



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

**CITY COUNCIL MINUTES**

**Tuesday, July 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** –Dan Katches, Senior Pastor, Covenant Presbyterian Church

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

**PUBLIC COMMENTS**

- Donna Henderson-McBean and Diana McPartland with information on volunteer program "Parents for Safe Schools."

**AGENDA ITEMS TO BE DEFERRED (IF ANY)** – Item No. 14.

**PRESENTATIONS**– None

**PUBLIC HEARINGS**

1. **Solid Waste Facility (Landfill) – Negative Declaration Permit Revision**  
R. Whisenand, Community Development Director

The City Council considered approval of an addendum to the October 17, 2006 approved Negative Declaration for minor changes to the Landfill operating permit. The changes would allow for revised estimates for remaining airspace volume and site life.

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. 07-133 approving an Addendum to the Negative Declaration for the Project.

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. Kathy Barnett requested Item No. 8 be pulled for discussion. There were no further comments from the public, either written or oral, and the public discussion was closed.

2. Approve City Council minutes of June 14, 2007, and the June 19, 2007 minutes noting a correction to vote on item 18 - Picanco "No."
3. Approve Warrant Register: Nos. 70637—70741 (06/15/07) and 70742—70922 (06/22/07)
4. Receive and file Advisory Body Committee minutes as follows:  
Citizen's Airport Advisory Committee meeting of April 26, 2007  
Library Board of Trustees meeting of May 10, 2007  
Parks and Recreation Advisory Committee meeting of May 8, 2007
5. Adopt Resolution No. 07-134 annexation of Parcel Map PR 05-0023, a residential subdivision at 2215 Vine Street, to CFD No. 2005-1, and adopt Resolution No. 07-135 accepting the recordation of the property. (Applicant: Barth)
6. Adopt Resolution No. 07-136 annexation of Parcel Map PR 05-0186, a residential subdivision at 736 Walnut Street, to CFD No. 2005-1, and adopt Resolution No. 07-137 accepting the recordation of the property. (Applicant: Kelsheimer)
7. Authorize the City Manager to enter into a contract with Boyle Engineering to prepare construction documents to upgrade Sewer Lift Station No. 4 for the amount of \$33,307.
8. Surplus City Property. PULLED FOR DISCUSSION following Item No. 17.
- 8.1 Adopt Resolution No. 07-138 approving the assignment of the master lease with Matt and Susan Andros to Paso Robles Aviation LLC, and consent to the form of sublease agreement for (Parcel 51, PRAL 80-53), located at 4282 Second Wind Way, at the Airport Industrial Park.

Consent Calendar Items Nos. 2-7 and 8.1 were approved on a single motion by Councilmember Hamon, seconded by Councilmember Strong, with Councilmember Strong abstaining on Warrant Register Items No. 189019 and 189219, and Councilmember Picanco abstaining on Warrant Register Item No. 070734, 070840 and 070881.

Motion passed by the following unanimous roll call vote:

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

## DISCUSSION

### 9. Water Conservation

D. Monn, Director of Public Works

Katie DiSimone, Utilities Manager, presented the staff report. 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 Hamon, moved to approve the implementation of a public campaign for voluntary citywide water conservation of 25% from July to September 2007 in accordance with the Water Shortage Contingency Plan.

Motion passed by unanimous voice vote.

### 10. Development Impact Fees – Change of Use

R. Whisenand, Community Development Director

The City Council considered revising the policy related to Development Impact Fee calculation for building permits involving a change in use. Steve Perkins, City Building Official, presented the staff report.

Mayor Mecham recused himself from voting on Item No. 10 and left the dais until deliberations concluded. Mayor Pro Tem Nemeth assumed the chair of the meeting and opened the public hearing. Speaking from the public was Bruce White. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to adopt Resolution No. 07-139 amending Resolution No. 06-188, Exhibit "A," Development Impact Fee Summary to specify fees when changes in use occur.

Motion passed by the following roll call vote:

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

Mayor Mecham returned to the dais and assumed the Chair.

### 11. Olsen Ranch Beechwood Specific Plan – Environmental Impact Report and Additional Budget Allocation Request

R. R. Whisenand, Community Development Director

The City Council considered allocating additional funds to expand the Scope of Work for the Olsen Ranch Beechwood Specific Plan (OBSP) Environmental Impact Report (EIR) to incorporate a density++<sup>1</sup> scenario. Susan DeCarli, City Planner, presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett, and Neil Olsen. 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. 07-140 authorizing a budget appropriation to cover the original EIR Scope of Work for \$190,000, and a one-time supplemental appropriation in the amount of \$50,000 for additional environmental analysis.

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<sup>1</sup> Density++ is the General Plan density, plus 30%.

