



## CITY COUNCIL MINUTES

Tuesday, January 17, 2006 7:30 PM

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

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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

Led by Don Charles with the Calvary Chapel.

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

### PUBLIC COMMENTS

- Lawrence Lynch spoke about the development known as the “Boston Tract”, and provided a list of homeowners that would like to be notified of any city hearings evolving from this project.
- Kathy Barnett, (1) expressed appreciation for additional time to submit comments on Chandler Ranch project, and (2) requested clarification regarding the city’s animal control policies. Mayor Mecham explained that the Police Department is the first place to call regarding animal control issues.
- Ken Riedel spoke on options the City is considering regarding use of the merry-go-round.
- Joy Sprague commented on increasing litter in Paso Robles and asked citizens to help with citywide cleanup efforts.

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

## PRESENTATIONS

### 1. State of the City Report – January 2006

F. Mecham, Mayor

Mayor Mecham reviewed the highlights of 2005 in the “State of the City Report”.

## PUBLIC HEARINGS – 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.

### 2. Approve City Council minutes of January 3, 2006.

D. Fansler, City Clerk

### 3. Approve Warrant Register: Nos. 59614 – 59702 (12/30/05) and 59703 – 5959810 (01/06/06)

M. Compton, Administrative Services Director

### 4. Receive and file Annual Report of the El Paso de Robles Redevelopment Agency for fiscal year ending June 30, 2005.

M. Compton, Administrative Services Director

### 5. Adopt Resolution No. 06-004 authorizing a reimbursement to the developers of Parcel Map PR 03-0163, for the cost of design and installation of an eight-inch sewer line in the amount of \$43,788 in accordance with the Reimbursement Agreement between the City and Pahler Construction. Construction of the new sewer line replaced an existing, deteriorated sewer line and serves 13 existing residences west of the Pahler property. Resolution 04-251, adopted November 16, 2005, authorized the Mayor to execute the Reimbursement Agreement.

J. Falkenstien, Interim Community Development Director

### 6. Adopt Resolution No. 06-005 authorizing a one-time budget appropriation for the purchase of material and equipment related to the Traffic Safety Education Program. State Farm Insurance awarded a “Good Neighbor” grant in the amount of \$8,400 to the Paso Robles Police Department and Paso Robles Public Schools in December 2005. The grant funding is for the purchase of safety booklets and material, a cordless handheld radar unit, and a portable vehicle speed-warning device for a traffic safety education program.

D. Cassidy, Chief of Police

### 7. Adopt Resolution No. 06-006 awarding 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 2006 budget and funded in the Vehicle Replacement Fund: five mid-size used cars; one full-size used car, five ¾-ton pickups with utility beds; and five Police Interceptors.

D. Monn, Public Works Director

Consent Calendar Items Nos. 2 - 7 were approved on a single motion by Councilmember Nemeth, seconded by Mayor Mecham, with Councilmember Picanco abstaining on Warrant Register Items Nos. 059667 and 059772.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

## **DISCUSSION**

### **8. Request to Remove Oak Trees (OTR 05-008 – Cardinale/Morris)**

J. Falkenstien, Interim Community Development Director

Consider a request for tree removals on a 28,500 square foot R2 zoned site located on the south side of 4<sup>th</sup> Street, west of Oak Street. The site currently consists of three existing parcels oriented in an east/west manner. The applicants have submitted a Lot Line Adjustment 04-0181 requesting to orient the lots in a north/south direction; removal of the trees is requested to provide additional area for development.

Mayor Mecham opened the public hearing. Speaking from the public was Joe Cardinale (applicant), Kathy Barnett, and Mike Menath. Jim Lewis, applicant's arborist, presented a December 2005 update to his original evaluation report dated November 10, 2003. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to postpone consideration of this request to the February 21<sup>st</sup>, 2006 City Council Meeting.

Motion passed by unanimous voice vote.

