

# CITY COUNCIL MINUTES

GOAL-SETTING WORKSHOP  
Saturday, February 12, 2005 9:00 AM

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

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9:00 AM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Room

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

PUBLIC COMMENTS

- **None.**

## 1. 2005 Council Goal Setting

J. App, City Manager

A public workshop to formulate City goals.

Opening remarks by Mayor Frank Mecham and City Manager Jim App. Facilitator John Dunn outlined the agenda for the day and reviewed the goal-setting process.

Mayor Mecham opened the public hearing. Speaking from the public were Nick Gilman, Grace Myers, Jan Stemper-Brown, Greg Haas, Brandon Mendeiros, Danna Stroud, Todd Lomelino, Mike Weber, Del Velten, Jerry Rioux, Richard Gruner, Editha Spencer, Jane Carey, Douglas Livengood, Mike Gibson, and Angela Hollander.

Council took breaks at 10:05 a.m. and 1:30 p.m. and a lunch break from 12:00 p.m. to 12:30 p.m..

After considering public input, suggestions from executive staff and advisory committees, Council identified and ranked 22 community and City-organization goals for 2005 – 2007.

*The meeting was adjourned by general consent at 2:15 p.m.*

**ADJOURNMENT:** to THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 15, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted by:

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Cathy M. David, Deputy City Clerk  
Approved:

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UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.**

# **CITY COUNCIL MINUTES**

**Tuesday, February 15, 2005 7:30 PM**

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

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

**CALL TO ORDER** – Downstairs Conference Center

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

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

## **PUBLIC COMMENTS**

- Roy Boyce expressed concerns about water drainage in the area of Union Road and Riverglen Drive and asked that the rain gutters be cleaned out and maintained by the City.
- Jerry Bunin, Government Affairs Director of the Home Builders Association of the Central Coast, asked that the City notify the Home Builders Association at least 45 days before holding a public hearing on any development impact fee increases to allow adequate time for review and comment. A written request to this effect was submitted for distribution to Council.

## **AGENDA ITEMS TO BE DEFERRED (IF ANY)**

City Manager Jim App announced that Agenda Item No. 18 is recommended for deferment to allow time for review of residency requirements.

**PRESENTATIONS - None**

**PUBLIC HEARINGS**

- 1. Zone Change 04-011 (Linne Road Annexation Area – Annexation No. 88)**  
R. Lata, Community Development Director

Consider the Planning Commission's recommendation regarding a pre-zone of property proposed for annexation to the City. (The proposed annexation area includes approximately 31 acres, with 59 parcels and multiple property owners. It is located in the unincorporated County area east of the City, north of Linne Road, and generally east of a northward extension of Airport Road. Pre-zoning of the subject property is a step in the annexation process. The annexation proposal is consistent with, and was anticipated in, the City's General Plan update of December 2003. There is no development proposed at this time.)

Mayor Mecham opened the public hearing. Speaking from the public was Christy Gabler (North Coast Engineering). There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to find that there is no need for additional environmental assessment in conjunction with the pre-zone as a part of the annexation process; and introduce for first reading Ordinance No. XXX N.S. establishing a pre-zone pattern consistent with the General Plan (which provides for RSF-6 on the Paso Robles Vineyard property and RMF-9 on the "Our Town" property); and set March 1, 2005, as the date for second reading. The pre-zone also includes a 2,786 square foot strip of land (APN 020-211-010) that is owned by Chandler Sand & Gravel, the zoning of which would be designated Planned Manufacturing (PM), consistent with the balance of their property. Entitlements for development of any of the area would be subject to approval of the Candler Ranch Area Specific Plan.

Motion passed by the following roll call vote:

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

- 2. General Plan Amendment of the Circulation Element – Specific Plan Amendment 03-003 of the Union / 46 Specific Plan and Amendment of Tentative Tract 2369 and PD 00-003 Conditions of Approval (Applicant: North Coast Engineering for Frank Archiero)**  
R. Lata, Community Development Director

Consider applicant's request that the Circulation Element Figure CE-1 and the Union / 46 Specific Plan Map 3.2 be amended to eliminate the planned connection of "A" Street (Montebello Oaks Drive) to North River Road, and other associated planning amendments. (The Union / 46 Specific Plan covers properties located south of Highway 46 East, west of Prospect Avenue, north of Union Road, and east of North River Road. The Planning Commission has recommended approval of these amendments.)

Council heard a brief presentation and overview by Marty Inouye, Senior Vice President of Omni-Means Engineers & Planners, on the traffic impact study prepared for Montebello Estates Tract 2369. LynneDee Althouse, Althouse and Meade, Inc., provided information regarding environmental impact concerns of various regulatory agencies that have jurisdiction within the project.

