2) appropriating an additional \$85,000 to Budget Account No. 600-910-5452-351; and (3) awarding a contract to Aqua Engineering to rehabilitate three existing wells [Fox, Cuesta, and Butterfield] for a not-to-exceed fee of \$274,291.59. (The City periodically performs rehabilitation of its wells to insure that they perform efficiently and to extend their service. Per the Water Capital Improvement Program, three wells were identified for this fiscal year. Bids received in December 2004 ranged from \$274,292 to \$496,970. The low bid submitted by Aqua Engineering of San Miguel was reviewed and found to be responsive.)  
B. Hagemann, Water Resources Manager
14. Adopt Resolution No. 05-015 approving a lease assignment of the long-term property lease on Parcel 7, PRAL 88-207, in the Paso Robles Airport Industrial Park from Scientific Drilling International, Inc. to KMBG, LLC. (The requested assignment is consistent with the provisions of the approved lease agreement. The intended use and occupancy of the premises are allowed and encouraged.)  
M. Williamson, Assistant to the City Manager
15. Dissolve Council's vehicle replacement ad hoc committee formed in November 2004, as the work of the committee has been completed.  
M. Compton, Administrative Services Director

## DISCUSSION

### 16. Comprehensive Annual Financial Report

M. Compton, Administrative Services Director

Presentation of the Comprehensive Annual Financial Report for fiscal year ending June 30, 2004, for City Council consideration.

Mayor Mecham opened the public hearing. Speaking from the public were Mike Menath 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 Strong, moved to receive and file the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2004.

Motion passed by unanimous voice vote.

**16.1 Waiver of Facility Use Fee – Paso Robles Kiwanis and Elks Clubs Tsunami Relief Fund-Raiser**

F. Mecham, Mayor

Consider waiving fee for use of the City Park to hold Tsunami Relief Fund-Raiser on Saturday 22, 2005, sponsored by Paso Robles Kiwanis and Elks Clubs.

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 Nemeth, moved approve waiving \$82 facility use fee for rental of the City Park on Saturday 22, 2005, for Tsunami Relief Fund-Raiser event.

Motion passed by the following unanimous roll call vote:

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

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION**

**17. Advisory Body Appointments – Project Area Committee**

R. Lata, Community Development Director

Make appointments for vacancies on the Project Area Committee.

4 vacancies – 5 applicants

Terms: Three 3-year regular terms expiring December 31, 2007

One 1-year regular term expiring December 31, 2005 to fill vacated term of Debra Smith

Applicants:

James Cole

Anthony Horzen

Pat McMahan  
Charles Treatch  
Christie Withers

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

Councilmember Strong, seconded by Councilmember Picanco, moved to appoint James Cole, Pat McMahan, and Charles Treatch to 3-year regular terms expiring December 31, 2007; and Christie Withers to a 1-year regular term expiring December 31, 2005, to fill the vacated term of Debra Smith.

Motion passed by the following unanimous roll call vote:

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

### **CONSENT ITEMS PULLED FOR DISCUSSION**

13. Award purchase of the new vehicles and equipment based on the City Equipment Replacement Program to the qualified low bidders. (The vehicles and equipment listed are authorized for replacement purchase in the fiscal year 2005 budget and funded in the Vehicle Replacement Fund: portable air compressor, one full size sports utility vehicle [DARE vehicle] and one 4-wheel off-road utility vehicle.

D. Monn, Interim Public Works 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 Strong, seconded by Councilmember Nemeth, moved to award the purchase of the new vehicles and equipment based on the City Equipment Replacement Program to the qualified low bidders.

Motion passed by the following roll call vote:

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

**AD HOC COUNCIL BUSINESS** - None

**COUNCIL COMMENTS** - None

*By unanimous voice vote, Council moved to adjourn from regular session at 9:18 PM.*

**ADJOURNMENT:** to THE CHAMBER OF COMMERCE ANNUAL DINNER AT 6:00 PM ON SATURDAY, JANUARY 22, 2005, AT THE MID-STATE FAIR GROUNDS; TO THE CITY COUNCIL & PLANNING COMMISSION NEW MEMBER ORIENTATION MEETING AT 7:00 PM ON THURSDAY, JANUARY 27, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 1, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

---

Sharilyn M. Ryan, Deputy City Clerk  
Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS  
UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.**