



**CITY OF EL PASO DE ROBLES**  
*"The Pass of the Oaks"*

**CITY COUNCIL MINUTES**

**Tuesday, April 3, 2007 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** – Pastor Patrick Sheean

**ROLL CALL** Councilmembers John Hamon, Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham

**PUBLIC COMMENTS**

- Tom Hardwick, requesting status of downtown parking development, and Gary Fowler of San Luis Obispo, commenting on city street lighting and downtown parking meters

City Manager noted a correction to agenda item No. 9 to adopt proposed Ordinance No. 928 N.S, amending the Municipal Code regarding claims against the City. The first reading of the proposed Ordinance occurred on March 20, 2007.

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

**PRESENTATIONS**– None

**PUBLIC HEARINGS**

**1. Zoning Map Amendment 07-001 (City Initiated) 4<sup>th</sup> and Spring Street Master Plan Area (APNS 009-291-008 through -018)**

R. Whisenand, Community Development Director

City Council approved a Zoning Map Amendment for property within the 4<sup>th</sup> Street Master Plan area to be in conformance with the General Plan land use designation. Susan DeCarli, City Planner, presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was Jim Saunders. 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 approve Resolution No. 07-057 to adopt the Negative Declaration.

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Councilmember Strong, seconded by Councilmember Nemeth, moved to introduce the first reading Ordinance XXX N.S. approving Rezone 07-001.

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Mayor Mecham recused himself from voting on Item No. 2 and left the dais until deliberations were concluded. Mayor Pro Tem Nemeth assumed the chair of the meeting.

**2. Determination of Historic or Architectural Significance of a Portion of a Residential House and Detached Garage and a Request to Process a Pending Demolition Permit Application (Demolition 07-001; Applicant: Bruce White)**

R. Whisenand, Community Development Director

City Council considered an application filed by Ken Nagahara on behalf of Bruce White to authorize a demolition permit for the following buildings (or portions of buildings):

- An approximate 560 SF addition to the existing residence (Bldg. A), the addition is at the rear of the original house and was added after the original house was built; The 400 SF detached garage; and the existing barn building at the rear of the site (Bldg. B).

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

Councilmember Strong, seconded by Councilmember Hamon, moved to approve Resolution No. 07-058 adopting a Negative Declaration, pursuant to the requirements of the Guidelines for implementing the CEQA, and directed that the demolition permit application be processed.

Motion passed by the following roll call vote:

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

Mayor Mecham returned to his seat at the dais.

**3. Rezone 06-003, Planned Development 06-015 – 1028 21<sup>st</sup> Street (Applicant: Sundance Enterprises)**

R. Whisenand, Community Development Director

City Council considered a Rezone and Planned Development application to rezone property to be in conformance with the General Plan, and to construct a mixed-use residential and commercial project, with seven 3-bedroom apartments and 1,240 SF of commercial space. Susan DeCarli presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was Bob Clouston, Brenda Clouston, Dale Gustin, Kathy Barnett, and Stephen King, project architect. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Hamon, moved to approve Resolution No. 07-059 to adopt the Negative Declaration.

Motion passed by the following unanimous roll call vote:

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

Councilmember Nemeth, seconded by Councilmember Hamon, moved to introduce for first reading Ordinance No. XXX N.S., approving Rezone 06-003 that would rezone the subject property to C3-MU.

Motion passed by the following unanimous roll call vote:

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

Councilmember Nemeth, seconded by Councilmember Hamon, moved to adopt Resolution No. 07-060 to approve Planned Development 06-015.

Motion passed by the following unanimous roll call vote:

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

## 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.

4. Approve City Council minutes of March 20, 2007
5. Approve Warrant Register: Nos. 68759—68907 (03/16/07) and 68908—69120 (03/23/07), and Other Payroll Services
6. Receive and file Advisory Body Committee minutes as follows:  
Parks and Recreation Advisory Committee 2/13/07  
Senior Citizen Advisory Committee 2/12/07
7. Adopt Resolution No. 07-061 to authorize payment to UPRR in the amount of \$21,325.86 for flagging costs at associated with the 24<sup>th</sup> Street Bridge grade separation.
8. Adopt Resolution No. 07-062 authorizing the recordation of the Final Tract Map of Tract 2435 (Ridino), an eight-unit condominium subdivision located on the east side of Railroad Street, north of 14<sup>th</sup> Street.
9. <sup>1</sup>Read, by title only, and adopt Ordinance No. 928 N.S. amending Division XXV of Chapter 3.04 of the City Municipal Code Regarding Claims Against the City for Refunds of Taxes, Assessments, or Fees.
10. Adopt Resolution No. 07-063 accepting the recordation of Parcel Map PR 05-0381, a two-lot industrial subdivision located on Dry Creek Road west of Airport Road.