Mayor Mecham opened the public hearing. Speaking from the public were Steve Sylvester (North Coast Engineering), Eric Mattke, Roy Boyce, Darlene Julian, Joe Horne, Christy Jorgan, Jacqueline Turner, Tom Taylor, Brian O'Kelly, and Chuck Talkovic. There were no further comments from the public, either written or oral.

*Council adjourned for a 10-minute recess at 9:05 PM.*

Mayor Mecham, seconded by Councilmember Picanco, moved to deny the abandonment of "A" Street and direct applicant to identify alternative routes.

Motion passed by the following roll call vote:

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

### **CONSENT CALENDAR**

Consent Calendar Items Nos. 3 - 8 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty, with Councilmember Picanco abstaining on Warrant Register Item No. 053140 and Mayor Mecham abstaining on Warrant Register Items Nos. 053135 and 053283,

3. Approve City Council minutes of January 27 and February 1, 2005  
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 53015 – 53150 (1/28/05) and 53153 – 53302 (2/5/05)  
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:  
Library Board of Trustees meetings of December 16 and 28, 2004
6. Adopt Resolution No. 05-038 annexing PD 95-009 (amendment) as part of Subarea 95 to the Paso Robles Landscape and Lighting District (L&LD) No. 1. (The PETCO property is located on the west side of Theatre Drive, just south of Gahan Place, and north of the main entrance to the Target Center. PD 95-009 was approved as an amendment to the Oak Tree Plaza and Target Center by the Planning Commission in March 2003, with the condition that the property be annexed into the L&LD. Applicants have signed a petition and voted in favor of the annexation.)  
R. Lata, Community Development Director

7. Adopt Resolution No. 05-027 annexing PD 02-003 as part of Subarea 94 to the Paso Robles Landscape and Lighting District (L&LD) No. 1. (The East Village Shopping Center is located at the northeast corner of Niblick and Creston Roads, and it includes Food4Less. PD 02-003 was approved by the Planning Commission in August 2002, with the condition that the property be annexed into the L&LD. Applicants have signed a petition and voted in favor of the annexation.)  
R. Lata, Community Development Director
  
8. Adopt Resolution No. 05-028 accepting recordation the 2-foot Irrevocable and Perpetual Offer of Dedication for public road purposes along the east side of Spring Street; and adopt Resolution No. 05-029 accepting the 20-foot wide Grant of Easement for temporary reconstruction of a driveway and grading to accommodate street improvements at 3016 Spring Street. (Applicant Robert Lamb)  
R. Lata, Community Development Director

**ROLL CALL VOTE**

**DISCUSSION**

9. **Resolution of Intent to Establish a Community Facilities District for Services**  
R. Lata, Community Development Director

Consider adopting a Resolution of Intention establishing April 5, 2005, as the date on which a public hearing would be held to consider establishment of a Community Facilities District (CFD). The CFD would be intended to cover the incremental cost of providing City services to new residential development. (A CFD has been identified as the most viable means to implement the General Plan policy regarding "Fiscal Neutrality" and avoid new residential development having an adverse impact on existing residents.)

Mayor Mecham opened the public hearing. Speaking from the public were Tom Taylor, Dave Lanferman (Sheppard Mullin Law Offices), Jerry Bunin, and Patricia Johnson. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution of Intention No. 05-030 establishing April 5, 2005, as the date for consideration of adoption of a Community Facilities District for City services, based on an average annual mitigation amount of \$657 for each new dwelling unit established through the discretionary entitlement process.

Motion passed by the following unanimous roll call vote:

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

**10. 1234 Pine Street – Consideration of Applicant’s Response to Council Direction of November 16, 2004**

R. Lata, Community Development Director

Consider acting upon an appeal of a Notice and Order issued for a leaning building at 1234 Pine Street. (Property is a 120-year old wood-framed building. The City’s assessment shows that the building is leaning and rotating four inches, exceeding limits set by code for this type of building. The property owner’s initial Appeal was filed in May 2004. The Appeal has been opened and continued four times to allow the owner’s tenant time to secure a structural assessment of the building.)

Doug Monn read a letter into the record received from Robert Massey (Elbert O. Speidel, AIA & Associates) which stated “...there is no need to have the building vacated for safety reasons, neither for the occupants nor for pedestrians in the vicinity” and “the proposed improvements are not immediately necessary.”