### **9. Salinas River Corridor Plan Status Report**

M. Williamson, Assistant to the City Manager

In December 2004, Council authorized work with the National Park Service to collect community input and shape a vision for the Salinas River corridor. City staff prepared a report to update Council on the status of the Salinas River Corridor Plan design workshop efforts ("Follow the River – Follow the Dream").

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 Strong, seconded by Councilmember Nemeth, moved to receive and file the Salinas River Corridor Plan Status Report.

Motion passed by unanimous voice vote.

**10. Paso Robles School District Reimbursement for Parking Lot Improvements**  
D. Monn, Public Works Director

Consider authorizing payment to the school district for high school parking lot improvements installed in conjunction with the rehabilitation of Niblick Road. In June 2004, the City entered into an agreement to reimburse the district for 50% of the costs to improve the parking lot in front of the high school in exchange for a conveyance of property necessary for the City to install public bus stops along Niblick Road.

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 adopt Resolution 06-007 approving payment of \$85,579 to the Paso Robles School District in accordance with the executed Reimbursement Agreement and a one-time budget appropriation from the General Fund reserves.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT:

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** -

**COUNCIL COMMENTS** – Councilmember Fred Strong submitted his report from the California League of Cities Policy Committee Meeting, a copy is attached as part of these Minutes.

Mayor Mecham requested a joint session with the City Council and Planning Commission at a convenient time following the appointment of the new Community Development Director.

**PUBLIC COMMENT ON CLOSED SESSION** – None

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

*It was the consensus of Council to adjourn from regular session at 9:07 PM.*

*The City Council thereupon adjourned to Closed Session in the 2<sup>nd</sup> floor Large Conference Room.*

**CLOSED SESSION**

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

*The City Council returned to Regular Session at 9:30 PM.*

**RETURN TO OPEN SESSION**

**CLOSED SESSION REPORT**

*Deputy City Attorney Jon Seitz announced that Council confirmed the appointment of Ronald Whisenand as Director of Community Development.*

*By unanimous voice vote, Council moved to adjourn from regular session at 9:30 PM.*

**ADJOURNMENT:** to

- Chamber of Commerce Annual Dinner, at 6:30 PM, January 21<sup>st</sup>, at SLO Pavillion – California Mid-State Fairgrounds
- Chandler Ranch Workshop on grading and related topics at Planning Commission at 7:30 PM, January 24<sup>th</sup>, at Library/City Hall Conference Center, 1000 Spring Street
- Main Street Valentine's Day Dance, at 6:30 PM, February 4<sup>th</sup>, at Park Ballroom, 1945 Park Street
- Regular Council Meeting, 7:30 PM on Tuesday February 7, at Library/City Hall Conference Center, 1000 Spring Street

Submitted:

\_\_\_\_\_  
Deborah D. Robinson, Interim 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.**

County Notification List  
- Boston Tract

Public Comment  
Lawrence Lynch

4/17/06

ABRAMSON WILLIAM E TRE ETAL  
008-351-044  
1733 FILBERT ST  
PASO ROBLES, CA 93446

ALMOND HEIGHTS LLC A CA LLC  
018-121-005  
1200 VINE ST  
PASO ROBLES, CA 93446

BELL RODNEY E & ANNE D  
008-271-011  
6766 E CAMBRIDGE  
FRESNO, CA 93727

BERTONI JOHN I TRE ETAL  
008-431-052  
2227 VILLA DR  
PASO ROBLES, CA 93446

BETTENCOURT LARRY D TRE ETAL  
008-351-026  
1745 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

BOYER DAVID R  
008-271-019  
344 CORRAL DE TIERRA RD  
SALINAS, CA 93908

CHAMBERS VIOLA H TRE  
008-351-018  
1752 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