Consent Calendar Items were approved on a single motion by Councilmember Hamon, seconded by Councilmember Nemeth, with Councilmember Picanco abstaining on Warrant Register Items Nos. 068821, 068850, 068851, 068891, and 069015, Councilmember Strong abstaining on Warrant Register Item No. 068982, and Mayor Mecham abstaining on warrant Register Items No. 068891 and 069061.

Motion passed by the following unanimous roll call vote:

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

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<sup>1</sup> Correction to agenda item No. 9 to adopt proposed Ordinance No. 928 N.S, amending the Municipal Code regarding claims against the City. The first reading of the proposed Ordinance occurred on March 20, 2007.

## DISCUSSION

### 11. General Obligation Bond Refunding

M. Compton, Administrative Services Director

City Council to considered refinancing Series A and C bonds of the 1998 General Obligation Bond authorization.

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 proceed with all the necessary actions to implement a level savings refinance basis of Series A and C of the 1998 General Obligation Bonds, beginning in 2008.

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

### 12. Chandler Ranch Area Specific Plan Supplemental Budget Request

R. Whisenand, Community Development Director

City Council considered a supplemental budget request for financial analysis related to the Chandler Ranch Area Specific Plan (CRASP).

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 Strong, seconded by Councilmember Nemeth, moved to authorize the contract Amendment with David Taussig & Associates, and adopt Resolution No. 07-064, and attached Scope of Work (Exhibit A), approving an appropriation of \$55,000 for this purpose.

Motion passed by the following roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong

NOES: Mecham

ABSTAIN:

ABSENT:

### 13. Hwy 46W/101 Interchange – Supplemental Traffic Analysis

D. Monn, Public Works Director

City Council considered a contract with the Associated Transportation Engineers for Traffic Engineering Services to determine area property owners' impacts from planned improvements. John Falkenstien presented the staff report.

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

Councilmember Strong, seconded by Councilmember Hamon, moved to adopt Resolution No. 07-065 authorizing the City Council to enter into an agreement with Associated Transportation Engineers for Traffic Engineering services, and approving a budget appropriation not to exceed \$15,000 in relation to the formation of Community Facilities District for Highway 101-46W improvements.

Motion passed by the following unanimous roll call vote:

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

**14. Spring and 24th Street Gateway Improvements - Landscape Design Services**

D. Monn, Director of Public

City Council considered authorizing landscape design services for Gateway improvements Spring and 24<sup>th</sup> Streets (Flamson School).

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 Hamon, moved to adopt Resolution No. 07-066 to allocate funding to provide landscape design services for Spring Street and 24th Street improvements.

Motion passed by the following unanimous roll call vote:

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

**15. SLO Green Build MOU**

D. Monn, Public Works Director

City Council considered establishing a Memorandum of Understanding ("MOU") between the City of Paso Robles and SLO Green Build. Steve Perkins, City Building Official, presented the staff report.

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

Councilmember Hamon, seconded by Councilmember Strong, moved to adopt Resolution No. 07-067, approving the MOU with SLO Green Build.

Motion passed by the following unanimous roll call vote:

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

Council adjourned for a 10-minute recess at 9:05 PM. Council reconvened at 9:15 PM with the Mayor and all City Councilmembers present.

**16. Waste Water Treatment Plant Operational Support**

D. Monn, Public Works Director

City Council considered engaging the Wallace Group to provide a Grade III operator for Waste Water Treatment operations until a Waste Water Supervisor position is filled.

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 Strong, moved to adopt Resolution No. 07-068 to authorize the City Manager to engage the services of Wallace Group (through its subsidiary, Fluid Resource Management) to provide a Grade III operator for Waste Water Treatment operations for a period of up to 12 months, and approving the transfer of funds from Sewer Operations Fund.

Motion passed by the following unanimous roll call vote:

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

**17. Development Impact Fee Update**

R. Whisenand, Community Development Director

City Council considered authorizing a supplement to the contract with David Taussig & Associates for additional work related to the update of the City's Development Impact Fees.