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, moved to confirm the Notice and Order by directing the property owner to vacate the public use of the building (lower floor) by March 15, 2005 and for it to remain vacant until such time as the questions asked in the City’s December 29, 2004 letter are addressed. Motion failed due to lack of a second.

Councilmember Strong, seconded by Mayor Mecham, moved to receive and file the letter of February 14, 2005, from Robert Massey to Doug Monn, attesting to the safety of the building at 1234 Pine Street, close the Notice and Order; and require the property owner to re-assess the structural integrity of the building every three years.

Motion passed by the following roll call vote:

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

**11. Request to Remove One Oak Tree – 3201 Spring Street (Paso Robles Youth Arts Foundation)**

R. Lata, Community Development Director

Consider a request to remove one 57-inch diameter Valley Oak tree at 3201 Spring Street. (Property is on the north side of 32<sup>nd</sup> Street, between Spring and Oak Streets. The oak is located midway back on the 32<sup>nd</sup> Street side of the parcel, between the sidewalk and the existing parking lot.)

Mayor Mecham opened the public hearing. Speaking from the public were Chip Tamagni, Mike Menath, Sandy Chandler (Director of PR Youth Arts Foundation) and John Hoagland. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Strong, moved to adopt Resolution No. 05-031 approving the oak tree removal request based on the findings, conclusions, and recommendations of the Arborist Reports identifying the tree as over-mature and in poor condition; and require a replacement oak tree be provided from the City's inventory.

Motion passed by the following unanimous roll call vote:

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

**12. Request to Remove One Oak Tree – 1612 Oak Street (Stevens)**

R. Lata, Community Development Director

Consider a request to remove one 33-inch diameter Coast Live Oak tree at 1612 Oak Street. (Applicant: Calvin Stevens. Property is on northeast corner of 16<sup>th</sup> and Oak Streets. Tree is located at property line, adjacent to the alley.)

Mayor Mecham opened the public hearing. Speaking from the public were Chip Tamagni and Calvin Stevens. 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 adopt Resolution No. 05-032 approving the oak tree removal request based on the findings, conclusions, and recommendations of the Arborist Reports identifying the tree as structurally weak and the removal as necessary to prevent further damage to the existing structures; and that replacement trees are not required, based on the tree's decline not being the fault of the property owner.

Motion passed by the following roll call vote:

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

**13. Street Abandonment 04-007 – Portion of Kleck Road (Sylvester)**

R. Lata, Community Development Director

Consider approving a "Resolution of Intent" to abandon an unimproved variable width portion of Kleck Road right-of-way, approximately 200 feet north of Windsong Way. (Applicant: Steve Sylvester. The purpose of abandonment request is to expand residential use of the abandoned area. The Planning Commission unanimously recommended approval. The request was found to be consistent with the Streets and Highway Code and the City's General Plan; and no concerns have been raised by the Department of Emergency Services regarding the proposed abandonment.)

Mayor Mecham opened the public hearing. Speaking from the public was Steve Sylvester. 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 adopt Resolution No. 05-033 abandoning a portion of Kleck Road right-of-way, roughly 200 feet north of Windsong Way as shown on Exhibit "A"; and setting March 15, 2005, in the Paso Robles City Hall, 1000 Spring Street, for a public hearing for all persons interested or having objection to the proposed closing.

Motion passed by the following unanimous roll call vote:

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

**14. General Plan Implementation: Purple Belt Action Plan**

R. Lata, Community Development Director

Consider selection of a contract services team to prepare a Purple Belt Action Program. (A Purple Belt is intended to buffer the eventual edge of the City through the preservation and encouragement of agriculture and open space. The City issued a Request for Proposals [RFP] to qualified consultants, with two firms responding.)

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 Heggarty, moved to select the team consisting of Economic & Planning Systems and Design, Community & Environment, and Sage Associates to work with the City to complete preparation of the Purple Belt Action Plan; authorize the City Manager to enter into an agreement to have the work done in a manner substantially consistent with the proposal dated December 2004, with a total program budget of \$120,000; and adopt Resolution No. 05-034 authorizing transfer of the necessary resources from the funds carried over to implement the adopted General Plan.

Motion passed by the following unanimous roll call vote:

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

**15. Contract Award - Centennial Park Improvements**

B. Partridge, Library & Recreation Services Director

Consider awarding a construction contract to install improvements at Centennial Park. (In May 2003, Council directed staff to prepare construction documents for this project and advertise for bids. One bid was received and rejected. The bid documents were restructured between "Base Bid" and "Alternate Bid" categories. Three bids were received at the bid opening on January 20, 2005, with Wysong Construction being the low bidder.)

