

CITY COUNCIL MINUTES
CLOSED SESSION
ADJOURNED REGULAR MEETING

Thursday, July 14, 2005 7:00 PM

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

7:00 PM – CONVENE CLOSED SESSION

CALL TO ORDER

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

PUBLIC COMMENTS - None

1. Public Employee Performance Evaluation
Government Code Section 54957
Title: City Manager

Council moved to adjourn from Closed Session at 8:58 PM and thereupon adjourned to Regular Session. Motion passed by unanimous voice vote.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that there was no reportable action from Closed Session.

It was the consensus of Council to adjourn from Regular Session at 9:00 PM. Motion passed by unanimous voice vote.

ADJOURNMENT: to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 29, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

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

CITY COUNCIL MINUTES

Tuesday, July 19, 2005 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 Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco, and
Mayor Frank Mecham Absent: Councilmember Fred Strong

PUBLIC COMMENTS

- Mike Compton, Administrative Services Department, announced that the deadline for payment of City utility bills will be permanently changed to the 5th day of the month following the date of the bill. If the 5th falls on a weekend, the deadline will be extended to the first workday following the weekend.

Mayor Frank Mecham brought attention to an article in the Tribune News on Saturday, July 16th, praising the financial stability of the City of Paso Robles. He extended his congratulations and thanks to all City management and staff for their hard work and efforts in achieving this stable position.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that Agenda Item No. 1 is being recommended for continuance to August 2, 2005.

PRESENTATIONS – None

PUBLIC HEARINGS

- 1. Determination of Historic or Architectural Significance of Residential Building at 733 23rd Street & a Request to Process Pending Demolition Permit Application (Demolition 05-004 – Applicant: First Mennonite Church)**
R. Lata, Community Development Director

Open and continue a public hearing regarding pending demolition permit for residential building at 733 23rd Street to allow adequate time to notify property owners within 300-feet of the proposed demolition.

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 public hearing regarding Demolition 05-004 to August 2, 2005.

Motion passed by unanimous voice vote.

- 2. Street Abandonment 04-003 (Oak Street, 3rd Street to 4th Street)**
R. Lata, Community Development Director

Consider abandoning a portion of Oak Street from 3rd Street to 4th Street. (Application made by Richard Morris and Joe Cardinale to allow for residential uses. The Planning Commission voted unanimously to recommend approval of the abandonment request, and on June 7th, City Council adopted a Resolution of Intent to abandon.) CONTINUED FROM JULY 5, 2005

Mayor Mecham opened the public hearing. Speaking from the public John McCarthy. 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. 05-139 to abandon a portion of Oak Street, an 80-foot right-of-way from 3rd Street to 4th Street, as requested by the applicants, subject to the provision of private access and utility easements for certain adjacent properties and subject to conditions set forth.

Motion passed by the following roll call vote:

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

- 3. Zoning Code Amendment and Specific Plan Amendment (Churches in the Regional Commercial Zone)**
R. Lata, Community Development Director

Consider amending the Zoning Ordinance to add churches to the list of conditionally permitted uses in the Regional Commercial (R-C) Zoning District. (The intent of the R-C land use designation is to provide for retail and service uses that serve the region as a whole. This request was initiated by applicants Richard DeBeikes and Jim Halferty, who are

pursuing a mixed-use project on vacant property located at the corner of Oak Hill Road and Old South River Road, with a church as one of the uses proposed in the project.)

Mayor Mecham opened the public hearing. Speaking from the public were Jim Halferty (applicant), Larry Werner, and Pastor Pat Sheean. 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 introduce for first reading Ordinance No. XXX N.S. to amend the list of conditionally permitted land uses in the Regional Commercial zone; and set August 2, 2005, as the date for adoption of said Ordinance. Council also directed staff to return to Council with suggested use permit guidelines to use when considering future use permits.

Motion passed by the following roll call vote:

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

CONSENT CALENDAR

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

Consent Calendar Items Nos. 4 – 8 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty; with Councilmember Picanco abstaining on Warrant Register Items Nos. 56112, 56137 and 56240; and with Mayor Mecham making note of a clerical error in the Council Minutes of June 16.