Motion passed by the following roll call vote:

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

**12. Sustainable Communities Grant and Loan Program Application**

R. Whisenand, Community Development Director

The City Council considered authorizing an application for a \$350,000 grant and \$150,000 loan under the State Sustainable Communities Grant and Loan (SCGL) Program, which offers loans zero-interest 5-year loans to partially fund the preparation of the Uptown Specific Plan. The filing deadline for applying for SCGL funds is July 16, 2007. Ed Gallagher, Housing Programs Manager, presented the staff report.

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 adopt Resolution No. 07-141 authorizing the application.

Motion passed by the following unanimous roll call vote:

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

**13. Hydro-Geologic Support Services**

D. Monn, Public Works Director

The City Council considered authorizing hydro-geologic support services with Todd Engineers to prepare the annual report of the Paso Robles Ground Water Basin, represent the City on the County's Ground Water Banking subcommittee, and update the Urban Water Management Plan.

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

Councilmember Hamon, seconded by Councilmember Strong, moved to amend and adopt Resolution No. 07-142 by striking Section 1 of the draft resolution, eliminating the reference to a supplemental budget request, entering into a contract with Todd Engineering in the amount of \$60,000 for hydro-geologic support services.

Motion passed by the following unanimous roll call vote:

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

**14. Recreational Software Contract**

A. Robb, Director Library and Recreation Services/ D. McCue, Information Technology Manager

Councilmember Strong, seconded by Councilmember Hamon, moved to **table** consideration of a contract with Bureau VERITAS to acquire software for web-based (remote electronic) recreation class and facility registration until further investigation is completed.

Motion passed by unanimous voice vote.

**15. Narcotics Task Force Vehicle Replacement**

L. Solomon, Chief of Police

The City Council considered replacement of unmarked detective Unit #638 outside of the established equipment replacement process. City yard staff highly recommends immediate replacement due to the condition of the vehicle. Although funding for the replacement of this vehicle from the State Bureau of Narcotics Enforcement was initially denied to lack of funding, the City will continue to pursue reimbursement from the State.

Mayor Mecham opened the public hearing. There were no 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. 07-143 authorizing the Police Department to replace Unit #638 from anticipated budgetary savings.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**CITY MANAGER** - None

**CORRESPONDENCE**

**16. Designation of Voting Delegate and Alternate for 2007 League of California Cities Annual Conference – September 2007**

J. App, City Manager

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 and by general consent Resolution No. 07-144 was adopted designating Councilmember Strong as the voting delegate and Mayor Mecham, as the voting delegate-alternate to the 2007 League of California Cities Annual Conference

**ADVISORY BODY COMMUNICATION** – None

## **AD HOC COMMITTEE COMMUNICATION**

### **17. New Ad Hoc Committee Formation - Update Sewer and Water Development Impact Fees**

M. Compton, Director of Administrative Services

Sewer and water development impact fees were last reviewed and updated May 2004. On May 2, 2006, the City Council authorized the preparation of an update. The report is ready for Council review.

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 Nemeth, seconded by Councilmember Picanco, moved to appoint Councilmembers Nemeth and Picanco to the ad hoc committee.

Motion passed by unanimous consent.

### **8. Pulled from Consent Calendar - Surplus City Property**

M. Compton, Director of Administrative Services

The City Council considered declaring certain City property as surplus and authorize the disposal. Vehicles declared as surplus will be sold at public auction, and personal computers will be first offered to City employees at fair market value. Sale proceeds to be deposited back into the appropriate fund.

Councilmember Strong, seconded by Councilmember Picanco moved to adopt Resolution No. 07-145 declaring certain City property as surplus and authorize the sale by public auction, bid, or sale.

Motion passed by the following unanimous roll call vote:

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

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

### **PUBLIC COMMENT ON CLOSED SESSION**

*City Attorney Seitz announced Council's authority to go into closed session to discuss the item listed on the agenda, and clarified that the City would be negotiating with the heirs of Mrs. Stark.*

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

*It was the consensus of Council to adjourn from regular session at 9:00 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

**a. Conference with Real Property Negotiator**

Government Code Section 54956.8

Property: 1720 Riverside Drive (APN 008-295-011)

Negotiating Party: Heirs of Willie Jean Robinson Starks

City Negotiator: James App, City Manager

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

**RETURN TO OPEN SESSION**

**CLOSED SESSION REPORT**

*City Attorney Seitz announced that no reportable action was taken.*

*By unanimous voice vote, Council moved to adjourn from regular session at 9:35 PM.*

**ADJOURNMENT:**

- To BARNEY SCHWARTZ PARK 4<sup>TH</sup> OF JULY FIREWORKS DISPLAY
- MIDSUMMER MAGIC LIBRARY FOUNDATION FUNDRAISER, 7:00 PM ON SATURDAY, JULY 7, 2007 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- To ROLLING HILLS WORKSHOP AT 7:00 PM ON THURSDAY, JULY 12, 2007, AT THE DANIEL DAY LEWIS SCHOOL CAFETERIA ON CRESTON ROAD
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 17, 2007, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

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.**