~~CITY OF PASO ROBLES (955)  
008-202-001  
1000 SPRING ST  
PASO ROBLES, CA 93446~~

~~CITY OF PASO ROBLES (955)  
008-202-002  
1000 SPRING ST  
PASO ROBLES, CA 93446~~

CITY OF PASO ROBLES (955)  
008-271-007  
1000 SPRING ST  
PASO ROBLES, CA 93446

~~CITY OF PASO ROBLES (955)  
008-204-001  
1000 SPRING ST  
PASO ROBLES, CA 93446~~

COUTURE CHRIS & STACY  
008-351-058  
1731 FILBER ST  
PASO ROBLES, CA 93446

DANLEY BILL L TRE ETAL  
008-351-011  
PO BOX 75  
SHANDON, CA 93401

DICKERSON TAMARA S  
008-271-010  
135 18TH ST  
PASO ROBLES, CA 93446

DILDINE CAROLYN R TRE  
018-141-015  
123 W 19TH ST  
PASO ROBLES, CA 93446

DILDINE CAROLYN R TRE  
018-141-016  
W 19TH ST  
PASO ROBLES, CA 93446

DUMAS JACK C & SALLY H  
008-351-010  
90 PIEDMONT PL  
PASO ROBLES, CA 93446

ECKERT WILLIAM B  
008-351-013  
85 PIEDMONT  
PASO ROBLES, CA 93446

FAHY DANIEL ETUX  
008-271-021  
1839 LOCUST STREET  
PASO ROBLES, CA 93446

FORD JAMES H ETAL  
018-151-010  
14927 LIPSON AVE  
VISALIA, CA 93292

GARCIA FRANCISCO & ELIVRA L  
008-351-041  
80 PIEDMONT PL  
PASO ROBLES, CA 93446

GRAY JOHN R & SHIRLEY S  
008-351-025  
1751 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

GUIDO-HAAS CAROLE  
008-351-015  
1742 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

HARRIS KENNETH G TR ETAL  
018-141-003  
PO BOX 636  
PASO ROBLES C, CA 93447

HOELZLE EUGENE C TRE ETAL  
008-273-007  
80 VISTA MONTEMAR  
LAGUNA NIGUEL, CA 92677

HOFFMAN VENETA G  
008-271-020  
1843 LOCUST ST  
PASO ROBLES, CA 93446

JOYCE FLORENCE  
008-271-023  
1849 LOCUST ST  
PASO ROBLES, CA 93446

JOYCE FLORENCE  
008-271-022  
1849 LOCUST CT  
PASO ROBLES, CA 93446

KUEHL MARTIN W TRE ETAL  
008-201-004  
PO BOX 383  
PASO ROBLES, CA 93447

KUEHL MARTIN W TRE ETAL  
008-201-004  
PO BOX 383  
PASO ROBLES, CA 93447

LONG BILL M & MARY E  
008-351-017  
1750 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

LYNCH LAWRENCE L ETUX  
008-273-001  
1840 LOCUST ST  
PASOR ROBLES, CA 93446

MADDEN KATHARINE C TRE ETAL  
018-151-009  
1030 W 17TH ST  
PASO ROBLES, CA 93446

MADDEN MICHAEL T & KAREN D  
018-141-001  
120 W 19TH ST  
PASO ROBLES, CA 93446

MADDEN THOMAS J III ETAL  
018-151-008  
1030 W 17TH ST  
PASO ROBLES, CA 93446

MARSHALL DOUGLAS E TRE ETAL  
008-272-001  
385 SUGARLOAF RD  
SCOTTS VALLEY, CA 95066

MCWILLIAMS MARILYN A TRE  
008-351-016  
PO BOX 2033  
PASO ROBLES, CA 93447

MUNZELL PETER C & DOLORES J  
008-351-027  
1737 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

MUSE CLAUDE A TRE ETAL  
008-351-043  
1751 FILBERT  
PASO ROBLES, CA 93446

NELSON HILDA M TRE ETAL  
018-141-006  
124 21ST ST  
PASO ROBLES, CA 93446

PERKINS AA ETAL  
008-351-003  
1745 FILBERT ST  
PASO ROBLES, CA 93446

PORTER ROBERT W JR TRE ETAL  
008-351-014  
1740 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

ROTH ELLIS T TRE ETAL  
008-432-001  
123 21ST ST  
PASO ROBLES, CA 93446

ROUGEOT JEFFREY S & AMY  
008-431-001  
1182 PATRICIA  
PASO ROBLES, CA 93446

RUSSELL KAREN A TRE  
008-351-020  
1756 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