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 Hamon, moved to authorize the City Manager to approve a contract supplement with David Taussig & Associates in the amount of \$24,000 to attend regular meetings and prepare responses to HBA comments during the course of updating the Development Impact Fees, and adopt Resolution No. 07-069 appropriating funds from the General Contingency Fund.

Motion passed by the following unanimous roll call vote:

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

Mayor Mecham recused himself from voting on Item No. 18 and left the dais until deliberations were concluded. Mayor Pro Tem Nemeth assumed the chair of the meeting.

**18. Water Treatment Plant Design and Construction – Project Management**

D. Monn, Public Works Director

City Council considered appropriating funds and authorizing preparation of a contract for Project Management Services associated with the design of a 6 million gallon water treatment facility.

Mayor Pro Tem Nemeth 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 Strong, seconded by Councilmember Hamon, moved to adopt Resolution No. 07-070 appropriating an amount not to exceed \$96,000.00 from Water Operation Funds, and authorize the City Manager to enter into a contract with TJ Cross Engineering to provide project management services associated with the design of the treatment facility.

Motion passed by the following roll call vote:

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

Mayor Mecham returned to his seat at the dais.

**19. Robins Field Landscape Construction Project**

D. Monn, Public Works Director

For the City Council to consider allocating funding to upgrade the landscaping and rehabilitate select items at Robbins Field.

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 No. 07-071 authorizing the allocation of \$70,000 from the General Emergency & Contingency Funds to the CIP Fund for the Robbins Field Project.

Motion passed by the following unanimous roll call vote:

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

**20. Municipal Landfill – Temperature Probe Replacement**

D. Monn, Public Works Director

For the City Council to consider appropriating funding to replace 28 defective wellhead temperature and flow control devices at the landfill.

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 Hamon, moved to adopt Resolution No. 07-072 to allocate funding to cover the cost of repair/replacement of wellhead devices from Solid Waste Contingency Fund.

Motion passed by the following unanimous roll call vote:

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

**CITY MANAGER** - None

**CORRESPONDENCE** - None



**ADVISORY BODY COMMUNICATION – None**

**AD HOC COMMITTEE COMMUNICATION - None**

**COUNCIL COMMENTS (Including oral reports on conferences attended)**

Councilmember Picanco requested that in the future when the City receives replies to the City's requests for proposals that all responses are noted in staff reports, in the interest of public disclosure.

Councilmember Strong reported on his attendance at recent League of California Cities committee meetings, and requested that certain items be considered by Council at a future meeting.

**ADJOURNMENT:**

- THE REGULAR SCHEDULED PLANNING COMMISSION MEETING, APRIL 10, 2007 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- The VOLUNTEER RECOGNITION PARTY AT 6:00 P.M. TUESDAY, APRIL 17, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, APRIL 17, 2007, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING TREET

Submitted:

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Deborah D. Robinson, 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.**

MY NAME IS GARY FOWLER AND I LIVE AT 777 MILL STREET IN SAN LUIS OBISPO. I FREQUENT THE PASO ROBLES CITY OFTEN VISITING FRIENDS AND ATTENDING SPORTS EVENTS AND OTHER ACTIVITIES HERE.

IN NOVEMBER AND DECEMBER OF LAST YEAR, WHILE SHOPPING AND VISITING IN THE AREA, I NOTICED SEVERAL OF YOUR OVERHEAD ILLUMINATED STREET SIGNS WERE NOT LIGHTED. I CALLED YOUR PUBLIC WORKS DEPARTMENT TO LET THEM KNOW THIS AND HOW MUCH THEY HELP SOMEONE OUT-OF-AREA SPOT THE STREETS THEY ARE LOOKING FOR - ESPECIALLY IN DARKNESS AND INCLEMENT WEATHER. WHILE BACK IN THE AREA IN DECEMBER I NOTICED THEY HAD NOT BEEN REPAIRED OR LIGHTS REPLACED AND I CALLED YOUR CITY HALL. THE LADY WAS PLEASANT AND SAID SHE WOULD PASS ON THE INFORMATION.