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 Mayor Mecham, moved to adopt Resolution No. 05-035 to (1) appropriate \$69,900 for the additional grant fund received; and (2) authorize award of contract to Wysong Construction for the Centennial Park project as follows:

Base bid	\$ 571,900
Interior painting of gym	42,400
Refinish gym floor	<u>18,500</u>
	\$ 632,800

Motion passed by the following unanimous roll call vote:

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

**16. City Landfill - Liner Repair Monitoring**

Brad Hagemann, Water Resources Manager

Consider awarding a contract to design and install one monitoring well and two vapor probes at the landfill in response to a liner tear and subsequent repair. (Following repair of the tear in March 2000, Todd Engineers prepared a Work Plan for monitoring potential impacts from the initial tear. The Plan recommended installation of a ground water monitoring well and two vapor probes. It was submitted to the Regional Water Quality Control Board in December 2004 and approved in January 2005, with a required completion date of July 2005.)

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 to adopt Resolution No. 05-036 appropriating \$134,100 from General Fund reserves; authorizing the City Manager to execute a contract with Todd Engineers for engineering work associated with the Work Plan implementation; awarding a contract for the vapor probe and well installation to the lowest responsible bidder; and authorizing the City Manager to execute documents necessary to obtain reimbursement for all such costs from Pacific Waste Services.

Motion passed by the following unanimous roll call vote:

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

**17. Award Contract – Wood Grinding & Hauling at Paso Robles Landfill**

M. Williamson, Interim Public Works Director

Consider awarding a contract to provide wood grinding and hauling services at the Landfill. (The City utilizes contract assistance for the grinding [chipping] and hauling of wood materials that are separated from other refuse at the Landfill. Following the publication of a Request for Quotations, one quote was received from Vision Recycling.)

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 adopt Resolution No. 05-037 appropriating \$35,000 from General Fund reserves to Account No. 100-310-5212-167 awarding a 2-year contract to provide wood grinding and hauling services at the Landfill to Vision Recycling in an amount up to \$35,000; and authorizing the City Manager to execute said contract on behalf of the City.

Motion passed by the following unanimous roll call vote:

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

### **17.1 Water and Sewer Master Plan Update**

B. Hagemann, Water Resources Manager

Consider procuring services to prepare aerial topography mapping for the Water and Sewer Master Plans update. (The Water and Sewer Master Plans are being updated for consistency with the 2003 General Plan. A critical component to the update is current and accurate vertical and horizontal measurements/mapping.)

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 Strong, moved to authorize staff to execute and contract for aerial topographic mapping with Golden State Aerial Surveys and John Wallace Group.

Motion passed by the following unanimous roll call vote:

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

## **CITY MANAGER**

### **18. Schedule Date for Applicant Interviews/Appointments – Housing Authority**

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Housing Authority.

1 vacancy – 4-year “at large” term, expiring February 28, 2009

#### APPLICANTS

Pearl Munak

1 vacancy – 4-year “resident” term, expiring February 28, 2009

APPLICANTS

Arminda Cabel  
Andres Perales

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 to defer this item to allow time to review residency requirements. Motion passed by unanimous voice vote.

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS**

**19. Highway 46 East Corridor and Related State Highway Traffic Issues - Ad Hoc Committee Formation**

R. Lata, Community Development Director

Consider appointing an ad hoc committee to address issues relating to the Highway 46 East Corridor Study and related projects.

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

It was the consensus of Council to appoint Mayor Mecham and Councilmember Strong to an ad hoc committee to work with staff to address issues relating to the Highway 46 East Corridor Study and related projects; and report back to the full Council by September 19, 2006.

**COUNCIL COMMENTS**

- Councilmember Strong questioned whether subdivision lot layout information is provided in digital form, so that the City can incorporate it into its mapping system. Staff confirmed that it is required and is incorporated

**PUBLIC COMMENT ON CLOSED SESSION** - None

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

*Council moved to adjourn from regular session at 11:30 PM and thereupon adjourned to Closed Session. Motion passed by unanimous voice vote.*

**CLOSED SESSION**

**CALL TO ORDER** – Large Conference Room, 2<sup>nd</sup> Floor

*The City Council returned to Regular Session at 11:55 PM.*

**RETURN TO OPEN SESSION**

**CLOSED SESSION REPORT**

*City Attorney Yang announced that Council received an update from the City's negotiator on the Closed Session items, and there was no reportable action.*

*By unanimous voice vote, Council moved to adjourn from regular session at 12:00 AM on Wednesday, February 16, 2005.*

**ADJOURNMENT:** to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 1, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

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Sharilyn M. Ryan, Deputy City Clerk  
Approved:

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