SEFTON STEPHEN B TRE ETAL  
008-351-019  
1754 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

STOCK RONALD W  
018-141-019  
PO BOX 896  
PASO ROBLES, CA 93447

TOJIMITO LLC A CA LLC  
018-151-011  
1200 VINE ST  
PASO ROBLES, CA 93446

TRINIDADE ARTHUR F TRE ETAL  
018-141-005  
115 18TH ST  
PASO ROBLES, CA 93446

TRINIDADE ARTHUR F TRE ETAL  
008-271-004  
115 18TH ST  
PASO ROBLES, CA 93446

TRINIDADE ARTHUR F TRE ETAL  
008-271-014  
115 18TH ST  
PASO ROBLES, CA 93446

VAUGHAN SURVEYS  
1101 RIVERSIDE DR  
PASO ROBLES, CA 93446

WEEKS BRUCE C & SHARON L  
008-351-042  
1714 HIGHLAND PARK DR  
PASO ROBLES, CA 93446

WILLIAMS JM  
018-141-004  
1753 FILBERT ST  
PASO ROBLES, CA 93446

17th - ②  
18th - ④  
19th - ④  
21th - ③  
Vine - ①  
Filbert ⑤  
Highland ⑪  
Locust ⑥

Riedmont ③

Harry Lynch - Kathleen Cairns  
237-0916  
Wm. Eckert 238-2001  
Kuehl 238-4435

## January 17, 2006 Council Comments

by Councilman Fred Strong

In response to Mayor Mecham's request for information on meetings attended.

- I attended the California League of Cities Policy Committee meetings last week in Sacramento. On Thursday I attended my committee [Housing, Community and Economic Development - HCED]. On Friday, due to his family emergency, I attended Council member Heggarty's committee meeting [Revenue & Taxation - R&T].

**The Revenue & Taxation Committee** had a complex agenda that overlapped that of HCED in some areas. I will deal with those in the HCED section of this report. Due to the schedules of various speakers the agenda was taken in different order, as convenient, than published. I will relate the actions in the order originally published.

AB737 was discussed. It involves a change in the property tax structure public utilities. Its intent is to have the bulk of State assessed property taxes for all new transmission facilities [including generating plants, substations and transmission lines - the last item being added to the bill very soon] to be given to the City in which it is located rather than distributed to all localities in the region. There is provision for a portion to go to the serving fire and water agencies as well. This applies ONLY to new facilities and NOT to expanded or existing facilities. The vote in favor was unanimous with one abstention by a Councilman who is employed by Southern California Edison. The League has previously supported similar legislation [AB2558 and AB81]. Those wanting to follow this bill as it proceeds through the legislature may do so on line at [www.leginfo.ca.gov](http://www.leginfo.ca.gov) and enter "AB737".

The Streamlined Sales Tax Project [SSTP] was also discussed. This is a streamlining policy affecting collection and distribution of sales tax revenues. It requires specific action by a participating state. It has gained national concurrence with the achievement of 10 states representing 20% of those that have a sales tax. California is in process of becoming a member. This will shift the "point of sale" for sales taxation purposes to a destination based system. Further understanding is needed. Under one interpretation this could take sales taxes away from the city where the store is and send them to the jurisdiction where the customer resides. It could also shift sales taxes to the city from mail order or internet sales that were transacted or shipped from out of the area.



The Revenue and Taxation Committee will continue to assist the League in monitoring this issue.

Utility Users tax issues were addressed through the efforts of the California Local Government Utility Users Tax Technical Task Force [UUT-TTF]. This is of primary interest to Paso Robles because it threatens to impact our franchise revenues, especially in the area of cable services.

The committee's speaker told us that, "convergence of communications technology and groups is coming at us faster than anyone can imagine." We were told that everything is headed toward the WEB and broadband access. At that point we may not be able to tax the source anymore. The UUT-TTF and the League are trying to maintain local abilities. The committee NEEDS information on local provider changes in service, billing, etc. in local jurisdictions. A survey was sent out in November and everyone who has not responded as yet was urged to do so immediately.