4. Approve City Council minutes of June 16 and July 5, 2005
D. Fansler, City Clerk
5. Approve Warrant Register: Nos. 56032 – 56149 (6/30/05) and 56150 – 56283 (7/8/05)
M. Compton, Administrative Services Director
6. Receive and file information regarding a Joint Study Session of the Planning Commission and City Council scheduled for August 11, 2005, on the Olsen Ranch Beechwood Specific Plan (OBSP). (The objective of the meeting is to receive information concerning the OBSP and Environmental Impact report. Preliminary findings and recommendations regarding design of the plan will be presented.)
R. Lata, Community Development Director
7. Adopt Resolution No. 05-140 accepting the recordation of Parcel Map PR 03-0222, a 4-lot residential subdivision located along the south side of Pacific Avenue; and adopt Resolution No. 05-141 annexing Parcel Map PR 03-0222 into the Landscape and Lighting District (L&LD). (Applicant Jim Pry has signed a petition and voted in favor of annexation into the L&LD.)
R. Lata, Community Development Director
8. Adopt Resolution No. 05-142 accepting recordation of Tract 2350, Phase 4, a 38-lot subdivision located at the southerly corner of Golden Hill Road and Rolling Hills Road, approving the Subdivision Improvement Agreement guaranteeing the construction of the

subdivision improvements, with an established deadline of July 19, 2006, to complete these improvements, and authorizing the Mayor to execute the Agreement; and adopt Resolution No. 05-143 annexing Tract 2350, Phase 4, into the Landscape and Lighting District. (Applicant Weyrich Development Company has signed a petition and voted in favor of annexation into the L&LD.)

R. Lata, Community Development Director

DISCUSSION

9. City Park Merry-Go-Round - Options

D. Monn, Interim Public Works Director

Receive information and consider financial and legal implications of various options pertaining to the future of the merry-go-round formerly located in the City Park. (The merry-go-round was damaged/inoperable and removed from City Park December 2004.)

Mayor Mecham read a letter into the record received from Carol Morrison.

Mayor Mecham opened the public hearing. Speaking from the public were Pascual Padilla, Dale Gustin, Tomas Hardwick, Wayne Harris, and Ken Riedel. 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. 05-144 to mount the merry-go-round as a static display in the Downtown Park, as part of the City Park Master Plan, and to include a plaque describing its history and significance. Legal counsel was also directed to research exposure to possible litigation, with direction to return to Council if a significant liability for the City is determined to exist.

Motion passed by the following roll call vote:

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

10. Downtown Parking Financing Program – Consultant Selection and Program Funding

R. Lata, Community Development Director

Consider selecting a consultant team to prepare a Downtown Parking Financing Plan and appropriate funds for the program. (Following Council's direction on March 15th, a Request for Proposals [RFP] was issued to ten firms to prepare a report that would present both an in-lieu fee and other revenue alternatives for Council consideration. Two firms responded and were interviewed by Council's ad hoc committee and City staff. The consensus after interviews is that Economic & Planning Systems/Kimley-Horn is the most qualified to prepare the Downtown Parking Financing Plan.)

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

Councilmember Nemeth, seconded by Councilmember Picanco, moved to (1) concur with the recommendation of Council's ad hoc committee to authorize the City Manager to enter into a Contract Services Agreement with the team of Economic & Planning Systems / Kimley-Horn to prepare a Downtown Parking Financing Plan; and (2) adopt Resolution No. 05-145 approving a one-time budget appropriation from the General Contingency & Emergency Fund for \$63,000, to be repaid to that account from future parking program related revenues.

Motion passed by the following roll call vote:

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

11. Heavy Rescue Vehicle

K. Johnson, Emergency Services Chief

Consider awarding a purchase contract to low bidder Placer Fire Equipment, Inc. for a heavy rescue vehicle and approving a supplemental budget appropriation for its purchase. (The addition of a heavy rescue vehicle is consistent with recently adopted City Council goals, objectives set forth in the Emergency Services Growth Management Plan, and the San Simeon earthquake's response gap analysis.)

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 Heggarty, moved to adopt Resolution No. 05-146 awarding a heavy rescue vehicle purchase contract to Placer Fire Equipment, Inc. for \$289,012 and providing for a \$10,000 supplemental budget appropriation.

Motion passed by the following roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

COUNCIL COMMENTS

PUBLIC COMMENT ON CLOSED SESSION - None

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

Council moved to adjourn from regular session at 8:58 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 9:43 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 item, and there was no reportable action.

By unanimous voice vote, Council moved to adjourn from regular session at 9:45 PM.

ADJOURNMENT: to THE VIP PREMIER PARTY AT 6:00 PM ON TUESDAY, JULY 26, 2005, AT THE MID STATE FAIRGROUNDS; TO THE LEAGUE OF CALIFORNIA CITIES MAYORS MEETING JULY 27-29, 2005; AT THE MONTEREY CONFERENCE CENTER, 350 CALLE PRINCIPAL; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, AUGUST 2, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

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