IN FEBRUARY I NOTICED STILL NOTHING HAD BEEN CORRECTED SO I SENT A FAX TO YOUR CITY MANAGER. (I HAVE INCLUDED A COPY OF THAT AND A PICTURE OF THE SIGNS. THE ATTACHED SHEET SHOWS THE STREETS INTERSECTING SPRING THAT I REPORTED. THERE ARE OTHERS ON

April 3, 2007  
Public  
Comment

**STREETS THROUGHOUT THE CITY THAT ARE ALSO IN NEED OF TUBE REPLACEMENT BUT THESE ARE THE PREVALENT ONES THROUGHOUT THE DOWNTOWN BUSINESS DISTRICT.**

**I KNOW THESE FIXTURES COST SEVERAL HUNDRED DOLLARS EACH. IT WOULD SEEM THAT YOU WOULD WANT THEM TO WORK AND HELP WITH TRAFFIC SAFETY. I DON'T UNDERSTAND WHY AT NIGHT TIME WHEN OFFICERS ARE ON PATROL, THEY CAN'T NOTE THESE INOPERABLE FIXTURES AND HAVE THEM REPORTED TO PUBLIC WORKS. THEY REALLY ARE HELPFUL.**

**SECOND: PLEASE DO NOT INSTALL PARKING METERS IN YOUR CITY. FROM A CITY THAT HAS EXCESSIVE METERS AND PAID PARKING STRUCTURES I CAN TELL YOU THEY ARE HATED BY THE RESIDENTS AS WELL AS SHOPPERS. YOU TALK OF BRINGING IN SOME 400 THOUSAND DOLLARS IN FINES BUT DON'T FORGET:**

- 1. THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF METERS.**
- 2. THE PAY AND BENEFITS OF THE METER ENFORCEMENT PERSONNEL, STARTING WITH A PARKING DIRECTOR, CLERICAL PERSONNEL AND A MAINTENANCE PERSON.**
- 3. PARKING SCOOTERS OR VEHICLES.**
- 4. PRINTING COSTS FOR FORMS AND A FACILITY OPEN TO THE PUBLIC**
- 5. CONTRACT WITH A COMPANY TO FOLLOW-UP ON FAILURES TO PAY AND PAYMENT TO THE STATE DMV FOR COLLECTIONS.**
- 6. IF YOU DO GO DOWN THIS ROAD, MAKE PARKING A PART OF THE POLICE DEPARTMENT – DON'T ESTABLISH A SEPARATE BUREAUCRACY.**

**IF YOU WANT TO RUN MORE PEOPLE OUT OF YOUR DOWNTOWN INTO THE SHOPPING MALLS, CENTERS AND OTHER LOCATIONS, JUST PUT IN PARKING METERS. PARKING STRUCTURES ARE ANOTHER ACCEPTABLE ALTERNATE.**

TRANSMISSION VERIFICATION REPORT

TIME : 02/06/2007 16:44  
NAME : CHP  
FAX : 8055493616  
TEL :  
SER.# : BROK4J974384

DATE, TIME 02/06 16:44  
FAX NO./NAME 92374032  
DURATION 00:00:14  
PAGE(S) 01  
RESULT OK  
MODE STANDARD  
ECM

FAX 237-4032

February 6, 2007 Tuesday

Mr. Jim App  
Paso Robles City Manager  
Paso Robles, CA. 93446

Dear Mr. App:

As someone who frequents the downtown area of Paso Robles, and especially during the evening hours, I would like to bring something to your attention. I have called the Public Works office previously, but they seem to ignore the problem. I was going to make a council meeting and comment during public comment period but thought I would try contacting you first.

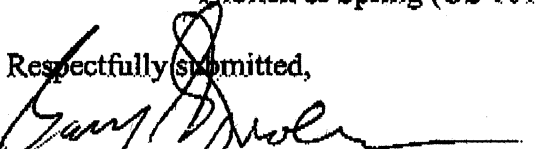
You have a great number of city street signs which are lighted and hang above the below listed intersections that need to have the florescent tubes replaced. These fixtures are installed at considerable expense to your city, I am sure. It would be nice if they were maintained. They certainly are an aid to the motoring public during darkness or inclement weather. They are especially nice for us who are out-of-town and do not know the streets as well as your local residents.

These lighted signs are great and can easily be seen a great distance before making a turning movement.

I would think local police officers, working evenings or graveyard shift, would see these signs and make notice to public works to replace the tubes.\

24<sup>th</sup> & Spring  
12<sup>th</sup> & Spring  
13<sup>th</sup> & Spring  
10<sup>th</sup> & Spring  
Niblick & Spring (US 101 southbound on ramp)

Respectfully submitted,

  
Gary G. Fowler  
777 Mill Street #15