This effort includes advocacy toward implementing universal access to broadband for educational and economic development purposes. This process can be monitored at [www.UUTinfo.org](http://www.UUTinfo.org).

On a motion by Councilmember Allen Settle, seconded by Councilmember John Addleman the R&T 2006 Work Program was adopted as amended. One of the main thrusts is to work with Governor and legislators to "improve state and local funding, especially in the housing and infrastructure, including maintenance and service, area. It will continue to oppose unfunded mandates and asked that city's inform the League whenever it perceives any new legislation which could be an unfunded mandate.

**The Housing, Community and Economic Development [HCED] Policy Committee** spent most of its time listening to various speakers and participating in an information give and take with them. Many questions were addressed. The speakers included Michael C. Genest, Director of the California Department of Finance, on the proposed budget; Senator Bob Dutton who spoke on "Perspectives from the Senate Republicans on California Infrastructure"; John Shirey, Executive Director of the California Redevelopment Association, on Eminent Domain; Senator Alan Lowenthal, Chairman of the Transportation and Housing Committee; and various League advocates and officials.

The subcommittee with the BIA came to some agreement on mutual issues and came around to the League's position on tax increment funding for infrastructure

but the meetings fell apart on the planning issue of expanded land supply and 10 year “certainty”.

The League is looking at a phasing mechanism to extend “certainty” from five to ten years out. It is looking to have the COGs, rather than HCD, be responsible for developing regional housing need. It also favors rewards for communities that allow affordable housing “by right” and seeks to allow a transfer of the Regional Housing Needs Assessment [RHNA] amounts between jurisdictions. It is also looking at a shift of property tax revenues or redevelopment revenues from one jurisdiction to another when the RHNA amounts shift.

A move by the State to create Housing/Infill Infrastructure Investment Districts is expected to “trump” all other unresolved issues between the League and the BIA.

The HCED committee adopted its strategic goal to promote development and redevelopment of healthy and safe cities with an emphasis on infrastructure, housing and redevelopment.

We were told that part of the budget will give us our standard amount of Prop 42 funding even though this was supposed to be a “no income” year under previous agreements. However, transportation funding may require a greater amount of local matching funds. The amount may be keyed to a jobs, housing, transportation formula which would reward those cities who meet Housing Element Goals and Policies. Those who qualify would have a 25% match and those who don't would have a 50% match. However, the League is also pursuing a reduction to 55% for local match bond approvals. Also, flood control and storm water drainage facilities may get authorization for inclusion in developer and/or permit fees [ACA 13]. The flooding issue was given considerable time and one thing that was STRESSED is that building in a 100 year flood plane does NOT mean that you have a chance of being flooded once every 100 years, it means that you have a 26% chance of being flooded over the typical 30-year mortgage period. Nothing was said as to how increased fees would affect the incentives for low and moderate priced housing. YES, that's right, the terminology is being shifted from low and moderate “income” to low and moderate “priced” housing. This will allow places like Brentwood and Malibu to qualify for the better match on transportation funding.

Numerous bills and Constitutional Amendments are being introduced or proposed for the ballot regarding eminent domain. The Supreme Court decision on eminent domain last year regarding an Eastern state's taking for economic upgrade has sparked politically popular opposition to the use of eminent domain when a

domicile is involved. We were told that all the polls indicate that every proposal would pass if put to a vote. A compromise piece of legislation is being drafted to present a more realistic and moderate approach to this politically charged issue. However, we were warned that we will probably face drastic changes which will increase the costs of all capital improvement projects by as much as 100% in the near future. There were seven proposals on the table when the League agenda was drawn and an eighth, SCA 20, was introduced on January 11.

Senator Lowenthal emphasized his intention to promote housing near jobs and to maximize infill housing in the legislation that comes before his committee this year.

Michael Genest stated that the State is entering the arena of Court ownership and will begin making funding available for courthouse construction in this budget cycle.